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ADMINISTRATIVE POLICY

Equity and Access: Gender Identity, Gender Expression, Names and Pronouns

Responsible University Officer(s):	Policy Owner(s):	Policy	Date Revised:
<ul style="list-style-type: none"> Vice President, Office for Equity and Diversity 	<ul style="list-style-type: none"> Director and Title IX Coordinator, Office of Equal Opportunity and Affirmative Action 	contact(s): <ul style="list-style-type: none"> Tina Marisam 	Dec 11, 2019 Effective Date: Dec 11, 2019

Policy Statement

The University is committed to providing equal access and opportunity to individuals of all gender identities and gender expressions, as set forth in Board of Regents Policy: [Equity, Diversity, Equal Opportunity and Affirmative](#)

Action. To that end, this policy makes explicit the University's commitment to non-discriminatory programs, activities and facilities and promotes a respectful University community free from discrimination based on gender identity or expression. This policy is designed, and will be implemented, to uphold free speech and academic freedom principles.

Name, Gender Identity and Pronouns

1. University members may, without being required to provide documentation: use a specified name that differs from the name listed on their legal documents, use a gender identity that differs from their legal sex and/or sex assigned at birth, and/or specify the pronouns and other gendered personal references used to refer to them.
2. University members can determine whether, how, and with whom to share their specified names, gender identities, and/or pronouns or other gendered personal references used to refer to them.
3. University members and units are expected to use the names, gender identities, and pronouns specified to them by other University members, except as legally required. University members and units are also expected to use other gendered personal references, if any, that are consistent with the gender identities and pronouns specified by University members.

Privacy

Units must take reasonable steps to maintain the privacy of the pronouns, gender identities, and legal sexes of University members that are maintained in University records. Only school officials with a legitimate educational interest in knowing the pronouns, gender identity and legal sex of a student maintained in University records should access, or be provided access to, this information. Only individuals whose work assignments reasonably require access to the pronouns, gender identity and legal sex of any other University member maintained in University records should access, or be provided access to, this information. In addition, where a University member

has indicated a specified name, units should maintain the privacy of the University member's legal name when possible.

Data Collection

Where possible, a University unit or member who is collecting information about University members' legal sexes, sexes assigned at birth, and/or gender identities should explain at the time of collection the reason for collecting the information and how the information will be used. University members do not have to respond to requests to disclose their legal sex, sex assigned at birth, or gender identity, except when legally required or when there is a legitimate University-related reason for the request.

Programs, Activities and Facilities

1. When the University provides housing, restrooms and locker rooms, it will provide individuals of all gender identities with the opportunity to access housing, restrooms and locker rooms.
2. University members may access gender-specific facilities that correspond with their gender identities and may participate in University activities and programs consistent with their gender identities including, but not limited to, housing, restrooms, locker rooms, recreation services and activities, and camp programs.
3. University members will not be required to use gender-specific facilities that are inconsistent with their gender identities, or to use gender-inclusive facilities: 1) because their legal sex differs from their gender identity, or 2) because of their gender expression.

Potential Conflicts

University members are expected to consult with the Office for Equal Opportunity and Affirmative Action (EOAA) and the Office of the General Counsel (OGC) if they believe that complying with this policy would result in a

failure to comply with a law, rule, and/or requirement that the University is required to or has committed to follow (e.g., building codes, contractual requirements, rules of membership organizations such as the NCAA, and grant requirements). OGC, in consultation with EOAA, will advise the University member as to whether, under the specific circumstances, there is a conflict necessitating an exception to this policy.

Reason for Policy

To express the University's commitment to provide equal access in employment, education, facilities and services for all members of the University community, including transgender and gender non-conforming students, faculty, staff and visitors consistent with applicable law and University policy.

To support the University's goal to provide and maintain an environment for University members that is free from discrimination based on gender identity and gender expression.

Procedures

There are no procedures associated with this policy.

Forms/Instructions

There are no forms associated with this policy.

Appendices

There are no appendices associated with this policy.

