

Creating Inclusive Environments for Trans Participants in Canadian Sport

Policy and Practice Template for Sport Organizations

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Using this Resource

In 2016, the Canadian Centre for Ethics in Sport published its guidance for sport organizations on [Creating Inclusive Environments for Trans Participants in Canadian Sport](#). Developed by the Trans Inclusion Sport Expert Working Group, the comprehensive resource is designed to assist individuals and organizations to better understand experiences of trans people, what practices should be adopted to respect the rights of trans participants in their sport, and what the key policy considerations and recommendations are to make their sport more inclusive to gender diverse individuals. And although the CCES guidance highlighted some “good policies”¹ that sport organizations could look to, few were specific to Canadian single sport organizations.

The CCES resource has been well received within the Canadian sport community but Canadian sport leaders have asked for further guidance on what an inclusive policy document should contain, including best practices. In addition to a desire to create an inclusive environment in sport, sport organizations must be alive to the fact that Bill C-16 is now in effect - a national bill that added gender identity and expression to the list of prohibited grounds of discrimination in the Canadian Human Rights Act², which extends to sport.

This template is designed to help your sport organization create your own policy and practice guidance on trans inclusion for your sport, from athletes to volunteers to paid staff. It identifies the key aspects a policy should include, the associated rationale or considerations, and provides a sample policy and practice guidance as an example (see Appendix A). Sport organizations are encouraged to include all of the policy sections which follow in their trans inclusion policy. However, to assist sport organizations in determining what should be included at a minimum, the policy sections that follow are categorized as either “recommended” or “optional”. Your sport organization will still have to tailor the policy and practice guidance to reflect your own sport’s needs, but it is anticipated that there will also be a lot of core content common to all sport organizations.

In developing policy and practice guidance on trans inclusion for your own organization, it is important to make it a collaborative effort and include individuals who identify as trans from your sport in the process, or their parents/guardians if age is an impediment. And if you do not yet have anyone within your sport who is transgender, then seek out other sports that do and/or local LGBTQI2S organizations. Having people with lived experience involved will ensure your trans inclusion policies and practices are authentic, relevant and suitable.

It is also strongly recommended that those involved in developing the policy and practice guidance first become familiar with the CCES resource. It is also recommended that organizations conduct consultations with focus groups of athletes who could be affected by a trans inclusion policy, as well as with experts in LGBTQI2S policy development and research. Including subject matter experts in the policy development process will ensure the final policy has the intended impact. Additional resources are also provided in Appendix B, along with some examples of what trans discrimination may look like in a sport (see Appendix B).

¹ As identified by Chris Mosier on his Trans*Athlete website at www.transathlete.com or by Dr. Pat Griffin.

² Amendments to the *Canadian Human Rights Act* explicitly recognizing gender identity and expression as a protected right received Royal Assent on June 19, 2017. Access at: <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-16/royal-assent>

We also want to acknowledge that some athletes do not identify with the binary male / female system on which sport relies so heavily and that this document does not address the inclusion of non-binary athletes. At this time, additional expertise is required to develop guidance for sport organizations regarding the inclusion of non-binary individuals; however, organizations are encouraged to provide a safe and welcome environment for all participants regardless of gender identity and expression.

Once you have developed your policy and practice guidance and had it approved, you will need to make sure everyone in your organization is aware of it and knows where it can be accessed. The policy and practice guidance is meant to be educational. For many of your members, it may be the first and only time they will be exposed to evidence-informed policy and practice guidance on trans inclusion in your sport. In some cases, being familiar with the policy and practice guidance will become mandatory reading by, for example, board members, staff, coaches, technical officials, national team athletes, team managers, as part of their orientation or onboarding. In preparation for the implementation of a trans inclusion policy, sport organizations should consider mandatory education and training, provided by subject matter experts, to ensure that staff and representatives have a thorough understanding of the key issues experienced by people of trans identities, especially in a sport context.

Acknowledgements

It is very important to acknowledge the critical work the trans community, particularly trans athletes, have done to not only find their place in sport, but to make sport a better place. Without their lived experience, courage, leadership and willingness to educate, a resource such as this would not be possible.

Thank you also to the individuals who contributed their time, experience, and critical perspectives to the development of this policy template. Members of the Expert Working Group were:

- Samantha Cornett, Athlete
- Guylaine Demers, Professor, Department of Physical Education, Laval University
- Christine Hsu, 2SLGBTQI Sports Inclusion Consultant
- Spider Jones, Executive Director for North-West Territories Hockey, Gymnastics and Kayaking
- Helen Kennedy, Executive Director, Egale Canada Human Rights Trust
- Katalina Murrie, Athlete and Coach
- Peter Nicol, former President/CEO, Gymnastics Canada
- Ilan Yampolsky, Safe Sport Director, Skate Canada

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The logo for the Government of Canada, featuring the word "Canada" in a serif font with a small Canadian flag icon above the letter 'a'.

Tell Us What You Think

Feedback on this policy and practice guidance for trans inclusion is welcome. What was helpful, what wasn't, and what, if anything, is missing?

The CCES would be very grateful if you send us a copy of your policy once it is approved so we can add it to our library of policies.

Your feedback and/or policy and practice guidance can be sent to: info@cces.ca.

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Commitment to Diversity and Inclusion (Recommended)

What: Each organization developing policy and practice guidance on trans inclusion should start with a statement of organizational commitment to gender diversity and inclusion. The statement can draw on the language of your existing diversity and inclusion policies and statements, and should include reference to gender identity and gender expression, including trans participants.

In the early stages of your organization's work to create a welcoming environment for trans participants, a good practice is to have a stand-alone document that brings together all aspects of your policy and guidance on trans inclusion in your sport. You will also need to update other organizational documents to reflect the policy.

The tone and wording in this opening statement is critical as it will signal to the members of your organization the "spirit" in which your organization is approaching trans inclusion; through a lens of inclusion or exclusion. It will also be important to specifically identify (or expand) all of the various groups that "diversity and inclusion" covers. Also, you may already have included gender in your existing policy(s) and relevant documents. If so, you will need to amend these references to "gender identity" and "gender expression". In the sample statement below, the specific groups identified are drawn from the recently amended *Canadian Human Rights Act* which prohibits discrimination on the basis of gender identity and gender expression.³ Following this general commitment below is an affirming statement on trans inclusion in your sport, including an explicit reference to human rights.

Sample Statement - Commitment to Diversity and Inclusion: *Sport inclusion is a fundamental value for [insert name of organization here] and a True Sport principle⁴. We also recognize that having a more diverse organization will only strengthen our sport. As a result, our organization is fully committed to providing a safe, supportive and respectful environment for all of our participants, members and staff regardless of any differences based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity and expression, or disability.*

[Insert name of sport organization here] recognizes that discrimination, prejudice and victimization on the basis of personal attributes, including gender identity and expression, is a violation of human rights and will not be tolerated. Our organization is fully committed to putting in place policies and practices that ensure trans identities are able to participate in a safe, supportive and respectful environment in our sport.

