

Protocol on changing the legal name into the preferred name for transsexual, transgender and intersexual individuals of the UAB community¹

[Procedure applicable to students, PDI and PAS]

(Agreement by the Governing Council of 23 March 2017)

Preamble

Non-discrimination on grounds of sexual orientation, gender identity or gender expression, which can affect various sensitive aspects of an individual's life, is envisaged in many precepts of regulations in force.

At the European level, we must mention the resolutions of the European Parliament of 8 February 1994, of 18 January 2006, and of 24 May 2012, on equal rights for lesbian and gay individuals and on combating against discrimination and homophobia; the Directive 2000/78/EC, of the Council, on establishing a general framework for equal treatment in employment and occupation; and the Article 21 of the Charter of Fundamental Rights of the European Union, which institutes, amongst others, the prohibition of discrimination on grounds of sexual orientation as primary law of the Union.

Spain has also launched several legislative initiatives, notably the Organic Law 10/1995, of 23 November, of the Criminal Code; the Law 62/2003, of 30 December, on tax, administrative and social order measures (Articles 27 to 43); and the Law 3/2007, of 15 March, regulating the registry rectification of the entry relating to gender. This last one does not provide for transgender and intersexual individuals who may decide not to undergo medical treatment, while it also leads to a paradox between the physical appearance and the use of the preferred name of individuals who are undergoing medical treatment but cannot change their name legally due to the treatment's length, which lasts at least two years.

In the case of Catalonia, the Statute of Autonomy establishes in its Article 40.8 that "the public authorities shall promote the equality of all individuals, regardless of background, nationality, gender, race, religion, social condition or sexual orientation, and shall also promote the eradication of racism, anti-semitism, xenophobia, homophobia, and of any other manifestation that may constitute a violation of the equality and dignity of the individual."

Finally, the Law 11/2014, of 10 October, for guaranteeing the rights of lesbian, gay, bisexual, transgender and intersex people and eradicating homophobia, biphobia and transphobia broadens the existing legal framework. The objective of this law consists of developing and guaranteeing the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people and of preventing discrimination and violence against them, so as to ensure complete freedom in relation to sexual and affective diversity in Catalonia. Its Article 13 enshrines that the principles of non-discrimination and respect for sexual orientation, gender identity and gender expression shall be applicable to universities, thus committing the Generalitat and Catalonia's universities, with due respect to academic freedom and university autonomy, to jointly promote protective, support and research-related measures for the visibility of LGBTI people and the development of measures for non-discrimination and awareness raising in the university arena. To that end, they must establish a protocol for non-discrimination on the grounds of sexual orientation, gender identity and gender expression. Likewise, Article 23 states that universities shall establish the conditions that enable transgender people and intersex people to be treated and named on the basis of the gender with which they identify, regardless of that they may have not changed their sex in the Civil Registry yet, that are minors, and without the need for a diagnosis of gender dysphoria or of any kind of medical treatment.

¹ In the event of linguistic discrepancies between the English version and any of the other linguistic versions of this publication, the Catalan language version shall prevail.

Article 1. Purpose and scope of the protocol

This document is the instrument whereby the Universitat Autònoma de Barcelona (UAB) provides the necessary procedures and requirements to change the name of transsexual, transgender and intersexual individuals of the UAB community.

The scope of this protocol includes all students, civil servants and staff employed at UAB: teaching and research staff (PDI) and administration and services staff (PAS) who may wish to initiate the procedure.

The objective of this protocol is to guarantee the rights of students, PAS and PDI staff of UAB and to normalise their activity within the University by establishing the conditions that enable transgender and intersex people to be treated and named on the basis of the gender with which they identify, and by facilitating the use of their preferred name in all University-related documents without legal implications, regardless of that they may have not changed their sex in the Civil Registry yet, that are minors, and without the need for a diagnosis of gender dysphoria or of any kind of medical treatment.

Article 2. Change of legal name

The change of legal name implies using the preferred name by explicit request of the applicant and it shall apply only to the internal procedures detailed in Annex 1 of this document, and to students, civil servants and staff employed at UAB.

Article 3. Timeline of the procedure

The change of name may be requested at any moment of the year.

The process for changing the preferred name shall be completed within a week from the submission of the request to the registry, excluding holiday periods at UAB, and shall apply to e-mails, user names in the UAB Directory, the Intranet and various institutional applications, as well as to the Virtual Campus. The period for issuing a new UAB ID card will depend on deadlines agreed upon with the responsible body.

Article 4. Procedure for students

The procedure to change the legal name into the preferred name consists of four steps:

1. Applicant's request

Students can request the change of their legal name into their preferred name at any time during the academic year.

The request shall be submitted to the applicant's appointed Academic Administration Office accompanied by the following documents:

- 1) Applicant's written request following the Annex 2 of this protocol, which shall include their preferred name, for the attention of their Faculty or School's Dean.
- 2) A recent ID photo. Portraits are also people's identity data that, besides from being necessary to issue the UAB ID card, are used in the different data systems (SIGMA, directori...). If the applicant wishes to update their photo, a new one must be enclosed to the request.

