

## **Policy Committee Meeting**

Tuesday, March 26, 2024 4:30 PM

Davis Center, 1250 West Broadway Avenue, Minneapolis, Minnesota 55411

1) **Call to Order and Roll Call**

2) **Adoption of Agenda**

3) **Acceptance of Minutes**

3)a. February 20, 2024

4) **Reports and Discussion**

4)a. Regular Policy Reviews

4)a.1. Review Policy 5635 (Mandated Reporting Of  
Child Neglect Or Physical Or Sexual Abuse)

4)a.2. Review Policy 5637 (Mandated Reporting Of  
Maltreatment Of Vulnerable Adults)

4)b. Equity and Diversity Impact Assessment (EDIA)  
Progress Monitoring Update

4)c. Draft Gender Inclusion Policy Review

5) **Adjournment**

**OFFICIAL MINUTES  
MINNEAPOLIS BOARD OF EDUCATION**

**POLICY COMMITTEE MEETING  
FEBRUARY 20, 2024**

**CALL TO ORDER**

Chair Lori Norvell called the meeting to order at 4:30 p.m., a quorum being present.

**ROLL CALL**

Present: Adriana Cerrillo, Collin Beachy, Lori Norvell (3)

Absent: Directors Sharon El-Amin, Faheema Feerayarre (2)

**APPROVAL OF AGENDA**

Beachy moved to approve the agenda.

On a voice vote, the motion was adopted unanimously.

**APPROVAL OF MINUTES**

Beachy moved to approve the minutes from the January 23, 2024 meeting.

On a voice vote, the motion was adopted unanimously.

**REPORTS AND DISCUSSION**

**Equity and Diversity Impact Assessment (EDIA) Progress Monitoring Update**

Staff provided an update on the Equity and Diversity Impact Assessment (EDIA) process progress monitoring.

**NEW BUSINESS**

**Revision Policy 5690: Student Data (2024-0017)**

Beachy moved to forward the proposed revision of Policy 5690 to the full board with the committee's recommendation, including for passage in one meeting due to the legal nature of the revisions.

On a voice vote, the motion was adopted unanimously.

**ADJOURNMENT**

Without objection, Chair Norvell adjourned the meeting at 4:44 p.m.

Minutes submitted by Ryan Strack, Assistant to the Superintendent and Board.

Meeting materials: <https://meetings.boardbook.org/Public/Agenda/1807?meeting=622434>

DRAFT

# Transportation EDIA Updates

March 26, 2024

**Policy  
Committee**

**Sarah Hunter**

Executive  
Director of  
Strategic  
Initiatives

# What is the EDIA?

The EDIA is a set of reflective tools and guided processes for schools, departments, and district policy owners to evaluate policies, practices, and budgets that significantly impact student learning and resource allocation.

The EDIA intends to:

- **identify inequities** or which MPS students are disproportionately affected by policies, practices, and budgets;
- **assess the impacts and unintended consequences** of changing policies, practices, and budgets;
- **engage stakeholders** in a meaningful way around the policies, practices, and budgets, including how to address the inequities; and
- **monitor implementation** policies and practices.

# Activating Threshold

**Policies, Practices, and Budgets that significantly impact student learning or resource allocation.**

<b><i>Significantly Impacts Student Learning</i></b>	<b><i>Significantly Impact Resource Allocation</i></b>
<ul style="list-style-type: none"><li>● Impacts all students in the district</li><li>● Impacts all students within an attendance zone</li><li>● Impacts all students within a school</li><li>● Impacts all students within a district-wide grade band</li><li>● Impacts 5,000 or more students</li><li>● Impacts 30% of students from a protected class*</li></ul> <p>*Protected class defined in the MPS Policy 1304 include: 1. race 2. culture 3. color 4. creed or religion 5. national origin 6. gender 7. mental and physical ability 8. age 9. marital status 10. family structure 11. citizenship status 12. sexual orientation or affectional preference 13. gender identity or expression 14. economic status 15. veteran's status 16. any other protected class in conformance with federal, state and local laws.</p>	<ul style="list-style-type: none"><li>● Equal to/greater than 30% of your (e.g., a school, department, or division) budget</li><li>● Equal to/greater than 30% of the MPS District budget</li></ul>

# Full EDIA Phases

**Board of  
Education  
Requests a Full  
EDIA**

*Year 1: June*

## **Phase I: EDIA Study**

Identify and  
examine  
inequities in  
policies and  
practices

*Year 1: July-June  
(Year-Long  
Process)*

## **Phase II: Action Plan & Implementation**

Efforts to Address  
EDIA Findings

*Year 2:  
July-November  
(5 month Process)*

## **Phase III: Progress Monitoring**

Track Progress  
on Action Plan  
Implementation

*Years 2-4:  
Nov-Dec  
(Three-Year  
Process)*



We are here!

