UNIVERSITY OF CALIFORNIA

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employees, alumni and affiliates, if different than the individual's lived name, must be kept confidential and must not be published on documents or displayed in IT Resource systems that do not require a person's legal name.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

A. 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.

B. 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
  - 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
  - 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.

C. 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.

D. 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		

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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.

E. 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.

F. 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.

- 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:
    - Asexual
    - Bisexual
    - Gay
    - Heterosexual or Straight
    - Lesbian
    - 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.

G. 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.

H. 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 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.

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

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.

I. Definitions

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

J. Contact

For questions, please contact Elizabeth Halimah, Associate Vice Provost for Graduate, Undergraduate and Equity Affairs, elizabeth.halimah@ucop.edu.