³ Amendments to the *Canadian Human Rights Act* explicitly recognizing gender identity and expression as a protected right received Royal Assent on June 19, 2017. Access at: <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-16/royal-assent>

⁴ The True Sport Principles: <http://truesportpur.ca/true-sport-principles>

A. Definitions – A Starting Point (Recommended)

What: The policy and practice guidance you are developing for your sport is meant to be educational. To help you as a policy-maker understand this resource, you should be familiar with the following terms. Having definitions for terms you use in your policy will also help readers who are not yet familiar with key terms being used in the policy and practice guidance. As you are developing your policy, make note of any terms you end up using in the policy. Then, use this section to add in these terms. If you feel you have too many terms in this section which may be intimidating to the reader, one option is to identify a few key ones and include the rest in an Appendix. The CCES used this approach in their guidance document. In addition to adopting a trans inclusion policy, sport organizations are encouraged to invest in trans inclusion training for staff as a means to entrench the importance of creating safe spaces in sport.

Some policies and guidance documentation include the definitions at the end of the document, either as the last section or in an appendix. This placement may result in those reading the policy not understanding some of the key terms, lessening the likelihood of thorough comprehension. One alternative is to alert the reader to the location of the definitions and encourage them to read these first before continuing on.

The key definitions included below in the sample statement are taken from the [CCES guidance](#), however; some definitions have been changed to reflect the evolution of language as suggested by feedback from the Expert Working Group. Definitions marked with an asterisk (*) have been changed from the original guidance. Your sport organization may wish to use the terms consistent with the provincial or territorial human rights body in which your sport organization is located. For example, if your organization is located in Ontario, you may wish to use the definitions that are found in the [Ontario Human Rights Commission's policy](#) on preventing discrimination because of gender identity and gender expression. Regardless of which source you use for your terminology, the key is using these consistently within both your policy and practice guidance and your sport more generally. And, as language changes over time, it is also important to periodically review your terms and definitions to ensure they are up-to-date.

Sample Statement - Definitions: *These essential terms are defined as follows:*

- **Sex:** *The classification of people as male, female or intersex. Sex is usually assigned at birth and is based on an assessment of a person's reproductive system, hormones, chromosomes and other physical characteristics, most notably by external genitalia.*
- ***Gender identity:** *A person's innermost sense of their own gender. This can include man, woman, both, neither or something else entirely. Gender also refers to a variety of social and behavioural characteristics (e.g. appearance, mannerisms). There are lots of words people may use to talk about their gender identity and expression.*
- ***Gender expression:** *The way an individual communicates their gender identity to others. This is done through behaviour, body language, voice, emphasis or de-emphasis of bodily characteristics, choice of clothing, hairstyle, and wearing make-up and/or accessories. The traits and behaviours associated with masculinity and femininity are culturally specific and change over time.*

- ***Gender binary:** A social system whereby people are thought to have either one of two genders: man or woman. These genders are expected to correspond to sex assigned at birth: male or female. In the gender binary system, there is no room for diversity outside of man or woman, for living between genders or for crossing the binary. The gender binary system is rigid and restrictive for many people who feel that their natal sex (sex they were labelled with at birth) does not match up with their gender or that their gender is fluid and not fixed.
- ***Cisgender:** A term to describe a person whose gender identity corresponds with their birth-assigned sex (e.g. someone whose gender identity is man and was assigned male at birth).
- **LGBTQI2S:** An umbrella acronym for lesbian, gay, bisexual, trans, queer, intersex, and two-spirit. Other acronyms commonly used are LGBTQ+ and LGBTQ2.
- **Trans:** An umbrella term that describes people with diverse gender identities and gender expressions that do not conform to stereotypical ideas about what it means to be a girl/woman or boy/man in society. It includes but is not limited to people who identify as transgender, transsexual, cross dressers (adjective) or gender non-conforming (gender diverse or genderqueer).
- ***Two-spirit:** An English umbrella term used by some indigenous people rather than, or in addition to, identifying as LGBTQ. This term affirms the interrelatedness of all aspects of identity - including gender, sexuality, community, culture, and spirituality.
- ***Sexual orientation:** Sexual orientation describes human sexuality, from gay and lesbian to bisexual and heterosexual orientations. A person's gender identity is fundamentally different from and not related to their sexual orientation. Because a person identifies as trans does not predict or reveal anything about their sexual orientation. A trans person may identify as gay, lesbian, queer, straight, or bisexual.

B. Application and Scope (Recommended)

What: This section identifies to whom the trans inclusion policy and practice guidance applies. A more detailed list of applications should be included so that the wider scope is recognized, especially by those individuals playing a leadership role. The sample list below can be tailored to your organization's jurisdictional responsibilities and accountabilities. For example, a national sport organization will have jurisdiction over making gender neutral toilets available to their staff in their national office location, but not over what a local club (who may be a member of the NSO) may have in their facility. However, as you will see as an example in Section L, NSOs do have jurisdiction over selecting national championship hosts and can take the availability of gender neutral toilets into consideration. NSOs are encouraged to share their trans inclusion policies with their provincial and territorial affiliates and to discuss the implications at the provincial, territorial, and local levels. NSOs can also encourage their affiliates to adopt a similar policy as a means to create a cross-country culture of inclusion.

Sample Statement – Scope and Application: This policy and practice guidance applies to [insert name of sport organization] as follows:

- It shall be binding on the Board of Directors,
- It shall be binding on all staff, including managers and supervisors; full-time, part-time or casual, temporary or permanent staff,

- *It shall inform all aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; toilet arrangements, workload; workplace environment; equipment and transport,*
- *It shall be binding on all volunteers and interns acting in their designated capacity with our organization, for example, as a member of a formal Committee or ad hoc working group, or at a specific sporting event provided the volunteer or intern has expressly agreed to become subject to it,*
- *It shall inform all aspects of participation in our sport, including team selection and participation, membership, and service delivery (such as providing coaching services to individuals),*
- *It shall be applicable whether the individual is on-site, off-site or performing after-hours work; at work-related social functions or at conferences – wherever staff or volunteers or interns may be as a result of their duties, and*
- *It shall govern the treatment of other staff, members (including athletes, coaches and officials), clients and the public encountered in the provision of services and other organizational duties.*

C. Guiding Principles (Optional)

What: Your organization may wish to add some guiding principles that further articulate the underlying premise of your policy and practice guidance on trans inclusion. In the CCES guidance, for example, [seven principles are listed](#) (pg. 9). In [Ringette Canada’s Trans-Inclusion Policy](#), the four policy and practice recommendations from the CCES guidance are referred to as the guiding principles for drafting and applying their policy. In the [Ontario Volleyball Association’s Transgender Athlete Policy](#), their guiding principle refers to how the decision-making process with this policy will ensure a fair and equitable level of monitoring that is respectful, inclusive and respects a person’s human rights. The guiding principles in the sample statement below have been adapted from the CCES’s guidance on creating inclusive environments for trans participants.⁵

Sample Statement – Guiding Principles: *[Insert name of sport organization] was guided by the following principles in developing our policy and practice guidance on trans inclusion in our sport:*

- *People of trans identities should have equal opportunities to participate in our sport and strive for excellence at all levels and in all capacities.*
- *Policies governing participation of trans identities should nurture fair play, honesty and respect, and integrity.*
- *Policies governing participation of trans identities in our sport should embrace diversity and inclusion, resulting in a positive sporting experience, free of discrimination or harassment based on gender identity and expression.*
- *Participation in our sport should celebrate differences and focus on the benefits and the joy of sport.*

⁵ The CCES guiding principles were originally adapted from the NCAA Office of Inclusion’s 2011 Trans Student – Athlete Guidelines and the True Sport Principles. The NCCA Guidelines can be accessed at: www.ncaa.org/sites/default/files/Transgender_Handbook_2011_Final.pdf.