## Transportation EDIA Methods Overview

Data Source	Description	People Reached
<b>Parents and Caregivers</b>		
Districtwide Survey	A districtwide survey was administered online to caregivers of MPS students in grades PreK-12 to understand their experiences with MPS transportation services.	<b>1,288</b> , 388 who identify as BIPOC; 685 identify as white
Targeted Focus Groups	6 focus groups were conducted with MPS caregivers of PreK-12th grade students that identified as Hmong, Black, Latine, Somali, and American Indian to better understand their experiences with MPS transportation.	<b>21</b>
<b>Students</b>		
Districtwide Survey	A districtwide survey was administered online to MPS middle and high school students (Grades 6-12) to understand their experiences with MPS transportation services.	<b>525</b> , 215 who identify as BIPOC; 314 identify as white
Targeted Focus Groups	4 focus groups were conducted with high school students (Grades 9-12) that attended schools to further understand how they experience MPS transportation services.	<b>43</b>
<b>School Transportation Coordinators</b>		
Districtwide Survey	A districtwide survey was administered online to school transportation coordinators to understand their experiences coordinating transportation for families and family experiences at their schools.	<b>14</b>
Focus Groups	5 focus groups were conducted with school transportation coordinators to further understand their experiences coordinating transportation for families and family experiences at their school buildings.	<b>22</b>

### Outside of School Time Transportation Coordinators

Districtwide Survey	A districtwide survey was administered online to both MPS bus drivers and three contracted private bus companies that were identified as transporting the most MPS students. The survey was administered to understand drivers' experiences with families and their job duties.	<b>27</b>
<b>Bus Drivers</b>		
Districtwide Survey	A districtwide survey was administered online to both MPS bus drivers and three contracted private bus companies that were identified as transporting the most MPS students. The survey was administered to understand drivers' experiences with families and their job duties.	<b>16</b>
Focus Groups	3 focus groups were conducted with bus drivers that drive MPS students (2 groups of MPS employees and 1 group from Metro Transit Network, a contracted bussing service)	<b>20</b>
<b>District Staff – Transportation Department</b>		
Staff Focus Group	3 focus groups were conducted with Transportation Department district-wide staff, which included general MPS dispatch, bus schedulers, and IT specialists. These were conducted to understand the procedures and experiences of district transportation staff.	<b>21</b>
Leadership Focus Group	1 focus group was conducted with leadership staff at the Transportation Department, which included the director, program manager, safety managers, and the IT operations manager. This group was conducted to better understand the operations and processes of the Transportation Department, as well as the successes and challenges of the current system.	<b>5</b>
Meeting Notes and Pre-Existing Data	Meetings were held throughout the year between REA and Transportation Department leadership in order to answer questions and gain more context about transportation operations and policies. We also looked at transportation data from Fall 2023 and bus incident/suspension school reports from SY22-23.	<b>NA</b>

# Considerations

# Considerations

Findings from this EDIA can support:

- Conclusions about families' thoughts and experiences with the transportation process
- Inferences about the experiences and opinions of bus drivers, transportation staff and leaders, and school-based staff
- Insights into how stakeholders perceive the current transportation process
- Stakeholder awareness of the transportation process
- Awareness of identified policies aligned with transportation

Findings from this EDIA cannot support:

- A comprehensive understanding of MPS families' perceptions and experiences
- A comprehensive understanding of the perceptions and experiences of bus drivers, transportation staff and leaders, and school-based staff
- Understanding of the full impact of the identified policies and practices on the transportation process
- Highlighting all of the great work being done by the Transportation Department and MPS leadership

# Findings

# Overall Findings

1. Communication

2. Safety & Culture

3. Access & Reliability

# Finding 1

## 1. Communication

The communication that the MPS Transportation Department central office staff provides regarding transportation does not effectively support families or school-based staff and is often more challenging for families who are already facing additional barriers in communication (English Language Learners, families with limited access to technology, etc.).

- A lack of transparency around requests;
- A lack of communication around busing delays;
- A breakdown in communication between stakeholders

# Finding 1

## 1. Communication

TRANSPORTATION REQUESTS	Many families and school staff have expressed their frustrations with the lack of clarity in how transportation requests are processed.
BUSING DELAYS	When buses are delayed or do not show up to pick up a student, there is currently an ineffective system of communicating these delays or attempting to contact Transportation Department personnel who could locate a student's bus.
BREAKDOWN IN COMMUNICATION	The decentralized system of communication between Transportation Department central staff, School Transportation Coordinators, Out-of-School Time Staff, and families often leads to incomplete, incorrect, or untimely information.

# Finding 1

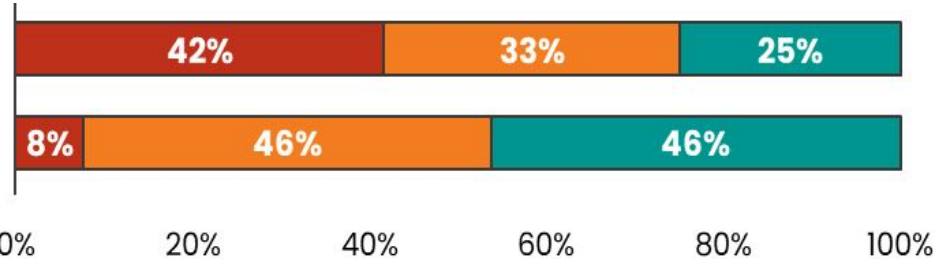
## 1. Communication

*"We communicate with them but there's no one that communicates with us."*  
- School Transportation Coordinator (Focus Group)

*"There also seems to be a lack of communication between the transportation dispatch, IT, schedulers and safety managers. They all give incorrect information to families."*  
- School Transportation Coordinator (Survey)

■ Strongly Disagree ■ Disagree ■ Agree ■ Strongly Agree

I receive adequate support from district transportation staff about routes that are dropped and other logistical issues.



