1. STATEMENT OF POLICY

Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations prohibit sex discrimination in educational programs and activities operated by recipients of Federal financial assistance. This prohibition encompasses discrimination based on a student’s gender identity, including discrimination based on a student’s transgender status.

Westminster College (College) is committed to providing a safe and non-discriminatory environment for all members of the College community, including those whose gender identity and/or expression differs from the sex assigned to them at birth. This policy defines measures the College follows to support transgender students and those who are in the process of gender transition.
Harassment and discrimination based on gender identity or expression is prohibited by the College and will not be tolerated. Anyone who experiences or becomes aware of an incident of prohibited conduct should immediately report the incident as provided by these procedures. Anyone who is found to have engaged in prohibited conduct in violation of this policy is subject to the imposition of sanctions and corrective actions up to and including termination and/or expulsion.

2. TO WHOM THIS POLICY APPLIES

This policy applies to all Westminster College students, faculty, staff, and third parties.

3. DEFINITIONS

A. Cisgender: Describes those individuals whose gender identity corresponds with their birth sex.

B. College Sponsored Trip: Any trip that is funded and/or supported by the College is considered a sponsored trip. This includes but is not limited to academic trips, conferences, field experiences, and retreats.

C. Gender Expression: Refers to the way individuals feel most comfortable expressing gender identity, often made socially visible through behavior, language, and clothing.

D. Gender Identity: Refers to an individual’s internal sense of gender. A person’s gender identity maybe different from or the same as the person’s sex assigned at birth.

E. Gender Inclusive Housing: A housing option in which two or more students share a multiple-occupancy apartment or suite regardless of the students' sex, gender, gender identity, or gender expression.

F. Gender-Neutral Restroom: One where the signage is visibly identified with open, inclusive language, not just male or female. These all gender facilities are void of gender identity and have accommodations that are especially sensitive to the needs of a greater range of people.

G. Gender Nonconforming: A term that refers to individuals whose gender expression does not follow social expectations or stereotypes based on their sex assigned at birth including those individuals who identify as genderqueer.

H. Gender Transition: Refers to the process in which transgender individuals begin asserting the sex that corresponds to their gender identity instead of the sex they were assigned at birth. During gender transition, individuals begin to live and identify as the sex consistent with their gender identity and may dress differently, adopt a new name, and use pronouns consistent with their gender identity. Transgender individuals may undergo gender transition at any stage of their lives, and gender transition can happen swiftly or over a long duration of time.
I. Non-Binary Gender: An umbrella term covering any gender identity that does not fit within the gender binary.

J. Sex Assigned at Birth: Refers to the sex designation recorded on an infant’s birth certificate, should such a record be provided at birth.

K. Transgender: Describes those individuals whose gender identity is different from the sex they were assigned at birth. A transgender male is someone who identifies as male but was assigned the sex of female at birth; a transgender female is someone who identifies as female but was assigned the sex of male at birth.

4. PRIVACY

Transgender individuals have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender individual gets to decide when, with whom, and how to share private information. Information about an individual’s transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws like the Health Insurance Portability and Accountability Act (HIPAA). All information about an individual student’s transgender identity and medical information, including physician’s information provided pursuant to this policy, shall be maintained confidentially. Transgender students also have the right to maintain privacy of their education records under FERPA.

Employees shall not disclose information that may reveal an individual’s transgender status or gender nonconforming presentation to others. Personal or confidential information may only be shared with the transgender individual’s consent and with coworkers who truly need to know this information to do their jobs. All discussions among involved parties and required written supporting documentation shall be kept confidential, unless the transgender individual makes a specific request otherwise.

5. ADMINISTRATIVE SUPPORT TEAM

Administrative Support Team is a team of individuals who are available to advise and support transgender and gender nonconforming students and employees. The team consists of the Dean of Students, or their designee; and the Executive Director of Human Resources, or their designee, with a focus on the safety and well-being of the individual.

The team is responsible for constructing a plan that addresses needed supports and accommodations provided to the individual. The individual’s support plan shall be kept confidential and will only be shared with employees who have a legitimate need to know, based on health, safety, or educational supports for the individual.
6. **RECORDS**

A. Changes to Official Records

Upon request, the College will change the official record of any faculty, staff, or student who chooses to identify themselves within the College community with a preferred name that differs from their legal name. Certain types of records, like those relating to payroll, health benefits, retirement accounts, transcripts, financial aid, and other legal documents, may require legal documentation before the individual’s information can be changed.

