“The University of Washington, as an institution established and maintained by the people of the state, is committed to providing equality of opportunity and an environment that fosters respect for all members of the University community. This policy has the goal of promoting an environment that is free of discrimination, harassment, and retaliation.”

University of Washington, Executive Order No. 31
http://www.washington.edu/admin/rules/policies/PO/EO31.html

The University of Washington’s non-discrimination, harassment, and retaliation policy does not list “gender identity or gender expression” within the list of protected classes. When, in fact, these two classes are currently protected under the state’s Washington Law Against Discrimination (WLAD) (RCW 49.60) definition of “sexual orientation.” The Q Center proposes adding the explicit language “gender identity and gender expression” to the list of protected classes to clarify our current non-discrimination policy.

**Current Policy:** University of Washington’s current policy of non-discrimination, harassment, and retaliation policies protect members of the UW community on the basis of “race, color, creed, religion, national origin, citizenship, sex, age, marital status, sexual orientation, disability, or military status.”

Under WLAD, "‘Sexual orientation’ means heterosexuality, homosexuality, bisexuality, and gender expression or identity. As used in this definition, "gender expression or identity” means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.” (RCW 49.60.040)

The University of Washington does not provide a definition for “sexual orientation” within Executive Order No. 31. However, Order 31 does state: “unless otherwise defined below, terms used in this policy are intended to have the meaning given to them by applicable federal or state laws and regulations.” Of note, UW previously provided an internal definition of “sexual orientation” that included “gender identity and gender expression.”

The Q Center believes that the current policy lacks necessary clarity for members of the UW community.

**Requested Policy Change:** Explicitly add “gender identity and expression” to all of UW’s non-discrimination, harassment, retaliation policies and as necessary, any other policy that references “sexual orientation” as a protected class.

As evidenced in the following chart and the attached appendices, UW is one of the few schools that do not explicitly state that gender identity or gender expression as a protected class.

<table>
<thead>
<tr>
<th>Institution</th>
<th>Sexual Orientation</th>
<th>Gender Identity</th>
<th>Gender Expression</th>
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</thead>
<tbody>
<tr>
<td>University of Arizona</td>
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<tr>
<td>Arizona State University</td>
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<td>University of California, Berkeley</td>
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<td>University of Colorado at Boulder</td>
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<tr>
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<tr>
<td>Oregon State University</td>
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<tr>
<td>Stanford University</td>
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<tr>
<td>University of California, Los Angeles</td>
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<td>University of Southern California</td>
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<tr>
<td>Washington State University</td>
<td>☑</td>
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</tr>
</tbody>
</table>

*University of Southern California affords non-discrimination on the basis of “gender” in place of “sex.”
Appendix A:

The following are excerpts from the Pac-12’s non-discrimination policies. The policies that include references “gender identity,” “gender expression,” or both have been highlighted.

**University of Arizona:**
Protected classification includes race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, or other protected category. The University also prohibits retaliation because an individual has engaged in a protected activity.

http://equity.arizona.edu/non-discrimination_anti-harassment

**Arizona State University:**
Arizona State University is committed to providing the university community, including students, faculty, staff, and guests, with an environment that is free of harassment, discrimination, or retaliation. ASU expressly prohibits harassment, discrimination, and retaliation by employees, students, contractors, or agents of the university based on protected status, including race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, and gender identity.

http://www.asu.edu/aad/manuals/acd/acd401.html

**University of California, Berkeley:**
The University of California, in accordance with applicable Federal and State Law and the University's nondiscrimination policies, does not discriminate on the basis of race, color, national origin, religion, sex (including sexual harassment), gender identity, pregnancy/childbirth and medical conditions related thereto, disability, age, medical condition (cancer-related), ancestry, marital status, citizenship, sexual orientation, or status as a Vietnam-era veteran or special disabled veteran. This nondiscrimination policy covers student admission, access, and treatment in University programs and activities. It also covers faculty (Senate and non-Senate) and staff in their employment.

http://ccac.berkeley.edu/nondiscrimination.shtml

**University of Colorado at Boulder:**
The University of Colorado at Boulder does not discriminate on the basis of race, color, national origin, sex, age, disability, creed, religious or political affiliations, religion, sexual orientation**, or veteran status.