# Finding 1

## 1. Communication

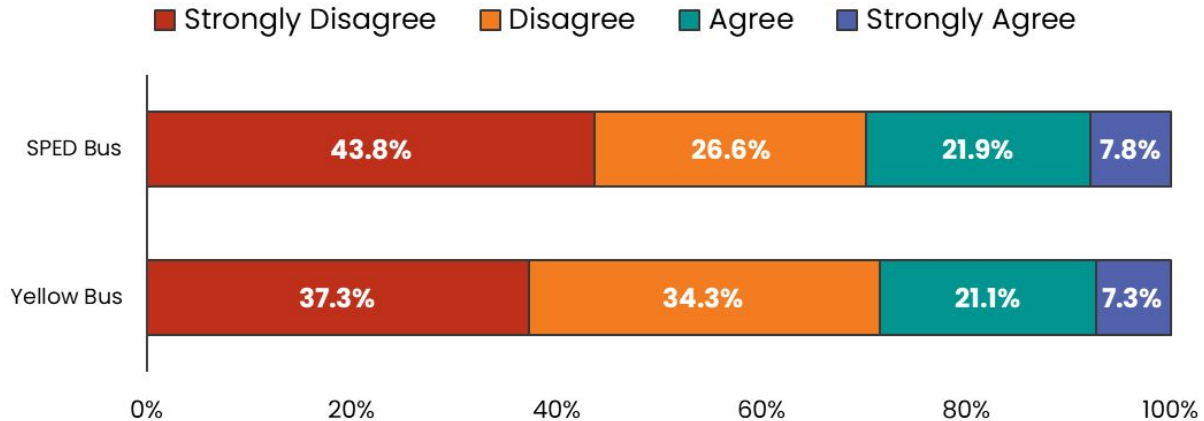
*"I am unhappy that late busses are not communicated with families. The bus broke down recently and we were not notified. My child arrived home an hour late."*  
- Caregiver (Survey)

*"The first year my child was in school I was VERY confused as to how to arrange bus pick up/Minneapolis kids/parent pick up. Our teachers would collect the info, but then it wouldn't make it to the office. I called the office and then they'd direct me to transportation and then transportation would direct me to the office. I honestly still don't remember how we sorted it out. I was very stressed out about her riding the bus home and not getting on the correct bus."*  
- Caregiver (Survey)

# Finding 1

## 1. Communication

**When the bus is delayed, it is communicated to me quickly.**

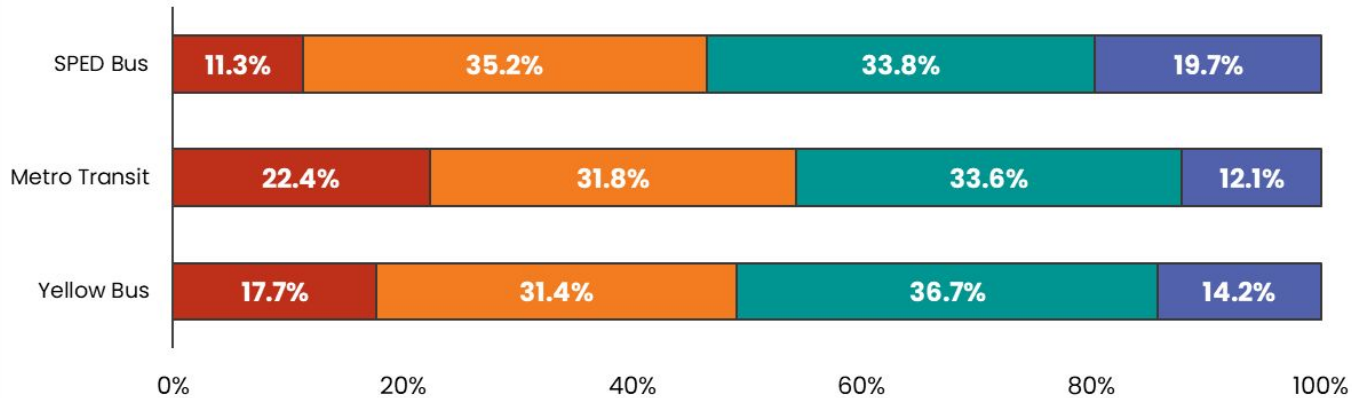


# Finding 1

## 1. Communication

I have never had to worry about where my children were located when they were riding the bus.

Strongly Disagree Disagree Agree Strongly Agree



# Finding 2

## 2. Safety & Culture

The current system of transportation does not meet the safety needs of students and bus drivers.

- Lack of consistent reporting and follow-up after incidents occur on or around transportation;
- Differing concerns depending on mode of transportation;
- Differing concerns depending on race/ethnicity and neighborhood

# Finding 2

## 2. Safety & Culture

REPORTING AND FOLLOW-UP REGARDING INCIDENTS	When incidents are reported, bus drivers and caregivers indicate that there is a lack of follow up by school and / or the Transportation Department.
MODE OF TRANSIT	Although some caregivers mentioned safety concerns on MPS yellow buses, the vast majority of safety concerns came from families of Metro Transit users. The transit stops themselves - in addition to the experiences while riding transit - were mentioned as unsafe.
RACE/ETHNICITY & NEIGHBORHOOD	In focus groups, caregivers who identified Hmong, Black/African American, American Indian or Alaskan Native, and Latine frequently mentioned safety and climate concerns on or around yellow buses, Metro transit, and SPED buses.

