



SPONSOR: Rep. Heffernan & Sen. Gay
Reps. Baumbach, Griffith, Morrison; Sen. S. McBride

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 467

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL RECORDS AND DOCUMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4144. Change in legal name or gender.

4 (a) A school district, charter school, or the Department of Education that receives government issued
5 documentation identified in subsection (e) of this section, which demonstrates that a former student's legal name or gender
6 has been changed, the school district, charter school, or Department of Education shall update the former student's records
7 to include the updated legal name or gender.

8 (b) A school district, charter school, or the Department of Education must reissue any documents conferred upon
9 the former student with the former student's updated legal name or gender.

10 (c) Documents that may be reissued by a school district, charter school, or the Department of Education include
11 any of the following:

12 (1) A high school diploma or a diploma of Alternate Achievement Standards if such request is made
13 consistent with 14 Del. Admin. C. § 505.

14 (2) A high school equivalency certificate.

15 (3) Other documents similar to (c)(1) and (2) of this section conferred upon the former student.

16 (4) Student transcript.

17 (d) A school district, charter school, or the Department of Education is not required to modify or reissue records
18 that the former student has not requested to be modified or reissued.

19 (e) Fees for a reissued diploma or a diploma of Alternate Achievement Standards shall be assessed to school
20 district, charter school, or the Department of Education. Any associated fees must be paid by the former student.

21 (f) The government issued documentation provided by a former student demonstrating legal name or gender
22 change may include any of the following:

- 23 (1) State-issued driver's license.
- 24 (2) Birth certificate.
- 25 (3) Passport.
- 26 (4) Social security card.
- 27 (5) Final court order indicating a name change or gender change.
- 28 (g) If a former student requests that the former student's name or gender be changed and the requested records are
29 reissued, the school district, charter school, or Department of Education must add a new document to the former student's
30 file that includes all of the following:
- 31 (1) The date of the request.
- 32 (2) The date the requested records were reissued to the former student.
- 33 (3) A list of records that were requested by, and reissued to, the former student.
- 34 (4) The type of documentation provided by the former student in order to demonstrate the legal name or
35 gender change.
- 36 (5) The name of the school district, charter school, or Department of Education staff person that completed the
37 request.
- 38 (6) The current and former name or gender of the former student.

SYNOPSIS

This bill requires a school district, charter school, or the Department of Education to update a former student's records to include the student's updated legal name or gender if the former student's government-issued documentation is received demonstrating the former student's legal name or gender has been changed. The bill also requires a school district, charter school, or the Department of Education to reissue specified documents conferred upon or issued to the former student with the former student's updated legal name or gender if requested by the former student.