

2. [School Division] shall change the legal name or sex in a student or former student's official record only if a parent or eligible student submits a legal document, such as a birth certificate, state- or federal-issued identification, passport, or court order substantiating the student or former student's change of legal name or sex.

D. Identification of students:

1. Every effort should be made to ensure that a transgender student wishing to change his or her means of address is treated with respect, compassion, and dignity in the classroom and school environment.
2. [School Division] personnel shall refer to each student using only (i) the name that appears in the student's official record, or (ii) if the student prefers, using any nickname commonly associated with the name that appears in the student's official record.
3. [School Division] personnel shall refer to each student using only the pronouns appropriate to the sex appearing in the student's official record - that is, male pronouns for a student whose legal sex is male, and female pronouns for a student whose legal sex is female.
4. Notwithstanding the provisions of paragraphs (2) and (3) of this section, [School Division] personnel shall refer to a student by a name other than one in the student's official record, or by pronouns other than those appropriate to the sex appearing in the student's official record, only if an eligible student or a student's parent has instructed [School Division] in writing that such other name or other pronouns be used because of the student's persistent and sincere belief that the student's gender differs from his or her sex.
5. Any written instruction from a parent or eligible student under paragraph (4) of this section shall be memorialized in the student's official record and subject to the same retention, disclosure, and confidentiality requirements as the official record itself. The legal name and sex of a student shall not be changed, even upon the written instruction of a parent or eligible student, except as specified in section (C)(2).
6. Notwithstanding the provisions of paragraph (4) of this section, [School Division] shall not compel [School Division] personnel or other students to address or refer to students in any manner that would violate their constitutionally protected rights.

7. No policy, guidance, training, or other written material issued by the [School Division] may encourage or instruct teachers to conceal material information about a student from the student's parent, including information related to gender.

E. Protection of student privacy and the confidentiality of sensitive information:

1. [School Division] shall comply with the limitations on access to student records provided in *Code of Virginia*, §§ 22.1-287 through 289.01.;
2. [School Division] shall adhere to legal standards of confidentiality relating to sensitive student information and personally identifiable data covered by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; and
3. [School Division] shall disclose sensitive student information only (i) to the student, the student's parents, and school personnel with a legitimate educational interest, or (ii) when required by law.

F. Enforcement of sex-based dress codes:

1. Students may dress in any manner consistent with maintaining a respectful, distraction-free environment which supports a focus on learning for all students.
2. Students are not required to dress in a gender-neutral manner. However, any dress or grooming code shall provide the same set of rules and standards regardless of gender, as required by the *Code of Virginia*, § [22.1-279.6](#).

G. Student participation in sex-specific school activities and events and use of school facilities.

1. For any school program, event, or activity, including extracurricular activities that are separated by sex, the appropriate participation of students shall be determined by sex. [School Division] shall provide reasonable modifications to this policy only to the extent required by federal law.
2. Overnight travel accommodations, locker rooms, and other intimate spaces used for school-related activities and events shall be based on sex. [School Division] shall provide reasonable modifications to this policy only to the extent required by federal law.

3. Students shall use bathrooms that correspond to his or her sex, except to the extent that federal law otherwise requires. See *Grimm v. Gloucester County School Board*, 972 F.3d 586 (2020)
4. Single-user bathrooms and facilities should be made available in accessible areas and provided with appropriate signage, indicating accessibility for all students.

H. Athletics

1. For any athletic program or activity that is separated by sex, the appropriate participation of students shall be determined by sex. [School Division] shall provide reasonable modifications to this policy only to the extent required by federal law.