



PILLS AND PRONOUNS

School Districts Require Parental Consent for Over-the-Counter Medicine But Not New Names and Pronouns

By Angela Morabito

In some of the nation's largest public school districts, it is easier for a student to choose a new name and pronouns than it is to get an aspirin from the school nurse. At least three million K–12 students in 25 districts are given free rein to choose their gender identity at school by changing the name and pronouns used by school employees without parental consent, even though their schools require parental permission to dispense over-the-counter medication to those same children.

Methodology

DFI examined policies in the nation's 20 largest school districts by enrollment, as well as in districts located in select major cities and districts accused of allowing K–12 students to choose names and pronouns aligned with their gender identity without parental consent.

We pulled the 20 largest school districts by enrollment from the most recent list in the Digest of Education Statistics ("Digest"), last tallied in 2018.¹ Because public school enrollment has changed substantially in recent years, we calculated the number of students covered by these policies based on school districts' self-reported enrollment numbers or numbers posted by state education agencies, which are likely more current than what is represented in the Digest. We also included charter schools in our calculations (Addendum A).

Because this study examines only a sample of school districts, the total number of districts nationwide that allow students to change their name and pronouns at school without parental permission is likely far higher.

In this study, we considered policies and guidance regarding the name and pronouns by which a

student is addressed in the classroom, not the name and pronouns reflected on documents issued by the school. Such classroom policies are likely more consequential to students' well-being than records policies because students hear their names from teachers and peers many times during a typical day, while they interact less often with school-issued documents. The inverse is true for parents, who are more likely to see their child's name on school documents than they are to hear the name their child is called in class. When the paperwork a child brings home from school, such as report cards or forms, all bear his or her legal name, parents may see no cause for concern about their child's identity at school.

Some states have state-level policies and guidance on both medication administration and name and pronoun usage, but the existence of such policies is no guarantee that districts have complied. Therefore, we examined documents at the district level.

Findings

Eight of the largest 20 districts in America have readily available policies or guidelines that direct school employees to address a child by the child's preferred name and pronouns without obtaining permission from the child's parents and that prohibit their employees from dispensing over-the-counter medication to students without parental consent. These policies imply that children who are not yet mature enough to decide when they need an aspirin are mature enough to decide whether

to go through the school day as male, female, or something else entirely. The eight school districts are as follows:

The Hawaii Department of Education permits administrators and counselors to meet with students regarding a name change without their parents' knowledge, but does not permit over-the-counter medication to be administered by school staff.

New York City Department of Education;²
Los Angeles Unified School District;³
Chicago Public Schools;⁴
Fairfax County Public Schools;⁵
Montgomery County Public Schools;⁶
Charlotte-Mecklenburg Public Schools;⁷
Prince George's County Public Schools;⁸ and
The School District of Philadelphia.⁹

More than 2.5 million students are enrolled in these districts. One additional district out of the top 20 largest, the Hawaii Department of Education, permits administrators and counselors to meet with students regarding a name change without their parents' knowledge,¹⁰ but does not permit over-the-counter medication to be administered by school staff.¹¹ This district has 171,600 students.¹²

Gwinnett County Public Schools in Georgia,¹³ Clark County School District in Nevada,¹⁴ and Duval County Public Schools in Florida¹⁵ expressly require parental notification before a child is addressed by a new name or pronouns at school. Other districts do not have readily available policies or guidance online about the issue. For instance, Wake County Public School System in North Carolina requires parental consent to change a child's name in school systems and records, but its student

handbook and school board policies make no mention of changing the name or pronouns a student uses in everyday interactions.¹⁶

The issue of allowing a change of name and pronouns without parental consent is not confined to the largest school districts. DFI found an additional 13 districts, located in communities of varying sizes, that direct school employees to use a new name and pronouns without parental consent but not to dispense over-the-counter medication absent permission from parents:

Boston Public Schools;¹⁷
Fresno Unified School District;¹⁸
Kansas City, Kansas Public Schools;¹⁹
Kansas City Public Schools (Missouri);²⁰
Lawrence Township Public Schools (New Jersey);²¹
Long Beach Unified School District;²²
Pittsburgh Public Schools;²³
Sacramento City United School District;²⁴
San Diego Unified School District;²⁵
San Francisco Unified School District;²⁶
Seattle Public Schools;²⁷
Spokane Public Schools;²⁸ and
Upper Moreland School District (Pennsylvania).²⁹

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Slightly over half a million students are enrolled in these districts.

Another four districts require parental consent for school staff to dispense over-the-counter medication and allow certain students, based on age or grade level, to dictate their name and pronouns at school without parental consent. The Gender Support Plan used by Metro Nashville Public Schools and obtained by the *Tennessee Star* directs school staff to contact Student Services regarding any student under age 16 whose parents are not supportive of their request for accommodations regarding their preferred name and pronouns.³⁰ District of Columbia Public Schools,^{31 32} Minneapolis Public Schools,^{33 34} and Linn-Mar Community School District^{35 36} in Iowa base their rules on grade level. In D.C. and Minneapolis Public Schools, students in the sixth grade and above may change their name and pronouns without parental consent. Linn-Mar Community School District prioritizes students over their parents in the creation of their gender support plan beginning in the seventh grade.

Context

Most of the districts we examined rightly recognize that parents should administer medication at home whenever possible and transfer this responsibility to the school only when it is necessary during school hours. On issues of biological sex, gender identity, names, and the use of preferred pronouns, however, many of these school districts force school staff to take the place of parents. These employees are directed to validate a child's chosen name and gender, with no regard for their

personal beliefs.