## Finding 2

### 2. Safety & Culture

*“We write up students, there is just a stack of papers- nothing being done. Some drivers have just stopped writing up kids because it is not useful.”*

- Bus Driver (Focus Group)

*“The district can't control behavior happening by other riders on Metro Transit trains or buses. However it should be made clear to students if they can report things at school and school admin are willing to interface with Metro Transit.”*

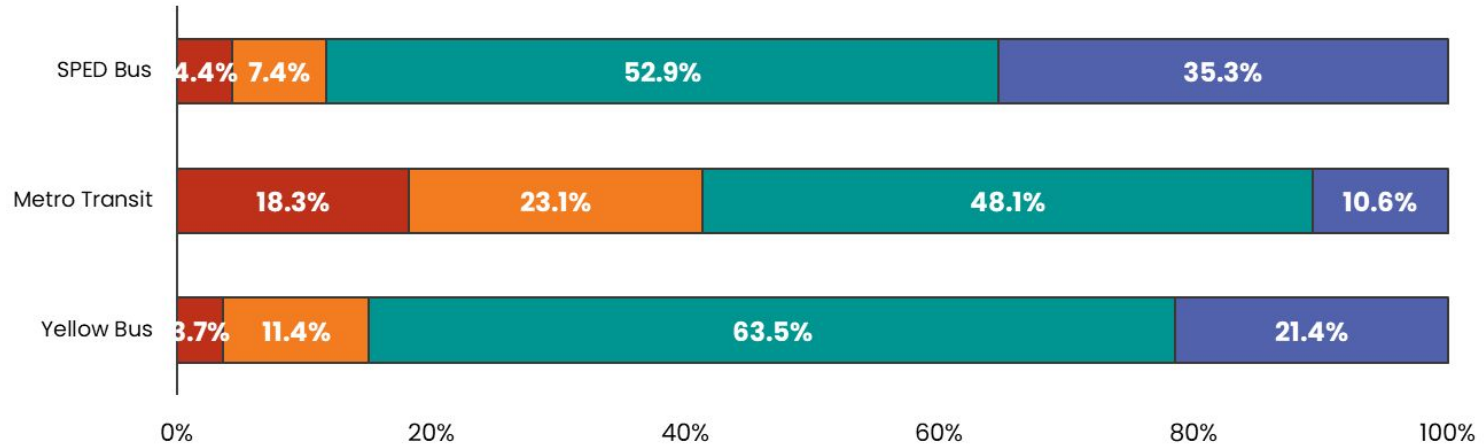
- Caregiver (Survey)

