

## FAQs on the California Gender Recognition Act

### What is the California Gender Recognition Act?

The Gender Recognition Act (California Senate Bill 179) was signed into law, and will go into effect January 1, 2019. The text of the bill is available here:

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180SB179](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB179).

In brief, the bill streamlines the process for Californians to apply to change their gender markers, and *creates a nonbinary gender category (the letter “x” or “nb”) on California birth certificates, drivers’ licenses, identity cards, and gender-change court orders*. This enables many in our community—including transgender, intersex, and nonbinary people—to have full recognition in California. The law was authored by Sens. Toni Atkins (D-San Diego) and Scott Wiener (D-San Francisco), and was sponsored by [Equality California](#) and the [Transgender Law Center](#).

### What does this mean for UC San Diego?

The Gender Recognition Act has implications throughout campus, particularly in areas where we organize by gender in binary ways. For example, many parts of employment processes, housing, sports facilities, payroll systems, and recreational areas are designated by gender in a binary way (men and women). Our campus will need to adjust to better serve students, faculty, and staff who are transgender, intersex, and nonbinary.

### I think my department, unit, or division needs to make some changes to ensure we are in compliance with the Gender Recognition Act. What should I do?

First, assess the ways your area uses gender in a binary way (i.e. male and female, or men and women). Then, determine what steps might be required to ensure inclusion of a nonbinary category into these systems. This might entail updating campus data systems, reformatting reports, including nonbinary in surveys and assessments, and addressing physical spaces and facilities. This may also require training and professional education for employees to ensure appropriate implementation of inclusive policies and customer service practices. Once you have made an initial assessment, contact the Steering Committee co-chairs with your findings so that they can provide input and include your unit-specific findings in the campus-wide recommendations they will advance to senior leadership.

### Who is on the Steering Committee?

In the winter of 2018, Vice Chancellor Petitt asked Judy Bruner, Chief Ethics and Compliance Officer, and Shaun Travers, Campus Diversity Officer & Director of the Lesbian Gay Bisexual Transgender Resource Center, to co-lead a Steering Committee to advise senior administrators on measures necessary to prepare for this change. The Steering Committee includes appointed members who are in key positions to assist the campus in making strategic, systemic changes to ensure inclusion of transgender, nonbinary, and intersex people. If you need more information, please contact one of the two co-chairs. Full implementation is expected by January 1, 2019.

### What is the difference between transgender, nonbinary, and intersex?

Transgender is an umbrella term used to describe people whose gender identity or gender expression do not match the gender they were assigned at birth. For example, some people who were assigned to

be male at birth are female (trans women). Some people who were assigned to be female at birth are male (trans men). Some transgender people have medically transitioned, undergoing gender-affirming surgeries and hormonal treatments, while other transgender people do not choose any form of medical transition. There is no uniform set of procedures sought by transgender people who pursue medical transition. Transgender people may identify as female, male, or nonbinary, may or may not have been born with intersex traits, may or may not use gender-neutral pronouns, and may or may not use more specific terms to describe their gender (such as agender, genderqueer, gender fluid, Two Spirit, bigender, pangender, gender nonconforming, or gender variant).

Nonbinary people have gender identities and/or gender expressions that fall outside of the dominant societal norm for their assigned sex, are beyond genders, or are some combination thereof. Some people use the term Gender Queer to describe this identity. Queer is a term that is offensive to some when used as a derogatory term. Others have reclaimed and self-defined the word as a form of empowerment.

An intersex person is someone whose sex a doctor has a difficult time categorizing as either male or female. It could also refer to a person whose combination of chromosomes, gonads, hormones, internal sex organs, and/or genitals differs from one of the two expected patterns (i.e. male or female). Another way of thinking about it is intersex refers to a series of medical conditions in which a child's genetic sex (chromosomes) and phenotypic sex (genital appearance) do not match, or are somehow different from the "standard" definition of male or female.

#### **Have any other states or governments done this?**

Yes. [Oregon](#) created a nonbinary gender option in 2017 through an administrative action applying to drivers' licenses and identification cards. Similarly, the DMV for [Washington, D.C.](#) began offering an "X" in addition to "M" and "F" in June of 2017. Other countries, like [New Zealand](#), moved in a similar direction in 2016.

#### **Does this mean we have to create new restrooms?**

By UC policy, the conversion of all existing single-occupancy or single-stall restrooms in all UC-owned buildings from gender-specific to gender-inclusive facilities has been complete. For more information, see <http://blink.ucsd.edu/facilities/services/general/personal/restrooms.html>.