



Provo City School District Policy Series 3000: Students

Policy No. 3228

Student Confidential Communications

The Provo City School District Board of Education understands the sensitivity required to handle information that is shared in confidence. All employees of Provo City School District must use his/her best professional judgment when handling information received from a student in confidence. When receiving such information, employees shall advise students of their limitations and restrictions regarding confidentiality. Whenever possible, the student shall be encouraged to disclose any confidences to his/her parent(s)/guardian(s). Information received may be deemed necessary to share with other administrators or outside agencies.

The following guidelines are provided to employees to assist in making appropriate decisions regarding confidential information and/or communication.

1. Information held in a student's cumulative record is confidential. It is only accessible to the administrator of student records. Any information received from the administrator of student records shall remain confidential and shall only be used for the purpose for which the access was granted.
2. Utah state law requires that school *district* staff members, including counselors, *do not* possess a confidentiality privilege. *For example, the student's parent(s) or legal guardian(s) must be notified if the student threatens to commit suicide. Also, parent(s)/guardian(s) of each student involved in an incident of bullying, cyber bullying, harassment, hazing, or retaliation will also be notified whether they are the victim or the perpetrator.*
3. Employees are expected to reveal any information given by a student that suggests there is a reasonable likelihood of a crime being committed (e.g. child abuse, distribution and/or possession of drugs, physical violence, gang activity, vandalism, etc.)
4. If a teacher has reason to believe that a student at their school has committed an illegal act, he/she shall report that to their school administrator. Upon receiving such information, the school administrator shall immediately notify the student's parent(s)/guardian(s) and any appropriate law enforcement agency or official.
5. If district officials determine there is a threat to the health or safety of a student or other person, confidential information may be shared with any appropriate parties as allowed by the Family Educational Rights and Privacy Act (FERPA) and state law.
6. Students who are 18 years of age or older, as well as students who become legally emancipated after the age of 16, are to be considered adults and will act on their own accord as it relates to matters of confidentiality.

7. Professional judgment should be exercised regarding the sharing of information given by a student.

Legal References:

Utah Code 53G-8-501

Utah Code 53G-8-502

Utah Code 53G-8-503

Utah Code 53G-8-506

Utah Code 62A.4a.412

Utah Code 63G.2.202

Utah Code 53A-11a-203

Synopsis:

Substance Abuse Reporting and Weapons Notification-
Definitions

Mandatory Reporting of Prohibited Acts

Reporting Procedure

Reporting of Prohibited Acts Affecting a School-
Confidentiality

Access to Private, Controlled and Protected Documents

Reports and Information Confidential

Parent?Guardian Notification of Certain Incidents and
Threats Required

Approved by Board of Education: October 14, 2014



Provo City School District

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3228 P1

Preferred Student Name, Pronouns, and/or Gender Identity Change Request Procedures

It is the policy of Provo City School District ("PCSD") to accommodate reasonable preferred name, pronouns, and/or preferred gender change requests for students who would like to be recognized by a preferred first and/or middle name(s), pronouns, and/or gender in place of their legal given first and/or middle name(s), pronouns, and/or gender assigned at birth. As such, this procedure outlines the process which an Authorized Party must take in order to request a preferred name, pronouns, and/or gender identity change. For purposes of this procedure, an Authorized Party is:

- a) a parent or legal guardian of an unemancipated student 17 years old or younger;
- b) a student 18 years of age or older; or
- c) an emancipated student of any age as provided by Utah Code § 78A-6-801, et seq.

If approved, the change of preferred first and/or middle name(s), pronouns and/or gender identity shall only be reflected on records maintained by PCSD, such as report cards, class lists, other informal district documents, etc. Any legal document the School District generates such as transcripts, diplomas, etc., will list the student's legal given name(s) and, where applicable, the student's assigned gender at the time of the student's birth.

Steps to Request Name, Pronouns, and/or Gender Identity Change

1. Complete the PCSD-approved Preferred Student Name, Pronouns, and/or Gender Change Form by reading it thoroughly, filling out the information required by the form, and signing it.
2. Submit the completed form to the PCSD Student Services office for review.
3. The PCSD Student Services staff will notify applicants within 10 business days of the decision. Approved requests will be adjusted within five business days of the decision in the Student Information System.
4. In the case of a denial, an appeal may be made to the PCSD Assistant Superintendent of Student Services for consideration.
5. In the case of an approval, Student Services shall contact the appropriate school administration to inform them of the name and/or gender change being made in the district's Student Information System.

Only the first and middle names can be changed unless the Authorized Party presents a court order changing the student's last name consistent with Utah Code § 42-1-1, et seq. This guideline complies with federal FERPA law.



