

## Pennsylvania Model School Policy

<b>Book</b>	<b>Board Policy Manual</b>
<b>Section</b>	<b>200 Pupils</b>
<b>Title</b>	<b>Student Records – Name, Speech, Parental Consent</b>
<b>Code</b>	<b>Pol. 216.1</b>
<b>Status</b>	<b>draft</b>

### Purpose

The district maintains official records for each student that includes the student’s legal name and sex. This policy establishes a base standard for use of name and pronouns. It establishes protocol for legal name changes as well as protocol for unofficial name change requests and pronoun change requests.

This policy also ensures the fundamental right of parents to direct the upbringing of their children is respected and that material information about a student is not concealed from parents/guardians. The district recognizes that parental/guardian involvement at the earliest possible time promotes the best outcome for students’ mental, emotional, and physical health, and their academic success.

### Definitions

“**Sex**” is defined as the biological distinction between male and female based on reproductive biology and genetic make-up. “Sex” and “biological sex” may be used interchangeably.

“**Eligible Student**” is a student enrolled in the district who is 18 years of age or older.

“**Gender Identity**” means an individual’s identification with their sex, the opposite sex, both, or neither.

“**Legal Name**” is defined as the name reflected on a legal document such as a birth certificate, state or federal issued identification, passport, or other court order substantiating the student’s change of legal name.

### Guidelines

#### A. Parental Involvement

1. The District shall not conceal information about a student’s gender identity from the student’s parent/guardian. The district shall not participate in the social transition of a student by referring to the student by names or pronouns that are inconsistent with the student’s sex without obtaining the written permission of the student’s parent/guardian.<sup>i ii</sup>

B. Maintenance of Student Records - Name

1. Legal Name: The district will change the legal name in a student's official record only if a parent or eligible student submits a written request and submits a legal document reflecting the name change of the currently enrolled student, such as a birth certificate, state or federal-issued identification, passport, marriage license, or court order substantiating the student's change of legal name.
2. Unofficial Name: The district standard is for school personnel to refer to each student using the student's legal first, middle or last name, a derivative of the name, or a nickname commonly associated with the student's legal name. However, as an accommodation, a parent or eligible student may designate an unofficial name to refer to the student that is different from the district's standard practice. This can be done during registration or may be done anytime thereafter by submitting a written unofficial name change request. The request may also indicate whether the requester desires updates to unofficial documents, such as the classroom roster.

C. Maintenance of Student Records – Sex

1. When enrolling a child in the school, a parent/guardian will indicate the student's sex (as defined herein) for school records and that will remain on the school records.
2. If the superintendent believes it is necessary for purposes of implementing district policy, the superintendent may request that the parent/guardian provide<sup>v</sup> the student's original birth certificate issued at or near the time of birth that accurately states the student's sex (as defined herein) to the Superintendent, or if unavailable, the student's parent/guardian shall provide a physician's note based on the definitions herein.

D. Maintenance of Student Records – Gender Identity

1. If a student identifies with a gender identity different from their sex, the eligible student and/or parent/guardian may provide that information in writing during registration or anytime thereafter. If requested by the parent/guardian, the district will keep a record of such identity as a separate record distinct from the record of the student's sex and any accompanying accommodation requests in the same manner that the district records any other accommodation requests from parents and subject to the same retention, disclosure, and confidentiality requirements. The district recognizes that accommodation requests to cease being addressed in one way and to begin being addressed in another way may necessitate accommodation of others' conscience and rights regarding compelled speech, and therefore will seek to provide reasonable accommodation in both directions when such interests come into tension.

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<sup>i</sup> *Mirabelli v. Bonta*, 607 U.S. \_ (2026)

<sup>ii</sup> 14th Amendment to U.S. Constitution

<sup>iii</sup> *Troxel v. Granville*, 530 U.S. 57 (2000)

<sup>iv</sup> *Gruenke v. Seip*, 225 F.3d 290, 307 (3d. Cir. 1999)

<sup>v</sup> 35 P.S. § 450.603