# Finding 2

## 2. Safety & Culture

**In general, my children are safe riding on the bus.**

Strongly Disagree Disagree Agree Strongly Agree

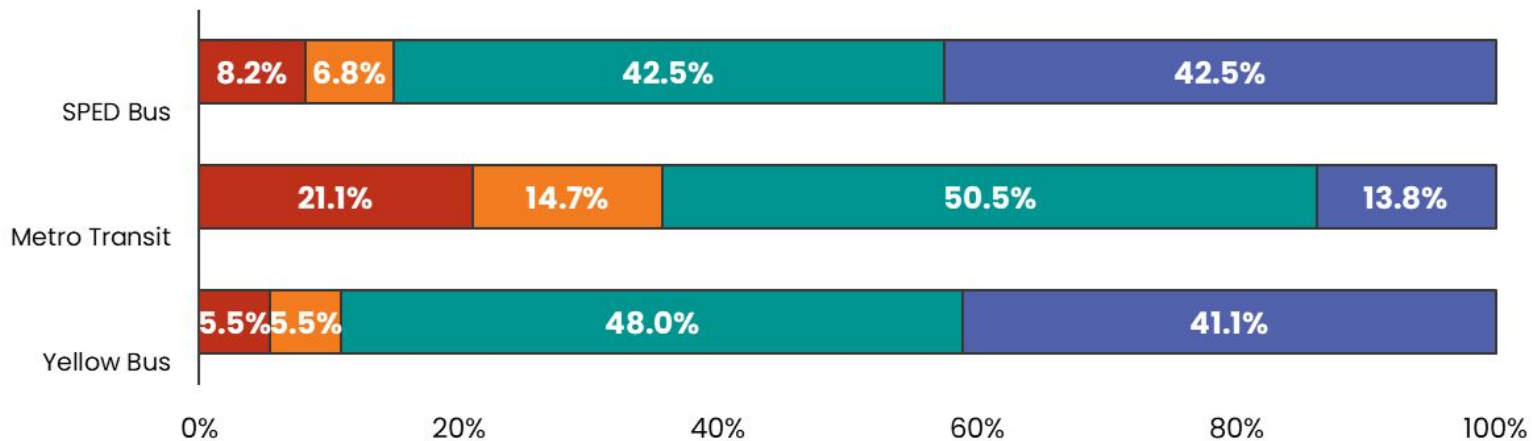


# Finding 2

## 2. Safety & Culture

**In general, my children are safe waiting at their bus stop.**

Strongly Disagree Disagree Agree Strongly Agree

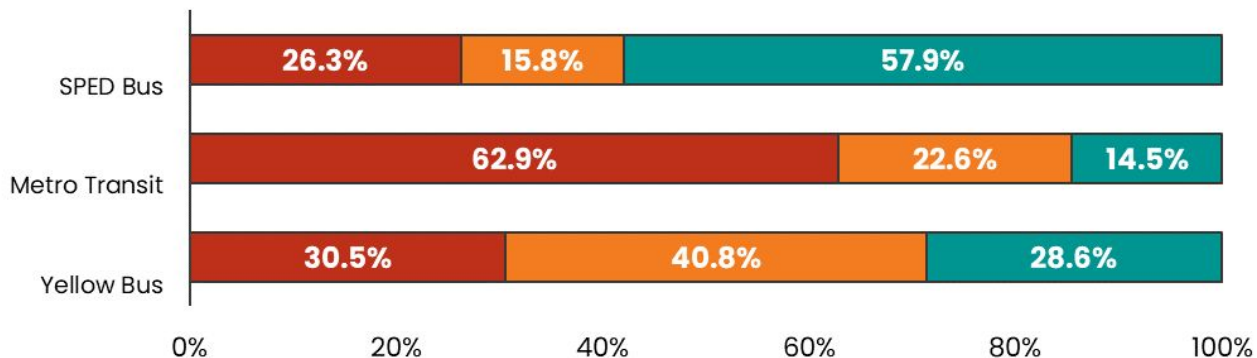


# Finding 2

## 2. Safety & Culture

If your student was involved in an incident / incidents on transportation, were these incidents resolved in a way that met your children's needs?

- None of the incidents were resolved.
- Some incidents were fully resolved, but others were not resolved.
- Yes, all incidents were fully resolved.



## Finding 3

### 3. Access & Reliability

MPS families and staff are concerned about inequitable access to reliable transportation to and from school.

- The current eligibility criteria for access to MPS transportation;
- The unreliability of transportation that is available to families

# Finding 3

## 3. Access & Reliability

ELIGIBILITY CONSTRAINTS	Eligibility for MPS-provided transportation is currently based on a number of factors including walk zones, attendance boundaries, students' grade level, and more. These qualifications for transportation mean that there are a number of students who don't receive transportation to and/or from school at all.
UNRELIABLE TRANSPORTATION	For students who receive transportation from MPS, the delays in the request process and the unreliability of transit can result in students arriving late to school, caregivers not knowing where their children are, and families opting-out of provided transportation (or sometimes leaving the Minneapolis Public Schools system altogether).

## Finding 3

### 3. Access & Reliability

*“It sucks that my son doesn’t have transportation to school. It’s inconvenient for me to have to take my son to and from school every morning/afternoon. It affects my work schedule.”* – Caregiver (survey)

Caregiver explaining why they’ve opted-out of MPS transportation:

*“I want to reduce factors that would impede on my child's ability to be at school on time. I want my child's transportation to and from school to be reliable. I don't want my children standing and waiting on cold days for delayed buses. And I want to reduce my child's exposure to bullying and other undesirable behaviors. I don't [know] what the school district's standards are regarding hiring of bus drivers.”*

# Additional Findings / Considerations

TECHNOLOGY	Many families have struggled to use the Here Comes the Bus app, especially those using HHM transportation and students with alternative stops. The Transportation Department has confirmed that there are limited uses of the current technology, and a complete revamp of the system would be needed to accurately track students' buses, communicate with drivers about their schedules, and log incidents.
STAFFING	MPS - along with nearly every other school district in the country - is facing a national bus driver shortage. MPS currently has more contract service providers than MPS drivers on staff and has not been able to compete with the hourly bus driver pay that those contractors are able to offer. While MPS has been able to offer additional benefits, contractors are still able to offer higher hourly pay, which has led to more drivers applying for positions outside of the district.
DECENTRALIZED SYSTEM	The current decentralized system of managing transportation requests and communicating bus delays has led to unequal distributions of responsibility across schools. The Transportation Department depends on school staff entering requests on behalf of families as there is currently no option for families to submit transportation requests themselves in the Infinite Campus parent portal.

# Additional Findings / Considerations

## BARRIERS IN COMMUNICATION

Even if the communication system was functional, it is still built around normative ideas around communication (email, helplines, etc.), which is not ideal for many MPS families.

*"If Transportation could communicate more directly with families through text since many families don't check emails as often. [I] know that this is a challenge since many families change phone numbers often but would help."*

Within a system that is already difficult for families to navigate, caregivers whose home language is not English and who don't have equal access to technology may struggle the most.

*"We are relying on families to have the app on their phone and assuming they have a data plan to have those apps AND to understand the English language.....Bus App not in other languages. This is a language barrier for Spanish speakers."*

Because type III vehicles don't typically have GPS tracking on their vehicles, homeless/highly-mobile students who use this mode of transit are less likely to know if their transportation is going to be on-time or delayed.

# Additional Findings / Considerations

REPORTING PROCEDURES	SY 2023: 101 African American / Black students and 12 American Indian students had been reportedly involved in bus incidents (compared to 12 White students), which is a vast overrepresentation of these student populations. This overrepresentation is potentially related to the decentralized way of disciplining students. Without clear behavior policies in place, bus drivers/aides may over-discipline students of color and students receiving Special Education Services due to their unconscious biases leading them to report some students and not others.
CULTURAL DIFFERENCES	In focus groups with African American/Black and American Indian caregivers, they described multiple interactions with drivers that left them feeling discriminated against or that their student was being discriminated against for their race/ethnicity or socioeconomic status. Some students also mentioned issues with drivers that they believed treated them differently than other students because of their race/ethnicity. Drivers also mentioned tensions between themselves and parents/caregivers and students from cultures or race/ethnicity different from their own, including caregiver and student behaviors towards them.

