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**AMERICA FIRST LEGAL
FOUNDATION**

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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

Rachel Walden,

Plaintiff,

v.

Mesa Unified School District #4 (aka
School District No. 4 of Maricopa
County);

Andi Fourlis, in her official capacity as
Superintendent of Mesa Unified School
District #4.

Defendants.

Case No. **CV2023-018263**

**PLAINTIFF'S COMPLAINT FOR
SPECIAL ACTION RELIEF**

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1 For her special action complaint against Andi Fournalis and Mesa Unified School
2 District #4 (“Mesa Public Schools” or “MPS”), Plaintiff Rachel Walden hereby submits
3 this Complaint under A.R.S. § 12-1801, 12-1831, 12-2021, and Ariz. R. Special Actions
4 (“RPSA”) 1-6, and alleges as follows:

5 INTRODUCTION

6 1. This case involves an astonishing situation that once would have been
7 unthinkable: a school district policy to assist and encourage students who want to represent
8 themselves as having a gender different from their biological sex, and which forbids the
9 notification of parents. The policy directly violates multiple statutes, especially Arizona’s
10 Parents’ Bill of Rights, which recognizes and protects the “fundamental right” “of parents
11 to direct the upbringing, education, health care and mental health of their children,” A.R.S.
12 § 1-601(A).

13 2. The policy also violates many other statutes, such as the requirement that
14 “parents will be notified in advance of ... any instruction ... or presentations regarding
15 sexuality,” A.R.S. § 15-102(A)(6) and the requirement that parents provide consent before
16 any “mental health screening in a nonclinical setting or mental health treatment on a
17 minor.” A.R.S. § 36-2272(A).

18 3. Even worse, in a brazen lack of respect for democratic principles, MPS
19 maintains this policy of parental non-notification and facilitation of sex transition even
20 though the elected MPS Governing Board, the only entity authorized by state law to adopt
21 “policies and procedures to govern the schools,” has never voted to adopt any such policy.
22 A.R.S. § 15-341(A)(1).

23 4. This lawsuit seeks to restore accountability to Mesa Public Schools and
24 ensure that parents’ rights are respected and students are protected.
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1 **PARTIES**

2 ***Rachel Walden***

3 5. Plaintiff Rachel Walden is currently a member of the Governing Board of
4 MPS. She was elected on November 8, 2023 and assumed office on January 1, 2023. As a
5 member of the Governing Board, she has standing to bring this suit. *Adams v. Comm’n on*
6 *App. Ct. Appointments*, 227 Ariz. 128, 131 ¶ 9 (2011); *Brewer v. Burns*, 222 Ariz. 234,
7 237–38 ¶¶ 11-14 (2009).

8 ***Mesa Public Schools***

9 6. Defendant School District No. 4 of Maricopa County, officially named by its
10 Governing Board as “Mesa Unified School District #4,” is a duly organized school district
11 and a local governmental entity. It is colloquially known as “Mesa Public Schools” (MPS).
12 It is the largest public school district in Arizona, serving approximately 55,000 students in
13 78 schools. MPS is located in Maricopa County, Arizona. MPS may “be sued” as a distinct
14 entity. A.R.S. § 15-326(1).

15 ***Andi Furlis***

16 7. Defendant Andi Furlis (the “Superintendent”) is the Superintendent of
17 MPS. She assumed that role in 2020. She is named here in her official capacity.

18 8. The Superintendent holds her position under A.R.S. § 15-503 and MPS
19 Governing Board Policy § C, which requires that she “shall ensure that the statutes of the
20 State of Arizona, the rules of the State Board of Education, and the policies of the Board
21 of the District are followed.”

22 9. The same board policy also establishes that “[t]he administration of the
23 District, in all aspects, is the responsibility of the Superintendent, who shall carry out
24 his/her functions *in accordance with the policies of the Board.*” *Id.* (emphasis added).
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1 10. The Superintendent has the authority to issue binding “regulations for the
2 administration of the District,” but only if they “are in compliance with all appropriate
3 statutes or regulations of the State Board of Education and the policies of the Board.” *Id.*

4 11. The Superintendent has a non-discretionary statutory duty to comply with
5 the MPS Governing Board policies. She has no independent authority to implement
6 policies for MPS.

7 12. Plaintiff requests that the Court order her to comply with her statutory duty.
8 The Superintendent, therefore, is properly joined as a Defendant to this action, and the
9 Court may enter special action relief against her. *See Ariz. R. P. Spec. Act. 2(a)(1)* (“The
10 complaint shall join as a defendant the body, officer, or person against whom relief is
11 sought”); *see also Arizonans for Second Chances, Rehab., & Pub. Safety v. Hobbs*, 249
12 Ariz. 396, 404 ¶18 (2020) (concluding that the petitioners had properly stated a mandamus
13 action against the Secretary by alleging that the Secretary refused to perform a
14 constitutional duty and asking the Arizona Supreme Court to order the Secretary to perform
15 that duty).

16 **SPECIAL ACTION JURISDICTION**

17 13. The events and omissions giving rise to this action occurred in Maricopa
18 County, Arizona.

19 14. This Court has subject matter jurisdiction over the Plaintiff’s claims under
20 article 6, sections 14 and 18 of the Arizona Constitution. The Court further has subject
21 matter jurisdiction and the authority to grant relief under A.R.S. §§ 12-123(B), 12-1801,
22 12-1831, 12-2021, and RPSA Rules 3 and 4.

23 15. Venue lies in Maricopa County pursuant to RPSA 4(b) and pursuant to
24 A.R.S. § 12-401.
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1 **FACTUAL BACKGROUND**

2 16. Since at least August 2015, MPS has maintained a policy (the “Trans
3 Policy”) of helping students who want to transition to represent themselves as having a
4 gender different from their biological sex.

5 17. Under the Trans Policy, MPS employees are required to ask students whether
6 they want their parents informed about the transition.

7 18. If students do not want their parents informed, then MPS employees are
8 required to keep this information hidden from parents.

9 19. This policy of parental non-notification used to be explicit and in writing.
10 After controversy arose in the local community about the non-notification policy, MPS
11 revised its written documents to obfuscate the policy.

12 20. However, upon information and belief, the non-notification policy continues
13 in force, and MPS employees do not notify parents about a student’s sexual identity issues
14 unless the student consents to notification.

15 21. MPS implements the Trans Policy in three parts.

16 22. *First*, the Trans Policy is implemented in a document entitled “Guidelines
17 for Support of Transgender and Gender Nonconforming Students” (the “Trans
18 Guidelines”).

19 23. Upon information and belief, the Trans Guidelines were first issued in
20 August 2015 and have been revised several times since then.

21 24. Upon information and belief, the original version of the Trans Guidelines
22 adopted in August 2015 was entitled “Interim Guidelines for Support of Transgender
23 Students” and required that “a change to the gender indicated in the student’s information
24 record” could only occur if “the principal receives a signed statement from the parent or
25 adult student that the student’s gender identity is other than as indicated in the student’s
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1 information record and that the student’s gender identity will be consistently asserted at
2 school.”

3 25. However, MPS removed this requirement for parental permission from the
4 Trans Guidelines and adopted an explicit policy of *non*-notification.

5 26. The current version of the Trans Guidelines states that “school personnel
6 should not disclose information that may reveal a student’s transgender or gender
7 nonconforming status” and does not provide any exception allowing for parental
8 notification.

9 27. The Trans Guidelines do not require parental notification *at all*.

10 28. MPS maintains a copy of the Trans Guidelines online as a Google Document.
11 A link to the Trans Guidelines is available at MPS’s website at the following URL:
12 <https://departments.mpsaz.org/page/legal>. The Google Document is directly available at:
13 [https://docs.google.com/document/d/1Yqu7iabE66aklzbenqjz-
14 vML85sBnRu62T4QIJncXUs/](https://docs.google.com/document/d/1Yqu7iabE66aklzbenqjz-vML85sBnRu62T4QIJncXUs/). MPS’s filename for the document is “Guidelines for
15 Support of Transgender and Gender Nonconforming Students (August 2015).”

16 29. The current version of the document hosted on MPS’s Google account has
17 the following annotation at the top: “Revised 6/13/2023.” Attached as Exhibit A is a true
18 and correct copy of this latest version of the Trans Guidelines (the “June 13, 2023 Trans
19 Guidelines”).

20 30. Before MPS issued its latest version of the Trans Guidelines, the prior
21 version that was hosted on Google Documents and that was linked from the MPS website
22 was annotated at the top with “Issued 7/14/2022” and at the bottom with “Updated August
23 19, 2022.” Attached as Exhibit B is a true and correct copy of this version of the Trans
24 Guidelines (the “August 19, 2022 Trans Guidelines”).

25 31. *Second*, the Trans Policy is implemented through a form entitled “Support
26 Plan for Transgender and Gender Nonconforming Students” (the “Support Plan”).

1 32. The Support Plan is an official MPS form to be filled out by students who
2 want to change how they represent themselves in school to have a gender different from
3 their biological sex.

4 33. A link to the Support Plan used to be available at MPS’s website at a webpage
5 at the following URL: <https://www.mpsaz.org/legal/tngns/>.

6 34. At some point after June 15, 2023, MPS removed this webpage.

7 35. However, the Support Plan is still available as a Google Document saved to
8 MPS’s official Google account at the following URL:
9 [https://docs.google.com/document/d/1jAFwZ32nXWiNPKl6dilj3Kc3gYdZhtz8jwbcXp2](https://docs.google.com/document/d/1jAFwZ32nXWiNPKl6dilj3Kc3gYdZhtz8jwbcXp2QBDQ/)
10 [QBDQ/](https://docs.google.com/document/d/1jAFwZ32nXWiNPKl6dilj3Kc3gYdZhtz8jwbcXp2QBDQ/). MPS’s filename for the document is “MPS Support Plan for Transgender and
11 Gender Nonconforming Students.” The prior version of the Support Plan contained the
12 following annotation at the top (with no annotations at the bottom): “Updated 7/14/2022.”
13 Attached as Exhibit C is a true and correct copy of this earlier version of the Support Plan
14 (the “July 14, 2022 Support Plan”).

