

Guidance Regarding the Employment of and Ongoing Support for Transgender and Gender Non-Binary Individuals at Goucher College

Note:

The term “transgender” is often used as an umbrella term to describe individuals whose gender identity does not align with their assigned sex at birth. The term “gender non-binary” (also called non-binary) is a spectrum of various gender identities that exist outside of the gender binary; individuals may feel that they embody elements of binary genders, another gender outside of the binary, or have no gender at all. An individual who is non-binary may or may not identify under the transgender umbrella and thus the policy will use both terms to describe the lived experiences of those who exist outside of the traditional western gender binary. Cisgender designates a person whose sense of identity corresponds to the sex assigned to the individual at birth. These terms are further defined in the definition section at the end of this document.

I. POLICY AND PURPOSES

It is the policy of Goucher College to provide a workplace that is free from discrimination based on race, color, national origin, ethnicity, sexual orientation, gender identity, religion, marital status, sex, age (except when sex or age is a bona fide qualification), disability (when the person is otherwise qualified) or genetic information.

The purpose of this document is to provide guidance and information to transgender, gender non-binary, and cisgender employees at Goucher regarding concerns they may have with respect to their employment at the college. Transgender, gender non-binary, and cisgender employees and their colleagues and supervisors should feel free to consult with the Office of Human Resources to seek advice in individual circumstances. Additional information on terminology used in the guidance can be found in the definition section.

Because terminology is evolving and resources for transgender and gender non-binary employees are becoming more available, this guidance will be regularly reviewed and updated. Input from the community is encouraged.

II. BACKGROUND INFORMATION

Gender identity is an individual’s internal sense and understanding of their own gender. Since gender identity is internal, one’s gender identity is not necessarily visible to others. The way an individual expresses gender identity is frequently called “gender expression,” and may or may not conform to social stereotypes associated with a particular gender.

The gender binary is the classification system that views gender as two separate, opposite, and disconnected forms; either man or woman. Historically, the concepts of masculinity and femininity have changed, and how they are defined varies across cultures.

Transgender individuals are people with a gender identity that is different from the sex assigned to them at birth. Some individuals will find it necessary to transition to living and working as the gender with which they identify rather than the sex they were assigned at birth. This often includes changing one's first name and dressing and grooming differently. Some individuals seek medical treatment such as counseling, hormone therapy, electrolysis, and gender affirming surgery. Others, however, will not pursue some (or any) forms of medical treatment.

Supervisors and colleagues should be aware that not all transgender and gender non-binary individuals will follow the same transition pattern, but all transgender and gender non-binary individuals are entitled to the same consideration as they undertake the transition steps deemed appropriate for them, and, as is the case for all Goucher community members, should all be treated with dignity and respect under Goucher's [Community Principles](#).

III. TRANSITIONING WHILE EMPLOYED

With regard to transitioning employees, other employees are encouraged to review and understand the following:

Confidentiality and Privacy: An employee's transition should be treated with as much sensitivity and confidentiality as any other employee's significant life experiences. Moreover, Goucher treats all medical information about employees with strict confidentiality. Supervisors should be sensitive to confidentiality concerns and should provide information to other employees only with the agreement of the employee in transition.

Dress and Appearance: Once an employee has decided to transition, the employee may begin wearing the clothes associated with the gender that reflects the employee's gender identity. All employees should respect the gender expression of their colleagues and their choice of clothing.

Names and Pronouns: Once transgender and gender non-binary employees disclose their wishes for identification, supervisors and co-workers should use the name and pronouns reflective of the transgender and gender non-binary employee's wishes. Further, supervisors and co-workers should take care to use the correct name and pronouns in employee records and in communications with others regarding the employee. Continued intentional misuse of the employee's former name and pronouns, and reference to the employee's former gender by supervisors or co-workers is contrary to the goal of treating employees with dignity and respect. Such misuse may also breach the employee's privacy, and may create a risk of harm to the employee.

Note on pronouns:

If a co-worker is in transition and you are not certain which pronouns to use, it is appropriate to respectfully ask the employee's name and which pronouns you should use. The appropriate pronoun should be used when referencing the employee in all cases moving forward.

Restrooms and locker rooms: The [Department of Labor's Occupational Safety and Health Administration \(DOL/OSHA\) guidelines](#) require employers to give all employees access to adequate sanitary facilities. For all employees, this means that Goucher will allow access to restrooms and locker room facilities consistent with the employee's gender identity. Employees should not be required to have undergone or to provide proof of any particular medical procedure (including gender affirming surgery) in order to have access to facilities designated for use by a particular gender. Because every workplace is configured differently, supervisors with questions regarding employee access to any facilities should contact Human Resources for further guidance. Employees who have questions about restroom or locker room use are encouraged to reach out to Human Resources.

IV. RECORDKEEPING:

A transgender and gender non-binary employee should notify the Office of Human Resources of a legal name and gender marker change. Upon notification and provision of legal documentation, the employee's name will be changed in all personnel and administrative records. The employee's gender marker can be changed without provision of legal documentation; the employee will be asked to complete a new employee demographic card to document the gender marker change. The employee may request a new OneCard and has the option to change the name that appears on Goucher email.

V. DISCRIMINATION BASED ON TRANSGENDER OR NON-BINARY IDENTITY STATUS:

[Maryland State Law](#) and Goucher's [Nondiscrimination Policy](#) prohibit discrimination in employment based on an individual's gender identity. Employees may file complaints with the College relating to such discrimination or harassment based on gender identity through the procedures set forth in that policy. A formal complaint may be filed [online](#).