# Next Steps

- **April 16, 2024** → Present Full EDIA Study Report at Regular Business Meeting
- **April 16–November, 2024** → Action Planning and Implementation with Transportation Department
- **November, 2024–December 2027** → Progress Monitoring Transportation Department Action Plan Implementation
- **June, 2024** → Board of Education picks next EDIA focus
- **July–November, 2024** → REA Begins new Full EDIA process

# Appendix: Survey Demographics

# Caregiver Survey Demographics

Demographics for **1,288 PK-12 caregiver respondents** who completed the online district wide survey.

	Responses**	
	N	%
<b>Race/Ethnicity*</b>		
African American or Black	135	10.5%
American Indian or Alaskan Native	31	2.4%
Asian	41	3.2%
Latin American or Latino/a/e/x	114	8.9%
White	678	52.6%
<b>Gender*</b>		
Female	727	56.4%
Male	234	18.2%
Non-Binary or Other	22	1.7%

	Responses**	
	N	%
<b>Home Language*</b>		
English Home Language	933	72.4%
Non-English Home Language	90	7.0%
<b>Children's Special Services*</b>		
Receiving Special Education Services	181	14.1%
Receiving English Language Learner Services	36	2.8%
Identifies as HHM	32	2.5%
Receiving Educational Benefits (Free Reduced Lunch)	262	20.3%
<b>Area of Minneapolis</b>		
North	153	11.9%
Northeast	93	7.2%
South/Southeast	567	44.0%
Southwest	197	15.3%

\*Participants could select more than one answer to this question.

\*\*The reported N (Count) represents the total number of responses to the survey option. The reported % represents the percentage that selected this response out of the total unique survey participants (N=1,288). However, totals may not add to 100% because not all survey participants responded to every demographics question.



# Student Survey Demographics

Demographics for 525 student survey respondents in grades 6-12 who completed the online district wide survey.

	Responses**	
	N	%
<b>Grade</b>		
6	50	9.5%
7	68	13.0%
8	45	8.6%
9	52	9.9%
10	98	18.7%
11	87	16.6%
12	72	13.7%
<b>Race/Ethnicity*</b>		
African American or Black	88	16.8%
American Indian or Alaskan Native	12	2.3%
Asian	47	9.0%
Latin American or Latino/a/e/x	68	13.0%
White	314	59.8%

	Responses**	
	N	%
<b>Gender</b>		
Female	279	53.1%
Male	151	28.8%
Non-Binary or Other	58	11.0%
<b>Home Language*</b>		
English Home Language	468	89.1%
Non-English Home Language	25	4.8%
<b>Special Services*</b>		
Receiving Special Education Services	25	4.8%
Receiving English Language Learner Services	18	3.4%
Identifies as HHM	10	1.9%
<b>Area of Minneapolis</b>		
North	70	13.3%
Northeast	33	6.3%
South/Southeast	208	39.6%
Southwest	75	14.3%

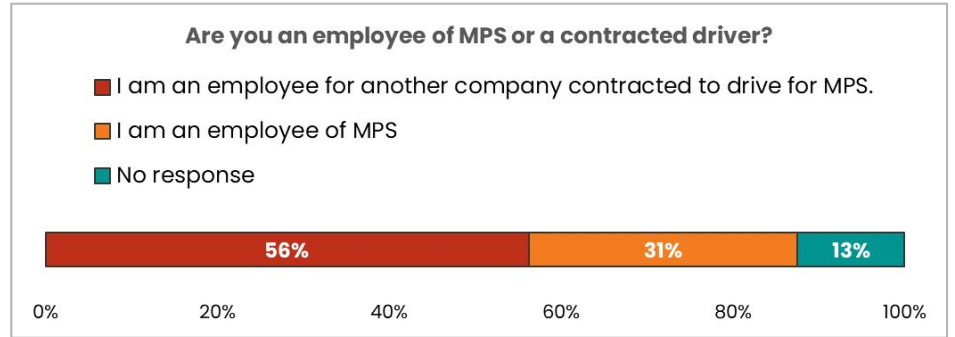
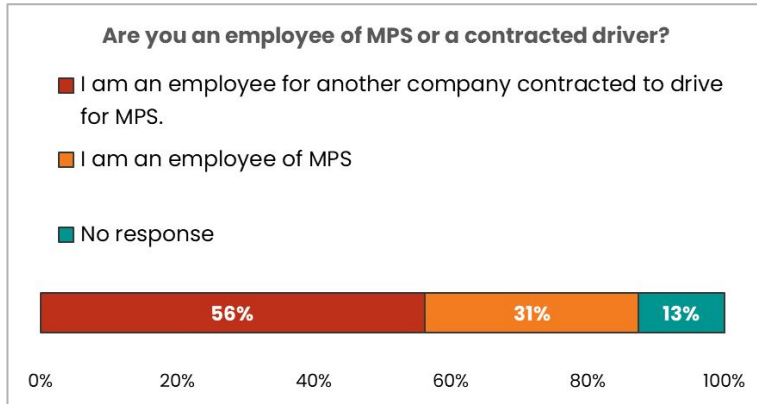
\*Participants could select more than one answer to this question.

\*\*The reported N (Count) represents the total number of responses to the survey option. The reported % represents the percentage that selected this response out of the total unique survey participants (N=525). However, totals may not add to 100% because not all survey participants responded to every demographics question.