Frequently Asked Questions

- [FAQ: Implementation of the Administrative Policy on Equity and Access: Gender Identity, Gender Expression, Names and Pronouns](#)

Contacts

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Definitions

Gendered Personal References

Gendered personal references can include but are not limited to pronouns (e.g., he/his/him, she/hers/her, they/theirs/them), titles (e.g., Mrs., Ms., Mr., Mx.), and other terms denoting a person's gender identity.

Gender Expression

Personal characteristics and behaviors that may convey something about an individual's gender identity, or that others interpret as conveying something about an individual's gender identity, including, but not limited to clothing, physical features (e.g., hair length), mannerisms, communication patterns, etc.

Gender Identity

An individual's own understanding of themselves in terms of gendered categories that may include female, male, transgender, genderqueer, genderfluid, gender nonconforming, Two Spirit, intersex, non-binary, agender, genderless, and many others. Gender identity cannot be reliably determined by looking at an individual. An individual's gender identity may be consistent over their lifetime or may shift over time. Gender identity differs from sexual orientation, which refers to an individual's patterns of romantic and/or sexual attraction.

Gender-Inclusive Facility

A facility, including but not limited to, restrooms, showers, locker rooms and changing rooms, that is usable by persons of all gender identities and expressions and that is not gender-specific. A facility that provides privacy and security for the individual user, and includes spaces and fixtures equivalent to gender-specific facilities.

Legal Sex

The designation of sex on current legal documents. An individual's legal sex might differ from their sex assigned at birth (if, for example, legal steps have been taken to change the individual's legal sex) and/or from

their gender identity.

Sex Assigned at Birth

The sex that was recorded on an individual's birth certificate at the time of their birth. An individual's sex assigned at birth might differ from their legal sex (e.g., if the individual changed the sex referred to on their birth certificate or other legal documents) and/or from their gender identity.

Specified Name

The name a person chooses to use and which can differ from the name maintained in University records that are kept in order to meet legal requirements. In the PeopleSoft system, the specified name is known as the "preferred name."

University Members

Students, faculty or staff members, University guests, volunteers, contractors, or employees of an affiliated entity.

Responsibilities

Campus Equal Opportunity Office

Provide consultations regarding discrimination and harassment (including on the basis of gender identity and gender expression) and retaliation concerns related to employee conduct. Receive reports of discrimination, harassment and retaliation and address them through consultation, education, and investigation.

Campus Student Conduct Office

Address concerns regarding discrimination and harassment (including on the basis of gender identity and gender expression) and retaliation related to student conduct.

Campus LGBTQIA+ Resource

Subject matter experts that provide programming, consultation and support services to University community members.

Trans Advisory & Action Team

Subject matter experts on the Twin Cities campus that provide programming, consultation and support services to University community members.

Campus Facilities Management Group

Periodically collect up-to-date information on gender-inclusive restrooms on campus. As buildings are built and remodeled, create housing, restroom and locker room options that are available to individuals of all gender identities.

Offices that Maintain Student and Employee Records

Collect and maintain student and employee records in compliance with this policy. Make reasonable efforts to permit University members to record their specified names, gender identities and pronouns in applicable University systems.

Campus Housing Office

Where housing is available, provide housing options to University members that is consistent with their gender identities.

Related Information

- Board of Regents Policy: [*Equity, Diversity, Equal Opportunity and Affirmative Action*](#)

History

Effective:

December 2019 - New Policy:

1. Makes explicit the University commitment to non-discriminatory programs, activities and facilities.
 2. Helps promote a respectful University community free from discrimination based on gender identity or expression.
 3. Covers key provisions: names, gender identity and pronouns, privacy, data collection, and programs, activities and facilities.
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University Policy Program
140 McNamara Alumni Center
Minneapolis, MN 55455

For questions on individual policies, see the contacts section in specific policy or use the feedback form at the bottom of the policy.

For questions regarding policy development process at the University or to report a problem, please call: [612-624-8081](tel:612-624-8081) or e-mail: policy@umn.edu

Have a good faith belief there has been a violation of  University policy? Please report concerns to your supervisor, the appropriate University administrator to investigate the matter, or submit a report to UReport.

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