

Board of Trustees of the Nebraska State Colleges

Personnel

POLICY NAME: Chosen Name and Gender Identity

POLICY NUMBER: 5012

A. PURPOSE

The purpose of this policy is to create a respectful and inclusive working environment for all employees. The Board recognizes some employees in the NSCS community use chosen names to identify themselves and may self-assert a gender other than their sex. Therefore, employees should respect the chosen name and gender identity of other employees wherever possible within the course of College, education, business and communication.

B. DEFINITIONS

- 1. Official Name of Record (or Legal Name):** The name that appears on an employee's passport, driver's license, birth certificate, or U.S. Social Security Card.
- 2. Chosen Names:** Names that an employee wants to be known by or identifies with that are different from the individual's Official Name of Record.
- 3. Sex:** Assigned at birth (Male [M], Female [F], Non-Binary and/or Intersex [X]) and may be legally changed within a lifetime. For the purpose of this policy, sex means both an employee's sex assigned at birth or an employee's legally recognized sex, which may be found on a passport, driver's license, or birth certificate.
- 4. Gender Identity:** An employee's internal knowledge of their 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.

C. POLICY

Employees may use a chosen name to identify themselves where possible and appropriate. Employees may identify and use a Gender Identity instead of, or in addition to, their sex where possible and appropriate.

1. Permissible Use of Chosen Names

Except as prohibited in this Policy, employees may use chosen names to identify themselves.

2. Prohibited Use of Chosen Names

Employees will be required to provide their full legal name when they apply for employment or complete employment and benefit forms. Chosen names shall not be used for the purpose of misrepresentation, avoiding legal obligations, or otherwise in any manner that violates NSCS 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 Colleges reserve 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.

3. Use and Display of Chosen Names

At this time, chosen names will appear in all NSCS systems where available and technically feasible. Going forward, the NSCS will attempt to display chosen names 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:
 - Employee Directories
 - NSCS Email Name and Address
 - Awards Certificates
 - Human Resources and Business Systems where applicable and where a 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:
 - IRS Documentation (e.g. W2, 1095C)
 - Human Resources Systems (e.g., Remuneration, Insured Benefits)
 - Public Directory Information Requests from Third Parties
 - Benefit Vendor Documents
 - Data Transmitted to Governmental Agencies or Servicing Agencies
 - When Required by Law

4. Permissible Use of Gender Identity

An employee's gender identity may be referenced in NSCS communications and information materials, except where the use of sex is required for a business or legal need. Not all 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, employees should always be prepared to reference their sex as well and may need to provide corresponding identification when necessary.

5. Use and Display of Gender Identity

Employees are free to determine the gender identity they want to be known by in NSCS information systems. In instances where an employee uses a gender identity in various NSCS systems, it should be understood that for business, it will still be necessary that sex be used wherever sex is required for a business or legal need.

FORMS / APPENDICES:

None

SOURCE:

Policy Adopted: November 2021

Policy Revised: NA