

Adopted December 16, 2024
Revised August 12, 2025

Non-Legal Name Changes for Students

A student of Elizabeth School District and his or her parents/guardians may request to use a Chosen Name, as defined in this policy, if they follow the request procedure in Regulation ACA-R based on this policy.

- A. If a student requests to use a name (Chosen Name as defined below) at school that is not the name in their official school records, then all parents or legal guardians on file will be informed and asked for consent for their child to use the non-legal Chosen Name. Students must have parental approval for non-legal name changes. If all listed parents or legal guardians consent to the non-legal Chosen Name change, then the change will be permitted, subject to grounds for denying a non-legal name change request in ACA-R. Employees will use the Chosen Name when addressing the student, unless protected by an approved exemption.
- B. Pursuant to the procedures in ACA-R, Form ACA-E, and Form ACA-E-1 must be submitted and signed by both requesting student and by ALL parents/legal guardians of record with the school, and then signed by the Principal or his/her designee. A fully signed copy of the name change request form will be emailed and mailed to all parents or legal guardians.
- C. Students will be permitted to request one non-legal Chosen Name change within the current school year. Students will be permitted to return to their Legal Name at any time; however, once they return to their Legal Name, they will not be permitted to return to any non-legal Chosen Name for the remainder of the school year.
- D. Once a student has properly complied with the request procedure in ACA-R, district employees, educators, and contractors, unless protected by an approved exemption, shall address a student by the student's Chosen Name or may address all students by last name in school and during extracurricular activities. Accidental or inadvertent misuse or non-use of a student's approved Chosen Name by an employee, educator or contractor shall not be grounds for disciplinary action or complaint against such employee, educator or contractor.

The district will grant accommodation to conscience-based objections to compelled speech so long as the requested accommodation does not result in substantial increased costs in relation to the conduct of the district's business.

Students will not be required to provide proof of a legal name change to select a Chosen Name for use at school and during extracurricular activities.

The district reserves the right to deny a Chosen first Name if it is vulgar or offensive, obscene, or is used for misrepresentation. See also other grounds for denial in ACA-R.

Definitions

- a. **“Chosen Name”** as defined in Colorado law, is any name a student requests to be known as that differs from the student’s legal name, to reflect the student’s gender identity.
- b. **“Legal Name”** is an individual’s legal name as it appears on official government documents such as licenses, passports, and birth certificate.

Appeal procedure

Should a request for a non-legal Chosen Name change be denied, the principal will advise the parent/guardian that he/she may appeal the denial by contacting the Superintendent.

The receiving principal shall submit the reason for the denial of the request and the parent/guardian's request to the Superintendent, who will review the parent/guardian request and the principal's decision and then make a determination.

The Superintendent’s decision shall be final.

Name Changes on Official Student Records

The district is required to maintain a permanent student record (“official record”) that includes a student’s name and gender. Students or parents who wish to alter the student’s name or gender in official student records must follow the process in JRA/JRC-R. The district will not process a name change on a student’s official record without a parent signature or a court order.

Students who request a name change that is different from their legal first name, either as a Chosen Name, and/or in their official student records, agree that the Chosen Name is or will be truly used to identify themselves. A name change cannot be used for any illegal purpose.

Disclosure to Third Parties

Information about a transgender student’s gender identity, legal name, or sex

assigned at birth may constitute confidential personally identifiable information. Disclosing transgender status to students, staff, or third parties may violate privacy laws, such as the federal Family Educational Rights and Privacy Act (FERPA). Accordingly, the district will work with students and their families to keep personally identifiable information related to gender identity confidential in accordance with state and federal privacy laws.

In situations where school staff or administrators are required by law to use or to report the legal name or biological sex of a student who is transgender but whose official record has not been amended, school staff and administrators must adopt practices to avoid the inadvertent disclosure of such confidential information.

Notice of Nondiscrimination

Elizabeth School District is committed to a policy of nondiscrimination in education and employment. Elizabeth School District prohibits discrimination on the basis of disability, need for special education services (whether actual or perceived), race, creed, color, sex, marital status, sexual orientation, transgender status, gender identity, gender expression (including the use of student's chosen name), national origin, religion, ancestry, age, genetic information, or protected activity in its programs and activities.

The Board adopts this policy based on its understanding of its obligations under HB24- 1039/CRS § 22-1-145. In the event that HB24-1039 and/or CRS 22-1-145 are found to be unconstitutional by a court of law, this policy shall be immediately voided in its entirety

LEGAL REFS.: 34 C.F.R. §99.1 *et seq.* (Family Educational Rights and Privacy Act regulations)
34 C.F.R. §99.20(d) (parents and students have the right to request a school change name and gender marker on their record if they feel it is incorrect, misleading, or violates privacy, and schools must provide parents with an opportunity to inspect and review educational records)
34 C.F.R. §99.31 (permitted reasons for disclosure of student records)
3 C.C.R. 708-1:81.6(A)(4) (sexual orientation harassment is deliberately misusing an individual's preferred name, form of address, or gender-related pronouns)
C.R.S. 22-1-145 (knowing or intentional failure to use a chosen name is discriminatory, and schools required to use a student's chosen name and adopt a policy on the subject)

C.R.S. 22-1-145(b) (*gender identity means an individual's innate sense of the individual's own gender, which may or may not correspond with the individual's sex assigned at birth*).

20 U.S.C. SECS. 1681 ET SEQ., AS AMENDED. (Policy adopted pursuant to Title IX of the Federal "Education Amendments of 1972")C.R.S. 24-18-110 (voluntary disclosure)

18 U.S.C. 922(q)(2)(B)(iv), (v); 922(q)(3)(B)(ii), (iii)

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
JRA/JRC, Student Records/Release of Information on Students
JRA/JRC-R, Student Records/Release of Information on Students