

Senate Bill 76-A comment in opposition to the bill  
Senate Education Committee  
February 10, 2025

Testimony of Lucinda Evans

35 year educator-Retired in May 2024

25 years in TPS Middle Schools

5 Years in TPS High School

5 Years Teaching at the professional level to teachers in 48 of the 50 states.

Chair Erickson and Members of the Committee, thank you for the opportunity to provide testimony against Senate Bill 76-on behalf of the 5000 students I have taught...

***SB76-Name other than the name listed on the minor's or students birth certificate***

***At issue:***

***Section1***

***'No employee of a school district or post-secondary educational institution, regardless of employees official duties, shall address a minor or student with a:***

***Pronoun or title inconsistent with the biological sex of such minor student or student unless employee has the written permission of minor's or students parent, and or a derivative of such a name, without written permission of the minor's or students parent.***

I want to start by picking this piece of the legislation apart:

After 35 years of teaching I have had a handful of students who have informed me that they preferred to use another pronoun. I have taught over 5000 students and have had 2 whose parents did not want the pronoun change. One of those children ended up in foster care as the parent became abusive over the issue.

My solution? I call students by their name 99% of the time. I can't keep track of pronouns when I have 160 students walk through my door each day but I do know that greeting them by name at the door makes a huge difference.

Name Derivatives: Does this mean I can't use a student's nickname? Because this one will get me in trouble. 50% of all students have some sort of nickname and I ask them for this information up front at the beginning of the semester so I can address them in a way where they will answer me. Many people sitting in this room may have nicknames that may or may not be consistent with the name on their birth certificate.

I might also mention that personally my oldest son was a very pretty baby boy who was often mistaken for a girl and referred to as 'she' by people in public. His nickname is also "Budda" no where close to his actual name of Earle.

I also have a granddaughter in the 5th grade who is taller by far than any of the other students in her class who wears her hair short and is often called 'he' in public.

Never have I taken offense to any of this-to do so would have prolonged the issue for my children.

***No employee shall be subject to adverse employment action***

***Enforcement: The harmed individual may bring a cause for action for injunctive relief...the parent I assume?***

Enforcement-no adverse employee action-thank you for that but the parent can sue if they feel they have been wronged? Am I reading this correctly? What sort of damage will be inflicted on the student if the parent decides to sue the child's teacher?

And finally for our post secondary colleagues-how is this even enforceable? I don't know about the members on this committee but once my children were 18 and in college I was not allowed access to any information related to my child, which I found extremely frustrating. So the way I read this, a parent of an 18-22 year old or older can sue if the educator uses the wrong pronoun or nickname without their permission even though the child is an adult and can give permission? Did you know 18 year old high school students on IEPs can sign their own IEP?

Last: While Kansas has 3 large districts, there are hundreds of small town districts. In small towns everyone knows everyone, they go to school with their child's teacher on Sunday, they participate in sports and other community activities alongside all of their classmates and everyone knows everyone's business. This bill will be largely ignored by those districts. Not because they don't respect the law but because they don't need useless legislation like this to know their students.

Thank you for giving me your time today. I hope the opinions of a seasoned teacher resonate with each of you and I would also invite you to visit the schools in your district or maybe just the one down the street (THS). You will find amazing things inside, amazing staff and students and hundreds of daily acts of kindness. I think our world needs more kindness.