

CHOSEN NAME AND GENDER IDENTITY POLICY

Scope

This policy applies to all University of Nebraska students, faculty, and staff.

Definitions

1. **Official Name of Record (or Legal Name)** – The name that appears on an individual's passport, driver's license, birth certificate, or U.S. Social Security Card.
2. **Chosen Names** – Names that an individual wants to be known by or identifies with in the University community that are different from the individual's Official Name of Record.
3. **Sex** – Assigned at birth (Male [M], Female [F], Intersex [X]) and may be legally changed within one's lifetime. For the purpose of this document, sex means both a person's sex assigned at birth or a person's legally recognized sex, which may be found on an individual's passport, driver's license, birth certificate, or U.S. Social Security Card.
4. **Gender Identity** – One's internal knowledge of one's own gender (e.g. being a man, a woman, nonbinary, or another gender). For example, transgender people's gender identity may be different from their sex.

Reason for Policy

The University of Nebraska recognizes that some members of the University community use chosen names to identify themselves. A University community member's chosen name can and should be used wherever possible in the course of University education, business, and communication. The goal of this policy is a consistent chosen name experience and use of one's chosen name across the University system.

The University of Nebraska recognizes that some members of the University community self-assert a gender other than their sex. An individual's gender identity can and should be used where possible in the course of University education, business, and communication.

Gender identity should be used in place of sex or binary gender values where possible and appropriate.

Policy Statement

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.

- a. **Permissible Use of Chosen Names.** Except as set forth in Section 4(b) of this policy, members of the University community may use chosen names to identify themselves. The University acknowledges

that a chosen name can and should be used where possible in the course of University business, education, and communication.

b. **Prohibited Use of Chosen Names.** Prospective students and employees will be required to provide their full legal name when they apply for admission or employment with the University. Chosen names shall not be used for the purpose of misrepresentation, avoiding legal obligations, or otherwise in any manner that violates University policies or federal, state, or local laws. Chosen names that are not administratively possible to implement, including, without limitation, symbols or images, are prohibited. The University reserves the right to remove any chosen name without prior notice to the individual due to misuse or abuse of this chosen name policy, including, but not limited to, misrepresentation, attempting to avoid legal obligations, or the use of highly offensive or derogatory names.

c. **Use and Display of Chosen Names.** At this time, chosen names will 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. Designating a chosen name is not a legal name change.

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

- i. Class Rosters
- ii. Grade Rosters
- iii. Degree Audit
- iv. Learning Management Systems
- v. University Directories
- vi. Official University Email Name and Address
- vii. Campus/University ID Cards (Front)
- viii. Awards Certificates
- ix. Human Resources, Student Information, and Business Systems, where applicable
- x. Where Legal Name is Not Required

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

- xi. Official and Unofficial Transcripts
- xii. Student Clearinghouse
- xiii. IRS Documentation (e.g. 1098-T, W2, 1095C)
- xiv. Scholarship and Financial Aid Processing
- xv. Student Consolidated Bill
- xvi. Campus/University ID Cards (Back)
- xvii. Human Resources Systems (e.g. Remuneration, Insured Benefits)
- xviii. Public Directory Information Requests from Third Parties
- xix. Benefit Vendor Documents
- xx. Press Releases
- xxi. Data Transmitted to Governmental Agencies or Servicing Agencies
- xxii. When Required by Law

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.

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

d. Permissible Use of Gender Identity. 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. 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.

e. Use and Display of Gender Identity. Students, faculty, and staff are free to determine the gender identity they want to be known by in University information systems. In instances where a member of the University community uses a gender identity in various University systems, it should be understood that for University business, it will still be necessary that sex be used wherever sex is required by University business or legal need.

other than Nebraska, the student, faculty, or staff member may use that as legal documentation along with a physician's certification.

The Policy on Chosen Name and Gender Identity was signed as Executive Memorandum No. 40 (<https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/executive-memorandum/policy-on-chosen-name-and-gender-identity.pdf?la=en>) by NU System President Ted Carter on September 15, 2019.

Procedures

a. Students may identify 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.

b. Faculty and staff must contact their Human Resources office for details.

c. 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; and employees must submit official, legal name change documentation (e.g. court order, divorce decree) directly to the Office of Human Resources. For non-U.S. Citizens, the official name of record is the name on a passport, visa, or other acceptable government document.

d. 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 (MyRED). Questions should be directed to the Office of the Registrar; and more information is included on the Registrar's FERPA information page.

e. An individual's gender identity will be used where possible in the course of 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.

f. 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