

Transgender Policy

Department of Athletics

Lafayette College

Introduction

The Department of Athletics is committed to providing a diverse learning environment with equitable opportunity for student-athletes and staff without regard to race, ethnicity, socioeconomic status, gender, gender identity, sexual orientation, religion, disability, and place of origin as indicated by NCAA and College policies as well as federal and state laws.

The department seeks to create an environment that is safe, supportive and welcoming for lesbian, gay, bisexual and transgender students and student-athletes, college staff members, faculty, volunteers, boosters and fans through its policies, practices and treatment of all individuals and groups that are impacted through intercollegiate sport competition.

To achieve these goals, this policy is reflective of the values of Lafayette College as embedded in the mission, policies and practices of the College and has been shaped using the below recommended guidelines and principles of the NCAA Office of Inclusion¹:

1. Participation in intercollegiate athletics is a valuable part of the education experience for all students.
2. Transgender student-athletes will have equal opportunity to participate in sports.
3. The integrity of women's sports will be preserved to ensure access to NCAA Championships.
4. Departmental policies regarding transgender student-athletes will be based on sound medical knowledge and scientific validity.
5. Departmental policies regarding transgender student-athletes will be objective, workable, and practicable; they should also be written, available and equitably enforced.
6. Policies governing the participation of transgender students in sports will be fair in light of tremendous variation among 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. Athletics coaches, staff, student-athletes and parents of student-athletes will 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 will comply with state and federal laws protecting students from discrimination based on sex, disability, and gender identity and expression.

¹ Source: [NCAA Inclusion of transgender Student-Athletes](#)

Policy on Transgender Student-Athlete Participation

The Department of Athletics is committed to operating in a manner where transgender student-athletes will have equal opportunity to participate on intercollegiate teams per the rules and regulations of the NCAA to include policies related to proscribe substances.

The following policies clarify participation of transgender student-athletes not taking hormone treatment related to gender transition:

1. Any transgender student-athlete who is not taking testosterone related to gender transition may participate in sex-separate varsity sports activities in accordance with their assigned birth gender.
2. A transgender male (Female to Male) student-athlete who is not taking testosterone related to gender transition may participate on a men's or women's varsity sports team.
3. A transgender female (Male to Female) student-athlete who is not taking hormone treatments related to gender transition may not compete on a women's varsity team.

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

1. A transgender male (Female to Male) student-athlete who has received a NCAA 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 so as to preserve the integrity of the women's sport.
2. A transgender female (Male to Female) 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 until completing one calendar year of testosterone suppression treatment.

The College physician will monitor all student-athletes taking hormone treatment related to Gender Identity Disorder or Gender Dysphoria. Necessary information regarding a student-athlete's treatment will be shared with the Compliance office for NCAA eligibility evaluation.

Process to Participate in Intercollegiate Athletics

1. A student-athlete who has completed, plans to initiate, or is in the process of taking hormones as part of a gender transition must submit a written request to participate on a varsity sports team to the Director of Athletics upon matriculation or when the decision to undergo hormonal treatment is made. This request must include a letter from the student-athlete's physician which clearly documents the following:

- the student-athlete’s intent to transition or the student-athlete’s current transition status if the process has already been initiated;
 - identify the prescribed hormonal treatment for the student-athletes gender transition;
 - and when relevant, documentation of the student-athlete’s testosterone levels.
2. The Director of Athletics or his/her designee, the Senior Associate Director of Athletics/Compliance and the Director of Sport Medicine will meet with the student-athlete to review the NCAA eligibility requirement and procedure for approval of transgender participation.
 3. If hormone treatment is indicated as a part of the student-athlete’s transition, the Director of Athletics or his/her designee will notify the NCAA and the Patriot League Office of the student-athlete’s request to participate.
 4. The Director of Sports Medicine in consultation with Drug Free Sport as well as with the College Physician, a representative of the Counseling Center and/or other licensed health professionals with experience in transgender health care will confirm that all NCAA medical requirements for eligibility to compete have been met.
 5. The Senior Associate Director of Athletics/Compliance will petition the NCAA for transgender student-athletes, subject to a one-year transgenderition period, to request an extension of their eligibility at the end of the transgenderition period.

