University of California – Policy

Gender Recognition and Lived Name

Responsible Officer:	Vice President and Vice Provost
Responsible Office:	Graduate, Undergraduate, and Equity Affairs
Issuance Date:	11/6/2020
Effective Date:	Implementation begins on date of issuance with full implementation completed by December 31, 2023
Last Review Date:	NEW Policy
Scope:	This policy applies to all university campuses, locations, laboratories, medical centers and health systems, as well as satellite offices, affiliates, and other units controlled by the Regents of the University of California. Referred to hereafter as "Location" or "Locations."

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I.   POLICY SUMMARY

Gender identity is fundamentally personal, and the University of California should ensure that all individuals have university-issued identification documents and displays of personal identification information that recognize their accurate gender identity and lived name (first name, middle name and/or last name or surname). As a public research university, the collection of gender identity data is necessary for federal reporting and assessing gender equity. As such, this policy also provides guidance on the collection and reporting of gender identity, lived name and sexual orientation.

II. DEFINITIONS

Affectional orientation: A descriptor for the gender(s) of people with whom a person is interested in romantic relationships.

Asexual: Describes a person who is not drawn to people sexually and does not desire to act upon attraction to others in a sexual way. The asexual spectrum may also include people who experience forms of attraction that can be romantic, aesthetic or sensual in nature.

Bisexual: Describes a person whose sexual and/or affectional orientation can be toward people of their own or other genders.

Cisgender: Denotes or relates to a person whose gender identity corresponds with an ascribed sex.

Dead name: Refers to the name a trans person was given at birth but is no longer using. The term is intended to stress the inappropriateness of referencing a person's name given at birth instead of their chosen name and effectively misgendering their identity. Legal name rather than dead name will be used for purposes of this policy.

Downstream IT Resources: An IT Resource system that receives data from a collaborative system.

Eligible academic documents: Academic documents that include transcripts, diplomas, dissertation title pages and other submissions of academic work.

Gay: Describes a person whose sexual and/or affectional orientation is toward people of one's own gender. Also, describes a man whose sexual and/or affectional orientation is toward men.

Gender identity: The gender(s), if any, with which a person identifies. An individual's gender is their gender identity, which can be the same or different from their sex assigned at birth.

Genderqueer/gender nonconforming: A person whose gender identity and/or gender expression falls outside of dominant social norms.

Heterosexual or straight: Describes a person whose sexual and/or affectional orientation is toward people of another gender

Intersex: Intersex is an umbrella term that describes a wide range of natural bodily variations that do not fit typical definitions of male and female bodies. These variations may include, but are not limited to, unique chromosome compositions, hormone concentrations, and external and/or internal biology.

Information Technology (IT) Resources: A term that broadly describes IT infrastructure, software and/or hardware with computing and networking capability. These include but are not limited to: portable computing devices and systems, mobile phones, printers, network devices, industrial control systems (SCADA, etc.), access control systems, digital video monitoring systems, data storage systems, data processing systems, backup systems, electronic media, Logical Media, biometric and access tokens and other devices that connect to any UC network. This includes both UC-owned and personally owned devices while they store Institutional Information, are connected to UC systems, are connected to UC Networks, or are used for UC business.

Legal name: A name appearing on an official government-issued document.

Lesbian: A woman whose sexual and/or affectional orientation is toward women.

LGBTQ: An acronym that stands for lesbian, gay, bisexual, transgender, queer and/or questioning of one's sexual orientation or gender identity. Sometimes the acronym is expanded to LGBTQIA+ to include intersex, as well as asexual, agender and aromantic people, plus other associated communities.

Lived name: A self-chosen or personal and/or preferred professional name used instead of a legal name.

Nonbinary gender: An umbrella term for genders other than woman or man, including genders with aspects of both or neither. Nonbinary people may identify as agender, genderqueer, gender fluid, Two Spirit, bigender, pangender, gender nonconforming or gender variant.

Pansexual: Describes a person whose sexual and/or affectional orientation is toward people of all genders.

Preferred name: Preferred name, like lived name, is a self-chosen personal and/or professional name used instead of a legal name.

Primary IT Resource: The initial IT Resource information system that collects the raw data that is later transferred to downstream IT Resource systems.

Sexual orientation: A descriptor for the gender(s) of people with whom a person is interested in a sexual relationship.