- *Policies governing the participation of trans people, particularly for our athletes, should be evidence-based, recognize the necessity to protect the privacy rights of trans individuals, and strive to prevent physical, emotional and mental harm.*
- *Policies governing the participation of trans people should foster access and equitable participation for all participants.*
- *Practices that encourage understanding and support people of trans identities need to be enhanced to acknowledge the challenges and recognize the value of advocating for sport that is fair, safe and open to everyone.*

D. Policy Statement on Creating Respectful Environments – Using Chosen Name and Pronouns (Recommended)

As noted in the CCES guidance, early work by sport organizations on trans inclusion has tended to narrowly focus on athlete eligibility. But your trans inclusion policy and practice guidance should be for all staff and members, not just your athletes. As such, it needs to go beyond eligibility to identify what your organization will do to create a safe, supportive and respectful environment. As detailed in the CCES guidance, this entails practices that foster positive verbal, emotional, and physical environments. A key aspect of this is acknowledging and using an individual’s chosen name and pronouns. All individuals have the right to be addressed by their chosen name and to choose pronouns that align with their gender identity and/or gender expression. This is true whether or not the individual has obtained legal documentation of a change of name or gender designation.

Sport organizations can be even more all-encompassing by providing anyone with the opportunity to provide information about their chosen name, which may be welcoming for people with multiple names and/or names in different languages.

Using chosen pronouns was part of the settlement reached between the Ontario Human Rights Commission (OHRC), Hockey Canada and its Ontario branches after a complaint by a young trans boy, Jesse Thompson, who was denied access to the boys’ locker room the rest of his amateur hockey team used during the 2012-2013 hockey season. Jesse alleged that this resulted in him being ‘outed’ as trans, excluded from important team interaction and bonding, and exposed to harassment and bullying.⁶

A key component of the settlement with the OHRC was the development of trans inclusive policies, including those for using chosen pronouns. More information about the case and the terms of settlement can be found at: <http://www.ohrc.on.ca/en/access-locker-rooms-trans-amateur-hockey-players-jt-v-hockey-canada-et-al>.⁷

Sample Statement – Using Chosen Names and Pronouns: *We will make every effort to learn and use the chosen name and pronouns of our staff and members. We recognize that failing to respect an individual’s gender identity or expression by continuing to use either an incorrect name (deadnaming, e.g., deliberately using their past name instead of their new name), or incorrect chosen pronouns*

⁶ Ontario Human Rights Commission. Hockey Canada’s Ontario branches take important step towards transgender inclusion. September 7, 2016. Accessed at: http://www.ohrc.on.ca/en/news_centre/hockey-canada%E2%80%99s-ontario-branches-take-important-step-towards-transgender-inclusion

⁷ Ibid.

(misgendering, e.g., using he instead of she or other chosen pronouns such as they) is discriminatory and will not be tolerated.

E. Creating Respectful Environments – Safeguarding an Individual’s Right to Privacy and Confidentiality (Recommended)

Sport organizations have a legal and moral responsibility to safeguard the privacy and confidentiality of any information related to a trans person’s gender identity and expression, including their history and any health-related information. You will need to make sure your policy and practice guidance is in accordance with the privacy requirements for the province or territory in which your sport organization is located.

Your organization should only ask questions about the gender identity and expression of staff and members that are critically important to the service or program being provided. And where this gender-related information is truly essential, your organization should communicate the purpose (why you are asking for this information), and absolutely respect and abide by each person’s right to self-define, and to maintain confidentiality.

When requesting information about gender identity, it is important to use appropriate and inclusive response categories. Sport organizations should no longer be asking for a person to disclose their assigned sex, but rather to disclose their gender or gender identity. To give people a wider range of options, you can use the following five response categories: girl/woman, boy/man, non-binary/genderqueer, not captured by these options, and prefer not to state. And as outlined in Ringette Canada’s [Trans-Inclusion Policy](#), your organization should allow an individual to abstain from indicating a specific gender identity with no consequence to that individual.

Sharing information about a trans person, whether it be their gender identity or gender expression, transition status or related health information, without their consent, is a violation of their right to privacy and places them at risk of violence and/or harassment due to various forms of transphobia. This risk is greater when the trans person is additionally affected by trans misogyny, as well as by other intersecting identities. Your policy should explicitly state that a trans individual’s privacy and confidentiality will be respected.

As part of the settlement with the OHRC, Hockey Canada and its Ontario branches were required to review and revise their record keeping and registration procedures in relation to protecting the privacy and confidentiality of trans players.⁸

Sample Statement – Safeguarding an Individual’s Right to Privacy and Confidentiality: (Insert name of organization) recognizes the privacy rights of all our members. We will only ask for information about gender from our staff and members when it is critical to the services or programs, in a manner that is inclusive, and for which there are no consequences for abstaining. We will respect and safeguard the privacy and confidentiality of any staff or member who is trans, recognizing that failing to do so may place that individual at risk.

⁸ OHRC. Access to locker rooms for trans amateur hockey players: J.T. v. Hockey Canada et. al. Undated.

F. Creating Respectful Environments – Use of Toilets, Change Rooms and other Facilities (Recommended)

Staff and members of your sport organization are entitled to safe access and use of toilets, change rooms and other facilities in accordance with their gender identity or gender expression. For many trans individuals, navigating these can be tricky, and it is where they are often made to feel vulnerable and unsafe due to responses of people in that space. There is also no evidence to support the notion that trans and gender diverse individuals use toilets, change rooms or other facilities to harass or assault others. Rather, trans and gender diverse people are generally at higher risk of being victimized, harassed or assaulted in toilets and change rooms.⁹

More and more office buildings now have gender-neutral toilets and for those that don't, it may be as simple as changing the signage on an accessible toilet to designate it as both accessible and gender neutral.

Every locker or change room should have some private, enclosed changing areas, showers and toilets for use by anyone who desires them. And when requested by a trans person, your sport organization should provide the opportunity to use private, separate changing, showering, and toilet facilities for that individual's use. In no circumstance should a staff or member who is trans be required to use separate facilities. Communication about these facilities should be clear and not selective. Signage and directions to facilities should not be based on the judgement of the person giving directions. Best practice involves providing all options to anyone asking for directions to change rooms and toilets.

This responsibility resides with your organization whether you are using your own facility or another facility. When using an "away" facility, your sport organization will need to make enquiries in advance about the adequacy of these facilities, being careful not to disclose the reason why and risk exposing a trans staff or member. This conversation should extend to the respectful treatment and safety of any trans member of your team, including access to appropriate changing, showering and toilet facilities, as well as requesting the use of chosen names and pronouns by their coaches, opponents, officials, spectators and media. It also entails discussing how any transphobic behaviors on the part of coaches, officials, spectators and media in the host organization will be dealt with.

