



Gender Diversity

Gender Diverse Youth Sport Inclusivity Toolkit

A resource guide for inclusive transgender and nonbinary youth sport best practices



CREATING INCLUSIVITY

This Toolkit Will:

- Help administrators, coaches and parents understand California’s history of inclusive sport practices and current national dialogue around transgender youth and athletics
- Provide up-to-date terminology and definitions
- Explain and provide access to local policies and federal law
- Give communication tips and strategies to optimize gender inclusion
- Answer frequently asked questions
- Connect to other resources and helpful contacts

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INTRODUCTION

As the presence of gender diverse students on gender segregated athletic teams, PE classes and other activities increase nationwide, continued efforts to better understand and implement inclusive practices are vital in creating an equitable playing field. This toolkit seeks to further these efforts toward the inclusion of transgender and nonbinary students in K-12 schools, by providing guidance and resources to assist administrators, educators and coaches in providing an inclusive environment where all students are equitably welcomed. Included in this toolkit you will find: up-to-date language, definitions, policy, FAQ, current 'best practices', guidance in nuanced scenarios and more.

AUTHORS AND BACKGROUND

In partnership with Aidan Key, Director of Gender Diversity, the Washington Interscholastic Activities Association (WIAA) was the first state activities association to enact successful policy and practices regarding the equitable inclusion of K-12 transgender students in sports and other activities. WIAA's groundbreaking policy and its subsequent inclusion in the official WIAA handbook in 2007, has served as a successful model for the rest of the nation.



The CIF added its Gender Identity Participation philosophy and eligibility rules in February 2013.

The refinement of policy, with the acknowledgment of the needed ongoing learning, is a process to which Gender Diversity and CIF are strongly committed in order to meet the needs of all student-athletes. CIF continues to stand as one of 16 state activities associations with gender-inclusive policies that facilitate the full participation of trans, nonbinary and other gender diverse students in school athletics and activities.

This document contains information only and is not legal advice. We recommend that you consult with legal counsel to determine how any particular statute or regulation provided herein may apply to your specific facts and circumstances.

FEDERAL & STATE LAW

Does sex discrimination under Title IX apply to gender identity?

Yes.

The U.S Department of Justice: Civil Rights Division issued a clarifying memorandum in March of 2021 regarding the application of Supreme Court Ruling case *Bostock v. Clayton County* to Title IX of the Education Amendments of 1972.

In part, it says, "...the Administration's policy [is] that "[a]ll persons should receive equal treatment under the law, no matter their gender identity or sexual orientation." Citing the Supreme Court's holding in *Bostock* that the prohibition on discrimination "because of . . . sex" under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq. (Title VII), covers discrimination on the basis of gender identity and sexual orientation, the Executive Order explains that *Bostock's* reasoning applies with equal force to other laws that prohibit sex discrimination "so long as the laws do not contain sufficient indications to the contrary."

The Executive Order directs agencies to review other laws that prohibit sex discrimination, including Title IX, to determine whether they prohibit discrimination on the basis of gender identity and sexual orientation. We conclude that Title IX does....After considering the text of Title IX, Supreme Court case law, and developing jurisprudence in this area, the Division has determined that the best reading of Title IX's prohibition on discrimination "on the basis of sex" is that it includes discrimination on the basis of gender identity and sexual orientation."

[Read: Application of *Bostock v. Clayton County* to Title IX of the Education Amendments of 1972](#)

Do California state laws protect transgender student-athletes from discrimination?

Yes.

TERMINOLOGY

Language and terminology are continually evolving, which means that people talk and think about gender in many different ways. However, below are a number of commonly used terms (and key aspects to each of our identities) to use as a starting point for any conversation about gender:

Assigned Sex

Describes the sex a person was given at birth based on their anatomy. Falls within two categories: female and male.

Gender Expression

Describes the external ways in which a person expresses their gender identity to the world, such as through their behavior, emotions, style of dress, hairstyle, makeup, interests, or choice of toys, colors, or activities.

