

State and federal law and School policy require that all Idaho Arts Charter School (IACS or school) programs, activities, and practices be free from discrimination. This policy is designed in keeping with these mandates to create a safe learning environment for all students and to ensure that every student has equal access to all school programming and activities.

The Idaho Arts Charter School respects the right of a student to be addressed by a name or pronoun that corresponds to the student's gender identity. A court-ordered name or gender change is not required, and the student need not change his/her official records. All such requests will be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of the student, considering the student's social integration while minimizing stigmatization of the student.

Due to federal and state laws protecting student records, any substantive changes to a student's name and/or gender in the student's official record must follow proper procedures as set forth in this policy. IACS will process requests for name/gender changes for currently enrolled students only.

### **Name Changes**

To request that educational records reflect a name change, a student or parent/guardian must complete and submit the Request for Name/Gender Change form, along with supporting documentation, to the school administration.

A student's "name-of-record" is defined as the legal name under which the student was initially enrolled in the school. "Legal name" is defined as that name verified by a birth certificate, marriage certificate, social security card, passport, or court order. Students wishing to change their name in their official educational record from the name of record under which they were enrolled in Idaho Arts Charter School must provide the school with legal documentation stating their new legal name.

Upon receipt and verification of this documentation, IACS will change the student's name in the student's official educational record. "Official educational record" in this section is defined as the school's computerized student information system. At the school's discretion, minor changes in name (e.g., spelling corrections) may also be made at any time. In such instances, the student may be expected to provide documentation such as a current driver's license with photo, social security card, or resident alien card.

### **Gender Changes**

A student's official educational record reflects the gender the student was identified as when s/he enrolled in IACS. Students who subsequently wish to change the gender designation in their official educational record must complete and submit the Request for Name/Gender Change Form (*See Policy No. 519F1*) to the school administration, along with at least one of the following documents:

1. A certified copy of a court order recognizing a change of gender;
2. Medical certification of appropriate clinical treatment for gender transition in the form of a certified copy of a letter from a licensed physician and an affidavit certifying such change of gender from the vital statistics office; or
3. Other government issued identification reflecting their new gender.

The signed statement from the attending medical physician must be on office letterhead and include (*See Sample Form, Policy No. 519F2*):

1. Physician's full name;
2. Medical license or certificate number;
3. Issuing state or other jurisdiction of medical license/certificate;
4. Address and telephone number of the physician;
5. Language stating the s/he is the student's attending physician and that s/he has a doctor/patient relationship with the student;
6. Language stating that the student had appropriate clinical treatment for gender transition to the new gender; and
7. Language stating "I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct."

### **Student Privacy**

All students have a right to privacy. Information about a student's gender status, legal name, or gender assigned at birth may constitute confidential information. School personnel should not disclose information that may reveal a student's gender status to others unless legally required to do so or unless the parent/guardian, or student over the age of 18, has authorized such disclosure. School personnel should use the student's legal name and student's gender assigned at birth unless the student, parent, or guardian has specified otherwise.



### **LEGAL REFERENCE:**

Title IX of the Education Amendments of 1972

20 U.S.C. 1681 *et seq.*

34 CFR Part 106

Idaho Code Section 67-5901 *et seq.* (Commission on Human Rights)

Idaho Code Section 33-506(1) (Organization and government of board of trustees)

IDAPA 16.02.08.201.6(c) (Vital Statistics)

**ADOPTED:** March 14, 2016

**AMENDED:**