

How did the Gender Inclusion Task Force come to be and how were members of the task force chosen?

The Gender Inclusion Task Force (GITF) was proposed and approved at the 2021 GSSSL Fall Meeting. At that time, each club was encouraged to discuss the task force creation with its members and recruit participation in the task force among its members. Four (4) coaches and one (1) parent volunteered to join the task force. When the GITF was reconvened in September 2022, four (4) out of the five (5) task force members stepped down to allow for new members to offer additional perspectives. At that time, in order to promote representation across all clubs, the GSSSL formally invited and encouraged each club to provide members to participate in the task force. Each club was responsible for communicating about the opportunity and recruiting participation in the task force among its members. Seven (7) people volunteered to serve on the task force.

Why didn't I know about any of this? How do club members receive information about the task force and any updates on task force activity?

All GSSSL business, including all Gender Inclusion Task Force communications and proposals, are discussed in semi-annual league meetings and/or sent to a contact list that includes coaches, pool managers, and designated representatives determined by each club. It is the responsibility of the recipients on the contact list from each club to determine if, how, and when to distribute that information to its club's membership. The league does not maintain a list of all members of each pool.

The task force sent updates to club representatives at key milestones throughout the task force history, starting with the initial establishment of the task force in the Fall 2021 league meeting. Further examples include multiple calls for participation in the task force, distribution of the dedicated, league-wide survey, distribution of updates from the task force, and invitations to the informational webinar this fall, to name a few. If you did not receive any information or updates related to the task force, we encourage you to check with your club's board and representative(s). Your club's board makes the determination for how information gets from the representatives to the club's team membership.

You can identify your team's league contact by visiting the homepage of the GSSSL website and selecting *League Contacts*. This is the current link to the *League Contacts* page:

[League Contacts Page](#)

What perspectives and credentials do task force members hold?

The GITF is made up of community members from 5 of our league's 16 clubs. Of the 7 members of the task force, 4 identify as cisgender women, 5 are parents, 2 are coaches, 1 is a doctor, 1 is a lawyer, 1 is an educator, and 1 is a social services provider. The task force includes parents of cis girls, parents of cis boys, and parents of trans people. We also have a youth perspective on the task force, as well as two current elite cisgender female athletes and two previous collegiate cisgender male athletes.

How do you ensure every club is represented?

When the GITF was first convened in the fall of 2021, each club was encouraged by the league to discuss the task force creation with its members and recruit participation in the task force among its members. The task force was reconvened in August 2022. At that time, in order to promote participation from all clubs, the GSSSL formally invited and encouraged each club to provide members to participate in the task force. Each club was responsible for communicating about the opportunity and recruiting participation in the task force among its members. Task force participation has been restricted to 2 adults per team, with an unlimited number of youth participants. Despite the league's efforts to convene a task force of 32 members from all 16 clubs, seven (7) people volunteered to serve on the task force. This included community members from 5 of our league's 16 clubs.

Once convened, the GITF prioritized input from the GSSSL community and set out to collect feedback from anyone across the league who wanted to share it in the form of a confidential survey. The GITF built and distributed the survey to representatives from all 16 clubs across the league. Each club made its own decision about how and to whom that survey was distributed. 464 GSSSL members responded to the survey, providing a wealth of input and perspectives from across 15 out of 16 clubs.

The task force also remained open to participation throughout the course of its history, and multiple calls for participation in the task force were made from the league and sent to a contact list that includes coaches, pool managers, and designated representatives determined by each club. It was the responsibility of the recipients on the contact list to determine if, how, and when to distribute that information to its club's membership.

How was communication about the proposed policy distributed to club members?

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[League Contacts Page](#)

What is the difference between the WIAA policy and the proposed policy?

Language Differences: The proposed GSSSL policy has replaced language relating to schools, school districts and administrators with language more specifically related to our league setting.

Example 1: WIAA policy states that:

‘All students have the opportunity to participate in WIAA activities in a manner that is consistent with their gender identity... Athletes will participate in programs consistent with their gender identity or the gender most consistently expressed.’

The proposed GSSSL policy states that:

‘All athletes have the opportunity to participate in GSSSL athletics and/or activities in a manner that is consistent with their gender identity. Athletes will participate in GSSSL athletics and/or activities consistent with their gender identity or the gender most consistently expressed.’

Example 2: In the WIAA handbook, all eligibility is determined by the athletic director for that school. Because the administration for our pools is so varied there was not a way to uniformly address who exactly fills this role. With the designation of an Eligibility Officer, each pool has the flexibility to determine if it is their swim director, a coach, or a different volunteer that makes the most sense for that pool.

