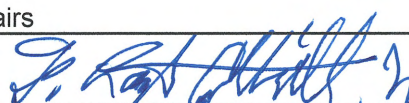


ADMINISTRATIVE PROCEDURE

ADMIN- 13

Chosen/Preferred Names, Preferred Pronouns, Legal Sex Designation and Gender Identity

Number: ADMIN- 13	Name: Chosen/Preferred Name, Preferred Pronouns, Legal Sex Designation and Gender Identity
Purpose: This procedure applies to all University students and employees. It permits students and employees to designate and use a Chosen/Preferred Name and/or Preferred Pronoun for University purposes, except when use of a Legal Name is required by the University or by law. Further, it defines Legal Sex Designation versus Gender Identity. The reporting of preferred name, preferred pronoun and preferred gender is optional.	
Responsible Unit: Executive Affairs	
Approved by: 	Approval Date: 7/19/21

A. Scope

This procedure applies to all University students and employees.

B. Definitions

1. Chosen/Preferred Name: means a first name, other than the legal first name, by which the student or employee prefers to be identified, which has been designated by the student or employee in the Banner system.
2. Gender/Gender Identity: one's internal sense of being male, female, neither of these, both, or other gender(s).
3. Legal Name: the first, middle, and last name and applicable designation of an individual that is recorded on the individual's birth certificate, driver's license, passport, or other legal documents.
4. Legal Sex Designation: the sex that is indicated on government issued ID, such as an individual's birth certificate, passport, driver's license, or other legal documents.

5. Preferred Pronouns: the pronoun that a person prefers to be used when they are referred to, in order to indicate their Gender Identity For the purposes of this procedure he/him/his, she/her/hers, they/them/theirs, or other.

C. Name Use

1. Legal name

- a. Students and employees are required to provide their Legal Names on their applications for admission or employment.
- b. Legal Names shall be used for billing; verification of enrollment; payroll (W-2s); official transcripts; communication with external authorities; reporting to state and federal agencies; financial aid documents and processes; transfer and external credit processes; or as otherwise required by the University or by law.
- c. The University may identify students and employees by either Legal Name and/or Chosen Name at any time.
- d. Marshall University Board of Governors Policy No. SA-5 designates in Section 2.3 “Student’s official name” as “Directory Information” under the Family Educational Rights and Privacy Act (FERPA), which may be disclosed to the public as “directory information” unless the student restricts such disclosure. Legal Name as defined in this procedure is the “Student’s official name” for “Directory Information” purposes.
- e. A change of legal name requires submission of either a current Social Security card, valid passport, or a current REAL ID driver license or identification card. Provided that, specific University departments may require more specific documentation as needed to effectuate their processes.
- f. When only one word is provided for the legal name, the information will be stored in a system's first name and last name fields.

2. Chosen/Preferred Name and Preferred Pronouns

- a. Chosen/Preferred Name and/or Preferred Pronouns, although not required, may ordinarily be used in University communications and reporting except when use of a Legal Name is required by the University or by law. By way of example but not limitation, Chosen/Preferred Names may be reflected on class rosters, in Blackboard and in directory listings.
- b. Students and employees may designate a Chosen/Preferred Name and/or Preferred Pronouns in University information systems only when such systems allow for such designation.

3. Diploma

The Legal Name will be used on the diploma. Provided that, students have the option of using either their middle initial or full middle name on the diploma. The diploma name will be used on the diploma and in the commencement program if the student has not requested non-disclosure of personally identifiable directory information.

4. Compliance

- a. Students and employees are expected to use a person's Chosen/Preferred Name and/or Preferred Pronouns when communicating, except when legal name is required.
- b. Students and employees may not use a Chosen/Preferred Name for any kind of misrepresentation.
- c. Students and employees may not use symbols or images that are administratively difficult to implement or profanity in a Chosen/Preferred Name.
- d. The University reserves the right to disapprove/remove a Chosen/Preferred Name if it is used inappropriately or for misrepresentation.

5. Disapproval or removal of Chosen/Preferred Name

- a. Should the University determine that a Chosen/Preferred Name is in violation of this policy, the University will immediately suspend the use of the Chosen/Preferred Name.
- b. The University will notify the individual, in writing, within five (5) business days of its determination to suspend the use of the Chosen/Preferred Name.
 - i. Students will be notified through the University Office making the initial determination.
 - ii. Employees will be notified through the Office of Human Resources.
- c. The student or employee may file an appeal with the Office of Equity Programs challenging the suspension of the Chosen/Preferred Name within ten (10) business days of receipt of the notification.
- d. The Director of Equity Programs will render a written decision within five (5) business days as to whether the Chosen Name will be reinstated or the action disapproving or removing the Chosen Name is final.
- e. The decision of the Director of Equity Programs is final.

D. Legal Sex Designation and Gender Identity

1. Students are required to use their Legal Sex Designation in University data systems. Marshall University is required to collect this data in order to comply with federal and state reporting including, but not limited to, IPEDS reporting, student employment, international student status, and the granting of federal financial aid.
2. Employees or federal aid recipients Legal Sex Designation is required to match the Legal Sex Designation on file with the Social Security office.
3. International Legal Sex Designation must match the Legal Sex Designation on the individual's passport.
4. Gender Identity/Gender reporting is optional. Gender options are designated as male, female, non-binary or other.