# Bus Driver Survey Demographics

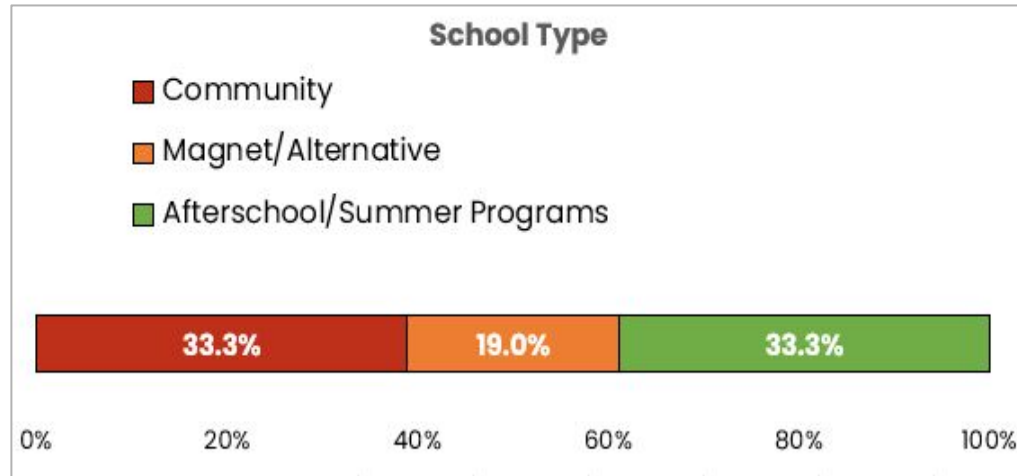
Demographics for **16 bus driver respondents** who completed the online survey.



Note: Not reporting other demographics data due to small sample size and to maintain confidentiality

# Transportation Coordinator Surveys Demographics

Demographics for **21 Transportation Coordinators** who completed the online survey. Transportation Coordinators include both coordinators during the regular school day and those who coordinate transportation for afterschool or summer programming.



Note: Not reporting other demographics data due to small sample size and to maintain confidentiality

## 1. PURPOSE AND GENERAL STATEMENT OF POLICY

The students and staff of Minneapolis Public Schools deserve respectful and inclusive learning environments that value students' gender identity and gender expression. Minneapolis Public Schools ensures that all students have access to programming and facilities in which they feel comfortable, supported, and safe. This policy addresses the inequities some students, including intersex, transgender, two-spirit, gender nonconforming, non-binary, and gender-questioning students, confront as they navigate a system designed using a gender binary model. This policy does not and cannot anticipate every situation that may occur, as every student is unique. The support for each student must be assessed and addressed individually based upon the student's specific requests and needs.

## 2. DEFINITIONS

The definitions contained in this policy are not intended to label students, but rather to assist in understanding this policy and the legal obligations of district staff. It is recognized that students might or might not use these terms to describe themselves.

- a. "Gender" refers to the socially constructed roles, behaviors, activities, and attributes that a given society attaches to femininity or masculinity.
- b. "Gender Identity" is a person's deeply held sense or psychological knowledge of their own gender. A person's gender identity can be the same or different from the sex or gender assigned at birth.
- c. "Sex Assigned at Birth" refers to the sex designation recorded on an infant's birth certificate should such a record be provided at birth.
- d. "Gender Expression" refers to the manner in which a person represents or expresses that person's gender identity to others, often through behavior, clothing, hairstyles, activities, or mannerisms. Although transgender people typically seek to make their gender expression match their gender identity, rather than their sex assigned at birth, gender expression may or may not conform to a person's gender identity.
- e. "Gender non-conforming" is an umbrella term that is used to describe individuals whose gender expression, gender identity, or gender role differs from gender norms associated with their sex assigned at birth. This term also includes people who identify outside of traditional gender categories or identify as both or several genders. Other terms that can have a similar meaning include "gender diverse," "gender expansive," "genderqueer," and "nonbinary."
- f. "Transgender/Trans" describes people whose gender identity or expression is different from that traditionally associated with an assigned sex at birth.

Transgender identity is not dependent on medical procedures or other physical changes.

- g. “Transition” refers to the process in which transgender individuals begin asserting the sex that corresponds to their gender identity instead of the sex they were assigned at birth.

### **3. PRIVACY**

- a. All students have a right to privacy, including the right to keep private one’s transgender or gender-non-conforming status at school. Transgender and gender-non-conforming students have the right to discuss and express their gender identity and expression openly and to decide when, how, and with whom to share private information, as well as to determine what information will be shared.
- b. Information about a student’s transgender or gender-non-conforming status is classified as private data under state and federal law. School district personnel may only disclose a student’s gender identity to other school district employees if they have a “need to know” the information in order to perform their job duties. The fact that a student chooses to disclose his or her transgender status to staff or other students does not authorize school staff to disclose such information about the student.
- c. A school district employee may not confirm or otherwise disclose a student’s transgender status to the parents of other students in the school or community members.

### **4. OFFICIAL SCHOOL RECORDS**

- a. The school district is required to maintain a mandatory and permanent student record (“official record”) that includes a student’s legal name and gender. The school district will change a student’s official record to reflect a change in legal name or gender upon receipt of documentation that such change has been made pursuant to a court order or other official government action.
- b. Pertaining to students of all grades: At the request of a transgender or gender-non-conforming student, and/or their parent/guardian the District will use the student’s preferred name, gender identity, and preferred pronouns when referring to the student in education records.

