

Salmon School District No. 294

STUDENTS 2050

Gender Identity and Sexual Orientation

The Board supports the Salmon School District, located at 1501 Bean Lane, Salmon, ID 83467 (hereinafter referred to as "District Office") together with its staff members, educators, volunteers, and employees (hereinafter individually and collectively referred to as "District") in its mission to ensure high levels of achievement for every student and recognizes the rights of parents, guardians, and caregivers to discuss, address, and educate their child on every subject matter, especially the non-academic subject matters not addressed in the District.

The following definitions are provided for clarification.

Gender Identity

Gender Identity is perceived by some as a person's inner sense of being male, female, or other. Gender Identity is not a subject matter the District shall discuss, address, or educate children about. It is the District's position that discussing, addressing, and educating children about Gender Identity is solely the responsibility of a child's parent, custodian, or legal guardian.

Gender Expression

Gender Expression is perceived by some as the external expression of gender roles through socially defined behaviors and ways of dressing. Gender Expression is not a subject matter the District shall discuss, address, or educate children about. It is the District's position that discussing, addressing, and educating children about Gender Expression is solely the responsibility of a child's parent, custodian, or legal guardian.

Sexual Orientation

Sexual Orientation is perceived by some as one's inherent attraction to a sexual partner of a certain gender, or the absence of gender preference in a sexual relationship. Sexual Orientation is not a subject matter the District shall discuss, address, or educate children about. It is the District's position that discussing, addressing, and educating children about Sexual Orientation is solely the responsibility of a child's parent, custodian, or legal guardian.

Transgender Identity

Transgender Identity is perceived by some as noting or relating to a person whose 'gender identity' does not correspond to the person's biological sex, societal expectations, gender norms or roles. Transgender Identity is not a subject matter the District shall discuss, address, or educate children about. It is the District's position that discussing, addressing, and educating children about Transgender Identity is solely the responsibility of a child's parent, custodian, or legal guardian.

Biological Sex

Biological Sex means the immutable biological and physiological characteristics, specifically the chromosomes and internal and external reproductive anatomy, genetically determined at

The biological sex of all students shall be based on each student's official birth certificate provided by the parents or guardians to the District Office or the student's individual School Office for inclusion in the student's records.

School Facilities

Students shall use the restrooms and locker rooms that correspond to their Biological Sex.

Other than activities under the jurisdiction IHSAA, in the event a student is unwilling or unable to use school facilities designated for the person's Biological Sex, building administration shall work with the student and their parents to provide reasonable accommodations for the student. Reasonable accommodations shall not include allowing access to facilities designated for use by members of the opposite sex while members of the opposite sex are present or could be present.

School Athletics

Activities under the direction of the Idaho High School Activities Association shall be subject to IHSAA rules and regulations which the district is required to follow. Similar activities at younger grade levels, as well as non-sanctioned sports and activities shall likewise follow IHSAA guidelines and guidance to the extent applicable and feasible.

School Trips

In the event of an overnight trip sponsored by the District, students shall be assigned sleeping accommodations corresponding to their Biological Sex. In the event of a conflict regarding sleeping accommodations, District administration shall consult with the families of the involved students to determine reasonable accommodations depending on the circumstance or situation.

Dress Code

All students shall dress in accordance with Policy 3260, Student Dress.

Student Records

Official student records, as required by law, shall utilize the student's legal name as identified on the student's official birth certificate. In the event an official student record requires identification of a student's gender, the student's Biological Sex, as identified on the student's certified birth certificate, shall be used.

Change of Official Student Records

Official student records may be changed when a current or former student presents an amended certified birth certificate to the District Office.

Confidentiality

In the event district staff observes and/or learns of known changes in a student's mental, emotional, physical health or well-being, building administration shall follow District policy, protocols and applicable law when addressing issues involving student self-harm, self-mutilation,

Safe Environment

It is the responsibility of the District to ensure all students have a safe school environment. Discrimination, harassment, bullying, or sexual harassment complaints shall be handled pursuant to Policy 3280, Equal Education, Nondiscrimination, and Sex Equity, and Policy 3290, Sexual Assault – Intimidation of Students.

Compelled Speech

It is not the intent of the District or its employees to be intentionally disparaging regarding the use of specific pronouns. Forcing students or teachers to use pronouns that do not correspond with an individual’s biological sex is for the individual to determine. The District recognizes that it cannot compel speech, nor may it require its administration, employees, or students to affirm any belief they do not hold.

Cross Reference:

- 2140 Student and Family Privacy Rights
- 3255 Student Dress
- 3280 Equal Education, Nondiscrimination, and Sex Equity
- 3290 Sexual Harassment / Intimidation of Students
- 5265 Employee Responsibility Regarding Student Harassment, Intimidation, and Bullying
- 3575 Student Data Privacy and Security

Legal Reference:

- I.C. § 32-1010 Idaho Parental Rights Act
- I.C. § 33-133(1)(j)(ii) Student Data-Items Not to Be Included in a Student’s Educational Record
- I.C. § 33-512B Suicidal Tendencies – Duty to Warn
- I.C. § 33-6001 Parental Rights
- I.C. § 33-6203 Designation of Athletic Teams
- I.C. § 33-6601 Legislative Findings
- I.C. § 33-6602 Definitions
- I.C. § 33-6603 School Restrooms
- I.C. § 33-6604 Exemptions
- I.C. § 33-6605 Reasonable Accommodations
- I.C. § 33-6607 Preemption
- 20 U.S.C. §§ 1681-1682 Title IX of the Education Amendments of 1972 State of Tenn., et al. v. U.S. Dep’t of Educ., No. 3:21-cv-308 (E.D. Tenn.) (July 15, 2022); Ricard v. USD 475 Geary County, KS School Board et. Al. (March 7, 2022)
- Other References: Idaho High School Activities Association, Current Rules and Regulations, Rule 11-3: Transgender Student Participation

Policy History:

Adopted on: _____

Revised on: _____

Reviewed on: _____