15 36. The July 14, 2022 Support Plan contained the following questions: “Are
16 parent(s)/guardian(s) aware of their student’s gender transition? Yes No”; “Are
17 parent(s)/guardian(s) supportive of their student’s gender transition? Yes No”; “IF No was
18 answered above, I do / do not give permission to disclose my transgender or gender
19 nonconforming status to my parent(s)/guardian(s).”

20 37. The following is how the questions appeared in context on the actual form:

21 Are parent(s)/guardian(s) **aware** of their student’s gender transition? Yes No

22 Are parent(s)/guardian(s) **supportive** of their student’s gender transition? Yes No

23
24 IF No was answered above, I do do not give permission to disclose my
25 transgender or gender nonconforming status to my parent(s)/guardian(s).
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1 38. However, during the Summer of 2022, controversy arose in the local
2 community because the Support Plan’s questions about parental notification clearly
3 violated Arizona law, including Arizona’s Parents’ Bill of Rights, which establishes that
4 “[t]he liberty of parents to direct the upbringing, education, health care and mental health
5 of their children is a fundamental right,” A.R.S. § 1-601(A), that is “exclusively reserved
6 to a parent of a minor child without obstruction or interference from this state, any political
7 subdivision of this state, any other governmental entity or any other institution.” A.R.S. §
8 1-602(A).

9 39. The Parents’ Bill of Rights specifically prohibits all public employees,
10 including school employees, from “encourage[ing] or coerc[ing]” minors “to withhold
11 information from the child’s parent.” A.R.S. § 1-602(C).

12 40. Because the July 14, 2022 Support Plan violated Arizona law, MPS issued
13 an updated version of the Support Plan.

14 41. This latest version of the Support Plan has the annotation at the top, “Issued
15 on 7/14/2022.” On the bottom is the annotation, “Updated: 8/23/2022.” Attached as
16 Exhibit D is a true and correct copy of this latest version of the Support Plan (the “August
17 23, 2022 Support Plan”).

18 42. The main change to the August 23, 2022 Support Plan was that MPS removed
19 the questions about parental notification, but enlarged the typeface of the following two
20 questions about Synergy, which is the electronic database system that MPS uses to track
21 student information and biographical data: 1) “Is a name change requested in Synergy? Yes
22 No”; 2) “Is a gender change requested in Synergy? Yes No”. After those questions was the
23 following warning: “* Parents/guardians will be notified if the student requests changes to
24 Synergy.”

25 43. The following is how the questions appear in context on the actual form:
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Is a name change requested in Synergy? Yes No

Is a gender change requested in Synergy? Yes No

*** Parents/guardians will be notified if the student requests changes to Synergy.**

44. MPS changed the form, but not the substance, of the Support Plan. The enlarged typeface for the questions about making changes to Synergy, coupled with the warning to students that any change to Synergy would trigger a parental notification, warned students what they needed to do to ensure their parents would not find out about their transition at school.

45. Upon information and belief, MPS retained and enlarged the typeface of the Synergy questions to serve *exactly* the same purpose as the old questions, just in a more subtle way—to ask students whether they want their parents to know about their in-school transition.

46. Schools across the school district have implemented the Trans Guidelines and Support Plan and do not require parental notification when students speak with school employees about gender or sexual identity issues.

47. For example, on March 3, 2023, Emily Wulff, a school counselor at Kino Junior High, sent an email to all staff members at the school summarizing the Trans Policy and stating that “[s]chool staff shall not disclose information that may reveal a student’s transgender status or gender nonconforming presentation to others except as set forth on [the Support Plan].”

48. Ms. Wulff’s email made no provision at all for parental notification.

49. Upon information and belief, Ms. Wulff’s email has never been rescinded and neither the administrators nor counselors at Kino Junior High have updated the school’s policies and procedures to require parental notification.

1 50. Upon information and belief, MPS still uses the Support Plan.

2 51. *Third*, the Trans Policy is implemented through a form entitled “Support
3 Checklist for Transgender and Gender Nonconforming Students” (the “Checklist”).

4 52. MPS maintains a copy of the Checklist online as a Google Document. A link
5 to the Checklist is available at MPS’s website at the following URL:
6 <https://departments.mpsaz.org/page/legal>. The Google Document is available at
7 [https://docs.google.com/document/d/12U28aJ8K4XHS71CUWSmdsCvRbfyRgqoNhsGE](https://docs.google.com/document/d/12U28aJ8K4XHS71CUWSmdsCvRbfyRgqoNhsGEBchP7TE/)
8 [BchP7TE/](https://docs.google.com/document/d/12U28aJ8K4XHS71CUWSmdsCvRbfyRgqoNhsGEBchP7TE/). MPS’s filename for the document is “MPS Support Checklist for Transgender
9 and Gender Nonconforming Students.”

10 53. The Checklist was released on or about June 14, 2023. Attached as Exhibit
11 E is a true and correct copy of the original version of the Checklist.

12 54. At some point after June 14, 2023, MPS revised the Checklist. Attached as
13 Exhibit F is a true and correct copy of the current version of the Checklist.

14 55. The Checklist states that it “is designed to work with families and students
15 to determine how best to provide support for their child at school.” Ex. F. at 1. It states,
16 “[n]o changes will be made in Synergy without parent/guardian permission.” *Id.*

17 56. As with the Support Plan, this statement serves as a way of notifying students
18 what will trigger parental notification and how to avoid it.

19 57. The Checklist also asks students to check boxes describing “[h]ow public or
20 private will the student’s transgender or gender nonconforming status be.” *Id.*

21 58. Students may check any of the following categories “Open to all adults and
22 peers”; “School leadership/administration (counselor, assistant principal, etc.)”; “District
23 staff (counselor, specialists, etc.)”; “Teachers and/or other school staff”; “Student will not
24 be openly ‘out’, but some students are aware of the student’s gender identification”;
25 “Other.” *Id.* *None* of those categories consider parental involvement.

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1 59. The Checklist states that “[s]tudents shall have access to the restrooms and
2 locker rooms that correspond with their gender identity consistently asserted at school.” *Id.*

3 60. The Checklist has boxes that students may check off for any of the following
4 categories to indicate where “alternative arrangements may need to be considered”:
5 “Restroom”; “Locker Room/PE”; “Field Trips”; “Overnight Trips”; “Gendered Activities
6 (e.g. sports)”; and “Other Co-/Extracurricular Activities (e.g. theater, clubs, etc.)” *Id.*

7 61. Following this list of checkboxes, the current version of the Checklist has the
8 following statement: “Parents/guardians are notified of the support(s) provided at school.”
9 *Id.*

10 62. The original version of the checklist contained no such statement about
11 parental notification. Ex. E at 1.

12 63. The Checklist’s statement about parental notification pays lip service to
13 MPS’s constitutional and statutory duty to notify parents, but informs students how to
14 avoid such notification: by not formally requesting any of the listed “support(s) provided
15 at school.”

16 64. On June 14, 2023, the Superintendent sent out a communitywide email,
17 including to parents of MPS students, about several topics, including the Trans Policy.

18 65. In that email, she stated, “[a]s I become aware of public comments on this
19 topic, I hear a concern that students are placed on Transgender Support Plans without
20 parent notification. That is not the case. I have also heard that the Transgender Support
21 Plan is a plan to help students with medical transitions. That is also not true. To further
22 clarify the purpose and protocol going forward, the Transgender Support Plan document
23 has been revised to be more clear in its intent.”

24 66. MPS posted a copy of the email at:
25 https://www2.mpsaz.org/community_migrated/superintendency/superintendent_communi
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1 cation/articles/100693/important-message-from-superintendent-andi-fourlis. Attached as
2 Exhibit G is a copy of that email.

3 67. Upon information and belief, the Superintendent’s denials were incorrect.

4 68. In fact, students *have* been placed on Transgender Support Plans without
5 parent notification, including at least one elementary school student.

6 69. Nor was the Superintendent accurate when she claimed to have revised the
7 Trans Policy documents to clarify that parents should be notified.

8 70. In fact, MPS made no changes at all to the Support Plan at that time.

9 71. MPS made minor changes to the Trans Guidelines, but far from clarifying
10 that parents should be notified about gender transitions, the only substantive change that
11 MPS made was to *remove* the only explicit reference to parental notification, deleting the
12 following sentence: “The Support Plan for Transgender and Gender Nonconforming
13 Students is a confidential student record under FERPA, subject to inspection and review
14 by the student’s parent or guardian.”

15 72. Also contrary to the Superintendent’s claims, the revised Trans Guidelines
16 did not contain any prohibitions on assisting students in making medical transitions (nor
17 did they contain any such prohibition before). Attached as Exhibit H is a redline version
18 showing all changes to the June 13, 2023 Trans Guidelines.

19 73. The Checklist, which was introduced around the time of the Superintendent’s
20 email, also did not require *any* notification of parents when a student approaches a school
21 employee about concerns about the student’s sex or gender identity.

22 74. Rather, the original version of the Checklist only required parental
23 notification if changes were made to Synergy.

24 75. And the revised version of the Checklist also does not require immediate
25 parental notification but only requires it *after* a student is already receiving “support(s)
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1 provided at school”—in other words, notification is only required once the in-school
2 transition is a *fait accompli*. Ex. F at 1.

3 76. The MPS Governing Board has never voted to adopt or authorize the Trans
4 Policy or any of its constituent elements: the Trans Guidelines, the Support Plan, and the
5 Checklist.

6 **COUNT I**

7 **Special Action Relief to Compel Revocation of the Trans Policy as Unlawfully** 8 **Adopted without Governing Board Approval** 9 **(A.R.S. §§ 12-2021, 15-341, § 15-711)**

10 77. The Plaintiff incorporates by reference the preceding allegations as if fully
11 set forth herein.

12 78. The Trans Policy is unlawful because the Governing Board never adopted it.

