University of Plymouth

Transsexual Students: policy statement

Introduction

1. The Government introduced explicit legislation in 2004 to protect employees and students from discrimination on the grounds of their gender reassignment status.

The legal protection for a person who has fully transitioned is clear and unequivocal. The Gender Recognition Act (2004) allows unmarried transsexual people who are able to satisfy the Act’s evidence requirement to apply to Gender Recognition Panels, (a new body consisting of judicial lawyers and doctors), to seek full legal recognition. The process applies the following requirements to the applicant:

- s/he has, or has had gender dysphoria;
- s/he has lived in the acquired gender for two years ending with the date on which the application is made;
- s/he intends to continue to live in the acquired gender until death;
- s/he complies with the evidence requirements of the Act and any further additional evidence required by the Panel.

2. Sex Discrimination legislation had already been extended to cover discrimination on grounds of intended, ongoing, or past gender reassignment.

3. The HE Equality Challenge Unit (ECU) has published guidance on terms used, which are followed in this document. The policy also follows ECU recommendations on best practice where they can be applied to students.

Policy framework

4. The University will support any student with gender dysphoria, and is committed to a culture in which such a student does not experience discrimination or harassment. The University recognises that gender dysphoria may raise issues both for the students concerned and for others, and wishes to encourage an environment in which such concerns can be expressed and discussed in a supportive manner, and in which appropriate confidentiality can be maintained.
Individuals who have undergone, or are undergoing, gender reassignment

Applicants

5. An applicant who has fully transitioned prior to joining the University will need to provide a copy of their Gender Reassignment Certificate or a letter from their GP or psychiatrist to explain the disparity between the name on their certificate of qualification and their current name. If such a student contacts the University’s Equality & Diversity Unit, the Unit can ensure that the verification is conducted confidentially. Thereafter, the student will be treated in all respects as being of the acquired gender.

Current students

6. A current student who intends to transition, or is in the process of so doing, should advise the Equality and Diversity Unit in writing as soon as possible of their intentions, advising, if known, the date on which they intend to present themselves as a member of the opposite sex.

7. Students are encouraged to discuss practical matters in confidence with the Equality & Diversity Unit, either in person, in writing or by telephone. The discussion may need to confirm a timetable for transition, the date when the student wants to make the social change, and dates of e.g. medical appointments, treatments etc, to enable the University to make appropriate arrangements for time away from study.

8. The discussion may also cover practical issues such as toilet facilities, University identification documents, formal records, etc.

9. It will be necessary in the course of discussion to agree the range of people (both staff and students) who will need to be advised of the transition and the most appropriate ways of informing them. In all cases there will be a clear statement of confidentiality, stressing the importance of not discussing the transition with anyone else within or outside the University.

10. The University acknowledges that medical intervention is not a prerequisite for living in an acquired gender. The University also acknowledges that there may be circumstances in which a student is living in an acquired gender pending medical treatment, such that issues may arise in relation to the perceptions of other staff or students. In such cases, the student is encouraged to discuss with the Equality and Diversity Unit the issues which might arise and strategies for dealing with them.

11. The University hopes that students in this situation will feel able to continue their programme of studies, but accepts that some students may wish to start elsewhere with a new identity. In such circumstances the University will, on request, provide supporting statements based on the acquired gender on request.
12. The University acknowledges that in some subject areas, such as health and medicine, gender dysphoria may raise issues in relation to professional practice. These will need to be discussed with the NHS or other relevant professional bodies as necessary on a case by case basis, but the student will be advised before any such discussion takes place.

**Graduates**

13. The University will reissue award certificates to individuals who have fully transitioned subsequent to the issue of the original certificate. An individual seeking the reissue of their award certificate should write to the University Secretary and Academic Registrar, enclosing their original certificate, together with either a Gender Reassignment Certificate; or a letter from their GP/psychiatrist including reference to past and present names and date of birth, and a change of name deed. On receipt of this information, the University will issue a revised award certificate and will amend its computerised student record so that any request for award confirmation can be met.

14. If a graduate who has fully transitioned wishes to cite members of University staff as referees, then it will be necessary to make that clear in the letter to the University Secretary and Academic Registrar, identifying the individuals concerned and authorising the University Secretary and Academic Registrar to confirm the gender reassignment with those individuals. Staff members will be advised that the fact of gender reassignment must be kept confidential in references.

