

NON-LEGAL NAME CHANGES FOR STUDENTS POLICY

Colorado Springs Charter Academy (the “School”) will honor a student’s request to use a chosen name, as defined in the School’s Non-Legal Name Change Policy (the “Policy”), if the student and his or her parent/guardian follow the request procedure in the Policy.

Once a student has properly complied with the request procedure in the Policy handbook, School employees, educators, and contractors as defined in the Policy shall address a student by the student’s chosen name and use the student’s chosen name in school and during extracurricular activities.

Appeal procedure

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

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

The decision of the Head of School shall be final.

Notice of Nondiscrimination

The School is committed to a policy of nondiscrimination in education and employment. The School 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.

Legal C.R.S 22-1-143 (Definition of public school employee, educator, and contractors)

C.R.S. 22-1-143(2) (Reporting requirements for reports of harassment or discrimination)

C.R.S. 22-1-143(1)(d)(IV) (Definition for harassment or discrimination)

C.R.S 22-1-145(1)(d)(2) (Public school employees shall use student's chosen name)

C.R.S. 22-1-145(1)(d)(3) (Knowingly or intentionally using a name other than the student's chosen name is discriminatory)

C.R.S. 22-1-145(1)(d)(4) (Student who is subject to discrimination may file a report)

C.R.S. 22-1-145 (Definitions)

C.R.S. 22-2-117(1)(b)(IX) (State board shall not waive requirements specified in (1)(b)(IX), (X), or (XI))

C.R.S. 22-30.5-104(6)(c) (Charter School - State board may not waive rule relating to (6)(c)(VIII), (XI), or (X))

C.R.S. 22-30.5-507(7)(b) (Institute Charter School - State board may not waive rule relating to (7)(b)(VIII), (IX), or (X))

20 U.S.C. SECS. 1681 ET SEQ., AS AMENDED. (Policy adopted pursuant to Title IX of the Federal "Education Amendments of 1972")

Definitions:

Employee – means any employee of the public school or school district, 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 a school or local education provider

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 – pursuant to HB24-1039, 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:

1. Must submit a written request to the Dean 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.
- 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.
2. Must not have requested a non-legal name change within the preceding 90 school days.
3. Must be approved by the Dean of the school.
4. Must be for indefinite duration or until the student submits a subsequent non-legal name change written request.
 - a. A student may not submit a subsequent non-legal name change written request for at least 90 school days.
5. Must have the mental capacity and intent to forgo their legal name and be referred to only by their chosen name by public school employee, educator, and contractors.

Grounds for denying a non-legal name change request

Reasons used by the Dean to accept or reject a non-legal name change request shall be limited to any of the following:

1. The chosen name is inappropriate, indecent, threatening, violent, or crude.
2. The student failed to file a written request.
3. The student failed to comply with the requirements for a valid written request.
4. The written request is not signed by a parent/guardian or the student forged the signature of their parent/guardian.
6. The student did not have the requisite mental capacity and intent to forgo their legal name and be referred to only by their chosen name by public school employee, educator, and contractors.

Appeal procedure

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

The receiving Dean shall submit the reason for denial of the request, and the parent/guardian's request, to the Head of School considering the appeal. The Head of School considering the appeal will review the parent/guardian request and the Dean's decision and then make a determination. The decision of the Head of School shall be final.

Legal

C.R.S 22-1-143 (Definition of public school employee,
educator, and contractors)

C.R.S. 22-1-143(e) (Definition of local education provider)

C.R.S. 22-1-145 (Definitions)