
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 303 Session of
2015

INTRODUCED BY COHEN, FRANKEL, V. BROWN, BROWNLEE, McCARTER,
O'BRIEN, ROEBUCK, SCHLOSSBERG AND SCHWEYER, FEBRUARY 2, 2015

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 2, 2015

AN ACT

1 Providing for equal treatment for transgender pupils.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Transgender
6 Pupil Educational Rights Act.

7 Section 2. Uniforms.

8 A school district may offer different uniforms for male and
9 female pupils, but may not require a pupil to wear a specific
10 uniform based on the pupil's sex.

11 Section 3. Courses.

12 A school district may not:

13 (1) Prohibit a pupil from enrolling in any class or
14 course on the basis of the sex of the pupil.

15 (2) Require a pupil of one sex to enroll in a particular
16 class or course, unless the same class or course is also
17 required of a pupil of the opposite sex.

1 Section 4. School programs and activities.

2 The following shall apply:

3 (1) Participation in a particular activity or sport, if
4 required of pupils of one sex, shall be available to pupils
5 of each sex.

6 (2) A pupil shall be permitted to participate in sex-
7 segregated school programs and activities, including athletic
8 teams, consistent with the pupil's gender identity, except
9 where the participation of the pupil would ban the team from
10 national competitions.

11 Section 5. Guidance.

12 (a) General rule.--A school counselor, teacher, instructor,
13 administrator or aide may not, on the basis of the sex of a
14 pupil, do any of the following:

15 (1) Offer vocational or school program guidance to a
16 pupil of one sex that is different from that offered to a
17 pupil of the opposite sex.

18 (2) In counseling a pupil, differentiate career,
19 vocational or higher education opportunities on the basis of
20 the sex of the pupil.

21 (b) Career planning.--Any school personnel acting in a
22 career counseling or course selection capacity to a pupil shall
23 affirmatively explore with the pupil the possibility of careers,
24 or courses leading to careers, that are nontraditional for the
25 pupil's sex.

26 Section 6. Documentation.

27 A pupil who identifies as a transgender individual may use
28 any facility, including bathrooms and locker rooms, consistent
29 with the pupil's gender identity upon providing any of the
30 following documentation to the school district:

1 (1) A signed statement from a licensed physician,
2 psychiatrist or psychologist, who has seen the pupil as a
3 patient for at least six months, which recognizes the pupil
4 as identifying as transgender.

5 (2) A signed, sworn statement from the pupil stating
6 that the pupil identifies as transgender and will
7 consistently live as the gender opposite from the pupil's sex
8 for the pupil's school career.

9 Section 7. Effective date.

10 This act shall take effect in 60 days.