B. Utilization of Names/ Pronouns

Individuals have the right to be addressed by the name and pronoun that corresponds to their gender identity, upon request. Individuals are not required to obtain a court order and/or gender change or to change their official records as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

The intentional or persistent refusal by College staff, faculty, and/or students to respect an individual’s gender identity (for example, intentionally referring to the individual by a name or pronoun that does not correspond to their gender identity) is a violation of this policy and such conduct is subject to disciplinary sanctions set forth in Section 9 below.

7. **HOUSING AND FACILITIES ACCOMMODATIONS**

A. Housing Accommodations

1. **Statement of Inclusion.** The College is dedicated in providing an atmosphere that promotes the learning, growth, and personal development of each campus member within an inclusive cooperative community. The College strives to accommodate the needs of faculty, staff, students, and campus guests to ensure a safe and comfortable living, working, and educational environment.
2. **Supportive Housing Accommodations.** A transgender individual looking for a supportive living arrangement in the residence halls or lodging accommodations on a College sponsored trip, including but not limited to outdoor recreation trips, May term study experiences, athletic trips, academic conferences, and other overnight trips, should contact the sponsoring office. The Title IX Coordinator and the Administrative Support Team can serve as liaisons to various sponsoring offices. Because of limitations in the available housing/lodging options, there is no guarantee that all of an individual’s preferences can be met; however, the College is highly committed to working with them to find the best accommodations possible.

3. **Gender Inclusive Housing.** Students over the age of 18 have the option to live in gender inclusive housing which is offered to (1) give students the option to reside with another person of a different gender or sex in order to provide a welcoming living environment; and (2) allows students in the process of discovering their gender identity who do not wish to identify themselves by a specific gender or sexual orientation, and students who feel more comfortable with a roommate of a different gender, the option to find a more compatible roommate and living situation within this community. To be eligible for gender inclusive housing, students must adhere to the housing application deadline, be approved by the Office of Residence Life, and sign a gender inclusive housing agreement. There are a limited number designated gender inclusive housing options by room type and rate. The Office of Residence Life reserves the right to relocate to a different housing accommodation on campus a student who exhibits behavior that is contrary to the spirit of the gender inclusive housing agreement.

### B. Facilities Accommodations

1. **Statement of Inclusion.** The College is dedicated to providing safe, accessible, and convenient restroom facilities. Many individuals, including transgender individuals, may experience difficulty and inconvenience when required to use gender-specific restrooms. In connection with the College’s policy of nondiscrimination on the basis of gender identity and/or expression, the College allows individuals to use the restroom that corresponds to their gender identity and/or expression.

2. **Supportive Facilities Accommodations.** College students, staff, faculty, and campus guests should use the bathroom and locker-room facilities that correspond to their sex or gender identity/expression, or utilize bathrooms that are designated gender-neutral. Any individual who has a need or desire for increased privacy, regardless of the underlying reason, shall be provided access to a single-stall restroom, when available.

### 8. STUDENT ATHLETICS

College Athletics follows National College Athletic Association (NCAA) guidance to ensure transgender student athletes’ fair, respectful, and legal access to collegiate sports teams. To avoid challenges to a transgender student’s participation during a sport season, a student athlete who has completed, plans to initiate, or is in the process of taking hormones as part of a gender transition,
should submit the request to participate on a sports team in writing to the athletic director upon matriculation or when the decision to undergo hormonal treatment is made. The request should include a letter from the student’s physician documenting the student athlete’s intention to transition or the student’s transition status if the process has already been initiated. This letter should identify the prescribed hormonal treatment for the student’s gender transition and documentation of the student’s testosterone levels, if relevant.

The student is encouraged to meet with the Administrative Support Team for support and advice through the process, if desired.