Material Differences: The material differences between the WIAA policy and the proposed GSSSL policy relate to procedures in the event of an appeal or protest. We adjusted the timeline to better fit the short season of our league, and streamlined the steps for conducting an appeal or protest to better accommodate the predominantly volunteer administration of our league.

In addition, the proposed GSSSL policy provides that the athlete may swim in the chosen gender category (including a gender category different from the athlete’s gender/sex assigned at birth) pending the resolution of any appeal or protest, while the WIAA policy does not stipulate which gender category an athlete can compete in pending the resolution of any appeal or protest.

For direct comparison, the WIAA policy can be found [here](#) (Gender Identity Participation Policy is on page 37; procedures for appeal/protest is on page 41) and the GSSSL policy proposal can be found here:

[GSSSL Policy Proposal](#)

Why is the GSSSL using the WIAA policy instead of crafting our own?

According to the [GSSSL bylaws](#), if a rule or policy is not specifically addressed in the GSSSL bylaws or operating plan, the GSSSL defaults to WIAA or NFHS rule or policy. NFHS is the National Federation of State High School Associations and does not have a policy about gender inclusion. Currently, a gender inclusion policy is not specifically outlined in the GSSSL bylaws or operating plan. Therefore, the league presently abides by the WIAA Gender Identity Participation policy. The current policy proposal before all clubs would establish a gender inclusion policy for the league separate from the WIAA policy while continuing to honor the spirit and intent of the WIAA policy that has governed gender inclusion for the GSSSL since 2016.

How does the appeals and/or protest process work?

The proposed GSSSL policy states that in the event that an athlete requests an appeal of their gender category eligibility or a club protests an athlete’s eligibility, the Appeal or Protest must be

made in writing to the Board. For a Notice of Protest, the protesting club must notify the board and the opposing team and must also submit the protest filing fee. The protest filing fee goes to the GSSSL treasury.

The athlete will be scheduled for an appeal or protest hearing before the Eligibility Committee specifically established to hear gender identity eligibility decisions. The sole determination of the Eligibility Committee will be whether the athlete's chosen gender category is bona fide. The Eligibility Committee will not be reviewing any other swimmers or the impacts on any other swimmers.

The Eligibility Committee roster will be confirmed by the GSSSL Board and members of the roster will be called upon in the event of an appeal or protest. The athlete who is appealing or who is the subject of the protest will be responsible for providing supporting documentation. The Eligibility Committee will review submitted documentation. All hearings are closed to the public.

According to the WIAA policy, a hearing shall be scheduled *'as expeditiously as possible, but in no case later than five (5) business days prior to the first full contest that is the subject of the petition, or within a reasonable time thereafter in cases of emergency.'*

The GSSSL policy proposal calls for a hearing to be scheduled as expeditiously as possible, but no later than five (5) business days after receipt of the Notice of Appeal of Ineligibility or Protest of Eligibility, or within a reasonable time thereafter in cases of emergency, including, but not limited to, any unforeseeable late athlete registration. In all cases, the hearing must be conducted no later than the day before Preliminaries.

Who is a part of the Eligibility Committee?

The composition of the Eligibility Committee is outlined in the [WIAA policy](#). The only changes here were roles to better fit our league (school administrator changed to coach and WIAA staff member to GSSSL member designated by the GSSSL board).

The members of the Eligibility Committee will be selected by the GSSSL board and shall be comprised of at least three people from the following categories, one of whom must be from category A or B:

- A. Physician with experience in gender identity health care and the World Professional Association for Transgender Health (WPATH) Standards of Care.
- B. Psychiatrist, psychologist or licensed mental health professional familiar with the World Professional Association for Transgender Health (WPATH) Standards of Care.
- C. GSSSL Coach.
- D. GSSSL member designated by the GSSSL board.
- E. Advocate familiar with Gender Identity and Expression issues.

What documentation is an athlete required to produce in order to compete in a gender category consistent with their gender identification?

For most swimmers, no documentation is required to establish their gender category. All that is needed is a conversation with the Eligibility Officer to determine the best category.

If an athlete requests an appeal of their gender category eligibility or a club protests an athlete's eligibility, the athlete who is the subject of the appeal or protest should provide the Eligibility Committee with the following documentation and information prior to the hearing:

- A. Current club registration information
- B. Documentation of athlete's consistent gender identification (e.g., affirmed written statements from athlete and/or parent/guardian and/or health care provider)
- C. Any other pertinent documentation or information.