As mentioned earlier, access to a locker room of Jesse Thompson's choice was at the heart of his complaint against Hockey Canada. A key aspect of the settlement was the development of a trans inclusive dressing room policy. Subsequent to the settlement, Hockey Canada and Ontario's minor hockey branches worked in consultation with Egale Canada to revise their dressing room policy. More information about the case, including their revised Dressing Room Policy Implementation Guide, can be accessed at http://www.ohrc.on.ca/en/news_centre/hockey-canada%E2%80%99s-ontario-branches-take-important-step-towards-transgender-inclusion.¹⁰

Sample Statement - Use of Toilets, Change Rooms and other Facilities: *(Insert name of sport organization) is committed to providing staff and members who identify as trans with safe access and use of toilets, change room and other facilities in accordance with their gender identity or gender*

⁹ See for example JL Herman, 'Gendered restrooms and minority stress: The public regulation of gender and its impact on transgender peoples' lives '(2013) 19(1) *Journal of Public Management & Social Policy*, 65.

¹⁰ OHRC. Access to locker rooms for trans amateur hockey players: J.T. v. Hockey Canada et. al. Undated.

expression. We will seek to do so in a discreet, confidential and sensitive manner that does not reveal an individual's trans identity or expression and respects their choices. We will also work with other teams and host organizations to ensure respectful treatment of any staff or member who identify as trans by their coaches, officials, spectators and the media.

G. Creating Respectful Environments – Gender Inclusive Attire, Images and Language (Recommended)

This is an important but often overlooked aspect. All staff and members should be able to wear attire that is appropriate and that they feel comfortable wearing. In sport organizations, this aspect most often concerns team uniforms, both on and off the field of play. No staff or team member should have to wear a gendered uniform that conflicts with their gender identity or expression. Similarly, when travelling as part of the organization or team, the dress codes should be gender neutral, with a focus on the desired end effect (appropriately representing their organization). For example, instead of requiring a girls' or women's team to wear dresses or skirts, team members can be required to wear dresses, skirts or slacks that are clean, neat, well cared for, and appropriately dressy for representing their team and organization. And this should apply to special events as well, such as dinners with the team's sponsor, or an end of season awards gala where the dress code is more formal, e.g., evening dresses or suits, but not specific to any gender.

A related aspect is the need for your sport organization to use a range of images in your communications that reflect the diversity amongst your staff and members, including the spectrum of gender identities and expression. This includes written, audio and video material, including any online content, and the use of gender inclusive language in this material and other communication.

Sample Statement - Gender Inclusive Attire, Images and Language: *We will ensure that our dress codes for all staff and members, including team uniforms on and off the field of play, respect an individual's gender identity and expression. The images that we use in our written, video and online materials will reflect the diversity of our staff and members, and will use gender inclusive language.*

H. Creating Respectful Environments – Support for Transitioning Staff and Members (Recommended)

As outlined in the CCES guidance, each sport organization should have in place a discreet and informed process to assist staff and members at various stages of transitions. Since no two transitions are the same, your organizational supports will need to be tailored and adapted to each individual's needs. The organizational guidelines should provide clear direction for administrators, coaches and others on how to help transitioning individuals, while balancing their obligation to develop, upon request, a plan for each transitioning individual. Having such a document in place sends a signal to individuals going through transition that they will be respected.

The organizational guidelines should provide clear directions for administrators, coaches and anyone involved in supporting a person's process of transitioning. This involves an obligation to develop a plan for each person to ensure all unique needs are met and taken into consideration, including the provision of the space and opportunity for the individual to be able to communicate what supports they need.

The Ontario Human Rights Commission recommends the guidelines should include:

- A lead contact person to assist the transitioning individual,
- What a transitioning individual can expect from the organization,
- Expectations of administrators, coaches and others, as well as the transitioning individual in facilitating a successful transition in sport, and;
- Related policies and practices for assisting with the transition process, such as: toilet policies, dress code policies, confidentiality and privacy, recognizing the person's chosen name and pronouns in documentation and records, anti-harassment policies, dealing with any individual accommodation needs, as well as training for administrators, coaches and other participants.

The Ontario Human Rights Commission provides guidance on what an individual transition plan should include. It can be useful to discuss timelines and dates regarding when the participant would like to:

- Be addressed by their chosen name and pronouns,
- Begin expressing their gender identity through clothing or other outward expression,
- Use toilets and other facilities in their lived gender identity or expressed gender, and
- Take time off from training or competition for any medical treatments related to their transition, if needed.

The plan should also address:

- When and how any related records, documents and databases will be updated to reflect the person's new name and affirmed gender (for example, human resources and administrative records, email and phone directories),
- If, when and how other participants, coaches, teammates, referees and others will be informed of the person's new name and affirmed gender identity,
- Anti-harassment planning, which is a simplified process to deal quickly and effectively with any harassment the transitioning participant may experience,
- When and how training for other participants, coaches, teammates, referees and others will be provided to help them understand the transition process, if appropriate, and,
- How the sport organization will show support for the transitioning participant, if appropriate.¹¹

Sample Statement - Support for Transitioning Staff and Members: *[insert name of your sport organization here] is committed to having in place the necessary supports for staff or a member to successfully transition within our sport that ensure they are treated with respect and dignity and in accordance with their expressed needs. This will include both organizational guidelines on how transitioning staff or members will be supported, and should the staff or member wish, the co-development of a personalized transition plan.*

¹¹ Source: OHRC as referenced in the CCES guidance.

I. Eligibility Requirements for Participation in Gendered Competitions Under Your Jurisdiction (Recommended)

This aspect of the policy guidance for your organization is specific to trans athletes. It should outline the eligibility requirements for athletes to participate in your sport based on your competitive structure. For example, if your sport has single and mixed gender competitive categories, your policy will need to address all aspects.

The CCES guidance document reflects considerable research, debate, reflection and consensus. The CCES recommendations reflect an evidence-based approach; that is, your eligibility policy should be based on existing evidence rather than speculative or anecdotal evidence. In essence the CCES policy guidance can be summarized as follows:

“Individuals participating in any LTAD level in Canadian sport (FUNDamental, Learn to Train, Train to Train, Train to Compete, Train to Win and Active for Life) should be able to participate in the gender with which they identify and not be subject to requirements for disclosure of personal information beyond those required of cisgender athletes. Nor should there be any requirement for hormonal therapy, unless the sport organization can prove that hormone therapy is a reasonable and bona fide requirement and where this is the case, only require this at the high performance levels of Train to Compete and Train to Win where international rules become a factor.”¹²

It is likely that this aspect of your policy will generate the most discussion, particularly with respect to female (girls and women) trans athletes and hormonal therapy. But a lot of this opposition is based on persistent myths and stereotypes about gendered sport, and not scientific evidence. These concerns and the resultant arguments to address these are as follows:¹³

- 1) *Trans women athletes (girls or women) have a competitive advantage over cisgender girls or women athletes* – This is the most often expressed reservation about trans girls and women participating on girls’ and women’s team. Several assumptions are embedded in this concern; that trans female athletes are always more skilled, stronger, and bigger than their cisgender teammates and opponents. In reality, the overlap in skill and performance in sports among males and females and the wide variance within each gender are important considerations. Sport unconditionally accepts a competitive advantage a taller, stronger cisgender female athlete may have over a much shorter, less muscular cisgender female athlete where size and strength are important, e.g., basketball or volleyball players, pole vaulters, high jumpers, etc., but question this variation when a trans female athlete is involved.