Gender Identity

Refers to a person's innate sense of their own gender. This can include being female, male, both, gender fluid, or other—regardless of their assigned sex at birth. The most commonly used terms to describe gender identity include, but are not limited to, the following:

***Cisgender** is an adjective that is used to describe a person whose assigned sex aligns with their gender identity, e.g., someone who was assigned female at birth and whose gender identity is female. Most people are cisgender.

***Transgender** is an adjective used to describe a person whose gender identity differs from their assigned sex, e.g., someone who was assigned female at birth, but whose gender identity is male.

***Nonbinary** is an adjective that can be used to describe a variety of gender identities that do not fall into one of the two traditional (binary) categories—male or female. It can indicate a person's gender identity that is something other than male or female, that is neither entirely male nor entirely female, or that blends elements of being male or female.

*An example of correct usage for these adjectives include: a cisgender person, a transgender person, a nonbinary person.

TERMINOLOGY

Sexual Orientation

Is a collection of terms used to describe to whom one is emotionally, physically, and/or romantically attracted. Like cisgender people, transgender and nonbinary people will also use any sexual orientation descriptor including straight, gay, lesbian, bisexual, asexual, queer, etc.

Note: Gender identity terms (e.g. cis, trans, nonbinary) are not sexual orientation labels.

Gender Binary

An assumption that gender is limited solely to two categories, male and female, rather than a classification of genders that exist along a spectrum.

Transitioning

Is a verb describing the process through which a person begins to live in congruence with their gender identity. Each person's transition is distinct, but possible steps may include any combination of legal, medical, or social changes (e.g., changing their name and pronouns, identification documents, appearance, etc.).



Aidan Key

Director, Gender Diversity

“While the inclusion of gender diverse K-12 student athletes on sports teams may initially feel unfamiliar – even a bit intimidating – for coaches and P.E. teachers, the practical steps to do so prove to be something quite different. Hesitancy turns into confidence, apprehension turns into excitement, and the positive outcomes that come about provide all with a strong sense of accomplishment. It’s a win-win situation for everyone.”

CIF PARTICIPATION

CIF: PHILOSOPHY OF GENDER IDENTITY PARTICIPATION

The CIF encourages participation for all students regardless of their gender identity or expression. Further, most local, state and federal rules and regulations require schools to provide transgender and other gender-diverse student-athletes with equal opportunities to participate in athletics. The purpose of this policy is to offer clarity with respect to the participation of trans and gender-diverse student-athletes. Additionally, this policy encourages a culture in which student-athletes can compete in a safe and supportive environment, free of discrimination.

GENDER IDENTITY PARTICIPATION

All students should have the opportunity to participate in CIF athletics and/or activities in a manner that is consistent with their gender identity. Currently, most athletic programs are offered separately for boys and girls as outlined in [CIF Bylaws 300.B. and C.](#) Athletes will participate in programs consistent with their gender identity or the gender most consistently expressed. School personnel responsible for student eligibility will work collaboratively with the student-athlete to determine eligibility. Once the student has been granted eligibility to participate in the sport consistent with their 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.

Read more about Gender Identity Participation in the [CIF Constitution and Bylaws - Bylaw 300.D.](#)

CIF GENDER DIVERSITY CORE VALUES

The CIF Gender Identity policy has been developed based on the following core values:

- Acknowledging that the CIF policy will likely need to be reviewed and revised to reflect increased medical understanding and evolving societal norms
- Grounding a policy in sound medical practice
- Enacting a policy that will maximize flexibility and privacy with minimal restrictions
- Providing a space for intersex and transgender students to exist and thrive
- Reducing bullying and harassment of students
- Preserving existing practices regarding girls' participation on boys' teams as per current CIF policy.
- Recognizing the value of education-based athletics for all students
- Emphasizing that participation in education-based athletics is not just allowed, but encouraged for all students
- Adhering to California state and federal law regarding gender equity and educational opportunity
- Operating from the presumption that all students will have access to programs and eligibility policies
- Creating a level playing field for all students
- Reducing economic barriers, especially for minority populations
- Addressing the concerns of parents, teachers and coaches through an educational component

BEST PRACTICES

There are many questions that arise when considering the inclusion of gender diverse students in schools, athletics, and other gender separated spaces. The answers have felt elusive because we are only now seeing a visible representation of these youth across the nation. One purpose of this toolkit is to address those questions and share our successful track record with the implementation of these practices. It's no longer a hypothetical approach but current practice from which we hope others may benefit.

