

Board Office Use: Legislative File Info.	
File ID Number	22-2829
Introduction Date	12/14/2022
Enactment Number	22-2112
Enactment Date	12/14/2022 os



Board Cover Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Joshua R. Daniels, Chief Governance Officer

Meeting Date December 14, 2022

Subject Proposed New Board Policy 5145.4 - Transgender Policy

Ask of the Board Approval by the Board of Education of new Board Policy 5145.4 - Transgender Policy

Background Board Policy 5145.3 - Nondiscrimination, Harassment and Transgender Policy previously included the District’s policy regarding Transgender students.

Discussion While a student’s actual or perceived gender can be a basis for discrimination or harassment, the District’s policy regarding Transgender students should be separate and apart. This is the case with similar Board Policies – e.g., Board Policy 5145.7 - Sexual Harassment specifically focuses on sexual harassment. The proposed new Board Policy 5145.4 – Transgender Policy would create a standalone policy with the same language that was in BP 5145.3.

Fiscal Impact N/A

Attachment(s)

- Proposed New Board Policy 5145.4 - Transgender Policy

OAKLAND UNIFIED SCHOOL DISTRICT
Board Policy Students

BP 5145.4
Transgender Policy

The California Code of Regulations defines “gender” as: “a person's actual sex or perceived sex and includes a person's perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth.”

This policy is meant to advise school site staff and administration regarding transgender and gender non-conforming student concerns in order to create a safe learning environment for all students, and to ensure that every student has equal access to all components of the District’s educational program.

Schools are expected to implement this Policy as follows:

- **Names/Pronouns**

Students shall have the right to be addressed by a name and pronoun corresponding to their gender identity that is exclusively and consistently asserted at school.

- **Official Records**

The District shall change a student’s official records to reflect a change in legal name or gender upon receipt of documentation that such legal name and/or gender have been changed pursuant to California legal requirements.

- **Restroom Accessibility**

Students shall have access to the restroom that corresponds to their gender identity exclusively and consistently at school.

- **Locker Room Accessibility**

Transgender students shall not be forced to use the locker room corresponding to their gender assigned at birth.

- **Sports and Gym Class**

Transgender students shall not be denied the opportunity to participate in sports and gym.

- **Dress Codes**

Students shall have the right to dress in accordance with their gender identity that is exclusively and consistently asserted at school, within the constraints of the dress codes adopted at their school site.

- **Gender Segregation in Other Areas**

As a general rule, in any other circumstances where students are separated by gender in school activities, students shall be permitted to participate in accordance with their gender identity exclusively and consistently asserted at school.

12/14/22



Gary Yee, President, BOE



Kyla Johnson-Trammell, Superintendent & Secretary, BOE