Preferred Name Program:
How to

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She, her, hers

- Interim Coordinator of Student Equity Program and Services, IVC
- Pride Scholars Coordinator
- SOCCCD Fellow of Equity and Inclusion
- Co-Chair, First Name Workgroup
- Region 8 LGBTQ Advocates Coordinator
- Licensed Marriage and Family Therapist & Licensed Professional Clinical Counselor
- Provide support trans & enby people, and their loved loves since 2008
- Orange County Gender Affirming Professionals (OC GAP), founding member
- CA LGBTQ Health and Human Services Network, Advisory Committee
PRIDE SCHOLARS AT IVC

Students who wish to join should contact the Student Equity Office

THIS PROGRAM INCLUDES

• One-on-one Academic, Career, and Personal Counseling
• LGBTQ+ Themed Events, Groups, and Activities
• 8, $500 scholarships
• Support for the GSA student club
• Safe Space of the Student Activities Center with All Gender Restrooms

And MORE...
My correct pronouns are not preferred, they’re required.

And my correct pronouns are the ones that I say are correct.
What is a First Name Program?

A system that allows students to be known on campus by a name of their choosing

- These student-entered names are used across all systems except official documents & unofficial transcripts
- Students choose which name will appear on their student ID
- Most employees will ONLY be able to see a student’s self-entered “first name”
Benefits of First Name Programs

- Anti discrimination measures for gender identity and gender presentation
- Best practices for affirming support of trans students
- Removes the guesswork for our faculty and staff
- Sends the message to all students and employees that we care about engaging respectfully with our students
- Prospective employees looking for equity-minded inclusive campuses

Benefit to all students to be called by the appropriate name
Students update their own names & pronouns digitally
- Both first and middle names are editable by students
- This one change auto updates all linked data systems

What Doesn't Change...Unless Specifically Requested
- Username
- Email address (but email will be masked with chosen name)
- Gender marker

What Never Changes
- Last name is ALWAYS legal and cannot be changed without a legal name change
Preferred and Legal Name Displays

**Student-Entered Name**
- SARS
- Sherpa
- MySite
- Roll Sheets
- Submission of Grades
- Canvas
- Email masking
- ***All unofficial documents except unofficial transcripts***

**Legal Name Displayed**
- MySite Student Inquiry Screen
- Official Transcripts
- Unofficial Transcripts
- Anything associated with financial aid, registration, bursers
- All programs that report official student data internally and/or with other agencies
- ***All official documents***
LAWS
WHAT YOU NEED TO KNOW
Laws That Govern This Space

- **AB 620** – Equal Access in Higher Education Act
  - Expands “gender” to “gender identity” in definition of discrimination in CA higher education

- **AB 1266 FAQ Document** – School Success and Opportunity Act
  - Guidelines by CA Depart. Of Education for protecting transgender status of our students
  - AB 1266 expands “gender” to “gender identity” in definition of discrimination in CA K-12 education

- **Fair Employment and Housing Act (FEHA)** – Not using an employee’s preferred name and gender may leave the employer liable under the act

- **SB 179** – Gender Recognition Act
  - Created a 3rd legal gender in CA

UC LGBT Task Force Recommendations
1. Created a 3rd legal gender option in California

2. Streamlines the process of legal gender change for everyone

▶ Became Effective January 1, 2019
3rd Gender in California

- **New Legal Genders:**
  - Male, Female, and Nonbinary (X symbol)

- **Documents:**
  - Will be listed on birth certificates, driver’s licenses, and state-issued ID
  - This includes new birth certificates
Streamlines Gender Change Process

- Removes barriers to changing your gender marker
  - No more doctor’s letter
  - No requirement to undergo any medical treatment
  - No longer need to appear in court
    - Unless a timely objection is filed
- Provides a path for those under 18 to change their gender markers
What Must Change in Our Districts

- **All systems** which store and use gender must be updated to include a nonbinary option (admissions and records, athletics, etc.)
- **All reports** which indicate gender must include nonbinary people (enrollment, etc.)

**Pro Tip:** Don’t use “other.” Instead try “Prefer to Self Describe”

- **New Nonbinary Gender is Protected:**
  - Title IX, CA state laws, campus harassment and discrimination policies
Why This Must Change: CA Code of Regulations

- Sex discrimination includes incorrect use of name and pronouns
- Defined in the Fair Employment & Housing Act
  - “If an employee requests to be identified with a preferred gender, name, and/or pronoun, including gender-neutral pronouns, an employer or other covered entity who fails to abide by the employee's stated preference may be liable under the Act”
- An employer is engaging in discriminatory behavior if they do not use an employee’s preferred name and pronouns
Additional Considerations

- CCC’s must become ready for students enrolling who are nonbinary
- Faculty and staff may also be electing nonbinary legal genders
- We may see an overall increase in legal gender changes
  - The process is now streamlined and easier to complete
  - 27% of CA adolescents are viewed as nonbinary (Williams Institute, 2017)
AB 1266
Department of Education
FAQ Document
EFFECTIVE JANUARY 1, 2014
AB-1266 FAQ Highlights
Provides clear instructions for how to handle school records for trans students

- Transgender status is private
- Schools MUST protect a student’s transgender status
- Students have the right to keep their transgender status private
- Schools cannot share/expose a student’s transgender to parents, friends or anyone without permission
- Team sports
- Bathroom use
- Gendered school uniforms
- Supports counseling for transgender students
- Schools should review all gender-based policies
We Must Protect Student Privacy

- Legal name and gender should be kept separate from school record if possible
  - K-12: Physical documents in a locked cabinet in the principles office
- “Schools should implement similar safeguards to protect against disclosure of information contained in electronic records”
- “A student does not waive his or her right to privacy by selectively sharing this information with others.”

