

Policies – Inclusion & Diversification

Section 5f

5f.1 Transgender

5f.2 The EYBA Executive hereby adopts the following relating to transgender athlete participation in EYBA events.

5f.3 Policy Considerations:

5f.4 The EYBA Executive and Member Zones hereby affirm the following policy considerations:

- 5f.4.1 Transgender student athletes should have an equal opportunity to participate in sports.
- 5f.4.2 The overriding sporting objective is, and remains, the guarantee of fair competition; however, restrictions on participation are appropriate to the extent that they are necessary and proportionate to achieve this objective.
- 5f.4.3 The integrity and fairness of the competition shall be considered and protected to the greatest extent possible.
- 5f.4.4 The integrity of women's sports should be preserved.
- 5f.4.5 Policies governing sports should be based on sound medical knowledge and scientific validity.
- 5f.4.6 Policies governing the participation of transgender athletes in sports should be fair in light of the variation among individuals in strength, size, musculature, and ability.
- 5f.4.7 The legitimate privacy interests of all athletes should be protected.
- 5f.4.8 The medical privacy of transgender athletes should be preserved.
- 5f.4.9 Pre-Pubescent athletes may be granted eligibility to participate in their affirmed gender.
- 5f.4.10 Athletes may not switch back and forth between male and female competition/competitive gender. Athletes will not be permitted to "change back" to their previous competitive gender once their application to compete in EYBA events has been approved and they have been granted the requested eligibility.
- 5f.4.11 If not eligible for female competition the athlete should be eligible to compete in male competition.
- 5f.4.12 These guidelines are a living document and will be subject to review in light of any scientific or medical developments.

5f.5 TRANSGENDER PARTICIPATION POLICY

5f.6 For purposes of this policy, the following terms shall mean:

- 5f.6.1 “Female-to-Male” (FTM) - adjective to describe individuals assigned female at birth who are changing or who have changed their body and/or gender role from birth-assigned female to a more masculine body or role.
- 5f.6.2 “Gender Identity” - A person’s intrinsic sense of being male (a boy or a man), female (a girl or woman), or an alternative gender (e.g., boygirl, girlboy, transgender, genderqueer, eunuch, etc.). Since gender identity is an emotional, rather than a physical characteristic, one’s gender identity is not necessarily visible to others.
- 5f.6.3 “Male-to-Female” (MTF) - Adjective to describe individuals assigned male at birth who are changing or who have changed their body and /or gender from birth-assigned male to a more feminine body or role.
- 5f.6.4 “Sex” - Sex is assigned at birth as male or female, usually based on the appearance of the external genitalia. When the external genitalia are ambiguous, other components of sex (internal genitalia, chromosomal and hormonal sex) are considered in order to assign sex.
- 5f.6.5 “Transgender” - An adjective to describe an individual whose gender identity (one’s internal psychological identification as a boy/man or girl/woman) does not match his or her sex assigned at birth.
- 5f.6.6 “Transgender Female” is a person whose sex at birth is male but who self identifies and lives as a female (male-to-female or MTF).
- 5f.6.7 “Transgender Male” is a person whose sex at birth is female but who self identifies and lives as a male (female-to-male or FTM).

5f.7 PROCESS FOR PARTICIPATION IN EYBA EVENTS

5f.8 Request for Accommodation

- 5f.8.1 The transgender athlete and/or the parent of a transgender athlete shall contact the EYBA President requesting accommodation to participate in EYBA events in a manner consistent with his or her Gender Identity.
- 5f.8.2 As a part of the athlete’s written request for accommodation, the athlete must include a statement affirming the gender identity of the athlete. While the request must be submitted by a parent or guardian if the athlete is under age 18, the athlete may also submit a personal statement in support of his or her request. The athlete must provide a confirmation of gender identity from a medical professional and if applicable, must provide any information related to the athlete’s transition status and/or intent.
- 5f.8.3 Upon receipt of notice from a transgender athlete and/or parent of a transgender athlete wishing to participate in EYBA events in a manner consistent with his or her Gender Identity, the EYBA President shall notify the Eligibility Committee (as defined below) in writing of the athlete’s interest in participating in EYBA events.