**Like UW: sexual orientation definition includes transgender, gender identity, and gender expression as protected classes.

http://www.colorado.edu/studentaffairs/cuc/missionVision.html

**University of Oregon:**
This is any act that unreasonably discriminates among individuals on the basis of race, color, gender, national origin, age, religion, marital status, disability, veteran status, sexual orientation, gender identity, gender expression, or any other extraneous considerations not directly and substantively related to performance.

http://aaeo.uoregon.edu/AEOP20Booklet20Color.pdf

**Oregon State University:**
Oregon State University, in compliance with state and federal laws and regulations, does not discriminate on the basis of age, color, disability, gender identity or expression, marital status, national origin, race, religion, sex, sexual orientation, or veteran's status in any of its policies, procedures, or practices. This nondiscrimination policy covers admission and access to, and treatment and employment in, University programs and activities, including but not limited to academic admissions, financial aid, educational services, and employment.

http://oregonstate.edu/oei/osu-discrimination-and-harassment-policies
**Stanford University:**
Stanford University admits qualified students of any race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation, and gender identity to all the rights, privileges, programs, and activities generally accorded or made available to students at the University. Consistent with its obligations under the law, Stanford prohibits unlawful discrimination, including harassment, on the basis of race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation, gender identity, or any other characteristic protected by applicable law in the administration of the University's programs and activities.

http://www.stanford.edu/dept/registrar/bulletin/4069.htm

**University of California at Los Angeles:**
It is the policy of the University not to engage in discrimination against or harassment of any person employed by or seeking employment with the University of California on the basis of: race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition (cancer-related or genetic characteristics), genetic information (including family medical history), ancestry, marital status, age, sexual orientation, citizenship, service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994), status as a covered veteran.

http://map.ais.ucla.edu/go/1002279

**University of Southern California:**
The university is firmly committed to complying with all applicable laws and governmental regulations at the federal state and local levels which prohibit discrimination, or which mandate that special consideration be given, on the basis of race, religion, national origin, gender, age, Vietnam veteran status, disability, sexual orientation, or any other characteristic which may from time to time be specified in such laws and regulations.

http://www.usc.edu/dept/hr/equity_diversity/dh_index.html

**University of Utah:**
The University of Utah does not discriminate on the basis of race, color, religion, national origin, sex, age, status as a disabled individual, sexual orientation, gender identity/expression, genetic information or protected veteran’s status, in employment, treatment, admission, access to educational programs and activities, or other University benefits or services. Additionally, the University endeavors to provide reasonable accommodations and to ensure equal access to qualified persons with disabilities.

http://www.utah.edu/nondiscrimination/

**University of Washington:**
University policy: Prohibits discrimination or harassment against a member of the University community because of race, color, creed, religion, national origin, citizenship, sex, age, marital status, sexual orientation**, **disability, or military status.

**Sexual orientation definition includes transgender, gender identity, and gender expression as protected classes.

http://www.washington.edu/admin/rules/policies/PO/EO31.html#3

**Washington State University:**
Washington State University (WSU) is an equal opportunity employer committed to providing equal opportunity in education, employment, membership and contracts without regard to race, ethnicity, color, creed, religion, national origin, gender, sexual orientation, gender identity/expression, age, marital status, the presence of any sensory, mental or physical disability, use of a trained guide dog or service animal by a person with a disability, and/or status as a veteran. WSU is committed to creating and maintaining environments in which students, faculty, staff and visitors can work, study and recreate free from all forms of prohibited discrimination and discriminatory harassment.

http://policies.wsu.edu/non-discrimination-statement.html
Appendix B

The following 422 Colleges and Universities have nondiscrimination policies that include gender identity/expression. This list is from the resource: Transgender Law and Policy Institute
http://www.transgenderlaw.org/college/index.htm#policies

Key: HECB Peer Institutions – (highlighted in green)

**Arizona**
  - Arizona State University, Downtown Phoenix campus
  - Arizona State University, Polytechnic campus (Mesa)
  - Arizona State University, Tempe campus
  - Arizona State University, West campus (Phoenix)

University of Arizona [2 campuses] (2005)
  - University of Arizona, South campus (Sierra Vista)
  - University of Arizona, Tucson

**California**
Art Center College of Design
California College of the Arts
California Institute of Integral Studies
California Institute of Technology (2004)
California State University, Chico (2008)
California State University, Long Beach (2007)
California State University, Los Angeles (2010)
California State University, Northridge
City College of San Francisco (2005)
Foothill-DeAnza Community College District (2006)
Golden Gate University
Harvey Mudd College (2005)
Humboldt State University (2008)
Occidental College (2006)
Pomona College
Riverside Community College (uses "gender" rather than "gender identity," 2008)
San Diego State University (2008)
San Jose State University
Stanford University (2007)
  - University of California, Berkeley
  - University of California, Davis
  - University of California, Irvine
  - University of California, Los Angeles
  - University of California, Merced
  - University of California, Riverside
  - University of California, San Diego
  - University of California, Santa Barbara
  - University of California, Santa Cruz
  - University of San Francisco (2006)
  - University of Southern California (2004)

