

Ponce Health Sciences University

SEXUAL ORIENTATION AND GENDER IDENTITY/EXPRESSION DIVERSITY, EQUITY, INCLUSION AND CULTURAL COMPETENCE POLICY



PHSU

PONCE HEALTH SCIENCES UNIVERSITY

Tamdiu Discendum Est. Quamdiu Vivas

Policy Number:
PHSU-PP-2023-2-05

Date Issued:
July 31, 2023

Next Review Date:
June 30, 2024

Applies to:
All active PHSU Students, Staff,
Employees and Faculty Members

Owner:

Primary Contact:

Related Policies:

- Student Dress Code - PHSU-PP-2022-2-04

Supporting Forms:

- Executive Order on Guaranteeing an Educational Environment Free from Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity. The White House, March 08, 2021.
- Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation. The White House. January 20, 2021.
- Department of Labor (DOL) Policies on Gender Identity: Rights and Responsibilities. Office of the Assistant Secretary for Administration & Management. U.S (United States). Department of Labor. 2021
- US (United States) EEOC: Facility/Bathroom Access and Gender Identity
- Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.)
- Guía de Acceso a Baños Empleados Transexuales y Transgénero. Departamento del Trabajo y Recursos Humanos. Gobierno de Puerto Rico. Septiembre 2016. Rev. 29 de octubre de 2018 www.ogp.pr.gov Página 1 de 12
- Guide to Restroom Access for Transexual and Transgender Employees. Department of Labor and Human Resources. Government of Puerto Rico. September 2016. Rev. October 29th, 2018, www.ogp.pr.gov Pages 1-12
- Ley para Prohibir el Discrimen por Orientación Sexual e Identidad de Género en el Empleo. Ley Núm. 22 de 29 de mayo de 2013
- A Guide for Supporting Trans and Gender Diverse Students. American Psychological Association, Committee on Sexual Orientation and Gender Diversity, August 2019.
- American Psychological Association. <https://www.apa.org/topics/racism-bias-discrimination/types-stress>
- American Dental Education Association (ADEA) Faculty Diversity Toolkit, 2020.
- Healthcare Equality Index (HEI) Scoring System and Methodology. Human Rights Campaign, 2022.
- Campus Pride Index. National LGBTQ-Friendly Benchmarks & Standards for Inclusion in Higher Education. 2017.
- Asociación de Psicología de Puerto Rico. (2022). Resolución: Para que toda institución académica universitaria establezca directrices, guías y/o protocolos que permitan que las personas transgénero, no binarias y género-diversas se les reconozca su identidad en los sistemas de información, correos electrónicos y acercamientos socio académicos, tanto sus pronombres como su nombre escogido.
- Puerto Rico Psychology Association (2022). Resolution: For every academic university institution to establish directives, guides, and/or protocols that allow transgender, non-binary, and gender-diverse people to have their identity recognized in information systems, emails, and socio-academic approaches, both, their pronouns, as their chosen name.

TABLE OF CONTENTS

Sexual Orientation and Gender Identity/Expression Policy	4
Introduction:	4
I Legal Basis:	4
II Scope:	4
III Justification:	4
IV Definitions.....	5-6
V Policy:	6-8
Policy	
Self-Identification	
Advisory Board	
Academic Life	
Research	
Human Resources	
Community Engagement	
Campus Safety	
VI Amendments:	8
VII Repeal and Validity:	8
VIII Approval:	8

Sexual Orientation and Gender Identity/Expression Diversity, Equity, Inclusion, and Cultural Competence Policy

Introduction:

PHSU acknowledges and respects that sexual orientation and gender identity/expression (SOGIE) are components of the diversity of individuals. PHSU community members deserve a safe place where SOGIE respect is applied and embraced and where discrimination based on SOGIE for students, faculty, staff, and employees is prohibited. SOGIE-diverse people enrich PHSU providing the perspective of one key component of health determinants. As part of its commitment to diversity, inclusion, equity, and cultural competence, PHSU created this Policy aimed to establish awareness and compliance guidance related to SOGIE academic, workplace and clinical situations.

In this Policy, the use of the acronym SOGIE is based on Human Rights Campaign and The National LGBTQIA+ Health Education Center (The Fenway Institute) literature. We also acknowledge the acronym GSRD (gender, sex, relationship diversity) as one valid for the same purpose.

