

Understanding the NCAA Transgender Student-Athlete Participation Policy

March 30, 2022

Scope of Presentation and Legal Disclaimer

- This resource is designed for NCAA member schools who educate and support student-athletes.
- It serves as an overview of the key components of the published NCAA Transgender Student-Athlete Participation policy, related procedural guidance and supporting educational materials.
- It is intended as a resource and not as a substitute for legal or other professional advice.

Webinar Overview



Language and Understanding



History of 2010 Policy



2022 Updates



Eligibility Review Process



Gender Identity Summit Takeaways
and Inclusive Resources



Q & A

Language and Understanding

- **Sex assigned at birth:** refers to the designation of a newborn child's sex based on inspection of their external genitalia.
 - **Note:** sex assigned at birth is a more inclusive term than terms like “biological male” or “biological female,” and is also more inclusive than “born male” or “born female” terminology.
- **Gender identity:** one’s inner concept of self as male or female or both or neither.
- **Sexual orientation:** describes a person’s sexual attraction to other people.
- **Cisgender:** an adjective describing a person whose gender identity is consistent with their sex assigned at birth.

- **Transgender/Trans:** an adjective describing a person whose gender identity does not match their sex assigned at birth.
 - **Trans man/male (FTM):** a person whose sex assigned at birth was female but has a male gender identity.
 - **Trans woman/female (MTF):** a person whose sex assigned at birth was male but has a female gender identity.
- **Transitioning:** the process by which a transgender person strives to live consistently with their gender identity.
 - Transitioning may include changing behavior, names, pronouns, clothing, hairstyles and other appearance-related characteristics. Transitioning may also include, but not necessarily, surgically changing one's body or taking or suppressing hormones.

- **Non-Binary:** an adjective describing a person whose gender identity is neither male or female.
 - **Genderqueer, gender expansive, gender non-conforming:** terms similar to non-binary that a person may choose to use when their gender identity is neither male or female.
- **Deadnaming:** referring to someone by a name they no longer wish to use.

Language and Application to NCAA Policy

- Transgender Student-Athlete Participation Policy (TSAP) applies to any student-athlete who plans to compete in an NCAA sport if their gender identity is different than their sex assigned at birth.
 - TSAP applies to SAs who identify as nonbinary, trans, genderqueer, etc.
- For example, a nonbinary SA whose sex assigned at birth was male must meet TSAP eligibility requirements to compete for a women's team.
- A cisgender SA whose sex assigned at birth was female does not have to meet TSAP eligibility requirements to compete for a women's team.

History of NCAA Transgender Student-Athlete Participation Policy

Origins of 2010 Policy

- Forward thinking about inclusion of all student-athletes.
- Experts consulted from multidisciplinary fields.
- Governance review and support to implement policy.
- Coincided with release of 2011 Transgender Student-Athlete Participation Handbook.
- Some previous policies did exist, such as International Olympic Committee (IOC) participation policy from 2004.

NCAA 2010 Transgender SA Participation Policy

Trans Men

- A trans man with a medical exception for testosterone may compete on a men's team but not on a women's team.
- A trans man who is not taking hormone treatment may compete on a women's team.

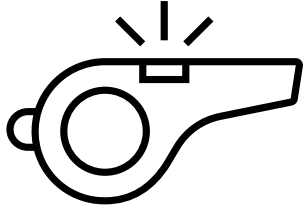
Trans Women

- A trans woman may not compete on a women's team until completing one calendar year of testosterone suppression treatment.
- Managed by student-athlete's institution, unless medical exception is needed.

