January 2020 transgender name change responses

We only change the birth name if they have legally changed the birth name.

I do not view a diploma as a legal document, like a transcript would be. We allow students to choose their preferred name to be printed on their diploma. Occasionally we will verify with parents if there are questions/concerns.

I believe the transcript has to be legal name, but the diploma can say what they would like. That's at least how we handle all of our students (transgender or not).

You have to put legal names on all their legal documents. You can read aloud a different name at graduation.

A transcript is a legal document.  The name should not be changed from what it was at the time they attended school.  They should be able to share they’re other names with employers or schools.  You should treat this just like a name change for someone who got married.

I would suggest that the name announced at graduation could be their preferred name, but the diploma should have their legal name on it.

I haven't experienced this, but I've read about it and they need to have an official name change in order to have it reflected on their diploma.  Lambda Legal can give you more information and assistance regarding this issue, if the student wants to know how to go about getting a legal name change.

We allow them to put whatever name they want within reason.  The only issue would be if they never change it legally and at some point need to show a diploma, it won't have their legal name on it.

I’m in a meeting right now with my district mental health coordinator talking about our Gender Support Plan and she says that the diploma can be printed with the preferred name (it’s not a legal document), but the educational records including transcripts, would not reflect the preferred name unless legal documentation is provided.

We had a student who we announced their preferred name on stage, but on the paper diploma we put their legal name due to it being a legal document similar to the transcript and enrollment information. This student actually went by their middle name though, so we allowed them to abbreviate their first name with just a letter and then use their middle and last name.  However, not all transgender students choose to keep any part of their legal name. I hope that helps.

We use birth certificate for diploma unless a change of name has happened. However, we announce whatever they want.

I believe it has to be their legal name. If a student has their name legally changed and provides documentation to the school, then the diploma can reflect that name. We have had students do that in the past. If a student has not gone through that process, we announce his or her preferred name, but the document reflects the legal name.

From the IDOE liaison: I spoke with our Staff Attorney at the department for some clarification:

“The Department believes diplomas and transcripts should have the legal name of the student listed.  Diplomas and transcripts are used for job applications, college applications, FASFA, etc. and are associated with the social security number of the student.  If there has not been a legal name change, that could become an issue if a name, not associated with that social security number, is listed on those documents.  If there has not been a legal name change in court, the Department cannot change the name associated with the STN, therefore records at the state level would always be maintained by the students legal name.  **Schools certainly have or should have local policies and procedures established to allow students to be called whatever name and/or pronoun that makes them feel the most comfortable.**  Many schools allow for names to be listed in PowerSchool/Skyward that do not reflect their current legal name, which is entirely a local decision and schools can and should do this to accommodate children.  There are places on transcripts were schools can put notes specific to the child, therefore a school could decide to list the student’s name that is used for school purposes in the classroom in that section of the transcript.  That is entirely a local decision as well.”

Also in regards to this question below:

*A former student has come to the school to request records with the intent to apply to college. However, they brought documentation stating they legalled changed their name and sex. The former student has requested that we change their name and sex on their transcripts.*

*We were wondering if any school has dealt with a similar situation and how they went about addressing this request. Did you change the records to reflect their new information, or do you provide the transcripts as is and they are responsble for submitting the transcripts along with their new information that states they have changed their name and sex to their prospective institution?*

Many transgender students wish to amend their secondary educational records after graduation to ensure that anyone who requests those records (for example, college admissions offices or potential employers) see only the correct name and gender marker on their transcript.

If the student has legally changed their name on their birth certificate, ethically we should consider amending the transgender students’ records. By not correcting a student’s gender marker/name on their school records, the school is essentially disclosing that student’s transgender status to anyone who sees their records, This has the potential to place the student in harm’s way; exposure of transgender status is directly linked to high rates of discrimination, harassment, and even violence.

According to FERPA, Under federal law, any student who is 18 or older (in a post-secondary institution past HS) has the right to request that their school change their name and gender marker on their records if they feel they are incorrect, misleading, or violate their privacy. (34 C.F.R. § 99.7(a)(2)(ii)).

Some great resources can be found here:

<https://www.indianayouthgroup.org/resources>