



Policy Name: Gender Inclusion  
Approving Authority: EDIA Committee

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## Statement

The Gender Inclusion Policy of Beal University Canada (“BUC” or the “University”) is committed to fostering an inclusive environment that respects and values individuals of all gender identities and expressions. BUC recognizes and affirms the importance of gender diversity and strives to ensure that all policies, practices, and communications are free from gender bias. BUC supports equal opportunities and treatment for all individuals, regardless of gender, and is dedicated to creating a respectful and equitable environment for everyone. The Equity, Diversity, Inclusion, and Accessibility (“EDIA”) Committee will review this policy every five (5) years.

## Purpose

In accordance with the New Brunswick Human Rights Act, the University will promote and protect the rights and dignity of all students, faculty, and staff and will create a safe, respectful, and supportive environment for all members of the University community. The purpose of this policy is to ensure the University’s commitment to provide a working and learning environment that is free from gender-based discrimination and harassment.

## Roles and Responsibilities

Providing accommodations is a shared responsibility and requires communication among University staff, faculty, students, and any individual performing University-related work and/or their use of University resources. The EDIA Committee has oversight of this policy. The Director of Compliance, Health, and Safety, in coordination with the Student Services and Human Resources Department, is responsible for the implementation of this policy.

## Definitions

Accommodation: a temporary or permanent measure to remove barriers and enable an otherwise qualified individual to perform essential job duties or meet essential academic requirements.

Ally/Allyship: is a person who works to end a form of oppression that gives them privilege(s). Allies listen to, and are guided by, communities and individuals affected by oppression. True allyship is not self-proclaimed; it is recognized by the community through consistent actions and genuine support, echoing louder than words. Forms of oppression include: ableism, ageism, classism, Biphobia, Heterosexism, Homophobia, Transphobia, sexism, racism, anti-Black racism, anti-Indigenous sentiment, anti-Semitism, Islamophobia, anti-immigrant sentiment and others.

Barrier: refers to physical, attitudinal, procedural, technological, information and communication impediments to full access and participation. Barriers may be systemic or individual in nature. Systemic barriers can be described as patterns of behaviour, policies or practices that are part of the structure of an organization, and which create a perpetual disadvantage. Individual barriers can be described as impediments that are not system-wide/related to the system.

**Biphobia:** refers to negative attitudes, feelings, or irrational aversion to, fear or hatred of bisexual people and their communities, or of behaviours stereotyped as bisexual, leading to discrimination, harassment or violence against bisexual people.

**Birth-Assigned sex/gender:** refers to the classification of an infant's sex at birth. It is often determined by the observational inspection and appearance of external anatomy when an infant is born. However, classification of sex is more complex and includes a combination of bodily characteristics including chromosomes, hormones, internal and external reproductive organs, and secondary sex characteristics. A person's Gender Identity sometimes matches their birth-assigned sex, but sometimes a person's birth-assigned sex does not match their Gender Identity. For example, a vulva-bearing child is typically assigned female at birth, or AFAB, for short. A penis-bearing child is typically assigned male at birth, or AMAB.

**Diversity:** refers to the wide range of human characteristics including but not limited to disability, marital status, family status, Indigenous identity, race, ancestry, place of origin, colour, ethnic origin, national origin, citizenship, language, creed/religion, sex (including pregnancy and breastfeeding), sexual orientation, Gender Identity, Gender Expression, age, political belief or activity, social condition, socioeconomic status, educational background, literacy level and geographical region.

**Equality:** refers to providing each individual with the same or similar opportunities and ensuring fairness in processes and outcomes so that each individual has an equal opportunity to make the most of their abilities.

**Equity:** refers to acknowledging that equal access to opportunities and services may require treating particular individuals and groups differently through the removal of barriers that marginalized Equity-Seeking Groups experience in trying to obtain this access.

**Equity-Seeking Groups:** are communities that experience significant collective barriers in participating in society. This could include attitudinal, historic, social and environmental barriers based on age, ethnicity, disability, economic status, gender, nationality, race, creed/religion, sexual orientation and Gender Identity, Gender Expression, etc. Equity-Seeking Groups are those that identify barriers to equal access, opportunities and resources due to disadvantage and discrimination and actively seek social justice and reparation.

**Gender Identity:** refers to each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the Gender Spectrum. A person's Gender Identity may be the same as or different from their birth-assigned sex. Gender Identity is fundamentally different from a person's sexual orientation.

**Gender Expression:** refers to how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's Chosen Name and pronouns are also common ways of expressing gender.