The elaboration of this policy was the result of teamwork that included the representation of all the Programs and Schools of the University, Ponce Research Institute, and the collaboration of the following institutional components: Compliance Officer, Dean of Curriculum and Academic Affairs, Vice President for Students Affairs, and a representative from the Human Resources Office. Eleven drafts of the policy were evaluated. Being a sensitive issue, the policy was submitted to students, staff and faculty consideration, their input was analyzed, and recommendations from this input were included in the final version of the policy.

I Legal basis:

This Policy has been approved by the Institutional Administrative Committee and is effective as of July 31, 2023.

II Scope:

This Policy applies to all active PHSU students, faculty, staff, and employees at Ponce Main Campus, San Juan University Center, St. Louis Campus, and all associated entities with which the university conducts business or has affiliations with.

III Justification:

PHSU community members should be treated with respect and dignity and should be able to live without fear, no matter who they are or whom they relate. All PHSU students, faculty, staff, and

employees should be guaranteed an educational and workplace environment free from discrimination based on sexual orientation or gender identity and expression.

PHSU students, faculty, staff, and employees should be able to earn a living and pursue a vocation knowing that they will not be fired, demoted, or mistreated because of their relations whom they relate to, how they dress, motivated by their sexual orientation and/or gender identity/expression, and not following the Institutional Dress Code Policy, or does not conform to sex-based stereotypes.

IV Definitions:

(Source: Terms adapted from: Resource Center for Sexual & Gender Diversity, University of Santa Barbara in A Guide for Supporting Trans, and Gender Diverse Students. American Psychological Association, Committee on Sexual Orientation and Gender Diversity, August 2019.) For more definitions, please review the source.

- Sex (Biological Sex)
 - Refers to a person based on their anatomy (chromosomes, hormones, gonads, primary and secondary sex characteristics, and/or reproductive organs). Sex terms are male, female, and intersex. Sex is often thought of as biological and legally designated at birth; however, it is experienced as psychosocially and culturally constructed. From a biological perspective, there are three (3) different biological sexes identified: male, female, and intersex.
- Gender Identity
 - The way that people self-identify and define their genders. It is not determined by the biological sex. Words that refer to gender identity include man, woman, trans/transgender, gender non-binary, and genderqueer.
- Gender Expression
 - Personality traits, behaviors, appearance, and body movements pertaining to one's own gender identity. Words that refer to gender expression include masculinity, femininity, gender non-binary, and androgyny.
- Sexual Orientation
 - The direction of one is sexual, physical, emotional, romantic and/or spiritual attractions. It is on a continuum and not a set of absolute categories. Sometimes referred to as affectionate or sexual identity, sexual orientation can change over time through a multistage developmental process.
- Personal Gender Pronouns (PGPs)
 - A phrase used as an affirmative way of asking someone how this person would like to be referred. Common examples: she/her/hers, he/him/his, they/them/theirs, ze/hir/hirs.
- Gender Binary
 - The idea that there are only two sex or genders: male/female, man/woman, or masculine/feminine.
- Gender Non-Binary
 - A person who identifies outside of gender binaries. Some non-binary people

identify under the trans umbrella. Common terms include agender, genderqueer, gender fluid, and gender nonconforming.

- Transgender or Trans
 - An umbrella term used to describe the full range of people whose gender identity, expression, and/or gender role do not conform to what is typically associated with their sex assigned at birth. Trans people may or may not identify with a particular descriptive term (e.g., trans men, trans women, gender-diverse). Trans Man: Someone who identifies as a man but was assigned female at birth. Trans Woman: Someone who identifies as a woman but was assigned male at birth.
- Stereotype
 - An exaggerated, oversimplified belief about an entire group of people without regard for individual differences.
- Hate crime
 - Hate crime legislation often defines a hate crime as a crime motivated by the actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person.
- Discrimination

(Source: American Psychological Association. <https://www.apa.org/topics/racism-bias-discrimination/types-stress>).

 - Discrimination is the unfair or prejudicial treatment of people and groups based on characteristics such as race, gender, age, or sexual orientation. Discrimination could be unethical, unfair, and illegal and is not only for actual classification or for identification but also based on perception (e.g., perceived sexual orientation, perceived gender identity).

