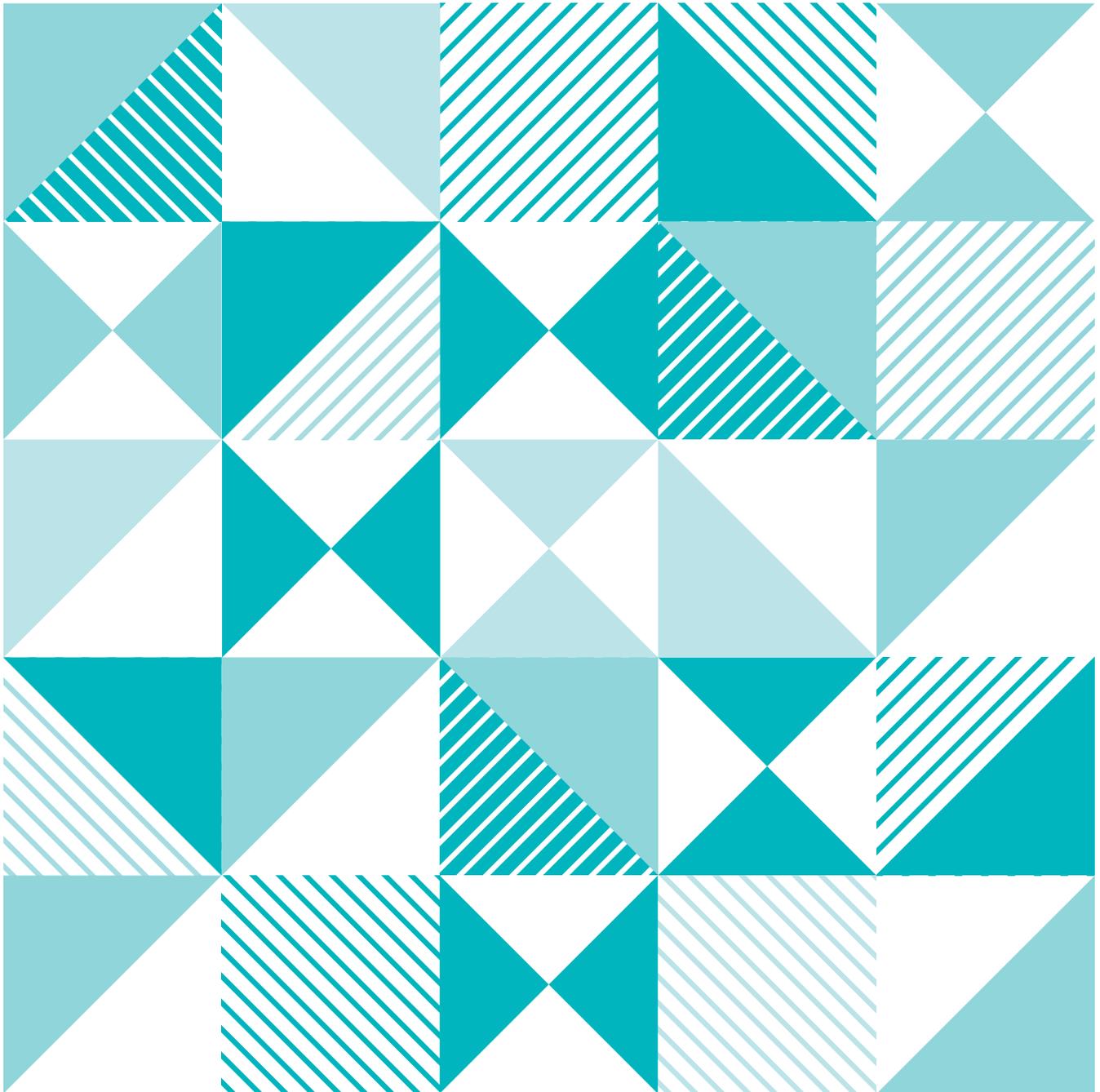


# Trans Athlete Inclusion Guidelines



*This resource is intended to provide guidance and support to sport organizations looking to create, revise, or update their policy related to trans athlete participation.*

