Transgender Students

Definitions

1. "Sex" means an individual's biological sex, either male or female, at birth, according to distinct reproductive roles as manifested by sex and reproductive organ anatomy, chromosomal makeup, and endogenous hormone profiles. 2. "Female" means the characteristic of an individual whose biological reproductive system is of the general type that functions in a way that could produce ova. 3. "Male" means the characteristic of an individual whose biological reproductive system is of the general type that functions to fertilize the ova of a female. 4. "Gender identity" means the individual's internal sense of gender, and "identified gender" refers to the gender that matches this internal sense. 5. "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. 6. "Transgender" means that an individual's sex differs from the individual's gender identity. 7. "Transgender boy" or "transgender man" is an individual whose sex is female but whose gender identity is male. 8. "Transgender girl" or "transgender woman" is an individual whose sex is male but whose gender identity is female.

Utah Code § 53E-9-205(1)(d) (2023)

Utah Code § 68-3-12.5(13), (19), (34) (2026)

In re Childers-Gray, 2021 UT 13, 487 P.3d 96

Records and References

The official records of the student shall reflect the student's legal name and gender, which is the name and gender listed on the student's birth certificate or as changed by court order. Access to this portion of official student records shall be restricted with respect to persons other than the student's parent to maintain the confidentiality of a student's transgender status. Official records which reflect a student's sex, gender, or gender identity may not be changed to a gender or gender identity which does not conform with the student's sex without written permission of the student's parent.

Utah Code § 26B-8-111 (2025)

Utah Code § 42-1-1 (2025)

Utah Code § 53E-9-205 (2023)

The unofficial records of the student shall reflect the preferred name and gender identity of the student. Students shall be addressed or referred to by the pronouns associated with the identified gender. Unofficial records which reflect a student's sex, gender, or gender identity may not be changed to a gender or gender identity which does not conform with the student's sex without written permission of the student's parent.

Utah Code § 53E-9-205 (2023)

A student's transgender status shall not be disclosed to individuals other than the student's parent without the student's consent except as expressly authorized by the superintendent following such legal consultation as the superintendent determines is appropriate.

Utah Code § 53E-9-205 (2023)

Classes and Activities

Participation in athletic programs and activities is governed by Policy FABA rather than by this policy. When other types of classes or activities are segregated by gender, transgender students are to be grouped according to the student's gender identity. Where students are grouped according to qualities which may have some association with gender, such as vocal quality for singing groups, the pertinent quality shall be evaluated without regard to assigned gender or transgender status.

Where school activities involve overnight travel, lodging arrangements for transgender students shall take into consideration the desires of the individual transgender student and of the student's parents as well as the privacy interests of other students. If the arrangement desired by the transgender student is in significant conflict with privacy interests of other students, the school administrator should consult with the superintendent and, as appropriate, legal counsel.

UHSAA Extracurricular Activities

Participation by students in non-athletic activities under the oversight of the Utah High School Activities Association is subject to UHSAA rules and policies. Therefore, participation of transgender students in such activities shall be governed by those rules and policies.

Bullying and Harassment

Policy FGAD, which prohibits bullying, cyberbullying and harassment regardless of the motivation for such misconduct, applies to prohibit bullying, cyberbullying or harassment of students because of their transgender status or gender expression. When the parent of a student perpetrator is given required notification of a bullying or harassment incident against a transgender student which is motivated by transgender status or gender expression, care should be taken to avoid disclosing the student's transgender status to the perpetrating student's parents if the student victim has not consented to such disclosure.

When a student has been bullied, cyberbullied, or harassed because of the student's transgender status or gender expression, consideration should be given to what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student's ability to learn and function in the school setting.

Source Traceability

Source	Use in this policy
USBA Model Policy FAB, modified 16 June 2026	Model policy retained as the controlling policy for transgender student definitions, records, references, classes, activities, confidentiality, and bullying/harassment coordination.
MSD Policy 4005, approved 2024	Reviewed for local nondiscrimination references to gender identity. No separate local subsection was inserted because USBA FAB contains the more specific and current student framework.
MSD Policy 6000, approved 2026	Reviewed for required student identification and legal-record procedures. Those provisions remain in FBA/FBAC and student records policies rather than being duplicated in FAB.

Disposition: No separate Millard dashed subsection was inserted. The 2026 USBA model is the controlling and more specific student policy; local coordinator language belongs in FA, and student-record restriction language belongs later in FE/FED as applicable.