

# Kalispell Schools Approve Gender Equality Protections

Ahead of 2015-2016 academic year, school board updates policy on equal education, nondiscrimination and sex equity

By Clare Menzel August 12, 2015

The Kalispell District 5 School Board officially included on Aug. 11 the words “gender identity, sexual orientation, and gender expression” in its anti-discrimination policy.

The board met at 6 p.m. at Glacier High School to hear more than two hours of public comments on the addendum before making its decision.

After 62 Flathead residents and visitors spoke, Board Trustee Steve Davis made a motion to reject the proposed language. The motion was not seconded. With no further opposing motions from the board, Board Chairman Joe Brenneman announced the adoption of the gender protections. The board then proceeded to discuss budgetary concerns.

Kalispell Schools join the ranks of districts across the United States that legitimize the experience of lesbian, gay, bisexual, transgender, and queer (LGBTQ) students and provide them institutional grounds to fight discrimination. The updated policy explicitly protects LGBTQ students as well as any gender non-conforming students who don't identify with these terms. Previously, the closest protections were limited to sex-based discrimination, which does not include gender-based discrimination.

Mason Devries, the senior class president of Flathead High School, said he is in support of the changes because “whether or not this [change] happens, there are lesbian, gay, bisexual, and transgender students at Flathead High School ... adding this language specifies and shows we are interested in this specific group, one that has been heavily discriminated against.”

Students can now seek redress if an administrator or teacher denies them equal access to programs, activities, services, or benefits; or limits them in the exercise of any right, privilege, or advantage based on the way they present their gender or sexual identities.

Current and past students and district teachers testified that this is something students do experience.

The School Board began exploring a gender-based expansion of the anti-discrimination policy after the Montana High School Association removed the topic from its annual January meeting's agenda. A subcommittee led by School Board Trustee Jack Fallon was formed with members from both the policy and personnel committees focusing on the issue.

When the proposal was first presented to the public, it read, "gender identity, sexual orientation, or failure to conform to stereotypical notions of masculinity or femininity." The subcommittee changed this language in June, following the first public comment period.

Some commenters Tuesday night expressed concern that the update is unnecessary because the policy already begins by affirming that the district is committed to making equal educational opportunities available for all students.

"It's already covered. Why do we have to change?" said former Montana legislator Derek Skees.

The amended policy enumerates specific groups of people who historically have not received enough protection. LGBTQ students are now recognized alongside those who have experienced disproportionate discrimination because of their race, religious belief, and physical or mental handicaps or disabilities.

Brenneman reminded many speakers that the board's decision last night lies outside the scope of moral, emotional, and religious opinions. The focus was simply on making the schools safe environments in which to educate children.