Which Restroom and Locker Room should a trans or other gender student use?

The Short Answer

A student uses the facility that most closely aligns with their gender identity.

A Little More Explanation

Transgender athletes, as a general rule, will opt for either the boys' room (for trans boys) or the girls' room (for trans girls). Nonbinary-identified and other gender diverse youth are also in the position of selecting the specific gender-separated facility that works best for them. There are different considerations that may be present that will influence any student's choice. Safety and privacy needs top the list. Some athletes may request an all-gender facility, some may use a particular gender-separated room but request a slightly different changing schedule to accommodate their desire for greater privacy. Some may seek a private changing area within a particular locker room. These requests can easily be accommodated.

Bonus

Any student, regardless of their gender identity, may request similar accommodations in order to gain a greater degree of privacy and/or sense of safety. Schools and districts across the nation have seen the positive effect of a gender-inclusive approach for the entire student body.

Caveat

No student should be forced to use an all gender facility such as a staff bathroom simply because they are trans or gender diverse. Federal court rulings have determined this to be a discriminatory practice.

BEST PRACTICES

How do we address pronoun change requests?

The Short Answer

Everyone should use the pronoun a student requests.

A Little More Explanation

It used to be very rare for someone to request a different pronoun. Today it is more and more commonplace. Conceptually, it is a very easy switch to make. The most common pronouns in usage are she/her, he/him, and they/them. In practice, it can be challenging and awkward to change a pronoun for someone we've known or for whom we make an automatic pronoun assumption. Recognize that this awkwardness is temporary and that practice makes perfect. It is a respectful act and crucial affirmation of an individual's gender identity. Using the correct pronoun is a necessary and non-discriminatory practice.

Bonus

Pronoun change requests are more and more commonplace. Younger generations especially are embracing gender-expansive language and even people who are not transgender are adopting pronouns like they/them. We once may have questioned the grammatical correctness of this but, Merriam Webster and other dictionaries say otherwise. Practice, practice, practice.

Caveat

It is easy to make mistakes but recognize the importance of being consistent with the requested pronoun. If you make a mistake, quickly apologize and correct the pronoun so everyone can get back to the conversation at hand. Expect that of everyone else as well.

BEST PRACTICES

Should we be asking for proof of gender, like a birth certificate or doctor's statement?

The Short Answer

No.

A Little More Explanation

Enrollment in public school, sports, or other activities should use the student's requested name, pronoun, and gender designation. The gender identity and/or gender history of some students will be common knowledge while other students will want privacy.

Bonus

This approach eliminates the arbitrary and discriminatory practice of imposing certain requirements on some students while not having the same requirements of others.

Caveat

A student has the right to disclose their gender identity if they wish. They also have a protected right to privacy. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Unless required by law (or with appropriate permissions granted), a student's gender status, legal name, or other private information should not be shared.

BEST PRACTICES

How do we successfully onboard trans/nonbinary athletes?

The Short Answer

A little preparation goes a long way to ensuring optimal outcomes for the athlete, their coach and teammates, their fan base and competitors.

A Little More Explanation

The visible presence and inclusion of gender diverse athletes within our schools and on our sports teams is a newer endeavor and is worthy of our full attention. With any new situation, being attentive to communications, learning processes, and outlining expectations will pay off for the entire team. The following are some steps that a coach might take when a trans/nonbinary athlete joins a team:

1. Work with the student-athlete to gain their input as to what steps might be of most benefit to them. For example, one gender diverse athlete may want to share their story with their teammates while another may wish to have their privacy respected by not doing so.
2. Enlist the assistance of your team captain or other student leaders to welcome the new teammate and to help them acclimate. There is more to sports than just playing the game – the sense of belonging and camaraderie is high on the list for any student.
3. With any new situation, there may be questions. Make space for those questions and make yourself available if any student has questions they wish to discuss in private. Acknowledge that new situations may have a period of adjustment and that is to be expected.

