

## FREQUENTLY ASKED QUESTIONS

# NON-BINARY GENDER VALUES AND CHOSEN NAME AND GENDER IDENTITY POLICY

“...it is our right to say who we are in relationship to the social and legal scheme of binary sex ...we should take great care to minimize the institutional opportunities for administrative processes and agents to evaluate this aspect of our lives and possibly overrule our sex-identity self-statements.”



**Q:** *Why is it necessary to include non-binary gender options on university forms and in NU systems?*

**A:** As the University of Nebraska moves toward becoming a more inclusive campus, recognizing the fullest spectrum of gender identity becomes increasingly important. NU also recognizes that some members of the University community use chosen names to identify themselves. NU must look for ways to honor and support gender and sexuality complexities for all NU Community members.

**Q:** *What does non-binary mean?*

**A:** Non-binary describes a person who does not identify exclusively as a man or a woman. Non-binary people may identify as being both a man and a woman, somewhere in between, or as falling completely outside these categories. While many also identify as transgender, not all non-binary people do.

**Q:** *What prompted the creation of the new policy and recommendations and who participated in the process?*

**A:** The Executive Vice President & Provost asked that a steering committee be convened to explore ways that the University of Nebraska could honor and support the complexities of gender for all NU community members – faculty, staff, and students. Campus Chief Academic Officers recommended steering committee members, and additional members were added by University of Nebraska Central Administration’s Office of Diversity, Access, and Inclusion.

**Q:** *What was the steering committee’s process?*

**A:** Through internal review and deliberations, the steering committee explored how information systems might be used to handle gender identities and data value options properly and respectfully for students, staff, and faculty. Supporting policies, best practices, learning and development opportunities, as well as stakeholder impacts were explored by working groups comprised of steering committee members.

**Q:** *What was the approval and process for the recommendations and the policy (Executive Memorandum No. 40)?*

**A:** After a review process that included Chief Academic Officers, UNCA’s Executive Cabinet, the President’s Council (which includes campus chancellors), and a “feedback and socialization” period by other campus members identified by the chancellors, the attached



Recommendation Report was accepted. The Chosen Name and Gender Identity Policy was signed into effect by President Carter.

**Q:** *Do other entities the University interacts with include identity options outside the binary?*

**A:** Yes. College Board, ACT and others now include non-binary gender values on test score feeds. Common/national applications also have non-binary gender values available for selection.

**Q:** *Who does the new policy apply to?*

**A:** This policy applies to all University of Nebraska students, faculty, and staff. All members of the University of Nebraska community may use a chosen name to identify themselves where possible and appropriate. All members of the University of Nebraska community may identify and use a gender identity instead of, or in addition to, their sex where possible and appropriate.

**Q:** *When can chosen names be used?*

**A:** A chosen name can and should be used where possible during University business, education, and communication. Members of the University community may use chosen names to identify themselves, with some policy exceptions.

**Q:** *Are there instances where the use of a chosen name is prohibited?*

**A:** Prospective students and employees are required to provide their full legal name when they apply for admission or employment with the University. Chosen names cannot be used for the purpose of misrepresentation, avoiding legal obligations, or in any manner that violates University policies or federal, state, or local laws. The University reserves the right to remove any chosen name without prior notice due to misuse or abuse of the chosen name policy, including, but not limited to, misrepresentation, attempting to avoid legal obligations, or using highly offensive or derogatory names.

**Q:** *Where can the chosen names be used and displayed?*

**A:** At this time, chosen names can appear in all University systems, where available and technically feasible. Going forward, the University will attempt to display chosen names to the University community where feasible and appropriate and will make a good faith effort to update reports, documents, and systems designated to use chosen names.



**Q:** *Is designating a chosen name the same as a legal name change?*

**A:** No. Designating a chosen name is not a legal name change.

**Q:** *What are some instances when chosen names will be displayed?*

**A:** Instances in which Chosen Names will be displayed include, but are subject to change and not limited to:

- Class Rosters
- Grade Rosters
- Degree Audit
- Learning Management Systems
- University Directories
- Official University Email Name and Address
- Campus/University ID Cards (Front)
- Awards Certificates
- Human Resources, Student Information, and Business Systems, where applicable
- Where Legal Name is Not Required

**Q:** *What about campus/University ID cards?*

**A:** At this time, chosen names will appear on the front of campus/University ID cards; and the official name of record will be printed on the back for students, faculty, and staff.

**Q:** *How does this impact FERPA?*

**A:** Pursuant to the Family Educational Rights and Privacy Act (FERPA), a student's name, including one's chosen name, may be disclosed at the institution's discretion to the public as "directory information" unless the student opts not to permit such disclosure.

**Q:** *Are there instances where the Official Name of Record will be used?*

**A:** Instances when the Official Name of Record will be used include, but are subject to change and not limited to:

- Official and Unofficial Transcripts
- Student Clearinghouse
- IRS Documentation (e.g. 1098-T, W2, 1095C)
- Scholarship and Financial Aid Processing



- Student Consolidated Bill
- Campus/University ID Cards (Back)
- Human Resources Systems (e.g., Remuneration, Insured Benefits)
- Public Directory Information Requests from Third Parties
- Benefit Vendor Documents
- Press Releases
- Data Transmitted to Governmental Agencies or Servicing Agencies
- When Required by Law

**Q:** *How will Gender Identity be used?*

**A:** Students, faculty, and staff's gender identity may be referenced in University communications and information materials, except where the use of sex is required by University business or legal need.

