



MEMORANDUM

June 7, 2022

TO: Members of the Board of Trustees
FROM: Deborah F. Stanley, Interim Chancellor
SUBJECT: Campus Chosen Name and Pronoun Policies

Action Requested

The proposed resolution authorizes and directs the Chancellor to ensure that all campuses within, or operating under, the program of the State University of New York review and update policies regarding the use of a “chosen name” to align with priorities of diversity, equity and inclusivity.

Resolution

I recommend that the Board of Trustees adopt the following resolution:

Whereas Section 351 of New York State Education Law sets forth the mission statement of SUNY to "provide the people of New York educational services of the highest quality, with the broadest possible access, fully representative of all segments of the population"; and

Whereas in 2015, the SUNY Board of Trustees set the goal to be the most inclusive State university system in the country; and

Whereas the SUNY Board of Trustees recognizes that some members of the University Community use a different first name other than their legal first name; and

Whereas a study of 500 transgender college youth identified the top actions the students valued to create an inclusive campus climate were the ability to use chosen name on campus records, gender inclusive restrooms, and non-discrimination policies; and;

Whereas in February 2021, the SUNY Board of Trustees passed a resolution requiring SUNY state-operated campuses to designate all single occupancy bathrooms as gender neutral bathrooms.

Whereas in February 2021, the SUNY Board of Trustees furthered the commitment to equity and inclusiveness by creating the permanent standing Diversity, Equity and Inclusion board committee;

Whereas Chapter 58 of the laws of 2022 requires all state agencies that collect sex or gender data to offer to individuals the option to select “x” for sex or gender for state collection purposes; now therefore, be it

Resolved that the Chancellor, or designee, be, and hereby is, authorized and directed to direct the presidents of all campuses within, or operating under, the program of the State University of New York to review and update where necessary the campus policy on chosen names and pronouns to align such policy with the SUNY Board policy on diversity, equity and inclusivity; and be it further

Resolved that such policies should seek to allow the use of a chosen name and pronouns wherever possible, consistent with applicable laws and regulations; and be it further

Resolved that the Chancellor or designee, be, and hereby is, authorized and directed to direct all State-operated campuses to update any data collection on sex or gender to offer individuals the option to select “x” for sex or gender pursuant to Chapter 58 of the laws of 2022; and, be it further

Resolved that the Chancellor or designee is authorized to review campus chosen name and pronoun policies to ensure they meet the board principles regarding diversity, equity and inclusivity and that full implementation of any necessary IT or operational changes to align with such policies shall occur by the beginning of the fall 2023 semester; and, be it further

Resolved that the Chancellor or designee is authorized to implement any procedures or other requirements deemed necessary to assist campuses in coming into compliance with these provisions.

Background

There are many reasons why a student may not wish to be called their legal first name. “Chosen Names” Policies do not make students show proof (such as government identification documents) of the use of a chosen name. According to Campus Pride, allowing students to use a chosen name is a best practice to support transgender and Other Gender-Nonconforming Students.¹ A study of 500 transgender college youth identified the top actions the students valued to create an inclusive campus climate were the ability to use chosen name on campus records, gender inclusive restrooms, and non-discrimination policies.² Even with a chosen name policy, there are a few items especially involving federal financial aid, medical records, and transcript and degrees that must use the student’s legal name.

In 2015, New York State Education Department published guidance for Creating a Safe and Supportive School Environment For Transgender and Gender Nonconforming Students and it said, “To ensure consistency among teachers, school administrators, substitute teachers and other staff, every effort should be made to immediately update student education records (for example, attendance records, transcripts, Individualized Education Programs, etc.) with the student’s chosen name and appropriate gender markers and not circulate records with the student’s birth name.”³ Accordingly, the majority of SUNY students will have graduated from a high school with a chosen name policy in place, and will rightfully expect similarly inclusive policies and procedures to be in place at SUNY campuses. This resolution will help advance SUNY’s commitment to inclusivity by ensuring that all SUNY campuses update local policies to allow the use of chosen names and pronouns to the fullest extent possible.

The Gender Recognition Act (GRA), signed in June 2021, allows New Yorkers the option of an “x” gender marker on state driver’s licenses. In 2022, this was expanded to other State agencies on a phased-in timeline. When not required for federal reporting purposes, this change will allow SUNY to be more inclusive for all students.



¹ <https://www.campuspride.org/resources/best-practices-to-support-transgender-and-other-gender-nonconforming-students-2/>

² <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Higher-Ed-Aug-2018.pdf>

³ http://www.p12.nysed.gov/dignityact/documents/Transg_GNCGuidanceFINAL.pdf