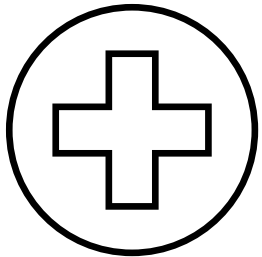
2022 Policy Updates

ncaa.org/transgender

Research and Public Health

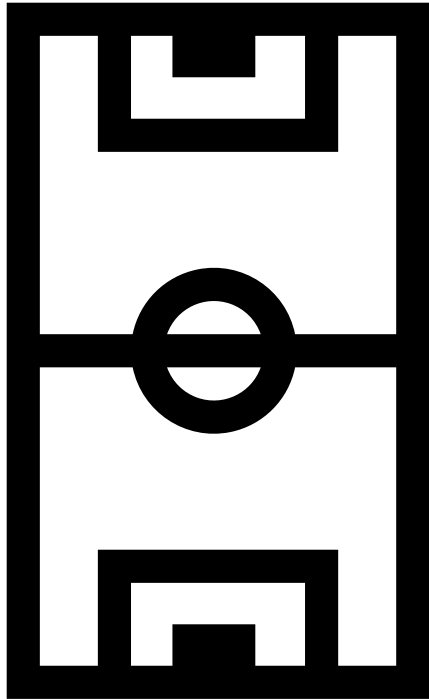


- Sport-specific implications?
 - Lack of research on whether/how testosterone impacts ability/skill by sport.



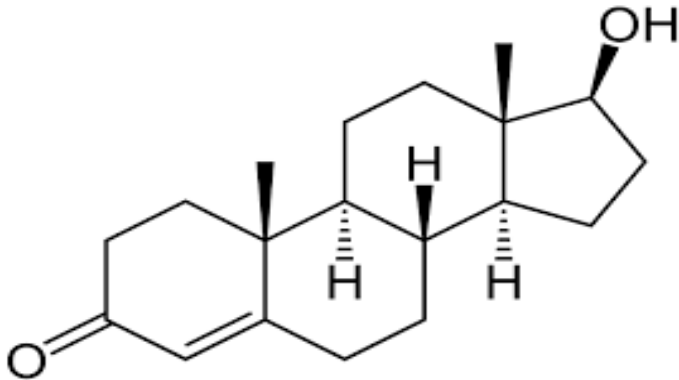
- Public health.
 - Mental/physical health impacts.
 - Considerations beyond science/medicine: Religion, resources/infrastructure, politics.

Binary Approach to Sport



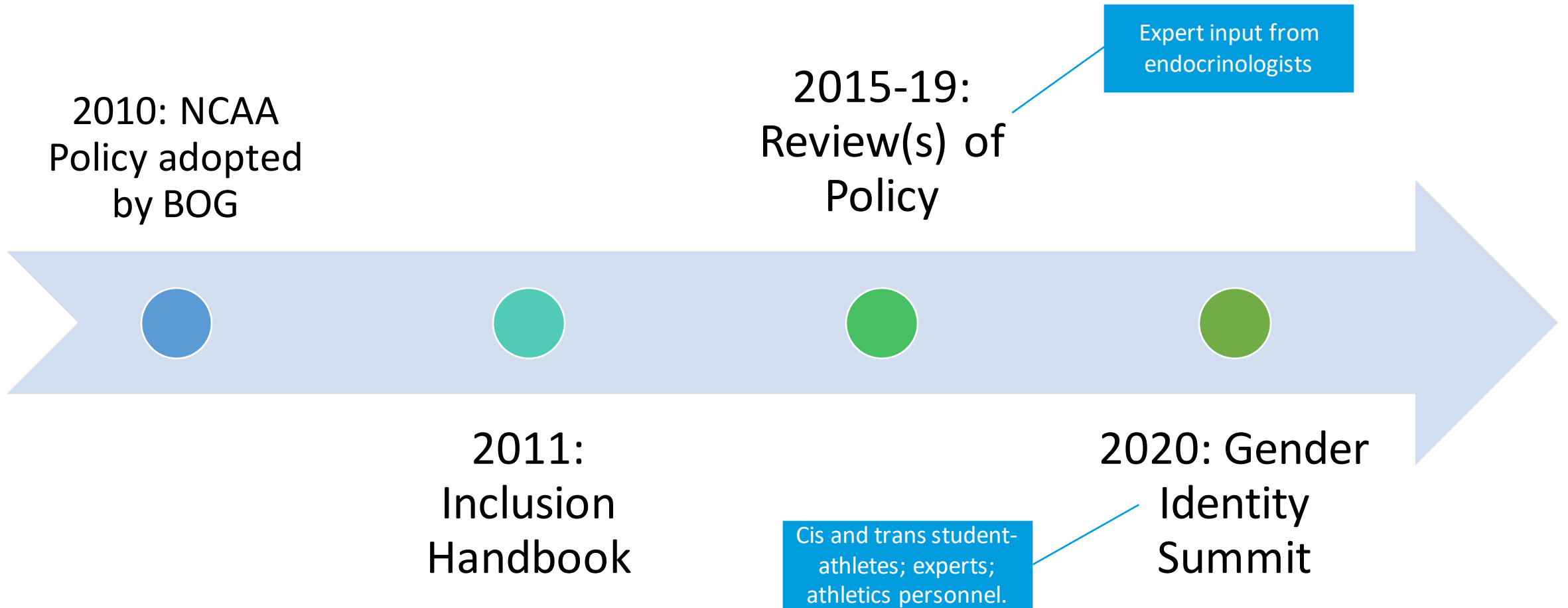
- NCAA historically taken a binary approach to sport.
- Physiological differences between individuals assigned male or female at birth.
- Considerations around safety and fairness.