This concern also assumes that performance is linked to testosterone levels but recent studies have shown no significant link between testosterone and performance for elite female

¹² The CCES policy guidance also explicitly stated surgery was not required as a condition of eligibility as at that time, the IOC guidelines in place required women trans athletes to undergo gender confirmation surgery, even though there was absolutely no evidence that having this surgery in any way affected performance. The IOC has subsequently revised their guidelines and removed any requirement for surgery.

¹³ Drawn from: Dr. Pat Griffin – Developing Policies for Transgender Students on High School Teams, the Victorian Human Rights Commission Gender Equity Policy Template, and CCES guidance.

athletes.¹⁴ And as the CCES guidance observes, participants in men’s sport, on average, out-perform participants in women’s sport, current science is unable to isolate why this is the case. Growing up male likely confers physical, hormonal, social and economic factors that contribute to this performance gap, but we cannot say that it is specifically due to testosterone in a way that is significant and predictable. More precisely, there is no empirical data to demonstrate that the administration of a testosterone blocker and/or estrogen to a trans women athlete would neutralize this observed advantage. As a result, it seems it would be difficult to argue that hormone therapy is a reasonable and bona fide requirement in response to a human rights challenge.

The CCES guidance further notes that although there are studies that demonstrate a positive correlation between testosterone levels and measures such as lean body mass, red blood cell counts and muscle mass, these can only be considered indirect contributors to performance.¹⁵ There have not been any studies that look at hormone levels as they correlate to objective measures of athletic performance (for example, time trials, weight lifted, goals scored, etc.).^{16,17}

The CCES guidance suggests that if a sport can demonstrate a consistent discrepancy in performance based on male advantage that cannot be controlled through the existence of competitive categories, e.g., weight classifications, or other arrangements, it could make the case for requiring trans participants to undergo hormone therapy. The onus of proof, however, will rest entirely with the sporting organization.

- 2) *Trans women athletes (girls or women) pose a safety risk for cisgender girls or women athletes* – This concern is again based on the assumption that trans female athletes are bigger, stronger and unable to exercise the same degree of body control as their cisgender teammates and opponents resulting in an increased risk of injury to other participants. Once again, the counterarguments made above apply.
- 3) *Trans women athletes (girls or women) are really male athletes despite their affirmed gender identity or expression as girls or women* – It is important to recognize that the gender identity and expression of trans women athletes is as deep seated as the gender identities of cisgender women athletes. This belief is often expressed as a concern that allowing trans women athletes to compete in a women’s or mixed gendered sport will displace opportunities for “real” cisgender girls or women athletes.
- 4) *Cisgender male athletes (boys or men) will pretend to be women to excel or reap the rewards in women’s sport* – Transitioning or affirming one’s gender is a deeply personal decision and is not something done on a whim. It is important to recognize that cheating of this type—presumably boys or men masquerading as girls or women in order to achieve a perceived advantage in

¹⁴ Source: CCES, Bermon et al. (2014). Serum Androgen Levels in Elite Female Athletes, *The Journal of Clinical Endocrinology & Metabolism*. 99:11.

¹⁵ Source: CCES, Gooren, LJG, Bunck MC (2004). Transsexuals and Competitive Sport? *European Journal of Endocrinology*. 151(4):425-9.

¹⁶ Source: CCES, This is true, with the exception of data extracted from doping programs in female athletes in the former German Democratic Republic. These studies are often discredited based on the lack of consent of participants.

¹⁷ Source: CCES, Andy Brown. June 12, 2015. Sports’ Gender Policies: An Affront on Human Rights. The Sports Integrity Initiative website. Access at: www.sportsintegrityinitiative.com/sports-gender-policies-an-affront-to-human-rights/.

women's sport—is unprecedented and considered highly unlikely. Indeed, it is one of the more enduring stereotypes and false assumptions around trans participation in sport.

Returning to the policy guidance specific to your sport, the CCES Expert Working Group felt it very important for sport organizations to set policies that are appropriate to the level of the specific competition and not a reflection of requirements at the next level of competition. For example, high school athletics organizations should adopt a policy that is appropriate for high school participants. Their policy should NOT be based on the requirements at the next level of competition, for example, having eligibility requirements for high school athletics which reflect more stringent criteria set by university or college athletic associations.

In addition, each participant has the right to decide for themselves if they wish to meet the eligibility requirements set at each subsequent level of competition. For example, perhaps your international federation (IF) has a more onerous eligibility policy for trans athletes to participate in IF-sanctioned events. Should you use placement at your national championships or trials as the basis for selection to a national team for an IF-sanctioned event, rather than using the same eligibility criteria as your IF in consideration of trans athletes, use the eligibility policy that will best achieve the goals of your national championship. Perhaps it means your trans athlete may not be able to compete at that IF event but they will still have a notable achievement at your national championships or selection trials. Or, your trans athlete feels strongly enough about competing at the international level that he or she may seek to comply with your IF's more onerous eligibility policy. Or, the trans inclusion policy at the IF level may become less restrictive, rendering your trans athlete eligible. Just as other athletes will be making decisions about where and when they will compete, so too will each trans athlete.

Your eligibility policy, should it follow the policy guidance recommended by the CCES, can be succinct, cover off eligibility and disclosure for each of your gender categories of sport, and not single out trans athletes. It can be included in your trans inclusion policy but will also need to be integrated into your specific technical documents as needed, e.g., eligibility for national championships, national team or squad selection. It then becomes one of the various eligibility criteria that must be met by all participants, e.g., residency requirements, age requirements, qualifying events.

Sample Statement - Eligibility Requirements for Participation in Events Under Our Jurisdiction:

Participants in [insert name of your sport organization]'s events under our jurisdiction are able to participate in the gender category in which they identify. Individuals who identify as a girl or woman are eligible to compete on girls', women's, and mixed teams for such events. Individuals who identify as a boy or a man are eligible to compete on boys' or men's and mixed teams for such events. All identifications of gender identity or expression by our athletes are believed to be made in good faith and do not require further disclosure or documentation.

J. Eligibility Requirements for Participation in IF Gendered Competitions (Recommended)

The CCES guidance noted that there may be a number of policies regulating the eligibility of trans athletes' participation in your sport that may be more or less inclusive than the policy adopted by your own sport organization. This is particularly true for those competitions governed by international sport organizations, within Canada and abroad, in which trans athletes, at the more advanced stages of their sport's long-term athlete development model, are currently competing in or may do so in the future. As noted above, just as each athlete has the right to make their own personal decisions about where they compete, so too will each trans athlete. For competitions where eligibility requirements are more onerous than those of the trans athlete's own sport organization in Canada, the decision on whether or not to comply and compete lies with the athlete.

As also observed in the CCES guidance, it is hoped that all international sport policies regarding trans athlete eligibility will become more inclusive and evidence-informed. In the meantime, your sport organization may wish to play a leadership role in advocating for changes to policies that are felt to be unfair, discriminatory and damaging to Canadian trans athletes.