Transgender Woman/Trans Woman: A woman who was assigned male sex at birth

Transgender Man/Trans Man: A man who was assigned female sex at birth

Transgender/Trans: An umbrella term describing a person whose gender differs from their sex assigned at birth. A trans person may take social, medical and/or legal steps to transition. A person may identify as trans before/without taking any steps to transition, as gender is self-determined and not based on social, medical or legal recognition.

III.   POLICY TEXT

The University must provide the minimum three equally recognized gender options on university-issued documents and IT Resource systems — woman, man and nonbinary — and an efficient process for current students and employees and UC alumni and affiliates to retroactively amend their gender designations and lived names on university-issued documents, including eligible academic documents, and in IT Resource systems. The legal name of university students, employees, alumni, and affiliates, if different than the individual's lived name, must be kept confidential and must not be published on documents or displayed in IT Resource systems that do not require a person's legal name. It is the intent of the University that implementation of this policy begins on the date of policy issuance with full implementation of policy and procedures completed no later than December 31, 2023.

Procedures for this policy can be found in Section V. This policy also provides guidance in Section IX on the collection and reporting of gender identity, lived name, and sexual

orientation.

IV.   COMPLIANCE/RESPONSIBILITIES

This is a systemwide policy, to be instituted across all Locations.

Chancellors and Directors or their designees will adopt implementing procedures consistent with this policy. The University will publish the policy and make it widely available, and Chancellors and Directors will do the same with respect to the implementing procedures for their locations. The Chancellors and Directors or their designee are responsible for implementing and enforcing this policy at their Locations.

Graduate, Undergraduate, and Equity Affairs at the University of California Office of the President is responsible for providing interpretations or clarifications of the policy.

V.   PROCEDURES

The following procedures are required for all Locations and their Units.

1. All forms — whether physical/hard copy or virtual/electronic — provided to any individual entering into an academic or professional relationship with the University of California must offer the minimum three options when gender information is requested: woman, man and nonbinary.

2. The gender option selected by an individual must be used within the University of California system in all settings and situations.

3. Any individual entering into an academic or professional relationship with the University of California may be permitted to indicate a lived name (also known as preferred name) to be used in the University of California system in all settings and situations that do not require a person's legal name.

4. Any individual in an existing academic or professional relationship with the University of California must — through a clear and efficient process — be permitted to amend their University of California records to reflect their gender identity and lived name. Locations should avoid passing on the cost of updating records, issuing new identification cards, etc., to persons wishing to change their gender identity and/or lived name.

5. Implementation of this policy must adhere to the [UC policy on Protection of Administrative Records containing Personally Identifiable Information, BFB-RMP- 7](#).

6. Implementation of this policy must adhere to the [UC policy on Electronic Information Security, BFB-IS-3](#).

VI.   RELATED INFORMATION

Appendix 1: Guidance for Collecting and Reporting Demographic Data on Sexual Orientation, Gender and Lived Name: This appendix provides guidance and guidelines for University of California offices responsible for the collection and reporting of demographic data on the gender identity of UC students, employees, alumni and affiliates. The document also provides guidance on the collection and use of lived names for

students, employees, alumni and affiliates.

[**CA SB-179: Gender Recognition Act**](#)

VII. FREQUENTLY ASKED QUESTIONS

Q: Why is it necessary to include a nonbinary gender option on university forms and in UC systems?

A: Until now, individuals whose gender identity is neither woman nor man were forced to choose from one of the two options. Within the University community, offering a nonbinary gender option acknowledges that the binary options are not sufficient to recognize gender diversity.

Q: What prompts the creation of this new policy?

A: On October 15, 2017, the state of California passed the Gender Recognition Act (SB-179). The bill contributed to university discussions already taking place about revising procedures and practices to be more gender inclusive, including the 2014 recommendations from the UC Task Force & Implementation Team on Lesbian, Gay, Bisexual and Transgender Climate & Inclusion (the LGBT Task Force).

Q: Would the option for individuals to choose a lived or preferred name be limited to those individuals who are transgender or who have designated a nonbinary gender?

