

## **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 Identity and Lived Name by providing 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 and affiliates. The document also provides guidance on the collection and use of lived names for students, employees and affiliates.

#### **Presidential Policy on Gender Identity 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.

The University must provide three equally recognized gender options on university-issued documents and information systems — female, male and nonbinary — and an efficient process for students and employees to retroactively amend their gender designations and lived names on university-issued documents and in information 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employees, alumni and affiliates, if different than the individual's lived name, must be kept confidential and must not be published on documents or displayed in information systems that do not require a person's legal name. It is the intent of the University that this policy be fully implemented by UC campuses and locations by July 1, 2021.

The following procedures are those that are required for all campuses, departments and agents.

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 three options when gender information is requested: female, male and nonbinary.
2. The 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 straightforward and

efficient process — to amend their University of California records to reflect their gender identity and lived name.

## **PART II: GUIDANCE**

### **A. Primary and downstream information systems**

1. Many university systems are interconnected. An example is UCPATH with Time and Attendance, Identity Management and Learning Management systems connected. It is the expectation of the Presidential policy that all primary or source information systems such as payroll/personnel systems, student information systems, donor or alumni databases and patient information systems must provide three gender options: female, male and nonbinary.
2. These systems must also provide the option for individuals to indicate a lived name (also known as preferred name) in addition to a legal name.
3. It is the expectation of the Presidential policy that whenever gender identity and lived name are collected in the primary systems, this information should be pushed to downstream 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 systems may need to be modified as needed to accept the gender identity and lived name data fields from the primary system.

### **B. Collection of gender or gender identity information:**

1. In accordance with Presidential Policy on Gender Identity and (Lived) Name, the University must provide three equally recognized gender options on university-issued documents and information systems — female, male and nonbinary. When collecting gender or gender identity, all forms and primary information systems should use the following question and answer format:

Question: What is your gender identity?

Answer choices:

- Female
- Male
- Trans Female/Trans Woman
- Trans Male/Trans Man
- Genderqueer or Nonbinary Gender
- Different Identity
  - Forms or information systems may 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, the university’s health insurers only accept the gender identity options of male, female or unknown.

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

<b>Gender Identity</b>		<b>Assigned Gender Marker</b>
<b><i>if Male</i></b>	<b><i>then assign</i></b>	<b>Male</b>
<b><i>if Trans Male/Trans Man</i></b>		
<b><i>if Female</i></b>	<b><i>then assign</i></b>	<b>Female</b>
<b><i>if Trans Female/Trans Woman</i></b>		
<b><i>if Genderqueer or Nonbinary Gender</i></b>	<b><i>then assign</i></b>	<b>Unknown</b>
<b><i>if Different Identity</i></b>		
<b><i>if No Response/Decline to State</i></b>		

- Updates to gender identity information can be entered into the electronic health records directly by patients through a patient portal.

### **C. 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)

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

Federal Affirmative Action plan reporting (applicants and employees)

<b>Gender Identity</b>		<b>Assigned Gender Marker</b>
<i>if Male</i>	<i>then assign</i>	<b>Male</b>
<i>if Trans Male/Trans Man</i>		
<i>if Female</i>	<i>then assign</i>	<b>Female</b>
<i>if Trans Female/Trans Woman</i>		
<i>if Genderqueer or Nonbinary Gender</i>	<i>then assign</i>	<b>Unknown<sup>1</sup></b>
<i>if Different Identity</i>		
<i>if No Response/Decline to State</i>		

#### **D. 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.

<sup>1</sup> 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 information systems should use the following question and answer format:

Question: Do you consider yourself to be:

Answer choices:

- Heterosexual or Straight
  - Gay or Lesbian
  - Bisexual
  - Not listed above
    - Forms or information systems may 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.

### **E. 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 unless it is used to avoid a legal obligation or to create misrepresentation.

Therefore, university systems should permit students or employees to choose to identify themselves within the university’s information systems 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, the campus directory and unofficial transcripts) except where legal names are required by law, industry standard or legitimate business needs.

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

### **F. Additional policy guidance**

- **Decline to State** — In systems which require an individual to respond to self-identification questions, include the choice “Decline to State.”<sup>2</sup> In systems where a response is voluntary, “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

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<sup>2</sup> Examples include UCPATH, UC Recruit and Talent Acquisition Management (TAM).

services at the University of California” in student application systems. Individual contact information can be shared with campus personnel for direct service provision, as appropriate.

- **Updating Personal Information** — Provide students, faculty, staff and other academic personnel the opportunity to update 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 gender identity and sexual orientation data along with other directory information.
- **Preferred or Lived Pronouns** — Campuses may choose to add fields for preferred or lived pronouns, so that they may be used on class rosters or correspondence.

## G. Definitions

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

## H. Contact

For questions, please contact Elizabeth Halimah, Associate Vice Provost for Diversity and Engagement, [elizabeth.halimah@ucop.edu](mailto:elizabeth.halimah@ucop.edu).