

## OTHER TRANS ISSUES

### NAME CHANGE AND IDENTITY DOCUMENTATION

**In Iowa, you may change your legal name by filing a petition in court.** By submitting that court order and other documentation, you can change the name and gender marker on other documents, including your birth certificate, driver's license or non-operator's ID card, Social Security documents, passport, citizenship and immigration documents, financial records, etc.

For a detailed how-to guide on changing your name and gender marker on your identification in Iowa, see "The Iowa Guide to Changing Legal Identity Documents," University of Iowa LGBTQQ Health Clinic (2014). Available at <http://www.uilgbtqclinic.com/for-patients.html>.

### ADOPTION AND FOSTER CARE

**You cannot be denied or turned away from adoption or foster opportunities,** nor otherwise discriminated against in the provision of these services, on the basis of your gender identity.

### HATE CRIMES PROTECTION

**Iowa law does not include "gender identity" within its hate crimes provisions,** but under federal law, crimes targeting transgender people may be subject to federal prosecution and greater penalties.

### LEGAL RIGHTS OF PRISONERS

**There is little Iowa-specific law on this issue,** but federal law requires prisons and jails to make individualized decisions about where trans prisoners can be safely housed. Denial of medical care for gender dysphoria may violate the U.S. and Iowa Constitutions.

## ABOUT US

The American Civil Liberties Union is the nation's largest public interest law firm. More than a dozen projects within the national ACLU focus on specific issues. These include the LGBT and HIV Project, which work to advance the rights of trans persons across the U.S. through litigation, legislative and policy advocacy, and public education.

Read more at <https://bit.ly/2MsuScC>.

**ACLU of Iowa** is the state affiliate of the national ACLU. The ACLU of Iowa has worked for decades to advance LGBT rights, filing the first lawsuit seeking to recognize marriage equality in Iowa in 1976. The ACLU of Iowa also works toward LGBT rights in the Iowa legislature and through public education.

## QUESTIONS?

Contact the **ACLU of Iowa** with your transgender rights questions at [legal.program@aclu-ia.org](mailto:legal.program@aclu-ia.org) (preferred) or at 515-243-3576.

For more information on transgender rights in Iowa, go to [www.aclu-ia.org](http://www.aclu-ia.org).

## TRANSGENDER IN IOWA

### KNOW YOUR RIGHTS



**ACLU**  
AMERICAN CIVIL LIBERTIES UNION  
Iowa

# THE IOWA CIVIL RIGHTS ACT

Chapter 216 of the Iowa Code is known as the Iowa Civil Rights Act of 1965, or “ICRA.” ICRA provides protection against various forms of discrimination on the basis of specific individual traits or characteristics. Among other things, ICRA prohibits discrimination on the basis of sexual orientation and gender identity, which were added as protected characteristics in 2007.

## BACKGROUND

**The Iowa Civil Rights Act (ICRA) defines “gender identity” as “a gender-related identity of a person, regardless of the person’s assigned sex at birth.”** ICRA also established the Iowa Civil Rights Commission, or “ICRC,” the state agency that receives and investigates complaints about ICRA violations. There may be local civil rights and human rights ordinances in your community that provide additional protections.

## EMPLOYMENT

**Transgender people are entitled to equal treatment in every aspect of employment.**

- Potential employers may not ask about gender identity during interviews.
- If a dress code is gender-specific, you must be permitted to dress consistent with your gender identity.
- You should have access to workplace restrooms consistent with your gender identity.
- You are also protected against coworker harassment. Notify your employer in writing if this occurs.
- In addition to ICRA, workplace discrimination against transgender people may violate a federal law covering “sex” discrimination (Title VII).

## EDUCATION

**Students, teachers, and staff may not be discriminated against on the basis of gender identity.**

- ICRA applies to all K-12 schools, public and private, except bona fide religious institutions.
- The Iowa Safe Schools Law requires all such institutions to adopt policies that prohibit anti-gender-identity harassment and bullying.
- Discrimination based on gender identity or sex stereotyping at a school or college receiving federal funding may also violate federal law (Title IX).

## PUBLIC ACCOMMODATIONS

**You may not be denied access to the premises of a public accommodation or any of its goods or services on the basis of your gender identity.**

- A public accommodation is any place that offers goods or services to the public at a price (whether privately or publicly owned) or that receives government subsidies or tax support. Examples include stores, restaurants, hotels, gyms, doctor’s offices, hospitals, social service agencies, public parks, and public transportation.
- Restrooms: The ICRC maintains that under ICRA, people must be allowed to use public restrooms consistent with their gender identity, regardless of sex assigned at birth.

## HOUSING

**You may not be treated differently with respect to any aspect of the purchase or rental of residential property, or in home loans or property insurance, on the basis of your gender identity.**

- ICRA covers almost all housing, including shelters, but has

limited exceptions for religious institutions and for owner-occupied buildings of two or fewer units (and houses in which four or fewer rooms are available for rent).

- Sellers and brokers may not discriminate in advertising or showing properties.
- Anti-trans housing discrimination may also violate the federal Fair Housing Act as “sex” discrimination.

## CREDIT PRACTICES

**A bank or lender may not discriminate on the basis of gender identity.**

This might include refusing to enter into a consumer credit transaction; imposing onerous or unfavorable terms or conditions on a loan; or refusing to offer credit life or health and accident insurance because of your gender identity.

## RELIGIOUS EXCEPTION

**In general, ICRA’s gender identity protections do not apply to bona fide religious institutions that have bona fide religious requirements.**

What does this mean? Just because an institution is religious in nature does not mean it may discriminate on the basis of gender identity. However, it may be exempt under ICRA if it is run for the sole purpose of furthering a religious goal, and the institution says discrimination is necessary to achieve some specific religious purpose.

## HEALTH CARE

**ICRA prohibits discrimination in providing health care services.** This means that you cannot be refused insurance coverage or medical care based on your gender identity. This includes denial of coverage for “gender incongruent” care like a trans man’s Pap smear. However, whether insurance companies must cover specific procedures related to transition is not yet clear.

Currently, Iowa law explicitly excludes Medicaid coverage of “sex reassignment surgery.” Some private insurance plans do cover surgery and other treatments where medically necessary for gender dysphoria. Inquire with your insurer about your options, and if coverage is not available, consider asking your employer to update its plans. Contact the ACLU for assistance with health care and insurance coverage.