



Gender-Aware Guidelines and Standards for City of Boston Services

VERSION AND FEEDBACK

Version 1.0.0 ([See version control history](#))

Developed in partnership with members of the LGBTQ+ and gender diverse communities in Boston, these guidelines and standards are the first version of how we expect City employees to engage with people when it comes to gender identity. These guidelines will evolve over time as we figure out how to apply them throughout City services and get direct feedback from the people we serve. We greatly appreciate any thoughts, questions, or feedback you'd like to share at TechGovernance@boston.gov.

OVERVIEW

When we design and run programs and services, we create an experience for constituents that can benefit them. In fact, our *main* objective is to achieve an outcome that benefits our constituents. These experiences consist of processes that are carried out in physical and digital spaces. We create data whenever we capture information, in either digital or physical forms. The design of a service and the data collection matters: How and what we ask might change how the process works in later steps. **We designed this document as a set of standards and guidelines that can support our public servants in determining when and how they should collect gender identity information.**

A person's gender and sexual identity can be tremendously important to their overall identity. These guidelines and standards seek to balance the right to be affirmed, against risks and constraints. To be affirmed is to be able to be recognized by others as you recognize yourself. In government, we may create harm by not allowing people to affirm their identities throughout our processes, especially as we collect information that misrepresents who they are. On the other hand, collecting information can also increase risks of identification for vulnerable groups and

B

create barriers to participation. Data can be a powerful tool to understand disparities and to drive equitable outcomes. But, embedding the collection of data into government programs can often have negative consequences for the people those services and programs were intended to help in the first place. These consequences can be magnified when data collection is mandatory or tied to other Personally Identifying Information (PII). *As these are complex issues that involve trade-offs, we expect the standards and guidelines to evolve.*

The City delivers services to its constituents. These services are supported by processes which create experiences for our constituents. These processes also generate administrative data to reflect government processes, as well as other data that can be used to improve policies or programs. However, our goal as a City is to provide affirming, dignified experiences for all constituents and our workforce when they interact with the City of Boston.

Language matters. How we refer to other people, how we categorize and write about them, how we enter it into our databases, and how we present that information — all of it matters. Language has consequences. We built these guidelines and standards to support our public servants and give our constituents and colleagues the respect they deserve. We also understand that the dialogue and conversations around gender and sexual orientation are complex and evolving. As such, we are engaged and will continue to engage in dialogue with community members to update this guide. These guidelines and standards were drafted with input from community members. They are intended to be updated and revised through active governance and a structured process by which we decide what we do through feedback from those impacted by our decisions.

PURPOSE

These guidelines and standards support public servants who design and operate services, programs, and policies, to provide more dignified experiences. In particular, we aim to support individuals whose gender and sexual identities have historically not been recognized or supported by their government. The guidelines and standards specify when and how to collect gender-identity data throughout government processes. Collecting the right amount of data in the right way will

B

ensure that we **deliver services equitably and effectively** to people of all gender identities while **protecting privacy and safety** to the best of our ability.

SCOPE

These guidelines and standards are intended to support the operationalization of the [Gender Inclusion ordinance](#), as well as components of the [Chosen Name Amendment](#). Its use will ensure that departments and agencies under the jurisdiction of the City of Boston comply with the ordinance. They should be followed by departments and agencies when conducting City business both in digital and physical media. The guidelines and standards provide some flexibility, acknowledging that the processes and collection of data might be subject to constraints from state, federal, and even international regulations and laws. As such, public servants should use the guidelines and standards as they design or revise new programs and services. We also expect departments and agencies to invest time in revising existing processes to deliver a more respectful and dignified experience to all of our residents.

GOALS

To achieve this purpose, these guidelines and standards have four goals:

- **Define** key terms public servants should understand related to gender identity
- **Help** departments think through when asking constituents about their gender identity is necessary and appropriate for delivering City services
- **Provide** standard language that departments should use when they've determined they need to ask constituents about their gender identity
- **Align** the standards in this document with state, federal, or other data systems that have limitations in how they record this data

B

CITY GUIDELINES FOR WHEN TO COLLECT GENDER IDENTITY RELATED DATA

GUIDELINE 1 ONLY COLLECT DATA WHEN YOU NEED TO COLLECT IT

The following section walks through some good reasons for collecting gender data. **If your collection of gender identity does not follow one of the following circumstances, you shouldn't collect it.** Collecting this type of information is usually very context specific. This section provides guidelines that can be interpreted in the context of a department or agency's needs.