Can an athlete continue to compete in a gender category different from the athlete's gender/sex assigned at birth indefinitely even if their gender identity changes?

According to the policy proposal, *'Once the athlete has been granted eligibility to participate in GSSSL athletics and/or activities consistent with the athlete's gender identity, the eligibility is granted for the duration of the athlete's participation and does not need to be renewed every year.'* Athletes are eligible to return to competition within the gender category that matches their gender/sex assigned at birth at any time.

How is the league going to handle post-season competition?

Any swimmer who is granted eligibility to compete in a gender category different from the gender/sex assigned at birth will be eligible to compete and place in postseason meets.

What policies are other similar swimming or athletic leagues following?

The WIAA is the Washington Interscholastic Athletic Association and is the rule-making body to create equitable playing conditions for middle/junior and high school sports teams (both public and private) in Washington. WIAA policy is what any of our athletes competing in middle or high school sport are subject to.

You can review the WIAA policy [here](#).

It is worth noting that the Greater Seattle Summer Swim League (GSSSL) bylaws have defaulted to following Washington Interscholastic Activities Association (WIAA) policy since 2016.

USA Swimming explicitly states that 'All eligible athletes will have the opportunity to participate in swimming in a manner that is consistent with their gender identity and expression.' USA Swimming defaults to self-identity by gender-diverse athletes for the vast majority of USA Swim teams and meets. USA Swimming policy only includes scrutiny and/or restrictions for gender diverse swimmers at the elite level, which they define as international competition and some, but not all, national events.

You can review the USA Swimming policy [here](#).

How do swimmers attain elite status?

Elite status is earned in competition outside the GSSSL. Elite athletes and elite events are described in detail in [USA Swimming's Athlete Inclusion, Competitive Equity, and Eligibility Policy](#).

GSSSL meets are not governed or sanctioned by USA Swimming. Therefore, any times earned during GSSSL competition are not recognized by USA Swimming and would not qualify a swimmer for USA Swimming elite level or events.

How many GSSSL swimmers are currently competing in a gender category different from their gender/sex assigned at birth?

Based on the responses we received in our coaches surveys at the end of the 2022 and 2023 seasons, 6 coaches had knowledge of gender diverse youth participating on their teams. According to the surveys, only 2 gender diverse athletes competed in a gender category different from their gender/sex assigned at birth, with one trans girl competing in dual meets. She did not qualify for postseason meets either year nor did she win an event in any dual meet.

Who is the Eligibility Officer, how are they selected, and do they complete any training?

In the WIAA handbook, all eligibility is determined by the athletic director for that school. Because the administration of our pools is so varied there was not a way to uniformly address who exactly fills this role. With the designation of an Eligibility Officer, each pool has the flexibility to determine if it is their swim director, a coach, or a different volunteer who makes the most sense for that pool.

As the policy proposal states, each club shall designate at least one person to act as the Eligibility Officer. The club Eligibility Officer will work collaboratively with athletes and/or their parents/guardians to determine gender category eligibility. Each club will determine who its Eligibility Officer is and how they are selected. It is recommended that Eligibility Officers complete an onboarding training to ensure understanding of the policy and how to navigate it. Training for Eligibility Officers and coaches will be offered annually.

What does the Eligibility Officer discuss with athletes? Is this information shared?

The gender diverse athlete and/or parent/guardian initiates any conversation with the Eligibility Officer about which gender category under which they wish to compete. The Eligibility Officer's task is to confirm which gender category the athlete wishes to compete under and will work collaboratively with athletes and/or their parents/guardians to determine gender category eligibility.

An important factor to consider when determining gender category eligibility is an athlete's sense of safety. Parental support is essential for a child's sense of safety. If the child does not believe they have parental support, the child will not be encouraged to participate outside of their assigned gender category.

When the athlete initiates the conversation with the Eligibility Officer, the Eligibility Officer will encourage the athlete to involve their parents. Ultimately, the Eligibility Officer will follow the lead of the child regarding disclosure of their gender identity to anyone.

Has liability been considered? Was this policy reviewed by a lawyer?

This policy proposal is modeled after the WIAA policy, which has been in place for over fifteen years and the GSSSL bylaws have defaulted to following WIAA policy since 2016. Our policy proposal was reviewed by a lawyer outside of GSSSL and WIAA, all recommendations made by that lawyer were accepted.

Under the proposed policy, an athlete will be able to self identify regarding their gender. Why should athletes be allowed to choose what gender category to compete under, but not a different category (i.e. age)?