If the Director of Athletics approves the student-athlete’s request to participate on an intercollegiate team and the student-athlete is deemed eligible to compete by the NCAA, the student-athlete may participate on an intercollegiate team as indicated by the NCAA.

Appeals Process

If a transgender student-athlete’s request to participate on an intercollegiate team is denied, the student-athlete may appeal the decision. All appeals must be submitted in writing to the Director of Athletics within 14 days of receiving written notification from the Department of Athletics regarding the denial of the decision. The Director Athletics or his/her designee will submit the appeal for review to the Transgender Participation Committee (TPC).

TPC members will be appointed by the Vice President for Student Affairs and shall be comprised of a representative from the Counseling Center, the Student Health Center, Dean of Students Office as well as the Faculty Athletics Representative and the College’s Title IX Coordinator.

A member of the TPC will be responsible for notifying the student-athlete and the Director of Athletics of the committee’s decision within 14 working days of a written request for

appeal. The Director of Athletics or his/her designee will be responsible for informing the NCAA and the Patriot League office of the appeal outcome. The decision by the TPC is final.

Confidentiality

All discussions, College documentation, and written support documentation surrounding a student-athlete's request and appeal process, when applicable, shall remain confidential in accordance with state and federal laws, unless the Department of Athletics receives written permission from the student-athlete.

All information regarding all student-athletes' transgender identity and medical information, including physician's information provided pursuant to this policy, shall be maintained confidential per state and federal laws.

Facilities Access

1. Transgender student-athletes shall have access to use locker rooms, showers and toilet facilities in accordance with the student-athlete's gender identity.
2. When requested by Lafayette College transgender student-athletes or by transgender student-athletes from visiting institutions, private and separate changing areas, showers and toilet facilities will be provided. However, transgender student-athletes shall never be required to use separate facilities by the institution and/or staff members.
3. In incidents where transgender student-athletes request or require a particular accommodation during competition at another institution, the appropriate sport administrator will notify the institution to ensure that the student-athlete has access to facilities (i.e. appropriate changing, showering, and/or bathroom facilities) that are comfortable and safe. The notification process shall be handled in such a manner that the student-athlete's identity as a transgender person is never disclosed without the student-athlete's express permission.
4. Transgender student-athletes will be assigned to share hotel rooms based on their gender identity. Transgender student-athletes who request or need additional accommodations with additional privacy will be provided appropriate accommodations on every occasion that it is possible based on the availability of the lodging site.

Language

In all cases, teammates, coaches and Department of Athletics staff members will address and refer to the transgender student-athlete by their preferred name. Additionally, pronoun preferences to transgender student-athletes will reflect the student-athlete's gender and pronoun preferences.

Dress Codes

While representing the institution, all student-athletes shall not be required to dress in a manner inconsistent with their gender identity, but will be required to conform to basic dress standards as established by department or team rules and requests from staff (i.e. well-cared for, neat, and appropriate for the occasion).

Uniforms

All team members will have access to uniforms and other team issued attire that is appropriate for their sport and to which the student-athlete feels comfortable wearing. No student-athlete will be required to wear a gendered uniform or other team issued attire that conflicts with the student-athlete's gender identity.

Enforcement

Department of Athletics staff members who violate this policy by threatening to withhold athletic opportunities or harassing any student-athlete in violation of this or any other College policies as well as by breaching medical confidentiality will be subject to disciplinary action consistent with that of the College's policies and procedures as outlined by Human Resources.

Additionally, all Department of Athletics staff members are required to report bias incidents, acts of discrimination and/or bias or hate crimes per the established College protocols.