Do's

- If you require documentation, such as a government ID, specify clearly which type of documentation is needed.
- Share how the documentation will be used, and if alternatives would suffice. Transgender people might have different gender identities in different documents. Clarifying what the intent is of showing a document avoids mistakes and miscommunication.
- Gender identity data, combined with personally identifying information (PII) and other information that uniquely identifies a person *presents risks to people's privacy and safety*. Think about who you will share this data with and how the organization is planning to use the data. There may be entities known to discriminate against LGBTQ+ and gender diverse people which should inform your data sharing practices and precautions to take when sharing this data. For details on how to protect this data (collecting it, managing it, storing it, sharing it, etc.), please follow the [City's Data Security Policy](#) and talk to the Law Department when you create any data-sharing plans.

Don'ts

- Unless explicitly required by a law or regulation, don't restrict a person's self-identification to be only what they had to select in their ID or other government documents.

B

GUIDELINE 1.1 Only collect data when we are legally required to collect gender identity data.

In many cases, federal, state, or other reporting systems require the collection of gender data. In these cases, we want to ensure we are asking people about gender identity in dignified and affirming ways.

Do's

- Find the enabling legislation or regulation in the original text. Look for specific instances where gender data is mentioned. If the legislation or regulation does not explicitly mention that gender information should be collected, you might not have to collect it. Confirm with the City's Law Department.
- Find the enabling legislation or regulation in the original text. Look for specific mentions on *how* gender data needs to be collected. If gender identity data is required, but the text does not prescribe how to collect it, use the [principal data standard](#) in this document.
- When designing or changing a City process or program that collects information about gender, ask the City's Law Department for guidance on whether information about gender needs to be collected, and if the categories or methods of collection are specified in the regulations.

GUIDELINE 1.2 Only collect data when a source of funding (government, foundation, etc.) requires us to collect gender identity data.

We might be required by a contract – or some other reporting that the City has agreed to – to collect information about a program or service. In these cases, we want to work with the funder to ensure our data collection is minimal and directly related to whatever we are being funded to do. **You should set these requirements clearly during the negotiation of these agreements, and try to avoid entering into these obligations unless they will lead to specific benefits.**

Do's

- Include in any agreements or contracts specific information about the mechanisms behind the collection of gender data, how long it should be retained, and how it should be used.

B

- Consider collecting gender data as part of an optional entry or exit survey, not as a mandatory requirement for participation in a program. This might introduce bias based on who responds, but you will avoid biases from misclassification. You will also reduce risk and time to apply for participants. Some individuals may not participate in a program if they feel they are forced to out themselves, perhaps the worst risk of all.
- Per [Guideline 1.4.1](#), follow the City's [Data Security Policy](#) when designing how you are going to protect gender identity data (collecting it, managing it, storing it, sharing it, etc.). If you have questions about this, please reach out to doitservicedesk@boston.gov.

GUIDELINE 1.3 Only collect gender identity data when collecting this data is necessary for determining eligibility.

Some services are designed for a specific type of beneficiary. If gender identity is one of the eligibility criteria for the service, we want to ensure we are asking people about gender identity in dignified and affirming ways.

Do's

- Share clearly how gender affects eligibility for a service or program. Make sure to be transparent and clear.
- Gender identity data, combined with personally identifying information (PII) and other information that uniquely identifies a person *presents risks to people's privacy and safety*. Think about who you will share this data with and how the organization is planning to use the data. There may be entities known to discriminate against LGBTQ+ and gender diverse people which should inform your data sharing practices and precautions to take when sharing this data. For details on how to protect this data (collecting it, managing it, storing it, sharing it, etc.), please follow the [City's Data Security Policy](#) and talk to the Law Department when you create any data-sharing plans.

B

GUIDELINE 1.3.1 Only collect gender identity data on behalf of others when it is necessary for the delivery of services and it is not feasible or appropriate to have a person self-identify.

