

GSSSL Gender Inclusion Policy

Appendix F

PREFACE - The Greater Seattle Summer Swim League (GSSSL) bylaws have defaulted to following Washington Interscholastic Activities Association (WIAA) policy since 2016. Any GSSSL swimmers who are also competing in a middle or high school setting are also likely following WIAA policy. The 2023 GSSSL Policy proposed is, in content, the WIAA policy that is already being followed with editing to fit our league setting.

PURPOSE - The purpose of this policy is to offer clarity with respect to the participation of transgender and gender-diverse athletes. This policy encourages a culture in which athletes are able to compete in a safe and supportive environment, free of discrimination.

POLICY: GENDER IDENTITY PARTICIPATION - 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. 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. 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. All discussion and documentation will be confidential, unless the athlete and/or the athlete's parent/guardian provide a written waiver of confidentiality.

*For additional information on the definition of Gender Identity, refer to WIAA Handbook 2022-2023 Appendix Gender Identity (see below for quick reference).

PROCEDURE: APPEAL AND PROTEST

1. **NOTICE OF INELIGIBILITY:** Should an Eligibility Officer determine that an athlete is not bona fide in the chosen gender category, the Eligibility Officer must provide the athlete and/or the parent/guardian with written Notice of Ineligibility and provide a copy of the same to the GSSSL Board. The Notice of Ineligibility must specify the reasons for ineligibility; advise the athlete of the opportunity to appeal the decision and request a

hearing; and state that the notice of appeal and request for a hearing must be made in writing to the GSSSL Board within two (2) days of receipt of the Notice of Ineligibility.

2. **PROTEST OF ELIGIBILITY:** Any club, which has reason to believe that an athlete's gender category eligibility is not bona fide, may protest that athlete's eligibility by providing notice in writing to the athlete's club and to the GSSSL board and must be accompanied by the protest filing fee as stated in the By-Laws of the GSSSL. If the protest is upheld, the filing fee will be refunded. If the protest is denied, the filing fee will go into the GSSSL treasury. A protest must be made within two (2) days of the dual meet involving the protesting club and the athlete, but in all cases no later than 12:00 pm on the day after the last dual meet of the season.
3. **GSSSL FACILITATOR:** Upon receiving a Notice of Ineligibility or a Protest of Eligibility, the GSSSL board will assign a facilitator who will assist the athlete and/or the athlete's parent/guardian in preparation and completion of the GSSSL eligibility appeal or protest process.
4. **APPEAL OR PROTEST:** The athlete will be scheduled for an appeal or protest hearing before an eligibility committee specifically established to hear gender identity eligibility decisions. The GSSSL Eligibility Committee shall conduct a hearing 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. The Eligibility Committee shall issue a written decision within twenty-four (24) hours of the hearing on the appeal or protest. All hearings shall be closed to the public.
5. **ELIGIBILITY COMMITTEE:** The Eligibility Committee shall be appointed by the GSSSL board and shall be authorized to hear and decide appeals and protests of gender category eligibility. No member of the Eligibility Committee shall hear or decide an appeal relating to an athlete from a club that the member is associated with through employment or membership or a protest from a club that the member is associated with through employment or membership. The Eligibility Committee 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.
6. **DOCUMENTATION:** 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); and
 - C. Any other pertinent documentation or information.
7. **APPEAL TO GSSSL BOARD:** An athlete or protesting club may appeal a decision of the Eligibility Committee to the GSSSL Board by providing notice in writing to the GSSSL Board within twenty-four (24) hours of receipt of the written decision of the Eligibility Committee. The GSSSL Board shall conduct a hearing no later than two (2) business days of receipt of the Notice of Appeal, but in all cases no later than the day before Divisions. All hearings shall be closed to the public. The GSSSL Board shall issue a written decision within twenty-four (24) hours of the hearing on the appeal, but no later than the day before Divisions.
8. **PARTICIPATION DURING APPEAL OR PROTEST:** Any athlete who has received a Notice of Ineligibility or who is the subject of a Protest of Eligibility may participate in all GSSSL activities and meets during the period of appeal or protest in the chosen gender category.

WIAA APPENDIX 6 – GENDER IDENTITY *For additional information on Gender Identity, refer to WIAA Handbook 2022-2023 Appendix 6: Gender Identity (see below).

Language and terminology are continually evolving, which means that people talk and think about gender in many different ways. However, below are a number of commonly used terms (and key aspects to each of our identities) to use as a starting point for any conversation about gender:

1. Assigned Sex describes the sex a person was given at birth based on their anatomy. Falls within two categories: female and male.
2. Gender Expression describes the external ways in which a person expresses their gender identity to the world, such as through their behavior, emotions, style of dress, hairstyle, makeup, interests, or choice of toys, colors, or activities.

3. Gender Identity refers to a person's innate sense of their own gender. This can include being female, male, both, genderfluid, or other—regardless of their assigned sex at birth. The most commonly used terms to describe gender identity include, but are not limited to, the following:

*Cisgender is an adjective that is used to describe a person whose assigned sex aligns with their gender identity, e.g., someone who was assigned female at birth and whose gender identity is female. Most people are cisgender.

*Transgender is an adjective used to describe a person whose gender identity differs from their assigned sex, e.g., someone who was assigned female at birth, but whose gender identity is male.

*Nonbinary is an adjective that can be used to describe a variety of gender identities that do not fall into one of the two traditional (binary) categories—male or female. It can indicate a person's gender identity that is something other than male or female, that is neither entirely male nor entirely female, or that blends elements of being male or female.

*An example of correct usage for these adjectives include: a cisgender person, a transgender person, a nonbinary person.

4. Sexual Orientation is a collection of terms used to describe to whom one is emotionally, physically, and/or romantically attracted. Like cisgender people, transgender and nonbinary people will also use any sexual orientation descriptor including straight, gay, lesbian, bisexual, asexual, queer, etc. *Note: Gender identity terms (e.g. cis, trans, nonbinary) are not sexual orientation labels.*

Additional Terms:*

Gender Binary. An assumption that gender is limited solely to two categories, male and female, rather than a classification of genders that exist along a spectrum.

Transitioning is a verb describing the process through which a person begins to live in congruence with their gender identity. Each person's transition is distinct, but possible steps may include any combination of legal, medical, or social changes (e.g., changing their name and pronouns, identification documents, appearance, etc.).

CORE VALUES: The WIAA Gender Identity policy has been developed based on the following core values.

- Recognizing the value of and maximizing participation in extracurricular athletics for all students
- Emphasizing that participation in extracurricular athletics is not just allowed, but encouraged for all students

- Operating from the presumption that all students will have access to programs and eligibility policies
- Reducing socio-economic barriers to participation
- Acknowledging that this WIAA policy will need to be reviewed and revised each classification cycle or outside of that time-line, when information is available that necessitates a review or in response to a request by member school(s)
- Encouraging inclusive practices amongst member schools
- Encouraging participation for all athletes in a safe and supportive environment, free from discrimination