



Stanford Policy on Inclusivity and Nondiscrimination for Transgender Varsity Student-Athletes

Nondiscrimination Policy

Stanford University admits qualified students of any race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation, and gender identity to all the rights, privileges, programs, and activities generally accorded or made available to students at the University. Consistent with both its core values and its obligations under the law, Stanford prohibits unlawful discrimination on the basis of race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation, gender identity or expression, veteran status, or any other characteristic protected by applicable law in the administration of the University's programs and activities; Stanford also prohibits unlawful harassment including sexual harassment and sexual violence.

(<http://exploredegrees.stanford.edu/universityrequirements/>)

Definitions

- *Gender* – The complex relationship between physical traits and one's internal sense of self as male, female, both, or neither, as well as one's outward presentations and behaviors related to that perception.
- *Gender Identity* – One's inner concept of self as male or female or both or neither. One's gender identity can be the same or different than the gender assigned at birth.
- *Gender Nonconforming* – A person whose gender expression or gender identity differs from gender norms associated with their assigned birth sex. Someone who identifies as gender nonconforming is not necessarily transgender.
- *Cisgender* – A person whose gender identity and gender expression align with sex assigned at birth.
- *FTM (Female-to-Male or trans male)* – A person who was assigned to the female gender at birth, but has a male gender identity.
- *MTF (Male-to-Female or trans female)* – A person who was assigned to the male gender at birth, but has a female gender identity.
- *Transgender* – Sometimes used as an "umbrella term" to describe anyone whose identity or behavior falls outside of stereotypical gender norms. More narrowly defined, it refers to an individual whose gender identity does not match their assigned birth gender. Being transgender does not imply any specific sexual orientation (attraction to people of a specific gender). Therefore, transgender people may identify as straight, gay, lesbian, or bisexual.
- *Transition* – The process by which a transgender individual lives consistently with his or her gender identity, and which may (but does not necessarily) include changing the person's body through hormones and/or surgical procedures. Transitions can occur in three ways: social transition through changes in clothing, hairstyle, name and/or pronouns; hormonal transition through the use of medicines such as hormone "blockers" or cross hormones to promote gender-based body changes; and/or surgical transition in which an individual's body is modified through the addition or removal of gender-related physical traits.

NCAA Guiding Principles on Including Transgender Student-Athletes

- Participation in intercollegiate athletics is a valuable part of the education experience for all student-athletes.
- Transgender student-athletes should have equal opportunity to participate in sports.
- The integrity of women's sports should be preserved.
- Policies governing sports should be based on sound medical knowledge and scientific validity.

- Policies governing sports should be objective, workable, and practicable; they should also be written, available and equitably enforced.
- Policies governing the participation of transgender students in sports should be equitable in light of the tremendous variation among individuals in strength, size, musculature, and ability.
- The legitimate privacy interests of all student-athletes should be protected.
- Athletics 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 nonconforming students in athletics.
- Policies governing the participation of transgender students in athletics will comply with state and federal laws protecting students from discrimination based on sex, disability, and gender identity and expression.

NCAA Bylaws & 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 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 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.

Sports Sponsorship/Mixed Team Status – A mixed team is a varsity intercollegiate sports team on which at least one individual of each gender competes (Revised: 5/8/06). NCAA Bylaw 18.02.2 states that for the purpose of meeting the required minimums set forth in Bylaws 18, a mixed team shall be counted as one team and shall count toward the minimum sponsorship percentage of men's championships.

- NCAA rules state that a male participating in competition on a female team makes the team a "mixed team." The mixed team can be used for sports sponsorship numbers (provided other conditions outlined in Bylaw 20.9 are met) and counts toward the mixed/men's team minimums within the membership sports sponsorship requirements. Such a team is ineligible for a women's NCAA championship, but is eligible for a men's NCAA championship.
- A female on a men's team does not impact sports sponsorship in the application of the rule. The team still counts toward the mixed/men's sport sponsorship numbers. Such a team is eligible for a men's NCAA championship.
- Once a team is classified as a mixed team, it retains that status through the remainder of the academic year without exception.

Banned Substances – NCAA Bylaw 31.2.3 identifies testosterone as a banned substance, and provides a provision for a medical exception review for demonstrated need for use of a banned medication. It is the responsibility of the NCAA institution to submit the request for a medical exception (see www.ncaa.org/drugtesting) for testosterone treatment prior to the student-athlete competing while undergoing treatment. This request will be prepared and submitted by Stanford Sports Medicine staff before a student-athlete will be medically cleared for participation. In the case of testosterone suppression, the institution must submit written document to the NCAA of the year of treatment and ongoing monitoring of testosterone suppression.

