

## FAQs on the California Gender Recognition Act

### **I have heard about the Gender Recognition Act, what is it?**

The Gender Recognition Act (California Senate Bill 179) was signed into law, and will go into effect January 1<sup>st</sup>, 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 on California birth certificates, drivers' licenses, identity cards, and gender-change court orders (the letter "x")*. This enables many in our community, including transgender, intersex and nonbinary people, to have full recognition in the State of California. The law was authored by Sens. Toni Atkins (D-San Diego) and Scott Wiener (D-San Francisco) and sponsored by [Equality California](#) and the [Transgender Law Center](#).

### **What does this mean for UC Irvine?**

The Gender Recognition Act has implications throughout the campus, and in particular 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 change in order to 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 places where your area uses gender in a binary way (i.e. male and female, or men and women). Then, determine what steps might need to be implemented in order to ensure inclusion of an "x" category into these systems. This might entail updating campus data systems, reformatting reports, including "x" in surveys and assessments, and addressing physical spaces and facilities. Additionally, if your office does programming around identities or gender, how is it addressing the non-binary identities. This may also require training for frontline staff to ensure appropriate implementation of inclusive policies and customer service practices. Once you have made an initial assessment, reach out to the Working Group with your findings, and the Working Group will work with your area to support your necessary change efforts.

### **I heard there is a Working Group on this? Who is on it?**

TBD

### **I do not understand the difference between transgender, nonbinary and intersex. What is the difference?**

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 that are sought by transgender people that 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 genders, such as agender, genderqueer, gender fluid, Two Spirit, bigender, pangender, gender nonconforming, or gender variant.

Nonbinary people have gender identities and/or gender expressions which fall outside of the dominant societal norm for their assigned sex, is beyond genders, or is 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 area 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](#) have 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 (GIF) has been complete. For more information, see <http://lgbtrc.uci.edu/campus-support-tab/gender-inclusive-restrooms.php>. An interactive map for gender inclusive bathrooms: <https://map.uci.edu/map/?id=463#!ct/11888,12033,12035,12034>. UCI has been ahead of many campuses on this issue. As of Fall of 2010 we had 22 GIF in place. Since then we have converted many more. The latest total is 227 GIF. 69 of these are in common areas and 158 in private space (Housing, medical patient, vivarium's, etc.) This means not all bathrooms are accessible.