



Ollscoil
Teicneolaíochta
an Atlantaigh

Atlantic
Technological
University

Gender Identity and Expression Policy Version 1.0

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This Policy was approved by the Approving Authority on 25 March 2024. It shall be reviewed and, as necessary, amended by the University annually. All amendments shall be recorded on the revision history section above.

Note: Prior to publication and dissemination of policies and procedures, documents must be reviewed for accessibility as part the University's commitment to Equality, Diversity, and Inclusion (EDI). Further advice on accessibility can be obtained from the EDI Team.

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1. Purpose

This policy outlines the Atlantic Technological University's (ATU) commitment to supporting students and staff in defining their gender identity and expression. It is part of our broader commitment to the principles of equality, diversity, inclusion, and recognition of differences.

ATU is committed to fostering an environment of equality and inclusion in all its activities. We aim to build a culture where every student, staff member and members of the broader ATU community are treated with dignity and respect. ATU values each individual's unique perspectives and preferences by encouraging everyone to achieve their full potential. Recognising the diverse range of gender identities within our university, we are committed to supporting all students and staff, regardless of their preferred identity.

This policy acknowledges the legal and regulatory context governing the University, including our obligations that arise from legislation. It reinforces our dedication to equal opportunities. Guided by the *Employment Equality Acts 1998 – 2015 (as amended)*, the *Equal Status Acts 2000 – 2018 (as amended)*, and the *Gender Recognition Act 2015*, this policy is part of a suite of policies that collectively commit to preventing direct and indirect discrimination, sexual harassment, and other forms of harassment and victimisation based on gender, family status, civil status, sexual orientation, age, disability, religion, ethnicity, and membership in the Traveller community.

The policy outlines how this commitment will be achieved and sets out the roles and responsibilities of all students, staff and University leaders for achieving this. The policy should be read in conjunction with other relevant policies relating to staff and students, and in particular, the University's *Equality, Diversity and Inclusion Policy (AQAE023)*.

2. Scope

This policy is applicable to all members of our University community, including staff, students, service providers, contractors, and visitors. It is the responsibility of the entire community to know and understand this policy, follow its guidelines, respect privacy and confidentiality, and report any transphobic or discriminatory practices. Relevant training will be made available.

3. External Reference Documents

- *Data Protection Act 2018*
- *Employment Equality Act 1998 – 2015*
- *Equal Status Acts 2000 – 2018*
- *General Data Protection Regulation EU 2016/679 (GDPR)*
- *Gender Recognition Act 2015*
- *Higher Education Authority Act 2022*
- *Irish Human Rights and Equality Commission Act 2014*
- *Technological Universities Act 2018*

4. Policy

4.1 Key Terms and Definitions

A detailed list of common terminology is provided in Appendix A of this policy document. In the context of this '*Gender Identity and Expression Policy*', we provide the following definitions:

4.1.1 Gender Identity

Gender identity is a deeply held sense of being male, female, a blend of both, neither, or some other gender. It is the internal perception of an individual's gender and may or may not correspond with the sex assigned at birth.

4.1.2 Gender Expression

Gender expression is distinct from gender identity. While gender identity is the internal sense of one's gender, gender expression is how that internal identity is outwardly manifested. Gender can be expressed through mannerisms, dress, physical characteristics, social interactions, and speech patterns. Gender expression is unique to each person.

4.2 Right to Privacy and Confidentiality

ATU recognises privacy of personal information as a fundamental human right. The right to self-define one's gender identity, including discussion and expression of gender identity is part of this right. Accordingly, individual choices related to gender identity are included within the University's commitment to privacy. Information about a person's gender identity is thus confidential and will only be disclosed when necessary, and with the individual's prior consent. The University adheres to relevant data protection laws and regulations, as well as its own policies in handling sensitive information, and is committed to maintaining the accuracy and security of all personal records and information.

4.3 Individual Gender Identity Rights

An individual has the right to:

- express their gender identity without fear of adverse consequences,
- be treated with dignity and respect,
- be assured of confidentiality and privacy in matters of gender identity,
- equality of access to education, services, activities and facilities in the University,
- receive reasonable and appropriate supports, and
- access to facilities appropriate to their gender identity.

4.4 Changing Gender Identity

An individual who seeks to change their gender identity has a responsibility to:

- inform the University if they wish to avail of supports to have records changed,

- actively engage with University procedures and processes to effect requested change(s), and
- provide any documentation required for changing University records (see: *Procedure for Gender Identity and Expression (Changes to University Records)*).