13 79. Under Arizona law, MPS may not enact a policy such as the Trans Policy
14 without Governing Board approval. There are at least two reasons for this:

15 80. *First*, only the MPS Governing Board has the authority to “[p]rescribe and
16 enforce policies and procedures to govern the schools.” A.R.S. § 15-341(A)(1).

17 81. The Trans Policy is a “polic[y]” or “procedure[.]” within the meaning of
18 A.R.S. § 15-341(A)(1).

19 82. Because the Trans Policy was never adopted by the MPS Governing Board,
20 it is therefore unlawful.

21 83. *Second*, any discussion of transgender issues with a student constitutes sex
22 education instruction under Arizona law, and the content of any sex education instruction
23 *must* be pre-approved by the Governing Board. A.R.S. § 15-711(E).

24 84. Because the Trans Policy is a form of sex education that the Governing Board
25 has not approved, the Trans Policy is unlawful.
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2 **COUNT II**
3 **Special Action Relief to Compel Revocation of the Trans Policy as Substantively**
4 **Unlawful**
5 **(A.R.S. §§ 12-2021, 1-601, 1-602, 13-1214, 13-1402, 13-3620, 15-102, 15-113, 15-341,**
6 **15-711, 36-2272)**

7 85. The Plaintiff incorporates by reference the preceding allegations as if fully
8 set forth herein.

9 86. Even if the Superintendent had independent authority to adopt the Trans
10 Policy, or even if the MPS Governing Board had adopted the Trans Policy, it would still
11 be unlawful.

12 87. All “policies and procedures” adopted by a school governing board must be
13 “[]consistent with the laws.” A.R.S. § 15-341(A)(1).

14 88. The Trans Policy is unlawful under Arizona law for a variety of reasons,
15 including the following:

16 89. *First*, by not requiring immediate notification of parents and by allowing
17 school officials to discuss sexual matters without parents’ knowledge or consent, it violates
18 parents’ fundamental right under the U.S. Constitution over “the care, custody, and control
19 of their children,” including “the right to direct the upbringing and education of children”;
20 *Troxel v. Granville*, 530 U.S. 57, 65 (2000) (cleaned up).

21 90. *Second*, for the same reasons as the prior paragraph, it violates Arizona’s
22 Parents’ Bill of Rights which establishes that “[t]he liberty of parents to direct the
23 upbringing, education, health care and mental health of their children is a fundamental
24 right,” A.R.S. § 1-601(A), that is “exclusively reserved to a parent of a minor child without
25 obstruction or interference from this state, any political subdivision of this state, any other
26 governmental entity or any other institution.” A.R.S. § 1-602(A).

91. *Third*, it violates the Parents’ Bill of Rights’ prohibition on all public
employees, including school employees, from “encourage[ing] or coerc[ing]” minors “to
withhold information from the child’s parent.” A.R.S. § 1-602(C).

1 92. *Fourth*, under Arizona law, “no person, corporation, association,
2 organization or state-supported institution, or any individual employed by any of these
3 entities, may procure, solicit to perform, arrange for the performance of or perform mental
4 health screening in a nonclinical setting or mental health treatment on a minor without first
5 obtaining the written or oral consent of a parent or a legal custodian of the minor child.”
6 A.R.S. § 36-2272(A).

7 93. Yet, the Trans Policy requires that school officials do exactly what Arizona
8 law prohibits: perform mental health screening and treatment, such as by requiring that
9 officials determine whether a “student’s gender identity” has been “consistently asserted
10 at school” and that they “support the educational and social needs of transgender and
11 gender nonconforming students.” Ex. A at 1, 3.

12 94. Furthermore, the Support Plan requires that a student meet with school
13 officials and designate a school employee to act as a sort of gender mental health counselor,
14 called a “Support Facilitator.” Ex. D at 2, 4.

15 95. Finally, the Checklist requires that school officials “provide support” for a
16 student’s mental health condition. Ex. F at 1.

17 96. *Fifth*, any discussion of transgender issues with a student constitutes “sex
18 education” under Arizona law, and it is unlawful for “[a] public educational institution” to
19 “[p]rovid[e] sex education instruction to [a] student” unless it has first “obtain[ed] signed,
20 written consent from a student’s parent or guardian.” A.R.S. § 15-113(D); A.R.S. § 15-
21 102(A)(5) (“prohibit[ing] the school district from providing sex education instruction to a
22 pupil unless the pupil’s parent provides written permission for the child to participate in
23 the sex education curricula”).

24 97. Furthermore, parents must be notified “two weeks before any [sex education]
25 instruction is offered.” A.R.S. § 15-711(B).

1 98. Because the Trans Policy does not require written consent from a parent or
2 guardian *before* school officials invoke the Trans Policy to discuss transgender-related
3 issues with students, and also because it does not require notification of parents at least two
4 weeks in advance of any such discussion with a student, the Trans Policy is unlawful.

5 99. *Sixth*, “[s]chool districts ... may not provide sex education instruction before
6 grade five.” A.R.S. § 15-711(A).

7 100. Because the Trans Policy applies to all grade levels, it is unlawful—with or
8 without parental consent—to the extent that it applies to students below fifth grade.

9 101. *Seventh*, Arizona requires that a school governing board “[s]hall provide
10 parents with a meaningful opportunity to participate in, review and provide input on any
11 proposed sex education course of study before it is adopted.” A.R.S. § 15-711(E); *see also*
12 § 15-711(F) (requiring that “all meetings of committees that are authorized for the purposes
13 of reviewing and selecting the sex education course of study be publicly noticed at least
14 two weeks before occurring and be open to the public”; requiring that “any proposed sex
15 education course of study available and accessible for review and public comment for at
16 least sixty days before the governing board or governing body decides whether to approve
17 that course of study”; and requiring the governing board to “[c]onduct at least two public
18 hearings within the sixty-day period before” it “decides whether to approve any course of
19 study”).

20 102. Because the Trans Policy is a form of sex education for which there was
21 absolutely *no* parental participation or advance public notice, the Trans Policy is unlawful.

22 103. *Eighth*, Arizona law requires that “*parents will be notified in advance* of and
23 given the opportunity to opt their children in to *any instruction, learning materials or*
24 *presentations regarding sexuality*, in courses other than formal sex education curricula.”
25 A.R.S. § 15-102(A)(6) (emphasis added).
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1 104. Thus, even if the Trans Policy does not qualify as “sex education” under
2 Arizona law, it is still unlawful because it constitutes “instruction, learning materials or
3 presentations regarding sexuality,” and it is implemented without advance notification to
4 parents that it is being applied with respect to their children. *Id.*

5 105. *Ninth*, under MPS administrative regulation KBAA-R(4)¹, “[a] child will not
6 receive sex education unless a signed permission form is on file with the teacher.”

7 106. Furthermore, under regulation KBAA-R(5), “[h]uman sexuality will be
8 taught *only* as part of the district-approved sex education curriculum. Accordingly, there
9 should be no need for a parent to receive notice that the child may receive instruction or a
10 presentation concerning human sexuality in any course other than the district-approved sex
11 education curriculum.” (emphasis added).

12 107. Because applying the Trans Policy requires teaching on “human sexuality,”
13 and because it is applied outside of the district-approved sex education curriculum, the
14 Trans Policy violates MPS’s *own regulations*.

15 108. *Tenth*, “indecent exposure” in Arizona is a crime whereby a person “exposes
16 his or her genitals or anus or she exposes the areola or nipple of her breast or breasts and
17 another person is present, and the defendant is reckless about whether the other person, as
18 a reasonable person, would be offended or alarmed by the act.” A.R.S. § 13-1402(A).
19 “Indecent exposure to a person who is fifteen or more years of age is a class 1
20 misdemeanor,” and “[i]ndecent exposure to a person who is under fifteen years of age is a
21 class 6 felony.” A.R.S. § 13-1402(C). Arizona law classifies indecent exposure to a person
22 under 15 years of age as a “[s]exually violent offense.” A.R.S. § 36-3701(6)(a). And it
23 classifies every violation—whether against a person over or under 15—as a “sex offense.”
24 A.R.S. § 6-201(K)(6)(b). Any person who has committed two or more “violation[s] of
25
26

¹ Available at https://www2.mpsaz.org/rights/files/kbaa_combo.pdf.

1 indecent exposure to a person who is under fifteen years” is required to register as a sex
2 offender. A.R.S. § 13-3821(A)(15).

3 109. The Trans Guidelines allow students to use “restrooms, locker rooms, shower
4 facilities, and single-sex classes” that are “consistent with their gender identity.” Ex. A at
5 3. In other words, the Trans Guidelines let a student use intimate facilities designated for
6 the exclusive use of students of the opposite biological sex.

7 110. The Support Plan goes further, guaranteeing that “[s]tudents shall have
8 access to the restrooms and locker rooms that correspond with their gender identity
9 consistently asserted at school” and allowing a student to make specific plans for himself
10 or herself, including a “Restroom Plan”; “Locker Room/PE Changing Plan”; “Field Trip
11 Plan”; “Overnight Trip Plan”; “Gendered Activities Plan (e.g. sports)”; and “Other Co-
12 /Extracurricular Activities Plan (e.g. theater, clubs, etc.)” Ex. D at 2. The Checklist uses
13 the same language as the Support Plan and lets students check boxes for which facilities
14 they plan to use. Ex. F at 1.

15 111. A reasonable person—especially a minor who is a public school student—in
16 a locker room, shower facility, restroom, or other single-sex intimate facility would be
17 “offended or alarmed” by the exposure of the genitals of someone of the opposite biological
18 sex.

19 112. The Trans Policy, therefore, facilitates the commission of sexually violent
20 offenses against MPS students.

21 113. The Trans Policy additionally exposes MPS employees to potential
22 accomplice or conspiracy criminal liability for those incidents of indecent exposure. A.R.S.
23 §§ 13-1003, -1004.

24 114. It also exposes MPS itself to significant potential civil liability.

25 115. Because the Trans Policy facilitates and encourages the commission of
26 numerous acts of criminal indecent exposure, it is therefore unlawful.