5f.9 Eligibility Committee

- 5f.9.1 The Eligibility Committee will be composed of a minimum of four individuals:
- 5f.9.1.1 A member of the EYBA Executive
 - 5f.9.1.2 A zone representative from the zone wherein the transgender athlete resides
 - 5f.9.1.3 A representative of the transgender athlete's choosing
 - 5f.9.1.4 An age group representative to field comments or questions from players or parents in the same age group and division as the transgender athlete
- 5f.9.2 The Eligibility Committee shall consider all relevant information submitted in support of the request. The Eligibility Committee will then determine, pursuant to the guidelines and requirements above, whether the athlete should be permitted to participate as requested.
- 5f.9.3 Athletes shall not be required to undergo hormone treatments; however in any case where a transgender athlete is taking hormone treatment related to gender transition, that treatment must be monitored by a physician, and the Eligibility Committee shall be entitled receive regular reports from such physician.
- 5f.9.4 The Eligibility Committee may request a written statement from an appropriate health-care professional, acting within the scope of his/her licensure that verifies the existence of the athlete's consistent and uniform gender-related identity or sincerely held gender-related identity.
- 5f.9.5 Any other evidence that the gender identity is sincerely held as part of the person's core identity as may be required by the Eligibility Committee.

5f.10 Changing Areas, Toilets, Showers

- 5f.10.1 Transgender athletes should be able to use the locker room, shower, and toilet facilities in accordance with the athlete's gender identity.

5f.11 Confidentiality

- 5f.11.1 All communications among involved parties and required supporting documentation shall be kept confidential and all records of proceedings sealed unless the athlete and family make a specific request otherwise. All medical information provided pursuant to this policy shall be kept strictly confidential as is consistent with medical privacy laws.

5f.12 Appeal

- 5f.12.1 Any member zones may appeal the eligibility of a transgender athlete on the grounds that the athlete's participation in EYBA events would adversely affect competition or safety.
- 5f.12.2 Should any questions arise about whether an athlete's request to participate in a EYBA event consistent with his or her gender identity is bona fide, the transgender athlete may seek review of his or her eligibility for participation through the procedure set forth below:
- 5f.12.3 First Level of Appeal:

5f.12.3.1 The athlete will be scheduled for an appeal hearing before the Eligibility Committee. The EYBA shall schedule a hearing as expeditiously as possible, but in no case later than five business days prior to the first full EYBA event that is the subject of the petition, or within a reasonable time thereafter in cases of emergency, including, but not limited to, any unforeseeable late athlete registration.

5f.12.4 The Eligibility Appeal Committee may:

5f.12.4.1 Communicate with experts, within their scope of licensure, with experience in gender identity health care;

5f.12.4.2 Communicate with legal counsel relative to existing laws, rules and procedures;

5f.12.4.3 Request and review any other pertinent information as may be necessary in order to render a decision that complies with provincial and federal laws, rules and regulations;

5f.12.4.4 Following a review of the information, the Eligibility Appeal Committee's recommendation shall be effective until reviewed by the EYBA Executive at its next regularly scheduled meeting.

5f.12.5 Committee Decision Process:

5f.12.5.1 When there is confirmation of an athlete's consistent gender identity, and the Eligibility Committee has approved a transgender athlete's request for accommodation, the EYBA Executive will affirm the athlete's eligibility to participate in EYBA events consistent with the athlete's gender identification.

5f.12.5.2 The athlete/athlete's family, the zone president and the athlete's coach will be notified of the Eligibility Committee's decision in writing within 48 hours once that decision has been reached.

5f.12.6 Appeal of Eligibility Committee's Decision

5f.12.6.1 Due to the nature of these issues, the same athlete may have her/his case revisited by the EYBA Executive (and subsequently, the Eligibility Committee) as the facts and circumstances of the athlete evolve or change.