

## Athletics Department Transgender Inclusion Policy

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### **Introduction**

The Clarion University Athletics Department is dedicated to upholding the University's commitment to inclusion and equal opportunities. The Department has a responsibility to ensure that all students have access to equal opportunities in a safe and respectful environment. This policy should assist department personnel, student-athletes, and others with the NCAA policies on transgender inclusion in intercollegiate athletics.

The department relies upon the NCAA Guiding Principles governing the participation of transgender student-athletes. More detail can be found in the [NCAA Inclusion of Transgender Student-Athletes Handbook](#) as well as [Clarion University's Student Code](#). Participation and equal opportunity to do so in intercollegiate competition is a valuable part of the educational experience. The NCAA's policies have been created based on medical knowledge to preserve the integrity of women's sports while ensuring that policies are fair, equitably enforced, and privacy is protected and preserved. All staff have access to resources related to participation of transgender students and all policies will comply with state and federal laws protecting discrimination of students based on sex, disability, and gender identity and expression. (Adapted from the NCAA Guiding Principles.)

### **Clarion University Non-Discrimination Statement**

It is the policy of Clarion University of Pennsylvania that there shall be equal opportunity in all of its educational programs, services, and benefits, and there shall be no discrimination with regard to a student's or prospective student's gender, gender identity, race or color, ethnicity, national origin or ancestry, age, mental or physical disability, religion or creed, genetic information, affectional or sexual orientation, veteran status, or other classifications that are protected under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and other pertinent state and federal laws and regulations.

The policy is in accordance with state and federal laws including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991 as well as applicable

federal and state executive orders. The policy extends to disabled veterans and veterans of the Vietnam era.

## **NCAA Bylaws and Policies Related to Transgender Student-Athlete Participation**

The following policies clarify participation of transgender student-athletes undergoing hormonal treatment for gender transition:

- A trans male (FTM) student-athlete who has received a medical exception for treatment with testosterone for diagnosed Gender Identity Disorder or gender dysphoria and/or Transsexualism, for purposes of NCAA competition may compete on a men's team, but is no longer eligible to compete on a women's team without changing that team status to a mixed team.
- A trans female (MTF) student-athlete being treated with testosterone suppression medication for Gender Identity Disorder or gender dysphoria and/or Transsexualism, for the purposes of NCAA competition may continue to compete on a men's team but may not compete on a women's team without changing it to a mixed team status until completing one calendar year of testosterone suppression treatment.

The following policies clarify participation of transgender student-athletes, *not undergoing* hormonal treatment for gender transition:

- Any transgender student-athlete who is not taking hormone treatment related to gender transition may participate in sex-separated sports activities in accordance with his or her assigned birth gender.
- A trans male (FTM) student-athlete who is not taking testosterone related to gender transition may participate on a men's or women's team.
- A trans female (MTF) transgender student-athlete who is not taking hormone treatments related to gender transition may not compete on a women's team.

## **Participation Process**

The Student's Responsibility

- In order to avoid challenges to a transgender student's participation during a sport season, a student who wishes to participate on a team that is different than their assigned gender at birth shall submit a written request to the Director of Athletics upon matriculation to the institution or when the decision to participate on a team that is different than their assigned gender at birth is made.
  - In the case of a student-athlete who has completed, plans to initiate, or is in the process of taking hormones as part of a gender transition, the request should include a letter from the student's physician documenting the student-athlete's intention to transition or the student's transition status if the process has already been initiated, the request should include: a) a letter from the student's physician documenting the intention to transition or the transition status of the student, b) identification in the letter of the hormonal treatment for the student's transition, and c) identification in the letter of student's testosterone levels, if applicable.

- In the case of a student-athlete who is not planning to, nor has completed, the process of taking hormones as part of a gender transition, the request need only come from the student-athlete.
- It is important that the student also communicate with coaches, teammates, and other department personnel preferred name and pronoun and usage (i.e. team practices, media communications, etc) pursuant to Clarion's preferred name policy.