**Gender Pronouns:** are pronouns that a person uses when addressing themselves/being addressed by others [e.g., he, she, him, her, they, them, ze, hir (ze/hir are gender neutral pronouns that can be used instead of gender specific ones) etc.] verbally and in all written documents and correspondence.

**Gender Spectrum:** refers to the representation of gender as a continuum, as opposed to a binary concept. The gender binary system classifies people within either one of two genders: "man" or "woman." These

genders are expected to correspond to birth sex: male or female. In the gender binary system, there is no room for living between genders or for transcending the gender binary. The gender binary system is rigid and restrictive for many people whose sex assigned at birth does not match up with their gender, or whose gender is fluid and not fixed.

Heterosexism: refers to a system of attitudes, bias and discrimination in favour of female-male sexuality and relationships.

Homophobia: refers to negative attitudes, feelings, or irrational aversion to, fear or hatred of members of the LGBTQI2SA+ community. It is used to signify a hostile psychological state leading to discrimination, harassment or violence to those who identify as LGBTQI2SA+.

Inclusion: refers to ensuring that individuals feel welcomed in the academic and workplace environments, and that they can bring their authentic selves to the educational and work spheres.

Inclusive Language: refers to terminology/words that treat diverse individuals and communities with respect and dignity. Inclusive language focuses on the words that specific individuals and communities in question would like others to refer to them as. Inclusive language also includes using the appropriate self-chosen Gender Pronouns/titles that individuals/communities choose for themselves. A commitment to using Inclusive Language requires reflection and sensitivity to the impact of potentially derogatory words and labels on diverse groups. When in doubt, ask someone how they would like to be addressed.

Intersectionality: refers to the fact that our identities as individuals have multiple intersecting dimensions (which include but also go beyond prohibited human rights grounds) like race, gender, socioeconomic status, etc. As a result, the manner in which an individual experiences inequities or barriers to opportunity is similarly complex and multi-layered depending on the interplay of these intersecting dimensions. Intersectionality needs to be taken into account when assessing Equity impacts on an individual or group.

Individual Accommodation Plan (IAP)/Accommodation Plan (AP): refers to the formalization and documentation of the reasonable Accommodation (including Interim Accommodation) that is arranged between the supervisory/management personnel and the employee in the case of an Individual Accommodation Plan, or between the Academic Accommodations and Accessibility Office and a student in the case of an academic Accommodation Plan. The plan ensures that the parties clearly understand their roles and responsibilities and facilitates accountability and regular monitoring.

Interim Accommodation: refers to cases where it may be necessary to provide Interim Accommodation while waiting for an Accommodation to be put in place or while assessing and exploring a request for Accommodation.

Intersex: refers to a person born with reproductive or sexual anatomy, chromosomes and/or hormones that do not fit the traditional or binary classification of male or female. Some individuals who are Intersex may identify with their Birth-assigned sex, while others may not.

Lived Experience: refers to personal knowledge about the world gained through direct, firsthand involvement in everyday events rather than through representations constructed by other people.

LGBTQI2SA+ : is an acronym for Lesbian, Gay, Bisexual, Transgender, Queer (or Questioning), Intersex, Two-Spirit (2S), Asexual (or sometimes Ally). The ‘+’ is for all the new and growing ways that people identify their biological sex, sexual orientation, Gender Identity and Gender Expression.

Marginalization: refers to the social process by which individuals or groups are (intentionally or unintentionally) distanced from access to power and resources and constructed as insignificant, peripheral, or less valuable/privileged to a community or “mainstream” society.

Members of the University Community: includes students, faculty, contractors, the Board of Governors and all employees of the University.

Non-Binary: is an umbrella term for Gender Identities that fall outside of the man-woman binary.

Preferred/Chosen Name: refers to the name an individual prefers to use which differs from their legal name and which they feel is essential to their identity and safety. This is not simply an optional ‘preference’. It is the name that should be used in day-to-day interactions and University systems where legal name is not required. It is especially important for Transgender and Non-Binary individuals, whose workplace and learning environment experience and well-being are negatively impacted when their preferred/Chosen Name is not used.

Safe Space: refers to the organizational facilitation of space (on-campus and online) where members of Equity-Seeking Groups can feel comfortable and physically, emotionally, and socially safe enough to talk about sensitive topics/Lived Experiences that relate to their unique Intersectionality. These are spaces where they feel no assault, challenge, or denial of their identity, of who they are, and what they need to thrive and reach their potential. Safe Spaces can also be explicitly demarcated by the use of inclusive signage, symbols, art, ceremonial spaces, language and inclusive cultural practices and protocols.

