



Open Letter from North Carolinians Urging Action to Protect Transgender Students

Dear NC State Superintendent Mark Johnson,

Thank you for your March 15 and March 23 letters to parents, caretakers and educators about the North Carolina schools' response to the COVID-19 pandemic. We could not agree more that the safety and well-being of all of our students is a top priority that will require all of us working together to overcome challenges that may have seemed insurmountable in the past. This letter is about tackling one of these challenges and doing our best to support transgender students in North Carolina during this unprecedented shift for our school systems.

Since 2017 or before, school districts and nonprofits across the state have requested that the Department of Public Instruction update the state-mandated PowerSchool student information system so that it is no longer set up in a way that violates the safety and privacy of transgender students. Specifically, they have asked for 'Legal Name' fields separate from the 'Name' fields; for a 'Legal Gender' field separate from the 'Gender' field; and for the gender fields to include a 'non-binary' option in addition to 'male' and 'female.'

Without these corrections in place, students who are transgender are at a constant risk of having their transgender identity revealed to others at school without their consent, which is a violation of the Federal Educational Rights and Privacy Act (FERPA) as well as state and district privacy policies. The privacy violation may occur through a teacher reading the attendance roster, other students seeing the name on an online test, an office worker running a report, or any number of other ways in which PowerSchool is used for student lists and records.

For most transgender students, being confronted with one's birth name (referred to commonly in the trans community as one's 'dead name') can trigger feelings of anxiety and dysphoria. When the disclosure is made public, they may fear for their safety as well. According to a [2017 GLSEN survey of LGBTQ students in North Carolina](#), 90% regularly hear anti-LGBTQ language in schools. Nearly 3 out of 4 have experienced verbal harassment, 1 out of 3 have experienced physical harassment, and 14% have experienced a physical assault at school.

Other states that use PowerSchool have had their systems set up to protect the privacy of transgender students since 2015 or earlier. Many North Carolina schools and districts have been more than patient with NC DPI, putting in place time-intensive processes to manually correct rosters, lists and records where they can. Families and students have been forced to accept loss of privacy and other harms as students are confronted with their birth name,



particularly in online testing and discussion forums. Many times their best coping strategy is to opt out, skipping the test or taking a zero grade for the online part of the course, rather than having their transgender status revealed.

But now our time has run out. As North Carolina schools shift to at-home learning in response to the COVID-19 pandemic, all of the online learning platforms, chat rooms, discussion forums, and virtual testing sites are generating student usernames, visible to other students and faculty, based on the legal name in PowerSchool. Across the state, students are finding out that their classmate Janelle was once named James, that Aaron used to be Emily, that Latisha was Lavon. **It is impossible to describe the social, emotional, and psychological harms that this mass violation of privacy may cause.**

We know how much local school systems have on their plates right now, and while we are encouraging educators to double-check and correct student usernames, a system-wide fix is far more efficient. One decision from your office, one system update, and 2,500 schools across the state will automatically have this problem solved.

And so, with the goal of keeping our students' safety as a top priority, we urge you to:

1. Request that PowerSchool immediately begin an update of the NC system that:
 - Creates 'Legal Name' fields separate from the 'Name' fields;
 - Sets up documents, lists, online systems, and reports to use the 'Name' field unless the document legally requires the Legal Name;
 - Creates a 'Legal Gender' field separate from the 'Gender' field and uses the 'Gender' field to list gender in all visible lists and reports, unless legally required otherwise;
 - Adds a 'non-binary' option to the drop-down list in gender fields.
2. Provide the update to North Carolina schools as soon as possible (and no later than the summer 2020 PowerSchool update), along with guidance and technical support for implementation.
3. Immediately provide guidance for schools and school districts, explaining the best practices and reasons for using students' affirmed names and genders, in both in-person and virtual environments.

Ultimately, these are issues of fundamental safety and privacy for our students, which we agree are of the highest importance and require us to work together in new ways. Thank you for your cooperation and prompt action.

Signed,
309 community members from across North Carolina
[See full list of signatories on subsequent pages]



Signatories

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