*Organizations are encouraged to use this resource to help structure their trans athlete inclusion policy and to identify examples of best practice, terminology, and applicable policies.*

*This resource was created by viaSport and You Can Play, with input from viaSport's LGBTQI2S Working Group and the Sport inclusion Task Force.*



## Applying Concept to Practice

### **KEY CONCEPTS**

#### **SELF-IDENTIFICATION DRESS**

**SELF-IDENTIFICATION** – Participants have the right to self-identify, which includes the name they wish to be called, their preferred pronouns, and their gender identity

**DRESS** – Participants are free to express their gender identity or gender expression in whichever ways they wish. Dress codes, uniforms, and expectations should be as inclusive as possible and allow participants to express themselves in the way they so choose.

## Expertise in Canadian Sport

In 2016 The Canadian Centre for Ethics in Sport (CCES) created a comprehensive resource on policy background and information as it relates to trans athlete inclusion within the Canadian context. These guidelines were designed to help organizations and individuals better understand the experiences of trans participants in sport as well as what policy considerations should be taken in regard to gender diverse participants. Further guidance includes a policy template specific to how Canadian sport organizations can deploy these recommendations. For the purposes of this resource, we have identified some of the key points that are most relevant to the context and experience of B.C. provincial sport organizations. Organizations that are interested in greater depth in this subject are well advised to take up the CCES resources.

## Developing Policy Guidance

When your organization is starting to think about how to draft and revise its existing policies, we strongly recommend adding the voices of the LGBTQI2S community. If your sport doesn't have any members who are out publicly and interested in participating as part of this process, consider seeking input and representation from the LGBTQI2S community more broadly.

## Key Elements of Trans Inclusion Policies

### **GUIDING PRINCIPLES**

Guiding principles are one way to further articulate the policy premise underlying policies on trans inclusion.

The CCES Guidance provides the following guiding principles:<sup>1</sup>

- Participation in our sport should celebrate differences and focus on the benefits and the joy of sport.
  - Policies governing the participation of trans people, particularly for our athletes, should be evidence-based, recognize the necessity to protect the privacy rights of trans individuals, and strive to prevent physical, emotional and mental harm.
  - Policies governing the participation of trans people should foster access and equitable participation for all participants.
  - Practices that encourage understanding and support people of trans identities need to be enhanced to acknowledge the challenges and recognize the value of advocating for sport that is fair, safe and open to everyone.
- People of trans identities should have equal opportunities to participate in our sport and strive for excellence at all levels and in all capacities.
  - Policies governing participation of trans identities should nurture fair play, honesty and respect, and integrity.
  - Policies governing participation of trans identities in our sport should embrace diversity and inclusion, resulting in a positive sporting experience, free of discrimination or harassment based on gender identity and expression.

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<sup>1</sup> Trans Inclusion in Sport Expert Working Group. (2018). Creating Inclusive Environments for Trans Participants in Canadian Sport: Policy and Practice Template for Sport Organizations. [PDF document]. Canadian Centre for Ethics in Sport, p. 7.

## **GENDER IDENTITY BASED PARTICIPATION**

One of the most important aspects of policy guidance as it relates to trans athletes is eligibility for participation in gender based competition. We endorse the statement put forward by CCES, which is well informed by current research, debate, reflection, and consensus. Evidence-based policy, rather than policies based on speculative or anecdotal evidence, must be the guiding source of decision-making.<sup>2</sup>

*“Individuals participating in any LTAD level in Canadian sport (FUNdamental, Learn to Train, Train to Train, Train to Compete, Train to Win and Active for Life) should be able to participate in the gender with which they identify and not be subject to requirements for disclosure of personal information beyond those required of cisgender athletes. Nor should there be any requirement for hormonal therapy, unless the sport organization can prove that hormone therapy is a reasonable and bona fide requirement and where this is the case, only require this at the high performance”<sup>3</sup>*

