

**Bergen Community College  
Board of Trustees  
Section (STU)**

**Policy #** STU 005-001.2019

**Effective Date** April 3, 2019

**Responsible Official**

Vice President of Student Affairs

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## **Preferred Name Policy**

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### **Reason for Policy**

To enable members of the campus community to use and be known by a preferred name.

### **Entities Affected by this Policy**

This policy is applicable to all students, faculty, and staff at the College.

### **Policy Statement**

- 1) Bergen Community College (the “College”) recognizes that many individuals use and are known by a name other than their legal name because of their gender identity, cultural background, or other aspects of their social or personal identity.
- 2) College students, faculty and staff shall be allowed to use and be known by a preferred first and/or middle name. All College offices and personnel are expected to respect an individual's request to be known by their preferred name, and to use that name when interacting with, addressing or referring to the individual who has selected a preferred name following the process outlined in this policy.
- 3) Bergen Community College will make good faith efforts to utilize an individual’s preferred name throughout the College community, where feasible and appropriate, and to update reports, documents, processes, and systems approved for display and use of preferred names. The College cannot guarantee that the preferred name will appear in all locations or in all circumstances.
- 4) Use of Legal Name
  - a) The College will not use the preferred name on documents or in systems that require the use of a legal name for legal or business-related reasons. The individual's legal name will continue to be used for these records, which include but are not limited to the following:
    - i) Admissions records
    - ii) Official transcripts
    - iii) Enrollment verifications
    - iv) Employment and personnel records
    - v) Paychecks and tax documents
    - vi) Financial aid records
    - vii) Medical records
    - viii) Disciplinary records
    - ix) Law enforcement records

- x) Study Abroad documents and travel records
  - xi) Mandated Reporting
  - b) The College will change a legal name on legal and business-related documents only upon receipt of documentation evidencing a legal name change.
- 5) Diploma
- a) The College considers the diploma to be a ceremonial document, and students may request that either a legal name or a preferred name appear on a diploma.
- 6) Background Checks and Legal Processes
- a) Individuals who request and use a preferred name must be aware that the preferred name will constitute an alias that they may be required to disclose in some circumstances including during background checks and other legal processes. This responsibility may be lifelong and may cover each preferred name used even if they later change or discontinue use of the preferred name.
  - b) Individuals are encouraged to candidly disclose the existence of any aliases, when appropriate, to avoid discrepancies or the appearance they are attempting to conceal the information. Individuals must also be aware that the existence of an alias may trigger heightened scrutiny during certain federal or state security clearances or background checks, especially in cases where the individual does not disclose the information to authorities.
  - c) The College will disclose and/or confirm the preferred name(s) used by the individual in accordance with any lawful request for this information, and/or upon request by the individual.
- 7) Non-compliance and Complaints
- a) When an individual who has selected a preferred name in accordance with this policy believes that their selection and use of a preferred name is not being accommodated as required by this policy, the individual is encouraged to resolve the issue informally by communicating their concern directly to the College personnel or office that has failed to interact with, address or refer to the individual using the preferred name.
  - b) In cases where a student feels that they would benefit from additional support or advocacy, or desires to initiate a formal complaint about non-compliance in the use of such student's preferred name, they may contact the following offices:
    - i) Dean of Student Life & Conduct
    - ii) Dean of Student Support Services
  - c) In cases where a member of the College faculty or staff feels that they would benefit from additional support or advocacy, or desires to initiate a formal complaint about non-compliance in the use of such member's preferred name, that member may contact the following office:
    - i) Office of Human Resources

## Definitions

1. *Preferred Name* – The name by which an individual wishes to be known and to have appear in College systems and when conducting day-to-day College business because it affirms that individual's gender, culture and other aspects of social identity. The preferred name will consist of a preferred first name. The preferred name does not affect the individual's middle or last name, which must remain the individual's legal name.
2. *Legal Name* – The name that is recorded on an individual's legal identification and used on formal legal records at the College.

## Procedures

### Requesting a Preferred Name

- 1) To request a preferred name after admission to the College, a student must complete the Preferred Name Request Form.
- 2) To request a change in preferred name or to revert back to use of a legal name, the student must complete a new Preferred Name Request Form.
- 3) To request a preferred name, to change a preferred name or revert back to use of a legal name, College faculty or staff must contact Human Resources.

### Approval and Prohibited Use

When an individual requests use of a preferred name, the individual's records will be updated to display the preferred name in a timely manner, typically within five (5) business days, except in the following circumstances:

- 1) The name is intended to misrepresent the person's identity and/or misappropriate the identity of another person or organization.
- 2) The use of the name is an attempt to avoid a legal obligation.
- 3) The appearance of the requested name on the College ID or other records would be harmful to the reputation or interests of the College; and/or
- 4) The name is derogatory, obscene, conveys an offensive message, or is otherwise inappropriate.

If the preferred name is prohibited for any one of these four reasons, the College reserves the right to deny the request for use of a preferred name. In these circumstances, the individual requesting the preferred name shall be notified of the reason(s) for denial and be given the opportunity to address the concerns. The final determination shall be made at the reasonable discretion of the Managing Director of Records and Registration (Registrar) for students or the Director of Human Resources (or designee) for College faculty and staff

### Appearance of the Preferred Name

Once approved, the preferred name will appear and be used in the following College documents, systems, and processes:

- 1) Bergen Community College ID Card (ID)
- 2) College E-mail
- 3) Class Rosters
- 4) Advising Lists
- 5) Learning Management System
- 6) Self-Service

### Bergen Community College ID Card

Once approved, individuals may obtain an ID card with the preferred name imprinted on the card in place of the legal name. The first card issued with a preferred name imprinted will be provided at no charge. If a replacement card is requested, the individual will be charged the normal fee for issuance of a replacement card.

## **Diploma**

Students who request a preferred name to appear on their diploma, and who later wish to have a diploma issued in their legal name or any other name may be charged a fee for that service.

## **Use, Abuse, or Misuse**

Misuse of a preferred name, which may result in disciplinary or employment actions, will be addressed through existing policies and procedures, as well as related appeal processes.

- 1) Inappropriate use of a preferred name may be cause for disciplinary action and/or denial of the use of a preferred name.
- 2) Failure to comply with this policy by refusing to use an individual's preferred name as selected in accordance with this policy, may constitute grounds for disciplinary action.

A Bergen Community College student ID card with a preferred name imprinted on it may be used as a valid identification card (ID) within the College. However, an ID card with a preferred name imprinted may not be used as an alternate to a legal ID. Use of a Bergen Community College ID card to misrepresent the individual's legal identity in any circumstance will be considered misuse and may result in disciplinary action.

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**Related Documents/Policies** [NJ Senate Bill 3067, passed 7.21.2017, Title IX Policy](#)

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## **Policy History (adopted/amended)**

Adapted in part from Rowan University