These districts treat medical concerns as needs children bring with them from home to school. Issues of sex and gender identity, conversely, are treated as needs that arise in school that may or may not be brought home to the parents. These issues may very well develop at school, especially if a teacher delivers age-inappropriate lessons about gender and cause children to doubt their own self-image. This does not mean that gender identity is within the school's purview to manage. To the contrary, it shows a school overstepping its role and confusing children rather than protecting them.

Going by a new name and pronouns that seek to contradict a child's biological sex recognized at birth can set that child on a path where he or she rejects his or her body and lives as the opposite gender. Other aspects of this process can include using the restroom that corresponds to, and dressing in line with, one's asserted gender identity, rather than one's biological sex. Though these changes are more easily reversible than a medical transition, they are not without risk.

Interim guidance from the United Kingdom's National Health Service explains that "early social transition" in children is an "active intervention" that "should not be viewed as a neutral act," because such changes "may have significant effects on the child or young person in terms of their psychological functioning."³⁷

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Despite the risks inherent in drastically changing the way a child interacts with teachers and peers, multiple advocacy groups have drafted and publicized model school policies for students that leave parents out of the conversation. GLSEN, formerly known as the Gay, Lesbian & Straight Education Network, created a model policy³⁸ that allows students to dictate the name and pronouns they will use at school without ever involving their parents, and several school district policies examined in this report maintain policies that closely parallel the GLSEN policy. A coalition

of groups, including the Human Rights Commission, the American Civil Liberties Union, and the National Education Association, authored a guidebook³⁹ that advises school employees discussing gender identity issues with a student to "ask whether the student's family is accepting in order to avoid inadvertently putting the student at risk of greater harm by discussing with the student's family." The guide also recommends, "Any decision to raise the topic with parents must be made very

carefully and in consultation with the student. In some instances, a school may choose not to bring the subject up if there is a concern that parents or caregivers may react negatively.”

Notable Recent Statewide Policies

Florida merits special consideration due to its state legislature’s recent passage of a parental rights law, which requires parental notification when there is a “change in the student’s services or monitoring related to the student’s mental, emotional, or physical health or wellbeing and the school’s ability to provide a safe and supportive learning environment for the student.” In 2022, the Florida Department of Education issued letters to school districts in Miami-Dade,⁴⁰ Hillsborough,⁴¹

Broward,⁴² Duval,⁴³ and Palm Beach Counties,⁴⁴ among others, notifying them that their existing policies and guidelines may run afoul of this legal mandate. The letters note that the law’s disclosure requirement “could, depending on the unique factual circumstances, include matters related to a student’s privacy, name and pronoun usage, and restroom and locker room usage.” In December 2022, after several of the districts took down policies that ran contrary to this parental notification requirement, the Chairman of the

State Board of Education said that each of these districts was found to be compliant with the law.⁴⁵

In 2022, Alabama adopted a similar law, the Alabama Vulnerable Child Protection and Compassion Act, which prohibits employees of public and nonpublic schools from “withhold[ing] from a minor’s parent or legal guardian information related to a minor’s perception that his or her gender or sex is inconsistent with his or her sex.”⁴⁶

In Virginia, Governor Glenn Youngkin’s administration announced model policies⁴⁷ in the fall of 2022 that would require school employees to use students’ legal names and the pronouns that correspond to their biological sex unless given written permission from parents to refer to their child by another name or other pronouns. These guidelines await formal approval by the Superintendent of public instruction.⁴⁸

In contrast to these sensible statewide laws and policies requiring parental involvement in such decisions, the Oregon Department of Education instead encourages schools to follow the lead of students regarding their preferred name and pronouns without notifying their parents. Its January 2023 policy document reads in part: “To the extent possible, schools should refrain from revealing information about a student’s gender identity, even to parents, caregivers, or other school administrators, without permission from the student.”⁴⁹ The guidance is not legally binding and notes that “parent and family support is the goal”; nevertheless, it states that a student should be addressed by his or her chosen name and pronouns whether or not a parent has been made aware of the situation. This does not mean that each district in the state is bound to follow the misguided

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approach of allowing children to change their names and pronouns without parental consent. Rather, it demonstrates that state-level authorities encourage districts to adopt such policies.

Conclusion

A social and cultural consensus that parents decided what was best for their children once existed in the United States. Policies requiring parental consent for schools to dispense over-the-counter medication to students are products of an era in which nearly all school districts, regardless of politics, respected parental rights. In a sea change demanded by America's cultural left, many districts trust parents to decide how the school should handle their child's tummy ache but not their child's gender identity. State officials—governors, legislatures, boards of education, education agencies, school districts, school boards, and schools—must fight this trend and work in sync to ensure that schools defer to parents on issues relating to the physical and mental health of their children. Most importantly, parents should know their rights and demand transparency from their schools.

About the Author

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The Defense of Freedom Institute for Policy Studies, Inc.

DFI is a nonpartisan, nonprofit organization focused on providing thoughtful, conservative solutions to challenges in the areas of education, workforce, labor, and employment policy. Through a unique blend of policy and legal expertise, we fight to expand school and work opportunities for all Americans; to limit the power of federal agencies and government-sector unions; and to defend the civil and constitutional rights of all Americans in the classroom and the workplace. Among its initiatives, DFI highlights the activities of government-sector labor leaders that conflict with the best interests of families, students, teachers, and taxpayers.

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ADDENDUM A: School District Enrollment Data

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