In summary:

- Athletes, no matter the level of competition, should be able to compete with the gender with which they identify
- Athletes should not be required to disclose their gender identity or personal information beyond requirements for cisgender athletes

- Athletes should not be required to undergo any form of surgery in order to participate at any level
- Athletes should not be required to undergo hormone therapy in order to participate at any level

## **USING CHOSEN NAMES AND PRONOUNS**

Self-identifying extends beyond gender identity, and should also take into consideration pronouns and names. The CCES Guidance provides an example of a statement that can be used regarding names and pronouns:

*“We will make every effort to learn and use the chosen name and pronouns of our staff and members. We recognize that failing to respect an individual’s gender identity or expression by continuing to use either an incorrect name (deadnaming, e.g., deliberately using their past name instead of their new name), or incorrect chosen pronouns (misgendering, e.g., using he instead of she or other chosen pronouns such as they) is discriminatory and will not be tolerated.”<sup>4</sup>*

## **DRESS AND EXPRESSION**

All participants are free to express their gender identity or gender expression in whichever ways they wish. Dress codes, uniforms, and expectations should be as inclusive as possible and allow participants to express themselves in the way they so choose.

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2 Trans Inclusion in Sport Expert Working Group. (2018). Creating Inclusive Environments for Trans Participants in Canadian Sport: Policy and Practice Template for Sport Organizations. [PDF document]. Canadian Centre for Ethics in Sport, p. 13.

3 Ibid.

4 Trans Inclusion in Sport Expert Working Group. (2018). Creating Inclusive Environments for Trans Participants in Canadian Sport: Policy and Practice Template for Sport Organizations. [PDF document]. Canadian Centre for Ethics in Sport, p. 8.

## EXAMPLES OF TRANS INCLUSION POLICIES

The recent CCES guidance includes an appendix featuring a sample policy and guidance document in Appendix A.<sup>5</sup> While many of these aspects are recommended and have been identified as best practice, there are several strong examples of organizations adapting these recommendations to suit their policy needs, style, and format.

### BC Lacrosse Association

BC Lacrosse's policy was developed based on a template created by **Basketball BC**, **Softball BC**, and **Volleyball BC**. BC Lacrosse made revisions to the policy based on the discussions of the viaSport LGBTQI2S working group and the help of Chris Mosier.

### BC Lacrosse's Transgender Participant Policy

#### 13 TRANSGENDER PARTICIPANT POLICY

##### 13.01 Definitions

The following terms have these meaning in this Policy:

- a) "Transgender" – People who have been assigned one gender at birth but who identify with the other gender.
- b) "BC Lacrosse Association (BCLA) team or event" – includes any member, team, tournament, training opportunity or other sanctioned event organized or managed by BC Lacrosse Association or any member association/club/team.
- c) "Participant" – any player, parent, guardian, manager, trainer, coach, official, volunteer, organizer or other individual involved in the administration, support or conduct of a BC Lacrosse Association and/or member team or event.

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##### 13.02 The BC Lacrosse Association supports Inclusion of Transgender Participants

- a) The BC Lacrosse Association is an inclusive organization and welcomes participation of all individuals in our programs and activities, irrespective of race, ancestry, place of origin, colour, religion, citizenship, creed, sex, sexual orientation,

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<sup>5</sup> Trans Inclusion in Sport Expert Working Group. (2018). Creating Inclusive Environments for Trans Participants in Canadian Sport: Policy and Practice Template for Sport Organizations. [PDF document]. Canadian Centre for Ethics in Sport, p. 21.

gender identity, gender expression, age, marital status, family status, or physical or mental disability.

