

MPSSAA Transgender Person Guidance for Participation in Interscholastic Athletics

The purpose of this guideline 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. At the center of educational programming is the value placed in providing equal opportunity for all students.

Each school system should develop and apply criteria for students to participate on interscholastic athletic teams consistent with their bona fide gender identity. All students who participate in interscholastic athletics must meet eligibility standards in COMAR 13A.06.03.

Definitions:

For purposes of this guidance, 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. A transgender person who is born female bodied but identifies as male is referred to as a transgender boy or 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 girl or woman or a male-to-female transsexual.
2. **Gender Identity:** A person's deeply-felt internal sense of being male or female.
3. **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.

Guiding Principles:

Local school system's criteria for inclusion of students whose gender identity and expression does not match their gender assigned at birth should be consistent with the following guiding principles:

1. Participation in interscholastic athletics is a valuable part of the education experience for all students.
2. All student athletes should have equal opportunity to participate in sports.
3. The integrity of women's sports should be preserved.
4. Policies governing sports should be based on sound medical knowledge and scientific validity.

5. Policies governing the participation in sports should be fair in light of the tremendous variation among individuals in strength, size, musculature, and ability.
6. The legitimate privacy interests of all student athletes should be protected at all times.
7. Policies governing the participation of students in athletics should comply with Maryland and federal laws protecting students from discrimination based on sex, disability, sexual orientation, and gender identity and expression.
8. 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.

Participation Determination:

To ensure competitive fairness and equal opportunities to participate without discrimination, local criteria for transgender persons should reflect the following:

- A. Transgender students can participate on the interscholastic athletics team of the student's birth gender.
- B. Transgender students can participate on interscholastic athletics teams of the gender that the student has transitioned to. This may be supported by medical documentation (hormonal therapy, sexual re-assignment surgery, counseling, etc.) confirming transition of gender.
- C. Transgender students may compete on the interscholastic team of the gender the student identifies with, as recognized by the local school system and established in official school system records. (This may differ from the student's gender listed in school system records).

Appeal Review Committee:

The local school system should establish an Appeal Review Committee should questions arise about whether a student's request to participate in a sports activity consistent with his/her gender identity is bona fide. Students may seek review of their eligibility through an appeal procedure.

An appeal review committee should minimally consist of:

- Physician, psychologist or licensed mental health professional familiar with gender disorders and standard of care
- Title IX Coordinator of the local school system
- School administrator

- School coach
- School athletic director

An appeal review committee should minimally review:

- Current school registration information
- Documentation of the student's gender identity (e.g. written/oral statements from the student, and/or parent/guardian, and/or health care provider)

A local school system appeal review committee decision is final. The MPSSAA will not accept any appeals as a result of a local school system appeal review committee determination.