**Q:** *Can students, faculty, and staff determine the gender identity they want to be known by?*

**A:** Students, faculty, and staff are free to determine the gender identity they want to be known by in University information systems.

**Q:** *Are all University information systems, databases, and processes able to store or display a separate gender identity?*

**A:** Not all University information systems, databases, and processes may be able to store or display a separate gender identity, and there may be uses that require display of sex. Therefore, individuals should always be prepared to reference their sex as well and may need to provide corresponding identification when necessary. University systems, for University business, it will still be necessary that sex be used wherever sex is required by University business or legal need.

**Q:** *What is the process for requesting the use of my chosen name if I am a student?*

**A:** Students may request the use of a chosen name in addition to their official name of record by accessing their student information system. No documentation is required to identify a chosen name. Students who want to change their official name of record must submit official, legal name change documentation (e.g., court order, divorce decree) directly to the Office of the Registrar.



**Q:** *What is the process for requesting the use of my chosen name if I am a faculty or staff member?*

**A:** Faculty and staff must contact their Human Resources office for details. Employees must submit official, legal name change documentation (e.g., court order, divorce decree) directly to the Office of Human Resources.

**Q:** *How do I revoke the University's disclosure of my directory information?*

**A:** To revoke the University's disclosure of directory information under FERPA, a student has the option of setting or removing the restriction of privacy by accessing the profile section of the campus dashboard/portal (MyBLUE, MyRED, MavLINK, MyRecords, MyNCTA). Questions should be directed to the Office of the Registrar, and more information is included on the Registrar's FERPA information page.

**Q:** *Where is my gender identity information used?*

**A:** An individual's gender identity will be used where possible during University education, business, and communication. Gender identity should be used in place of sex, and/or in addition to, binary gender values where possible and appropriate. Each major administrative unit (campus and Central Administration) will develop a procedure for individuals to designate their gender identity.

**Q:** *How do I change my sex designation?*

**A:** Students, faculty, and staff may change their sex designation in the University's records system by submitting legal documentation to the Offices of the Registrar or Human Resources. Legal documentation may include a Nebraska driver's license, birth certificate, or passport with the person's identified sex. If the student, faculty, or staff member has a driver's license from a state other than Nebraska, the student, faculty, or staff member may use that legal documentation along with a physician's certification.

**Q:** *How will this new policy and the recommendations be implemented?*

**A:** There will be instances where the approach, timeline, or participants vary - the recommendation document provides comprehensive guidance for implementation. At this stage, implementation leads/lead areas identified in the report will take the principal role in implementation with support from other areas as needed - this has already begun with the Institutional Research/Data and Record-Keeping working group. Stakeholder communication and rollout, as well as learning and development opportunities, are being developed and will continue to be shared.

# FAQ



**Q:** *What value options will be available and how soon will they be available?*

**A:** It is crucial that there is a commonality of language, value options and that “back end application” for identity management items sync as much as possible. This will take some time, but the Institutional Research/Data and Record-Keeping leads continue to work through this process.

**Q:** *Will there be additional communication on policy and recommendation implementation?*

**A:** Yes.

**Q:** *Where can I find a copy of the new policy and the recommendation report?*

**A:** The new policy, Executive Memorandum No. 40, can be found on [www.nebraska.edu](http://www.nebraska.edu) in the Office and Policies section. The recommendation report can also be found on the Diversity, Access, and Inclusion pages of [www.nebraska.edu](http://www.nebraska.edu) in the Reports section.

**Q:** *Where can I find more information and language to understand and discuss sexual orientation, gender identity or gender expression?*

**A:** University of Nebraska web pages and in the Glossary of Terms Section of the recommendations report. There are also a variety of resources available on each of the campuses. Learning and Development offerings will also be added to the learning management system – Bridge – in the coming weeks.

**UNL**

<https://lgbtqa.unl.edu/presentations-and-workshops>

<https://lgbtqa.unl.edu/downloadable-resources>

**UNO**

<https://www.unomaha.edu/student-life/inclusion/gender-and-sexuality-resource-center/lgbtqia-resources/index.php>

**UNK**

<https://www.unk.edu/offices/odi/safe-zone.php>

**UNMC**

<https://www.unmc.edu/academicaffairs/faculty/mentoring/lgbt/lgbt-resources.html>



Q: *Where can I find other relevant resources and information?*

A: [Transgender and Gender Nonconforming Resource Guide](#)

UNL

LGBTQA+ Resource Center

UNO

Gender & Sexuality Resource Center

UNK

Gender & Sexuality Resource Office

UNMC

LGBTQ+ Employee Alliance

The University of Nebraska Notice of Nondiscrimination prohibits discrimination on the basis of sexual orientation or gender identity. Each campus and University of Nebraska Central Administration have offices or individuals where concerns about discrimination and harassment can be reported. In the event of harassment which poses a risk to someone's physical safety, please call 911.

UNL Institutional Equity and Compliance

(402) 472-3417

UNO Diversity, Equity, Access, and Inclusion

(402) 554-2120

UNK Office of Equity and Compliance

(308) 865-8400

UNMC Title IX

(402) 559-2710

University of Nebraska College of Technical Agriculture

(308) 367-5259

University of Nebraska Central Administration

(402) 554-3715