

July 31, 2014

**M E M O R A N D U M**

To: College Presidents

From: Frederick P. Schaffer  
General Counsel & Senior Vice Chancellor for Legal Affairs

Re: Name Changes

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From time to time, this office receives inquiries from campuses to respond to requests to change a student's name on official college records such as the student's transcript and diploma, as well as on non-official records such as the student's identification card, email address, and course rosters. This memorandum provides guidance on this topic and supersedes this office's May 19, 2004 memo. Please see Exhibit A and B for sample name change request forms based on this guidance.

**Court-ordered name changes**

The existing policy with respect to student name changes provides:

RESOLVED, that where names have been changed by court order, all transcripts of records and official statements by the colleges with respect to students or graduates of the schools shall incorporate only the official name as changed by said court order, unless otherwise specifically requested in writing. (CUNY BOT Feb 6, 1940 (cal #6)).

Such a court order may arise in a number of different contexts, including a name change proceeding, an adoption proceeding, a divorce decree, gender reassignment,<sup>1</sup> or a witness protection program. For this purpose, a marriage certificate should also be treated like a court order.

In all such cases, a student is entitled to change his or her records to reflect the new or resumed name in accordance with the court order. To obtain the change, a student must show an original or certified copy of the order. Thereafter, only his or her new name should be reflected on all transcripts, diplomas, and other records issued by the college unless the student requests in

writing that his or her transcript and/or diploma include a reference to his or her former name (e.g., John Doe, formerly known as John Roe).

For record keeping purposes, the student's name change request and court order should be kept in the student's file, along with the date of the name change and the student's former name. The college must strictly comply with the terms of the court order. For example, a court-ordered name change made as a result of an adoption proceeding, gender reassignment, or as part of a witness protection program may require that the previous name be sealed from the public. If there is any question about the validity or scope of a court order, please contact this office.

When a student has changed his or her name in this manner and requests a new diploma reflecting the new name, the college should issue a new diploma upon surrender of the old diploma. In the event that a diploma has been lost or destroyed, a new diploma identified as a "duplicate diploma" may be issued to the student without evidence of such loss or destruction.<sup>ii</sup>

A sample legal name request form is annexed to this memorandum.

### **Preferred name**

CUNY recognizes the importance that a change of name might have to students during their time with the University. A preferred name is not a legal name, but is generally used to change how others refer to the student. For example, student Jonathan Doe may prefer the name John or student Mary Jane Doe may want to be referred to as Mary Jane or Jane, rather than Mary. Note that preferred names are not limited to variations of a student's legal name; for example, student Jennifer may request the preferred name David due to a change in gender identity and be unable to present the documents necessary to secure a court-ordered name change.

Colleges may use a preferred name on all documents and records other than official documents, such as diplomas and transcripts. Documents and records that may display a preferred name include, among other things, course rosters, student identification cards, student email addresses, and honors, awards, and prizes issued by the University.

A sample preferred name request form is annexed to this memorandum.

### **Changes due to typographical errors**

When a student requests a name change due to a typographical or other error in University records, the student's request should be granted after verification that the name change is due to such error. Documents that may assist a college in making this determination include, for example, birth certificates, passports, social security cards, driver's licenses, or other documents issued by federal, state or local government agencies.

Please ensure that this policy, including the new guidelines on preferred names, is implemented at your campus. If you have any questions about the topics discussed in this memorandum, please contact Hilary Klein in the Office of General Counsel at [Hilary.Klein@cuny.edu](mailto:Hilary.Klein@cuny.edu) or 646-664-9216.

c: Registrars  
Chief Student Affairs Officers  
Chief Academic Officers  
Legal Affairs Designees

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<sup>i</sup> Students should be free to change their gender on all prior, present, and future college records at their discretion. A student's gender is not included on any official documents and is generally collected for statistical purposes only.

<sup>ii</sup> A Board policy on the issuance of duplicate diplomas adopted on October 23, 1929 (Minutes, p. 384) is limited to lost or destroyed diplomas. It provides:

That in cases where diplomas are lost or destroyed the deans of the several faculties having pedagogical supervision over the courses leading to such diplomas shall be empowered to conduct inquiries and take testimony; and, upon reaching the conclusion that such diplomas were unavoidably lost or destroyed and that applications for duplicates are made in good faith, may in their discretion, subject to the approval of the Board, have prepared, signed and issued such duplicate diplomas which shall be clearly marked "duplicate."