- b) The BC Lacrosse Association supports inclusion of transgender participants in all aspects of Lacrosse.
  - c) The BC Lacrosse Association will assign a BC Lacrosse Association Support Contact person and provide contact information on the BC Lacrosse Association website to assist in issues relating to this policy.
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#### 13.03 Participation in the Gender Group with which the Player Identifies

- a) For the purpose of registration on gender-based BCLA/member teams or events, a player may register under the gender with which the player identifies.
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#### 13.04 Disclosure

- a) Disclosure of a player's transgender status is that player's choice.
- b) While the BC Lacrosse Association is entirely supportive of transgender participation and welcomes disclosure of same where an individual prefers, disclosure of transgender status is not a requirement of participation. Such disclosure should not be sought of any Participant by any Participant.

##### Exception

- c) A transgender player must inform the BC Lacrosse Association Support Contact and may need to disclose their transgender status more generally where the player wishes to participate in a BC Lacrosse Association/member team or event that could be subject to doping control (see Doping Control), or when participating in an extra-jurisdictional event which requires said disclosure (see Extra-jurisdictional Participation).
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#### 13.05 Doping control

- a) All athletes must be aware of and have a responsibility for meeting eligibility requirements based on doping control.

- b) Transgender athletes are encouraged to contact the BC Lacrosse Association Support Contact, and the Canadian Centre for Ethics in Sport (CCES), to assist in establishing eligibility at relevant events and what process, if any, may be required to obtain a Therapeutic Use Exemption (TUE) related to gender reassignment, if necessary.
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#### 13.06 Extra-Jurisdictional Participation

- a) All athletes must be aware of and have a responsibility for meeting eligibility requirements based on the rules and regulations of extra-jurisdictional events within which they wish to participate.
  - b) Some BC Lacrosse Association/member teams and events occur in conjunction with other organizations or occur outside of BC. These extra-jurisdictional events may be subject to rules or requirements for transgender participation that are different from this policy. Transgender athletes are encouraged to contact the BC Lacrosse Association Support Contact, and the Canadian Centre for Ethics in Sport (CCES), to assist in determining eligibility at relevant events in advance of competition.
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#### 13.07 Confidentiality

- a) Any communication to the BC Lacrosse Association regarding participation or transgender policies between a transgender athlete and the BC Lacrosse Association will remain confidential to the extent requested by the athlete and/or their family, except as necessary for the purposes of implementing this Policy.

#### Application

- b) All individuals participating with the BC Lacrosse Association/member teams or events are expected to observe and follow this policy.
- c) Any member of the BC Lacrosse Association and/or participant in a BC Lacrosse Association/member team or event who becomes aware of conduct that violates this policy should report the conduct to a person within the BC Lacrosse Association.
- d) Any participant in a BC Lacrosse Association/member team or event in violation of this policy may be subject to sanction, including exclusion from the BC Lacrosse Association/member teams or events.

- e) The BC Lacrosse Association will endeavour to apply this policy in a reasonable and flexible manner, respecting the importance of fostering fair and equitable participation and competition at all levels of play, maintaining and promoting the BC Lacrosse Association as an inclusive organization for transgender participants, and the privacy interests of those participants.
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#### 13.08 Facility Use – Washrooms and Change rooms

- a) Participants may use washroom and change room facilities consistent with the gender with which they identify. The BCLA recommends provision of gender neutral facilities where available.
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#### 13.09 Ongoing Monitoring

- a) This policy is informed by the recommendations of the Canadian Centre for Ethics in Sport, as detailed in “Creating Inclusive Environments for Trans Participants in Canadian Sport”- May 2016
- b) The BC Lacrosse Association commits to monitoring ongoing developments regarding national and international participation guidelines for transgender athletes and pledges to review and/or revise this Policy whenever new information becomes available, and at a minimum every 3 years.

