

Student Services

AP 5041 STUDENT RECORDS – CHOSEN NAME AND GENDER

Reference(s):

Title IX, Education Amendments of 1972, 42 U.S.C. 1681;
Education Code Section 201, 210.7, 220, 66250 et seq., 72010 et seq.
California Code of Regulations
Title 5 Section 59311
Weathers v. Superior Court (1976) 54 Cal.App.3d 286, 288
Code of Civil Procedure Section 1275 et seq.; 1279.5

The District is committed to providing an inclusive, supportive, and non-discriminatory learning environment for all students and equal opportunity in educational programs and activities.

The District recognizes that some students may use names other than their legal names to identify themselves. The District further recognizes that students may wish to identify by a gender, including a non-binary gender, which differs from the sex they were assigned at birth. A chosen name, personal pronouns, and gender identity shall be used when possible on certain documents and unofficial records maintained by the District, and in situations where a legal name and gender are not required by law. The following guidelines and procedures have been established to help clarify the use of chosen names, pronouns, and gender at the District. Students may not use an alternate name or gender for inappropriate purposes, such as fraud or misrepresentation.

A. Definitions

For purposes of this Administrative Procedure, the following definitions apply:

Legal Name: A name designated on official government issued documents including but not limited to birth certificates, passports, social security cards, immigration documents and identification cards or permits. In order to change a person's legal name, a court order is required under California law.

Chosen Name: A name that a person can designate on District-related unofficial documents and records, as defined below, in place of the person's legal name and in furtherance of their identity. It is the name that the person uses to identify themselves, and is different from the person's legal name.

Personal Pronouns: The pronouns that a person uses to identify themselves and designate on District-related documents and unofficial records.

Sex Assigned at Birth: This refers to the sex designation recorded on an infant's birth certificate should such a record be provided at birth.

Gender Identity: This refers to an individual's internal sense of gender. A person's gender identity may be different from or the same as the person's sex assigned at birth. The gender identity that a person wishes to designate on District-related documents and unofficial records.

Non-binary: Non-binary is an umbrella term that describes a gender identity that is neither exclusively man nor woman.

Official Records: Official records are those records the District is required to maintain as part of a student's permanent record and which are required, by law or District policy or practice, to contain a student's legal name.

Official records include, but are not limited to, registration documents, official and unofficial transcripts, health records, diplomas, financial aid documents, payroll records and federal immigration documents.

Unofficial Records: Unofficial records are those records which do not require a legal name. These records include but are not limited to academic and extracurricular rosters, identification badges, and District email addresses.

B. Official Records

The District will change a student's name and/or gender on official records when the name or gender of the student is changed through civil records or court action, such as by a change of name proceedings. Once the District receives notice of an order change, it will use the new legal name and/or gender in all District records going forward to reflect the change.

C. Unofficial Records

The District shall permit a student to use a chosen name and gender identity on District-related unofficial documents and records where the use of the legal name is not required by law or District policy. Before a student's chosen name and gender identity will appear on unofficial records, a student must submit, to the Admissions and Records Office of each College as appropriate, a completed Change of Information Form.

The District shall input the student's chosen name and gender identity, if applicable, in the appropriate fields in the District's electronic data system to indicate how the student's name and gender will appear on unofficial records. The District shall also enter the chosen name and gender identity as an Also Known As ("AKA") in the

student's permanent records folder.

D. Names and Pronouns

The District community, including administrators, faculty, and classified professionals should make every effort to use the chosen names and personal pronouns consistent with a student's identity.

Also see BP and AP 3410 Nondiscrimination; AP 3435 Discrimination and Harassment Complaint Procedures; BP and AP 5530 Students Rights and Grievances.

Approved: March 15, 2022