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3228 F1

Preferred Student Name, Pronouns, and/or Gender Identity Change Request Form

The Preferred Student Name, Pronouns, and/or Gender Identity Change Form is for an Authorized Party to apply to change a student’s preferred first and/or middle name(s), pronouns, and/or gender identity being used and displayed in the District’s Student Information System and all entities within the school district and other documentation that do not otherwise require display of the student’s given legal name, pronouns, and/or gender identity assigned at birth. This form must be completed and signed by an Authorized Party. An Authorized Party is:

- a) a parent or legal guardian of an un-emancipated student 17 years old or younger;
- b) an eligible student, meaning a student who is 18 years of age or older; or
- c) an emancipated student of any age as provided by Utah Code § 78A-6-801, et seq.

Concerning name change, only the first and middle names can be changed unless the Authorized Party presents a court order changing the student’s last name consistent with Utah Code § 42-1-1, et seq.

Once this form is completed and submitted to Provo City School District Student Services Department, the request will be reviewed and notice of decision will be given within 10 business days. In the case of approval, the updated preferred name, pronouns, and/or gender will be displayed on the school's internal systems and applicable documents that reflect preferred name, pronouns, and/or gender.

Important Considerations

- * The State of Utah will maintain the legal, given name and gender, and all State-related programs and documents will reflect the student’s legal, given first name and gender.
- * Any post-secondary institutions (i.e., UVU, BYU, etc.) will be given the student’s legal given first name and gender assigned at birth.
- * Transcripts, diplomas, and any other legal document(s) for Provo City School District use will bear the student’s legal given name(s) and/or gender assigned at birth.
- * A legal name and/or gender identity change through the state courts would mitigate issues of inconsistencies in the student’s records between preferred and legal name and gender identity.

Student’s Legal Given Name: _____
First Middle Last

Student's Date of Birth: _____ Student ID Number: _____

Student’s Preferred First & Middle Name(s): First _____ Middle _____

Student's Preferred Gender: Male _____ Female _____ Gender X _____ Non-binary _____

Student’s Preferred Pronouns: he/his/him _____ she/her/hers _____ they/them/theirs _____

Authorized Party (as defined above) Signature: _____ Date: _____

Authorized Party Full Name (please print): _____

Office Use Only – Student Services Department Review: Approved _____ Denied _____

Authorized Signature: _____ Date: _____

**Provo City School District
Policy Series 3000: Students**



Policy No. 3300

Gender-inclusive Schools

The Board of Education values diversity amongst its students and employees. As such, the board recognizes a need to adopt a gender-inclusive policy that will address the rights of all individuals, regardless of sex, sexual orientation, and gender identity, to equal treatment under the law with regard to learning and/or work environments. The board directs the superintendent to develop policies and procedures to address gender inclusivity within Provo City schools and afford the rights of all persons a respectful school and work environment. Discrimination because of gender identity, or because of transgender status, including sexual orientation, is discrimination based on sex and violates Title VII of the Civil Rights Act of 1964, as well as Title IX of the Education Amendments of 1972.

This policy is developed in conjunction with existing policies that address the prohibition of harassment, discrimination, hazing, and bullying. It is expected, regardless of gender, gender identity, gender expression, or sex, that the district create and maintain safe, civil, and inclusive learning communities. Therefore, employees of the district will be required to monitor and maintain safe learning environments and ensure all students are treated fairly and are respected as individuals within the overall learning community. Employee awareness training will be included within the procedure implementation to ensure school environments are gender-inclusive and safe for all students.

Policy Cross Reference: Provo Board Policy: 3210	Synopsis: Compliance with FERPA
Provo Board Policy: 3214	Non-discrimination and Sexual Harassment
Provo Board Policy: 3224	Student Dress and Grooming
Provo Board Policy: 3310	Safe Schools
Provo Board Policy: 3320	Prohibition of Bullying, Harassment, Hazing, and Retaliation
UHSA Policy: 1.1.4	Transgender Participation in High School Athletics
Legal References: 42 U.S.C. §2000(e)	Synopsis: Title VII of the Civil Rights Act of 1964
Utah Code § 34A-5-102	Transgender Students: Definitions

Utah Code § 26-2-11 Transgender Students: Records - Name and/or Gender Change

Utah Code § 42-1-1 Transgender Students: Records - Name Change

20 U.S.C. § 1232g;
34 CFR Part 99 Federal FERPA

Title 34 - Subtitle B-
Chapter 1 §106.31 Utah Antidiscrimination Act: Education programs or activities

Title IX of the Education
Amendments of 1972 Sex Discrimination

Approved by the Board of Education:

December 8, 2020

**Provo City School District
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3300 P1

Gender-inclusive Schools

Key Definitions and Terms:

- **Assigned Sex/Gender:** This is the sex/gender designated at the time of birth.
- **Gender Expression:** means the external cues or indications used to communicate gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.
- **Gender identity:** This is the individual's internal sense of gender, and "identified gender" refers to the gender that matches this internal sense. Gender identity can be shown by information including but not limited to medical history, care or treatment of the gender identity, consistent and uniform assertion of the gender identity, or other evidence that the gender identity is sincerely held, part of a person's core identity, and not being asserted for an improper purpose.
- **Gender Nonconforming:** A term for people whose gender expression differs from stereotypical expectations. This may include people who identify outside traditional gender categories or who identify as both genders.
- **Gender Transition:** The process in which an individual may change social and/or physical aspects of themselves (e.g. appearance, name, pronouns, and/or physical changes to their body) to be more congruent with the gender they know themselves to be or which is also known as their affirmed gender.
- **Sexual Orientation:** An enduring pattern of romantic, emotional, or sexual attraction (or a combination of these and/or a lack thereof) to persons of the opposite or same sex, or to more than one sex.
- **Transgender:** Means that an individual's assigned gender differs from the individual's gender identity.
- **Transgender Male:** Is an individual whose assigned gender is female but whose gender identity is male.
- **Transgender Female:** Is an individual whose assigned gender is male but whose gender identity is female.
- **Transitioning:** The process in which a person goes from living and identifying as one gender to living and identifying as another.

In accordance with Utah Antidiscrimination Act Title 34, "Except as provided elsewhere in this part, no person shall, on the basis of sex, be excluded from participation in, be denied the bene-

fits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives Federal financial assistance.”

All students shall be afforded the same rights with regards to use of names and pronouns, dress codes, physical education participation, confidentiality of school and health records, or communications, without fear of discrimination, harassment, and disclosure of confidential information. With regards to sports participation, locker room and restroom use, Provo City School District will follow the guidelines of the USHAA or other organizations/entities that have been tasked to guide these issues according to state code and law. All students shall be afforded equal opportunity for learning and participating in educational and other school activities.

Local, state, and federal laws shall be followed and enforced with regards to gender-inclusivity, and with regards to the prohibition of harassment, discrimination, hazing, and bullying. Provo City School District maintains a firm policy prohibiting all forms of discrimination and/or harassment based on race, color, religion, age, national origin, sexual orientation, gender expression or identity, disability, or any other classification protected by law. All persons are to be treated with respect and dignity. Forms of discrimination and/or sexual harassment by any person, male or female, which creates an intimidating, hostile, or offensive environment will not be tolerated under any circumstances. Such incidences may result in school discipline, including and up to suspension and/or expulsion. Any employee engaging in such inappropriate actions may face administrative discipline, up to and including termination.

Approval Date: December 8, 2020

LGBTQ+ Advisory Committee

What's the purpose of the LGBTQ+ advisory committee?

The purpose of the LGBTQ+ Advisory Committee is to bring Parents/Legal Guardians/Caregivers and the Provo City School District (PCSD) together to set goals and find solutions that will strengthen the district for the benefit of all student needs, and build on relations that will lead Provo City School District students to graduation.

Committee Goal:

- Provide parents/legal guardians/caregivers an opportunity to participate in the school life of their children.
- Unite parents/legal guardians/caregivers and district by fostering positive communication to help understand cultural/social differences.
- Nurturing community involvement by providing various cultural/social opportunities to help educate and bring awareness to the various populations within the Provo City School District and celebrating the various cultures/social differences in the district and community.

General objectives:

Establish a supportive relationship between parents/legal guardians/caregivers of students and the Provo City School District. This relationship will be built through constructive discussions in which parents/legal guardians/caregivers will discuss the challenges that students are having in any of the schools of the Provo City School District. In addition, the LGBTQ+ Advisory Committee will present recommendations to those challenges to the Provo City School District, Student Services Department. Furthermore, the LGBTQ+ Advisory Committee will plan cultural activities in order to educate and strength the relationship between, parents/legal guardians/caregivers, students and the Provo City School District community.

Objectives:

- To identify educational/social/emotional support and resources for students in the Provo City School District.
- To work in partnership with the Provo City School District in strengthening the services provided to all students.

- Help foster a cooperative working relationship between the district and parents/legal guardians/caregivers.
- Help increase more parent/legal guardians/caregivers' involvement in schools.
- Provide a forum for all parents/legal guardians/caregivers to take an active part in the education, social and well-being of all PCSD students.
- Advise and present solutions to the Provo City School District in regards to the specific difficulties that LGBTQ+ students are dealing within the PCSD.
- Plan district/committee activities and events that will celebrate the various cultures/social difference in the district and bring awareness to Provo City .

Committee Meets:

Every 2nd Wednesday of the month from 7:00-8:00 pm at the Grandview Technology Center, (1591 Jordan Ave.) For more information, please contact the Student Services Department at studentservices@provo.edu.