1 116. *Eleventh*, “[s]chool personnel” are mandatory reporters who “shall
2 immediately report” any “reportable offense,” including “[u]nlawful mutilation,” A.R.S. §
3 13-3620(A)(4) and (P)(4)(e). The crime of unlawful mutilation makes it illegal to mutilate
4 the genitals of “a female who is under eighteen years of age.” A.R.S. § 13-1214(A)(1) and
5 (F). “The consent of the minor on whom the mutilation is performed or the parents of the
6 minor is not a defense to a prosecution for unlawful mutilation.” A.R.S. § 13-1214(E).

7 117. Female genital mutilation includes any of the following “the partial or total
8 removal of the clitoris, prepuce, labia minora, with or without excision of the labia major,
9 the narrowing of the vaginal opening through the creation of a covering seal formed by
10 cutting and repositioning the inner or outer labia, with or without removal of the clitoris,
11 or any harmful procedure to the genitalia, including pricking, piercing, incising, scraping
12 or cauterizing.” A.R.S. § 13-1214(F). This definition covers the procedures performed
13 during what is often euphemistically called “gender transition surgery.” The unlawful
14 mutilation statute only provides for a medical exception if the procedure is “proven to be
15 medically necessary.” *Id.*

16 118. Under a plain text reading of the unlawful mutilation statute, the requirement
17 that the medical necessity of genital mutilation be “proven” would require adjudication in
18 court before the exception could apply. Because the Trans Policy does not require
19 disclosure of gender transition to law enforcement authorities, and indeed actively prohibits
20 disclosures to anyone other than whom the student designates, it violates Arizona’s
21 mandatory reporting statute to the extent that any Support Plan, Checklist, or personal
22 conversation pursuant to the Trans Policy involves any discussion of planned “gender
23 reassignment surgery” on biological females.

1 **COUNT III**

2 **Declaratory Judgment that the Trans Policy Is Unlawful**

3 **(A.R.S. §§ 12-1831, 1-601, 1-602, 13-1214, 13-1402, 13-3620, 15-102, 15-113, 15-341,**
4 **15-711, 36-2272)**

5 119. The Plaintiff incorporates by reference the preceding allegations as if fully
6 set forth herein.

7 120. For the reasons outlined in Counts I and II, the Trans Policy is unlawful
8 because it was adopted without board approval and, even if validly adopted, it is
9 substantively unlawful.

10 121. Arizona courts have the authority to “declare rights, status, and other legal
11 relations whether or not further relief is or could be claimed.” A.R.S. 12-1831.

12 **PRAYER FOR RELIEF**

13 Based on the preceding, the Plaintiff respectfully requests:

- 14 A. Special action relief in the form of a writ of mandamus compelling the Defendants to
15 fulfill their legal duty to “[p]rescribe and enforce policies and procedures to govern
16 the schools that are not inconsistent with the law[],” A.R.S. § 15-341(A)(1) by
17 immediately revoking the Trans Policy and instituting a policy requiring immediate
18 notification to parent(s) or guardian(s) whenever a student attempts to discuss any
19 matters of sexuality with school employees, including when students express
20 confusion or concern about their gender or sexual identity or when they express a
21 desire to transition to represent themselves as having a gender different from their
22 biological sex, and for the Defendants to adopt a policy requiring advance consent
23 from parent(s) or guardian(s) before any school employee engages in a discussion with
24 a student about any such subject;
- 25 B. Special action relief in the form of a writ of mandamus ordering the Defendants not to
26 impose any guidelines, policies, procedures, plans, or checklists relating to matters of

1 sexuality or to the gender or sexual identity of students unless the MPS Governing
2 Board has lawfully adopted a related policy and explicitly authorized the Defendants
3 to take specific action under the policy;

4 C. A declaratory judgment stating that the Trans Policy is unlawful and that MPS and its
5 employees must immediately notify parent(s) or guardian(s) whenever a student
6 attempts to discuss any matters of sexuality with school employees, including when
7 students express confusion or concern about their gender or sexual identity or when
8 they express a desire to transition to represent themselves as having a gender different
9 from their biological sex, and that MPS and its employees must obtain advance consent
10 from parent(s) or guardian(s) before any school employee engages in a discussion with
11 a student about any such subject;

12 D. A declaratory judgment stating that it is unlawful for the Defendants to impose any
13 guidelines, policies, procedures, plans, or checklists relating to matters of sexuality or
14 to the gender or sexual identity of students unless the MPS Governing Board has
15 lawfully adopted a related policy and explicitly authorized the Defendants to take
16 specific action under the policy;

17 E. For injunctive relief requiring the Defendants to fulfill their legal duty to “[p]rescribe
18 and enforce policies and procedures to govern the schools that are not inconsistent with
19 the law[],” A.R.S. § 15-341(A)(1), by immediately revoking the Trans Policy and
20 instituting a policy requiring immediate notification to parent(s) or guardian(s)
21 whenever a student attempts to discuss any matters of sexuality with school
22 employees, including when students express confusion or concern about their gender
23 or sexual identity or when they express a desire to transition to represent themselves
24 as having a gender different from their biological sex, and for the Defendants to adopt
25 a policy requiring advance consent from parent(s) or guardian(s) before any school
26 employee engages in a discussion with a student about any such subject;

- 1 F. For injunctive relief requiring that Defendants not impose any guidelines, policies,
2 procedures, plans, or checklists relating to matters of sexuality or to the gender or
3 sexual identity of students unless the MPS Governing Board has lawfully adopted a
4 related policy and explicitly authorized the Defendants to take specific action under
5 the policy;
- 6 G. An award of reasonable attorneys' fees and costs under A.R.S. §§ 12-341, 12-348, 12-
7 2030, the private attorney general doctrine, and other applicable law; and
- 8 H. For such other relief as the Court deems just and proper.

9 RESPECTFULLY SUBMITTED this 20th of November, 2023.

10
11 **America First Legal Foundation**

12 By: 

13 James K. Rogers (No. 027287)

14 *Senior Counsel*

15 America First Legal foundation
16 611 Pennsylvania Ave., SE #231
17 Washington, D.C. 20003

18 Phone: (202) 964-3721

19 James.Rogers@aflegal.org

20 *Attorney for Plaintiff Rachel Walden*

Exhibit A



Guidelines for Support of Transgender and Gender Nonconforming Students

Revised 6/13/2023

Students who are transgender or gender nonconforming and who consistently assert at school a gender identity that is different from the student's sex assigned at birth may need additional support in order to ensure equal access to their school's education programs and activities. These guidelines are intended to help schools ensure a safe learning environment free from discrimination and harassment, and to support the educational and social needs of transgender and gender nonconforming students. Because these guidelines do not anticipate every situation that may occur, students' needs should be assessed on a case-by-case basis. The *Support Checklist for Transgender and Gender Nonconforming Students* is a tool provided to assist in addressing student needs.

Definitions

1. *Gender Identity*: an individual's inner sense of gender, which may be different from or the same as a person's sex assigned at birth.
2. *Sex assigned at birth*: the sex designation recorded on an infant's birth certificate should such a record be provided at birth.
3. *Transgender*: a term that describes people whose gender identity is different from their sex assigned at birth.
4. *Gender transition*: 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. During gender transition, individuals begin to live and identify as the sex consistent with their gender identity and may dress differently, adopt a new name, and use pronouns consistent with their gender identity. Transgender individuals may undergo gender transition at any stage of their lives, and gender transition can happen swiftly or over a long duration of time.
5. *Gender expression*: how a person manifests their gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms. It is usually an extension of their gender identity.
6. *Gender nonconforming*: a term for people whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous. Other terms that can have similar meanings are gender diverse or gender expansive.
7. *Sexual orientation*: an individual's physical or emotional attraction to the same and/or the opposite gender. Gay, lesbian, bisexual, and straight are all examples of sexual orientations. A person's sexual orientation is distinct from a person's gender identity and expression.

Discrimination/Harassment

It is the policy of Mesa Public Schools (MPS) to maintain a safe and supportive learning and educational environment that is free from harassment, bullying, and discrimination on the basis of sex, which includes gender identity.

Complaints alleging harassment, bullying, or discrimination based on an individual's gender identity should be handled in accordance with the procedures set forth in [Administrative Regulations JB-R\(2\): Equal Educational Opportunities – Other Unlawful Discrimination](#) or [JFD-R: Student Harassment and Bullying](#), as appropriate. Complaints should be directed to an appropriate building administrator using [Title IX complaint form](#) (sex-based discrimination), [Form JFD-R-F\(1\)](#) (harassment), or [Form JFD-R-F\(2\)](#) (bullying), as appropriate.

Privacy

Except as set forth herein, school personnel should not disclose information that may reveal a student's transgender or gender nonconforming status. Under the Family Educational Rights and Privacy Act (FERPA), only those school employees with a legitimate educational interest should have access to a student's records or the information contained within those records. Disclosing confidential student information to others may violate privacy laws, including but not limited to FERPA. Transgender and gender nonconforming students have the ability, as do all students, to discuss and express their gender identity openly and to decide when, with whom, and how much of their private information to share with others. The *Support Checklist for Transgender and Gender Nonconforming Students* can help administrators or their designees work with students in developing a plan regarding how public or private the student wishes their transgender or gender nonconforming status to be.

Preferred Names/Pronouns

Every student has the right to be addressed by a name and pronoun that correspond to the student's gender identity. Regardless of whether a transgender or gender nonconforming student has legally changed their name or gender, schools will allow such students to use a chosen name and gender pronouns that reflect their identity. A transgender student is **not** required to provide verification that the student is undergoing or has undergone medical treatment for the purpose of gender transition as a condition for changing a student's name and/or gender markers in the District's records. If the student has previously been known at school by a different name, the school administration will direct school personnel to use the student's chosen name and appropriate pronouns.

To ensure consistency among administrators and staff, every effort will be made to immediately update student education records (such as attendance reports, class rosters for substitutes, school IDs, electronic records, Webex and other remote learning identifiers, etc.) with the student's chosen name and appropriate gender markers. In some circumstances, school administrators may be specifically required by law to record a student's name or gender as it appears on documents such as a current birth certificate or other reliable proof of identity. In those instances, school staff and administrators shall record this information on the protected identity screen on Synergy (see below) to avoid the inadvertent disclosure of the information. All records that are not specifically required by law to match government-issued documents shall be updated upon a student's written request.