Sample Statement - Eligibility Requirements for Participation in IF Gendered Competitions: *[Insert name of sport organization here] will keep abreast of related eligibility policies in other jurisdictions that may impact our trans athletes. We will ensure our athletes are knowledgeable about these eligibility requirements and we will work with our trans athletes at their request to fully support their eligibility choices.*

K. Canadian Anti-Doping Program (CADP) Requirements (Recommended)

As detailed in the CCES guidance, all athletes who are subject to doping control must be aware of the Medical Exemptions and Therapeutic Use Exemption (TUE) rules and requirements that apply to them and, where necessary, apply for an exemption to ensure compliance with the Canadian Anti-Doping Program (CADP) and World Anti-Doping Code requirements. The relevant rules and requirements will vary depending on the athlete's level of competition and will determine when and to which organization an athlete must submit a medical exemption application. Trans athletes subject to doping control are encouraged to seek out information in confidence from the CCES to determine whether an exemption is required and, if so, work with their physician to complete the necessary documentation and submit this to the CCES.¹⁸

Sample Statement – CADP Requirements: *[Insert name of sport organization here] encourages trans athletes to seek information regarding the status of any medications they are using to determine their Therapeutic Use Exemptions (TUE) requirements for the use of prohibited medications, and to ensure compliance with the CADP and World Anti-Doping Code requirements where necessary. The Canadian Centre for Ethics in Sport provides assistance to all athletes with these aforementioned tasks.*

¹⁸ More information on TUEs, including the process by which to apply, is available from the CCES at: www.cces.ca/medical-exemptions.

L. Hosting Guidelines and Selection (Optional)

The selection of a site for hosting an event occurs frequently in sport. It provides an opportunity for the sport organization to identify what is expected by the host organization around for example, changing areas, toilets and showers. The recommended practice is for trans participants to use the locker room, shower and toilet facilities in accordance with their gender identity or expression. When requested by a trans participant, the host should be able to provide private, separate changing, showering and toilet facilities for their use, but trans participants should not be required to use separate facilities. Potential hosts that meet these best practice requirements should receive credit for doing so in your formal selection criteria and weighting. Potential hosts that do not have these facilities in place would not be excluded from consideration. However, in the event that a host is selected where these requirements are not met, your organization would need to work with the host organization to provide comparable accommodations. This should include consultation with trans athletes to ensure their needs are met.

Sample Statement – Hosting Guidelines: *When submitting a bid to host an event to [insert name of sport organization here], potential hosts are required to indicate what changing areas, toilets and showers are available, including private, separate changing, showering, and toilet facilities should these be requested by a trans participant. Potential hosts that do not have these facilities in place would not be excluded from consideration as an event host. However, in the event that a host is selected where these requirements are not met, the host organization would be expected to work with [insert name of your organization] to provide comparable accommodations.*

M. Resolving Gender Identity and Expression Issues (Recommended)

Your trans inclusion policy should include reference to the mechanism by which individuals who feel they have been discriminated against, bullied or harassed, sexually harassed, vilified or victimized (in this case based on gender identity or expression) to take appropriate action through your existing complaint resolution procedure.

The policy should also encourage individuals who witness another person being discriminated against, bullied or harassed, sexually harassed, vilified or victimized (in this case based on gender identity or expression) to take appropriate action to address it. As previously mentioned, Bill C-16, was enacted in 2017 to amend the Canadian Human Rights Act and the Criminal Code. It extends protection against hate propaganda based on gender identity or expression.

The document should include a reference to the organizational contact(s) an individual should seek out for advice and support or action on their behalf in the event that they don't feel safe or confident to do so on their own.

The CCES guidance also notes that each sport organization will need to carefully consider whether a complaint about a trans individual's authenticity is well founded and merits further consideration through a more formal complaint resolution process, or in some cases involving eligibility, the appeals process. If a complaint is based on the complainant's disagreement with the organization's policies on trans inclusion, and/or their own personal beliefs regarding gender identity and expression, it should not be considered any further.

Sample Statement - Resolving Gender Identity and Expression Issues: Any staff or member of [insert name of sport organization here] who feels they have been discriminated against, bullied or harassed, sexually harassed, vilified or victimized based on gender identity or expression is strongly encouraged to take appropriate action through our [insert name and link to relevant policy or procedure].

Any staff or member of [insert name of sport organization here] who witnesses an individual being discriminated against, bullied or harassed, sexually harassed, vilified or victimized based on gender identity or expression have a responsibility to take appropriate action through our [insert name and link to relevant policy or procedure].

Any staff or member who does not feel safe or confident to pursue such action may seek assistance from [insert contact name(s) here] for advice and support, or action on their behalf.

N. Access to Employee Assistance Program (Optional)

For staff identifying as trans or gender diverse, it may be helpful to reference your employee assistance program (EAP), should there be one, as a source of additional support. The relevant wording for your policy can be extracted from your EAP documentation and tailored as needed. If an EAP is available, ensure that it is inclusive of LGBTQI2S peoples' needs.

Sample Statement - Access to Employee Assistance Program: Staff [insert qualifier as to full-time and part-time, or frame as those eligible for benefits] are entitled to access our employee assistance program to receive professional and confidential counselling, none of which will be communicated to [insert name of organization here]. To access our employee assistance program, contact [provide contact details to access this service].

O. Other Relevant Policies (Recommended)

Although you may have a standalone trans policy, it will be linked to a number of your other organizational policies, including:

- Equal opportunity / inclusion policy,
- Gender equity policy,
- Harassment and / or anti-discrimination policy,
- Occupational health and safety policy,
- Complaint resolution policy and procedure,
- Discipline procedure, and
- Mission, vision and values statements.

Listing these policies will ensure that each is reviewed to ensure that, where appropriate, they make reference to gender identity and expression and are consistent with your trans inclusion policy. The language used in all policies should be gender neutral. Ensure insurance policies cover health care for trans people.

Sample Statement - Other Relevant Policies: *Staff, especially managers and supervisors, are encouraged to read this policy in conjunction with other relevant [insert name of organization here] policies including [list relevant policies].*

P. Commitment to Education (Recommended)

Having trans inclusive policies is a key first step for your organization. But these policies need to be shared with staff, volunteers, parents/guardians, and players as appropriate. Moreover, providing training is a key requirement, as demonstrated in the Ontario Human Rights Commission (OHRC) settlement with Hockey Canada and its Ontario branches. The OHRC settlement specifically required Hockey Canada to provide training to all Ontario coaches and trainers on:

- Gender identity and expression,
- Discrimination and harassment related to gender identity and expression, and
- The amended Co-Ed Dressing Room Policy and the Commission’s Policy on preventing discrimination because of gender identity and gender expression.

Hockey Canada was also required to provide information about the amended policy to other staff, volunteers, parents/guardians, and players as appropriate.¹⁹ More information on the settlement and what was required, including education, can be accessed at: <http://www.ohrc.on.ca/en/access-locker-rooms-trans-amateur-hockey-players-jt-v-hockey-canada-et-al>.

Sample Statement – Commitment to Education: *[insert name of organization] is committed to educating our staff and members on the importance of trans inclusion, and what this looks like in the way of practices, policies, procedures and norms of behavior.*

Q. Ongoing Monitoring and Review (Recommended)

As with any policy, successful implementation is harder than it looks and takes longer to achieve, perhaps even more so with a trans inclusion policy. A critical early step is monitoring the policy to ensure that it is being implemented as intended and that there aren’t any negative and unwanted consequences. The Committee or Working Group responsible should have at least one individual who has lived experience in your sport as being trans or gender diverse. If this individual is a minor, the parent(s) would be well-placed to participate. If there is no one yet identifying as trans or gender diverse in your sport, you can go outside your sport to access that lived experience.

