



KNOW YOUR RIGHTS: TRANSGENDER RIGHTS

Anti-Discrimination Laws

Employment, Housing, Credit, and Public Accommodations

Rhode Island law prohibits discrimination against a person on the basis of gender identity or expression in employment, housing, credit, and public accommodations. This means that most employers, government or private, cannot refuse to hire or given unequal compensation to a person solely because of their perceived gender identity or conformity, nor can most landlords refuse to rent or charge different rent to a person.

A place of “public accommodation” is any place that is open to the public, including stores, restaurants, hotels, hospitals, retail stores, etc. They are not permitted to refuse, withhold, or deny a person services because of a person’s perceived or actual gender identity or expression.

The Rhode Island Commission for Human Rights is the agency tasked with taking complaints about this type of discrimination, and enforcing the law.

At School

Discrimination against students on the basis of their gender identity or gender nonconforming behavior is illegal under federal law. Schools cannot ignore or discount harassment you receive because of your gender identity or expression; they have a legal responsibility to respond to your reports of harassment.

Public schools are required to respect the gender identity of students, including calling students by their correct names and using appropriate pronouns, and allowing transgender students to wear clothes reflecting their gender identity.

In addition, the Rhode Island Department of Education has affirmed that transgender students are entitled to use the bathroom of the gender with which he or she identifies.

If you feel your rights have been violated, call the ACLU of Rhode Island at 831-7171.

For more information on discrimination, or the ACLU of Rhode Island, visit www.riaclu.org.



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Changing Your Information

Changing the Gender on Your Identification

Changing your gender at the DMV involves filling out a “Gender Designation” form, which is also signed by a doctor, licensed therapist or counselor, or case worker or social worker. You must then surrender your old identification, have a new picture taken, and pay for a new ID. Because that form contains medical information, it must remain confidential. DMV employees cannot ask for any other information beyond what is contained on the form. To change your name on your ID, you will need a Social Security card with your new name, and an affidavit from the probate court.

You do not need to undergo surgery prior to changing the gender on your identification.

Changing Your Name

To change your name, take your original birth certificate to the probate court, fill out a name change form, pass a criminal background check, and pay a filing fee. The court may require you to advertise your name change in the local paper at least 10 days before your hearing.

You do not need to undergo surgery prior to changing the name on your birth certificate.

Changing the Sex on Your Birth Certificate

You do need to undergo surgery prior to changing the sex on your birth certificate. You do not need to go to court, however.

To change your sex, you must submit to the Department of Health’s Division of Vital Records a notarized letter, on hospital letterhead, signed by either the physician who performed your surgery or the physician in charge of the hospital.

When you receive your new birth certificate, it will note that it has been amended and contain the date of modification.

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