2. Request validation and follow-up

The teaching centre shall validate all documents presented by the student and communicate or send the request to the Area of Academic Affairs to implement the name changes.

3. Change of legal name

The Area of Academic Affairs shall initiate the procedures for name change in compliance with the procedure and functions detailed below:

- 1) Functions of the Area of Academic Affairs (AAA):
 - Update the student's preferred name into the University data system.
 - Change the student's gender in the University data System according to the preferred name.
 - Notify the changes to the Office for Institutional Coordination (OCI).
- 2) Functions of the Office for Institutional Coordination (OCI):
 - Manage, where necessary, a new ID photo.
 - Notify the UAB ID card issuing entity the preferred name of the student in order to emit a new one. ID cards displaying the preferred name shall not be linked to any products offered by financial institutions.
 - Verify that the preferred name and gender have been updated at BADUS, and update the preferred name in the profile name.
 - Update the use of preferred name in the e-mail address.
 - Initiate the update to use the preferred name in the e-mail address at Sigma (it is updated weekly by default).
 - Notify the changes to the IT Department (SI).
- 3) Functions of the IT Department (SI):
 - Update the preferred name, gender and e-mail in the Intranet and the Virtual Campus.
- 4) Functions of the other services and units at UAB that manage information systems.
 - Update the preferred name, gender and e-mail to the information systems.

4. Communication of the changes to the applicant

Once the changes have been completed, the units involved shall inform the teaching centre, which in turn shall notify the applicant of the changes.

Article 5. Procedure for civil servants and staff employed at UAB

The procedure for changing the legal name into the preferred name consists of the following steps:

1. Applicant's request

Staff can request the change of their legal name into their preferred name at any time.

The request shall be submitted following the established procedures at the time to their corresponding staff area, accompanied by the following documents:

- 1) Applicant's written request following the Annex 3 of this protocol, which shall include their preferred name, for the attention of the Head of Area.
- 2) A recent ID photo. Portraits are also people's identity data that, besides from being necessary to issue the UAB ID card, are used in the different data systems (directori, etc). If the applicant wishes to update their photo, a new one must be enclosed to the request.

2. Communication of the changes to the applicant

Once the changes have been completed, the corresponding staff area shall notify the applicant of the changes. These changes shall be valid for one year or until official identity documents are provided to confirm the permanent change.

Article 6. Confidentiality

All UAB staff who may have access to information or data related to the procedures established in this protocol shall remain under the confidentiality obligation.

Annex 1: Catalogue of benefits

Changing the legal name into the preferred name applies to the following services:

Students, PDI and PAS	
Scope of changes	Responsible unit
E-mail address	IT Department
User's name at the UAB's directory, intranet and the diferent Applications. Nom d'usuari/usuària al directori de la UAB, a	IT Department
User's name in class lists for teaching-related communications	Area of Academic Affairs
UAB ID card and photo	Office for Institutional Coordination
Name of administration and services staff (PAS), for communications addressed at PAS	Area of Administration and Services Staff Staff area
Name of teaching and research stadd (PDI) for Communications addressed at PDI	Area of Academic Staff, Training Researchers and Support to Research

Annex 2. Application form

REQUEST FOR USE OF *PREFERRED NAME* (STUDENTS)

PERSONAL INFORMATION		
Name	First Surname	Second Surname
DNI / NIE	Phone number	Mobile number
Home address		E-mail address
City	Province	Postal code
Faculty/School <i>(Medicine students should also indicate the Teaching Unit)</i>		
Degree/Doctoral programme		
STATEMENT		
That my name as read in legal documents is _____		
REQUEST		
To use my preferred name _____		
DOCUMENTATION ENCLOSED		
<input type="checkbox"/> ID photo <input type="checkbox"/> Health Card issued with the preferred name, if applicable <input type="checkbox"/> Other documents		
The petition, accompanied by the documents requested, shall be submitted to the Academic Administration Office of the applicant's Faculty or School.		

Bellaterra (Cerdanyola del Vallès), on _____ 20____

Date received:
Registrar:

Academic Administration Office
stamn

Dean / Director of _____

Annex 3. Application form

REQUEST FOR USE OF *PREFERRED NAME* (PDI and PAS)

PERSONAL INFORMATION		
DNI / NIE	Phone number	Mobile number
STATEMENT		
That my name as read in legal documents is _____		
REQUEST		
To use my preferred name _____		
DOCUMENTATION ENCLOSED		
<input type="checkbox"/> ID photo <input type="checkbox"/> Health Card issued with the preferred name, if applicable <input type="checkbox"/> Other documents		
The petition, accompanied by the documents requested, shall be submitted to the corresponding PAS or PDI Areas,		

Bellaterra (Cerdanyola del Vallès), on _____ 20____

Head of Area _____