V Policy:

Policy

- PHSU prohibits discrimination based on SOGIE for students, faculty, staff, and employees. PHSU requires outside entities with which the University does business (such as vendors, contracted food services, entertainment contracts, and licensees) to comply with the university nondiscrimination policy regarding SOGIE diverse people.
- PHSU actively seeks to recruit and retain SOGIE diverse students, faculty, staff, and employees, like other diverse populations.
- This policy is communicated to all PHSU community members on Campus, in hard copy (brochures, posters, infographics, etc.) and through the Institutional Schools' and Programs' websites.
- PHSU will consider SOGIE community needs in providing counseling and support services to students, employees, and faculty.
- Based on this Policy, PHSU academic, research, and administrative offices will implement rules, regulations, and standard operating procedures that reflect inclusion, equity, and cultural competence with SOGIE-diverse PHSU community members.

Self-identification:

- PHSU respects SOGIE community members' option to self-identification or non-disclosure intent.
- PHSU creates space for experiences outside of the gender binary (he/she) and pronouns are included in this consideration. PHSU understands that pronouns are not preferred, they are established. Referring to "preferred pronouns" can imply that it is optional to use a person's pronouns. This simple effort can make a profound difference in a trans person's experience of safety, respect, and support.
- University data gathering system offers explicit options to capture PHSU community member's
 - current gender identity—when it differs from the person sex assigned at birth,
 - pronouns in use AND prominently displays these pronouns easily accessible for front line staff and providers.
 - name in use—if it differs from their legal name AND prominently displays this name easily accessible for front line staff and providers
- PHSU offers students and employees dress codes in a non-binary and inclusive format.

Restrooms:

- PHSU provides all-gender restrooms, including gender neutral/unisex single-stall bathrooms, for all community members and visitors. These restrooms have clearly posted signage indicating a policy that allows individuals to use the restroom that aligns with their gender identity.

Advisory Board:

- PHSU has an advisory board or standing advisory committee with duly qualified members to examine SOGIE issues, which reports in an ongoing, active manner with Institutional senior leadership.

Academic Life:

- PHSU offers mandatory and accessible programs that incorporate topics around SOGIE diversity and inclusion issues in new students' orientation programs.
- PHSU makes a concerted effort to incorporate SOGIE issues into applicable courses.
- PHSU offers training opportunities for new faculty/staff/administrators during their orientation program and periodically incorporates topics around sexual orientation and gender identity/expression.

Housing & Residence Life (when available)

- PHSU offers gender-inclusive housing, welcoming students who identify themselves outside of the gender binary as a standard procedure through the on-campus room selection process. The housing selection process will be protected for all students.

Research:

- PHSU supports SOGIE health-focused research, community outreach activities, and academic studies.

Human Resources:

- PHSU is committed to sustain efforts implementing policies aimed at creating a safe and productive workplace for SOGIE-diverse employees and assuring their compliance.

Community Engagement:

- PHSU regularly plans and/or co-sponsors activities and events related to SOGIE diverse people, experiences, and issues/concerns to promote inclusivity.
- PHSU engages in SOGIE-inclusive marketing in its university advertising efforts.
- PHSU collaborates with external SOGIE diversity organizations or community members to collaboratively assess and address SOGIE-related health needs or concerns.
- PHSU encourages, supports, and promotes SOGIE health-related research.

Campus Safety:

- It is PHSU policy of to investigate any disruption to this Policy and to provide ongoing trainings for public safety officers, as well as for students, faculty, and staff, on identifying hate crimes, hate crime prevention, and how to report and respond to bias incidents and hate crimes.

VI Amendments:

PHSU Institutional Administrative Committee reserves the right to review and amend this Policy when it is deemed necessary. Any changes to the Policy will be posted on the PHSU Portal for immediate community access.

Violations of this Acceptable Use Policy may be subject to disciplinary action up to, and including, discharge after the established due process.

VII Repeal and Validity:

This Policy does not repeal the provisions established by other University policies and/or governmental agencies' regulations but establishes the requirements of PHSU's Sexual Orientation and Gender Identity/Expression Diversity, Equity, Inclusion, and Cultural Competence Policy.

This policy will be effective for the AY 2023-2024.

VIII Approval:



David Lenihan, PhD, JD, DC, MBC
President-PHSU

____07/05/2023_____
Date