

Transgender Student Athlete Inclusion Policies

Purchase College Non-Discrimination Policy

Purchase College does not discriminate against any person in employment, educational programs and activities, or admission on the basis of race, sex, gender identity, color, religion, national origin, age, marital status, handicap/disability, sexual orientation, military status, predisposing genetic characteristics and domestic victim status.

Domestic Victim Status has been defined by the Human Rights Law as an individual who is a victim of an act which would constitute a family offense under N.Y. Family Court Act § 812. It is unlawful to discriminate against a domestic violence victim in hiring for a job, job advancement, requests for use of leave time, or other terms, conditions or privileges of employment. It is also unlawful for an employer to take an action in retaliation for filing a complaint of discrimination.

Purchase is committed to Equal Opportunity/Affirmative Action, and complies with all applicable federal and state laws and regulations prohibiting discrimination, including the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, as well as SUNY Board of Trustees policy.

Title IX of the Education Amendments of 1972 prohibits sex discrimination in any education program or activity. One type of sex discrimination is sexual harassment, which includes sexual violence.

On-campus inquiries or complaints may be addressed to:

Affirmative Action Officer

Purchase College

735 Anderson Hill Road

Purchase, NY 10577

(914) 251-5982

Transgender Student Athlete Inclusion Policies:

Purchase College Athletics values and celebrates diversity and equal opportunity for all student athletes, personnel and coaches within all our athletic programs.

Purchase College's policy development governing the inclusion of transgender student athletes is an evolving process. As new research on the participation of transgender student athletes and the physiological effect of gender transition on athletes performance becomes available, policies may need to be re-evaluated to ensure that they reflect the most current research-based information.

Policy for Intercollegiate Athletics Participation (Note: This policy shall not prevent a transgender student athlete from electing to participate in a sport activity according to his/her assigned birth gender).

Procedures:

1. Notice to the College: The student shall contact the Athletic Director indicating that the student has a consistent gender identity different than the gender listed on the student's college registration records

or state birth record, and that the student desires to participate in activities in a manner consistent with his/her gender identity. The student shall sign an appropriate FERPA waiver authorizing the College to share information relating to the student's request with the Athletic Director, Appeals Committee, the NCAA, Skyline Commissioner and/or National Governing Body, as necessary, to implement the student's desire to participate on Intercollegiate teams.

2. Notice will be sent to the NCAA Division III national office and Skyline Commissioner's office by the athletic director expressing a student's interest and intent to participate on any intercollegiate teams.
3. All required documentation and discussions will be kept confidential and the proceedings will be sealed unless the student and family make these records available. All medical information provided pursuant to this policy shall be kept strictly confidential in accordance with applicable medical privacy laws, except as may be necessary to implement the student's request.
4. Once all necessary documentation is submitted as set forth in the policy sections below, the Athletic Director shall render an initial decision regarding the student's participation request based on the documentation.
5. Should any questions arise about whether a student's request to participate in a sport activity consistent with his/her gender identity is bona fide, a student may seek review of his/her eligibility for participation through the procedure set forth below:
 - a. First Level of Appeal: The student will be scheduled for an appeal hearing with the transgender eligibility committee made up of the Vice President of Student Affairs, the College's Faculty Athletic Representative, the Affirmative Action Officer, the College's Doctor, and the Director of the Counseling Center within five business days of receipt of a request for an appeal.
 - b. Documentation: The appealing student should provide the Committee with the following documentation and information:
 - current transcripts and college registration information
 - documentation of the student's consistent gender identification (e.g. written statements from the student and health care provider).
 - any other pertinent documentation or information related to the student's participation.
 - c. Committee's Decision Process: The student's appeal will be granted based upon the committee's review of the documentation provided to the committee.

Policy for College Athletics Participation

A transgender student athlete at the college level 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 Governing Body's (NGB) existing policies on banned medications. Specifically, a transgender student athlete should be allowed to participate in sex-separated sports activities under the following conditions:

Participation in Sex-Separated Sports 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. (Recent research indicated that most salient physical changes likely to affect athletic performance occur during the first year of hormone treatment making a longer waiting period unnecessary. Goorin, Louis and Mathijs Bunck, "Transsexuals and Competitive Sports," *European Journal of Endocrinology* 151 (2004): 425-429. Available online at <http://www.eje.org/cgi/reprint/151/4/425.pdf>)
 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 National Governing Body(NGB) prior to competing on a men's team because testosterone is a banned substance.
3. A female-to-male (FTM) transgender student athlete who is taking medically prescribed testosterone for the purpose of gender transition may compete on a men's team once the medical exception set forth above has been obtained.
 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 NGB 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 man'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.

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. A female-to-male who is taking medically prescribed hormone treatment related to gender transition shall be counted as a female participant until the athlete has completed one year of hormone treatment at which time the athlete shall be counted as a male participant.
 3. For the 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 be counted as a female (or be counted as either male or female) and shall not make the team a mixed gender team.
- B. Transgender student athletes who are not undergoing hormone treatment
 1. For purposes of a mixed gender team classification, a female-to-male (FTM) transgender student athlete who is not taking testosterone related or gender transition shall be counted as a female.
 2. For purposes of a 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.

