



Guidelines for Transgender Athletes

October 1, 2017

Each NYS AIS school is expected to create and promote a safe, inclusive, equitable, and, just independent school environment for all members of its educational community. The New York State Association of Independent Schools Athletic Association recognizes the value of participation in interscholastic sports for all student athletes. The NYS AISAA is committed to providing all students with the opportunity to participate in NYS AISAA activities in a manner consistent with their gender identity.

NYS AIS seeks to provide students with a safe and supportive environment free from discrimination, intimidation, taunting, harassment, and bullying on school property, a school bus and/or at a school function. The prohibition against discrimination includes discrimination based on a student's actual or perceived sex and gender. Gender includes a person's actual sex as well as gender identity and expression.

Definitions

For the purposes of these guidelines, the following definitions will apply:

Assigned Sex at Birth: The sex designation, usually male or female, assigned to a person when they are born.

Cisgender: (pronounced / sis-gender/): An adjective to describe a person whose gender identity is congruent with (or "matches") the biological sex they were assigned at birth. (Some people abbreviate this as "cis").

Gender Binary: The notion that there are only two genders; male and female. The gender binary is often considered to be limiting and problematic for those who do not fit neatly into the either/or category.

Gender Expression: The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms. All people express a gender.

Gender Identity: A person's deep-seated, internal sense of who they are as a gendered being—specifically, the gender with which they identify themselves. This includes a person's gender-related appearance or behavior which may differ from that traditionally associated with the person's physiology or behavior assigned sex at birth. All people have a gender identity.

Gender non-conforming: A term used to describe people whose gender expression differs from stereotypic expectations. The term "gender variant" or "gender atypical" are also used. Gender non-conforming individuals may identify as male, female, some combination of both, or neither. Gender non-conformity is often inaccurately confused with sexual orientation.

Medical Transition: A long-term series of medical interventions that utilizes hormonal treatments and/or surgical interventions to change a person's body to be more congruent with their gender identity.

Sex Assigned at Birth: The determination of a person's sex based on the visual appearance of the genitals at birth; The sex someone is labeled at birth.

Sexual Orientation: A person's sexual orientation and sexual attraction to other people based on the gender of the other person. Sexual orientation is not the same as gender identity. Not all transgender youth identify as gay, lesbian or bisexual, and not all gay, lesbian and bisexual youth display gender non-conforming characteristics. All people have a sexual orientation that is separate from their biological sex, gender identity, and gender expression.

Social Transition: A transgender person's process of creating a life that is congruent with their gender identity, which often includes asking others to use a name, pronoun, or gender that is more congruent with their gender identity. It may also involve a person changing their gender expression to match their gender identity.

Transgender: An adjective describing a person whose assigned sex at birth does not correspond to their gender identity. "Transgender" serves as an umbrella term to refer to the full range and diversity of identities within the transgender communities because it is currently the most widely used and recognized term.

Transition: The process in which a person goes from living and identifying as one gender to living and identifying as another. This may include, but does not always imply, social and medical transitions.

Privacy Policy: All discussions and documentation shall be kept confidential to the extent permitted by law unless the student and family makes a specific request in writing.

Pronouns: Pronouns can be used that reflect and affirm one's gender identity. A student might use one or more sets of pronouns. examples include she/her, he/his, they/them, ze/zir"

Procedures

1. The student and the parent(s)/guardian shall notify the Head of School, the Athletic Director, or the appropriate person that the student would like the opportunity to participate in NYSAISAA athletics consistent with the gender with which the student identifies.
2. The Head of School will develop procedures for determining the eligibility of a student seeking to participate in NYSAISAA athletics in a manner consistent with the student's gender identity where the student's gender identity does not correspond to the student's natal biological sex. It is highly recommended that the procedures developed by the Head of School involve consultation with other members of the school's administrative or leadership team.
3. The Head of School will confirm the gender identity asserted for the purposes of trying out for a NYSAISAA sports team through documentation from the student, parent, guardian, or from a doctor, psychologist, or other medical professional. The specific process used by the Head of School to confirm the gender identity is left to each member school and could include a panel or small committee. In general, the gender identity could be the gender identity used for school registration or other purposes, such as class lists, as well as ways in which the student identifies at the school.
4. Once a NYSAISAA school has rendered a determination of eligibility to try out for a NYSAISAA sports team or teams which correspond to the student's gender identity, the eligibility is granted for the duration of the student's participation in NYSAISAA athletics. The student must meet all NYSAISAA standards for eligibility for practice and competition.
5. The Athletic Director is to notify either the NYSAISAA Executive Secretary, the Post-Season Coordinator, or other competing schools if any accommodations are needed for student-athlete privacy or safety.
6. All discussions and documents at all levels of the eligibility determination process, either by member schools, an appeal panel, and/or the NYSAISAA staff and volunteers, shall be kept confidential unless the student and/or the student's family make a request otherwise.

7. As with all competitive sports, the athletic director and coaching staff should consider physical ability, limitations, weight and size, in the appropriate team assignments of all students.
7. All members of the school's athletic department should receive information about transgender identities, non-discrimination policies, the use of pronouns and chosen names, and expectations for creating a respectful school and team climate for all students, including transgender students.

Appeals

For NYSAISAA schools which are listed under the Commissioner's Regulations, all appeals with respect to a school's determination as to eligibility of a transgender student to participate in interscholastic sports will go directly to the Commissioner of Education. For NYSAISAA schools which are not listed under the Commissioner's Regulations there is no appeal outside of the appeal process which might be available within each member school.

Resources

- The NCAA *"Inclusion of Transgender Student-Athletes"* guidelines concerning competitive equity.
- The NCAA [LGBTQ Resources](#).