In government, some of our work involves medical or emergency responses where a person might not be in a position to self-identify their gender. In other circumstances, like investigations, it is impractical for a person to self-identify. In these cases, departments and agencies should develop consistent procedures on how and when a person appears to have a gender identity.

Do's

- Develop consistent procedures, and make sure all employees are trained in these procedures.
- Clarify that gender was identified by another person (e.g. “the patient appears to be a man”).
- Use terms that align with the data standards.
- If feasible, make sure that gender information is updated by the person through a self-report by the individual.
- Gender identity data, along with personally identifying information (PII) and other information that uniquely identifies a person *presents risks to people's privacy and safety*. Think about who you will share this data with and how the organization is planning to use the data. There are entities known to discriminate against LGBTQ+ and gender diverse people which should inform your data sharing practices and precautions to take when sharing this data. Talk to the Law Department and follow the [City's Data Security](#) Policy when you create any data-sharing plans.

Don'ts

- **Identifying a person based on gender should only be done in situations where a department or agency has approved procedures to do so.** Denying a person the opportunity to self-report can be unethical and illegal in some circumstances. If you have questions, consult your supervisor or department head.

B

GUIDELINE 1.4: Only collect the data when we are trying to identify differences in service outcomes on the basis of gender identity and improve service delivery.

There's a lot of evidence showing that the same government service can be experienced by different people very differently. For example, many government systems are designed around a gender binary, which forces people to identify as female or male with no other gender identity options. Wanting to understand how our service delivery is experienced by different gender identities is a **great** reason to collect gender identity data **only** if we have a plan for how to implement that feedback to improve experiences for our constituents.

In some cases, we want to better understand the gap in service outcomes between different constituent groups. This can help us identify where to focus resources to ensure equitable service delivery. **However**, this can be a bad thing if you spend more resources identifying the gap in service outcomes than actually addressing the gap. **This guideline will be in effect whenever we perform surveys, and in structured research tools to determine differences that can be attributed to gender.**

Do's

- If you want to collect gender identity information to inform improvements to your service, do not collect it as part of the initial application process. Instead, opt to collect that using optional fields in a separate section of the form, explaining to the constituent that this information is optional and will not impact whether or not they receive the service. If you are planning on collecting other sensitive information, read [Guideline 1.4.1](#)

B

GUIDELINE 1.4.1: Collect gender identity information as part of a separate survey if that information will be collected alongside Personally Identifying Information (PII).

Gender identity data, along with personally identifying information (PII)¹ and other information that uniquely identifies them, *presents risks to people’s privacy and safety*. Per the City’s [Data Security Policy](#), this information needs to be protected. For details on how to protect this data (collecting it, managing it, storing it, sharing it, etc.), please reference the Data Security Policy or reach out to doitservicedesk@boston.gov.

GUIDELINE 2 COLLECT PRONOUNS AND CHOSEN NAME WHEN YOU FIRST INTERACT WITH ANOTHER PERSON

GUIDELINE 2.1 Allow people to select non-binary pronouns, and to provide their pronouns.

When a person interacts with the City, they deserve respect. As such, we should ask what pronouns should be used to address them, especially if we plan on referencing them in future communications. These are important whenever we have intake forms such as job applications, applications for a program or service, surveys, etc.

When relevant, you can ask for pronouns, or allow folks to offer pronouns (provide name tags, offer in meeting introductions, etc). You can model this by introducing yourself using your pronouns and invite others to do the same. Gender identity and pronouns might be different than you assume.

Example:

Unset
Sam Green (They, Theirs/ She, Hers)
Inspectional Services Department
City of Boston

¹ Personally identifying information (PII) is a combination of last name, first name or initial, with any one of the following: Social Security Number, driver’s license, state ID card, Passport number, financial account (checking, savings, brokerage, CD, etc.), credit card, or debit card numbers.

B

Please consult the [preferred collection standard](#) to review how to ask about pronouns.

Do's

- You should allow a person to enter multiple and/or combination pronouns. You can use any set of pronouns that they have chosen to reference them. If it is not possible to select multiple pronouns, **at least provide a non-binary option.**
- Use the pronouns provided by the person, as a sign of respect. If you happen to use the wrong pronoun, apologize, and avoid using the wrong pronoun moving forward.
- If you use data collected by a person filling a form to generate communication, you should use their indicated pronouns.