Retaliation

Acts of retaliation by Department of Athletic staff members or student-athletes against anyone who files a formal complaint or who informs a College representative of incidents of discrimination based on race, religion, gender, sexual orientation, gender identity or expression are specifically prohibited. Disciplinary action consistent with that of the College's policies and procedures as outlined by the Office of Human Resources and Department of Athletics will be applied.

Bias Incident Definitions and Reporting Protocols Bias-Related Incident²

(<http://studentlife.lafayette.edu/student-health-and-safety/bias-response-team-brt/>)

A "bias-related incident" is any incident in which an action taken by a person or group is perceived to be malicious or discriminatory toward another person or group. Such actions may be based on bias or prejudice relating to such characteristics as race, color, religion, national origin, ancestry, age, mental or

² *Source: www.stopbias.org, the website for Pennsylvania's Inter-Agency Task Force on Civil Tension.

physical disability, sexual orientation, gender, or gender identity or any situation in which inter-group tensions exist based on such group characteristics.

Bias-related incidents may be violations of criminal law, such as hate crimes, or violations of civil law, such as unlawful discrimination in employment, housing, education, or public accommodations.

Hate Crime³

In Pennsylvania, the legal definition of a hate crime is determined by Pennsylvania's "Hate Crime" Law, the Ethnic Intimidation and Institutional Vandalism Act. A hate crime is a criminal offense committed against persons, property, or society that is motivated, in whole or in part, by an offender's bias against a specific characteristic of an individual or a group such as race, religion, ethnicity, national origin, gender, gender identity, age, disability, or sexual orientation.

College Policies

Bias-motivated behaviors that violate provisions of the Lafayette College Code of Conduct or Pennsylvania state law will be addressed through the College's disciplinary process and/or the criminal courts. Discriminatory or bias-motivated behaviors that violate neither the law nor the Code of Conduct will be addressed through a conflict-resolution process. Examples of bias-related incidents include assault, damage to property/vandalism, defacing signs or images, harassment, physical confrontation, threatening communications (written or electronic), written or verbal slurs, etc.

Staff and Student-Athlete Education

All Department of Athletic staff members will annually receive information regarding the College's and conference discrimination policies as well as specific information regarding transgender identities, the use of preferred names and pronouns, and expectations for creating a respectful team and school climate for all students, including transgender and gender-variant students.

Media

All College and Athletic Department representatives who are authorized to speak with the media will receive information regarding terminology, use of names and pronouns, as well as school and Patriot League policies regarding the participation of transgender student-athletes on varsity sport teams.

All interactions with media will be handled in such a manner that protects the privacy of all student-athletes and are in compliance with Department and College policies as well as with

³ *Source: www.stopbias.org, the website for Pennsylvania's Inter-Agency Task Force on Civil Tension.

state and federal laws and regulations.

Appendix

Lafayette College and the Department of Athletics acknowledges that the vocabulary related to transgender individuals is continually evolving, however, below are some working definitions and examples of frequently used terms.

Biological/Anatomical Sex — The physical characteristics typically used to assign a person’s gender at birth, such as chromosomes, hormones, internal and external genitalia and reproductive organs. Given the potential variation in all of these, biological sex must be seen as a spectrum or range of possibilities rather than a binary set of two options.

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. Biological/anatomical sex and gender are different; gender is not inherently connected to one’s physical anatomy.

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. Most people become conscious of their gender identity between the ages 18 months and 3 years. Most people have a gender identity that matches their assigned gender at birth. For some, however, their gender identity is different from their assigned gender. Some of these individuals choose to live socially as the other gender and may also hormonally and/or surgically change their bodies to more fully express their gender identity. All people have gender identity, not just transgender people.

Gender Expression — Refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, haircut, voice, and other forms of presentation. Gender expression also works the other way as people assign gender to others based on their appearance, mannerisms, and other gendered characteristics. Many transgender people seek to make their external appearance—their gender expression—congruent with their internal gender identity through clothing, pronouns, names, and, in some cases, hormones and surgical procedures. All people have gender expression, not just transgender people.

