

Intradistrict Communication

DATE: April 25, 2024

TO: Principals
Assistant Principals

FROM: Michael Anderson, Associate Superintendent
Travis Hamblin, Director, Student Services
Caleb Olson, Enrollment Consultant, Student Services

SUBJECT: HB182 Compliance Regarding Surveys and Preferred Pronoun Use

[Utah Code §53E-9-203](#) prohibits schools and school employees from administering any “psychological or psychiatric examination, test, or treatment, or **any** survey, analysis or evaluation” (emphasis added) where the purpose is to cause a student to identify information in one of the following eight areas:

- a) political affiliations or, except as provided under Section 53G-10-202 or rules of the state board, political philosophies;
- b) mental or psychological problems;
- c) sexual behavior, orientation, or attitudes;
- d) illegal, anti-social, self-incriminating, or demeaning behavior;
- e) critical appraisals of individuals with whom the student or family member has close family relationships;
- f) religious affiliations or beliefs;
- g) legally recognized privileged and analogous relationships, such as those with lawyers, medical personnel, or ministers; and
- h) income, except as required by law.

[HB 182](#), which passed in the 2024 Utah legislative session and takes effect on July 1, 2024, amends the third item in this list to read as follows (emphasis added):

- c) sexual behavior, orientation, **gender identity**, or attitudes;

In light of this change, principals should communicate the following guidelines to all school staff:

- Students should not be asked or otherwise surveyed (including through questions on a beginning of the year “About Me” or “Getting to Know You”-style assignment) as to their sexual or gender identity.
- Students should not be asked or otherwise surveyed (including through questions on a beginning of the year “About Me” or “Getting to Know You”-style assignment) as to what pronouns they would prefer to use in the class setting.
- District Policy [AA 432 - Student Attendance and Teacher Disclosure Statements](#) requires building administrators to approve teacher disclosure statements and documents. Documents or

statements that include survey questions about gender identity or preferred pronouns should not be approved.

- Staff may respect a student's request to use a variation or alternate form of the name on record in Skyward or a request to call the student by a different name entirely; however, staff MAY NOT change an official record in Skyward without the written consent of the parent or guardian.
- Staff may respect a student's request to be identified by pronouns that do not conform with the gender identity on the birth certificate and found in Skyward. Staff with concerns about these complying with these requests should speak with their building principal
- Staff may not intentionally withhold information from parents about a student's requested name, preferred pronoun, or communicated gender identity. If a student indicates concerns about repercussions from the parent or guardian (to and including threats of abuse or violence) becoming aware of the requested name, pronoun, or identity, the student should be referred to building administration for additional support.

Additionally, staff should be reminded that HB182 also establishes a requirement that any survey related to an early warning system (i.e. Panorama), social emotional learning question, or the school climate system requires parental OPT-IN during registration at the beginning of the school year, adding an additional clearance step to the prohibitions listed above.