**Colorado**
Colorado College (2011)
Iliff School of Theology
Johnson and Wales University, Denver
Metropolitan State College of Denver (2010)

University of Colorado, Boulder (2011)
University of Denver (2007)

**Connecticut**
Connecticut College (2005)
Fairfield University
Quinnipiac University
Trinity College
University of New Haven
Wesleyan University (2002)
Yale University (2006)

**Delaware**
University of Delaware (2010)

**Florida**
Florida State University (2010)
Johnson and Wales University, North Miami
New College of Florida (2006)
Stetson University (2011)
University of Central Florida (2010)

University of Florida (2010)
**Georgia**
Emory University (2007)
Southern Polytechnic State University (2011)

**Hawai‘i**
University of Hawai‘i [10 campuses] (2009)
- Hawai‘i Community College
- Honolulu Community College
- Kapi‘olani Community College
- Kaua‘i Community College
- Leeward Community College
- Maui College
- University of Hawai‘i, Hilo
- University of Hawai‘i, Manoa
- University of Hawai‘i, West O‘ahu
- Windward Community College

**Idaho**
Boise State University (2007)
The College of Idaho
University of Idaho (2009)

**Illinois**
Adler School of Professional Psychology (2006)
Erikson Institute
Illinois Institute of Technology
Illinois State University (2006)
Illinois Wesleyan University
Knox College (2001)
Lake Forest College
Northeastern Illinois University
Northern Illinois University (2011)
Northwestern University (2009)
Parkland College (2011)
Richland Community College
- Roosevelt University, Chicago
- Roosevelt University, Schaumburg
Seabury-Western Theological Seminary
Shimer College
University of Chicago (2004)
University of Illinois [3 campuses] (2005)
- University of Illinois, Chicago
- University of Illinois, Springfield
- University of Illinois, Urbana-Champaign
VanderCook College of Music
Western Illinois University (2008)

**Indiana**
DePauw University (1999)
Indiana University (2008)
Purdue University (2010)

**Iowa**
Ashford University
Central College (2005)
Drake University (2004)
Grand View University
Grinnell College
Iowa State University (2005)
Luther College
Mercy College of Health Sciences
Northwest Iowa Community College
Simpson College
Southwestern Community College (2003)
University of Iowa (1996)
University of Northern Iowa (2002)

**Kansas**
University of Kansas (2009)
Kansas State University (2010)

**Kentucky**
Spalding University
University of Louisville (2008)

**Maine**
Bangor Theological Seminary
Bowdoin College
Colby College (2005)
Maine Media College (2000)
University of Maine [7 campuses] (2006)
- University of Maine, Augusta
- University of Maine, Farmington
- University of Maine, Fort Kent
- University of Maine, Machias
- University of Maine, Orono
- University of Maine, Presque Isle
- University of Southern Maine

**Maryland**
Goucher College (2006)
Johns Hopkins University (2005)
Stevenson University
Tai Sophia Institute
University of Baltimore (2006)
Massachusetts
Amherst College (2011)
Bard College at Simon's Rock
Bay Path College
Brandeis University (2006)
Bridgewater State University (2007)
Emerson College
Fitchburg State University (2007)
Framingham State University (2007)
Franklin W. Olin College of Engineering
Harvard University (2006)
Holyoke Community College (2010)
MGH Institute of Health Professions (2007)
Massachusetts College of Art and Design (2007)
Massachusetts College of Liberal Arts (2007)
Massachusetts Institute of Technology (2003)
Massachusetts Maritime Academy (2007)
Salem State University (2007)
Suffolk University (2006)
Tufts University (2005)
University of Massachusetts [4 campuses] (2011)
  University of Massachusetts, Amherst (2009)
  University of Massachusetts, Boston
  University of Massachusetts, Dartmouth
  University of Massachusetts, Lowell
Western New England University (2006)
Westfield State University (2007)
Williams College (2003)
Worcester State University (2007)

Michigan
Central Michigan University
Delta College (2007)
Eastern Michigan University (2007)
Grand Valley State University (2008)
Kalamazoo College (2000)
Kalamazoo Valley Community College (2003)
Lewis College of Business
Michigan School of Professional Psychology
Michigan State University (2007)
Michigan Technological University
Northern Michigan University (2011)
Olivet College (2006)
University of Michigan [3 campuses] (2007)
  University of Michigan, Ann Arbor
  University of Michigan, Dearborn
  University of Michigan, Flint
Western Michigan University (2006)