With the launch of any sports season, a coach or PE teacher will often use this time to articulate the values embraced by, and the expectations of all teammates. Welcoming any new student-athlete – including the gender diverse athlete – provides another opportunity to review team values, goals, and expectations including some of those listed here:

Values	Goals	Expectations
Humility in Winning	Resilience	Teamwork
Grace in Defeat	Self-Confidence	Celebrating Accomplishments
Discipline	Collaborative Relationships	Setting Goals
Courage	Sense of Belonging	Accomplishing Goals
Empowerment	Self-Growth	Sportsmanship

BEST PRACTICES

Bonus

There is no need to wait for the arrival of a trans athlete to begin conversations with team members about the value of inclusion. Any team would benefit from the articulation of, and expectations surrounding good sportsmanship values.

Caveat

Locker room privacy questions occasionally do come up. Let all students know that their need and/or request for privacy is important. Any student who desires a greater degree of privacy for changing in and out of uniform should be provided with options to do so. Additionally, do not put the trans/nonbinary athlete in the position of educating everyone. Just as we would not task a student of color to educate their teammates about racial equity, nor should we expect a trans athlete to educate others on gender equity.

WAYS TO OPTIMIZE INCLUSION

Successful, comprehensive communication amongst school community stakeholders is the key to optimizing gender inclusion for all K-12 athletes. Who are these stakeholders?

- The Gender Diverse Student Athlete
- Coaches, Athletic Directors, and PE Teachers
- School and District Leadership
- The Parent Base and Other Community Supporters
- Students
- Website and School Handbook

Why are all of these people viewed as stakeholders when considering the participation of trans or nonbinary athletes? Because, while trans youth have always existed, the acknowledgment of their identities and efforts to create environments in which they might more fully participate and thrive is a newer endeavor. The gender identity of trans athletes was previously not taken into consideration. As a trans athlete moves towards their authentic self, they do so within what are often gender-divided activities. This requires a reexamination of gender-divided practices as a result.

Gender Diverse Student-Athlete

Supporting and including any individual trans or nonbinary student includes the consideration of variables that are part of their day-to-day lives. Schools can support any individual by working with that student to develop a support plan that addresses factors including sports participation, bathroom/locker room usage, names, pronouns, privacy considerations, and others. A support plan has two primary purposes: to optimize the experience for the student themselves and, secondly, to provide clarity for everyone else. You can read more about this process in the CSBA Policy Brief - [Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students](#). A student often works in tandem with a school counselor, principal, or other designated support people to best determine any steps and time considerations to optimize the transition pathway for that student.

Coaches, Athletic Directors, and P.E. Teachers

Often a coach or athletic director is sought out to provide clarity regarding the participation of gender diverse athletes, especially on gender-divided teams. If that coach or athletic director does not have the language and/or understanding themselves, there is potential for frustration for all. The successful implementation of inclusionary practices for trans athletes occurs when these athletic leaders are able to clearly and confidently communicate the ways in which these practices work to the benefit of all student athletes, including the trans athlete. If we are able to understand the inclusionary principles and their day-to-day applicability in real life situations, we are well on our way to optimizing equitable student participation.

WAYS TO OPTIMIZE INCLUSION

School and District Leadership

Like those individuals who are in direct engagement with student athletes, any principal, superintendent, or other person with a leadership role will benefit from having clarity on participation policy, practices, and obligations. If there are questions or concerns raised regarding student eligibility, all will benefit from clarity provided. This is of particular importance when inclusionary practices are first implemented. Confident leadership serves to strengthen the confidence amongst coaches, teachers, parents and students.