4.5 University Commitments on Gender Identity and Expression

In all our activities we will:

- actively promote a culture of equality, diversity and inclusion, and remain committed to maintaining an environment of dignity and respect for all members of our community,
- recognise that individuals may identify with any or no gender, and that each person has the right to their own unique identity, authentic expression, and self-determination,
- recognise the diversity in the individual experiences of trans and non-binary individuals,
- support an individual's right to identity and to express their gender, and work to ensure that the University environment, including the physical environment, is positive, safe, and non-discriminatory,
- use gender neutral terms as far as is practicable and to use non-gender key identifiers (for example, Chairperson), in preference to gender-laden identifiers,
- endeavour to support, as far as reasonably practicable, student and staff members by enabling use of 'preferred name' on designated ATU systems in the absence of documentation being furnished to legally change name and identity.
- update a student's personal record in the University Student Record System on presentation of required legal documentation to maintain an accurate account of the academic record and achievements of each student,
- update the personal record of a staff member in the University Human Resources
- Record System on presentation of legal documentation,
- provide appropriate and targeted training in gender identity and gender expression for staff and students, to help ensure the effective implementation of this policy throughout the University, and
- respect every individual's right to privacy and confidentiality.

4.6 Compliance, Monitoring and Review

An Equality, Diversity and Inclusion (EDI) Steering Group (reporting to the University Planning Team) will oversee and provide guidance and direction towards the achievement

of EDI objectives across the University, including the implementation of this Gender Identity and Expression Policy. The EDI Steering Group includes representatives from both the

Human Resources (HR) function and the EDI Office, and each have responsibilities in relation to data collection and reporting. The EDI and HR functions will collect and collate relevant data in respect of implementation of this policy.

4.7 Roles and Responsibilities

The University acknowledges its responsibility in ensuring the successful implementation of this policy in accordance with best practice and legislation and will take all reasonable steps to ensure appropriate supports are in place to create an inclusive and discrimination-free environment. The University is committed to ensuring through its structures that appropriate training in relation to gender identity and expression is provided to staff and students.

4.7.1 All University Members

All University members are encouraged to promote awareness and adherence to this policy within their area(s) of operation, function and / or area(s) of responsibility.

4.7.2 Vice President for Equality, Diversity & Inclusion and Online Development

The Vice President for Equality, Diversity & Inclusion and Online Development has overall responsibility for implementation of the University's *Gender Identity and Expression* policy.

4.7.3 Governing Body

The Governing Body has a statutory responsibility to promote equality, diversity and inclusion among the students and staff of the University.

The Governing Body has established an Equality, Diversity and Inclusion subcommittee, which has responsibility for reviewing and advising on relevant University policies and monitoring the implementation of such policies.

4.7.4 Academic Council

Section 62(4) of the Higher Education Act 2022 provides that ATU, as a designated institution of higher education under the act, shall consult Academic Council when specifying the policy of the institution relating to equality, including gender equality.

5. Associated Documents Generated by this Policy

- Procedure for Gender Identity and Expression (Changes to University Records)*

6. Revision History

Revision No	Description of Change	Approval Date
000	New Policy	25 March 2024

Appendix A

- Definitions of Commonly Used Terms -

AFAB: an acronym for 'assigned female at birth'. This relates to people who were born with 'female-typical' anatomy and so were assigned the 'female' sex. This includes cisgender girls/women, transgender boys/men, gender non-binary people or intersex people.

AMAB: an acronym for 'assigned male at birth'. This relates to people who were born with 'male-typical' anatomy and so were assigned the 'male' sex. This includes cisgender boys/men, transgender girls/women, gender non-binary people or intersex people.

Androgynous or androgyne: a person whose gender identity is both male and female, or neither male nor female. They might present as a combination of male and female or as sometimes male and sometimes female.

Assigned sex (often simply referred to as 'sex'): the assignment of a person at birth as male or female based on their anatomy (genitalia and/or reproductive organs) or biology (chromosomes and/or hormones). For example, a person with a penis is usually assigned the 'male' sex and this goes on their birth certificate. Assigned sex can be understood as a spectrum rather than a binary, to include people who are intersex.

Bigender: a gender identity which can be literally translated as 'two genders' or 'double gender'. These two gender identities could be male and female but could also include non-binary identities.

