

MEMORANDUM on NOTICE TO PARENTS OF GENDER IDENTITY

To: All Principals

From: Knox County Schools District Office and Knox County Law Director's Office

August 6, 2024

Public Chapter 832 took effect as of May 1, 2024. Listed below is the pertinent text of the newly established law:

“(a) An employee of an LEA or public charter school shall not knowingly give false or misleading information to the parent of a student regarding the student's gender identity or the student's intention to transition to a gender that differs from the sex listed on the student's official birth certificate or certificate of birth issued upon adoption, if the certificate of birth was issued at or near the time of the student's birth.

(b) If a student enrolled in an LEA or public charter school **requests an accommodation from an employee** of the LEA or public charter school that **is intended to affirm the student's gender identity**, including a request that the student be addressed using a name that differs from the name assigned to the student on the student's school registration forms or in the student's educational record, or that the student be addressed using a pronoun that does not correspond with the sex listed on the student's official birth certificate or certificate of birth issued upon adoption if the certificate of birth was issued at or near the time of the student's birth, then the employee of the LEA or public charter school shall report the student's request to a school administrator, and the school administrator shall report the student's request to the student's parent.” [emphasis added].

A parent has the ability to sue the school system and would likely also name the administration and the teacher if they feel this law has been violated. In addition, the court is able to award attorneys' fees and costs to the prevailing party.

Required Best Practice:

1. If a student requests to be called a name inconsistent with their sex at birth, a pronoun which does not correspond to their sex at birth, a restroom different from their sex at birth, or other type of sex/gender accommodation.
2. The school staff will email the student's Principal.
3. The principal will include counseling and may ask additional questions of the student, and inform the student the school is required by law to notify the parent and seek permission from the parent. When appropriate, the administrator will call the student's parent or legal guardian.
4. After three (3) phone attempts over 3 days, the administrator may email the parent/guardian.
5. The administrator will email the conversation results to the student's teachers and other pertinent school staff.

6. Administrators will keep the parent communication for documentation and a list of parents who have been notified.
7. Administrators will complete the following [Title IX Gender Identity Accommodation Form](#).

Answers to FAQs:

- a. Some nicknames are not specific and are not requests for a different sex. For instance: Ace, Blue, Slash, etc.
- b. It is not recommended that teachers alert their entire class of the law and requirements before taking attendance at the beginning of each semester, or otherwise. Instead, make a note of a request for a different gender identity and notify school administration (email preferred, or document conversation).
- c. When in doubt, or if there is a “close call” with regard to a name, etc., please refer to administration and allow them to determine whether to report or not.
- d. Administration will include counseling to determine the legitimacy of the request. Please allow only administration and/or counseling to ask questions of the student.
- e. If a student has been allowed to use a different gender identity in previous school year(s), it does not automatically invoke notification. However, if a student renews the request for accommodation **this** school year, follow the law and the practice set out herein.
- f. The law does not apply to students who are 18 years old or above (special education may have exceptions), or to students who are emancipated.
- g. The use of “they/them” in and of itself does not invoke the law. Other requests coupled with they/them could require notification.
- h. A student who changes his/her mind regarding the accommodation does not invoke the reporting practice.