A. Intercollegiate Teams

A transgender student athlete may participate in any sports activity so long as that student athlete’s use of hormone therapy, if any, is consistent with the NCAA existing policies on banned medications. A transgender student athlete may participate in sex-separated sports activities under the following conditions:

1. Participation in Sex-Separated Intercollegiate Sport Teams
   a. Transgender student athletes who are undergoing hormone treatment
      i. A male-to-female (MTF) transgender student athlete who is taking medically prescribed hormone treatment related to gender transition may participate on a men’s team at any time, but must complete one year of hormone treatment related to gender transition before competing on a women’s team.
      ii. A female-to-male (FTM) transgender student athlete who is taking medically prescribed testosterone related to gender transition may not participate on a women’s team after beginning hormone treatment, and must request a medical exception from the NCAA prior to competing on a men’s team because testosterone is currently a banned substance.
      iii. A FTM transgender student athlete who is taking medically prescribed testosterone for the purposes of gender transition may compete on a men’s team.
      iv. In any case where a student athlete is taking hormone treatment related to gender transition, that treatment must be monitored by a physician, and the NCAA must receive regular reports about the student athlete’s eligibility according to these guidelines.
   b. Transgender student athletes who are NOT undergoing hormone treatment
      i. Any transgender student athlete who is not taking hormone treatment related to gender transition may participate in sex-separated sports activities in accordance with his or her assigned birth gender.
      ii. A FTM transgender student athlete who is not taking testosterone related to gender transition may participate on a men’s or women’s team.
      iii. A MTF transgender student athlete who is not taking hormone treatments related to gender transition may not compete on a women’s team.
2. Participation in Mixed Gender Sport Activities
   a. Transgender student athletes who are undergoing hormone treatment
      i. For purposes of mixed gender team classification, a MTF transgender student athlete who is taking medically prescribed hormone treatment related to gender transition shall be counted as a male participant until the student athlete has completed one year of hormone treatment, at which time the student athlete shall be counted as a female participant.
      ii. For purposes of mixed gender team classification, a FTM transgender student athlete who is taking medically prescribed testosterone related to gender transition shall be counted as a male participant, and must request a medical exception from the NCAA prior to competing because testosterone is a banned substance.
   b. Transgender student athletes who are NOT undergoing hormone treatment
      i. For purposes of mixed gender team classification, a FTM transgender student athlete who is not taking testosterone related to gender transition may be counted as either a male or female.
      ii. For purposes of mixed gender team classification, a FTM transgender student athlete who is not taking testosterone related to gender transition participating on a women’s team shall not make that team a mixed gender team.
      iii. For purposes of mixed gender team classification, a MTF transgender student athlete who is not taking hormone treatment related to gender transition shall count as a male.

B. Club Sports

Club sports shall follow the policy described above for intercollegiate sports.

C. Intramural Sports

People participating in any intramural sports or other athletic programs, such as physical education courses, may participate in accordance with their gender identity, should that be relevant, regardless of any medical treatment. All Intramural Sports participants are subject to the College’s non-discrimination policies. If complaints of gender-based discrimination or harassment arise, they should be referred to the Title IX coordinator.

D. Facilities, Support, and Education

1. Locker Rooms
   Anyone using sports facilities on the College campus—whether College student athletes, visiting student athletes, or other participants and attendants, shall have access to the changing, shower, and toilet facilities that accord with their gender identity. Private facilities will be made available, if asked for, but transgender people will not be required to use them.
2. Accommodations for Travel
   When possible, College student athletes traveling to other schools should be assigned
   accommodations based on their gender identity, with more privacy provided, if
   possible, when requested.

3. Names and Pronouns
   Teammates, coaches, and other participants in sports shall refer to people by their
   preferred names and pronouns.

4. Dress Codes and Uniforms
   Dress codes should enable all student athletes and other sports participants to dress in
   accord with their gender identity. For example, instead of requiring gendered forms of
   “dressy,” such as a skirt or dress, dress codes should require students to dress with
   appropriate formality in ways that suit their gender identity. Since both transgender and
   cisgender student athletes may have preferred gender expressions that do not conform
   to traditional norms of dress (for instance, not all women feel comfortable in a skirt)
   this policy should be understood to apply to all student athletes. Uniforms, ideally,
   should not conflict with a student athlete’s gender identity.

5. Education
   a. At Westminster.
      Student-athletes, coaches, trainers, and other people involved in Westminster
      Athletics should be educated about transgender identities and the principles of
      transgender inclusion. They should be knowledgeable about how, in their particular
      roles, to support transgender people, and be prepared to put this knowledge to use.
   b. At schools or venues where or against which Westminster student-athletes
      compete.
      Without naming or violating the privacy of transgender student athletes or
      personnel in question, relevant authorities and personnel at those venues should be
      informed about expectations for the treatment of transgender student athletes,
      including accommodation, pronoun, and name use during and outside of play.