### **5. STUDENT NAMES, PRONOUNS, AND GENDER MARKERS**

- a. At the student’s and/or parent’s/guardian’s request, a transgender and/or gender-non-conforming student in all grades has the right to be referred to at

school by a name and pronouns that align with their gender identity. At the parent's/guardian's request, a transgender student in all grades has the right to be referred to at school by a name and pronouns that align with the student's gender identity. A court-ordered name change or official gender change is not required, and the parent/guardian or student is likewise not required to change the school's official records in order for the student to be addressed by the name and pronouns that correspond to the student's gender identity.

## 6. GENDER-SEGREGATED FACILITIES

All students shall have access to gendered facilities and school-sponsored programs that are consistent with the student's gender identity. This includes, but is not limited to, multi-stalled gendered restrooms, locker rooms, and school programs, trips, and athletic programs.

### a. Restroom Accessibility

Pursuant to Minn. Stat. 363A.13, subd. 1 (N.H. v. Anoka-Hennepin Sch. Dist. No. 11, 950 N.W.2d 553 (Minn. Ct. App. 2020)) students shall have access to the restroom that corresponds to their gender identity asserted at school:

- i. Any student who has a need or desire for increased privacy, regardless of the student's gender identity or expression, and regardless of the underlying reason for the student's need or desire for increased privacy, should be provided access to a single-user restroom.
- ii. No student shall be required to use a single-user restroom because they are transgender or gender-non-conforming.
- iii. The District shall work with each transgender and gender-non-conforming student to determine which restrooms are most comfortable for the student.
- iv. In no case shall any student be required to use a restroom that conflicts with the student's gender identity.

### b. Locker Room Accessibility

Pursuant to Minn. Stat. 363A.13, subd. 1 (N.H. v. Anoka-Hennepin Sch. Dist. No. 11, 950 N.W.2d 553 (Minn. Ct. App. 2020)), the use of locker rooms by transgender and gender-non-conforming students shall be assessed on an individualized basis with the goals of maximizing the student's social integration and equal opportunity to participate in physical education classes and sports and other school activities, ensuring the student's comfort, and minimizing stigmatization of the student.

- i. Unless the student requests otherwise, transgender and gender-non-conforming students should have access to the locker room

that corresponds to the student's gender identity asserted at school, like all other students.

- ii. Any student who has the need or desire for increased privacy, regardless of the student's gender identity or expression, and regardless of the underlying reason for the student's need or desire for increased privacy, should, if possible, be provided with a reasonable alternative changing area such as the use of a private area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a physical education instructor's office in or near the locker room, or a nearby health office restroom), or with a separate changing schedule (e.g., using the locker room that corresponds to gender identity before or after other students).
- iii. Any alternative arrangement should be provided to protect the student's ability to keep the student's transgender or gender-non-conforming status confidential.
- iv. The District shall work with each gender-non-conforming student to determine which restrooms and locker room facilities are most comfortable for the student.
- v. In no case shall a transgender student be required to use a locker room that conflicts with the student's gender identity.

#### **7. PHYSICAL EDUCATION AND HEALTH EDUCATION CLASSES AND INTRAMURAL SPORTS**

- a. All students shall be permitted to participate in physical education classes, health education classes, and intramural sports and activities in a manner consistent with their gender identity.

#### **8. SCHOOL TRIPS**

- a. All students shall be permitted to participate in all school trips in a manner that corresponds with their gender identity. In planning school trips, staff is expected to assess the student's needs in collaboration with the student and/or the student's parent(s)/guardian(s) and make reasonable efforts to provide an acceptable accommodation to the student. Accommodations will be discussed in advance of the trip on a case-by-case basis.

#### **9. INTERSCHOLASTIC COMPETITIVE SPORTS TEAMS/ACTIVITIES**

- a. All students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identity and in compliance with the applicable regulations of the Minnesota State High School League (MSHSL).

## 10. OTHER GENDER-BASED ACTIVITIES, RULES, POLICIES AND PRACTICES

- a. As a general matter, Minneapolis Public Schools will evaluate, on an ongoing basis, all gender-based activities, rules, policies, and practices, including but not limited to classroom activities, school ceremonies, yearbooks and school photos. Students will be permitted to participate in any such activities or conform to any such rule, guidelines, or practice consistent with their gender identity.

## 11. DISCRIMINATION/HARASSMENT/BULLYING

- a. It is the policy of the District to maintain a safe and supporting learning and educational environment that is free from harassment, intimidation, violence, and/or bullying and free from discrimination on account of gender, gender identity, and gender expression.
- b. Complaints alleging discrimination or harassment based on a student's actual or perceived transgender status or gender non-conformity generally are to be handled in the same manner as sex discrimination, harassment or bullying complaints. For information about the types of conduct that constitute a violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence ([Policy 4002](#)). For information about the types of conduct that constitute a violation of the school district's policy on bullying and the school district's procedures for addressing such complaints, refer to the school district's policy on bullying ([Policy 5201](#)).

### Legal References:

- Minn. Stat ch. 363A (Minnesota Human Rights Act)
- Minn. Stat. § 121A.031 (Safe and Supportive Minnesota Schools Act)
- Minn. Stat. § 121A.03, subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
- Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
- 20 U.S.C. § 1681 et seq. (Title IX)
- 20 U.S.C. § 1701 et seq. (Equal Educational Opportunities)