BC Lacrosse Association - Transgender Participant Policy: <https://www.bclacrosse.com/Policies/2018-2019/2018-2019%20BCLA%20Operating%20Polciy%20-%20REGULATION%2013%20Transgender%20Policy.pdf>

## Ontario Volleyball Association

### Transgender Athlete Policy

#### Introduction

The OVA recognizes all forms of gender expression, and supports athletes competing in the gender category they identify with, regardless of the sex/gender that was assigned to them at birth.

#### Definitions:

1. The following term has this meaning in this policy:

- a) Gender identity is each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex. Gender identity is fundamentally different from a person's sexual orientation. (Ontario Human Rights Commission)
  - b) Gender expression is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender. (OHRC)
  - c) Trans or transgender is an umbrella term referring to people with diverse gender identities and expressions that differ from stereotypical gender norms. It includes but is not limited to people who identify as transgender, trans woman (male-to-female), trans man (female-to-male), transsexual, cross-dresser, gender non-conforming, gender variant or gender queer. (OHRC)
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### **Guiding Principles**

- 2. The OVA will use the following principles to guide its decision-making process in accordance with this policy:
    - a) The implementation and administration of this policy will consider a fair and equitable level of monitoring that is respectful, inclusive, and respects a person's human rights.
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### **Purpose**

- 3. The Ontario Volleyball Association believes in equal opportunity and recognizes all forms of gender expression. Therefore, the OVA supports athletes competing in the gender category they identify with, regardless of the sex/gender that was assigned to them at birth. The OVA will consider the eligibility guidelines set out in this policy in order to ensure a fair and level playing field for all participants.
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### **Eligibility Guidelines**

- 4. Athletes shall be allowed to participate in any OVA sanctioned event in accordance with their gender identity, irrespective of the gender listed on their birth certificate or other official government documents, and regardless of whether they have undergone any medical treatments. Therefore:

- a) Male-to-female transitioning individuals shall be regarded as female
  - b) Female-to-male transitioning individuals shall be regarded as male
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### **Application of Eligibility**

- 5. The applicant will initiate the process by contacting the OVA (either directly, or through the club they wish to participate with) outlining their wish to participate in accordance to the OVA's Transgender Athlete policy. The OVA may, with reasonable cause, ask for additional information before moving forward with registration. Upon review of information and if it is deemed sufficient, the athlete will immediately be registered as their preferred gender and will continue to do so unless circumstances dictate that another gender declaration should be made.
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### **Confidentiality**

- 6. The Parties agree that they will not at any time disclose information identified by the other party as confidential to any person, corporation or third party and will make no use whatsoever of any information identified as confidential (other than in the ordinary and usual course of implementing this policy) without the prior written consent of the disclosing party, unless required by law.
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### **Appeal**

- Any decision rendered in accordance with this policy may be appealed in accordance with the OVA's Appeal Policy.

Ontario Volleyball Association – Transgender Athlete Policy: [https://cdn3.sportngin.com/attachments/document/3fb8-1571273/OVA\\_Transgender\\_Policy\\_-\\_Passed\\_Oct\\_2015.pdf#\\_ga=2.233459934.1795033231.1591027830-1564438504.1591027830](https://cdn3.sportngin.com/attachments/document/3fb8-1571273/OVA_Transgender_Policy_-_Passed_Oct_2015.pdf#_ga=2.233459934.1795033231.1591027830-1564438504.1591027830)

## Ringette Canada

### Ringette Canada Guiding Principles

1. Ringette Canada utilizes the following guiding principles in drafting and applying this policy:
    - a) Athletes in developmental and recreational sport should be able to participate in the gender category in which they identify, without any need for disclosure of information or other requirements. The same policy of inclusion would apply to high performance athletes up until the point where they must comply with international federation rules
    - b) Hormone therapy should not be required for an athlete to participate in high performance sport (up to the point where international federation rules would take effect).
    - c) There should be no requirement for an athlete to disclose their transgender identity or history to compete in high performance sport (up to the point where international federation rules would take effect) unless there is a justified reason for them to do so.
    - d) Surgical intervention should never be required for a transgender athlete to participate in high performance sport.
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### Definitions

