



# Gender Recognition and Lived Name

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| <b>Responsible Officer:</b> | Vice President and Vice Provost   |
| <b>Responsible Office:</b>  | Graduate, Undergraduate, and Equity Affairs   |
| <b>Issuance Date:</b>       | 11/6/2020   |
| <b>Effective Date:</b>      | Implementation begins on date of issuance with full implementation completed by December 31, 2023   |
| <b>Last Review Date:</b>    | NEW Policy  |
| <b>Scope:</b>               | 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

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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.

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## II. DEFINITIONS

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**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.

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**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.

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### **III. POLICY TEXT**

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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.

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### **IV. COMPLIANCE/RESPONSIBILITIES**

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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.

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### **V. PROCEDURES**

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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

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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.

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## VI. RELATED INFORMATION

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**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

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## VII. FREQUENTLY ASKED QUESTIONS

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**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

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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.

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**VIII. REVISION HISTORY**

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**November 6, 2020:** This is a new policy.

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**IX. APPENDIX**

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