THE CASE FOR INCLUSION

News and Legal Analysis on Issues Related to Diversity and Inclusion

Inclusion of Transgender Students in Collegiate Athletics

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While colleges and universities have made great strides in accommodating participation in sports by minorities, women, students with disabilities, and lesbian, gay and bisexual students, the ability of transgender students to participate fully in collegiate athletics remains, largely, unaddressed. The issues surrounding participation of transgender, perhaps, seem too complicated, confusing, or even uncomfortable for colleges to deal with, particularly when the student is receiving hormonal treatment.

To assist in fostering inclusion, the NCAA has published a policy that colleges can use to implement their own policies regarding transgender student-athlete participation. You can read the full policy HERE. The policy addresses two important components of NCAA regulations that can be affected by transgender student-athlete participation: use of banned substances (i.e. testosterone) and "mixed team" status. A male participating in competition on a female team makes the team a "mixed team" ineligible for a women's NCAA championship, while a female participating in competition on a male team has no such impact.

The NCAA policy recommends that athletes undergoing male-to-female (MTF) hormonal transition sit out a year before joining a women's team, while athletes undergoing the female-to-male (FTM) transition can compete on a men's team right away. The policy also recommends appropriate pronoun use for coaches and teammates, as well as guidance for locker room use, hotel room assignment, maintaining confidentiality, and avoiding retaliation.

Client Tip: *Although not mandatory at this time, colleges should proactively adopt policies and best practices that provide equal opportunities for transgender students to participate on sports teams, particularly in light of the growing number of students who are identifying each year as transgender.*