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Comments related to proposed gender change

I have been an IPEDS keyholder at a women's college that is gender diverse for over 5 years. I see a number of challenges with the proposed changes to the reporting by sex to IPEDS.

1. There is a difference between sex and gender. IPEDS would ideally be collecting both. Sex tends to be biologically based and what is recognized in most jurisdictions for identification as legally defined as male or female. This is what is collected on the US census and globally on most legal documents. IPEDS uses the term gender, but it really collects legal sex. Because IPEDS uses the term Gender there are reasonable requests to add more options. Is there a utility to continue collecting sex, I am not sure.

Gender is defined as a more expansive identity and refers to an individual's sense of who they are. One can identify as a man or women, but also in a growing combination of each (gender fluid, gender queer, etc.), neither man or women (non-binary, agender) or gender queer identities. It might be more meaningful for IPEDS to collect this information rather than legal sex if there is only one option but I am not sure this is what Congress is asking for. If IPEDS were to collect gender in addition to legal sex, it would need to include guidance for the growing list of identities which will likely for practical (and size reasons at many institutions) have to be reported as "another gender".

2. Not all institutions systematically collect gender identity, although all institutions collect legal sex. This suggests that gender identity should be a separate and optional reporting item unless Congress wants this information to be a required collection.

3. I do see great value for understanding the success of gender non-conforming students with regard to graduation and retention.

4. I am unsure how the collection of gender identity impacts same-sex institutions who have students who would be reported in categories that are not aligned with their title IX exemptions. It is possible for gender transitions to lead to different reporting of student's gender but not sex at birth (unless they get a legal correction), which also creates a similar issue). There will be many more non-binary students than students changing from female to male and male to female in my experience collecting these data. I am not sure what non-binary means in terms of title IX for athletics and other binary based reporting that rely on IPEDS data to test for compliance with gender equity.

In conclusion, I would hope gender identity is a separate collection. I am concerned that we have confused sex and gender in this discussion about changing the reporting options. This will have negative impact on the comparability of data between institutions if we add new categories to the legal sex collection that IPEDS currently is doing. The addition of new categories will change the collection from legal sex to gender identify and institutions will need to prepare for these changes as a new data collection requirement.