



*“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.

Institution	Sexual Orientation	Gender Identity	Gender Expression
University of Arizona	<input type="checkbox"/>	<input type="checkbox"/>	
Arizona State University	<input type="checkbox"/>	<input type="checkbox"/>	
University of California, Berkeley	<input type="checkbox"/>	<input type="checkbox"/>	
University of Colorado at Boulder	<input type="checkbox"/>		
University of Oregon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oregon State University	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stanford University	<input type="checkbox"/>	<input type="checkbox"/>	
University of California, Los Angeles	<input type="checkbox"/>	<input type="checkbox"/>	
University of Southern California	<input type="checkbox"/>	<input type="checkbox"/> *	
University of Utah	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
University of Washington	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Washington State University	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*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](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/AAEO%20Booklet%20Color.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](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 [4 campuses] (2004)  
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 [10 campuses] (2004)  
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, San Francisco  
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 [2 campuses] (2006)  
    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 (2008)

### **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)  
Richard Stockton College (2004)  
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 [5 campuses] (2004)**  
Ohio State University, Columbus  
Ohio State University, Lima  
Ohio State University, Mansfield  
Ohio State University, Marion  
Ohio State University, Newark  
Ohio University [6 campuses] (2008)



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 [2 campuses] (2004)  
    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)  
Carnegie Mellon University (2003)  
Delaware Valley College  
Drexel University (2009)  
Lehigh University (2003)  
Mansfield University of Pennsylvania  
Moravian College (2006)  
Muhlenberg College (2005)  
Pennsylvania State University [20 campuses] (2006)  
    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 [4 campuses] (2007)
  - 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**