Don'ts

- Do not use the term “chosen pronouns.” Pronouns are a part of a person's identity; they are not a choice.
- If you have not asked explicitly for gender identity, you should avoid gendered pronouns.
- You cannot determine gender identity based on someone's pronouns.

GUIDELINE 2.2 Allow people to provide their chosen name, and use their chosen name to address them in communication. Only use their legal name for forms or documents that require a legal name.

Sometimes a person might choose not to use their legal name. A chosen name is the name you are called in day-to-day life. For example, in the case of many transgender individuals, their legal name is associated with life before their transition. Other individuals might also choose not to use their legal names for other reasons. For instance, people who have adopted an “American” or “English” name.

B

We might need to use the legal name in certain circumstances, but **whenever we are interacting with constituents, especially in communication and in graphical interfaces, we should use their chosen name.** We should get a person's chosen name when we first interact with them.

Do's

- In person and over-the-phone communications, avoid assuming information about a person's gender identity and sexual orientation from their appearance, voice, or dress. *Remember, when you interact with another person, you should ask their chosen name and pronouns at the beginning of the interaction.*
 - You should include your own pronouns when introducing yourself by name, "hello, my name is Jullianne and I use she/they pronouns."
 - You should ask "how should I refer to you?" or "What name do you prefer?"
 - You should ask "what are your pronouns?"
- Our physical government spaces (e.g. City Hall, parks, libraries, etc.) should be welcoming for all of our residents. Consider having visual elements (e.g. a pride flag or sign) that affirms we will be supporting positive experiences for all gender identities.
- In our government spaces, make sure that non-binary or genderless bathrooms are clearly marked in wayfinding signs, particularly in areas that are frequently visited by constituents.
- In government led meetings both internally or externally in the community, consider having name tags that include using both name and pronouns. Including pronouns on name tags can let people know at the start of a meeting or event how each person desires to be addressed and helps create a culture of inclusivity and respect.
- We encourage people to include their pronouns on business cards, in an email signature, etc.

GUIDELINE 2.2.1 Do not use gendered salutations in any communication.

Avoid assuming information about gender identity from indirect information, such as names and email addresses. To such an end, do not use name prefixes (e.g. "Mr.",

B

“Mrs.”, etc.) or other gendered salutations (e.g. “Sir”, “Madam”, “Mister, etc.) in any written or verbal communication.

Instead, use gender neutral terms, like “Dear Resident.”

B

CITY STANDARDS FOR HOW TO COLLECT GENDER IDENTITY DATA

Once you have determined that you need to collect gender identity data, all City agencies, departments, and offices are expected to use the language outlined by the [principal standard](#) or, in cases of implementation constraints, the [reduced harm standard](#).

Allowing people to self-affirm and identify themselves provides the most dignified and appropriate way to collect data about gender identity. The main difference between the [principal standard](#) and the [reduced harm standard](#) is the ability to allow people to enter the language on their own.

HOW TO COLLECT GENDER IDENTITY DATA

1. Only ask questions about gender identity **that you absolutely need**. Identify how **each question serves a specific purpose that benefits people** who share their information with us.
2. **Establish clear privacy protection mechanisms** for the data you collect:
 - a. **Communicate to participants** why you are collecting the data.
 - b. **Communicate to participants** what are the mechanisms you use to protect their privacy.
3. Offering **flexible text-box** or **other fill-in methods enables** self-affirmation and self-identification. The preferred standard already includes this as an option.
4. Per [Guideline 1.3](#), you should ask about gender identity if it will be used to determine service or program eligibility. Be clear that this is how the information will be used, and ask the question at the top or early in the form.²
5. Per [Guideline 1.4](#), if you are collecting gender identity information for the purpose of service or program improvements or to understand equity gaps:
 - a. collect the information in a separate survey, or
 - b. at the end of the forms used to enroll people. **Make it clear that collecting the information is optional and that it will not have an impact on the delivery of the service or program.**

² For more on form design best practices, see the USWDS Gender Identity and Sex Pattern. <https://designsystem.digital.gov/patterns/create-a-user-profile/gender-identity-and-sex/>



