



# KNOW YOUR RIGHTS: Gender Identity and Expression

The ACLU defines **gender identity** as a person's internal sense of being a man or a woman (or both or either). **Gender expression** is the way a person reveals their gender identity, such as a person's clothing, mannerisms, and voice.

Nevada (NRS 118.075) defines gender identity or expression as a gender-related identity, appearance, expression or behavior of a person, regardless of the person's assigned sex at birth.

**Transgender** is frequently used to describe a broad range of identities and experiences that fall outside of the traditional understanding of gender. Some of those identities and experiences include people whose gender identity is different from the sex they were assigned at birth, people who transition from living as one gender to another or wish to do so (often described by the clinical term "transsexual"), people who "cross-dress" part of the time, and people who identify outside the traditional gender binary (meaning they identify as something other than male or female). Some transgender people describe themselves as gender variant or gender nonconforming.

## Protection from Discrimination:

Nevada's Employment Nondiscrimination Law (NRS 613.310 et. seq.)  
Employers may not refuse to hire a person on the basis of gender identity or expression in almost all cases.  
Employers cannot fire a person on the basis gender identity or expression alone  
Transgender individuals may not be singled out in the workplace through harassment or differential treatment

Nevada's Public Accommodations Law (NRS 651.050 et. seq.)  
A public accommodation is any place to which the public is invited, such as a hotel, restaurant, hospital, store, gym, or school  
Individuals may not be excluded from places of public accommodations based on their gender identity or expression  
A person may not be treated differently or denied goods or services based on their gender identity or expression

Nevada's Fair Housing Law (NRS 118.010 et. seq.)  
Landlords and property owners may not refuse to rent or sell property to someone based on their gender identity or expression  
However, some landlords and property owners may be exempt in a very few specific situations.

## Right to Safe Schools:

Nevada passed SB 504 in 2015 to expand the legal definition of bullying to include:  
- Physical harm or fear of physical harm to self or property  
- Hostile educational environment; interference with academic performance or school participation  
- Repeated or pervasive taunting, name-calling, belittling, mocking, or use of put-downs or demeaning humor  
- Spreading false rumors or other conduct intended to damage relationships with others  
- Verbal, nonverbal, written, or electronic threats or intimidation  
- Blackmail  
- Blocking access to any part of school  
- Stalking

The new law applies to actual or perceived sexual orientation and gender identity and friends of LGBTQ people

The federal Title IX law also bans discrimination based on sex, in any school receiving federal funding, and has been interpreted to cover discrimination based on sex stereotypes and failure to respond to gender-related harassment.

A list of the District Courts in Nevada is available from the Nevada Supreme Court: [www.nevadajudiciary.us/index.php/district](http://www.nevadajudiciary.us/index.php/district)

## Nevada IDs and Driver's Licenses:

Changing your name:  
Submit proof to the Department of Motor Vehicles showing that your name was legally changed (for example: a new birth certificate).  
Changing your gender marker:  
Acquire the DMV form "Medical Certification and Authorization (Gender Change" available at [www.dmv.com/pdf/forms/dld136.pdf](http://www.dmv.com/pdf/forms/dld136.pdf)) and have a physician complete and sign the form before returning it to the DMV.

Once you have a court order changing your name and/or gender, the Office of Vital Statistics must make the changes on your birth certificate.  
**Nevada Birth Certificate:**

## Health Insurance

It is against Nevada law (NRS 651.070 for an insurer to exclude medically necessary care solely on the basis of gender identity, gender expression, or sex.  
Medicare no longer excludes transition-related surgeries.

## Name and Gender Change:

To legally change your name and/or gender in the state of Nevada you need:

An affidavit stating your name, gender, and request that the gender marker be corrected on the certificate

A second affidavit from someone who knows you who can confirm the facts of the affidavit

A copy of the original birth certificate

Pay any applicable fees

Even if you legally change your gender in Nevada, you may encounter problems when traveling by air due to new TSA screenings regarding passports.

A free Name Change Packet with forms and instructions can be obtained from:

**Clark County:**

[www.clarkcountycourts.us](http://www.clarkcountycourts.us)  
Self Help Center - Phone: (702)455-1500

**Washoe County:**

[www.washoecourts.com](http://www.washoecourts.com)  
Self Help Center - Phone: (775) 325-6731  
**Other Nevada Counties:** please contact the District Court in your county

## How to Protect Your Rights:

If you feel your rights are being violated, contact:

**Nevada Equal Rights Commission**  
[www.nvdetr.org/nerc](http://www.nvdetr.org/nerc)  
Phone: (702) 486-7161 & (775) 823-6690  
**ACLU of Nevada**  
[www.aclunv.org/complaint](http://www.aclunv.org/complaint)

The ACLU of Nevada does not have the resources to do any in-person or telephone consultations and cannot guarantee that we will be able to provide you with assistance.

601 S. Rancho Dr. #B-11  
Las Vegas, NV 89106

1325 Airmotive Way #202  
Reno, NV 89502

**This information is NOT intended as legal advice.**

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