Minnesota
Augsburg College (2010)
Carleton College
College of Visual Arts
Northwestern Health Sciences University
University of Minnesota [5 campuses] (2009)
  University of Minnesota, Crookston
  University of Minnesota, Duluth
  University of Minnesota, Morris
  University of Minnesota, Rochester
  University of Minnesota, Twin Cities

Missouri
Rockhurst University
Washington University in St. Louis (2007)

Montana
University of Montana (2010)

Nebraska
University of Nebraska, Lincoln (uses "gender" rather than "gender identity," 2010)

New Hampshire
Antioch University of New England
Dartmouth College (2006)
Plymouth State University (2007)
University of New Hampshire (2005)
University of New Hampshire School of Law

New Jersey
The College of New Jersey (2010)
Eastwick College
Essex County College
Kean University (2007)
Middlesex County College (2007)
Montclair State University (2010)
New Jersey City University (2010)
Passaic County Community College (2009)
Princeton University (2006)
Ramapo College of New Jersey (2010)
Rowan University (2011)
Rutgers University [3 campuses] (2008)
  Rutgers University, Camden
  Rutgers University, Newark
  Rutgers University, New Brunswick
Stevens Institute of Technology (2010)
Warren County College (2010)

New Mexico
New Mexico Highlands University
New Mexico Institute of Mining and Technology
New Mexico State University (2006)
Santa Fe University of Art and Design (2005)
University of New Mexico [5 campuses] (2007)
  University of New Mexico, Albuquerque
  University of New Mexico, Gallup
  University of New Mexico, Los Alamos
  University of New Mexico, Taos
  University of New Mexico, Valencia

New York
Albany College Of Law
Bard College (2007)
City University of New York [23 colleges] (2002-03)
  Bernard M. Baruch College
  Borough of Manhattan Community College
  Bronx Community College
  Brooklyn College
  The City College
  College of Staten Island
  CUNY Graduate Center
  CUNY Graduate School of Journalism
  CUNY School of Law
  CUNY School of Professional Studies
  CUNY School of Public Health
  Hostos Community College
  Hunter College
  John Jay College of Criminal Justice
  Kingsborough Community College
  LaGuardia Community College
  Lehman College
  Macaulay Honors College at CUNY
  Medgar Evers College
  New York City College of Technology
  Queens College
  Queensborough Community College
  York College
  Columbia University (2006)
  Cornell University (2005)
  Farmingdale State College, State University of New York
  Hofstra University (2010)

Ithaca College (2006)
Julliard School (2009)
Marymount Manhattan College
Nazareth College (2010)
New York University (2005)
Rochester Institute of Technology (2005)
The Sage Colleges [3 colleges]
  Russell Sage College
  Sage College of Albany
  Sage Graduate School
Sarah Lawrence College (2006)
SUNY College at Oneonta (2007)
SUNY College at Potsdam (2010)
Syracuse University (2005)
University at Buffalo, State University of New York (2010)
University of Rochester (2010)
Vassar College (2006)
Wells College (2007)

North Carolina
Appalachian State University (2009)
Duke University (2007)
Guilford College
Johnson and Wales University, Charlotte
North Carolina State University ("sex" is defined to include "actual or perceived gender identity and gender expression," 2005)
University of North Carolina, Chapel Hill (2008)
University of North Carolina, Charlotte (2011)
University of North Carolina, Greensboro (as a footnote, 2008)

North Dakota
North Dakota State University (2008)
University of North Dakota (2010)

Ohio
Baldwin-Wallace College (2008)
Case Western Reserve University (2006)
Miami University (2007)
Oberlin College (2007)
  Ohio State University, Columbus
  Ohio State University, Lima
  Ohio State University, Mansfield
  Ohio State University, Marion
  Ohio State University, Newark
Ohio University, Athens
Ohio University, Chillicothe
Ohio University, Eastern campus (St. Clairsville)
Ohio University, Lancaster
Ohio University, Southern campus (Ironton)
Ohio University, Zanesville
University of Cincinnati (2009)
University of Toledo (2007)
Wright State University (2008)
Youngstown State University (2007)

Oregon
Eastern Oregon University
  Oregon State University, Cascades campus (Bend)
  Oregon State University, Corvallis
Portland State University (2007)
University of Oregon (2004)
Warner Pacific College

