January 2020 transgender name change responses

My two cents (not that it means anything)  is when a former student is married the name is legally changed, but we don't make the changes on the transcript, the individual has to provide documentation of the name change to college or employer.

My thought is that the transcript is a document of the 4 years the student is in school.  If someone gets married, we do not change that name on the transcript.  My thought is do not make the changes.  Documentation explaining changes that have occurred since graduation would be okay.

 I know it is different, but if a woman gets married and legally changes her name we do not change her high school records.  At the time of graduation, their legal name is XYZ, then I personally think it should still be XYZ.  But I may be wrong.  Please share any guidance you receive.

 We make the changes pretty quickly.

we  had the request and they had it in legal writing and we made the change, however, it was a student that we still did have computer access therefore the switch was easy and done electronically.

MHS had this situation.  The student provided us with all the legal documentation of the changes.  We updated our records and made copies of the documentation to go into the student's permanent file.

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>