Testosterone



- Testosterone can be performance enhancing in certain sports (e.g., banned substance).
- A person's identity not defined by level of testosterone.

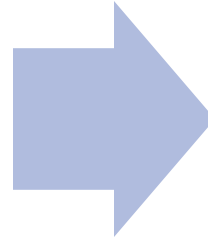
Timeline Since 2010 Policy Adoption



2022 Update to NCAA Policy

Competitive Safeguards and Medical Aspects of Sports

Association-wide
23 members
Medical personnel and athletics administrators



Board of Governors

Highest governing body
25 members
Presidents/chancellors & 5 independent members

Consensus:

1. Testosterone thresholds can facilitate and support fair competition while providing participation opportunities for trans athletes.
2. Consistency with Olympic model creates continuity for student-athletes. Deference to sport-specific rules intended to rely on those who have studied and manage potential impact in the sport.
3. Flexibility should be considered for SAs who lose eligibility, if they meet future requirements.

2022 Update to NCAA Policy

Alignment with Olympic Movement to balance fairness, inclusion and safety for all.

January 2022: BOG adopts policy as recommended by CSMAS:

1. Trans student-athletes must continue to meet 2010 policy; and
2. Meet sport-specific policies that are reviewed and approved by CSMAS, in each case to be informed by national governing body policy (or international federation policy or 2015 IOC policy).
3. Implemented over three phases.

Phase One 2022 Winter/Spring

- 2010 NCAA policy; and
- Meet one-time sport-specific testosterone threshold, as approved by CSMAS.
- **Length of mitigation, other requirements not applicable.**
- Does not change requirements for trans men.

