

Bates ATHLETICS

TRANSGENDER INCLUSION POLICIES

Introduction

Bates College prohibits discrimination on the basis of gender identity and gender expression. In order to comport with this policy and to uphold the principles of equity and inclusion, Bates College Athletics maintains the following policies to facilitate and encourage the participation of transgender students, staff, faculty, and visitors. These policies cover: participation in intercollegiate, club, and intramural sports; participation in physical education offerings; and accommodation for transpeople who attend and participate in athletic contests that take place at Bates.

In designing these principles, this policy closely follows the guidelines offered in the 2010 report *On the Team: Equal Opportunity for Transgender Student Athletes*. Written by Pat Griffin and Helen J. Carroll, the report stems from the work of a think tank entitled ““Equal Opportunities for Transgender Student Athletes” that included “leaders from the National Collegiate Athletic Association and the National High School Federation, transgender student athletes, and an impressive array of experts on transgender issues from a range of disciplines—law, medicine, advocacy, and athletics.”

The Think Tank identified **ten principles**:

1. Participation in interscholastic and intercollegiate athletics is a valuable part of the education experience for all students.
2. Transgender student athletes should have equal opportunity to participate in sports.
3. The integrity of women’s sports should be preserved.
4. Policies governing sports should be based on sound medical knowledge and scientific validity.
5. Policies governing sports should be objective, workable, and practicable; they should also be written, available and equitably enforced.
6. Policies governing the participation of transgender students in sports should be fair in light of the tremendous variation among [all] individuals in strength, size, musculature, and ability.
7. The legitimate privacy interests of all student athletes should be protected.

8. The medical privacy of transgender students should be preserved.
9. Athletic administrators, staff, parents of athletes, and student athletes should have access to sound and effective educational resources and training related to the participation of transgender and gender-variant students in athletics.
10. Policies governing the participation of transgender students in athletics should comply with state and federal laws protecting students from discrimination based on sex, disability, and gender identity and expression (pp.21-22).

These principles are underpinned by the belief that, given both the enjoyment and the benefits that sports can provide, all students should have equal opportunity to participate in school sports, whether the students are **transgender** or **cisgender**—“cisgender” meaning people whose gender identities align with their bodies in ways traditionally recognized as normative. This belief and these principles underpin Bates policies as well.

Policies for Intercollegiate Teams

(Taken, with minor modification, from *On the Team: Equal Opportunity for Transgender Student Athletes*, 28-33.)

A transgender student athlete should be allowed to participate in any sports activity so long as that athlete’s use of hormone therapy, if any, is consistent with the National College Athletic Association (NCAA) existing policies on banned medications. Specifically, a transgender student athlete should be allowed to participate in sex-separated sports activities under the following conditions:

I. Participation in Sex-Separated Intercollegiate Sport Teams

A. Transgender student athletes who are undergoing hormone treatment

1. A male-to-female (MTF) transgender student athlete who is taking medically prescribed hormone treatment related to gender transition may participate on a men’s team at any time, but must complete one year of hormone treatment related to gender transition before competing on a women’s team.
2. A female-to-male (FTM) transgender student athlete who is taking medically prescribed testosterone related to gender transition may not participate on a women’s team after beginning hormone treatment, and must request a medical exception from the NCAA prior to competing on a men’s team because testosterone is currently a banned substance.

3. A female-to-male (FTM) transgender student athlete who is taking medically prescribed testosterone for the purposes of gender transition may compete on a men's team.
4. In any case where a student athlete is taking hormone treatment related to gender transition, that treatment must be monitored by a physician, and the NCAA must receive regular reports about the athlete's eligibility according to these guidelines.

B. Transgender student athletes who are NOT undergoing hormone treatment

1. 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.
2. A female-to-male transgender student athlete who is not taking testosterone related to gender transition may participate on a men's or women's team.
3. A male-to-female transgender student athlete who is not taking hormone treatments related to gender transition may not compete on a women's team.

II. Participation in Mixed Gender Sport Activities

A mixed team has both female and male participants and may be restricted in championship play according to specific national governing body rules.

A. Transgender student athletes who are undergoing hormone treatment

1. For purposes of mixed gender team classification, a male-to-female (MTF) transgender student athlete who is taking medically prescribed hormone treatment related to gender transition shall be counted as a male participant until the athlete has completed one year of hormone treatment at which time the athlete shall be counted as a female participant.
2. For purposes of mixed gender team classification, a female-to-male (FTM) transgender student athlete who is taking medically prescribed testosterone related to gender transition shall be counted as a male participant and must request a medical exception from the NCAA prior to competing because testosterone is a banned substance.