STANDARD 1 PRINCIPAL

QUESTION LANGUAGE	
Pronouns	Gender Identity
What pronouns do you use?: <ul style="list-style-type: none"> ● She/her/hers ● He/him/his ● They/them/theirs ● (Write your pronouns) 	How would you describe your gender identity? (<i>Select all that apply</i>) <ul style="list-style-type: none"> ● Man ● Woman ● Non-binary, gender non-conforming, or genderqueer ● Don't Know ● Not Listed Above (Write-In) ● Prefer Not to Say (See note below about age and gender identity)

Do's

- When collecting gender identities where age is relevant, substitute “man” and “woman” with the appropriate term:³
 - For an individual aged 12 years and younger: “boy” and “girl”
 - For an individual aged 13 to 17 years: “young woman” and “young man”
 - For an individual aged 18 years and older: “woman” and “man”
- When it comes to pronouns, allow for multiple selections and common combinations, such as he/they, etc.
- When it comes to asking about biological sex, this question is rarely necessary in the delivery of services.

Implementation note: If you are encountering a situation where, in accordance to [Guideline 1](#) above, you have determined you **have** to collect information about transgender status and/or biological sex, reach out to techgovernance@boston.gov to get guidance. We want to work with you and healthcare professionals on the guidelines you should follow in these use cases.

³ Source: “Age.” American Psychological Association.
<https://apastyle.apa.org/style-grammar-guidelines/bias-free-language/age>

B

STANDARD 2 REDUCED HARM

In some cases, based on regulatory or technical constraints, the principal standard cannot be implemented. For example, an external entity of which you don't have control over has some requirements about the language you use. In these cases, if possible, use a **reduced harm standard**.

QUESTION LANGUAGE	
Option A: This is the preferred reduced harm option	What is your gender identity? <ul style="list-style-type: none">• Man• Woman• Non-binary• Not Identified
Option B: Use this option when you don't have flexibility in the nomenclature.	What is your gender identity? <ul style="list-style-type: none">• Man (M)• Woman (W)• Unspecified or another gender identity (X)
Option C: Use this option when you don't have physical space for full words, or you have character length restrictions.	What is your gender identity? <ul style="list-style-type: none">• (M)• (W)• (X)

Do's

- If you don't have flexibility in the back end system, try to modify what the resident sees (for example, a person selects "Woman" but the back end system records it as "Female")

B

BEST PRACTICES WHEN IMPLEMENTING THE STANDARD

Practice 1: You should include the gender identity data standard as a requirement of new systems, and the ability to comply with the standards and the ordinances should be weighed in the selection of systems.

Practice 2: Even if a third-party is collecting or managing data on behalf of the City of Boston, they should comply with the standards. You should include the standards in the specifications of the work with these third parties.

Practice 3: If a system is unable to fulfill the standards of collection, this should be considered as a factor when considering the replacement of an existing system. Transitioning technology systems can be costly and complex, and a number of factors determine when they should be replaced. Failure to comply with these standards should weigh in the decision to replace a system.

If you have questions about how to implement these guidelines and standards for your City service, please reach out to techgovernance@boston.gov.



HOW WE WROTE THIS AND GRATITUDE

HOW WAS THIS DOCUMENT DEVELOPED?

We engaged with experts in data and gender, and with public servants that design and operate these services and programs. More importantly, we engaged with community members through focus groups, one-on-one interviews, and using other research methods. We were intentional about engaging with diverse audiences, including transgender, non-binary, and cisgendered people. We compensated people for their time and for their guidance. These guidelines and standards are shaped by their experiences. By engaging with community members in the development of this document, we intend to rebuild trust between the City and its constituents. By listening and taking action together, the government and constituents can build a more dignified and strong community.

ACKNOWLEDGEMENTS

This is the product of collaboration and teamwork. Foremost, we acknowledge the residents and constituents who participated in the conversations and research. Their voices had an impact on the direction of this work. We hope their trust and insights usher in a more dignified experience for other residents. We benefited from the insights and expertise of Amy Paris, Catherine D’Ignazio, Chris Miller, Nigel Jacob, and the [US Digital Response](#) team who have been critical in providing user experience research, expertise, and considerable effort to build this work. We also acknowledge the team members who led the work across three City cabinets and multiple departments.