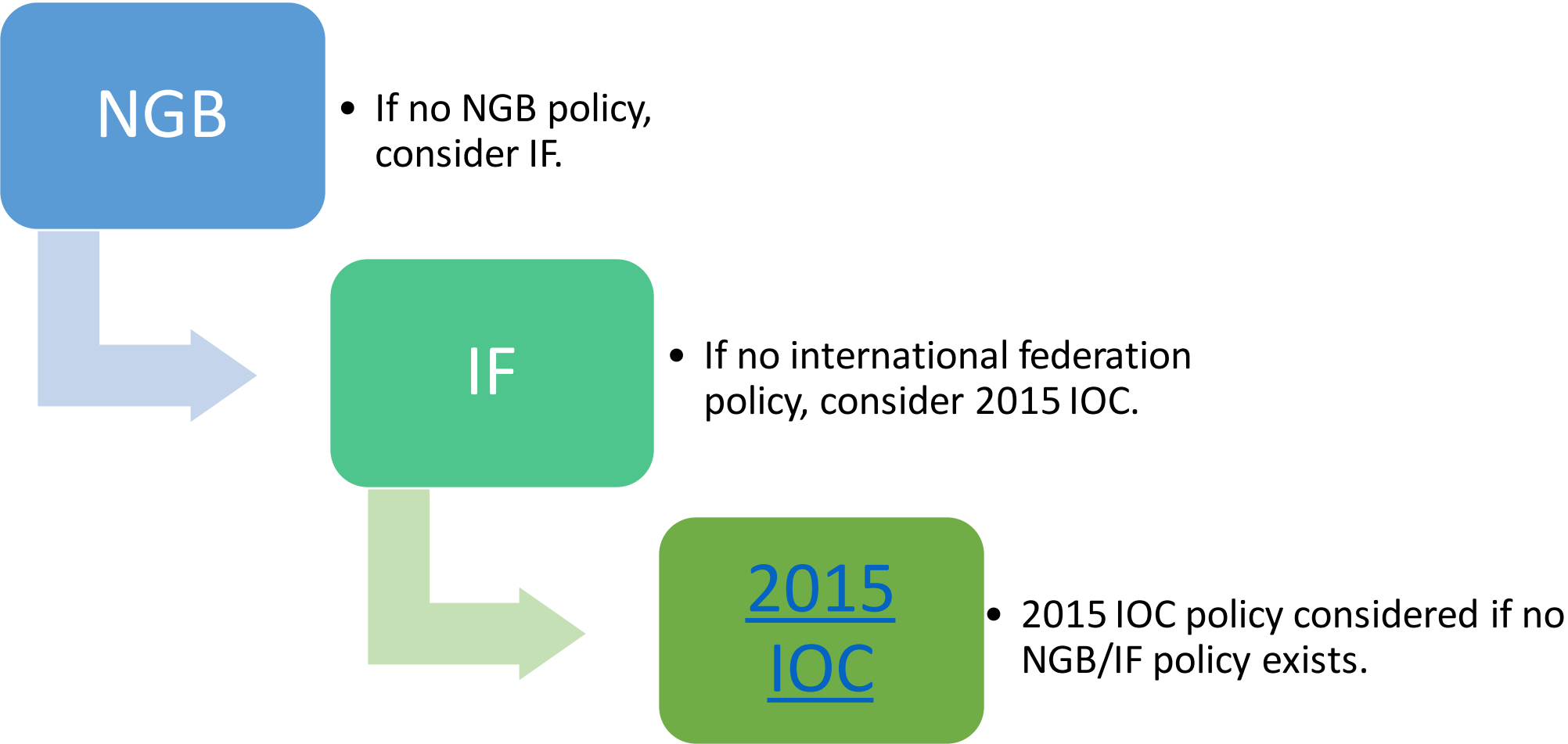
Phase Two 2022-23 Academic Year

- Same as Phase One, and:
- Additional pre-competition documentation requirements (e.g., regular season, NCAA championships, etc.) and other related eligibility specifics to be confirmed by CSMAS.

Phase Three 2023-24 Academic Year

- Same as Phase Two; and
- All other parts of applicable sport-governing policy to be considered by CSMAS, including:
 - Length of mitigation; and
 - Other requirements.
- May impact trans men.

NCAA TSAP Policy Logic



2015 IOC Guidelines for Trans Women


1. Declaration. Declare gender identity is female. Cannot be changed, for sporting purposes, for a minimum of four years.
2. Threshold and Length of Mitigation. Demonstrate total testosterone level has been below 10 nmol/L for at least 12 months prior to first competition.
3. Maintenance. Testosterone level must remain below 10 nmol/L throughout the period of eligibility.

Characteristics of Trans Athlete Policies

1. Testosterone Threshold.

- E.g., 5 nmol/L.

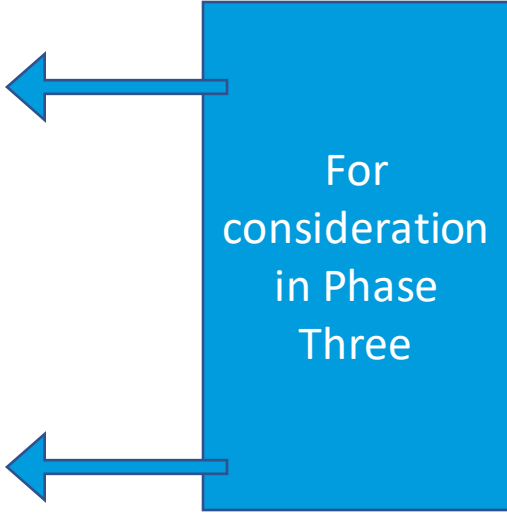
Applicable
Phase One and Two



2. Length of Mitigation and Maintenance.

- Continuous testosterone threshold required for specific number of months (e.g., 12 months).
- Requirement to maintain testosterone threshold level during period of eligibility.

For
consideration
in Phase
Three



3. Additional policy considerations.

- E.g., gender declaration, case-by-case review, gender-affirming surgery, birth certificate aligns with gender identity, proof of mitigated advantage.

