

# Transgender & Gender-expansive Youth Bill of Rights



Youth have the right, without parent or guardian consent:



- To access contraceptives (birth control), STI testing and treatment, pregnancy tests, and other reproductive services.
- To access abortion services. (guardians are notified 48 hours prior to the appointment, but guardians do not have to consent).



- To access their own mental health services starting at the age of 12.
- To a certified mental health professional who will not seek to change identity or attempt conversion therapy.



- To use the bathrooms and locker rooms that align with their gender identity.
- To participate in school activities and sports that align with their gender identity.



- To be socially affirmed in self-expression, including using their names and pronouns.
- To clothing that aligns with their gender identity.



- To placement in child welfare that aligns with their gender identity.
- To a foster parent trained in youth rights.

Youth have the right, with parent or guardian consent:



- To gender affirming healthcare (also requires a diagnosis of gender dysphoria).
- To get a haircut that affirms their gender identity (for minors in foster care, this requires guardian consent).



- To a legal name change.
- To gender markers on legal documents that align with their identity.

| Services   | Consent   |
|--|---|
| <p><b>Gender-affirming Healthcare</b></p> <ul style="list-style-type: none"> <li>• Puberty blockers</li> <li>• Menstrual suppression</li> <li>• Hormone replacement therapy</li> <li>• Gender-affirming surgery</li> </ul>   | <p>Requires at least one parent or legal guardian’s consent as well as a diagnosis of gender dysphoria. Some clinics may request both parents and/or guardians to consent. For youth in county custody, each county may have their own individual policies and practice regarding approval of any medical procedure(s) considered elective and not medically necessary.</p> |
| <p><b>Sexual and Reproductive Healthcare Services</b></p> <ul style="list-style-type: none"> <li>• STI and HIV testing and treatment</li> <li>• Birth control (which can be used as menstruation suppression or treatment for painful or difficult menstruation)</li> <li>• Prenatal and postnatal care</li> </ul> | <p>Minors of any age AND these services should be confidential. (<a href="#">C.R.S. § 13-22-105</a> &amp; <a href="#">§ 25-4-402(4)</a>). <a href="#">Title X clinics</a> are free and typically teen-friendly resources for sexual and reproductive healthcare.</p>  |
| <p>Abortion Services</p>   | <p>Minors of any age (<a href="#">C.R.S. § 12-37.5-103 to 105</a>)*</p>   |
| <p>Mental Healthcare</p>   | <p>Minors 12 years and older (otherwise requires parent or guardian consent) (<a href="#">C.R.S § 12-43-201</a>)</p>  |

|   |   |
|---|---|
| <p><b>Reparative or Conversion Therapy</b></p> <p>Mental healthcare practices that seek to change a person’s sexual orientation or gender identity have been shown to be harmful and ineffective.</p> | <p>Illegal to perform by mental healthcare providers practicing under a license on minors in Colorado (<a href="#">C.R.S. § 12-36-101 to 102.5</a>). Should a practitioner be using conversion therapy on a minor, they can be reported through the Department of Regulatory Agencies (<a href="#">DORA</a>). Mental health services can be provided through Child Welfare dollars, and Core services prohibits the use of state funding for anytype of conversion therapy.</p>                         |
| <p><b>School Activities and Public Places</b></p> <ul style="list-style-type: none"> <li>• Physical education</li> <li>• Bathrooms</li> <li>• Locker rooms</li> <li>• Activites</li> </ul>            | <p>Minors of any age are legally supported to use facilities and activities that align with their gender identity. (<a href="#">3 Colo. Code Regs. § 708-1-81.11</a>)</p>   |
| <p>Public School Athletics</p>  | <p>Students are supported by Colorado High School Activities Association (<a href="#">CHSAA TransgenderInclusion Bylaw &amp; Policy</a>) to participate in school sports that align with their gender identity.</p>   |
| <p><b>Social Congruence</b></p> <ul style="list-style-type: none"> <li>• Non-legal name change</li> <li>• Pronouns</li> <li>• Clothing or presentation</li> </ul>                                     | <p>Minors of any age. In fact, it is a violation of descrimination regulation to refuse to use a person’s names or pronouns. (<a href="#">3 Colo. Code Regs. § 708-1-81.8</a>)</p>  |
| <p>Haircuts &amp; Styling</p>   | <p>While hair can be an important self-expression and gender-expression, under the <a href="#">Indian Child Welfare Act</a>, drastic haircuts for all minors in foster care require parent or guardian consent.</p>   |
| <p>Legal Name Change</p>  | <p>Requires</p> <ul style="list-style-type: none"> <li>• The consent of a parent or legal guardian</li> <li>• Notification of non-custodial parent(s)</li> <li>• If the minor is over 14, a background checkthrough the Federal and Colorado Bureaus of Investigation (FBI &amp; CBI).**<i>(Form available at the <a href="#">State Court website, JDF 420</a>)</i></li> <li>• Under Jude’s Law, a first legal name change does not require publication (<a href="#">C.R.S. §25-2-113.8</a>)</li> </ul> |

|   |  |
|---|--|
| <p>Change of Gender Marker on Birth Certificate or Identification</p> | <p>A service provider that receives state money to provide placement-related services shall not:</p> <ul style="list-style-type: none"> <li>• Deny any person the opportunity to become an adoptive or a foster parents based on sex, gender identity or gender expression.</li> <li>• Delay or deny the placement of a child or youth for adoption or into foster care on this basis</li> <li>• Require different or additional screenings, processes, or procedures for adoptive or foster placement decisions solely on this basis.</li> </ul> <p>A service provider shall provide placement-related services in a manner that is culturally responsive to the complex social identity of the individual receiving such services. (<a href="#">C.R.S. § 19-1-130</a>)</p> |
| <p>Right to a Trained Foster Parent</p>                               | <p>All foster families are required to receive training on “the right of a child or youth in foster care to have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived disability, race, creed, religion, color, sex, sexual orientation, gender identity, gender expression, national origin, ancestry, or any communicable disease, including HIV, of the child or youth”. (<a href="#">C.R.S. § 19-7-104</a>)</p>  |

\*However, parents or legal guardians are notified of the procedure using certified mail 48 hours in advance. Parent or guardian notification can be waived by a judge in certain circumstances using the judicial bypass process.

\*\*If a minor does not have a parent or guardian who consents to a name change, a notice of a hearing will be served on the parent(s) who do not consent so that they may present their case. If a minor has been convicted of a felony or an offense that would constitute a felony if committed by an adult, they may still be able to get a name change, it will just be more complicated.