

Policy on Equitable Treatment for Gender Identity

1.0 General.

- 1.1 Bridgewater College strives to create and sustain an inclusive, supportive, safe, and nondiscriminatory community for all students and employees. This policy applies to all College departments and offices.
- 1.2 The College does not exclude, separate, deny benefits to, or otherwise treat differently on the basis of sex any person in its educational programs or activities unless otherwise permitted to do so under Title IX or its implementing regulations.
- 1.3 Recent guidance from the Departments of Education and Justice (“Guidance”) requires that schools treat a person’s gender identity as the person’s sex for purposes of Title IX and its implementing regulations. This means that a school may not treat a transgender person differently from the way it treats other persons of the same gender identity, regardless of the sex of the person assigned at birth.

2.0 Notification.

- 2.1 If a student or employee desires to be treated consistent with a gender identity that differs from previous representations or records, the College will, upon receiving written notification from the student or employee, make reasonable efforts to treat the individual consistent with the individual’s stated gender identity.
- 2.2 The Guidance provides that there is no medical or mental health diagnosis or treatment requirement that students or employees must meet in order to be treated consistent with their gender identity.
- 2.3 Following notification by a student or employee, the College will convene an administrative support team to work with the individual to address the individual’s needs, including name and pronoun use at the College. It is appropriate to ask a student or employee in a confidential manner their preferred name and/or gender pronoun. This can set the tone for a more respectful and trusting relationship.

3.0 Records.

- 3.1 A student or employee may request that their preferred name and gender identity be used in internal records such as in the Registrar’s office, Admissions, Student Life, or Human Resources. In accordance with the Guidance, a court-ordered name or gender change is not required for a student or employee to request that their internal College records to be modified.
- 3.2 Information provided to outside agencies (e.g., Social Security Office, Internal Revenue Service, SCHEV, IPEDS, NCAA) will be consistent with the requirements

of the agency and may or may not include a student or employee's legal name and gender identity or preferred name and gender identity.

4.0 Privacy.

- 4.1 Protecting a transgender student's or employee's privacy is important to ensuring they are treated consistent with their gender identity. In some cases, a student or employee may want College employees and students to know that they are transgender, and in other cases may not want this information to be widely known. College employees should take reasonable care to respect the individual's preference and not inadvertently disclose information that is intended to be kept private or, in the case of students, may be protected from disclosure by the Family Educational Rights and Privacy Act (FERPA).
- 4.2 Efforts should be made to address students and employees by the names and pronouns that correspond to their gender identity. Using the student's preferred name and pronoun promotes the safety and wellbeing of the student. The preferred name should be included in any public online directory, as well as any class roster or employee list, in order to inform faculty and staff of the name and pronoun to use when addressing the individual.
- 4.3 The persistent refusal to respect the gender identity of a student or employee after notification of the preferred pronoun/name used by the employee or student may constitute harassment.

5.0 Access to Facilities. Consistent with the Guidance, a student or employee may access College facilities that correspond to their stated gender identity, including but not limited to locker rooms, bathrooms, and residence halls, irrespective of the gender listed on the student's official records.

6.0 Policy Violations.

- 6.1 Harassment of transgender individuals constitutes gender-based harassment under the College's Sexual Misconduct Policy.
 - 6.1.1 Gender-based harassment means acts of aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or for failing to conform to stereotypical notions of masculinity or femininity.
 - 6.1.2 To constitute harassment, the conduct must be unwelcomed and unreasonably interfere with an individual's education or educational activities or create an objectively intimidating, hostile, demeaning, or offensive academic or living environment.

- 6.2 Any violations of this policy should be reported to the College's Title IX Coordinator, Heidi Muller Hoover, J.D., at 540-828-8063 or hhoover@bridgewater.edu, or to a deputy Title IX coordinator at TitleIXCoordinator@bridgewater.edu.
- 7.0 Questions. Any questions or concerns about this policy should be directed to the College's Title IX Coordinator, Heidi Muller Hoover, J.D., at 540-828-8063 or hhoover@bridgewater.edu, or to a deputy Title IX coordinator at TitleIXCoordinator@bridgewater.edu.