

(Corrected)

As Amended by House Committee

As Amended by Senate Committee

Session of 2025

## SENATE BILL No. 76

By Committee on Education

1-27

1 AN ACT concerning education; relating to employees of school districts  
2 and postsecondary educational institutions; enacting the given name act  
3 to require such employees to use the name and pronouns consistent  
4 with a student's biological sex and birth certificate; ~~authorizing a cause~~  
5 ~~of action~~ **providing for the submission of civil complaints** for  
6 violations thereof.

7  
8 WHEREAS, Employees of school districts and postsecondary  
9 educational institutions do not shed their constitutional rights to freedom  
10 of speech or expression at work; and

11 WHEREAS, Protecting the right to free speech for such employees  
12 promotes the important interests of students receiving informed opinions  
13 on matters of public concern, employee rights to disseminate their own  
14 opinions and exposing our children and future leaders to different  
15 viewpoints; and

16 WHEREAS, The selection and use of pronouns in classrooms, on  
17 campuses and elsewhere is not merely an administrative or ministerial act,  
18 but instead is a matter of free speech and academic freedom as it  
19 communicates a message on a matter of public concern and shapes  
20 classroom discussion and debate.

21 Now, therefore:

22 *Be it enacted by the Legislature of the State of Kansas:*

23 Section 1. (a) This section shall be known and may be cited as the  
24 given name act.

25 (b) No employee of a school district ~~or postsecondary educational~~  
26 ~~institution~~, regardless of such employee's official duties, shall address a  
27 minor ~~or student~~ with a:

28 (1) Pronoun or title that is inconsistent with the biological sex of such  
29 minor ~~or student~~ unless the employee has the written permission of such  
30 minor's ~~or student's~~ parent; and

31 (2) name other than the name listed on the minor's ~~or student's~~ birth  
32 certificate, or a derivative of such name, without the written permission of  
33 the minor's ~~or student's~~ parent.

1 (c) No employee of a school district or postsecondary educational  
2 institution shall be subject to an adverse employment action for declining  
3 to address an individual using a name other than the name listed on the  
4 individual's birth certificate or a pronoun or title that is inconsistent with  
5 the individual's biological sex.

6 (d) No student shall be subject to any disciplinary action for declining  
7 to address an individual using a name other than the name listed on the  
8 individual's birth certificate or a pronoun or title that is inconsistent with  
9 the individual's biological sex.

10 (e) ~~A person who is harmed by a violation of this section may bring a~~  
11 ~~cause of action for injunctive relief, monetary damages, reasonable~~  
12 ~~attorney fees and any other appropriate relief~~**Any parent of a student**  
13 **enrolled in a school district who is aggrieved by a violation of this**  
14 **section may file a complaint alleging such violation with the board of**  
15 **education of such school district. Such complaint shall be submitted in**  
16 **writing and provide details of such violation. The board of education**  
17 **shall appoint a committee to investigate any such complaints. The**  
18 **committee shall meet with the complainant to discuss the complaint.**  
19 **Within 30 days after receiving a complaint, the committee shall submit**  
20 **a written recommended response and proposed steps to remedy the**  
21 **complaint to the board of education. The board of education shall take**  
22 **action on any such recommendations at the next regularly scheduled**  
23 **meeting of the board. Nothing in this subsection shall be construed to**  
24 **preclude any individual from pursuing any other remedies for a**  
25 **violation of this section available at law.**

26 (f) As used in this section:

27 (1) "Minor" means an unemancipated individual under 18 years of  
28 age.

29 (2) "Parent" means natural parent, adoptive parent or person legally  
30 authorized to act on behalf of the child.

31 (3) "Postsecondary educational institution" means the same as  
32 defined in K.S.A. 74-3201b, and amendments thereto.

33 (4) "Student" means any ~~unemancipated individual under 18 years of~~  
34 ~~age~~ who is enrolled in and attending a public school or postsecondary  
35 educational institution.

36 Sec. 2. This act shall take effect and be in force from and after its  
37 publication in the statute book.