Gender Nonconforming/Gender Variant - Refers to individuals whose behaviors and/or interests fall outside what is considered typical for their assigned gender at birth. Someone who identifies as “gender nonconforming” is not necessarily transgender. To the contrary, many people who are not transgender do not conform to gender stereotypes in their appearance, clothing, physical characteristics, interests, or activities.

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 additionally identify as straight, gay, lesbian, or bisexual.

Sexual Identity — Term that refers to being romantically or sexually attracted to people of a specific gender. Our sexual identity and our gender identity are separate, distinct parts of our overall identity. Although a child may not yet be aware of their sexual identity, they usually have a strong sense of their gender identity.

Genderqueer — This term represents a blurring of the lines around gender identity and sexual orientation. Genderqueer individuals typically reject notions of static categories of gender and embrace a fluidity of gender identity and sexual orientation. This term is typically assigned an adult identifier and not used in reference to preadolescent children.

Gender Nonconforming/Gender Variant — Refers to individuals whose behaviors and/or interests fall outside what is considered typical for their assigned gender at birth. Someone who identifies as “gender nonconforming” is not necessarily transgender. To the contrary, many people who are not transgender do not conform to gender stereotypes in their appearance, clothing, physical characteristics, interests, or activities.

Gender Fluidity — Gender fluidity conveys a wider, more flexible range of gender expression, with interests and behaviors that may even change from day to day. Gender fluid individuals do not feel confined by restrictive boundaries of stereotypical expectations of girls or boys.

Intersex — An estimated one in 2,000 babies is born with an “intersex” condition or Disorders of Sex Development (DSD). People with intersex conditions (DSD) are born with physically mixed or atypical bodies with respect to sexual characteristics, i.e. chromosomes, internal reproductive organs, and genitalia. These characteristics may not be visible and individuals may not be aware of the condition. Having an intersex condition does not necessarily affect a person’s gender identity.

FTM (Female-to-Male)/Affirmed male — An adult who was assigned to the female gender at birth but has a male gender identity.

MTF (Male-to-Female)/Affirmed female — An adult who was assigned to the male gender at birth but has a female gender identity.

Transgenderition — 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. Transgenderition can occur in three ways: social transgenderition through changes in clothing, hairstyle, name and/or pronouns; hormonal transgenderition through the use of medicines such as hormone “blockers” or cross hormones to promote gender-based body changes; and/or surgical transgenderition in which an individual’s body is modified through the addition or removal of gender-related physical traits. Based on current medical knowledge and practice, genital reconstructive surgery is not required in order to transgenderition. Most transgender people in the United States do not have genital reconstructive surgery.

Transgendersexual — An individual whose gender identity does not match the person’s sex at birth. This individual usually desires to physically alter their bodies surgically and/or hormonally. This physical transgenderition is a complicated, multi-step process that may take years and may include, but is not limited to, cross-gender hormone therapy and a variety of surgical procedures. The precise treatments required vary from person to person.

Transgenderphobia – Fear or hatred of transgender people. Transgenderphobia is manifested in a number of ways including violence, harassment, and discrimination.

Resources

NCAA Inclusion of Transgender Student-Athletes Handbook

http://media.wix.com/ugd/2bc3fc_44693cb5d779311cab005d959e9486d.pdf

Champions of Respect - Inclusion of LGBTQ Student-Athletes and Staff in NCAA Programs

http://media.wix.com/ugd/2bc3fc_20120c685f682f8735245569808e4cc4.pdf

TRANS*ATHLETE

<http://www.transathlete.com/>

Br{ache

<http://freedomsounds.org/>

Campus Pride: 2012 LGBTQ National College Athlete Report

http://media.wix.com/ugd/2bc3fc_dedacbffc573496a86dc80e1f604ced4.pdf

On the Team: Equal Opportunity for Transgender Student Athletes Report

<http://www.womenssportsfoundation.org/home/research/articles-and-reports/lgbt-issues/~media/PDFs/Educational%20Guides/TransgenderStudentAthleteReport.ashx>

October 2015