

# Inclusion of Trans\* Persons Policy

## Introduction

Whitman College has a strong commitment to the principle of nondiscrimination. In its admission and employment practices, administration of educational policies, scholarship and loan programs, and athletic and other school-administered programs, Whitman College does not discriminate on the basis of race, color, sex (including pregnancy and parenting status), gender, gender identity or manifestation, genetic information, sexual orientation, religion, age, marital status, national origin, disability, veteran's status, or any other basis prohibited by applicable federal, state, or local laws.

In accordance with the principles of equity and inclusion, Whitman College maintains the following policies to facilitate and encourage the inclusion and participation of all persons in the Whitman College experience. These policies cover facilities usage, name and pronoun usage, and participation in co-curricular activities, including NCAA sanctioned sports.

## Definitions

- Trans\* — An adjective to describe a diverse group of individuals who cross or transcend culturally defined categories of gender. The gender identity of transgender people differs to varying degrees from the sex they were assigned at birth.
  - Male-to-Female (MTF) - An adjective to describe individuals assigned male at birth who are changing or who have changed their body and/or gender role from birth-assigned male to a more feminine body or role.
  - Female-to-Male (FTM) - An 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.
- Gender-Nonconforming - An adjective to describe individuals whose gender identity, role, or expression differs from what is normative for their assigned sex in a given culture and historical period.
- Non-Binary - Identity label that may be used by individuals whose gender identity and/or role does not conform to a binary understanding of gender as limited to the categories of man or woman, male or female

## Guiding Principles

- All persons, including trans\* and gender-nonconforming persons, should have equal opportunity to participate in co-curricular activities.
- Participation in co-curricular activities including, but not limited to, intercollegiate athletics and club sports, are a valuable part of the education experience for all students.
- The legitimate privacy interests of all persons should be protected.
- The medical privacy of trans\* persons should be preserved.
- Administrators, staff, faculty, and students should have access to sound and effective educational resources and training related to the participation of trans\* and gender-nonconforming persons.

- Policies governing the participation of trans\* and gender-nonconforming persons in co-curricular activities should comply with state and federal laws protecting students from discrimination.
- Policies governing co-curricular activities should be based on sound medical knowledge and scientific validity.
- Policies governing organizations external to the college, such as the NCAA, should be objective, workable, and practicable; they should also be written, available and equitably enforced.

### **Restroom and Gendered-Facility Usage**

The Washington Law Against Discrimination (WLAD) specifically protects against discrimination in employment and places of public accommodation, based on one's gender expression or identity. The Washington State Human Rights Commission (HRC) – the state agency responsible for enforcing the WLAD – issued regulations in 2015 clarifying that the WLAD protects the rights of trans\* and gender nonconforming individuals to use restrooms and other gender-segregated facilities consistent with their gender identity. The College is in full support of all persons using gendered-facilities such as locker rooms, showers, and toilet facilities consistent with their gender identity. Further, persons needing additional support such as private changing areas, etc., should contact the Dean of Students Office, Memorial Building 325, (509) 527-5158 or the Human Resources Office, Memorial Building 104, (509) 527-5172. Additional information about the Rights of Transgender Persons in the State of Washington can be found online (<https://aclu-wa.org/docs/rights-transgender-people-washington-state>)

### **Name and Pronoun Usage**

Whitman College recognizes that some members of its community use a name other than their legal name to identify themselves. As long as the use of this different name is not for the purpose of misrepresentation, the College allows students, faculty, and staff to use a first name different than their legal name on certain college records. Additionally, students, faculty, and staff can identify the pronouns they use. Students can submit a name change request in MyWhitman under the My Profile tab. Additional information about this policy is available online (<https://www.whitman.edu/registrar/services-for-students-and-alumni/updating-preferred-name>).

### **Whitman College Responsibilities Relative to Sports Studies, Recreation and Athletics**

#### **Student Responsibilities**

- In order to avoid challenges to a trans\* 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 needs to submit a request to participate on a varsity or club sports team in writing to the Director of Athletics or the head athletic trainer upon matriculation or when the decision to undergo hormonal treatment is made.
- 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.

#### **Competition Guidelines**

- Competition at Another Institution – If a trans\* student-athlete requests a particular accommodation to ensure access to appropriate changing, showering, or bathroom facilities, the athletics department, in consultation with the trans\* student-athlete, will notify their counterparts at the host institution prior to competition to ensure that the student-athlete has access to facilities that are comfortable and safe. This notification should maintain the student's identity as a trans\* person as confidential and will not be disclosed without the student's permission.
- Hotel Rooms – trans\* 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.