In terms of timing, don’t wait a whole year to review the policy as a lot can happen in twelve months. Rather, do an initial check-in or review at six months, followed by a more robust review after 12 months, and thereafter annually. This would also include a scan of related policies and procedures for trans staff and members to identify where changes may be needed, as well as any new evidence regarding trans participation in their sport.

There should be a more comprehensive review of the policy every three years with representation on the working group by at least two trans members (female and male).

¹⁹ Ibid.

Sample Statement - Ongoing Monitoring and Review: [Insert name of your sport organization here] commits to ongoing monitoring of developments regarding the implementation of this policy, including any unintended consequences. We will do so through a small Working Group reporting to [insert designate, e.g., the Board, the CEO or ED, etc.] of [insert list of names and people], at least one of whom has lived experience as a trans and / or gender diverse individual. Every three years, [insert name of org. here] will conduct a comprehensive review of this policy, ensuring that both an expressed female and male gender are represented on the Working Group.

More Information (Recommended)

This last section will include the contact name of the individual who staff or members can connect with if they have a query about the policy or need more information.

Sample Statement: *Any individual wishing to obtain more information about [Insert name of organization]'s trans inclusion policy, is invited to contact [insert name and contact details here].*

R. Date Policy Approved (Recommended)

This brief statement should include the date on which the policy was approved and by whom, including subsequent amendments.

Sample Statement – Policy Approval: *This trans inclusion policy was approved / revised on [insert relevant date] by these individuals [insert relevant names].*

Appendix A: Sample Policy and Guidance Document

[Sport organization] Policy and Practice Guidance for Trans Inclusion

Commitment to Diversity and Inclusion (Recommended): Sport inclusion is a fundamental value for [sport organization] and a True Sport principle. We also recognize that having a more diverse organization will only strengthen our sport. As a result, our organization is fully committed to providing a safe, supportive and respectful environment for all of our staff and members, regardless of any differences based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, or disability.

[Sport organization] recognizes that discrimination, prejudice and victimization on the basis of personal attributes, including gender identity and expression, is a violation of human rights and will not be tolerated. Our organization is fully committed to putting in place policies and practices that ensure trans identities are able to participate in a safe, supportive and respectful environment in our sport.

Definitions (Recommended). Essential terms are defined as follows:

- **Sex:** The classification of people as male, female or intersex. Sex is usually assigned at birth and is based on an assessment of a person's reproductive system, hormones, chromosomes and other physical characteristics, most notably by external genitalia.
- **Gender identity:** A person's innermost sense of their own gender. This can include man, woman, both, neither or something else entirely. Gender also refers to a variety of social and behavioural characteristics (e.g. appearance, mannerisms). There are lots of words people may use to talk about their gender identity and expression.
- **Gender expression:** The way an individual communicates their gender identity to others. This is done through behaviour, body language, voice, emphasis or de-emphasis of bodily characteristics, choice of clothing, hairstyle, and wearing make-up and/or accessories. The traits and behaviours associated with masculinity and femininity are culturally specific and change over time.
- **Gender binary:** A social system whereby people are thought to have either one of two genders: man or woman. These genders are expected to correspond to sex assigned at birth: male or female. In the gender binary system, there is no room for diversity outside of man or woman, for living between genders or for crossing the binary. The gender binary system is rigid and restrictive for many people who feel that their natal sex (sex they were labelled with at birth) does not match up with their gender or that their gender is fluid and not fixed.
- **Cisgender:** A term to describe a person whose gender identity corresponds with their birth-assigned sex (e.g. someone whose gender identity is man and was assigned male at birth).
- **LGBTQ2S:** An umbrella acronym for lesbian, gay, bisexual, trans, queer, intersex, and two-spirit. Other acronyms commonly used are LGBTQ+ and LGBTQ2.
- **Trans:** An umbrella term that describes people with diverse gender identities and gender expressions that do not conform to stereotypical ideas about what it means to be a girl/woman or boy/man in society. It includes but is not limited to people who identify as transgender, transsexual, cross dressers (adjective) or gender non-conforming (gender diverse or genderqueer).

- **Two-spirit:** An English umbrella term used by some indigenous people rather than, or in addition to, identifying as LGBTQ. This term affirms the interrelatedness of all aspects of identity - including gender, sexuality, community, culture, and spirituality.
- **Sexual orientation:** Sexual orientation describes human sexuality, from gay and lesbian to bisexual and heterosexual orientations. A person's gender identity or expression is fundamentally different from and not related to their sexual orientation. Because a person identifies as trans does not predict or reveal anything about their sexual orientation. A trans person may identify as gay, lesbian, queer, straight, or bisexual.

Scope and Application (Recommended). This policy and practice guidance applies to [sport organization] as follows:

- It shall be binding on the Board of Directors,
- It shall be binding on all staff, including managers and supervisors; full-time, part-time or casual, temporary or permanent staff,
- It shall inform all aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; toilet arrangements, workload; workplace environment; equipment and transport,
- It shall be binding on all volunteers and interns acting in their designated capacity with our organization, for example, as a member of a formal Committee or ad hoc working group, or at a specific sporting event provided the volunteer or intern has expressly agreed to become subject to it,
- It shall inform all aspects of participation in our sport, including team selection and participation, membership, and service delivery (such as providing coaching services to individuals),
- It shall be applicable whether the individual is on-site, off-site or performing after-hours work; at work-related social functions or at conferences – wherever staff or volunteers or interns may be as a result of their duties, and
- It shall govern the treatment of other staff, members (including athletes, coaches and officials), clients and the public encountered in the provision of services and other organizational duties.

Guiding Principles (Optional). [Sport organization] was guided by the following principles in developing our policy and practice guidance on trans inclusion in our sport:

- People of trans identities should have equal opportunities to participate in our sport and strive for excellence at all levels and in all capacities.
- Policies governing participation of trans identities should nurture fair play, honesty and respect, and integrity.
- Policies governing participation of trans identities in our sport should embrace diversity and inclusion, resulting in a positive sporting experience, free of discrimination or harassment based on gender identity or expression.
- Participation in our sport should celebrate differences and focus on the benefits and the joy of sport.
- Policies governing the participation of trans people, particularly for our athletes, should be evidence-based, recognize the necessity to protect the privacy rights of trans individuals, and strive to prevent physical, emotional and mental harm.

- Policies governing the participation of trans people should foster access and equitable participation for all participants.
- Practices that encourage understanding and support people of trans identities need to be enhanced to acknowledge the challenges and recognize the value of advocating for sport that is fair, safe and open to everyone.

Using Chosen Names and Pronouns (Recommended). We will make every effort to learn and use the chosen name and pronouns of our staff and members. We recognize that failing to respect an individual's gender identity or expression by continuing to use either an incorrect name (deadnaming, e.g., deliberately using their past name instead of their new name), or incorrect chosen pronouns (misgendering, e.g., using he instead of she or other chosen pronouns such as they) is discriminatory and will not be tolerated.

