



FOR IMMEDIATE RELEASE
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Nevada Alliance for Student Diversity
(702) 776-8812
www.allianceforstudentdiversity.org

Nevada Alliance for Student Diversity statement on Gender Diverse Student Athletes

The participation of transgender athletes in school sports has been debated for many years, and those who oppose inclusive policies have been emboldened during the last administration. As a result, we are now seeing discriminatory bills being introduced, sometimes successfully, in at least 20 states such as North Dakota, Idaho, Mississippi, and Utah. Some bills are even going so far as to require students to have internal and external examination of the reproductive organs in order to prove their biological sex. <https://www.transathlete.com/take-action>

In the state of Nevada, these issues are settled law, and have been for many years.

With school sports currently resuming activity, this issue has been raised here in our community, and we think it is important for students and families to be aware of the Nevada laws and policies which determine the eligibility and participation of gender diverse students in Nevada interscholastic activities.

NRS651

The main law that determines inclusivity in our state is our Public Accommodations Law, Nevada Revised Statute NRS651, which was updated in 2011 and states:

“persons are entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation, without discrimination or segregation on the ground of race, color, religion, national origin, disability, sexual orientation, sex, gender identity or expression.”

The statute also defines “places of public accommodation” under Section 3K as ***“Any nursery, private school or university or other place of education”***.

This statute states that persons, including students in schools, cannot be discriminated against, or segregated on the basis of their gender identity or expression.

You can view the entire statute here: <https://www.leg.state.nv.us/nrs/nrs-651.html>

SB225

In the 2017 legislative session SB225 was passed. SB225 requires for every public school in the state of Nevada, including charter schools, to implement a policy to address the rights and needs of students with diverse gender identities or expressions.

The regulations for SB225 were written by the Nevada Department of Education, and approved by the Legislative Counsel Bureau in 2018. The LCB file number for the regulations is R099-17.

With regard to gender diverse athletes, the regulations state in section 3D: ***“When considering interscholastic activities, each plan must comply with the regulations and policies of the Nevada Interscholastic Activities Association”.***

You can view the text is SB225 here:

<https://www.leg.state.nv.us/App/NELIS/REL/79th2017/Bill/5112/Text#>

You can view the R099-17 regulations here:

https://doe.nv.gov/uploadedFiles/ndedoenvgov/content/Boards_Commissions_Councils/Workshops_Hearings/2018/May/R099-17Conceptualchanges.pdf

NIAA Transgender Participation Position Statement and Policy

The Nevada Interscholastic Athletic Association implemented a policy for gender diverse student athletes in 2011 and that policy was updated in 2016 to reflect current Nevada law. The NIAA Transgender Participation Position Statement and Policy states, ***“A student shall be permitted to participate on a gender specific sports team that is consistent with the public gender identity of that student for all other purposes. In making a determination of eligibility, the NIAA will first refer to the position of the student and his or her local school regarding the student’s gender identification.***

The NIAA will require that member schools make a determination of a student’s eligibility to participate on a gender specific sports team for a particular season based on the gender identification of that student as reflected:

(1) in current school records, and (2) daily life activities in the school and community at the time that sports eligibility is determined.”

You can see the NIAA Transgender Participation Position Statement and Policy Here:

https://www.niaa.com/publications/Transgender_Participation_Policy_Adopted_4-6-2016.pdf

CCSD Gender Diverse Policy 5138

To become compliant with state law SB225, CCSD implemented Gender Diverse Policy 5138 in 2018. This policy outlines procedures for schools to address the rights and needs of gender diverse students.

In the event that a gender diverse student is transitioning at school, the policy requires for the principal to create a Gender Support Team that consists of the parent/s or guardian/s, the student, a representative from the Equity and Diversity Education Department, as well as school personnel as determined by the school administrator, including a school counselor, and any representatives of community based groups, as requested by the parent/s or guardian/s.

The Gender Support Team will meet to create a Gender Support Plan to address the needs of the student. This includes changes to name and gender marker in Infinite Campus, PE class, locker room, restrooms, overnight trips, and interscholastic activities such as sports. **The student and parent/s or guardian/s determine the placement of the student in sex-segregated spaces.** CCSD may not discriminate or segregate students based on their gender identity or expression. CCSD also may not violate the privacy of any student by disclosing that student’s gender assigned at birth to other students, to the parents of other students, or to staff members, unless legally required to do so by court order or subpoena, or unless the parent has authorized the school to disclose this information in writing. Once a

student has had their gender marker updated in Infinite Campus, they are then treated as any other student of that gender for the purposes of enrollment, access to sex-segregated spaces, and eligibility for athletic participation.

Regarding interscholastic activities, policy 5138 states in section 3A ***“Each gender support plan for students with diverse gender identities or expressions must include the following components : Compliance with the Nevada interscholastic activities Association (NIAA) if interscholastic activities are considered; and compliance with the Nevada equal enjoyment of places of public accommodations law (NRS651)”***

You can view CCSD policy 5138 here: <https://ccsd.net/district/policies-regulations/notices/p-5138-addressing-the-rig.pdf>

The Nevada Alliance for Student Diversity provides advocacy services to gender diverse students and their families. If you are a student or parent of a student that is transitioning in school, Nevada Alliance for Student Diversity can help guide your family through the process. Our experienced student advocates have supported hundreds of gender-diverse students through their transitions in school. We can provide information and support to prepare your family to meet with the school. We can also attend the meeting with you as your advocate to ensure the school follows all state and local policies.

Please contact us at info@allianceforstudentdiversity.org with any questions. NASD is a 501c3 non-profit organization. All services and support are provided at no cost. You can find out more information about protections for gender diverse students on our website: <https://www.allianceforstudentdiversity.org/genderdiversity>

Contact:

Laura Hernandez, Executive Director

lhernandez@allianceforstudentdiversity.org

(702) 429-5405

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