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**USAR**
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Appendix

Terms used
(With acknowledgement to the Equality Challenge Unit’s publication “Employing Transsexual People in Higher Education” available from www.ecu.ac.uk)

Physical Sex
Sex as determined by the match between body and sex organs, i.e. male, female or intersex. Except in the case of people who are intersexed, anatomical sex is well defined and easy to interpret.

Gender
Gender describes how people feel about themselves and how they expect other people to behave toward them. Gender is less clearly defined than anatomical sex and does not necessarily represent a simple binary choice: some people have a gender identity that is neither clearly female nor clearly male. Gender consists of two related aspects: gender identity, which is the person’s internal perception and experience of their gender; and gender role, which is the way that the person lives in society and interacts with others, based on their gender identity. For the purposes of law, gender is binary – people can only be male or female.

Gender Dysphoria
A person with gender dysphoria may experience anxiety, uncertainty, or persistently uncomfortable feelings about their birth gender, and/or feel that they have a gender identity that is different from their anatomical sex. This in turn may lead to a fear of expressing their feelings and a fear of rejection, which may lead to chronic depression. Sometimes a person with gender dysphoria assumes an identity in the opposite sex. This may involve undergoing hormone and perhaps surgical treatment to change their sex physically, although medical treatment is not a prerequisite of transsexualism or of being recognised in the acquired gender.

Gender Recognition Certificate (GRC)
A certificate issued by a Gender Recognition Panel. A holder of a full GRC is legally recognised in his or her acquired gender for all purposes. The GRC will be issued to an applicant if he or she satisfies the Panel that they fulfil all the criteria outlined in the Gender Recognition Act 2004. The Act requires that the applicant has or has had gender dysphoria, has lived in the acquired gender for two years prior to the application, and intends to live permanently in the acquired gender. A full GRC also gives the holder the means to obtain a new birth certificate. Since this is new legislation there is likely to be a delay before all those who are likely to be granted a GRC will receive one.

Hermaphroditism or Intersexuality
Hermaphroditism or Intersexuality occurs when the anatomical sex is ambiguous. It may or may not be accompanied by various degrees of gender dysphoria. The condition may arise due to certain congenital disorders or hormone imbalances in the foetus or placenta.
Sexual Orientation
An orientation towards persons of the same sex (lesbians and gay men) or an orientation towards a person of the opposite sex (heterosexual) or an orientation towards persons of the same sex and the opposite sex (bisexual). The concept of sexual orientation is frequently allied with transsexual issues (often abbreviated to LGBT), although transsexualism has nothing to do with sexual orientation.

Transsexual person
A person who feels a consistent and overwhelming desire to transition and fulfil their life as a member of the opposite sex. Someone in this position will have the medical condition gender dysphoria. Transsexual people, however, can be heterosexual, lesbian, gay or bisexual.

Transsexualism is widely accepted as a physical as well as a psychological condition. It is not a matter of choice or environment but is a medical condition. The first stage of diagnosis involves a visit to a General Practitioner or psychiatrist. The GP or psychiatrist will undertake a detailed enquiry into gender development in childhood and puberty, and note details of the person's current life circumstances and general stability before carrying out psychological assessments. There is sometimes evidence of clinically significant long-term anxiety, distress and impairment in social and occupational functioning, or there may be evidence of a deep dissatisfaction with the individual's gender identity. If the person is diagnosed with gender dysphoria, they are referred to a gender dysphoria clinic. At this stage, alternatives to sex reassignment are considered. Many people will choose to live in the gender role with which they most closely identify. This may involve a range of treatments. Some people choose to stop at this stage of transition. They may either realise that they do not feel these changes are making a positive difference, or they feel that these changes are sufficient. In some cases, the person may choose to undergo genital reassignment surgery.

Transvestite
A person who dresses in the clothing of the opposite sex. Generally, these persons do not wish to alter their body and do not necessarily experience gender dysphoria.

Transgender
An umbrella term used to include transsexual people, transvestites, and those with gender dysphoria.

Trans
A generic term generally used by those who identify themselves as transgender, transsexual or transvestite.

FtM
Female to male transsexual. A person who is changing, or has changed, physical sex from female to male.

MtF
Male to female transsexual. A person who is changing, or has changed, physical sex from male to female.