



## NWSL Policy on Transgender Athletes

**Guiding Principles:** The NWSL is committed to creating a safe, non-discriminatory, and inclusive environment for all of its athletes while maintaining competitive equity throughout the league.

The following guidelines set out the NWSL's eligibility policy.

### Definitions:

**“Gender identity”** A core, hard-wired component of a person's identity as male, female, or anywhere else on the gender spectrum. This identity may or may not match the gender that the person was assigned at birth. *Everyone has a gender identity.*

**“Gender expression”** How a person expresses their gender through outward presentation and behavior, including a person's name, clothing, hair style, and mannerisms. Gender expression is not necessarily an indication of gender identity, assigned gender, or sexual orientation.

**“Transgender”** A person whose sex at birth is different from who they know they are on the inside. It is used as an adjective to describe someone, as in “a transgender person” or “a person who is transgender.” It is offensive to use this word as a noun (i.e., transgenders) or a verb (i.e., transgendered).

**“Transition”** The process by which a person brings their body and gender expression into alignment with their gender identity. That process does not make a transgender person more of a man or more of a woman than they were before. Rather, a person's gender identity is innate and already exists, just as it does for nontransgender people. The only purpose of a transition is to help a transgender person express their innate identity and help others recognize that identity; it does not change that person's identity.

### Eligibility Guidelines:

- 1) People designated female at birth, regardless of their gender identity or gender expression, are eligible to compete in the NWSL, subject to the guidelines herein and other eligibility criteria of the NWSL.
- 2) Athletes designated female at birth who are transitioning to male who undergo testosterone hormone therapy will be ineligible to compete in the NWSL.
  - a. Notwithstanding the foregoing, athletes designated female at birth who identify as male (transgender men) who are not undergoing testosterone hormone therapy may be allowed to take low doses of testosterone while competing in the NWSL if: (i) the athlete's total testosterone level in serum is within typical limits of women athletes (as set forth in Section 3.b. below), and (ii) such use is pursuant to a therapeutic use exception as determined by the NWSL in its sole discretion, in consultation with the athlete's physicians and applicable medical experts.



- 3) Athletes who transition from male to female are eligible to compete under the following conditions:
  - a. The athlete has declared that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years from the declaration.
  - b. The athlete must demonstrate that her total testosterone level in serum is within typical limits of women athletes (the current standard is below 10 nmol/L; subject to change based on the most up-to-date medical and expert information available at the time of implementation) for no less than twelve (12) months prior to competition so as to minimize any potential competitive advantage. This may be accomplished through androgen-suppressing treatments or a gonadectomy.
  - c. The athlete's total testosterone level in serum must remain in the typical range of women athletes throughout the period of desired eligibility to compete in the NWSL.
  - d. Compliance with these conditions may be monitored by testing, which testing shall be administered in the NWSL's sole discretion based on standards of reasonableness and fairness and in consultation with physicians and medical experts as selected by the NWSL. In the event of non-compliance, the athlete's eligibility in the NWSL will be suspended for 12 months.

#### Process:

Athletes currently participating or seeking to participate in the NWSL who wish to make changes to their current gender identity, name, pronoun, or other markers should contact: Aries Pickett, NWSL's Senior Manager, Talent & Administration at [apickett@nwslsoccer.com](mailto:apickett@nwslsoccer.com), to begin the process and to assist in making these changes on official publications and listings.

Any athlete applying to participate under the NWSL Policy on Transgender Athletes will be required to permit their treating medical doctor to disclose relevant medical information to the NWSL (including such information, records or other material as the NWSL may reasonably require from time to time) and to permit the NWSL to discuss medical information with the treating medical doctor as necessary.

The NWSL understands that the situation of each athlete may vary and that subject matters addressed herein are highly sensitive in nature. Therefore, in order to make a determination regarding participation in the NWSL under this policy, each player evaluation conducted pursuant to this policy will be addressed on a case-by-case basis. The legitimate privacy interests and legal rights of all athletes will be respected at all times. Ultimately, the NWSL has sole and absolute discretion with respect to all decisions and/or determinations made herein.

#### If an Athlete's Gender Is Challenged:

For the avoidance of doubt, eligibility determinations for transgender athletes will be made prior to each NWSL season in a similar manner as eligibility determinations made for all other athletes in the NWSL, and incorporating the same presumption of eligibility. If an NWSL team or athlete believe that an athlete was improperly deemed eligible under this policy, they may request a review of that athlete's eligibility. That request must be made formally and in writing, setting out clearly the grounds on which the request is based.



Any such requests filed during the NWSL's regular or post-season will be reviewed prior to the start of the following season in conjunction with the NWSL's annual eligibility determination for all other athletes.

The NWSL will only consider requests that are reasonable and made in good faith. In the event that a request to review a transgender athlete's eligibility provides a credible basis for doing so, the NWSL will work with the transgender athlete to undertake a sensitive review of their circumstances and shall have the authority to take all appropriate measures for the determination of the gender of the athlete under this policy.

Confidentiality:

All of the information and documents related to the eligibility of a transgender athlete will be treated as highly confidential. The parties agree that they will not at any time disclose such information or documents (other than in the ordinary and usual course of implementing this policy) without the prior written consent of the disclosing party, unless required by law.