Any change to a student's gender designation in the student information record should be reviewed with the Synergy Integrity Specialist in the Information Systems Department so that the Information Systems Department is aware of the change and what effects the change may have for student reporting purposes. Parent(s)/legal guardian(s) will be notified if changes are

made in Synergy.

Legal Name Change

MPS must maintain for each enrolled student an official student record that includes the student's legal name. The student's legal name must be used in all official student records, including a transcript and reports to the Arizona Department of Education. A student's legal name will be changed by MPS in its official student records upon receipt of documentation that the legal name has been changed pursuant to applicable law. The documentation required for a legal change of name is a court order, valid birth certificate, or valid passport demonstrating the student's new legal name.

Any change to a student's legal name should be reviewed with the Synergy Integrity Specialist in the Information Systems Department so that the Information Systems Department is aware of the change and what effects the change may have for student reporting purposes.

Activities and Facilities

When a school provides sex-segregated activities and facilities, transgender students must be allowed to participate in such activities and access such facilities consistent with their gender identity. This includes, but is not limited to, restrooms, locker rooms, shower facilities, and single-sex classes. A school may make individual-user options available to all students who voluntarily seek additional privacy. It may not, however, *require* transgender students to use facilities inconsistent with their gender identity or to use individual-user facilities when other students are not required to do so.

Sports and Physical Education

Transgender and gender nonconforming students should be permitted to participate in physical education and sports in accordance with the student's gender identity that is consistently asserted at school. However, in conformity with Arizona Revised Statutes § 15-120.02, interscholastic or intramural athletic teams or sports "designated for 'females,' 'women,' or 'girls' may not be open to students of the male sex." Additionally, participation in competitive athletic activities that are restricted to students of a specific gender may require authorization from the Arizona Interscholastic Association (AIA), as explained in their Constitution, Bylaws, Policies and Procedures at Section 41.9.

Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities (e.g., overnight field trips), students should be permitted to participate in accordance with their gender identity consistently asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis.

Dress Codes

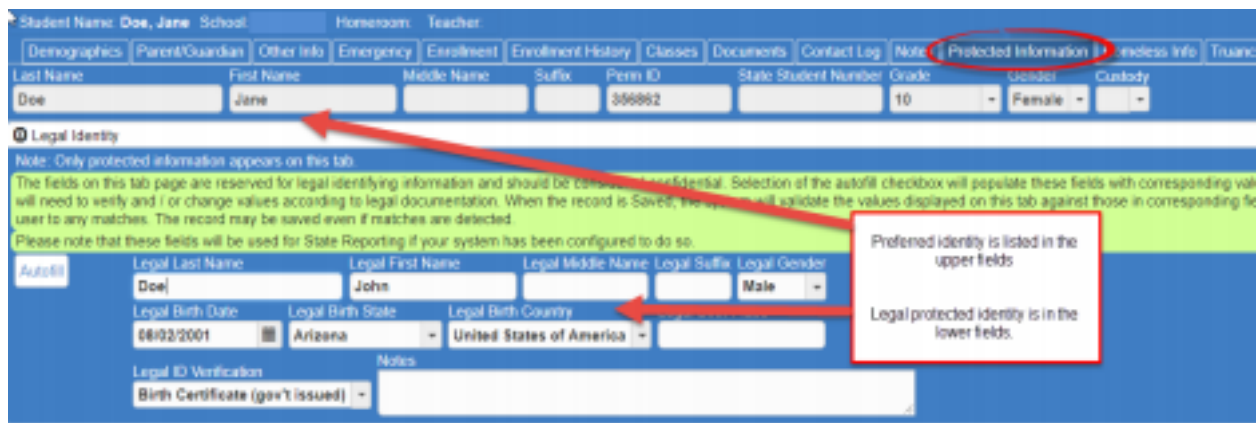
Schools are required to enforce the Student Dress and Grooming standards set forth in Policy JFCA and Administrative Regulation JFCA-R. Students have the right to dress in accordance with their gender identity that is consistently asserted at school, within the constraints of the adopted dress code.

Synergy – Protected Student Identity

mpsazSynergy now has the ability to protect a legal identity and display a preferred identity in student data. The following fields can be protected: student last name, student first name, student middle name, suffix, birth date, birthplace, birth verification and gender.

To protect a legal identity the school must first complete the process on the legal website and verify the student data in Synergy is the correct legal identity information as indicated on the birth verification provided by the parent/guardian. After completing the *MPS Support Plan for Transgender and Gender Nonconforming Students*, the administrator sends an email to synergy@mpsaz.org requesting the legal identity for student #xxxxxx be protected. The email needs to include the legal name and gender and the preferred name and gender. The Synergy administrator will make the change in the system, update the active directory, and notify the school when all tasks are complete.

The protected legal identity can be viewed by select staff roles on the Student screen> Protected Information tab:



When a student has a legal protected identity the preferred identity will display on screens and reports from within Synergy, TeacherVUE and the parent/student portals:

Student Profile				Year: 2018-2019
Doe, Jane -- Homeroom: N/A				Report: STU201
General Information				
Student Name Doe, Jane	Perm ID 356862	Gender F	Grade 10	No Photo Edupoint On file
State ID	Last Name Goes By	Nick Name		
Birth Date 08/02/2001	Birth Place	Leave Date	Enter Date 08/08/2018	
Home Phone	Home Language English	Resolved Race/Ethnicity White		

The STU204 Student Transcript can be produced showing the legal identity, the protected identity and/or suppressing the gender. Options are selected on the STU204 screen when printing a transcript:

Identity Options

Student Identification

Preferred Identity (Default) The report will print student name and gender information as it appears on the Student > Demographics tab page.


Legal Identity The report will print student name and gender information as it appears on the Student > Protected Information tab page, if values exist. If no values exist on the Student > Protected Information tab page, then the report will print student name and gender as it appears on the Student > Demographics tab page.

If the user does not make a selection, the report will print name and gender as they appear on the Student > Demographics tab page.

Suppress Gender

Updated August 19, 2022

Exhibit B

	Guidelines for Support of Transgender and Gender Nonconforming Students
	Issued 7/14/2022

The need to provide support to transgender and gender nonconforming students arises whenever the school learns that a student is transgender or gender nonconforming and consistently asserts at school a gender identity that is different from the student's sex assigned at birth. These guidelines are intended to help schools ensure a safe learning environment free from discrimination and harassment, and to support the educational and social needs of transgender and gender nonconforming students. Because these guidelines do not anticipate every situation that may occur, the needs of each student must be assessed on a case-by-case basis. The *Support Plan for Transgender and Gender Nonconforming Students* is a tool provided to assist in addressing the student's needs.

Definitions

1. *Gender Identity*: an individual's inner sense of gender, which may be different from or the same as a person's sex assigned at birth.
2. *Sex assigned at birth*: the sex designation recorded on an infant's birth certificate should such a record be provided at birth.
3. *Transgender*: a term that describes people whose gender identity is different from their sex assigned at birth.
4. *Gender transition*: 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. During gender transition, individuals begin to live and identify as the sex consistent with their gender identity and may dress differently, adopt a new name, and use pronouns consistent with their gender identity. Transgender individuals may undergo gender transition at any stage of their lives, and gender transition can happen swiftly or over a long duration of time.
5. *Gender expression*: how a person manifests their gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms. It is usually an extension of their gender identity.
6. *Gender nonconforming*: a term for people whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous. Other terms that can have similar meanings are gender diverse or gender expansive.
7. *Sexual orientation*: an individual's physical or emotional attraction to the same and/or the opposite gender. Gay, lesbian, bisexual, and straight are all examples of sexual orientations. A person's sexual orientation is distinct from a person's gender identity and expression.

Discrimination/Harassment

It is the policy of Mesa Public Schools (MPS) to maintain a safe and supportive learning and educational environment that is free from harassment, bullying, and discrimination on the basis of sex, which includes gender identity.

Complaints alleging harassment, bullying, or discrimination based on an individual's gender identity should be handled in accordance with the procedures set forth in [Administrative Regulations JB-R\(2\): Equal Educational Opportunities – Other Unlawful Discrimination](#) or [JFD-R: Student Harassment and Bullying](#), as appropriate. Complaints should be directed to an appropriate building administrator using [Title IX complaint form](#) (sex-based discrimination), [Form JFD-R-F\(1\)](#) (harassment), or [Form JFD-R-F\(2\)](#) (bullying), as appropriate.

Privacy

Except as set forth herein, school personnel should not disclose information that may reveal a student's transgender or gender nonconforming status. Under the Family Educational Rights and Privacy Act (FERPA), only those school employees with a legitimate educational interest should have access to a student's records or the information contained within those records. Disclosing confidential student information to others may violate privacy laws, including but not limited to FERPA. Transgender and gender nonconforming students have the ability, as do all students, to discuss and express their gender identity openly and to decide when, with whom, and how much of their private information to share with others. The *Support Plan for Transgender and Gender Nonconforming Students* can help administrators or their designees work closely with students in developing an appropriate support plan regarding the confidentiality of the student's transgender or gender nonconforming status. The *Support Plan for Transgender and Gender Nonconforming Students* is a confidential student record under FERPA, subject to inspection and review by the student's parent or guardian.

Preferred Names/Pronouns

Every student has the right to be addressed by a name and pronoun that correspond to the student's gender identity. Regardless of whether a transgender or gender nonconforming student has legally changed their name or gender, schools will allow such students to use a chosen name and gender pronouns that reflect their identity. A transgender student is **not** required to provide verification that the student is undergoing or has undergone medical treatment for the purpose of gender transition as a condition for changing a student's name and/or gender markers in the District's records. If the student has previously been known at school by a different name, the school administration will direct school personnel to use the student's chosen name and appropriate pronouns.