Transgender/Trans: is umbrella term referring to people with diverse Gender Identities and expressions that differ from stereotypical gender norms. It includes but is not limited to people who identify as Transgender, trans woman, trans man, transsexual, cross-dresser, gender non-conforming, gender variant, gender-fluid, or genderqueer.

Transitioning: refers to the process an individual takes to change their gender presentation and/or legal/administrative markers to align with their gender identity. The process can involve some or all of the following changes: dress, appearance, grooming, name/Gender Pronouns, medical, legal, social and/or personal.

Transphobia: refers to negative attitudes and feelings and the aversion to, fear or hatred or intolerance of trans people and communities. Like other prejudices, it is based on stereotypes and misconceptions that are used to justify discrimination, harassment and violence toward trans people, or those perceived to be trans.

Two-Spirit (2S): is used by some Indigenous North American cultures to describe a person who embodies both masculine and feminine qualities or carries a combination of male and female gender roles.

## **Policy**

The University is committed to ensuring that all Members of the University Community feel welcome and included in the workplace and learning environments. The University will promote and support gender inclusion in all

academic and administrative policies, procedures, programs, and services to reflect and respond to the needs of our faculty, students, and staff. The University strives to create work and learning environments in which individuals can participate, maximize their contributions, and achieve their full potential. The University promotes environments where a plurality of Lived Experiences are embraced, including Safe Spaces. Furthermore, the University will work towards eliminating barriers to gender inclusion in its workplace and learning environments.

The University recognizes that individuals who do not conform to a gender binary and societal gender norms experience barriers, inequities and risks to their well-being based on prejudices. This has the potential impact of hindering the individual's ability to fully, freely, and equitably participate within the University workplace and/or learning environment.

Self-identification is the sole and whole measure of a person's Gender Identity and/or Gender Expression. No person shall be required to 'prove' their gender in order to gain access to any opportunities and Accommodations within the University workplace and learning environments.

#### Confidentiality of Information

The University respects the national and provincial privacy legislation to which it may be subject. To the extent that the University has in its possession personal information, which includes the protection of information relating to an individual's Gender Identity and/or Gender Expression, the University is committed to keeping that information confidential, except as permitted or required under such legislation. Gender Identity and/or Gender Expression includes information that directly or indirectly identifies that a person's birth-assigned sex is different from their Gender Identity and/or Gender Expression. An individual's history and medical information will be kept private and confidential, and relevant information will be shared only with the people directly involved in helping to provide Accommodation. Those involved in the Accommodation process (including but not limited to: employees, Human Resources, University departments, supervisors/managers, healthcare professionals, subject matter experts, etc.) shall also be required to commit to protecting the confidentiality of personal information. Human Resources staff and the Student Services Department staff are responsible for the safekeeping and protection of personal information. All personal information will be kept in a secure location and will be housed in the Human Resources department and Student Services department for employees and students, respectively.

Situations in which the Gender Identity and/or Gender Expression of a Member of the University Community may be disclosed as per the applicable national and provincial privacy legislation may include the following:

- the individual has directly given explicit and documented permission to disclose their Gender Identity and/or Gender Expression.
- the disclosure is made to an employee of the University on a "need-to-know" basis for the purpose of enabling the employee to carry out their duties (e.g. to fulfill a specific Accommodation request, to allow for the provision of serious medical attention that attends to or prevents impending and significant harm, to issue or administer payroll or benefits, among certain other situations that the University may identify).

Members of the University Community who identify as Transgender must confirm with the University the name(s) and pronoun(s) by which they prefer to be referred to in correspondence and communications. Disclosing the status of a Transgender Member of the University Community without explicit and directly expressed consent or in the absence of a "need-to-know" circumstance is generally known as "outing". Under the Harassment and Discrimination Policy, this form of outing could be a form of harassment and/or

discrimination on the basis of Gender Identity and/or Gender Expression that puts the individual's physical, emotional and psychological safety at risk.

To the extent the University is aware of the intention of a Member of the University Community to transition genders or the fact that they are Transitioning, this information must be kept confidential. Without clear, explicit and documented permission from the person intending or undergoing a transition, disclosure is prohibited, except where such disclosure is necessary to protect the rights of the individual (including the provision of Accommodation), to change documentation kept by the University or if required by law. If such disclosure is appropriately made it must always be limited and only go as far as reasonable. Disclosing the transition plans of a current Member of the University Community may be necessary in this regard to minimize inappropriate responses from others within the University community.