Safeguarding an Individual's Right to Privacy and Confidentiality (Recommended). [Sport organization] recognizes the privacy rights of all our members. We will only ask for information about gender from our staff and members when it is critical to the services or programs, in a manner that is inclusive, and for which there are no consequences for abstaining. We will respect and safeguard the privacy and confidentiality of any staff or member who is trans, recognizing that failing to do so may place that individual at risk.

Use of Toilets, Change Rooms and other Facilities (Recommended). [Sport organization] is committed to providing staff and members who identify as trans with safe access and use of toilets, change rooms and other facilities in accordance with their gender identity or expression. We will seek to do so in a discreet, confidential and sensitive manner that does not reveal an individual's trans identity and respects their choices. We will also work with other teams and host organizations to ensure respectful treatment of any staff or members who identify as trans by their coaches, officials, spectators and the media.

Gender Inclusive Attire, Images and Language (Recommended). We will ensure that our dress codes for all staff and members, including team uniforms on and off the field of play, respect an individual's gender identity and expression. The images that we use in our written, video and online materials will reflect the diversity of our staff and members, and will use gender inclusive language.

Support for Transitioning Staff and Members (Recommended). [Sport organization] is committed to having in place the necessary supports for staff or a member to successfully transition within our sport that ensure they are treated with respect and dignity and in accordance with their expressed needs. This will include both organizational guidelines on how transitioning staff or members will be supported, and should the staff or member wish, the co-development of a personalized transition plan.

Eligibility Requirements for Participation in Events Under [Sport Organization] Jurisdiction (Recommended). Participants in [sport organization]'s events under our jurisdiction are able to participate in the gender category in which they identify. Individuals who identify as a girl or woman are eligible to compete on girls', women's, and mixed teams for such events. Individuals who identify as a boy or a man are eligible to compete on boys' or men's and mixed teams for such events. All

identifications of gender identity or expression by our athletes are believed to be made in good faith and do not require further disclosure or documentation.

Eligibility Requirements for Participation in International Federation Gendered Competitions (Recommended). [Sport organization] will keep abreast of related eligibility policies in other jurisdictions that may impact on our trans athletes. We will ensure our athletes are knowledgeable about these eligibility requirements and we will work with our trans athletes at their request to fully support their eligibility choices.

Canadian Anti-Doping Program (CADP) Requirements (Recommended). [Sport organization] encourages trans athletes to seek information regarding the status of any medications they are using to determine their Therapeutic Use Exemption (TUE) requirements for the use of prohibited medications, and to ensure compliance with the CADP and World Anti-Doping Code requirements where necessary. The Canadian Centre for Ethics in Sport (CCES) provides assistance to all athletes with these aforementioned tasks.

Hosting Guidelines (Optional). When submitting a bid to host an event to [sport organization], potential hosts are required to indicate what changing areas, toilets and showers are available, including private, separate changing, showering, and toilet facilities should these be requested by a trans participant. Potential hosts that do not have these facilities in place would not be excluded from consideration as an event host. However, in the event that a host is selected where these requirements are not met, the host organization would be expected to work with [sport organization] to provide comparable accommodations.

Resolving Gender Identity and Expression Issues (Recommended). Any staff or member of [sport organization] who feels they have been discriminated against, bullied or harassed, sexually harassed, vilified or victimized based on gender identity or expression is strongly encouraged to take appropriate action through our [insert name and link to relevant policy or procedure].

Any staff or member of [sport organization] who witnesses an individual being discriminated against, bullied or harassed, sexually harassed, vilified or victimized based on gender identity or expression have a responsibility to take appropriate action through our [insert name and link to relevant policy or procedure].

Any staff or member who does not feel safe or confident to pursue such action may seek assistance from [insert contact name(s)] for advice and support, or action on their behalf.

Access to Employee Assistance Program (Optional). Staff [insert qualifier as to full-time and part-time, or frame as those eligible for benefits] are entitled to access our employee assistance program (EAP) to receive professional and confidential counselling, none of which will be communicated to [sport organization]. To access our employee assistance program, contact [insert contact details to access EAP].

Other Relevant Policies (Recommended). Staff, especially managers and supervisors, are encouraged to read this policy in conjunction with other relevant [sport organization] policies including [list relevant policies].

Commitment to Education (Recommended). [Sport organization] is committed to educating our staff and members on the importance of trans inclusion, and what this looks like in the way of practices, policies, procedures and norms of behavior.

Ongoing Monitoring and Review (Recommended). [Sport organization] commits to ongoing monitoring of developments regarding the implementation of this policy, including any unintended consequences. We will do so through a small Working Group reporting to [insert designate, e.g., the Board, the CEO or ED, etc.] of [insert list of names and people], at least one of whom has lived experience as a trans and/or gender diverse individual. Every three years, [sport organization] will conduct a comprehensive review of this policy, ensuring that both an expressed female and male gender are represented on the Working Group.

More Information (Recommended). Any individual wishing to obtain more information about [sport organization]'s trans inclusion policy, is invited to contact [insert name and contact details].

Policy Approval (Recommended). This trans inclusion policy was approved and/or revised on [insert relevant date] by these individuals [insert relevant names].

Appendix B: Examples of Discrimination Based on Gender Identity or Expression in Sport

- Refusing to work, train, be on a team with, or compete against a trans athlete,
- Intentionally not using an athlete's chosen name and/or pronouns (e.g., deadnaming),
- Outing a trans person to others without their permission,
- Refusing a trans athlete access to their chosen facilities or to gender-neutral change rooms and toilets,
- Requiring a trans athlete to wear an uniform that does not reflect their chosen gender,
- Asking for personal or medical information that is not required or relevant,
- Non-inclusive hiring practices,
- Requiring a trans man to compete as a woman or a trans woman to compete as a man,
- Spectators disrespecting, threatening, or harassing a trans or gender non-conforming athlete.

Appendix C: Additional Resources

Sport-Specific Trans Inclusion Policies

Ontario Volleyball Association Transgender Athlete Policy (OVA) (2015). Access at: <https://www.ontariovolleyball.org/sites/default/files/OVA%20Transgender%20Policy%20-%20Passed%20Oct%202015.pdf>.

Ringette Canada Trans-Inclusion Policy (2017). Access at: http://www.ringette.ca/wp-content/uploads/2015/10/Trans-Inclusion-Policy_Jan-2017_FINAL.pdf.

LGBTQI2S Support Organization Resources

Athlete Ally. Access at: www.athleteally.org/.

Br{ache the Silence. <http://freedomsounds.org/> or on Facebook at: <https://www.facebook.com/Brache-the-Silence-244526888923763/>

Canadian Association for the Advancement of Women and Sport and Physical Activity (CAAWS) (2014). *Leading the Way: Working with LGBT Athletes and Coaches. A Practical Resource for Coaches.* Access at: www.caaws.ca/e/wp-content/uploads/2014/09/CAAWS_LeadingtheWay.pdf.

Canadian Centre for Ethics in Sport (CCES) (2012). *Sport in Transition: Making Sport in Canada More Responsible For Gender Inclusivity.* Access at: www.cces.ca/sites/default/files/content/docs/pdf/cces-paper-sportintransition-e.pdf.

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