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Iowa Safe Schools Legislative Update for Iowa's K-12 Schools: Suggestions and Resources for Supporting LGBTQ Students under SF 496 and SF 482

schools

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V. A Guide to Pronouns and Chosen Names

SF 496 states:

“If a student enrolled in a school district requests an accommodation meant to affirm their gender identity, including a request that the licensed practitioner address them using a name or a pronoun that is different than the name or pronoun assigned to the student in the school district’s registration forms or records, the licensed practitioner shall report the student’s request to an administrator employed by the school district, and the administrator shall report the student’s request to the student’s parent or guardian.”

Things to think about:

1. Since you cannot determine somebody’s gender identity simply by knowing their name or what pronouns they use, there is no way to know whether or not a request by a student, to an educator, is being made with the intention of affirming their gender identity, without the student explicitly disclosing such information.
2. Gender identity includes cisgender individuals. Cisgender people can and do seek to affirm their gender identity.
3. Only applying this section to students who are, or who are perceived to be, transgender or gender nonconforming could be seen to violate [Title IX](#) and/or [Iowa Code 216.9](#), Iowa’s Civil Rights code, which protects any person from experiencing discrimination in educational institutions on the basis of gender identity (or sexual orientation).
4. Civil rights lie with an individual. They are not dependent on guardian approval, nor do they kick in when a student turns a certain age. Because of this, requiring that legal caregivers submit a list of names they consent to their child being called by might help avoid discrimination accusations, but likely violates the students’ civil rights.

What Would You Do? *Scenarios to Consider:*

The students in the below scenarios have asked one or more of their teachers or counselors to call them by a different name or pronoun than what is listed on the student information records. This is only information the teacher has available to them without asking for additional context. Read the short description and reflect on how you might approach the situation. Once you’ve finished, read the additional information on each case.

1. Tolya is a student who recently moved to the United States. He is frustrated by the difficulty Americans are having pronouncing “Tolya” and asks to go by a more American-sounding name: Alexis.
2. Drew is insecure that her name often registers as masculine to people when they first hear it, and asks her teacher to call her “Daisy,” a name she has chosen for herself.

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| 3. Allison doesn't feel that her name fits her very well, and she asks her teacher to call her "Al" which she much prefers. | not wish to be associated with or reminded of said parent and asks to be called "Marlow". |
| 4. Jordan is named after a parent who is estranged from the family. Jordan does | 5. Grace asks to be called "Rowan." |
| | 6. Sophia uses they/them pronouns. |

Take time to reflect on each scenario before continuing.

Read the following explanations, which provide additional context for the scenarios above. As you read, consider how making assumptions about which requests were made with and without the intention of affirming a student's gender identity caused an inappropriate reaction, and/or resulted in discrimination based on a student's actual or perceived gender identity.

1. Tolya (**Tow-lee-a**) is a 9th grade cisgender boy from Russia who recently moved to the United States with his family. Many of his classmates have been pronouncing his name **Too-la** or **Tol-ya** which is causing him to feel uncomfortable and like an outsider. He asks to go by the name **Alexis**, which is a common masculine name in Russia, but will be easier for his peers to pronounce.

Potential Responses

- a. *Tolya's teacher registered "Alexis" as a feminine name, which is how it's more commonly understood in the United States, and tells him that he'll need to have the district notify his parents to let them know of this request. The district calls and inaccurately tells Tolya's parents that he is expressing that he is transgender and would like to go by a different name.*
 - b. *Tolya's teacher recognizes that he'd rather go by Alexis, and agrees to address him as such. This name is much easier for his classmates to pronounce and they don't slow down to sound it out or stumble through it each time they address him. He begins to participate more in class, and even seems to be making friends. The teacher feels a little sad that his classmates weren't more willing to learn to pronounce his given name, and wonders if he should have tried harder to encourage them. but ultimately notices that Tolya seems happier.*
2. Drew/Daisy is a very feminine, cisgender, 10th grade girl who has aspirations of being a famous singer one day. She is very self-conscious about her name and feels that it is "too masculine". Her request to use "Daisy", a name she naturally gravitates towards, is notably more feminine and simply feels more "her". She also thinks it'll be more marketable than "Drew," should she ever get a record deal.

Potential Responses

- a. *Drew/Daisy's teacher admires her drive to make it as a musician, and understands why she might feel her name comes across as "too masculine". She agrees that "Daisy" fits her, and is happy to call her Daisy for the remainder of the year. When a transgender student realizes that no one notified Daisy's parents, they recognize that they have been*

discriminated against due to their gender identity, since the district did call to notify their parents when they said they were going to use they/them pronouns. This student begins the process of filing a civil rights complaint.