A: The designation of a lived or preferred name may be of interest to a myriad of University community members, including but not limited to individuals who are transgender, whose gender identity differs from that indicated on official documents, who are survivors of abuse and/or trafficking, whose lived or preferred name is a variation or a shortened version of their legal name (e.g., international students, faculty and staff who have adopted Anglicized names) or those who have married and have had a legal name change but wish to retain the name under which they have published academic works.

Q. What are examples of university documents where a legal name is required?

A. Generally, documents that the University provides to the federal government or in conjunction with a person's Social Security Number require the use of a legal name. This may include, but is not limited to the following:

- Financial aid documents
- Payroll records
- Medical identification and records
- Federal immigration documents
- Tax forms (e.g., W2, 1095C, 1099)

Q. Does this policy cover student names on academic documents such as transcripts, diplomas and/or dissertation title pages?

A: Yes, this policy permits the use of lived student names on eligible academic documents which include transcripts, diplomas and dissertation title pages. As provided in Senate Regulations 730, the Academic Senate approves diplomas.

Q. What is the review process of this policy, and what happens if a university community member does not recognize my gender identity or lived name?

A: This policy will be reviewed periodically by the Responsible Officer. Persons experiencing noncompliance or harassment concerning the usage of their gender identity or lived name should contact the office for the prevention of harassment and discrimination at their Location.

Q. What happens if a Location cannot begin or complete implementation due to extenuating circumstances?

A. Locations should begin implementation upon the issuance of this policy with the expectation that full implementation be completed by December 31, 2023. In the event that extenuating circumstances hamper full implementation efforts, Chancellors or Directors or their designees may grant limited exceptions so long as requests for delayed implementation can be supported with compelling justification. It is strongly encouraged that exceptions be reviewed jointly with representatives from the Location's chief diversity office, LGBTQ resource centers, IT offices, academic affairs and the Academic Senate.

If a limited exception is granted, the Location must notify Graduate, Undergraduate and Equity Affairs at the Office of the President and include the reason(s) for the exception (i.e., what business need or situation existed that prevented/limited compliance, what alternatives were considered, and why alternatives were not appropriate), plans for the eventual implementation and the date when full implementation will be met.

VIII.   REVISION HISTORY

May 13, 2024: Updated Policy Owner contact information

November 6, 2020: This is a new policy. This Policy meets Web Content Accessibility Guidelines (WCAG) 2.0

IX.   APPENDIX

Appendix 1: Guidance for Collecting and Reporting Demographic Data on Sexual Orientation, Gender and Lived Nam

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Guidance for Collecting and Reporting Demographic Data on Sexual Orientation, Gender and Lived Name

Part I: Background

This document accompanies the University of California Presidential Policy on Gender Recognition and Lived Name by providing guidance and guidelines for Location offices/units responsible for the collection and reporting of demographic data on the gender identity of UC students, employees, alumni and affiliates. The document also provides guidance on the collection and use of lived names for students, employees and affiliates.

Presidential Policy on Gender Recognition and Lived Name

Gender identity is fundamentally personal, and the University of California should ensure that all individuals have university-issued identification documents and displays of personal identification information that recognize their accurate gender identity and lived name (first name, middle name and/or last name or surname). As a public research university, the collection of gender identity data is necessary for federal reporting and assessing gender equity. As such, this policy also provides guidance on the collection and reporting of gender identity, lived name and sexual orientation.

The University must provide the minimum three equally recognized gender options on university-issued documents and IT Resources systems — woman, man and nonbinary — and an efficient process for current students and employees and UC alumni and affiliates to retroactively amend their gender designations and lived names on university-issued documents, including eligible academic documents, and in IT Resource systems. The legal name of university students, employees, alumni and affiliates, if different than the individual's lived name, must be kept confidential and must not be published on documents or displayed in IT Resource systems that do not require a person's legal name. It is the intent of the University that implementation of this policy begins on the date of policy issuance with full implementation of policy and procedures completed no later than December 31, 2023.

The following procedures are those that are required for all Locations and their Units.

1. All forms — whether physical/hard copy or virtual/electronic — provided to any individual entering into an academic or professional relationship with the University of California must offer the minimum three options when gender information is requested: woman, man and nonbinary.

2. The gender option selected by an individual must be used within the University of California system in all settings and situations.

3. Any individual entering into an academic or professional relationship with the University of California may be permitted to indicate a lived name (also known as preferred name) to be used in the University of California system in all settings and situations that do not require a person's legal name.