#### The Institution's Responsibility

- The Director of Athletics (or his/her designee) shall meet with the student to review eligibility requirements and procedure for the approval of transgender participation. The department will notify the Pennsylvania State Athletic Conference (affiliated conference) and NCAA of the student's request to participate with a medical exception request.
- The Director of Athletics (or his/her designee) shall also work with the student to make sure that all required documentation is collected and provided to meet NCAA medical requirements for eligibility to compete. The Director of Athletics (or his/her designee) will obtain written permission from the student to share the minimally necessary information to the identified individual(s).
- Clarion University will petition to the NCAA for transgender students, subject to a one-year transition period, to request an extension of their eligibility at the end of their transition period.
- An opposing institution may only challenge a transgender student-athlete's approved eligibility through a formal appeal process through the NCAA.
- All discussions among involved parties and required written supporting documentation should be kept confidential, unless the student-athlete makes a specific request otherwise. All information about an individual's student's transgender identity and medical information, including physician's information provided pursuant to this policy, shall be maintained in a confidential manner.
- A Transgender Participation Committee will review decisions related to a student's participation and document the outcomes. This committee will consist of the Athletic Director (or his/her designee), the Athletic Compliance Coordinator, Faculty Athletic Representative, and the Director for Wellness (or his/her designee).

### **Additional Guidelines for Transgender Student-Athlete Inclusion**

The following additional guidelines will assist colleges, athletics departments, coaches, teams, and student-athletes in creating an environment in which all student-athletes are safe and fairly treated.

#### Facilities

- Transgender student-athletes should be able to use the locker room, shower, and toilet facilities in accordance with the student's gender identity. When requested by a transgender student-athlete, schools should provide private, separate changing, showering, and toilet facilities for the student's use, but transgender students will not be required to use separate facilities.

- When a transgender student-athlete requests accommodations while competing at another institution, the Athletics Director, Senior Woman's Administrator or Sports Administrator, with permission from the student-athlete, will contact the other institution to ensure proper access to facilities are available. Clarion University officials will strive to ensure that communication concerning the student-athlete remains confidential.
- University will petition to the NCAA for transgender students, subject to a one-year transition period, to request an extension of their eligibility at the end of their transition period.

#### Accommodations for travel

- If a transgender student-athlete requests accommodations while traveling to other schools, Clarion University will facilitate access to accommodations based on the student-athletes gender identity. Discussions regarding the transgender student-athletes gender identify will be held in a confidential manner.
- When possible, Clarion athletes traveling to other schools should be assigned accommodations based on their gender identify, with more privacy provided, if possible, when requested.
- During travel, transgender student-athletes will be assigned hotel rooms based on their gender identity.

#### Dress Codes and Uniforms

- Dress codes should enable all athletes and other sports participants to dress in accordance with their gender identity.
- Dress codes for athletic teams when traveling or during the game day should be gender neutral.
- Student-athletes will be expected to dress in a manner that conforms to the dress code defined by the department or team.
- All team members should have access to uniforms that are appropriate for their sport and that they feel comfortable wearing.

#### Training and Enforcement

- The department will provide resources for our coaches and staff about all policies of Inclusion. All polices regarding reporting and compliance with University Diversity and Inclusion policies can be found on the University's Diversity and Inclusion website.
- Athletic Department staff members and student-athletes who violate this Policy by threatening to withhold athletic opportunities, harassing any student-athlete, or otherwise acting in violation of this or other University's policies and procedures will be subject to University disciplinary measures.
- Retaliation is specifically forbidden against anyone who complains about discrimination based on gender identify or expression.

Additional Resources

- NCAA Office of Inclusion <http://www.ncaa.org/about/resources/inclusion>
- Trans\* Athlete Resource <http://www.transathlete.com/>
- NCAA Champions of Respect  
<http://www.ncaapublications.com/productdownloads/CRLGBTQ.pdf>
- Clarion University Non-Discrimination Policy <http://www.clarion.edu/about-clarion/offices-and-administration/university-support-and-business/office-of-social-equity/policies-and-compliance/non-discrimination-policy-011713.pdf>

*Adopted October 11, 2017*