



## PROVINCIAL WOMEN'S SOFTBALL ASSOCIATION TRANSGENDER AND NON-BINARY INCLUSION POLICY

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### **Purpose**

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

### **Scope**

2. This Policy applies to all programs, events and activities directly organized by P.W.S.A, including, but not limited to, training camps, tournaments and Provincial qualifiers and Championships. Outside the scope of this Policy is any team selection, activity, event or program that falls within the scope of any other federations rules and regulations.

### **Guiding Principles**

3. The Association 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). The Association adopts the best practices outlined in the document and has used the four Policy Guidance statements in the development of this *Transgender and Non-Binary 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.
  - b. Hormone therapy should not be required for an individual to participate in high-performance sport (LTAD stages Train to Compete 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 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.

*In addition, we recognize that Gender identity is not fixed in time and may shift. A Participant should not be required to identify within a fixed gender identity across an indeterminate amount of time.*

## **Definitions**

4. The following terms have these meanings in this document:
  - a. “*Association*” – Provincial Women’s Softball Association (P.W.S.A.)
  - b. “*Bona fide*” – Acting in good faith without deception or fraud
  - c. “*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).
  - d. “*Gender*” – The socially constructed roles, behaviours, activities and attributes that a society assigns to masculinity or femininity.
  - e. “*Gender Binary*” - A social system whereby people are thought to have either one of two genders: man or woman. These genders are expected to correspond to sex assigned at birth: male or female. In the gender binary system, there is no room for diversity outside of man or woman, for living between or outside of these genders.
  - f. “*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 make-up and/or accessories. The traits and behaviours are labeled as masculine, androgynous, feminine are culturally- and geographically- specific and change over time;
  - g. “*Gender Identity*” – Is each person’s internal or individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person’s gender identity may be the same as or different from their birth-assigned sex. Gender identity is fundamentally different from person’s sexual orientation.
  - h. “*Gender Affirming procedures*” – medically-supervised program of treatment to transition a person’s body to align with their gender identity through hormone therapy, surgery, and/or other procedures.
  - i. “*Intersex*” – Refers to a combination of features that distinguish male and female anatomy.
  - j. “*Non-binary*” - People whose gender identity is neither exclusively female nor male. Some individuals self-identify as non-binary, whereas others may use terms such as genderqueer, bi- or polygender, genderfluid, gender non-conforming, or agender. Non-binary people may or may not conform to societal expectations for their gender expression and gender role, and they may or may not seek gender affirming medical or surgical care.
  - k. “*participant*” – includes individuals engages in softball activities and programs
  - l. “*Sex*” – The classification of people as male, female or intersex. Sex is usually assigned at birth (with the exception of intersex) and is based on an assessment of a person’s reproductive system, hormones, chromosomes and other physical characteristics, most notably by external genitalia.
  - m. “*Transgender*” – 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, cross dressers (adjective) or gender non-conforming (gender diverse or genderqueer).
  - n. “*Transgender Girl/Woman*” – Someone who was assigned the male sex at birth, but whose gender identity is female.

- o. “*Transgender Boy/Man*” – Someone who was assigned female sex at birth, but whose gender identity is male.

### **Actions for Inclusion**

5. The Association strives to welcome all participants, non-binary, cisgender and transgender, to participate in our programs and to experience softball.
6. The Association pledges to:
  - a. Provide this *Policy* to Association staff, Directors and Provincial Team Coaches and Association Members and provide education on the importance of transgender and non-binary inclusion and what this entails in terms of practices, policies, procedures and norms of behavior.
  - 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;
    - ii. the individual to abstain from indicating a gender identity with no consequence to the individual;
    - iii. the Participant the opportunity to indicate the pronoun(s) they use; and
    - iv. the Participant to indicate the name they go by on a daily basis (called a Lived Name), if different from their legal name.
  - c. Maintain organizational documents and the Association website in a manner that promotes inclusive language and images.
  - d. Refer to individuals by their lived name and pronoun.
  - e. Work with transgender and non-binary athletes on the implementation, monitoring and/or modification of this *Policy*.
  - f. When the Association has the authority to determine participants’ use of washrooms, change rooms, and other facilities, the Association 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 and non-binary participants (as described in this *Policy*).

### **Eligibility Guidelines - Exceptions**

7. When applicable, the eligibility guidelines of the World Baseball Softball Confederation, and/or any major Games regarding transgender and non-binary athlete participation will supersede the eligibility guidelines as outlined in this Policy.

### **Eligibility Guidelines**

8. As a general guiding principle for the Association’s eligibility guidelines, the Association 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[gendered]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)*

9. At both recreational and competitive levels, an individual may participate in their expressed and identified gender category in which they identify or choose in the case of a non-binary Participant.

10. Participants are not required to disclose their non-binary identity or history to the Association or any of the Association's representatives (e.g., Coaches, Staff, Directors, Officials, etc.).
11. 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**

12. The Association will not disclose to outside parties any documentation or information about an individual's gender identity and expression. A transgender or non-binary individual's privacy and confidentiality will be respected.

### **Ongoing Monitoring**

13. The Association commits to monitoring ongoing developments regarding national and international participation guidelines for transgender and non-binary athletes and pledges to monitor the implementation, review and/or revise this *Policy* whenever new information becomes available.

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

14. P.W.S.A. has a zero tolerance for bullying and abuse. Should an individual feel they have been subject to, or witness, discrimination, bullying, harassment, sexual harassment, vilification or victimization based on gender identity or expression, they should take appropriate action through the Organization's *Discipline and Harassment Policy*. Should the individual not feel safe in doing so, they should seek assistance from the Association President for advice and support, or action on their behalf.

### **Appeal**

15. Any decision rendered by the Association in accordance with this *Policy* may be appealed in accordance with the Association's *Appeal Policy*.

### **Review**

14. P.W.S.A. will conduct a review of this policy annually.

**Policy Name:** Transgender and Non-Binary Inclusion Policy

**Ratification Date:** September 9, 2024

**Review Date:** June 2026