

Policy Number:

347.2

Title:

Student Name Changes

Wisconsin Legislature: 786.36 allows minors 14 and older to petition for name changes. An adult student or the parent(s) or legal guardian of a minor student may ask the District to change a student's official school records in order to reflect a change in a student's legal name by submitting a request, in writing, to the office of the applicable building principal. The requestor(s) may present additional supporting documentation for review by District officials, or submit copies of such documentation. Such a request will be approved when the supporting documentation includes a copy of a court order that the District determines unambiguously establishes the student's new legal name.

Wisconsin Legislature: 786.36 requires consent of both parents/guardian(s) when the child is under the age of 14, although there are exceptions described in statute. It does not require consent of either parent when the child is 14 or older. Parents can object to a court ordered name change for a child 14 and older. The court will typically try to determine if the name change is in the best interest of the child. There is common law right in Wisconsin to change a person's name. The statutory procedure in Wisconsin Legislature: 786.36 supplement rather than abrogate the common law right to change one's name.

When the request and supporting documentation do not include a copy of such a court-ordered name change:

1. The District will evaluate the totality of the available documentation and the specific circumstances to determine whether the District has been presented with sufficient information to approve the request. Examples of relevant alternative documentation include sworn and notarized statements, other official records that have been issued with the asserted new name (e.g., a driver's license or a social security card), a certified copy of an adult student's marriage license, etc.
2. The building principal shall deny the request if either (a) the student's two custodial parents (if applicable) disagree concerning an asserted change to a student's legal name, or (b) the District otherwise determines that it has an insufficient basis for determining the respective rights among more than one parent or legal guardian who disagree.

Any time a building principal denies a request that has been submitted under this rule/procedure, the requestor may appeal the denial to the District Administrator and submit any additional relevant information that the requestor may have.

Changing a student's official school records in order to reflect a change in a student's legal name generally involves documenting the student's new name and using the new legal name prospectively. Except when required by a court order, applicable law, or a School Board policy, the District normally will

not retroactively modify or redact existing records that were created prior to the date the request is approved. In some situations, particular student records may be maintained under, or refer to, both a student's new legal name and a former legal name.

Changing a student's official records in order to reflect a change in a student's legal name is different from the District approving a student's, parent's, or legal guardian's request to document and regularly use an alternate name or nickname in certain school settings, while leaving the legal name that the District has on file unmodified.

LEG REF: Wisconsin Statutes Section §786.36

Policy Adopted: March 22, 2023