Student-Athlete Responsibilities

In order to avoid challenges to a transgender student's participation during a sports season and so as to allow the institution to provide accurate sports sponsorship and championship information, a student-athlete who wishes to participate on a team that is different than their assigned gender at birth shall:

- Submit a request to participate on a sports team in writing 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. This letter should identify the prescribed hormonal treatment for the student's gender transition and documentation of the student's testosterone levels, if relevant.
 - 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.

Stanford Department of Athletics Responsibilities

If a transgender student provides the director of athletics with the above documentation, the institution shall take the following steps:

- The director of athletics (or his/her designee) will meet with the student to review eligibility requirements and procedure for approval of transgender participation. The athletic director (or his/her designee) should also identify to the student the individual(s) that may need to know information in order to process an NCAA medical exception request, manage student-athlete accommodations, and process sports sponsorship information. The athletic director should request written permission from the student-athlete to share the minimally necessary information to the identified individual(s).
- If hormone treatment is involved in the student-athlete's transition, Stanford Sports Medicine staff shall notify the NCAA of the student's request to participate with a medical exception request.
- All discussions among involved parties and required written supporting documentation will, to the greatest extent possible, 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.

Additional Guidelines for Transgender Student-Athlete Inclusion

Facility Access

- *Changing Areas, Toilets, Showers* – Transgender student-athletes may use the locker room, shower, and toilet facilities in accordance with the student-athlete's gender identity. When requested by a transgender student-athlete, Stanford will work to

provide private, separate changing, showering, and toilet facilities for the student-athlete's use. Transgender student-athletes are not required to use separate facilities. In addition, where possible, the Department of Athletics will also work to provide private, enclosed changing areas, showers, and toilets for use by any student-athlete who requests them.

- *Competition at Another Institution* – If a transgender student-athlete requests a particular accommodation to ensure access to appropriate changing, showering, or bathroom facilities, the Department of Athletics, in consultation with the transgender student-athlete, will notify the Department of Athletics of the host institution prior to competition to facilitate the availability of access to facilities that are comfortable and safe. This notification should maintain the student-athlete's confidential identity as a transgender person and will not be disclosed without the student-athlete's permission.
- *Hotel Rooms* – Transgender student-athletes generally should be assigned to share hotel rooms based on their gender identity, with a recognition that reasonable accommodations should be made if a student-athlete needs extra privacy.

Language

- *Preferred Names* – Teammates, coaches, and institutional personnel should refer to transgender student-athletes by a student-athlete's preferred name.
- *Pronouns* – Pronoun references to transgender student-athletes should reflect the student-athlete's gender and pronoun preferences.

Dress Codes & Team Uniforms

- *Dress Codes* – Transgender student-athletes should be permitted to dress consistently with their gender identities.
- *Dress Codes When Traveling* – Team policies should be gender neutral. For example, team members should dress clean, neat, well cared for, and professional.
- *Team Uniforms* – Student-athletes should have access to uniforms that are appropriate for their sport.

Education

- *Department of Athletics* – Members of the Department of Athletics will receive information and education about transgender identities, institutional and conference non-discrimination policies, the use of preferred names and pronouns, and expectations for creating a respectful team and institutional climate for all student-athletes, including transgender and gender nonconforming student-athletes.
- *Conferences & Opposing Teams* – Conferences and Federations that Stanford participates in will receive information and education about these Stanford policies. All game contracts/agreements will include language that summarizes this policy and Stanford's expectation regarding the treatment of all student-athletes, including those who may be transgender.

Media

- *Confidentiality* – All reasonable steps should be taken to protect the privacy of transgender student-athletes. All medical information shall be kept confidential in accordance with applicable state, local, and federal privacy laws.

Enforcement & Non-Retaliation

Enforcement – Any member of the Department of Athletics who has been found to have violated this policy by threatening to withhold athletic opportunity or harassing any student on the basis of their gender identity or gender expression, or by breaching medical confidentiality, will be subject to disciplinary action, up to and including being forwarded to

the Office of Community Standards (student) or termination (staff member). Any member of the Department of Athletics who becomes aware of conduct that violates this policy should report the conduct to a sports administrator or the Human Resources Office.

Retaliation – Retaliation is specifically forbidden against anyone who complains about discrimination based on gender identity or expression.

Resources

Stanford University: <https://studentaffairs.stanford.edu/policies>

LGBT Community Resources Center: <https://lgbt.stanford.edu>

CAPS/Vaden: <https://vaden.stanford.edu/caps-and-wellness/counseling-and-psychological-services-caps>

Title IX Office: <https://titleix.stanford.edu>

References

https://www.ncaa.org/sites/default/files/Transgender_Handbook_2011_Final.pdf

<http://www.apa.org/practice/guidelines/transgender.pdf>