Implementation Process

The Student's Responsibilities:

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.

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. The athletic director shall notify the NGB of the student's request to participate. The NGB will assign a facilitator to assist the athletic director in responding to the request.
3. If a student athlete's request is denied by the athletic director, the decision must be automatically reviewed by the Transgender Participation Committee as defined in this document.
4. The athletic director will notify the NGB of the appeal outcome.
5. The NGB will confirm that the treatment requirement has been met.
6. Transgender student athletes subject to a one-year transition period should receive an extension of their eligibility at the end of their transition period, upon timely review and approval by the NGB.
7. An opposing team or school may only challenge a transgender student athlete's approved eligibility through the accepted formal appeal process of the NGB.
8. 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 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

Facilities Access:

1. Changing areas, toilets, showers: Transgender student athletes should be able to use the locker room, shower, and toilet facilities in accordance with the student's gender identity. Every locker room should have some private, enclosed changing areas, showers and toilets for use by any athlete who desires them. When requested by a transgender student athlete, schools should provide, separate changing, showering, and toilet facilities for the student's use, but transgender students should not be required to use separate facilities.
2. Competition at Another School : If a transgender student athlete requires a particular accommodation to ensure access to appropriate changing, showering, or bathroom facilities, school leaders, athletic directors, and coaches, in consultation with the transgender student athlete, should notify their counterparts at other schools prior to competitions to ensure that the student has access to facilities that are comfortable and safe. This notification should maintain the student's confidentiality. Under no circumstances should a student athlete's identity as a transgender person be disclosed without the student's express permission.
3. Hotel Rooms: Transgender student athletes generally should be assigned to share hotel rooms based on their gender identity, with a recognition that any student who needs extra privacy should be accommodated whenever possible.

Language:

1. Preferred Names : In all cases, teammates, coaches and all others in the school should refer to transgender student athletes by a student's preferred name.
2. Pronouns: Similarly, in all cases, pronoun preferences to transgender student athletes should reflect the student's gender and pronoun preference.

Dress Codes and Team Uniforms:

1. Dress Codes: Transgender athletes should be permitted to dress consistently with their gender identities. That is, a female-to-male transgender athlete should be permitted to dress as a male. A male-to-female should be permitted to dress as a female.
For reasons unrelated to trans-inclusion, schools should evaluate the necessity of gendered dress codes and recognize that they tend to marginalize a range of students who may not feel comfortable with them. Dress codes for athletic teams when traveling or during a game day at school should be gender-neutral. Instead of requiring a girl's or women's team to wear dresses or skirts, for example, ask that team members wear business casual slacks that are clean, neat, well cared for and appropriately "dressy" for representing their school and team.
2. Uniforms: All team members should have access to uniforms that are appropriate for their sport and that they feel comfortable wearing. No student should be required to wear a gendered uniform that conflicts with the student's gender identity.

Education:

1. In School: All members of the school community should receive information and education about transgender identities, the college non-discrimination policies, 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.
2. Athletic Conference Personnel: Athletic conference leaders should be educated about the need for policies governing the participation of transgender student athletes, develop such policies, and ensure that all schools in the conference understand and adopt a consistent set of policies.
3. Opposing Teams/Colleges: Without violating a transgender student's confidentiality or privacy, athletic directors, and coaches should communicate with their counterparts at other schools prior to competitions in which a transgender athlete is participating about expectations for treatment of transgender student athletes on and off the field. This does not require "outing" or otherwise identifying a particular student athlete as transgender, but rather establishing general expectations for the treatment of all student athletes, including those who may be transgender.

Media:

1. Training: All College or athletic representatives (conference and/or state leaders, sports information departments and personnel, school leaders, athletic administrators, team members and coaches) who are authorized to speak with the media should receive information about appropriate terminology, use of preferred names and pronouns, and school and athletic conference policies regarding the participation of transgender student athletes on school sports teams.
2. Confidentiality: Protecting the privacy of transgender student athletes must be a top priority for all athletic department and affiliated school personnel, particularly when in the presence of the media. All medical information shall be kept confidential in accordance with applicable state, local and federal privacy laws.

Enforcement and Non-Retaliation:

Enforcement: Any member of an athletics department who have 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 expression, or by breaching medical confidentiality will be subject to disciplinary action, up to and including, where appropriate, termination of employment. The athletic department will also take appropriate remedial

action to correct the situation. Any member of the athletic department who becomes aware of conduct that violates this policy should report the conduct to the appropriate official. Where College employees are alleged to have engaged in conduct which violates these policies, such conduct should be reported to the athletic director. Where students are alleged to have engaged in conduct which violates these policies, such conduct should be reported to the Vice President of Student Affairs.

Retaliation: Retaliation is specifically forbidden against anyone who complains about discrimination based on gender identity or expression, even if the person was in error. This athletic department will take steps to prevent any retaliation against any person who makes such a complaint.