Pennsylvania
Allegheny College
Bucknell University (2006)
Delaware Valley College
Drexel University (2009)
Lehigh University (2003)
Mansfield University of Pennsylvania
Moravian College (2006)
Muhlenberg College (2005)
  Penn State, Abington
  Penn State, Altoona
  Penn State, Beaver
  Penn State, Berks
  Penn State, Brandywine
  Penn State, DuBois
  Penn State, Erie
  Penn State, Fayette
  Penn State, Greater Allegheny
  Penn State, Harrisburg
  Penn State, Hazleton
  Penn State, Lehigh Valley
  Penn State, Mont Alto

Penn State, New Kensington
Penn State, Schuylkill
Penn State, Shenango
Penn State, University Park
Penn State, Wilkes-Barre
Penn State, Worthington Scranton
Penn State, York
Susquehanna University (2009)
Swarthmore College (2007)
University of Pennsylvania (2003)
University of Pittsburgh (2008)

Rhode Island
Brown University (2001)
Bryant University (2005)
Community College of Rhode Island
Johnson and Wales University, Providence
Rhode Island College (2001)
Rhode Island School of Design
Roger Williams University
University of Rhode Island [4 campuses] (2003)
  -- University of Rhode Island, W. Alton Jones campus
  -- University of Rhode Island, Kingston
  -- University of Rhode Island, Narragansett Bay
  -- University of Rhode Island, Providence

Tennessee
Austin Peay State University (2009)
Tennessee Technological University
University of Tennessee, Knoxville (2007)
University of Tennessee, Martin
Vanderbilt University (2008)

Texas
Dallas County Community College District (2012)
Houston Community College (2011)
Rice University (2006)
Sam Houston State University (2012)
San Jacinto College District (2011)
South Texas College of Law
Texas State University (2012)
University of Houston (2010)
University of Texas, Austin (2008)
University of Texas, Pan American (2010)

Utah
Dixie State College of Utah
University of Utah (2011)
Westminster College

Vermont
Bennington College
Champlain College (2008)
Goddard College (2007)
Green Mountain College (2008)
Johnson State College
Marlboro College (2008)
Middlebury College (2003)
Norwich University (2007)
Saint Michael's College
School for International Training
Vermont Law School (2006)
Vermont Technical College
University of Vermont (2005)

Virginia
Randolph-Macon College (2009)
University of Richmond (2011)
Virginia International University

Washington
Bastyr University
Central Washington University (2005)
Clark College
Evergreen State College (2006)
Seattle University
South Puget Sound Community College (2008)
University of Puget Sound (2002-03)
University of Washington (part of "sexual orientation" definition, 2006)
  --Washington State University, Pullman
  --Washington State University, Spokane
  --Washington State University, Tri-Cities
  --Washington State University, Vancouver
Western Washington University (2008)
Whitman College (2001)

Washington, DC
American University (2002)
George Washington University (2010)
Georgetown University (2006)

Wisconsin
Lawrence University (2011)
University of Wisconsin [26 campuses] (2005)
  -- University of Wisconsin, Baraboo/Sauk County
  -- University of Wisconsin, Barron County
  -- University of Wisconsin, Eau Claire
  -- University of Wisconsin, Fond Du Lac
  -- University of Wisconsin, Fox Valley
  -- University of Wisconsin, Green Bay
  -- University of Wisconsin, La Crosse
  -- University of Wisconsin, Madison
  -- University of Wisconsin, Manitowoc
  -- University of Wisconsin, Marathon County
  -- University of Wisconsin, Marinette
  -- University of Wisconsin, Marshfield/Wood County
  -- University of Wisconsin, Milwaukee
  -- University of Wisconsin, Oshkosh
  -- University of Wisconsin, Parkside
  -- University of Wisconsin, Platteville
  -- University of Wisconsin, Richland
  -- University of Wisconsin, River Falls
  -- University of Wisconsin, Rock County
  -- University of Wisconsin, Sheboygan
  -- University of Wisconsin, Stevens Point
  -- University of Wisconsin, Stout
  -- University of Wisconsin, Superior
  -- University of Wisconsin, Washington County
  -- University of Wisconsin, Waukesha
  -- University of Wisconsin, Whitewater
Viterbo University

States in which no college or university has a transgender-inclusive non-discrimination policy:

Alabama,
Alaska,
Arkansas,
Louisiana,
Mississippi,
Nevada,
Oklahoma,
South Carolina,
South Dakota,
West Virginia, and
Wyoming