



# TRANS INCLUSION POLICY

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## **RUGBY CANADA - TRANS INCLUSION POLICY**

### **Guiding Principles**

1. Rugby Canada supports the recommendations outlined in *Creating Inclusive Environments for Trans Participants in Canadian Sport*, the guidance document developed by the Trans Inclusion in Sport Expert Working Group and published by the Canadian Centre for Ethics in Sport (CCES). Rugby Canada adopts the best practices outlined in the document and has used the four Policy Guidance statements in the development of this *Trans Inclusion Policy*. The Policy Guidance statements are:
  - a) Individuals participating in development and recreational sport (LTAD stages Active Start, FUNdamental, Learn to Train, Train to Train, Train to Compete (until international federation rules apply) and Active for Life) should be able to participate as the gender with which they identify and not be subject to requirements for disclosure of personal information beyond those required of cisgender athletes. Nor should there be any requirement for hormonal therapy or surgery.
  - b) Hormone therapy should not be required for an individual to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) in the gender category that is consistent with their gender identity, unless the sport organization can prove that hormone therapy is a reasonable and bona fide requirement.
  - c) Individuals should not be required to disclose their trans identity or history to the sport organization in order to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) unless there is a justified reason requiring them to do so.
  - d) Surgical intervention should not be required for an individual to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) in the gender category that is consistent with their gender identity.

### **Definitions**

2. The following terms have these meanings in this document:
  - a) *"Bona fide"* – Acting in good faith, without deception or fraud.
  - b) *"Cisgender"* – A term to describe a person whose gender identity corresponds with their birth-assigned sex (e.g., someone whose gender identity is male and was assigned male at birth).
  - c) *"Gender"* – The socially constructed roles, behaviours, activities and attributes that a society assigns to masculinity or femininity.
  - d) *"Gender Expression"* – The way an individual communicates their gender identity to others. This is done through behaviour, body language, voice, emphasis or de-emphasis of bodily characteristics, choice of clothing, hairstyle, and wearing cosmetics and/or accessories. The traits and behaviours associated with masculinity and femininity are culturally specific and change over time.
  - e) *"Gender Identity"* – A person's innermost sense of their own gender. This can include man, woman, both, neither or something else entirely. Gender also refers to a variety of social and behavioural characteristics (e.g., appearance, mannerisms). There are lots of words people may use to talk about their gender identity and expression.
  - f) *"Gender reassignment"* – Medically-supervised program of treatment to transition a person's body to align with their gender identity through hormone therapy and/or surgery.
  - g) *"Intersex"* – Refers to a combination of features that distinguish male and female anatomy



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- h) “Sex” – The classification of people as male, female or intersex. Sex is usually assigned at birth and is based on an assessment of a person’s reproductive system, hormones, chromosomes and other physical characteristics, most notably by external genitalia.
- i) “Trans” – An umbrella term that describes people with diverse gender identities and gender expressions that do not conform to stereotypical ideas about what it means to be a girl/woman or boy/man in society. It includes but is not limited to people who identify as transgender, transsexual, or gender non-conforming (gender diverse or genderqueer) as well as those who dress as the opposite gender (e.g. cross-dressing).
- j) “Transgender Female” – Someone who was assigned the male sex at birth, but whose gender identity is female.
- k) “Transgender Male” – Someone who was assigned female sex at birth, but whose gender identity is male.
- l) “Two-Spirited” – Someone who identifies as having both a masculine and feminine spirit and is used to describe their sexual, gender and/or spiritual identity.

#### **Purpose**

- 3. Rugby Canada believes that all individuals deserve respectful and inclusive environments for participation that value the individual’s gender identity and gender expression. Rugby Canada wants to ensure that all participants have access to programming and facilities in which they feel comfortable and safe. Rugby Canada is committed to implementing this policy in a fair and equitable manner.

#### **Actions for Inclusion**

- 4. Rugby Canada pledges to:
  - a) Provide this *Policy* to Rugby Canada staff, Directors and Provincial/Territorial members and provide education on the importance of trans inclusion and what this entails in terms of practices, policies, procedures and norms of behaviour.
  - b) Provide registration forms and other documents that allow:
    - i. the individual to indicate their gender identity and expression, rather than their sex or gender; and
    - ii. the individual to abstain from indicating a gender identity with no consequence to the individual.
  - c) Maintain organizational documents and Rugby Canada website in a manner that promotes inclusive language and images.
  - d) Refer to individuals by their preferred name and pronoun.
  - e) Work with trans athletes on the implementation, monitoring and/or modification of this Policy.
  - f) When Rugby Canada has the authority to determine participants’ use of washrooms, change rooms, and other facilities, Rugby Canada will permit individuals to use the facilities of their gender identity.
  - g) Ensure uniforms and dress codes that respect an individual’s gender identity and gender expression.
  - h) Determine Eligibility Guidelines for transgender participants (as described in this Policy).

#### **Eligibility Guidelines - Exceptions**

- 5. When applicable, the eligibility guidelines of the international federation, and/or any major Games regarding trans athlete participation will supersede the eligibility guidelines as outlined in this Policy. Further information can be found within the World Rugby Transgender Policy.



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### **Eligibility Guidelines**

6. As a general guiding principle for Rugby Canada's eligibility guidelines, Rugby Canada supports the following statement from *Creating Inclusive Environments for Trans Participants in Canadian Sport*:

*Based on this background and available evidence, the Expert Working Group felt that trans athletes should be able to participate in the gender with which they identify, regardless of whether or not they have undergone hormone therapy. Exceptions could be made if a sport organization is able to provide evidence that demonstrates hormone therapy is a reasonable and bona fide requirement (i.e., a necessary response to a legitimate need) to create a fair playing field at the high-performance level (p. 19)*

7. At both recreational and competitive levels, an individual may participate in their expressed and identified gender category. An individual will, at the time of registration, identify their gender category for the playing season and may request a change in gender category at anytime during a playing season and such request will be considered by Rugby Canada.
8. Individuals are not required to disclose their trans identity or history to Rugby Canada or any of Rugby Canada's representatives (e.g., coaches, staff, Directors, officials, etc.).
9. All athletes must be aware that they may be subject to doping control testing pursuant to the Canadian Anti-Doping Program. Trans athletes undergoing gender reassignment are encouraged to contact the Canadian Centre for Ethics in Sport (CCES) to determine what procedures, if any, are required to obtain a Therapeutic Use Exemption (TUE).

### **Confidentiality**

10. Rugby Canada will not disclose to outside parties any documentation or information about an individual's gender identity and expression. A trans individual's privacy and confidentiality will be respected.

### **Ongoing Monitoring**

11. Rugby Canada commits to monitoring ongoing developments regarding national and international participation guidelines for trans athletes and pledges to monitor the implementation, review and/or revise this Policy whenever new information becomes available.

### **Resolving Gender Identity and Expression Issues**

12. Should an individual feel they have been subject to, or a witness of, discrimination, bullying, harassment, sexual harassment, vilification or victimization based on gender identity or expression, they should take appropriate action through Rugby Canada's *Discipline and Complaints Policy*. Should the individual not feel safe in doing so, they should seek assistance from Rugby Canada's Chief Executive Officer for advice and support or action on their behalf.

### **Appeal**

13. Any decision rendered by Rugby Canada in accordance with this Policy may be appealed in accordance with Rugby Canada's *Appeal Policy*.