

NIAA Gender Identity Participation Position Statement

One of the purposes of the Nevada Interscholastic Activities Association (“NIAA”) is to assure that every pupil has a fair opportunity to compete in interscholastic athletics. This purpose can only be achieved when there is true equality of opportunity to participate in interscholastic activities. Activity participation in an NIAA member school is an extension of an integral part of the educational experience for those young people who become participants. These educational experiences should not be reduced in scope and significance by disparities, which limit the participation of any student athlete.

The NIAA believes gender equity means creating an atmosphere and environment where opportunities and resources are distributed fairly to boys and girls.

The NIAA encourages its member schools to monitor their athletic programs to ensure athletic offerings are equitable and meet the interests and abilities of all student-athletes.

The NIAA does not have the authority to provide specific interpretations or to rule on compliance issues regarding Title IX; however, it does believe that all concerned should take steps to ensure the spirit and intent of gender identity participation is met.

The NIAA hereby adopts its position on Gender Identity Participation. While this adopted position of Gender Identity is not an NIAA regulation, it is intended to serve as a guideline to help direct the member and affiliate schools of the NIAA, and the NIAA administrative staff, regarding student participation with regard to gender identity.

A transgender student athlete at the high school level shall be allowed to participate in a NIAA sanctioned sports in accordance with his or her gender identity irrespective of the gender listed on the student’s birth certificate or other student records, and regardless of whether the student has undergone any medical treatment. This policy shall not prevent a transgender student athlete from electing to participate in a sanctioned sport according to his or her assigned birth gender.

Prior to participation, a student may seek review of his or her eligibility through the procedure set forth below:

1. Notice to the School:

- The student and/or parents shall contact the school athletic 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 or state birth record, and that the student desires to participate in NIAA athletics in a manner consistent with his/her gender identity.

2. Notice to the (NIAA):

- The athletic administrator or athletic director shall notify the NIAA of the student’s interest in participation.

- All communications, discussions and documentation among involved parties shall be kept confidential, and the proceedings will be sealed with NIAA records unless the student and family elect to make these records open and available.
 - All medical information provided pursuant to this policy shall be kept strictly confidential, consistent with medical privacy law (HIPAA).
3. **First Level of Review:** The student will be scheduled for a review hearing before a NIAA eligibility committee ("Gender Identity Eligibility Committee"), specifically established to hear gender identity reviews. The NIAA shall schedule a hearing as expeditiously as possible, but in no case later than five (5) school days prior to commencement of participation in the sanctioned sport the student has chosen to participate in, or within a reasonable time thereafter in cases of emergency, including, but not limited to, any unforeseeable late student enrollment.
- a. The Gender Identity Eligibility Committee will be comprised of a minimum of three of the following persons, at least one of whom must be from the physician or mental health professional categories:
 - i. Physician with experience in transgender health care and the World Professional Association for Transgender Health (WPATH) Standards of Care
 - ii. Psychiatrist, psychologist, or licensed mental health professional familiar with the WPATH Standards of Care
 - iii. School administrator from a different school
 - iv. The NIAA Executive Director or an Assistant Director
 - b. Advocate familiar with issues of gender identity and expression.
 - c. Documentation: The student should provide the Gender Identity Eligibility Committee with the following documentation:
 - i. Current transcript and school registration information.
 - ii. Documentation of the student's consistent gender identification (e.g., written statements from the student and/or parent/guardian and/or health care provider).
 - iii. Any other pertinent documentation or information.
 - iv. *Any policies that may affect the student's ability to compete at the collegiate level so the Committee is informed about how medical transition, or any other procedure, may affect the student's ability to participate in collegiate activities.*
 - d. Committee Decision Process: The student's request shall be reviewed by the Gender Identity Eligibility Committee upon receipt of the documentation noted above.

Definitions

For the purposes of this Petition Statement, the following definitions apply:

1. **Transgender person:** Sometimes used as an 'umbrella term' to describe anyone whose identity or behavior falls outside of stereotypical gender norms. More narrowly defined, it refers to an individual whose gender identity does not match their assigned birth gender. Being transgender does not imply any specific sexual orientation (attraction to people of a specific gender.) Therefore, transgender people may additionally identify as straight, gay, lesbian, or bisexual.
2. **Gender identity:** One's inner concept of self as male or female or both or neither. One's gender identity can be the same or different than the gender assigned at birth. Most people become conscious of their gender identity between the ages 18 months and 3 years. Most people have a gender identity that matches their assigned gender at birth. For some, however, their gender identity is different from their assigned gender. Some of these individuals choose to live socially as the other gender and may also hormonally and/or surgically change their bodies to more fully express their gender identity. All people have gender identity, not just transgender people.
3. **Gender expression:** Refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, haircut, voice, and other forms of presentation. Gender expression also works the other way as people assign gender to others based on their appearance, mannerisms, and other gendered characteristics. Many transgender people seek to make their external appearance—their gender expression—congruent with their internal gender identity through clothing, pronouns, names, and, in some cases, hormones and surgical procedures. All people have gender expression, not just transgender people.

References:

1. Washington Interscholastic Activities Association Philosophy of Gender Identity Participation <http://www.wiaa.com/subcontent.aspx?SecID=350>
2. Equal Opportunity for Transgender Student Athletes, Dr. Pat Griffin Former Director It Takes A Team! Education Campaign for Lesbian, Gay, Bisexual and Transgender Issues in Sport, Women's Sports Foundation Helen J. Carroll Sports Project Director National Center for Lesbian Rights, October 2010
<http://www.nclrights.org/site/DocServer/TransgenderStudentAthleteReport.pdf?docID=7901>
3. NCAA Inclusion of Transgender Student Athletes, NCAA Office of Inclusion, August 2011
http://www.class.uh.edu/lgbt/docs/Transgender_Handbook_2011_Final.pdf