

Guidance Related to Preferred Names, Pronouns, and Gender Identity



As with all student needs, our goal is to help students experiencing matters of gender identity feel welcome and connected to their school. This guidance was prepared in response to staff questions and takes into consideration the recent Kansas House Bill 2567, as well as court proceedings in the state.

Administration and staff must evaluate each student request to change school records regarding preferred names, pronouns and gender identity on a case-by-case basis.

It is expected that building principals will acknowledge the student's request and partner with the student and the family to the greatest extent possible, all without causing trauma to the student during the process.

Staff should not solicit (request or ask) students to share their gender-specific name/pronoun change requests.

This is out of respect for the privacy of students and their families and allows the sharing of that information in an environment of the student's choosing. In the event a student shares or discloses such information, the school will proceed in a way that is supportive for the student and family.

Staff must be careful to refrain from incautious disclosure of a student's gender status and/or sexual orientation.

A student's choice to disclose gender status and/or sexual orientation is a private matter. Staff should work to support the student and the family to the greatest extent possible.

For teachers – process for official name, pronoun or gender identity change requests.

- Teacher/Staff member becomes aware of a student's desire to change name, pronouns and/or gender identity records.
- Teacher acknowledges student in a caring way.
 - *Thank you for letting me know.*
 - *Is there anything you need right now?*

Teacher informs the student that they, the teacher, will need to connect the student to the building principal to better assist the student. Teacher can also let the student know that the principal, counselor, and/or social worker will schedule a meeting with the student.

Note: *To ensure building administration is aware of and can adequately respond to a student's request, school staff must notify the principal of requests to change name, pronoun or gender identity records. Parent permission must be obtained before school records can be changed.*

- Principal, counselor, and/or social worker meets with the student and gauges the level of family involvement. If the request is going to be formalized with parental support and permission, a parent/guardian must provide written consent. The admin, counselor or social worker will then communicate with teachers to share that permission has been received.

Can a staff member refer to a student by a preferred name?

Yes, as it is common for students to use a name other than their legal name of record. Teachers may use a student’s preferred name informally upon student request.

Can the school identify a student by their preferred name in the school yearbook, etc.?

Yes. Parent/guardian involvement and written consent is required. This process can be initiated and documented via written consent from the parent. If the student is a minor, the school must obtain parental consent before the school can change records pertaining to the student’s preferred name, pronouns or gender identity.

Can the school change the student’s gender identity marker in Skyward?

The school can update the gender identity field in Skyward with written consent from the parent/guardian. If the student is a minor, the school must obtain parental consent before the school can change records. Note: the gender identity field is separate from the permanent gender field in the school record. Changes to the permanent school record for legal name and/or gender will only take effect if information is changed legally.

Resources

- Title IX of the Education Amendments of 1972 (20 U.S.C. § 1861, et seq.);
- The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99;
- (*Bostock v. Clayton County*), 140 S. Ct. 1731, 590 U.S. ____ (2020);
- Board Policy JGEC (Sexual Harassment);
- Board Policy KN (Complaints);
- Board Policy JRB (Release of Student Records);
- Board Policy JRC (Disposition of Records);
- Public Notice – U.S. Department of Education, Office for Civil Rights – “Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity,” June 22, 2021: <https://www.govinfo.gov/content/pkg/FR-2021-06-22/pdf/2021-13058.pdf>;
- Fact Sheet – U.S. Department of Justice, Civil Rights Division, and U.S. Department of Education, Office for Civil Rights, “Confronting Anti-LGBTQ+ Harassment in Schools,” June 2021: <https://www.govinfo.gov/content/pkg/FR-2021-06-22/pdf/2021-13058.pdf>;
- Fact Sheet – U.S. Department of Education – “Supporting Transgender Youth in School,” June 2021: <https://www2.ed.gov/about/offices/list/ocr/docs/edfactsheet-transgender-202106.pdf>;
- Fact Sheet – U.S. Department of Education, Office for Civil Rights, “Supporting Intersex Students,” October 2021: <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-intersex-202110.pdf>.