



6135 A

Permissible Grouping Principles

Regulation 6135 A

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Review Dates:

I. PURPOSE

The educational program shall provide a program of general education for all students and suitable education for exceptional children, including gifted and talented children and children with special education needs.

II. STATEMENT OF PRINCIPLES

- A. Except as otherwise stated in this regulation no school shall exclude students from any course or group students into courses or classes on the basis of gender, gender identity or expression, race, culture, English language ability, or religion.
- B. In any permissible grouping by gender, students shall have the option to self-select into the group of their gender identity or expression where such gender identity or expression is the consistent identity or expression that they use at school.
- C. Separation by gender is acceptable for the purposes of
 - 1. locker and dressing room use,
 - 2. facility supervision, and
 - 3. presentations of topics in health having to do with human reproduction.
- D. Heterogeneous elementary homerooms or groups of homerooms may be regrouped for purposes of instruction or study on the basis of:
 - 1. Student proficiency in the area of study;
 - 2. Student interests;
 - 3. Educational needs of students for acceleration, enrichment, or other educational purposes.
- E. Students receiving English Language Learner services may be grouped according to English language ability, culture or home language basis for the purposes of receiving English Language Learner services, including native language literacy, bilingual education in core curricular areas and English as a Second Language instruction.
- F. Students receiving special education services may be grouped according to the needs, goals, and service minutes identified in the students' Individual Education Programs (IEPs).
- G. ***Physical Education Classes Specifics.*** The following principles shall be followed for physical education classes and courses at all grade levels.



1. Classes shall be scheduled without gender designation.
2. Class experiences involving physical contact such as tackle football and wrestling shall be conducted separately by gender.
3. Elective classes and activities shall be equally available to both genders.
4. Time allotment for classes and activities shall be equal for both genders.
5. Opportunity to use all physical education facilities shall be offered equally to both genders.
6. Supervision of the locker and shower facilities shall be provided for both genders by an adult of the same gender.
7. Opportunity to participate in intramural programs shall be offered equally to both genders.
8. Students whose gender identity or expression is other than their biological sex shall be given the opportunity to self-select into the group of their gender identity or expression where such gender identity or expression is the consistent identity or expression that they use at school. Reasonable accommodations for showering, dressing or toilet facilities may be used to accommodate all students under these circumstances.

H. ***Music Education Classes Specifics.*** The following principles shall be followed for music education classes and courses at all grade levels.

1. Classes shall be scheduled without gender designation.
2. Students of both genders shall have equal opportunity to participate in elective and required choral music courses.
3. Because of physiological considerations, type of choral music literature studied and student interests, sections of choral music courses, and rehearsals may be scheduled or organized on the basis of
 - a. Voice range
 - b. Quality of voice
 - c. Type of music literature being studied.

III. DEFINITIONS

- A. “Culture” shall mean the characteristics, behaviors, habits, beliefs and expressions based on the common experience of others who share national origin, first language, race, or other identifying characteristics.
- B. “Gender expression” shall mean a person’s characteristics and behaviors such as appearance, dress, mannerisms, speech patterns, and social interactions that are perceived to be masculine or feminine.
- C. “Gender identity” shall mean a person’s understanding, interests, outlook and feeling about whether the person is female, male, or both, or neither, regardless of the person’s biological sex.



- D. “Race” shall mean the racial group into which a person is born or with which a multi-racial person identifies.

Legal References:

Minn. Rules Part 3505.2300 (Student Eligibility for Vocational Programs)

Minn. Rules Part 3535.3200 (Separation by Teams)

Cross References:

MPS Policy 5000 (Equal Education Opportunity)

MPS Policy 5700 (Special Education)

MPS Policy 5750 (Disability Non-Discrimination)

MPS Policy 6280 (Bilingual Student Education)