

Know Your Rights

**If you are trans or
gender nonconforming,
you have legal rights
that protect you
against discrimination.**





**You have legal rights
to protect you against
discrimination based on
gender identity or expression
and to preserve your privacy.**

**Federal and Connecticut laws
require that you are treated equally
and able to affirm your identity**

Know Your Rights

Trans and Gender Nonconforming Youth

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Name and Records

How do I change my name on legal documents?

If you are at least 18 or have the consent of a parent or guardian, you can legally change your name.

The first step is to petition the Probate Court

A Probate Court order will let you change your name with the Social Security Administration (SSA) and the Department of Motor Vehicles (DMV). You may also be able to get a new birth certificate from the Department of Public Health (DPH).

You must submit these things to the Probate Court:

1. name change form and affidavit form
2. birth certificate
3. two forms of ID, including a photo ID
4. \$250 fee (you can apply for a fee waiver)

The name change form and affidavit are available at ctprobate.gov. If you apply for a fee waiver and are denied, ask the court for a hearing so you can explain why you can't afford to pay. To protect your privacy and prevent your name change from appearing in background checks, you can submit a written request asking the court to seal your name change and describe why you want it sealed.

When the judge approves your name change, you will get a court order that you can use to change your IDs.

To change your name on your Social Security Card

You must file with the SSA. You can do this at your local Social Security office and it is free.

You must bring proof of your identity, citizenship or legal status, and name change. In addition to the Probate Court order, you will need two forms of identification (one must include your photo). You will have to fill out an application for a Social Security Card and the SSA will mail your new card to you.

To change your name with the DMV

Go to the DMV to get your new legal name on your driver's license or non-driver ID card. You must submit a Name Correction Request form and show the Probate Court order as proof of your name change. There is a \$30 fee. You may change your gender marker at the same time.

To change your name on your Birth Certificate

If you also want to change the gender marker on your Birth Certificate, it is easiest to do that at the same time. Submit a Birth Certificate Request Form and the Probate Court order to the DPH. There is a \$30 fee.

How do I change my gender marker on legal documents?

To change your gender marker on your Driver's License or Non-Driver ID Card:

Complete a Gender Designation Change Form and give it to the DMV. To get the form, go to ct.gov/dmv and type "gender designation" in the search box.

To change the gender marker on your Connecticut Birth Certificate, you must submit these documents:

(CONN. GEN. STAT. § 19a-42)

1. birth certificate request form (you can use the same form used for your name change)
2. notarized affidavit form, provided by the DPH
3. notarized physician affidavit form, provided by the DPH
4. copy of your photo ID
5. \$30 money order to "Treasurer, State of CT"

To get an affidavit form from the DPH, go to portal.ct.gov/DPH/Vital-Records/Gender-Change. Keep a copy of your completed documents and mail the originals to:
Vital Records Office Department of Public Health
410 Capitol Avenue, Hartford, CT, 06134

To change the name or gender marker on a birth certificate from another state, check with that state's office of vital records or at <https://transequality.org/documents> to see what the requirements are, as they vary by state.

To change the gender marker on file with Social Security:

Complete an application and present two IDs, one with a photo. If you do not have a birth certificate or passport with a gender marker that matches what you want on your Social Security records, you need a letter from a physician stating that you have had "appropriate clinical treatment." If you are changing your name, you can do this at the same time.

To update your passport:

You do not need any medical information or forms from a physician to change the gender marker on your passport; simply select the gender marker you would like on the application. If you are under 16 you do need consent from a parent or guardian. Check the link on the back of this brochure for more information.

School

How do I make sure my school uses the correct name and pronouns?

Your name change should be respected and your birth name kept private even if you have not completed a legal name change. Connecticut guidelines tell schools to use a student's chosen name and to keep their birth name private, provided that their parents have confirmed the change. The same guidelines say that the school should use the student's chosen gender pronouns.

If the parent and student disagree, the guidelines recommend referring families to appropriate outside counseling. Be aware that if you make a formal request to change the name on your school records, your school may contact your parents.

