

## **Gardner Valley School**

### **Non-Legal Name Change for Students**

Pursuant to C.R.S. 22-1-143 and 145, Gardner Valley School (the “School”) will honor a student’s request to use a chosen name, as defined herein, if the student and his or her parent/guardian follow the request procedure in this policy.

Once a non-legal name change is approved, School employees and contractors, as defined herein, shall address a student by the student’s chosen name and use the student’s chosen name in school and during extracurricular activities.

#### **Definitions**

**Employee:** means any employee of the School, including teachers, teacher aides, bus drivers, cafeteria workers, custodial staff, athletic staff, administrative and clerical staff, school medical staff and security staff, and contractors.

**Contractor:** means a person who has direct contact with or supervision over students pursuant to a contract with the School.

**Chosen Name:** means any name that a student requests to be known as that differs from the student’s legal name, to reflect the student’s gender identity

**Gender Identity:** means an individual’s innate sense of the individual’s own gender.

#### **Non-legal name change request procedure**

A student who wants to request a non-legal name change shall comply with the following request procedure.

To properly request a non-legal name change, students must:

1. Submit a written request to the Head of School using the Non-Legal Name Change Request Form.
  - a. The written request must be signed by both student and the parents/guardians of the student, or just the parents/guardians if the student is too young to sign for him/herself, or just the student if the student is over the age of 18 years old;
  - b. The written request must clearly identify the student’s chosen name and any permitted variations of the chosen name;

- c. The written request must be sincere and in good faith, and the student (or parent/guardian) must have the mental capacity and intent to forgo their legal name and be referred to only by their chosen name;
  - d. The student must not have requested a non-legal name change within the preceding 60 school days.
2. The request must be approved by the Head of School.
  3. The approval will be valid for an indefinite duration or until the student submits a subsequent non-legal name change written request.

### **Approved Non-legal name change**

Once the request is approved the Head of School will notify the appropriate individuals tasked with complying with this policy of the non-legal name change, on a need to know basis. School employees and contractors must use the approved chosen name. While honest mistakes may occur, the intentional, repeated, or knowing refusal to use a student's approved chosen name is prohibited.

### **Grounds for denying a non-legal name change request**

If the Head of School denies the request, the reasons will be provided to the requestor, which reasons may include the following:

1. The chosen name is inappropriate, indecent, threatening, violent, or crude.
2. The request failed to follow the proper procedures or does not meet the requirements of this policy.
3. The written request is not signed by a parent/guardian or the student forged the signature of their parent/guardian.
4. The student (or parent/guardian) did not have the requisite mental capacity and intent to forgo their legal name and be referred to only by the School.

### **Appeal procedure**

Should a request for a non-legal name change be denied, the parent/guardian will be advised by the Head of School that he/she may appeal the denial by contacting the Head of School and/or School Board President.

The receiving Head of School shall submit the reason for denial of the request, and the parent/guardian's request and reasons for the appeal, to the School Board President considering the appeal. The School Board President considering the appeal will review the

parent/guardian request and the Head of School's decision and then make a determination. The School Board President's decision shall be final.

### **FERPA Compliance**

This policy shall at all times be interpreted and implemented in a manner consistent with the Family Educational Privacy Act ("FERPA"). Any name changes on official school records shall only be effectuated in accordance with the School's policies regarding official/legal name changes.

**Adopted:** 10/21/2024