Cisgender/cis: someone whose gender identity matches the sex they were assigned at birth. The term cisgender acknowledges that everyone has a gender identity (*i.e.*, a non-trans identity is not presented as normal or natural which stigmatises a trans identity as abnormal or unnatural).

Cisnormativity: a discourse based on the assumption that cisgender is the norm and privileges this over any other form of gender identity.

Deadnaming: the act of referring to a person with the name they were assigned or used prior to transitioning to a new name that feels right to them. For example, if Clíona is a trans woman, and she was originally named Séan, and her colleague refers to her as Séan, this colleague would be deadnaming. This can cause distress to the person being deadnamed.

Fluidity: something that is changeable and is not permanently fixed. In relation to gender, many people's experiences and expressions of gender are fluid. Many people identify as 'gender fluid', as their gender identity fluctuates between, beyond and among both 'masculine' and 'feminine'.

Gender dysphoria: conflict or discrepancy' between a person's gender identity and their 'biological' or assigned sex. This can cause significant distress and discomfort. One example is that many trans men experience gender dysphoria when menstruating.

Gender neutral: something that is not tied to gendered language or expectations. This will differ across many contexts (e.g., different people or cultures). For example, orange is often considered to be a gender-neutral colour, 'Sam' is often considered to be a gender-neutral name. Some people identify as gender neutral, rather than as male, female, transgender, etc.

Heteronormativity: a discourse based on the assumption that heterosexuality is the norm and privileges this over any other form of sexual orientation.

Intersex: is an umbrella term for people who fall between the two categories of typical 'male' or 'female' sex. There are many ways someone may be intersex, just like so much variation exists among people who are not intersex. An intersex person may have any combination of 'male-typical' and 'female-typical' genitalia, organs, hormones, or chromosomes.

LGBTQ+: an acronym that covers a wide and evolving spectrum of sexualities and gender identities that aren't heterosexual or cisgender, including lesbian, gay, bisexual, transgender, questioning, queer, asexual, pansexual and beyond (which is why there is a '+').

Non-binary: an umbrella term for gender identities that fall outside the gender binary of male or female. This includes individuals whose gender identity is neither exclusively male nor female, a combination of male and female or between or beyond genders. Similar to the usage of transgender, people under the non-binary umbrella may describe themselves using one or more of a wide variety of terms. Sometimes known as 'genderqueer'.

Pronouns: how someone is referred to in place of their name. He/him/his and they/them/theirs are two examples of sets of pronouns. Pronouns are an important part of gender identity and expression for many. It is important to never intentionally use the wrong pronouns for someone.

Queer: general term usually used by and about people who are not heterosexual or cisgender (e.g., 'a queer women's group'). It can be considered an offensive and hurtful slur if directed at queer people in a derogatory way.

Sexual Orientation: refers to a person's physical/emotional attraction to another person. Sexual orientation is distinct from a person's gender identity and gender

expression. Often referred to as 'sexuality'. Some examples include heterosexual, homosexual, bisexual and asexual.

Transgender/Trans person: trans people are individuals whose gender identity and/or gender expression differs from the gender/sex they were assigned at birth. For example, a transgender girl may have been born with male-typical anatomy and assigned the 'male' sex (and gender) at birth, but she identifies as female, and her gender is female.

Trans or trans*: Commonly used shorthand for transgender. Avoid using this term as a noun: a person is not 'a trans'; they may be a trans person.

Transition / Transitioning: a process through which some transgender people begin to live as the gender with which they identify, rather than the one assigned at birth. Transition might include social, medical or legal changes.

- Social transitioning involves coming out to family, friends, co-workers and others; changing one's appearance.
- Medical transitioning involves medical intervention (e.g. through hormones or surgery). A medical transition may include hormone therapy, sex-reassignment surgery and/or other components and is generally conducted under medical supervision based on a set of standards developed by medical professionals.
- Legal transitioning involves changing official documentation including changing one's name, pronouns and sex designation on legal documents (e.g. deed poll, birth certificate or passport).

There is no right or wrong way to transition - it will be unique to each person.

Transphobia: dislike, hatred, or prejudice towards transgender people. Transphobia can be experienced in many ways, from the more subtle (e.g., people not making an effort to use a transgender person's pronouns) to the more extreme (violence, bullying, discrimination). People, organisations, language, systems and more can be transphobic, much like they can be rooted in racism, misogyny, ableism, etc.