Phase One Review

- For Phase One, only one-time, sport-specific testosterone thresholds apply. Length of mitigation, other requirements not applicable.
- Example. Women's Ice Hockey

NGB	International Federation	CSMAS Approved Policy
No Policy	Threshold: <5 nmol/L; Duration: 12 months.	Threshold: <5 nmol/L. Duration: Not applicable in Phase One.

Case Study: Swimming

- CSMAS approved and published Phase 1 testosterone thresholds for 2022 NCAA swimming championships.
 - No NBG or IF policy available at the time of publishing.
- USA Swimming (NGB) released policy after NCAA policy published.
 - Only testosterone threshold relevant to Phase 1.
- CSMAS elected to maintain previously published threshold.
 - USA Swimming's policy released within timeframe when schools could submit eligibility documentation (e.g., lab results).
 - Timeframe designed to provide adequate time to consider requirements, related health care options and to safely obtain documentation.

Future Policy Timelines

- Phase Two: 2022-23 academic year.
 - Threshold and any additional pre-competition documentation requirements reviewed, approved and published by summer.
- Phase Three: 2023-24 academic year.
 - Thresholds and other requirements reviewed at June CSMAS meeting.
Collaboration with BOG Committee to Promote Cultural Diversity and Equity .
 - Additional policy considerations, including length of mitigation requirements and notice to membership will be considered.

Eligibility Review Process

Medical Exception Process

Established process for use of NCAA banned substances.

- Anabolic agents.
- Peptide hormones.
- Diuretics.
- Stimulants (ADHD/ADD).



Transgender SA Participation Review

Phase I.

- 12 months of hormone suppression.
- Serum testosterone lab* within allowable levels.
 - *Lab must be within four weeks of championship selection date.

Student-Athlete Privacy



- Medical Review Panel.
- De-identified review process.
- SA-identified school contact.
- Limited scope of review communication.

Resources and Support

Gender Identity Summit

- Commissioned in October 2020 with over 60 participants.
- Brought together experts in inclusion, endocrinology, athletics administrators, cisgender athletes, trans and nonbinary student-athletes, and other external stakeholders.
 - Included representatives from the Committee to Promote Cultural Diversity and Equity (CPCDE) and Committee on Competitive Safeguards and Medical Aspects in Sports (CSMAS).
- Consensus statements were developed for consideration by governance groups, not membership requirements.

Summit Considerations - Campuses

Patient-Centered Care

- Incentivization of ongoing education about patient-centered care.
- Key elements include understanding and respecting identity, goals, values and a collaborative decision-making process.

Culturally sensitive care

- Identification of \geq one licensed mental health provider to provide culturally sensitive care to TGNB athletes.

Considerations cont.

- Stakeholder Education: Education specific to TGNB inclusion on a regular basis to stakeholder groups including coaches, athletic department staff, sports medicine staff and student-athletes.
 - Myths and misperceptions about TGNB athletes and various transition processes.
 - Emphasis on shared humanity across gender identities.
 - Concrete strategies for individuals to enhance TGNB inclusion (e.g., inclusive communication).

Considerations cont.

Burden on TGNB SAs

- Regular review of educational methods to confirm primary responsibility for educating others about TGNB issues is not placed on TGNB SAs.

Pronouns

- Processes for SAs to select/update pronouns.
- Expectations that all will use and support selected pronouns in communications and record keeping.
- Protocols that support awareness and use of pronouns by PA announcers/media broadcasters.

Additional Resources

- Inclusion page on [ncaa.org](https://www.ncaa.org) (core area: LGBTQ).
- Sport Science Institute page on [ncaa.org](https://www.ncaa.org).
- Gender Identity and Student-Athlete Participation Summit Outcomes ([Final Report](#)).
- [Champions of Respect](#).
- [Five ways](#) to have an LGBTQ-inclusive athletics department.
- Inclusion of Transgender Student-Athletes Best Practices [Handbook](#).
- NCAA Inclusion Forum.



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Contact Sport Science Institute for questions on policy application or document submission.



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INSTITUTE™



inclusion@ncaa.org

Contact office of inclusion for questions on creating inclusive environments or related resources.



INCLUSION