VI. RESPONSIBLE OFFICIAL

The Office of Human Resources is responsible for implementing this policy.

Specific Questions: For further guidance and support, please contact the Office of Human Resources.

VII. DEFINITIONS

Adapted from the website of the [National Center for Transgender Equality](#), with additions made by the Assistant Director for LGBTQIA Students.

Assigned Sex or Sex Assigned At Birth: The determination of one’s sex at birth based upon medical criteria, more often than not on the appearance of external genital. (Note: The phrase “biologically male/female” or “born a man/female” should not be used).

Assigned Female At Birth (AFAB) or Female-Assigned-at-Birth (FAAB): An individual assigned female at birth.

Assigned Male At Birth (AMAB) or Male-Assigned-at-Birth (MAAB): An individual assigned male at birth.

Bi-gender: A person who has a gender identity that encompasses two genders. Some may feel that one identity or the other is stronger, but both sides are present.

Cisgender: Designates a person whose sense of identity corresponds to the sex and/or gender assigned to the individual at birth.

Cissexism: Interpersonal or institutional actions which enforce cisgender identities as the norm through erasure or invalidation of transgender and gender non-binary identities.

FTM: A person who was assigned female at birth, but identifies and lives as a male. Also known as a “transgender man.”

Gender: The socially constructed concepts and characterizes such as roles, behaviors, and norms prescribed to one’s sex.

Gender Binary: The classification system that views gender as two separate, opposite, and disconnected forms; either man or woman.

Gender Dysphoria: The emotional distress caused by the discrepancy between one’s gender identity and the sex they were assigned at birth. Gender dysphoria can negatively affect health and wellness of a person’s life if not addressed. All major medical organizations in the United States recognize that living according to one’s gender identity is an effective, safe and medically necessary treatment for many people who have gender dysphoria. It is worth noting, that not all transgender and gender non-binary people experience gender dysphoria.

Gender Expression: How a person represents or expresses one’s gender identity to others, often through behavior, clothing, hairstyles, voice or body characteristics.

Gender Identity: An individual’s internal sense of being male, female, or something else. Since gender identity is internal, one’s gender identity is not necessarily visible to others.

Gender Marker: The designation of female, male, f, m, other, and similar indications on official forms.

Gender Non-Binary: A person whose gender identity exists outside of the traditional gender binary; individuals may feel that they embody elements of binary genders, another gender outside of the binary, or have no gender at all.

Gender Non-Conforming: A term for individuals whose gender expression is different from societal expectations related to gender.

Genderqueer: A person whose gender identity is neither male nor female, is between or beyond genders, or is some combination of genders.

Intersex: A term used for people with a reproductive or sexual anatomy and/or chromosome pattern that does not seem to fit typical definitions of male or female.

MTF: A person who was assigned male at birth, but identifies and lives as a female. Also known as a “transgender woman.”

Queer: A term that embraces a multitude of sexual orientations and gender identities apart from the traditional heteronormative and binary experience. It is also sometimes used as an umbrella term for various identities within the LGBTQIA+ community. Depending on the user, the term has either a derogatory or an affirming connotation, as many have sought to reclaim the term that was once widely used in a negative way.

Sex: Attributes such as anatomy, chromosomes, and hormones that inform whether a person is male, female, or intersex. While these attributes are often seen as “biological,” they are also informed by cultural and social parameters.

Gender Affirming Surgery: Any surgical procedure that aims to increase a sense of congruence with one’s gender identity and body. This may include different procedures, including those sometimes also referred to as “top surgery” (breast augmentation or removal) or “bottom surgery” (altering genitals). Contrary to popular belief, there is not one surgery; in fact, there are many different surgeries. These surgeries are medically necessary for some people, however not all people want, need, or can have surgery as part of their transition. “Sex reassignment or sex change surgery” is considered an outdated and derogatory term by many. As well, the term “gender confirmation surgery” should be avoided as gender cannot be “confirmed” by having surgery.

Transgender: Transgender is often used as an umbrella term to describe individuals whose gender identity does not align with their assigned sex at birth. Transgender is a broad term and is appropriate for non-transgender people to use. “Trans” is shorthand for “transgender.” (Note: Transgender is correctly used as an adjective, not a noun, thus “transgender people” is appropriate but “transgendered” is often viewed as disrespectful. The terms transsexual is an outdated and often derogatory term.)

Transition: The time when a person begins to living as the gender with which they identify rather than the sex they were assigned at birth. Transitioning may or may not also include medical and legal aspects, including taking hormones, having surgery, or changing identity documents (e.g. driver’s license, Social Security record) to reflect one’s gender identity. Medical and legal steps are often difficult for people to afford. The [World Professional Association of Transgender Health \(WPATH\)](#), an international organization devoted to the study and treatment of gender-identity-related issues, has published the

[WPATH Standards of Care](#), which explains gender transition as a process that may include therapy, hormones, and possibly surgical procedures, or any combination of them.

Transphobia: The irrational fear of those who are gender variant and/or the inability to deal with gender ambiguity.

Two-Spirit: A contemporary term that refers to the historical and current First Nations people whose individuals' spirits were a blend of male and female spirits. This term has been reclaimed by some in Native American LGBT communities in order to honor their heritage and provide an alternative to the Western labels of gay, lesbian, bisexual, or transgender.