School Records

The federal Family Educational Rights and Privacy Act (FERPA) allows you (if you are over 18 or in post-secondary education) or your parents to request that your school change the name and gender marker on your records. You can ask for a change if you feel the records are incorrect, misleading, or violate your privacy. (34 C.F.R. § 99.7(a)(2)(ii))

It can violate your privacy for your school to keep records that differ from your changed name and/or gender marker. Your school should not keep your birth name in your records. If your birth certificate or health records have your birth name on them, the school can keep those documents separately from the rest of your school record, or not keep them at all.

If you request a change to your records, your school must grant your request or give you a formal hearing (34 C.F.R. § 99.20). If there is a hearing, you can present evidence to prove that your records are incorrect or misleading. If the hearing is successful, the school will make the change. If you don't succeed, you still have the right to add a note

to your records about the contested information, and that note should be disclosed with the rest of your records.

Sometimes schools do not respond to requests quickly or will claim that their policies prevent them from changing records. Any policy that prohibits changes could conflict with FERPA.

Am I protected at school?

Connecticut law provides all students equal access to public school education without discrimination (CONN. GEN. STAT. § 10-15c). If you experience harassment or discrimination, especially if it interferes with your education, contact your school administration, the State Department of Education (SDE) or the Commission on Human Rights and Opportunities (CHRO).

Can I use the bathrooms and locker rooms that match my gender identity?

Connecticut guidelines instruct public schools to give students access to bathrooms and locker rooms that correspond with their gender identity. If a student and school administrator are concerned about the student's safety, a student may be given access to a single-stall restroom and/or private changing room. Guidelines say that no student should be forced to use a locker room or bathroom that is inconsistent with their gender identity, or to use a separate changing space.

What are my rights in other gender-specific matters?

Students should be allowed to participate in gender-specific programs like sports and gym class in accordance with their gender identity.

Students should be permitted to dress in accordance with



their gender identity as long as they follow the school's dress code.

What do I do if my rights are violated in school?

Your public school should have a published procedure for you to make a complaint. You can also direct complaints to the SDE and CHRO.

Health Care

How do I get trans-affirming healthcare?

Connecticut Medicaid covers transition-related health care services. There is no set age at which transgender youth can start receiving prescription hormone blockers. Doctors need to assess each patient on a case-by-case basis. If you are under 18, you will need the consent of a parent or guardian to begin hormone treatment.

The Affordable Care Act prohibits any health program or facility that receives federal funds from discriminating on the basis of sex. This includes transgender, gender non-conforming, non-binary, and intersex individuals. Private and state insurance plans cannot impose a blanket denial of coverage for transition-related hormone treatments or other services, and cannot deny care based on gender identity or assigned sex.

If you believe you have been improperly denied care, you can file an online complaint with the federal Office for Civil Rights (OCR) at ocrportal.hhs.gov, or call at 800-368-1019. OCR will evaluate your complaint, and you and the institution you complained about will receive notification if OCR decides to open an investigation. You can also file a complaint with CHRO. Contact info is on page 9.

What can I do if my insurance denies coverage for my treatment?

Connecticut prohibits discrimination by insurers on the basis of gender identity or expression (CONN. INSURANCE DEPT, BULLETIN 1C-34, GENDER IDENTITY NONDISCRIMINATION REQUIREMENTS, 2013). If your insurance denies coverage, you can appeal through the insurance company's internal procedures.

A lot will depend on your individual case and your insurance plan. You will need your denial letter, your insurance plan's full explanation of benefits, and the guidelines that say what counts as "medically necessary."

Depending on what the denial letter says, some appeals will focus on whether the treatment fits in the plan, and some appeals will require you to prove the treatment is medically necessary. If you need to prove medical necessity, have your doctor write a letter, and you can use official statements by medical organizations.

Safety

What can I do if I face harassment and violence?

Connecticut has laws that prohibit discrimination on the basis of gender identity or expression wherever the law prohibits sex discrimination, with some exceptions (CONN. GEN. STAT. § 46A-51). These laws cover many areas, including housing, public accommodations, and loan eligibility.

If you think you have been treated differently based on gender identity or presentation, you can consult an attorney and consider filing a claim with the CHRO. Call CHRO at 860-541-3400, or go to a CHRO Regional Office.

You will be interviewed by a CHRO Intake Officer to file a complaint. The person or institution in your complaint will have a chance to respond, and CHRO will conduct an initial review. If CHRO does not dismiss the case, you will begin mediation with the other party to see if you can reach an agreement. If you cannot reach an agreement, CHRO may begin an investigation. You may want to consult with an attorney to help you navigate the complaint process, but an attorney is not required.

