



Diversity & Compliance

November 8, 2007

Ms. Olympia Tveter
997 Bradford Street
Pomona, CA 91767

Re: Second Response to Request for Reconsideration of No Merit Finding by
Diversity and Compliance on Complaint Concerning Denial of Name
Change Request

Dear Ms. Tveter,

I have considered the legal argument in your letter of October 11, 2007, wherein you dispute my letter of October 5, 2007.

There is no further argument to be presented at my level of review and you have exhausted the campus review process. You and I have spoken on several occasions, and have exchanged written communications. The issue in your case is the common law practice of changing one's name based on usage. While the validity of the common law method is recognized, including that the right is not affected by the statutory procedure (83 Ops. Cal. Atty. Gen. 136 [2000]), a legal proceeding is not at issue in your case. Consequently, concepts on burden of proof pursuant to California Code of Civil Procedure Section 1279.5, although germane to the statutory procedure, do not apply here.

Also, the request for certain documentation is not being required by the University under the common law. Rather the requirement is being equally applied according to the University's past practice in requests for name change on student records, and thus, not discriminatory. Again, the common law right does not carry an obligation for others to accept the new name. However, your request for a name change in student records will be processed upon submittal of a California driver's license, social security card or court order, the same requirement asked of similarly situated name change requesters.

Finally, an appeal of my decision is governed by Executive Order 928. Information on the appeal steps can be found at <http://www.calstate.edu/eo/EO-928.html>.

Sincerely,

Carmen Munoz-Silva
Director, Diversity and Compliance

Cc: Sharon L. Reiter
Dr. Douglas R. Freer
Kathy A. Street

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