To ensure consistency among administrators and staff, every effort will be made to immediately update student education records (such as attendance reports, class rosters for substitutes, school IDs, electronic records, Webex and other remote learning identifiers, etc.) with the student's chosen name and appropriate gender markers. In some circumstances, school administrators may be specifically required by law to record a student's name or gender as it appears on documents such as a current birth certificate or other reliable proof of identity. In those instances, school staff and administrators shall record this information on the protected identity screen on Synergy (see below) to avoid the inadvertent disclosure of the information. All records that are not specifically required by law to match government-issued documents shall be updated upon a student's written request.

Any change to a student's gender designation in the student information record should be reviewed with the Synergy Integrity Specialist in the Information Systems Department so that the

Information Systems Department is aware of the change and what effects the change may have for student reporting purposes. Parent(s)/legal guardians will be notified if changes are made in Synergy.

Legal Name Change

MPS must maintain for each enrolled student an official student record that includes the student's legal name. The student's legal name must be used in all official student records, including a transcript, and reports to the Arizona Department of Education. A student's legal name will be changed by MPS in its official student records upon receipt of documentation that the legal name has been changed pursuant to applicable law. The documentation required for a legal change of name is a court order, valid birth certificate, or valid passport demonstrating the student's new legal name.

Any change to a student's legal name should be reviewed with the Synergy Integrity Specialist in the Information Systems Department so that the Information Systems Department is aware of the change and what effects the change may have for student reporting purposes.

Activities and Facilities

When a school provides sex-segregated activities and facilities, transgender students must be allowed to participate in such activities and access such facilities consistent with their gender identity. This includes, but is not limited to, restrooms, locker rooms, shower facilities, and single-sex classes. A school may make individual-user options available to all students who voluntarily seek additional privacy. It may not, however, *require* transgender students to use facilities inconsistent with their gender identity or to use individual-user facilities when other students are not required to do so.

Sports and Physical Education

Transgender and gender nonconforming students should be permitted to participate in physical education and sports in accordance with the student's gender identity that is consistently asserted at school. However, in conformity with Arizona Revised Statutes § 15-120.02, interscholastic or intramural athletic teams or sports "designated for 'females,' 'women,' or 'girls' may not be open to students of the male sex." Additionally, participation in competitive athletic activities that are restricted to students of a specific gender may require authorization from the Arizona Interscholastic Association (AIA), as explained in their Constitution, Bylaws, Policies and Procedures at Section 41.9.

Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities (e.g., overnight field trips), students should be permitted to participate in accordance with their gender identity consistently asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis.

Dress Codes

Schools are required to enforce the Student Dress and Grooming standards set forth in Policy JFCA and Administrative Regulation JFCA-R. Students have the right to dress in accordance with their gender identity that is consistently asserted at school, within the constraints of the adopted dress code.

Synergy – Protected Student Identity

mpsazSynergy now has the ability to protect a legal identity and display a preferred identity in student data. The following fields can be protected: student last name, student first name, student middle name, suffix, birth date, birthplace, birth verification and gender.

To protect a legal identity the school must first complete the process on the legal website and verify the student data in Synergy is the correct legal identity information as indicated on the birth verification provided by the parent/guardian. After completing the *MPS Support Plan for Transgender and Gender Nonconforming Students*, the administrator sends an email to synergy@mpsaz.org requesting the legal identity for student #xxxxxx be protected. The email needs to include the legal name and gender and the preferred name and gender. The Synergy administrator will make the change in the system, update the active directory, and notify the school when all tasks are complete.

The protected legal identity can be viewed by select staff roles on the Student screen> Protected Information tab:

The screenshot shows the Synergy Student screen for a student named Jane Doe. The 'Protected Information' tab is selected and circled in red. Below the student information, the 'Legal Identity' section is visible. A red arrow points from the 'Protected Information' tab to the 'Legal Identity' section. Another red arrow points from the 'Legal Identity' section to a text box that says 'Preferred identity is listed in the upper fields' and 'Legal protected identity is in the lower fields'.

When a student has a legal protected identity the preferred identity will display on screens and reports from within Synergy, TeacherVUE and the parent/student portals:

Year: 2018-2019
Report: STU201

Student Profile
Doe, Jane -- Homeroom: N/A

General Information				
Student Name Doe, Jane	Perm ID 356862	Gender F	Grade 10	No Photo Edupoint On file
State ID	Last Name Goes By	Nick Name		
Birth Date 08/02/2001	Birth Place	Leave Date	Enter Date 08/08/2018	
Home Phone	Home Language English	Resolved Race/Ethnicity White		

The STU204 Student Transcript can be produced showing the legal identity, the protected identity and/or suppressing the gender. Options are selected on the STU204 screen when printing a transcript:

Identity Options

Student Identification

Preferred Identity (Default) The report will print student name and gender information as it appears on the Student > Demographics tab page.

Legal Identity The report will print student name and gender information as it appears on the Student > Protected Information tab page, if values exist. If no values exist on the Student > Protected Information tab page, then the report will print student name and gender as it appears on the Student > Demographics tab page.

If the user does not make a selection, the report will print name and gender as they appear on the Student > Demographics tab page.

Suppress Gender

Updated August 19, 2022

Exhibit C



TITLE:
Support Plan for Transgender and Gender
Nonconforming Students

Updated 7/14/2022

Date: _____

School: _____ Grade Level: _____

Legal Name: _____ Date of Birth: _____

Preferred Name: _____ Preferred Pronouns: _____

Gender Identification: _____ Sex Listed on Birth Certificate: _____

Are parent(s)/guardian(s) **aware** of their student's gender transition? Yes No

Are parent(s)/guardian(s) **supportive** of their student's gender transition? Yes No

IF No was answered above, I do do not give permission to disclose my transgender or gender nonconforming status to my parent(s)/guardian(s).

Is a name change requested in Synergy?___ Is a gender change requested in Synergy? _____

PLEASE NOTE: Students need to be aware that parents/guardians will be notified if the student requests changes to Synergy, although parent permission will not be required.

Student Signature / Date: _____

PARENT/GUARDIAN INVOLVEMENT

Parent(s)/Guardian(s) Contact Information:

Which name and gender pronouns will be used in parent/guardian communications?

Preferred Name & Gender Pronouns: _____ **OR**

Legal Name & Gender Pronouns: _____

PRIVACY

Per the *MPS Guidelines Regarding the Support of Transgender and Gender Nonconforming Students* (Guidelines): All students have a right to privacy. This includes the right to keep private their transgender status or gender nonconforming presentation at school. Students have the right to openly discuss and express their gender-related identity and expression at school and school activities, and to decide when, with whom, and how to share private information.

School staff shall not disclose information that may reveal a student's transgender status or gender nonconforming presentation to others. Therefore, given the sensitive nature of the information, when speaking with parents, guardians, other staff members, or third parties, school staff should not disclose a student's preferred name, pronoun, or other confidential information pertaining to the student's transgender or gender nonconforming status without the student's consent, unless authorized to do so by State law or unless specifically authorized to do so by Legal Services.

CONFIDENTIALITY, PRIVACY AND DISCLOSURE

Who is the school contact person (Name/Title) chosen by the student for support regarding harassment, bullying, etc.:

If the designated school contact person is unavailable, what should the student do? _____

How public or private will information about this student's gender be? Specifically, which groups/individuals does the student wish to share this knowledge with? Check all that apply.

Open to all adults and peers (If checked, can proceed to next section with student's permission)

Other site level leadership/administration (counselor, Assistant Principal, Team Leader, etc.)

Specify staff: _____

District staff (counselor, SEL department specialist, etc.)

Specify staff: _____

Teachers and/or other school staff

Specify staff: _____

Student will not be openly “out”, but some students are aware of the student’s gender

Specify students: _____

Other (specify): _____

If the student wants to share with certain groups, when, how, and by whom does the student want information communicated?

FACILITIES AND EXTRACURRICULAR ACTIVITIES

Students shall have access to the restrooms and locker rooms that correspond with their gender identity consistently asserted at school. Supports and accommodations should also be provided to gender non-binary students and students questioning their gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with reasonable alternative arrangements.

Restroom Plan: _____

Locker Room/PE Changing Plan: _____

Field Trips Plan: _____

Overnight Trips Plan: _____

Gendered Activities Plan (e.g. sports): _____

Other Co-/Extra-Curricular Activities Plan (e.g. theater, clubs, etc.): _____

SUPPORT PLAN REVIEW AND REVISION

This plan will be reviewed annually and revised upon request of the student or Support Facilitator.

*** For students transitioning from elementary school to junior high, or junior high to high school, this plan should be reviewed with a Support Facilitator from both the sending school and the receiving school prior to the start of the school year.

What are the specific follow-ups/action items resulting from this meeting? Who is responsible for them?


Action Item	Person Responsible	When	Item Status

Date/Time of next meeting: _____

Location of next meeting: _____

Name and Title of Support Facilitator (school-level individual who worked with the student to create this plan):

Exhibit D

	TITLE: Support Plan for Transgender and Gender Nonconforming Students
	Issued on 7/14/2022

Date: _____

School: _____ Grade Level: _____

Legal Name: _____ Date of Birth: _____

Preferred Name: _____ Preferred Pronouns: _____

Gender Identification: _____ Sex Listed on Birth Certificate: _____

Is a name change requested in Synergy? **Yes** **No**

Is a gender change requested in Synergy? **Yes** **No**

*** Parents/guardians will be notified if the student requests changes to Synergy.**

PRIVACY

Per the *MPS Guidelines Regarding the Support of Transgender and Gender Nonconforming Students* (Guidelines): All students have a right to privacy. This includes the right to keep private their transgender status or gender nonconforming presentation at school. Students also have the right to openly discuss and express their gender-related identity and expression at school and school activities, and to decide when, with whom, and how to share private information. **School staff shall not disclose information that may reveal a student’s transgender status or gender nonconforming presentation to others except as set forth on this form.** Therefore, given the sensitive nature of the information, when speaking with others, school staff should not disclose a student’s preferred name, pronoun, or other confidential information pertaining to the student’s transgender or gender nonconforming status except as set forth on this form, unless authorized to do so by State law or unless specifically authorized to do so by Legal Services.