These community resources may be able to provide support if you face harassment or violence:

Trans Lifeline: 877-565-8860

Trevor Project: 866-488-7386

National Suicide Prevention Lifeline: 800-273-8255

Anti Violence Project: 212-714-1141

CT Safe Connect: 888-774-2900

Additional resources are listed on page 9.

Federal and State hate crimes laws may also lead to harsher penalties for the perpetrator if you experience violence, intimidation, or harassment because of your gender identity or expression.

Work

What can I do if I am mistreated at work or denied a job because of my gender identity?

Discriminating against workers for not conforming to stereotypes and expectations about gender and sex is illegal. (CONN. GEN. STAT § 46a-60) Transgender employees are protected by Title VII, the federal sex discrimination law. Connecticut has laws against employment discrimination on the basis of gender identity or expression.

If you believe you were discriminated against at work, you can file a complaint with the EEOC (Equal Employment Opportunity Commission), or with the CHRO. You may want to consult with an attorney but it is not required in order to file a complaint.

State Services and Public Accommodations

What if I am discriminated against in housing or while using a public business or service?

Connecticut law prohibits discrimination against people on the basis of gender identity and expression in housing and public accommodations. If you experience discrimination, you can contact the CHRO or a legal organization.

What are my rights in foster care or the juvenile justice system?

Foster Care

The Department of Children and Families (DCF) must ensure fair, equal, nondiscriminatory treatment of transgender and gender-nonconforming youth.

Juvenile Justice

Transgender youth have the right to be safe and free from discrimination or harassment in the juvenile justice system. State policy permits juvenile justice placements to be made on a case-by-case basis, but requires youth's views on their own safety to be considered.

If you have concerns about your treatment in foster care or the juvenile justice system, contact GLAD or call the Center for Children's Advocacy. Contact information is on the next two pages.

Resources

Name and Gender Marker Change Forms

Application for Change of Name

ctprobate.gov and search “change of name form”

Affidavit for Change of Name

ctprobate.gov and search “affidavit for name change”

Department of Motor Vehicles Name Correction Request

ct.gov/dmv and search “change of name”

Gender Designation Change Form

portal.ct.gov and search “gender designation change”

Department of Public Health Birth Certificate Change

portal.ct.gov/DPH/Vital-Records/Gender-Change

Social Security Card Application

ssa.gov/forms

U.S. Passport Gender Designation Change

travel.state.gov and search “change of sex marker”

Passport Forms

travel.state.gov and search “passport forms”

State Policies and Guidelines

CT Department of Education Guidance on Civil Rights

Protections and Supports for Transgender Students

sde.ct.gov/sde and search “transgender”

Guidelines for Schools to Comply with Gender Identity and Expression Non-Discrimination Laws

ct.gov/chro and search “gender identity”

Schools in Transition Guide

genderspectrum.org and search “schools transition”

CT Executive Order 56: Protecting students from discrimination based on sex, gender identity or expression

portal.ct.gov and search “Executive Order 56”

CT Insurance Bulletin IC-34: Prohibiting discrimination on basis of gender identity or expression

portal.ct.gov and search “Insurance Bulletin IC-34”

Filing Complaints

Commission on Human Rights and Opportunities ct.gov/chro

Office of Civil Rights hhs.gov/civil-rights

State Department of Education sde.ct.gov/sde

Legal Help

GLBTQ Advocates and Defenders (GLAD) glad.org

National Center for Lesbian Rights nclrights.org/legal-help

**Center for Children's Advocacy
Medical-Legal Partnership**

cca-ct.org/mlpp

For more information, please contact:

Attorney Alice Rosenthal
203-688-0113
arosenthal@cca-ct.org

Attorney Kathryn Meyer
kmeyer@cca-ct.org

Attorney Bonnie Roswig
860-545-8581
broswig@cca-ct.org

Attorney Jay Sicklick
860-570-5327
jsicklick@cca-ct.org



The information in this guide reflects the law as of September 2021. Law and policy regarding protection of transgender and gender nonconforming individuals is rapidly changing. Information in this guide is provided as reference only and should not be interpreted as legal advice in an individual case. If you would like specific information, please contact one of the attorneys listed above.

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