4. Any individual in an existing academic or professional relationship with the University of California must be permitted — through a clear and efficient process — to amend

their University of California records to reflect their gender identity and lived name. Locations should avoid passing on the cost of updating records, issuing new identification cards, etc., to persons wishing to change their gender identity and/or lived name.

5. Implementation of this policy must adhere to the [UC policy on Protection of Administrative Records containing Personally Identifiable Information, BFB-RMP- 7.](#)

6. Implementation of this policy must adhere to the [UC policy on Electronic Information Security, BFB-IS-3](#).

Part II: Guidance

Primary and downstream IT Resource

1. Many university IT Resources are interconnected. For example, UCPath is connected with Time and Attendance, Identity Management and Learning Management systems. It is the expectation of the presidential policy that all primary or source IT Resources such as payroll/personnel systems, student information systems, donor or alumni databases and electronic medical record management systems must provide the minimum three gender options: woman, man and nonbinary.

2. These IT Resources must also provide the option for individuals to indicate a lived name (also known as preferred name) in addition to a legal name.

3. Primary IT Resources should retain name-change histories in the event that corrective actions need to be taken.

4. It is the expectation of the presidential policy that whenever gender identity and lived name are collected in the primary IT Resource, this information should be pushed to downstream IT Resource systems such as class rosters, housing assignments, name badges (unless legal name is required), student or employee information portals, invoices, learning management systems, and so forth. Downstream IT Resources may need to be modified as needed to accept the gender identity and lived name data fields from the primary IT Resource.

Collection of gender identity information

1. In accordance with the Presidential Policy on Gender Identity and Lived Name, the University must provide the minimum three equally recognized gender options on university-issued documents and IT Resource systems — woman, man and nonbinary. When collecting gender identity in accordance with UC Policy, the following two options may be used in forms or IT Resource systems:

   Option A: Question: What is your gender identity? Answer choices:

   - Woman
   - Man
   - Nonbinary
   - Different Identity

- o Forms or IT Resources should include an optional open text box for "different identity."

    Option B: Question: What is your gender identity? Answer choices:

    - Woman

    - Transgender Woman/Trans Woman

    - Man

    - Transgender Man/Trans Man

    - Nonbinary

    - Different Identity

        - o Forms or IT Resources should include an optional open text box for "different identity."

2. Systems and forms should avoid using terminology such as "sex assigned at birth," "sex as listed on birth certificate" or "other."

3. Data entry systems should provide definitions of gender identity in a pop-up box or glossary.

Sharing information to health insurers

The Gender Recognition Act is not a healthcare law, so a person's gender identity will not impact their ability to obtain healthcare coverage. At this time, some of the university's health insurers only accept the options of male, female or unknown.

In sharing the gender identity of individuals with health and other insurers, UC should use the following methodology:

Gender Identity		Assigned Gender Marker
if Male	*then assign*	Male
if Transgender Man/Trans Man		
if Female	*then assign*	Female
if Transgender Woman/Trans Woman		
if Genderqueer or Nonbinary Gender	*then assign*	Unknown
if Different Identity		
if No Response/Decline to State		

- Updates to gender identity information, including "unknown," can be entered into providers' electronic health records directly by patients through a patient portal.

Aggregate reporting on gender identity to governmental agencies

Non-university entities such as the federal government **Integrated Postsecondary Education Data System** (IPEDS) or Affirmative Action Reports may require aggregate university-level reports on the gender of UC students and employees in a binary format (i.e., as either male or female), or that nonbinary gender be reported as "unknown." In

these situations, campus and systemwide institutional research officers should use the following methodology when completing gender reports in aggregate.

For aggregate reporting to IPEDS (students and employees), use the following:

Gender Identity		Assigned Binary Gender Marker
if **Male**	*then assign*	**Male**
if **Transgender Man/Trans Man**		
if **Female**	*then assign*	**Female**
if **Transgender Woman/Trans Woman**		
if **Genderqueer or Nonbinary Gender**	*then assign*	**Gender assigned based on the last digit of student/employee identification code, even digits assigned female and odd digits assigned male**
if **Different Identity**		
if **No Response/Decline to State**		

For Federal Affirmative Action plan reporting (applicants and employees), use the following:

Gender Identity		Assigned Gender Marker
if **Male**	*then assign*	**Male**
if **Transgender Man/Trans Man**		
if **Female**	*then assign*	**Female**
if **Transgender Woman/Trans Woman**		
if **Genderqueer or Nonbinary Gender**	*then assign*	**Unknown[1]**
if **Different Identity**		
if **No Response/Decline to State**		

Displaying of gender identity information

Safeguards need to be in place to protect and manage gender identity information; this includes controlling how the gender data is displayed in hardcopies and digital forms and properly training staff who have access to the data about their role as data stewards of UC privacy policies.

