

**TITLE 210. STATE DEPARTMENT OF EDUCATION  
CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**210:10-1-24. Student records**

(a) School districts and local school sites are hereby prohibited from altering sex or gender designations in any prior year student records without authorization from the State Board of Education.

(b) Any authorization provided under subsection (a) must specify to the particular record at issue.

(c) School districts must promptly inform the State Board of Education of any pending litigation or any court order related to altering sex or gender designations in school records within their district.

(d) Notices that ensure compliance with subsection (b) are considered timely filed if provided to the Executive Secretary of the State Board within 14 calendar days of the school district's knowledge of litigation or of a Court order.

**Public Comment Summary**  
**State Department of Education Proposed Permanent Rule Changes**

**Chapter 10. School Administration and Instructional Services**  
**Subchapter 1. General Provisions**

**210:10-1-24. Student records [NEW]**

| <b>Summary of Public Comment</b>   | <b>Agency Response</b>   |
|--|--|
| Three commenters question the statutory support for the rule.  | <ul style="list-style-type: none"><li>• 70 O.S. § 24-114(b) requires local districts to comply with State Board requirements regarding the storage, backing up, and security of student records. The ability of the State Board to adopt requirements is a necessary corollary to the local districts' obligation to comply with requirements.</li><li>• Because the rule does not rely solely on 70 O.S. § 3-104 and because the rule does not rely on the other statutes cited in the comments, the remainder of the comments require no response.</li></ul> |
| Three commenters assert that failure to change past records can have negative consequences on students who cannot live according to a different sex or gender. | <ul style="list-style-type: none"><li>• The rule only addresses past records. The comments do not explain why revision to past records is needed to address the alleged harms they raise, which concern current records instead of past records.</li></ul>   |
| One commenter believes that the records of a student's sex or gender should be committed to parental decision.   | <ul style="list-style-type: none"><li>• Records of who a student was at the time of enrollment and attendance are governmental records, and they are records of how the parent enrolled the student at that time. The agency is not addressing parental authority over enrollment in this rule.</li><li>• To the extent the commenter is asserting that historical records are not governmental records, the agency respectfully disagrees.</li></ul>  |
| Two commenters support the rule.   | <ul style="list-style-type: none"><li>• No response is needed to the support.</li></ul>  |