CONFIDENTIALITY, PRIVACY AND DISCLOSURE

Who is the school contact person (Name/Title) chosen by the student to be their Support Facilitator:

If the designated Support Facilitator is unavailable, who will the student reach out to? _____

How public or private will information about this student's gender be? Specifically, which groups/individuals does the student wish to share this knowledge with? Check all that apply.

Open to all adults and peers (If checked, can proceed to next section with student's permission)

School leadership/administration (counselor, assistant principal, etc.)

Specify staff: _____

District staff (counselor, specialists, etc.)

Specify staff: _____

Teachers and/or other school staff

Specify staff: _____

Student will not be openly "out", but some students are aware of the student's gender identification

Specify students: _____

Other (specify): _____

If the student wants to share with certain groups, when, how, and by whom does the student want information communicated?

FACILITIES AND EXTRACURRICULAR ACTIVITIES

Students shall have access to the restrooms and locker rooms that correspond with their gender identity consistently asserted at school. Supports and accommodations should also be provided to gender non-binary students and students questioning their gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with reasonable alternative arrangements.

Restroom Plan: _____

Locker Room/PE Changing Plan: _____

Field Trip Plan: _____

Overnight Trip Plan: _____

Gendered Activities Plan (e.g. sports): _____

Other Co-/Extracurricular Activities Plan (e.g. theater, clubs, etc.): _____

SUPPORT PLAN REVIEW AND REVISION

This plan will be reviewed annually and revised upon request of the student or Support Facilitator.

*** For students transitioning from elementary school to junior high, or junior high to high school, this plan should be reviewed with a Support Facilitator from both the sending school and the receiving school prior to the start of the school year.

What are the specific follow-ups/action items resulting from this meeting? Who is responsible for them?

Action Item	Person Responsible	When	Item Status

Date/Time of next meeting: _____

Location of next meeting: _____

Name and Title of Support Facilitator:

Student Signature/Date: _____

Updated: 8/23/2022

Exhibit E



TITLE:
Support Checklist for Transgender and Gender
Nonconforming Students

Issued: 6/14/2023

The checklist below is designed to work with families and students to determine how best to provide support for their child at school. No changes will be made in Synergy without parent/guardian permission.

Is a student/parent/guardian requesting a name change in Synergy? **Yes** **No**

Is a student/parent/guardian requesting a gender change in Synergy? **Yes** **No**

How public or private will the student's transgender or gender nonconforming status be:

- Open to all adults and peers
- School leadership/administration (counselor, assistant principal, etc.)
- District staff (counselor, specialists, etc.)
- Teachers and/or other school staff
- Student will not be openly "out", but some students are aware of the student's gender identification
- Other: _____

Students shall have access to the restrooms and locker rooms that correspond with their gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with reasonable alternative arrangements. Areas where alternative arrangements may need to be considered:

- Restroom
- Locker Room/PE
- Field Trips
- Overnight Trips
- Gendered Activities (e.g. sports)
- Other Co-/Extracurricular Activities (e.g. theater, clubs, etc.)

Exhibit F



TITLE:
Support Checklist for Transgender and Gender
Nonconforming Students

Issued: 6/14/2023

The checklist below is designed to work with families and students to determine how best to provide support for their child at school. No changes will be made in Synergy without parent/guardian permission.

Is a student/parent/guardian requesting a name change in Synergy? **Yes** **No**

Is a student/parent/guardian requesting a gender change in Synergy? **Yes** **No**

How public or private will the student's transgender or gender nonconforming status be:

- Open to all adults and peers
- School leadership/administration (counselor, assistant principal, etc.)
- District staff (counselor, specialists, etc.)
- Teachers and/or other school staff
- Student will not be openly "out", but some students are aware of the student's gender identification
- Other: _____

Students shall have access to the restrooms and locker rooms that correspond with their gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with reasonable alternative arrangements. Areas where alternative arrangements may need to be considered:

- Restroom
- Locker Room/PE
- Field Trips
- Overnight Trips
- Gendered Activities (e.g. sports)
- Other Co-/Extracurricular Activities (e.g. theater, clubs, etc.)

Parents/guardians are notified of the support(s) provided at school.

Exhibit G



Important message from Superintendent Dana Andri Furlis

Posted by [Communications](#) on Wednesday, June 14, 2023 at 9:23 AM (MST)

The following message will be shared with all district staff and families later this morning.

Dear Mesa Public Schools community,

I am hopeful your summer is off to a great start. I want you to be aware of the information I provided at last night's governing board meeting regarding five concerns shared by our community. Some of these concerns have been shared through public comment during governing board meetings. Some have been shared through social media and at the State Superintendent's press conference held last week. As I began my report, I wanted to emphasize the importance of parents as partners in their children's education. Families choose how and where to educate their children and they have many options. Mesa Public Schools has a long history of partnering with families to provide a wide array of educational choices that foster learning, build community and engage families. Mesa Public Schools is committed to that partnership and appreciates the invaluable contributions our parents make both in and out of the classroom.

The first topic I addressed was the Transgender Support Plan for Students. In Mesa Public Schools, we have a Promise to know our students by name, serve them by strength and need, so they graduate ready for college, career and community. In order to deliver on that Promise, we value and rely on the contributions our parents, families and caregivers make to the entire MPS community. They play a vital role in our continual efforts to optimize students' entire educational experience, and that is why we work closely with parents and families to ensure all children feel safe at school. The Transgender Support Plan was developed to do just that, work with families and students to determine how best to provide support for their child. Keeping students safe also means that any time an educator is concerned for a student's safety, they follow mandatory reporting procedures.

When a student or parent reaches out to a school for support, the Transgender Support Plan is a tool leaders may use to clarify how the student's needs can be accommodated. As I become aware of public comments on this topic, I hear a concern that students are placed on Transgender Support Plans without parent notification. That is not the case. I have also heard that the Transgender Support Plan is a plan to help students with medical transitions. That is also not true.

To further clarify the purpose and protocol going forward, the Transgender Support Plan document has been revised to be more clear in its intent. Parents' rights and student safety are always at the forefront of what we do in Mesa Public Schools.

The second was the Statement of Awareness with Brain Solutions approved at the May 23 board meeting. School districts across the country are impacted by the mental health crisis currently affecting young people nationwide. As a result, many families reach out to our schools asking for assistance. Here in Mesa, when we have exhausted the expertise and resources on our campuses, we look to outside providers to help families with additional support for their children. The board action allows Brain Solutions to provide mental health awareness, substance abuse counseling, staff development and parenting skills training to families and their children. As printed in the governing board agenda, these services are always voluntary and participation requires parental permission. Additionally, Brain Solutions must have parent permission to observe and talk with students and to prescribe medication.

The third was the cancelation of a community listening session regarding Brain Solutions scheduled on May 31. In response to public comments at the May 23 board meeting, parents and leaders from the Mountain View High School community planned a meeting to listen to concerns and share factual information. We value public discourse and will always push for the utmost transparency in an accurate and productive way. Unfortunately, social media activity regarding this listening session deviated from the intended purpose and scope of the listening session so it was canceled indefinitely.

The fourth was whether the upcoming bond and budget continuation (or override) elections represent an increase in taxes. At Call to the Public, it was presented that the district is not being truthful when discussing the impact of these two issues on the local tax rate. Our community is currently paying taxes on the bonds from a voter-approved 2018 election. A new bond in 2023 would not raise

taxes; it would continue the tax rate that is currently established. The same is true for the budget continuation (or override). Because this tax is already in place, Mesa Public Schools is asking voters to continue their support by continuing the tax. There would be no tax rate increase for both of these locally-supported education initiatives.

The fifth was State Superintendent Horne's press conference on June 8. At the press conference it was shared that the Arizona Department of Education received two complaints on the Empower Hotline about materials from Mesa Public Schools. Mr Horne's office reached out to me in May and I provided information that the complaints had already been resolved. The documents in question were used in voluntary teacher training and are no longer being used. The "textbook" mentioned was actually a presentation slide provided by the Maricopa County Health Department which has since revised its curriculum. To be very clear, Critical Race Theory is not part of the curriculum taught in our classrooms. I will continue encouraging all community members to voice their concerns. As in the case with Superintendent Horne, district administration is committed to investigating concerns and developing solutions as needed.

As the largest school district in Arizona, we have more than 93,000 parents and caregivers. You can be assured our staff works diligently to foster and strengthen partnerships with our families, moving together toward the same goal of ensuring students feel safe so they can learn both in school and beyond.

Sincerely,

Dr. Andi Furlis
Superintendent of Schools




Unprecedented Excellence in Education

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63 East Main Street · Mesa, Arizona 85201

Exhibit H

	Guidelines for Support of Transgender and Gender Nonconforming Students
	<u>Issued 7/14/2022 Revised 6/13/2023</u>

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~~The need to provide support to transgender and gender nonconforming students arises whenever the school learns that a student is~~ Students who are transgender or gender nonconforming and who consistently ~~asserts~~ assert at school a gender identity that is different from the student's sex assigned at birth may need additional support in order to ensure equal access to their school's education programs and activities. These guidelines are intended to help schools ensure a safe learning environment free from discrimination and harassment, and to support the educational and social needs of transgender and gender nonconforming students. Because these guidelines do not anticipate every situation that may occur, ~~the students'~~ the students' needs ~~of each student must~~ should be assessed on a case-by-case basis. The Support Plan Checklist for Transgender and Gender Nonconforming Students is a tool provided to assist in addressing ~~the student's~~ student needs.

Definitions

1. *Gender Identity*: an individual's inner sense of gender, which may be different from or the same as a person's sex assigned at birth.
2. *Sex assigned at birth*: the sex designation recorded on an infant's birth certificate should such a record be provided at birth.
3. *Transgender*: a term that describes people whose gender identity is different from their sex assigned at birth.
4. *Gender transition*: 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. During gender transition, individuals begin to live and identify as the sex consistent with their gender identity and may dress differently, adopt a new name, and use pronouns consistent with their gender identity. Transgender individuals may undergo gender transition at any stage of their lives, and gender transition can happen swiftly or over a long duration of time.
5. *Gender expression*: how a person manifests their gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms. It is usually an extension of their gender identity.
6. *Gender nonconforming*: a term for people whose gender expression differs from

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stereotypical expectations, such as “feminine” boys, “masculine” girls, and those who are perceived as androgynous. Other terms that can have similar meanings are gender diverse or gender expansive.