The Gender Inclusion Task Force (GITF) was tasked with establishing a gender inclusion policy for our league to provide clarity with respect to the participation of gender diverse athletes. Any discussion of any other characteristic was outside the task force's scope.

Is it fair to cisgender girls if they have to compete against transgender girls or nonbinary athletes whose gender/sex assigned at birth is male, but they identify as female?

Like gender, fairness is a non-binary construct. Each club has the opportunity to evaluate the merits of the proposal across a number of different dimensions including community, competition, inclusion, equity, fairness, and more, and to vote accordingly. Below are some resources and articles that discuss the topic of fairness in athletics as it relates to gender identity.

- [Ensuring Comprehensive Care and Support for Transgender and Gender-Diverse Children and Adolescents](#)
Jason Rafferty, Md; Committee On Psychosocial Aspects Of Child And Family Health; Committee On Adolescence;...et al.
- [Examining the Ethics and Impacts of Laws Restricting Transgender Youth-Athlete Participation](#)
Valerie Moyer, PhD; Amanda Zink; Brendan Parent, JD
- [Pediatric Provider Perspectives on Laws and Policies Impacting Sports Participation for Transgender Youth](#)
Landon D Hughes, Nadia Dowshen, Kacie M Kidd, Don Operario, Christopher Renjilian, Kristi E Gamarel
- [Integrating Transwomen and Female Athletes with Differences of Sex Development \(DSD\) into Elite Competition: The FIMS 2021 Consensus Statement](#)
Blair R Hamilton, Giscard Lima, James Barrett, Leighton Seal,...et al.
- [There Is No Evidence For Banning Trans Women From Sports](#)
Frankie de la Cretaz

- [Gender-Diverse & Transgender Children](#)
Jason Rafferty MD, MPH, EdM, FAAP, American Academy of Pediatrics

Should a new gender category be created, or should all gender categories be eliminated?

The options of creating a separate gender category or eliminating gender categories were considered by the task force. To our knowledge, there is no example of a separate gender category being created or gender categories being eliminated in a similar league at this time. Ultimately, the task force decided to propose a policy that honors the spirit and intent of the WIAA policy that has governed gender inclusion for the GSSSL since 2016.

Does the proposed policy apply to locker room or bathroom use?

No. Each GSSSL club will establish its own locker room policy and facilities. It is good practice for every club to have at least one private restroom/changing stall that can be used by anyone needing a private space for any reason. For reference regarding Washington State guidelines regarding segregated restroom use, you can access the *Frequently Asked Questions Regarding WAC 162-32-060 Gender-segregated Facilities* document [here](#).

Does the GSSSL provide a legal budget or is each club responsible for their own legal budgets and council?

Each club is responsible for their own legal budgets and council.

What is the task force doing with all of the feedback they've received after the informational session? Will there be any updates to the policy proposal?

In response to the feedback received, the task force has further edited/revised the policy proposal, [here](#). The updates are intended to further clarify the roles of the league Eligibility Committee and the Eligibility Officer at each club, as well as the appeals process.

Why wasn't there time for me to ask questions during the information session?

We apologize for any confusion regarding the FAQ process. As indicated in the information that was sent to the GSSSL contact list, a live question and answer period was not scheduled to happen during the information session. *In the registration form itself and in the calendar invitation, we stated a plan to 'collect questions and create an FAQ that will be distributed shortly thereafter.'* The hope was to provide everyone in the community an opportunity to submit questions, be respectful of people's time, and to provide the task force adequate time to collate/condense and thoroughly answer all of the questions. Indeed, we had an abundance of questions that required more time than anticipated to answer. We have summarized them within this FAQ. If you don't see your exact question on the FAQ, it was merged with similar questions from other people. We invite any additional questions or feedback to be sent to genderinclusiongsssl@gmail.com.

When will the vote on the Gender Inclusion Policy take place?

The vote on the Gender Inclusion Policy proposal will be held during the 2024 GSSSL Spring Meeting. (The date of the spring meeting is TBD.)

How does voting occur at the league-wide meeting?

Each club will receive one (1) vote. A designated representative will vote on behalf of the club. It is the responsibility of each club's board to appoint or determine a voting representative. Quorum is met when more than 50 percent of clubs (9 or more) are present, and a simple majority is required for approval.

How can I learn more about the proposed gender inclusion policy?

The proposed policy can be reviewed [here](#).

The slide show from the informational webinar can be found [here](#).

Questions about the Gender Inclusion Task Force or the proposed policy can be directed to your individual club and/or directly to genderinclusiongsssl@gmail.com.

Where do I direct questions about the proposed gender inclusion policy?

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