#### Accommodation Roles and Responsibilities

It is the responsibility of an employee or student to make a request for workplace/academic Accommodations on the basis of Gender Identity and/or Gender Expression to the appropriate University department. Employees should consult the Workplace Accommodation Policy and Procedures for more information on the Accommodation process and Individual Accommodation Plans. Employee Accommodation requests should be directed to their supervisor/manager and Human Resources. In the event a person is not comfortable or feels at risk by informing their supervisor that person may bypass their supervisor and go directly to Human Resources. Students should consult the Student Access to Accommodations Policy and Procedures for more information on the Accommodation process and academic Accommodation plans. Student Accommodation requests should be directed to the Student Services department. Workplace and academic Accommodation shall be provided in a manner consistent with the core principles of independence, dignity, individualization, Inclusion, integration, and equality of opportunity.

This Policy will be published in the University Employee Handbook, Faculty Handbooks, Academic Calendars, Student Handbooks, and all orientation materials for new employees and students.

#### **Related Policies and Documents**

AA-004 Student Corrective Action Policy  
HR-003 Harassment and Discrimination Policy  
HR-004 Equity, Diversity and Inclusion Policy  
HR-009 Workplace Accommodations Policy  
HR-013-F Student Change of Name Form  
HR-018 Employee Corrective Action Policy  
SA-001 Student Code of Conduct Policy  
SA-003 Student Access to Accommodations Policy

Addendum: Gender Inclusion Procedures

## **Addendum**

### **Gender Inclusion Procedures**

#### **Self-Identification**

Changes to name and/or gender: If an employee or student seeks to change the way their name appears in University documents (hard copy and electronic) to reflect their gender and/or Gender Pronouns. Identification may be required to verify identity and prevent identity fraud; it will not be used to require a person to prove their gender identity or expression.

Employees can make changes to their Preferred/Chosen Name, gender and Gender Pronouns in the Human Resources information system. Only Preferred/Chosen Names are shown publicly whereas an employee's legal name is only seen by Human Resources, Payroll, and the employee's supervisor/manager. Legal names are typically shown on official and government-issued documents such as a T4 tax slip, Record of Employment, pay statements, etc.

It is the sole responsibility of the employee/student/graduate to resolve or deal with issues resulting from a name change. To navigate such issues, if required, a student may request a letter from the Registrar's Office confirming their name and student status. Students can make changes to their Preferred/Chosen Name, gender and Gender Pronouns through completing the applicable HR-013-F Student Change of Name Form and sending it to the applicable Student Services or Registrar Office as per the directions on the form. Changes to name will be reflected on a student's official academic record, transcript, and diploma/degree. Please note that if a student's name has been changed to something other than their legal name (e.g. Preferred/Chosen Name) future employers, licensing bodies, student loan issuers, and other educational institutions may require legal proof that the transcripts and diplomas/degrees being used legitimately belong to the student.

#### **Gender Pronouns**

Employees and students may also indicate their Gender Pronouns in their official email signatures, name tags, social media, and other profiles, etc. This allows everyone to know what pronouns to use when addressing that individual in order to respect and affirm their Gender Identity and/or Gender Expression. It also creates a safe and inclusive space for people to bring their whole selves to the workplace and the learning environment and shows a willingness to respect self-identified Gender Pronouns.

#### **Washroom access**

The University will make efforts to ensure that all members of the University Community can use washrooms with safety, privacy, and dignity, regardless of their Gender Identity or Gender Expression. All individuals on the University premises have the right to use the washroom that corresponds with their Lived Experience and self-identified Gender Identity and/or Gender Expression without fear of discrimination, harassment, reprisal, or harm. Inclusive signage may be used to identify gender inclusion in washroom facilities, but access is available regardless of whether signage is present or not.

#### **Confidentiality of Information**

All members of the University Community are provided with legal rights to privacy under the applicable national and provincial privacy legislation, which includes the protection of information relating to an individual's Gender Identity and/or Gender Expression. As such, the Transgender status of all members of the University Community must be kept confidential, except as permitted or required under such legislation. The privacy and confidentiality of any information related to a Transgender individual's Gender Identity will be maximized to the extent possible. This includes information that directly or indirectly identifies that a person's birth-assigned sex is different from their Gender Identity. An individual's Transgender history and medical information will be kept private and

confidential, and limited to only relevant information and the people directly involved in helping to meet that individual's needs.

The University is committed to protecting the confidentiality of employee and student personal and medical information. All parties involved in the workplace and student Accommodation process shall protect the confidentiality of employee personal and medical information. Records of personal and medical information are stored within HR/Student Services in a separate confidential file distinct from the personnel/student record. Human Resources staff and the Student Services department staff are responsible for the safekeeping and protection of confidential documents. All confidential information will be kept in a secure location and will be used solely for the purpose for which it was released. The information will be housed in the Human Resources department and Student Services department for employees and students respectively.

