



SAGE COLLEGIATE
Public Charter School

Safe and Inclusive Policy regarding Gender Diverse Identities or Expressions

Background

In accordance with NAC 388.880 (effective October 2018), the governing body of each charter school is required to adopt a policy that contains requirements and methods for addressing certain rights and needs of persons with diverse gender identities or expressions.

Additionally, the regulation requires that each school employee annual receive training concerning the requirements and needs of persons with diverse gender identities or expressions. To ensure that all schools are complying with these requirements, the State Public Charter School Authority will be collecting board-approved policies and evidence of training being completed.

Appreciation

Democracy Prep at the Agassi Campus (DPAC) shared their drafted policy with several schools to offer and support common language and shared alignment with state statute. Pinecrest Academy's publicly available draft also served as a language guide in some passages.

Board Vote

This policy was adopted unanimously by the Sage Collegiate Board of Directors at the board meeting no December 8, 2021.

Safe and Inclusive Policy regarding Gender Diverse Identities or Expressions

I. Policy Purpose

Sage Collegiate Public Charter School (“Sage Collegiate”) is committed to providing a safe, inclusive, welcoming, and respectful learning environment throughout its campus and in all its spaces for all students, including those with diverse gender identities or expressions.

II. Definitions

These definitions are provided not for the purpose of labeling students, but to assist in understanding this policy.

- A. Classroom Activities:** Activities that provide education or instruction for all students, other than field trips. Nothing in this definition requires adoption of a specific curriculum.
- B. Gender Expression:** The manner in which a student represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
- C. Gender Identity:** A student’s understanding, outlook, feelings, and sense of being masculine, feminine, both or neither, regardless of the student’s sex assigned at birth.
- D. Gender Support Team:** When a child identifies as being gender diverse, a group is convened to address the individual needs of the student. The group can consist of the parent(s); the student; as well as school personnel as determined by the school leader or designee of the school leader, including a counselor; and any representatives of community-based groups (including faith groups), as requested by the parent(s).
- E. Parent:** For the purpose of this policy, a parent is defined as 1) a biological or adoptive parent; 2) legal guardian; 3) a person acting in the place of a parent with whom the child lives; 4) a person who is legally responsible for the child’s welfare; or 5) an emancipated student.

III. Gender Support Plan to Address the Rights and Needs of Students with Diverse Gender Identities or Expressions

In order to address the rights and needs of students with diverse gender identities or expressions, a Gender Support Plan will be created for each student by the Gender Support Team, a team led by the School Leader or School Leader’s designee.

The Gender Support Plan requirements and components will be consistent with the requirements of this policy. Each Gender Support Plan for students with diverse gender identities or expressions must include the following components [NAC 388.880(3)]:

- A. Methods to ensure protection of the privacy of the student;
- B. Methods to support the appropriate engagement of the parent(s) of the student.
- C. Compliance with the Nevada Interscholastic Activities Association (NIAA), if interscholastic activities are considered.
- D. Compliance with the Nevada Equal Enjoyment of Places Public Accommodations law; and
- E. Consideration of the rights and needs of the student for which the plan is developed, as well as the capacity of the school, and the rights and needs of the student body at large, including individual requests for privacy.

Schools shall take measures to ensure access to academic courses and services that are appropriate for and supportive of students with diverse gender identities or expressions, including, without limitation [NAC 388.880(3)(c)(4)(5)]:

- F. Classroom activities shall be relevant, meaningful, and appropriate for students with diverse gender identities or expressions and do not discriminate or segregate according to gender identity or expression.

- G. Physical Education, assemblies, dances, ceremonies, and other school activities shall be appropriate for students with diverse gender identities or expresses gender to others, often through behavior, clothing, hair styles, activities, voice, or mannerisms.
- H. Single-sex classes, including physical education, should allow transgender students to participate consistent with their gender identity.
- I. Intramural and interscholastic Activities, in accordance with the regulations and policies of the Nevada Interscholastic Activities Association; and
- J. Schools shall ensure that students with diverse gender identities or expressions shall have access to all clubs and the ability to form a student club.

If/when Sage Collegiate offers sports, a student is able to compete in sports according to the student's gender identity. We will not maintain distinctions based on stereotypes of transgender students vs. students of the same gender identity with regard to athletic teams. Please refer to the Executive Director for further guidance and legal inquiries for on this topic.

IV. Addressing the Rights and Needs of Students with Diverse Gender Identities or Expressions

The school shall address the rights and needs of students with diverse gender identities or expressions on an individualized basis as outlined in its Gender Support Plan. Specifically, the school shall consider the student characteristics and unique circumstances of the student. The following provisions address the rights and needs of students with diverse gender identities or expressions.

A. Privacy

Sage Collegiate shall protect the privacy of each student governed by this policy. School employees shall not disclose information that may reveal a student's gender identity or expression status:

- to other students;
- to the parents of other students;
- to staff members unless there is a specific need to know;
- unless legally required to do so (e.g. court order, subpoena); or
- unless the parent has authorized, in writing, such disclosure.

B. Names/Pronouns

Students have the right to be addressed by the name and pronoun that correspond to their gender identity or expression. The requested name shall be included in Sage Collegiate's Student Information System in order to inform staff of the name and pronoun to use when addressing the student.