2. The following terms apply in this document:
  - a) “*Association*” - Ringette Canada
  - b) “*Bona fide*” - Acting in good faith, without deception or fraud.
  - c) “*Cisgender*” - People whose gender identity aligns with the sex they were assigned at birth
  - d) “*Gender*” - The socially constructed roles, behaviours, activities and attributes that a society assigns to masculinity or femininity
  - e) “*Gender Expression*” - The manner in which an individual represents or expresses gender to others - through behaviour, hairstyles, activities, voice, mannerisms, etc.

- f) “*Gender Identity*” – An individual’s deeply held sense or knowledge of their own gender
  - g) “*Gender reassignment*” – Medically-supervised program of treatment to transition a person’s body to align with their gender identity through hormone therapy and/or surgery
  - h) “*Intersex*” – Refers to a combination of features that distinguish male and female anatomy
  - i) “*Sex*” – An individual’s biology that is generally categorized as male, female, or intersex
  - j) “*Transgender*” – People whose gender identity differs from the sex they were assigned at birth. In order to align their bodies with their sense of gender, some transgender individuals undergo gender reassignment
  - k) “*Transgender Female*” – Someone who was assigned the male sex at birth, but whose gender identity is female
  - l) “*Transgender Male*” – Someone who was assigned female sex at birth, but whose gender identity is male
  - m) “*TUE*” – Therapeutic Use Exemption
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### **Purpose**

3. The Association believes that all individuals deserve respectful and inclusive environments for participation that value the individual’s gender identity and gender expression. The Association wishes to ensure that all participants have access to programming and facilities in which they feel comfortable and safe. The Association is committed to implementing this policy in a fair and equitable manner.
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### **Actions for Inclusion**

4. The Association pledges to:
  - a) Provide this Policy to Association staff, Directors and coaches and offer additional inclusion education and training opportunities on its implementation;

- b) Provide registration forms and other documents that allow: i. The individual to indicate their gender identity, rather than their sex or gender; and
- c) The individual to abstain from indicating a gender identity with no consequence to the individual.
- d) Maintain organizational documents and the Association website in a manner that promotes inclusive language and images;
- e) Refer to individuals by their preferred name and pronoun;
- f) Work with transgender athletes on the implementation and/or modification of this Policy;
- g) When the Association has the authority to determine participants' use of washrooms, change rooms, and other facilities, the Association will permit individuals to use the facilities of their gender identity;
- h) Ensure uniforms and dress codes that respect an individual's gender identity and gender expression; and
- i) Determine Eligibility Guidelines for transgender participants (as described in this Policy).

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**Eligibility Guidelines – Exceptions**

- 5. As applicable, the eligibility guidelines of the International Ringette Federation, and/ or any major national or international Games Organization regarding transgender athlete participation will supersede the eligibility guidelines as outlined in this Policy.

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**Eligibility Guidelines**

- 6. At both recreational and competitive levels, an individual shall participate in the gender category in which they identify.

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- 7. Individuals are not required to disclose their transgender identity or history to the Association or any of the Association's representatives (e.g., coaches, staff, Directors, officials, etc.).

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- All athletes must be aware that they may be subject to doping control testing pursuant to the Canadian Anti-Doping Program. The administration of hormones as a component of gender reassignment will, in most cases, contravene the World Anti Doping Code. Transgender athletes undergoing gender reassignment are encouraged to contact the Canadian Centre for Ethics in Sport (CCES) to determine what procedures, if any, are required to obtain a TUE.

Ringette Canada – Trans-Inclusion Policy: [http://www.ringette.ca/wp-content/uploads/2015/10/Trans-Inclusion-Policy\\_Jan-2017\\_FINAL.pdf](http://www.ringette.ca/wp-content/uploads/2015/10/Trans-Inclusion-Policy_Jan-2017_FINAL.pdf)