Grounds upon which the Transgender status of a member of the University Community may be disclosed as per the applicable national and provincial privacy legislation include the following:

- the Transgender individual has directly given the discloser explicit and documented permission to disclose their Gender Identity
- the disclosure is made to an employee of the University on a “need-to-know” basis for the purpose of enabling the employee to carry out their duties (e.g. to fulfill a specific Accommodation request, to allow for the provision of serious medical attention that attends to or prevents impending and significant harm, issuing of payroll or benefits, etc.).

Members of the University Community who identify as Transgender must confirm with the University the name(s) and pronoun(s) by which they prefer to be referred to in external correspondence and communications (e.g. phone calls home, email, University communications bulletins, unofficial documentation, websites, online portals, University related articles and promotional material, etc.). Disclosing the status of a Transgender member of the University Community without explicit and directly expressed consent or in the absence of a “need-to-know” circumstance is generally known as “outing”. Under the Harassment and Discrimination Policy, this form of outing is recognized as a form of harassment and/or discrimination on the basis of Gender Identity and/or Gender Expression that puts the individual's physical, emotional and psychological safety at risk. The intention of a member of the University Community to transition genders or the fact that they are going through a gender transition process must be kept confidential. Without clear, explicit, and documented permission from the person intending or undergoing a transition, disclosure is prohibited, except where such disclosure is necessary to protect the rights of the individual (including the provision of Accommodation), to change documentation kept by the University or if required by legal process. If such a disclosure is appropriately made it must always be limited and only go as far as what can be reasonably determined to help prevent the development of a poisoned working and/or learning environment within the University Community. Disclosing the transition plans of a current member of the University Community may be necessary in this regard to manage expectations and to minimize inappropriate responses from others within the University Community.

#### Gender Transition Guidelines

The University will take reasonable steps to be supportive, understanding, respectful, responsive, and provide reasonable Accommodation to all members of the University Community who undergo a gender transition while at the University. The following are guidelines and considerations which should be addressed when implementing an Accommodation Plan for an employee or student that is experiencing a gender transition and is requesting Accommodation. These guidelines and any associated timelines should be reflected within the Accommodation Plan which sets out the responsibilities and expectations of all parties involved, and mechanisms for monitoring and review of the plan.

- Name and gender title changes – Updates to name and gender changes within the applicable University

information systems will take place as soon as reasonably possible as per the procedures mentioned above. Name changes within the University information systems may take time to process depending on the circumstances and any issues related to integration of different systems. As a best practice the use of gender titles (Mx., Ms., Mr., Mrs., etc.) should be avoided unless it is clear what title the individual prefers to use. The only exception to this provision is for any records that must match a person's legal name. The plan should also address any implications from the transition-related to benefits as well.

It is important to recognize that some Transitioning individuals may not be able to change their identity documents legally. This may be because they are born in a jurisdiction that does not allow a change at all, or which requires proof of gender-affirming surgery, which is difficult to access, inappropriate or unavailable for many Transgender individuals. This underlines the University's obligation to use a person's Preferred/Chosen Name without requiring a legal name change or any changed identity documents.

**Gender Pronouns and Gender-Inclusive Language** - The correct use of pronouns is an important component of accommodating based on Gender Expression and/or Gender Identity.

- Informing others about name and gender changes – The Accommodation Plan should address if, when and how other members of the University Community will be informed of the individual's new name and Gender Identity. It is up to the Transitioning individual to decide how communication of these changes to others not involved in the Accommodation process will occur, if at all.
- Change-room facilities - All members of the University Community have the right to a safe change-room that corresponds to their Gender Identity and/or Gender Expression. Where change-rooms do not have separate privacy stalls, reasonable Accommodations will be provided on a case-by-case basis that endeavours to effectively meet the individual's particular needs.
- Dress codes and grooming - Except where inconsistent with security, health and safety concerns, all Transgender members of the University Community are permitted to dress, and groom themselves in attire that reflects their own Gender Identity and/or Gender Expression.
- Athletics - No member of the University Community shall be prevented from full and equal participation in the University's athletic activities on the basis of their Gender Identity and/or Gender Expression.
- Gender-affirming surgery and transition-related medical appointments – Members of the University Community may seek Accommodation for gender-affirming surgery and time off for medical appointments if that is part of their transition. Members who require leave for surgeries/medical appointments may be required to provide medical documentation to verify the need for leave in accordance with the appropriate type of leave. This information must be treated confidentially.
- Training needs – The Accommodation Plan should address when and how training for members of the University Community will occur to help them understand the transition process and their involvement in the plan, if applicable.