

RIIL Rules and Regulations – Article 1, Section 22

GENDER IDENTITY

DEFINITIONS:

For the purposes of this policy, the following definitions apply:

1. Transgender Person: A person whose gender identity does not match the sex assigned to him or her at birth. This cross gender identification is often referred to as gender dysphoria. When the gender dysphoria causes clinically significant distress or impairment, it is sometimes classified as Gender Identity Disorder. A transgender person who is born female bodied but identifies as male is referred to as a transgender man or a female-to-male transsexual. A transgender person who is born male-bodied but identifies as female is referred to as a transgender woman or a male-to-female transsexual.
2. Intersex Person: "Intersex" is a general term used to indicate a person born with a reproductive or sexual anatomy and/or chromosome pattern that doesn't seem to fit the typical definitions of female or male. This may be the result of several different medical conditions involving chromosomal variations, hormonal variations, ambiguous genitalia, and/or an anatomy that includes both male and female characteristics. The medical term for this condition is a Disorder of Sexual Development of "DSD." "Intersex" is not the same as "transgender," although some people identify as both intersex and transgender. However, the two groups may face similar situations in needing to change gender designations for the purposes of participation in school activities.
3. Gender Identity: A person's deeply-felt internal sense of being male or female.
4. Gender Expression: A person's external characteristics and behaviors that are socially defined as either masculine or feminine, such as dress, mannerisms, speech patterns and social interactions.

CORE VALUES:

The RIIL Gender Identity policy has been developed based on the following core values:

- Recognizing the value of extra-curricular athletics for all students
- Emphasizing that participation in extra-curricular athletics is not just allowed, but encouraged for all students
- ~~Striving to create a Gender Identity and Expression policy that could be a model for other state associations~~
- Adhering to Rhode Island state and federal law regarding gender equity and educational opportunity
- Operating from the presumption that all students will have access to programs and eligibility policies
- Enacting a policy that will maximize flexibility and privacy with minimal restrictions
- Creating a level playing field for all students
- Reducing economic barriers, especially for minority populations
- Addressing the concerns of parents, teachers and coaches through an educational component
- Acknowledging that the RIIL policy will likely need to be reviewed and revised to reflect increased medical understanding and evolving societal norms
- Grounding a policy in sound medical practice
- Preserving existing practices regarding girls' participation on boys' teams as per current RIIL policy.
- Providing a space for intersex and transgender students to exist and thrive
- Reducing bullying and harassment of students

PHILOSOPHY OF GENDER IDENTITY PARTICIPATION: The RIIL allows participation for all students regardless of their gender identity or expression. The purpose of this policy is to designate a set of criteria in which student-athletes are able to compete on a level playing field in a safe, competitive and friendly environment, free of discrimination. Fundamental fairness, as well as most local, state and federal rules and regulations, requires schools to provide transgender student-athletes with equal opportunities to participate in athletics. This policy creates a framework in which this participation may occur in a safe and healthy manner that is fair to all competitors.

GENDER IDENTITY PARTICIPATION - All students should have the opportunity to participate in RIIL activities in a manner that is consistent with their gender identity, irrespective of the gender listed on a student's records. Once the student has been granted eligibility to participate in the sport consistent with his/her gender identity, the eligibility is granted for the duration of the student's participation and does not need to be renewed every sports season or school year. All discussion and documentation will be kept confidential, and the proceedings will be sealed unless the student and family make a specific request. ~~For Additional information on Gender Identity, refer to APPENDIX 6.~~

NOTICE TO THE SCHOOL: The student and/or parents shall contact the school administrator or athletic director indicating that the student has a consistent gender identity different than the gender listed on the student's school registration records, and that the student desires to participate in activities in a manner consistent with his/her gender identity.

NOTICE TO THE RIIL: The school administrator shall contact the RIIL office, ~~which will assign a facilitator~~ who will assist the school and student in preparation and completion of the RIIL Gender Identity eligibility appeal process.

FIRST LEVEL OF APPEAL: The student will be scheduled for an appeal hearing before an eligibility committee specifically established to hear gender identity appeals. The RIIL shall schedule a hearing as expeditiously as possible. ~~but in no case later than five (5) school business days of that member school prior to the first full interscholastic contest that is the subject of the petition, or within a reasonable time thereafter in cases of emergency, including, but not limited to, any unforeseeable late student enrollment.~~ The Gender Identity Eligibility Committee will be comprised of a minimum of three of the following persons one of whom must be from the physician or mental health profession category:

- 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. School administrator from a non-appealing school
- D. RIIL staff member
- E. Advocate familiar with Gender Identity and Expression issues

DOCUMENTATION: The appealing student should provide the Eligibility Committee with the following documentation and information:

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

SECOND LEVEL OF APPEAL: An aggrieved student wishing to appeal the Gender Identity Eligibility Committee decision shall file notice of appeal with the Executive Director of the RIIL on or before the tenth (10th) school business day following the date of receipt of the written decision of the Gender Identity Eligibility Committee denying the petition. An appeal to the RIIL Executive Director shall require the Executive Director to schedule a hearing ~~to commence on or before the tenth (10th) school business day following the date of receipt of the written notice of appeal. Written notice of the time and place of the hearing shall be delivered to the petitioned appellant in person or by certified mail, with return receipt requested, no later than five (5) school business days of that member school prior to the date of the hearing,~~ before the Principals Committee on Athletics.

When there is confirmation of a student's consistent gender identity, the eligibility committee/WIAA Executive Director will affirm the student's eligibility to participate in RIIL athletics consistent with the student's gender identification. The RIIL will facilitate the provision of resources and training for a member school seeking assistance regarding gender identity.