7. **Sexual orientation:** an individual’s physical or emotional attraction to the same and/or the opposite gender. Gay, lesbian, bisexual, and straight are all examples of sexual orientations. A person’s sexual orientation is distinct from a person’s gender identity and expression.

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Discrimination/Harassment

It is the policy of Mesa Public Schools (MPS) to maintain a safe and supportive learning and educational environment that is free from harassment, bullying, and discrimination on the basis of sex, which includes gender identity.

Complaints alleging harassment, bullying, or discrimination based on an individual’s gender identity should be handled in accordance with the procedures set forth in [Administrative Regulations JB-R\(2\): Equal Educational Opportunities – Other Unlawful Discrimination](#) or [JFD-R: Student Harassment and Bullying](#), as appropriate. Complaints should be directed to an appropriate building administrator using [Title IX complaint form](#) (sex-based discrimination), [Form JFD-R-F\(1\)](#) (harassment), or [Form JFD-R-F\(2\)](#) (bullying), as appropriate.

Privacy

Except as set forth herein, school personnel should not disclose information that may reveal a student’s transgender or gender nonconforming status. Under the Family Educational Rights and Privacy Act (FERPA), only those school employees with a legitimate educational interest should have access to a student’s records or the information contained within those records. Disclosing confidential student information to others may violate privacy laws, including but not limited to FERPA. Transgender and gender nonconforming students have the ability, as do all students, to discuss and express their gender identity openly and to decide when, with whom, and how much of their private information to share with others. The [Support Plan Checklist for Transgender and Gender Nonconforming Students](#) can help administrators or their designees work ~~closely~~ with students in developing ~~an appropriate support a~~ plan regarding ~~how public or private the confidentiality of the student’s~~ ~~student wishes their~~ transgender or gender nonconforming status. ~~The Support Plan for Transgender and Gender Nonconforming Students is a confidential student record under FERPA, subject to inspection and review by the student’s parent or guardian.~~

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Preferred Names/Pronouns

Every student has the right to be addressed by a name and pronoun that correspond to the student’s gender identity. Regardless of whether a transgender or gender nonconforming student has legally changed their name or gender, schools will allow such students to use a chosen name and gender pronouns that reflect their identity. A transgender student is **not** required to provide verification that the student is undergoing or has undergone medical treatment for the purpose of gender transition as a condition for changing a student’s name and/or gender markers in the District’s records. If the student has previously been known at school by a different name, the school administration will direct school personnel to use the student’s chosen name and appropriate pronouns.

To ensure consistency among administrators and staff, every effort will be made to immediately update student education records (such as attendance reports, class rosters for substitutes, school IDs, electronic records, Webex and other remote learning identifiers, etc.) with the student’s chosen name and appropriate gender markers. In some circumstances, school

administrators may be specifically required by law to record a student's name or gender as it appears on documents such as a current birth certificate or other reliable proof of identity. In those instances, school staff and administrators shall record this information on the protected identity screen on Synergy (see below) to avoid the inadvertent disclosure of the information. All records that are not specifically required by law to match government-issued documents shall be updated upon a student's written request.

Any change to a student's gender designation in the student information record should be reviewed with the Synergy Integrity Specialist in the Information Systems Department so that the Information Systems Department is aware of the change and what effects the change may have for student reporting purposes. Parent(s)/legal ~~guardians~~guardian(s) will be notified if changes are made in Synergy.

Legal Name Change

MPS must maintain for each enrolled student an official student record that includes the student's legal name. The student's legal name must be used in all official student records, including a transcript, and reports to the Arizona Department of Education. A student's legal name will be changed by MPS in its official student records upon receipt of documentation that the legal name has been changed pursuant to applicable law. The documentation required for a legal change of name is a court order, valid birth certificate, or valid passport demonstrating the student's new legal name.

Any change to a student's legal name should be reviewed with the Synergy Integrity Specialist in the Information Systems Department so that the Information Systems Department is aware of the change and what effects the change may have for student reporting purposes.

Activities and Facilities

When a school provides sex-segregated activities and facilities, transgender students must be allowed to participate in such activities and access such facilities consistent with their gender identity. This includes, but is not limited to, restrooms, locker rooms, shower facilities, and single-sex classes. A school may make individual-user options available to all students who voluntarily seek additional privacy. It may not, however, *require* transgender students to use facilities inconsistent with their gender identity or to use individual-user facilities when other students are not required to do so.

Sports and Physical Education

Transgender and gender nonconforming students should be permitted to participate in physical education and sports in accordance with the student's gender identity that is consistently asserted at school. However, in conformity with Arizona Revised Statutes § 15-120.02, interscholastic or intramural athletic teams or sports "designated for 'females,' 'women,' or 'girls' may not be open to students of the male sex." Additionally, participation in competitive athletic activities that are restricted to students of a specific gender may require authorization from the Arizona Interscholastic Association (AIA), as explained in their Constitution, Bylaws, Policies and Procedures at Section 41.9.

Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities (e.g., overnight field trips), students should be permitted to participate in accordance with their gender identity consistently asserted at school. Activities that may involve the need for

accommodations to address student privacy concerns will be addressed on a case-by-case basis.

Dress Codes

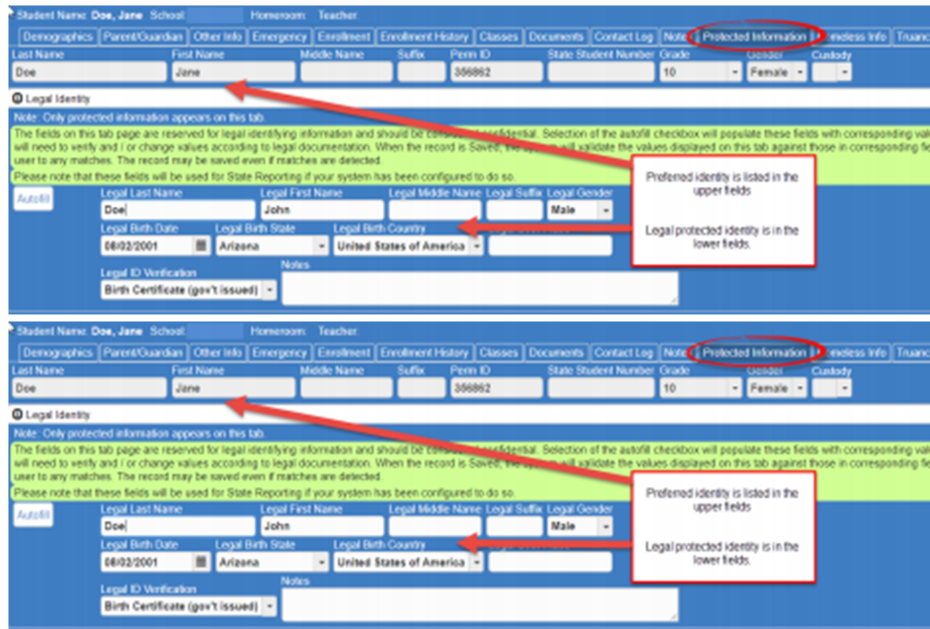
Schools are required to enforce the Student Dress and Grooming standards set forth in Policy JFCA and Administrative Regulation JFCA-R. Students have the right to dress in accordance with their gender identity that is consistently asserted at school, within the constraints of the adopted dress code.

Synergy – Protected Student Identity

mpsazSynergy now has the ability to protect a legal identity and display a preferred identity in student data. The following fields can be protected: student last name, student first name, student middle name, suffix, birth date, birthplace, birth verification and gender.

To protect a legal identity the school must first complete the process on the legal website and verify the student data in Synergy is the correct legal identity information as indicated on the birth verification provided by the parent/guardian. After completing the *MPS Support Plan for Transgender and Gender Nonconforming Students*, the administrator sends an email to synergy@mpsaz.org requesting the legal identity for student #xxxxxx be protected. The email needs to include the legal name and gender and the preferred name and gender. The Synergy administrator will make the change in the system, update the active directory, and notify the school when all tasks are complete.

The protected legal identity can be viewed by select staff roles on the Student screen> Protected Information tab:



When a student has a legal protected identity the preferred identity will display on screens and reports from within Synergy, TeacherVUE and the parent/student portals:

Student Profile
 Doe, Jane -- Homeroom: N/A

Year: 2018-2019
 Report: STU201

General Information					
Student Name Doe, Jane	Perm ID 356862	Gender F	Grade 10	No Photo  On file	
State ID	Last Name Goes By	Nick Name			
Birth Date 08/02/2001	Birth Place	Leave Date	Enter Date 08/08/2018		
Home Phone	Home Language English	Resolved Race/Ethnicity White			

Student Profile
 Doe, Jane -- Homeroom: N/A

Year: 2018-2019
 Report: STU201

General Information					
Student Name Doe, Jane	Perm ID 356862	Gender F	Grade 10	No Photo  On file	
State ID	Last Name Goes By	Nick Name			
Birth Date 08/02/2001	Birth Place	Leave Date	Enter Date 08/08/2018		
Home Phone	Home Language English	Resolved Race/Ethnicity White			

The STU204 Student Transcript can be produced showing the legal identity, the protected identity and/or suppressing the gender. Options are selected on the STU204 screen when printing a transcript:

Identity Options

Student Identification

Preferred Identity (Default) The report will print student name and gender information as it appears on the Student > Demographics tab page.

Legal Identity The report will print student name and gender information as it appears on the Student > Protected Information tab page, if values exist. If no values exist on the Student > Protected Information tab page, then the report will print student name and gender as it appears on the Student > Demographics tab page.

If the user does not make a selection, the report will print name and gender as they appear on the Student > Demographics tab page.

Suppress Gender

Updated August 19, 2022