Collection of sexual orientation information

- While the collection of sexual orientation information is not required by Presidential Policy, this information may be collected for legitimate business reasons. These reasons may include the need to collect more comprehensive statistics on aggregate student outcomes or to better understand the use of support resources and services for LGBTQ students and employees.

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[1] In the case of an audit, the University may submit the underlying data of the "Unknown" category to auditors upon request.

- When collecting information about sexual orientation, forms and primary IT Resources should use the following question-and-answer format:

Question: Do you consider yourself to be:

Answer choices:

- o Asexual
- o Bisexual
- o Gay
- o Heterosexual or Straight
- o Lesbian
- o Not listed above
  - Forms or IT Resources should include an optional open text box for "not listed above."
- Data entry systems should provide definitions of sexual orientation in a pop- up box or glossary. See definitions for suggested wording.

Lived (or preferred) names and legal names

The University recognizes that many of its students and employees use a lived name in place of the legal name on certain university-related records or documents. A lived name should be used whenever possible in the course of university business and education.

Therefore, IT Resources should permit students or employees to choose to identify themselves within the university's IT Resources with a lived name in addition to their legal name. A student or employee's lived name should be used in all university communications and reporting (e.g., identification card, class rosters, grade rosters, training and orientation rosters, performance appraisals, timesheets, the Location directory and transcripts) except where legal names are required by law, industry standard or legitimate business needs.

Some documents and business processes that may require the use of a legal name include financial aid, payroll documents, tax documents, bills for payment, or medical identification and records. Locations should identify all systems (including downstream systems) and processes that require legal names to be used or disclosed. Locations should provide training to faculty, staff and other academic personnel in the careful use and disclosure of legal names.

Attempts to change a lived name for the purpose of misrepresentation, avoidance of a legal obligation, or other mal-intent will be subject to the appropriate UC conduct policies and/or local, state or federal laws.

Additional policy guidance

- **Decline to State** — In systems which <u>require</u> an individual to respond to self-identification questions, include the choice "Decline to State."[2] In systems where a

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[2] Examples include UCPath, UC Recruit and Talent Acquisition Management (TAM).

response is <u>voluntary</u>, "Decline to State" need not be included.

- **Outreach Purposes** — Include a consent for release of information with the text "I want to receive information about LGBTQ community and support services at the University of California" in student application systems. Individual contact information can be shared with Location personnel for direct service provision, as appropriate.

- **Updating Personal Information** — Provide students, faculty, staff, and other academic personnel the opportunity to update lived name, gender identity or sexual orientation at any time within the same system where they update any other directory information (e.g., address, phone number). In systems that prompt users to update their information at regular intervals (e.g., student registration systems), prompt individuals to review lived name gender identity and sexual orientation data along with other directory information.

- **Pronouns** — Locations may choose to add fields for pronouns, so that they may be used on class rosters, correspondence and other locations.

- **Communication and Training** — Locations should communicate proactively and periodically with internal stakeholders (students, employees and affiliates) and external stakeholders (alumni, prospective students, etc.) about the careful use and disclosure of lived names; the process for changing one's name and gender for university business and university-issued documents; the potential challenges they may face outside the university and the State of California if they change their name and gender in the university system; and the Location resources and trainings available for creating a Location culture inclusive of diverse gender identities and sexual orientations. For example, Locations may develop a site or campaign entitled, "Before you change your name … " and include information about the process of changing one's name and possible challenges one may encounter in future scenarios.

Definitions

For definitions used in this guidance, see Section II of the Presidential Policy on Gender Recognition and Lived Name.

Contact

For questions, please contact Cynthia Davalos, Associate Vice President, Graduate, Undergraduate and Equity Affairs, cynthia.davalos@ucop.edu.