C. Records

1. Unofficial Records (including Sage Collegiate's School Information System)

As part of the student's Gender Support Plan, Sage Collegiate will allow a student to use their preferred name and gender on unofficial records. The unofficial records may include, but are not limited to: identification badges, classroom and homeroom rosters, certificates, programs, announcements, office summons, communications, team and academic rosters, newspapers, newsletters, yearbooks, and other site-generated unofficial records.

The process below outlines the how different pronoun usage on unofficial documents will occur:

a. School Leader Receives a Written Request: The process is initiated upon written request from a parent.

b. School Leader Schedules a Meeting: A meeting is scheduled with the Gender Support Team to address the parent's written request to support the student's gender identity or expression.

c. Outcome of Request is Determined: As a result of the Gender Support Team meeting; if agreed upon, appropriate changes may be made in the school's Student Information System.

2. Official Records (including Permanent Records)

Sage Collegiate is required to maintain in perpetuity mandatory permanent student records (such as transcripts), which include the legal name of the student and the student's gender as indicated on official government-issued documents such as birth certificates, passports, and identification cards/permits. Sage Collegiate will change a student's name and gender on official records when the name of the student is changed by court order.

D. Uniform Policy

Sage Collegiate's Student Professional Dress Attire (aka Uniform Policy) does not delineate by gender or gender identity and is all inclusive. Students with diverse gender identities or expressions may wear clothing consistent with their gender identity or expression so long as the clothing adheres to the uniform policy.

E. Access to restrooms, locker rooms, dressing rooms, overnight field trips.

With regards to restrooms and locker rooms, students will have three options:

- Option 1: Access for students with diverse gender identities or expressions may be determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy.
- Option 2: Students with diverse gender identities or expressions have the right to access restrooms/locker rooms consistent with their gender identity or expression as determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy. The school will explore options for gender neutral bathrooms at designated locations on campus
- Option 3: Students with diverse gender identities or expressions may use restrooms/locker rooms consistent with their sex assigned at birth, subject to any individual requests for privacy, as determined on a case-by-case basis through the Gender Support Plan process.

Regarding overnight field trips, students will have three similar options:

- Option 1: Students with diverse gender identities or expressions have the right to participate in overnight field trips, as determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy.
- Option 2: Students with diverse gender identities or expressions may participate in overnight field trips consistent with their gender identity or expression as determined on a case-by-case basis through the Gender Support Plan process, subject to any individual requests for privacy.
- Option 3: Students with diverse gender identities or expressions may participate in overnight field trips consistent with their sex assigned at birth, subject to any individual requests for privacy, as determined on a case-by-case basis through the Gender Support Plan process.

V. Professional Development and Training (NRS 388.133, NRS 388.134 and NAC 388.875)

A. The school will provide professional development and training concerning the rights and needs of students with diverse gender identities or expressions, on an annual basis, for the Board of Directors, administrators, instructional leaders, teachers, and other personnel. All newly elected members of the Board of Directors and newly hired employees shall receive such training and professional development within 180 days of being elected to the Board of Directors or being employed by the school.

B. The training and professional development shall include, at minimum, the following:

1. Any training materials developed by the Nevada Department of Education, or its affiliated/endorse partners, regarding providing a safe and respectful learning environment for students with diverse gender identities or expressions;
2. Each member of the Board of Directors, school employee, and parent/guardian of each student enrolled in the school will receive a copy of NAC 388.875 to 388.920 and a copy of this policy on a yearly basis;
3. Training regarding the needs of persons with diverse gender identities or expressions as it pertains to the prevention of discrimination, harassment, bullying, and cyberbullying; and,
4. Training regarding current state laws and regulations governing the rights and needs of students with diverse gender identities or expressions.

VI. Complaint Procedures

Individuals, including employees, students, parents, and members of the public, who believe they have been discriminated against or believe they witnessed discrimination against a student because of their gender identity or expression may file a complaint with Sage Collegiate by contacting the Executive Director or the Board Chair. The information will be publicly available on the school's website by July 1, 2022, prior to the start of the 2022-23 school year and at the time of the policy's passage the contact information is:

Executive Director

Sandra Kinne
skinne@sagecollegiate.org
702.482.7751

Board Chair

Jennifer Braster
jbrastersage@gmail.com

VII. Discipline

Sage Collegiate will establish methods to ensure that disciplinary action against an employee, volunteer, or student for the use of a name or pronoun, selected during the Gender Support Team meeting, shall only be considered if the action or actions meet the definition of bullying as prescribed in Nevada Revised Statutes (NRS) 388.122 through NRS 388.124 inclusive, or violate Policy 5137, Safe and Respectful Learning Environment: Bullying and Cyberbullying, or any other policy or regulation of the District.

VIII. Harassment

Harassment or bullying based on gender identity, status, or transformation may be considered sex-based harassment under federal law. The school has a responsibility to provide a safe and non-discriminatory environment. Given the frequency of harassment and bullying of transgender students, we need to be highly vigilant.

IX. Annual Review

This policy must be reviewed and, if necessary, updated on an annual basis by the school's Board of Directors. [NRS 388.134(5)]