### **Team Apparel**

- Dress Codes – trans\* student-athletes should be permitted to dress consistently with their gender identities. That is, a female-to-male trans\* student-athlete should be permitted to dress as a male. A male-to-female should be permitted to dress as a female.
  - Dress Codes when Traveling – team policies should be gender neutral; clean, neat, well cared for, and professional.
  - Team Uniforms – Official team uniforms that are sport specific, ideally, should not conflict with a student-athlete's gender identity.

### **Education**

- Whitman College Athletics – All members of the athletics department shall receive information and education about trans\* identities, institutional and conference non-discrimination policies, the use of names and pronouns, and expectations for creating a respectful team and institutional climate for all students, including trans\* and gender-nonconforming students.
- Northwest Conference Personnel – The NWC Commissioner and all NWC Directors of Athletics will receive the institutional policies of Whitman College, in relation to the inclusion of Whitman College trans\* varsity student-athletes.
- Opposing Teams/Institutions – In consultation with the trans\* student-athlete, athletics administrators and coaches will develop a plan for communication with their counterparts at other institutions and officials prior to competitions in which a trans\* student-athlete is participating. This is a best practice rooted in establishing expectations for treatment of trans\* student-athletes on and off the field.

### **Media**

- Confidentiality – All medical information shall be kept confidential in accordance with applicable state, local, and federal privacy laws.
- Athletic Training – All athletics department representatives who are authorized to speak with the media will receive information about appropriate terminology, use of names and pronouns, and institutional policies regarding the participation of trans\* student-athletes.

### **NCAA Bylaws related to trans\* Student-Athlete Participation**

The director of athletics should meet with the student to review eligibility requirements and procedure for approval of trans\* participation.

1. If hormone treatment is involved in the student-athlete's transition, the director of athletics, or designee, should notify the NCAA of the student's request to participate with a medical exception request.
2. 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 trans\* identity and medical information, including physician's information provided pursuant to the policy, shall be maintained confidentially.

The following NCAA policies clarify participation of trans\* student-athletes undergoing hormonal treatment for gender transition:

1. A trans\* male (FTM) student-athlete who has received a 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 without changing that team status to a mixed team.
2. A trans\* female (MTF) 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 without changing it to a mixed team status until completing one calendar year of testosterone suppression treatment.

The following policies clarify participation of trans\* student-athletes who are NOT undergoing hormonal treatment for gender transition:

- 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) trans\* student-athlete who is not taking hormone treatments related to gender transition may not compete on a women's team.

Banned Substances - NCAA Bylaw 31.2.3 identifies testosterone as a banned substance, and provides for 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](http://www.ncaa.org/drugtesting)) for testosterone treatment prior to the student-athlete competing while undergoing treatment. In the case of testosterone suppression, the institution must submit written documentation to the NCAA of the year of treatment and ongoing monitoring of testosterone suppression.

Mixed Teams – 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 for purposes of meeting the required minimums set forth in Bylaws 18.2.3 and 18.2.4, a mixed team shall be counted as one team. A mixed team shall count toward the minimum sponsorship percentage for 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, such as being an acceptable NCAA sport, outlined in Bylaw 20.11, 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 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.

### **Whitman College Statement on Nondiscrimination**

<https://www.whitman.edu/about/diversity/nondiscrimination-policy>

### **Whitman College Student-Life Resources**

GLBTQ resources

<https://www.whitman.edu/student-life/student-clubs-and-organizations/glbtc>

trans\* resources

<https://www.whitman.edu/student-life/student-clubs-and-organizations/glbtc/resources/trans-resources>

### **Name Change Policy**

<https://www.whitman.edu/registrar/services-for-students-and-alumni/updating-preferred-name>

### **Whitman College Grievance Policy**

<https://www.whitman.edu/Documents/Policies/Grievance-Policy.pdf>

### **Rights of Transgender Persons in the State of Washington**

<https://aclu-wa.org/docs/rights-transgender-people-washington-state>

### **From the NCAA Office of Inclusion**

[http://www.ncaa.org/sites/default/files/trans\\*\\_Handbook\\_2011\\_Final.pdf](http://www.ncaa.org/sites/default/files/trans*_Handbook_2011_Final.pdf)