



## **Student Gender Identity & Expression Policy**

### **Version 1.7**

<b>Purpose:</b>	This policy outlines DkIT's formal commitment to recognise and support an individual's right to make a statutory declaration of their preferred gender so that all students of the Institute community experience a positive inclusive environment where every student is treated with dignity and respect.	
<b>Circulation:</b>	This document is available for all to review and will be published on the Institute's website	
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## Table of Contents

Reference	Details	Page
1	Introduction	3
2	Policy Statement	4
3	Implementing the Policy	5
4	Supports and Resources	5
5	Policy Review	5
	Appendix 1 – Process for formal name change on the Student Record System	6
	Appendix 2 – Documentation Required	7
	Appendix 3 – Retrospectively changing a Parchment	8

## 1. Introduction

DkIT is committed to promoting equality and an environment where all students of its community are treated with respect and dignity. The Institute aims to create an environment that is inclusive for all regardless of their gender expression and/or identity.

This policy outlines DkIT's formal commitment to recognise and support an individual's right to gender self-determination and authentic expression of one's gender are acknowledged as basic rights and matters of common human dignity. All students of the Institute's community are entitled to experience a positive inclusive environment where every student is treated with dignity and respect.

### Scope

This policy applies to all students and, where applicable, alumni of the Institute.

### Context

This policy is developed in the context of the Gender Recognition Act 2015, which provides a process enabling Trans people to achieve full legal recognition of their preferred gender by the State and allows for the acquisition of a new birth certificate that reflects this change. The Act allows for all individuals to make a statutory declaration their preferred gender. It provides that a gender recognition certificate may be used as proof of gender or identity, if a person chooses, but that it shall not be required as proof of identity "for any purposes save as required by law".

The other directly relevant legislation is the Employment Equality Act 1998 (as amended) and Equal Status Acts 2000 (as amended) which prohibit direct and indirect discrimination, sexual harassment, harassment and victimisation in relation to nine equality grounds.

*Please Note: The Irish Constitution, enacted in 1937, explicitly protects freedom of speech under Article 40.6, which guarantees the right to express opinions freely. However, it also introduces certain limitations, emphasizing the necessity to balance this freedom with the rights of others and public order. This intrinsic balance is essential as it recognizes that while citizens are afforded the right to express their views, such expressions should not infringe upon personal rights or instigate harm to society.*

*Note: Academic Freedom as defined in the Institute of Technology Acts 1992 to 2006 as amended and the Technological Universities Act 2018 applies to all academic staff of the Institute.*

### Other Policies

This policy should be read in conjunction with the following policies:

- Data Protection Policy

- Dignity at Work Policy
- Equality, Diversity and Inclusion Policy
- Health and Safety Act 2005
- Other relevant legislation

## Terminology

The terminology provided below (not an exhaustive list) are not intended to label, but rather assist in understanding this policy and the legal obligations of the Institute.

- **Gender:** Refers to a spectrum of masculine and feminine characteristics that are socially constructed. This includes norms, behaviours and roles associated with being a woman, man, girl, boy, or non-binary person, as well as relationships with each other. As a social construct, gender varies from society to society and can change over time.
- **Gender Expression:** An individual's characteristics and behaviours (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.
- **Gender Identity:** Refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth. Gender identity is different from a person's sex or sexual orientation.
- **Non-binary:** May be used to describe people who feel their gender is a fluid combination of masculine and feminine attributes, these people can also be described as gender fluid.
- **Transgender/ Trans:** Describes or relates to people whose gender identity does not match the sex registered for them at birth.
- **Transition:** A process through which some transgender people begin to live as their preferred gender. Transition might include social, physical or legal changes such as coming out to family, friends, co-workers and others; changing one's appearance; changing one's name, pronoun and sex designation on legal documents (e.g. driving licence or passport); and medical intervention (e.g. through hormones or surgery).
- **De-transitioning:** The stopping or reversal of transitioning which could be social (gender presentation, pronouns), medical (hormone therapy), surgical, or legal.
- **Transphobia:** a term used to describe an aversion to, fear or hatred or intolerance of Trans people and communities.

Additional information and reading is available at:

Athena Swan Literacy Guide: <https://www.advance-he.ac.uk/knowledge-hub/athena-swan-ireland-edi-literacy-glossary>

Gender Recognition Act: <https://revisedacts.lawreform.ie/eli/2015/act/25/front/revised/en/html>

## **2. Policy Statement**

DkIT respects the human rights and dignity of all students of the Institute's community. As a place where all students of the community are welcomed and valued equally. The Institute is committed to ensuring that all students can participate freely and fully in the life of the Institute regardless of their gender identity or gender expression.

Our Institute therefore:

- Supports an inclusive environment of dignity and respect whereby everyone can develop to their full potential free of discrimination under any of the nine grounds laid out in legislation. DkIT does not tolerate harassment, bullying, or discrimination of any student of the Institute community based on gender, gender expression or any protected characteristic. Any such incidents may be dealt with under the procedure outlined in our Dignity at Work Policy and /or Student Code of Conduct.
- Supports an environment in which all students are welcome and included in our Institute community.
- Facilitates all students and alumni who seek to update their personal records to match their gender identity and expression by providing clear and easily accessible guidelines for all related processes while ensuring confidentiality throughout.
- Encourages and facilitates staff and student training and awareness to ensure a supportive and accepting environment that will foster an Institute culture that demonstrates valuing diversity, equality and inclusion.