- b. Drew/Daisy's teacher recognizes that this is a request to affirm her gender identity, since it's largely about affirming her femininity. They submit a request to the administrator, who is confused, but ultimately calls her parents, who are also confused, and misinterpret that she is questioning her gender identity.*
3. *Al/Allison is a 7th grade student who doesn't feel comfortable with the given name "Allison." She may or may not be exploring her gender identity, and she has not yet expressed that she uses pronouns aside from she/her. All she knows is that she doesn't jive with her given name, and she's not sure why.*

Potential Responses

- a. Al's teacher has noticed that Al doesn't dress very femininely and interprets this request as an attempt to affirm her gender identity. The teacher starts the process to notify parents, which catches Al off guard, as she has not asserted that she's questioning her gender identity, and is still really unsure how she feels about it. She's definitely not ready to talk about it.*
 - b. Al's teacher hears Al when she says she doesn't care for her name and would rather go by Al. Knowing that it would be irresponsible and invasive to make assumptions or ask questions about Al's gender identity, her teacher agrees to call her "Al" and resists singing "You Can Call Me Al" as they conclude the conversation.*
4. *Jordan has a very strained relationship with her father, who she's named after. Despite the shared custody her parents have, she feels much closer to her grandfather, who has taken a very active role in raising her. No longer wishing to be associated with her father, she asks to be called "Marlow" which is her grandfather's name.*

Potential Responses

- a. The teacher notes that Marlow is not part of the records the school has, and also interprets it as a notably more masculine name than "Jordan" which he feels is more gender-neutral. He initiates the protocol to notify her guardians. The district calls her father, who is listed as a contact on her registration. He promptly becomes enraged that his child would "disrespect him and his name."*
 - b. The teacher doesn't know any of the background about why Jordan is requesting this name change, but it seems important to her. He agrees to call her Marlow and she is noticeably calmer and more engaged in class.*
5. *Grace is a senior in high school, and thinks they are probably transgender. They haven't told many people about how they've been feeling, and haven't asserted any specific pronouns they use, but they like when people use they/them. They ask their chemistry teacher to go by "Rowan," by saying "ew Grace is too like...goody two shoes, you know? People say 'Grace' and I'm just like 'who is that?' I just feel like I'm more of a Rowan."*

Potential Responses

- a. *Rowan's teacher worries that this might be part of their exploration with their gender identity and initiates the process to notify their parents. Their mom is confused and hurt that they would want to change their name, and doesn't understand why they wouldn't talk to her about questioning their gender identity. They bombard Rowan with questions as soon as they arrive home.*
 - b. *Rowan's teacher understands that their given name isn't fitting for them, and starts calling them Rowan.*
6. Sophia is a cisgender middle schooler who knows that there are no pronouns listed on their school registration forms. They decided that they wanted to use they/them pronouns in an effort to make it clear that it's inappropriate to assume someone's pronouns.

Possible Responses

- a. *Sophia's teacher sees they/them pronouns as a request to affirm their gender identity and initiates the process to notify their parents. Their parents ask the administrator why they are making the notification, and ask if Sophia has shared their gender identity with them, to which they have to honestly say "no". Sophia's parents are upset that the school would make such an assumption, and consider contacting the ACLU on the grounds that Sophia was discriminated against based on her perceived gender identity.*
 - b. *Sophia's teacher knows you can't assume anyone's pronouns, and also that someone's pronouns don't tell you what their gender identity is. They agree to use they/them pronouns for Sophia without any further ado.*

Discussion Questions/Inquiries for District Leadership

1. What are some of the problems with assuming a student's intent when asking to go by a different name or pronoun?
2. Are there ways in which this law might be inequitably applied based on an individual's unique perspective or understanding of gender identity?
3. Is there space for differentiating between "a request for accommodations" and asking a teacher to call them by a certain name? What might that look like? How is the phrase "a request for accommodations" applied in other areas of student support?
4. What is your district's policy going to be?
 - a. How are they defining "accommodation" in their guidance?
 - b. How are they suggesting you determine whether or not a student's name or pronouns are meant to affirm their gender identity?
 - c. How will this policy be clearly communicated to students before they choose which information to disclose, or make a request?

Final Thoughts and Recommendations

1. Notice that the language in the law only says that a district employee needs to report an accommodation "meant to affirm their student's gender identity" to parents and guardians, but does not require any consent from parents and guardians. A student's right to go by their chosen name and pronoun is likely to be seen as a protected civil right under [Code 216.9](#). Remember, civil rights cannot be waived by parents or guardians.

2. Whatever your district's policy is, ensure it's applied equitably.
3. **Make sure that your district's policy and procedure around notifying parents and guardians about name and pronoun requests is made clear to your students.** They deserve to make informed decisions about who they will share their personal information with, and who they'll make requests to. This will also help to keep them safe.
4. If a student discloses a name/pronouns they go by, without understanding the notification procedure your school has in place, stop and explain the procedure to them, and clarify whether or not they are asking for an accommodation. If they decide they are not asking for an accommodation, allow them to walk it back and don't initiate the notification process.
5. Encourage the district to require training for the administrator responsible for notifying parents and guardians. If that person is uncomfortable or unsure about how to talk about gender identity, the conversation with parents and guardians could be confusing and unclear. It's important that the person facilitating this conversation is comfortable, confident, and calm.
6. Remember that hearing a student using a name/pronoun that is different from the school's records when with their peers, is not the same thing as that student making a request for an accommodation.