B

APPENDICES

APPENDIX 1: KEY TERMS AND DEFINITIONS

The following section introduces shared language for the City of Boston to use when discussing gender identity. All definitions in this section come from [PFLAG.org](https://pflag.org). Although these guidelines and standards specifically focus on **gender identity**, this section also includes some terms related to **biological sex** and **sexual orientation** to help distinguish between these concepts.

SEX, GENDER, AND SEXUAL ORIENTATION

Sex (sometimes called **Biological Sex**) is a combination of anatomical, physiological, genetic, or physical attributes that determine if a person is male, female, or intersex. People are typically **assigned sex** at birth based on visible sex organs, like genitalia and other physical characteristics. Sex is not binary. Many people are born **intersex**. InterACT defines intersex as “an umbrella term for unique variations in reproductive or sex anatomy. Variations may appear in a person’s chromosomes, genitals, or internal organs like testes or ovaries. Some intersex traits are identified at birth, while others may not be discovered until puberty or later in life.”⁴

While **sex** is heavily informed by physical characteristics, **gender** is a set of behaviors and attributes that a given society considers appropriate. Historically and in many places today, people **incorrectly** assume a **gender binary**, the **disproven** concept that there are only two genders (man and woman), and that everyone must be one or the other. The next section explains this concept a bit more.

Finally, **sexual orientation** describes sexual attraction that someone feels towards others. A person’s **sexual orientation** is not necessarily related to their **sex** or **gender identity**.

Big Takeaway: Sex, gender identity, and sexual orientation are different things that need to be separated out when we collect information from

⁴ Source: “Intersex Definitions.” InterACT Advocates for Intersex Youth. <https://interactadvocates.org/intersex-definitions/>

B

constituents. We should not assume that a person's gender identity tells us anything about their sex or sexual orientation or vice versa.

GENDER IDENTITY AND GENDER EXPRESSION

Gender Identity can be described as a person's deeply held core sense of self in relation to gender. A person's **gender expression** includes all the ways that a person communicates their gender to others, usually through external means like clothing, appearance, or mannerisms. A person's **pronouns** are one way they can express their gender. Recognizing and using the pronouns another person uses is a way of respecting and affirming their gender identity. Some common pronouns are they/them, he/him, and she/her, but an individual might use multiple combinations of these and other pronouns.

Here are a few other terms that often come up when discussing gender:

- **Cisgender:** A person whose gender identity aligns with the sex assigned to them at birth.
- **Non-binary:** A person who does not identify either as a man or woman.
- **Transgender:** A person whose gender identity does not necessarily match their assigned sex at birth.
- **Gender Nonconforming:** An umbrella term for those who do not follow gender stereotypes, or who expand ideas of gender expression or gender identity.
- **Genderfluid:** A person who does not consistently adhere to one fixed gender and who may move among genders.
- **Gender Expansive:** Those who do not follow gender stereotypes, or who expand ideas of gender expression or gender identity.

Deadname or **birth name**, are terms that transgender individuals might use to refer to the name that they had before transitioning. This could be a legal name, or a name that they were known for. Using this name can be sensitive and in some cases very hurtful to those individuals.



APPENDIX 2: IMPLEMENTATION NOTES

These guidelines and standards are meant to be followed by all departments and agencies. However, we recognize that implementation of the guidelines will take time, and that there are specific circumstances where the implementation will require changes to process, technology, or training.

The full implementation of the Gender Inclusion Ordinance will take time. Therefore, for a period of time, some City services will still have binary gender identity language. Our goal is to transition all of the City services to be in compliance with the standard.

Please note that this document is not intended to set personnel policy. For any HR related policies or practices relevant to employees of the City of Boston please go to [Beacon](#).

If you have questions about how to implement these guidelines and standards for your City service, please reach out to techgovernance@boston.gov.



CHANGE CONTROL

VERSION NUMBER	APPROVED/ REVISED BY	EFFECTIVE DATE	DESCRIPTION OF CHANGES
1.0.0	Santiago Garces, he/they, Chief Information Officer Julia Gutierrez, she/her/ella, Chief Digital Officer Mariangely Solis Cervera, she/her/ella, Chief of Equity and Inclusion.	8/29/2023	First version of the Gender-Aware Guidelines and Standards for City Services