## **3. Implementing the Policy**

The principles underpinning this policy should inform all decision-making within the Institute and should be incorporated, as far as is practical, into the routine operations of the Institute. The Institute's procedures document (in Appendix 1) and related process permit the student to change the official gender recorded on entry to the Institute.

The Institute may, for some categories of changes defined in the procedures document, require particular documentation that may include:

- Professional or medical reports to establish the nature of any reasonable supports to be put in place for a student
- Gender Recognition Certificate
- Deed Poll.

## **4. Supports and Resources**

### **Internal Resources**

The following resources are available to students who may require support or guidance:

- Health Unit
- Student Counselling Service
- Equality Diversity Office

**External Resources:**

[Legal recognition of your preferred gender \(citizensinformation.ie\)](https://citizensinformation.ie)

**5. Policy review**

The Institute is committed to continually reviewing this policy in line with changes in the law, best practice, relevant case law and other developments.

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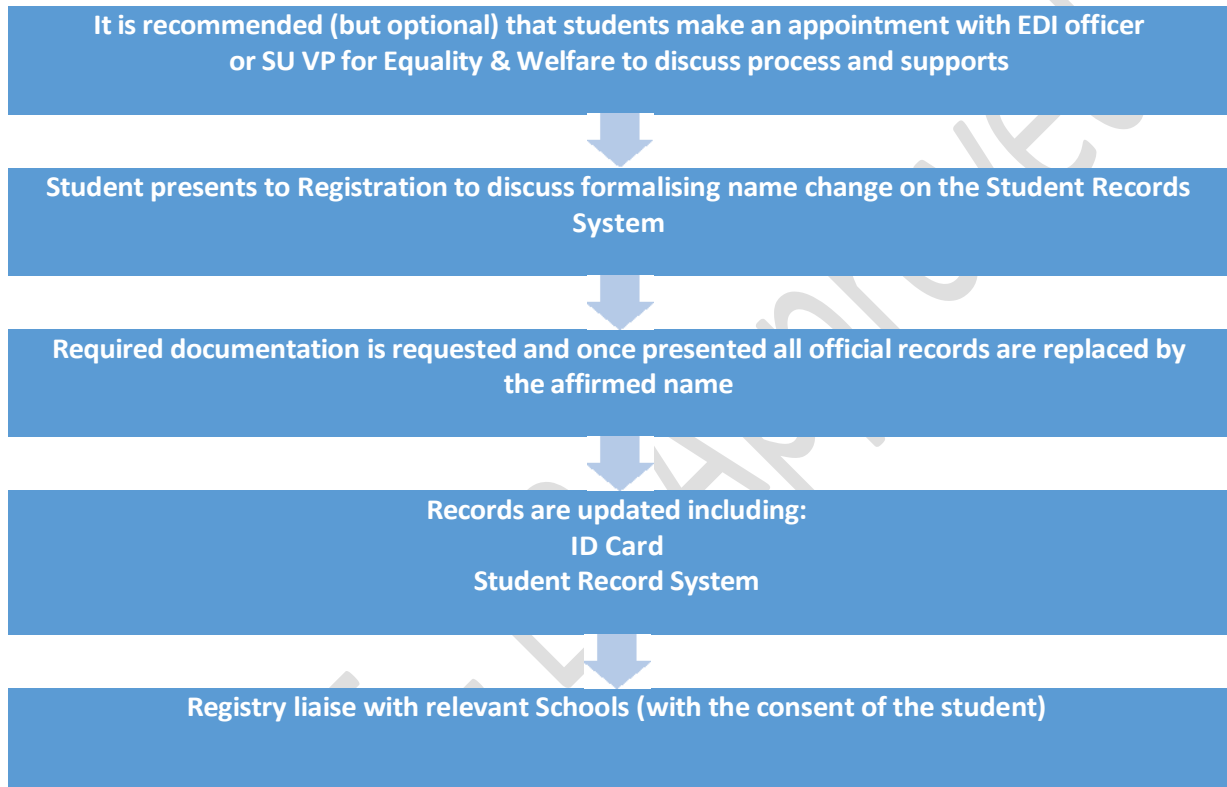
## **Appendix 1**

### **Process for formal name change on the Student Record System**

#### **Introduction**

The issue of student choice in declaring a preferred gender will inform the Institute's record system. This document refers to the procedures for enacting a formal name change on the student record system. Once implemented, the name change will permeate all relevant activities of the Institute and will be produced on class lists, Institute correspondence, ID cards etc.

#### **Process Flowchart**



## Appendix 2

### Documentation required for name change on records process

The Institute will document from you that is necessary to change your records. To change all records one of the following documents would be acceptable:

1. Gender Recognition Certificate
2. Deed Poll
3. Passport
4. Driving License

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## Appendix 3

### Retrospective changing a Parchment

Alumni wishing to change the name on parchment or transcripts from original issue must submit a formal request to the Examinations Office. The process as outlined in Standards, Assessments and Awards and outlined below will be employed in this instance supported by the presentation of required documentation to support the name change request.

It is important to note that there is only one original parchment which is the parchment presented to the graduand on the day of conferring or conferred in absentia. Additional copies thereafter are made available in circumstances where the original parchment is irretrievably lost or destroyed. This principle should apply to all circumstances where graduates look for another parchment for a variety of reasons including a change of name subsequent to the conferring ceremony.

DkIT has a process in place for authentication of requests for duplicate parchments. Any graduate seeking such a duplicate parchment will be required to provide authenticated reasons for seeking same. The Institute may elect to employ secure channels through which it will transmit such a duplicate parchment.

A replacement parchment will involve the exchange of one original parchment for another original parchment.