9. REPORTING

The College encourages anyone who experiences or becomes aware of an incident of prohibited
conduct, to immediately report the incident to the College through the following reporting
options: 1

1 Certain College employees, referred to as responsible employees, are required to report to the Title IX Coordinator
all information disclosed to them about an incident of prohibited conduct. See Title IX Policy at Section IV(C).
• Contacting the College’s Title IX coordinator or a deputy Title IX coordinator by telephone, email, or in person during regular office hours at their respective locations, email addresses, and/or phone numbers:

  Jason Schwartz-Johnson  
  Title IX Coordinator  
  Malouf 107  
  jsj@westminstercollege.edu  
  (801) 832-2262

  Julie Freestone  
  Deputy Title IX Coordinator  
  Bamberger 106  
  jfreestone@westminstercollege.edu  
  (801) 832-2573

• Online at Westminstercollege.edu/TitleIX. A report may be made anonymously. If any information identifying the reporting party or respondent is given, the report will no longer be considered anonymous and the College will proceed accordingly; or
• Contacting Campus Patrol at (801) 832-2525.

The Title IX office, following the procedures under the Title IX Policy will investigate reports of prohibited conduct by students or employees.

10. RESPONSIBLE ADMINISTRATOR

The Title IX coordinator is responsible for enforcing the Policy Supporting Transgender Students and Employees on behalf of the College.

11. DISCIPLINARY SANCTIONS

Violations of this policy may result in sanctions and corrective actions, which can include, but are not limited to the following:

<table>
<thead>
<tr>
<th>DISCIPLINARY SANCTIONS FOR EMPLOYEES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff</strong></td>
</tr>
<tr>
<td>Verbal warning</td>
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<tr>
<td>Written warning</td>
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<tr>
<td>Required training or education</td>
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<tr>
<td>Transfer or demotion</td>
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<tr>
<td>Revocation of employment offer</td>
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<tr>
<td>Suspension with pay</td>
</tr>
<tr>
<td>Suspension without pay</td>
</tr>
<tr>
<td>Termination of contract</td>
</tr>
<tr>
<td>Termination of employment</td>
</tr>
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### WESTMINSTER COLLEGE

Supporting Transgender Students and Employees Policy

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#### DISCIPLINARY SANCTIONS FOR STUDENTS

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verbal warning</td>
<td>No trespass ordered issued by SLPD</td>
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<tr>
<td>Written warning</td>
<td>No contact directive</td>
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<tr>
<td>Advisory letter</td>
<td>Loss of privileges</td>
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<tr>
<td>Monitoring</td>
<td>Degree revocation</td>
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<tr>
<td>Required training or education</td>
<td>Withholding diploma</td>
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<tr>
<td>Probation</td>
<td>Expulsion</td>
</tr>
<tr>
<td>Transcript notation regarding non-academic suspension/expulsion</td>
<td>Revocation of admissions offer</td>
</tr>
<tr>
<td>Disciplinary suspension</td>
<td>Community service</td>
</tr>
<tr>
<td>Disciplinary hold on academic and/or financial records</td>
<td>Loss of teaching, supervisory responsibility and/or resident advisor or leadership positions</td>
</tr>
<tr>
<td>Campus access restrictions</td>
<td></td>
</tr>
</tbody>
</table>

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#### 12. RELATED POLICIES

- Policy on Sexual Assault, Sexual and Gender-Based Harassment, Gender-Based Discrimination, and Interpersonal Violence (Title IX Policy)
- Investigating and Resolving Reports of Sexual Assault, Sexual and Gender-Based Harassment, Gender-Based Discrimination, and Interpersonal Violence Committed by Students
- Investigating and Resolving Reports of Sexual Assault, Sexual and Gender-Based Harassment, Gender-Based Discrimination, and Interpersonal Violence Committed by Employees

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#### 13. HISTORY

<table>
<thead>
<tr>
<th>Date of Last Action</th>
<th>Action Taken</th>
<th>Authorizing Entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 4, 2017</td>
<td>Interim Policy Adopted</td>
<td>Policy Governance Committee</td>
</tr>
<tr>
<td>May 5, 2017</td>
<td>Policy Adopted</td>
<td>Policy Governance Committee</td>
</tr>
</tbody>
</table>

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#### 14. SIGNATURE, TITLE, AND DATE OF APPROVAL

Approved: /s/ Stephen R. Morgan, President