B. Transgender student athletes who are NOT undergoing hormone treatment

1. For purposes of mixed gender team classification, a female-to-male (FTM) transgender student athlete who is not taking testosterone related to gender transition may be counted as either a male or female.

2. For purposes of mixed gender team classification, a female-to-male (FTM) transgender student athlete who is not taking testosterone related to gender transition participating on a women's team shall not make that team a mixed gender team.
3. For purposes of mixed gender team classification, a male-to-female (MTF) transgender student athlete who is not taking hormone treatment related to gender transition shall count as a male.

III. Recommended Implementation Process

A. The student's responsibility

1. In order to avoid challenges to a transgender student's participation during a sport season, a student athlete who has completed, plans to initiate, or is in the process of taking hormones as part of a gender transition shall submit the request to participate on a sports team in writing to the athletic director upon matriculation or when the decision to undergo hormonal treatment is made.*
2. The student shall submit her or his request to the athletic director. The request shall 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. This letter shall identify the prescribed hormonal treatment for the student's gender transition and documentation of the student's testosterone levels, if relevant.

* The student is encouraged to meet with someone who can offer support and advice through the process, if desired. Should the student want help in finding such a person, a list of people who might serve in that role is available from the Athletic Director, the Special Assistant to the President for Diversity and Inclusion, the Office of Equity and Diversity Resources, and the Office of the Dean of Students.

B. Individual School and National Governing Body Responsibilities

1. The Athletic Director shall meet with the student to review eligibility requirements and procedure for approval of transgender participation.
2. A Transgender Participation Advisory Committee will support the work of facilitating the participation of transgender students in athletics and will be available for consultation by the student, the Athletic Director, and others. This committee should include:
 - A health care professional, e.g. physician, psychiatrist, psychologist or other licensed health professional with experience in transgender health care and

the World Professional Association for Transgender Health (WPATH) Standards of Care.

- A Bates faculty member with expertise and training about trans health care and anti-discrimination policy
 - A member of the Athletic Department with expertise and training about trans health care and anti-discrimination policy
 - Student Athlete with expertise and training about trans health and anti-discrimination policy
 - A representative assigned by the institution's president with expertise and training in institutional anti-discrimination policy.
3. If a student athlete's request is denied by the Athletic Director, the decision must automatically be reviewed by the Transgender Participation Committee. This committee shall be convened and its decision reported to the Athletic Director and the Director of Equity and Diversity Resources in a timely fashion.
 4. All discussions among involved parties and required written supporting documentation shall be kept confidential, unless the student athlete makes a specific request otherwise. All information about an individual student's transgender identity and medical information, including physician's information provided pursuant to this policy, shall be maintained confidentially.

Policies for Club Sports

Club sports shall follow the policy described above for intercollegiate sports.

Policies for Intramural Sports

People participating in any intramural sports or other athletic programs, such as physical education courses, may participate in accordance with their gender identity, should that be relevant, regardless of any medical treatment. If conflicts arise, the Transgender Participation Advisory Committee shall be consulted for advice and resolution.

Facilities, Support, and Education

I. Locker Rooms

Anyone using sports facilities on the Bates campus—whether Bates athletes, visiting athletes, or other participants and attendants—shall have access to the changing,

shower, and toilet facilities that accord with their gender identity. Private facilities will be made available if asked for but transgender people will not be required to use them.

II. Accommodations for travel

When possible, Bates athletes traveling to other schools should be assigned accommodations based on their gender identity, with more privacy provided, if possible, when requested.

III. Names and Pronouns

Teammates, coaches, and other participants in sports shall refer to people by their preferred names and pronouns.

IV. Dress Codes and Uniforms

Dress codes should enable all athletes and other sports participants to dress in accord with their gender identity. For example, instead of requiring gendered forms of “dressy,” such as a skirt or dress, dress codes should require students to dress with appropriate formality in ways that suit their gender identity. Since both transgender and cisgender athletes may have preferred gender expressions that do not conform to traditional norms of dress—for instance, not all women feel comfortable in a skirt—this policy should be understood to apply to all athletes. Uniforms, too, ideally, should not conflict with an athlete’s gender identity.

V. Education

At Bates: Athletes, coaches, trainers, and other people involved in Bates Athletics should be educated about trans identities and the principles of transgender inclusion. They should be knowledgeable about how, in their particular roles, to support trans people, and prepared to put this knowledge to use.

At schools or venues where or against which Bates athletes compete. Without naming or violating the privacy of transgender athletes or personnel in question, relevant authorities and personnel at those venues should be informed about expectations for the treatment of transgender athletes—including accommodation, pronoun, and name use—during and outside of play.