If a student shares their transgender status with us, it does NOT mean that it is now common knowledge.
We Cannot “Unintentionally Reveal”

Revealing a student’s transgender status = Violation of CA Antidiscrimination Laws

- “Disclosing that a student is transgender without the student’s permission may violate California’s antidiscrimination law by increasing the student’s vulnerability to harassment and may violate the student’s right to privacy.”

- “If the school district has not received documentation supporting a legal name or gender change, the school should nonetheless update all unofficial school records (e.g. attendance sheets, school IDs, report cards) to reflect the student’s name and gender marker that is consistent with the student’s gender identity. **This is critical in order to avoid unintentionally revealing the student’s transgender status to others in violation of the student’s privacy rights, as discussed above in section 6.**"
Creating a First Name Program
CONSIDERATIONS WHEN IMPLEMENTING A CHOSEN NAME SYSTEM
Summing Up and Moving Forward

Understanding that...

- We must protect a student’s transgender status
- We CANNOT “unintentionally reveal” transgender status
- We must change all unofficial documents that reference name and/or gender based on student request

1. How should the data be displayed?
2. Who should have access to legal information?
3. What systems need changing/updating?
4. How do we communicate this to the student?
5. What new forms, policies, and procedures need to be in place to support these updates?
1. What to Display

The choices we make about what to, and not to, display is how we protect transgender status of our students

- **How will the student’s chosen name be displayed?**
  - LegalFirst (ChosenFirst) Lastname (does not protect transgender status)
  - ChosenFirst Lastname

- **Middle name?**
  - In many cases displaying a middle name will *not* protect transgender status
  - Give students the option to remove or shorten to just an initial?

- **Gender Marker**
  - “decline to state” many students feel outed by this in their record
2. Who Will See The Information?

- **Who needs to see legal information?**
  - Counselors, A&R, Matriculation, Financial Aid, Student Health?
  - Professors, Coaches, certain classified staff?

- **Who will see the gender marker?**
  - Professors? Counselors? Coaches? Administrators?
  - Do we have a way to indicate identified & legal gender? Do we need one?

Who actually **needs** to see legal info?
3. Systems Changes and Updates

- Develop a comprehensive list of all systems that need updating
- Reevaluate the following in all systems:
  - Gender marker and/or middle name present, do we want it removed or altered?
  - Only chosen first name and last name present?
4. Transparency With the Student

- Student must be clear who will see:
  - Chosen name information only
  - Both legal and chosen
  - Gender marker
  - Middle name

- Transparency for student entering their name
  - Text pop up?
  - Agree to terms?
  - * First Name Standards* on district website
5. Policy and Procedure

- Process for obtaining a student ID without any supportive documentation in that name?
  - New form?
  - Coordination with the issuing office/department
- Will we also be granting new email addresses?
  - Will this be automatic or by request?
  - Same email address but change “display name” (Coast District)
  - What will the process be?
- Documents with legal name
  - Communicate to counselors, financial aid, A&R, Matric
- What will be displayed to professors during grade submission?
  - Chosen name with student ID?
A Need for Thoughtful Conversations

- **We need to ask ourselves:**
  - Have we protected our students’ transgender statuses?
  - Have we “unintentionally revealed” transgender status through our choices?
    - What to display and who can see the information
  - Has this been clearly communicated to students wanting name and gender changes?
Next Steps
FOR PREFERRED NAME
**Communication & Training**

- **Those with Legal Information Access**
  - What name to use when interacting with students with both a legal and self-selected names in our system
  - Procedure when a legal ID is required
  - Hybrid classes that ask for legal ID when students appear to take an exam

- **Professors**
  - Understanding that these new procedures are in place

- **District website**
  - Information on this program and training info

- **Students**
  - Marketing: this new option is available to them
  - Directions / tutorial on how to make these changes

- **Training/Communication Needed**
  - Many areas

Creating a First Name Program, by Erin Pollard, IVC
**What Name Do I Use With The Student?**

**Always use the student’s chosen name, even when communicating with colleagues**

**Best Practices:**
- Don’t say legal name out loud
- Ask what pronouns a student uses

**When in doubt ask:**
- “I see you have two names in our system, what name would you like me to use?”

Creating a First Name Program, by Erin Pollard, IVC
Plans for the Future

- **3rd Gender (SB 179)**
  - Create at least 3 identifiable gender identities for our students
    - Male, Female, Nonbinary
  - CCC Apply added Nonbinary option May 2019
    - CCC Apply declaration to include Nonbinary identities

- **Personal Pronouns**

- **Name, Pronoun, and Gender Options for Employees**
QUESTIONS?
COMMENTS?

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THANK YOU

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