The Parent Base and Other School Community Supporters

While the educators, staff and administrators are considering the needs of the student body as a whole, it is often a different story with any individual parent or caregiver. Understandably, that person will be focused on the needs of their student in particular. Educators and parents have a strong, collaborative role in ensuring the optimal experiences for these students even as their perspectives may vary. While coaches, teachers, staff and principals will benefit from learning opportunities, so too should the parent/caregiver community be considered. Whether that is engaging in direct communication with a single parent or offering educational sessions for the parent body as a whole, they too deserve to better understand and to have any concerns allayed.

Students

After more than a decade of gender inclusionary practices in athletics, we've found that the peers of trans and nonbinary students are often the ones most knowledgeable about gender diversity and adaptable to the inclusion of their trans and nonbinary peers. The acceptance and embracing of their trans teammates are what typically provides the forward movement for their adult counterparts. That said, direct communication is what facilitates any adjustments with ease. Good sportsmanship practices – not just skill-building – is an integral part of why we provide athletic opportunities for youth. Cultivation of gracious winners and losers, being a team player, having a supportive and encouraging attitude towards yourself and others are all attributes that we'd like to see amongst student athletes. Communication of these expected practices are what builds the foundation for any unexpected situation, including the welcoming of a new trans team mate.

Website and School Handbook

Gender inclusive policy and implementation practices aren't very helpful if you can't find them! Consider where the information might be most visible to all – students, staff and parents. School and district websites are logical sources to display information as is any student handbook or other resource that addresses eligibility and access to participation. It is important to address gender diversity – including the terms gender identity and gender expression – where statements regarding inclusion, equity and diversity exist. Students and their families will appreciate and expect to see this commitment articulated and visible.

Q&A FOR PARTICIPATION

Most K-12 team athletics are offered separately for boys and girls. The inclusion of transgender and other gender diverse student athletes have inspired many questions regarding the participation of these athletes within this gendered context. As previously stated, a student-athlete participates on the team that most closely aligns with their gender identity. The below examples, while not comprehensive in scope, are offered as a way to better understand the applicability and effectiveness of this approach.

Q - A student is currently expressing themselves as nonbinary and would like to participate in athletics. How do we determine on which sports team they might participate?

A – Because of the existence of male/female gender divisions on most teams, this creates a need for a nonbinary student to determine which gendered team they feel more closely aligns with their gender identity. Alternatively, they may select the gendered team on which they feel most comfortable participating. Factors that the nonbinary athlete may take into consideration include established camaraderie with fellow athletes, personal safety, and/or privacy concerns.

Once this determination is made, the student will be eligible to participate in sports offered for the selected gender. If a student wishes to change the selected gender during any remaining years of athletic eligibility, they will be allowed to do so if this change is a result of a deeper understanding of their gender identity (ex. a nonbinary student wrestler may determine, after time, that their identity more closely aligns with male and are then ready to participate on the boys team) and may need to attend an eligibility hearing to gain varsity eligibility. A student may have other reasons for changing their gender identification and those can be considered with an emphasis on optimizing the athlete's confidence, safety, and privacy.

Q - A nonbinary student would like to participate in girls' volleyball in fall and then boys' tennis in the spring. Because they are nonbinary, is this allowed?

A – Situations such as these may be reviewed on a case-by-case basis. The previous example could be one such case. If, over time, a student who has gained a deeper understanding of their gender as male could then move forward to participate on the boys teams. What is important to recognize is that a student's understanding of their gender identity may take some time to fully discern. They may understand the gender that they are not, but still need to discover the gender that they are. It is both an internal journey and an external experience.

Q - A transgender boy is participating in high school swimming and would like to have a waiver of the uniform requirement to wear a swimsuit that is more appropriate for his body.

A - Uniform waivers are allowed and must be attained via the CIF State Office.

Q&A FOR PARTICIPATION

Q – What if a boy decides to falsely identify as a girl in order to participate on girls’ teams or gain access to the girls’ locker room?

A – This question is often raised as one of the primary reasons why trans and nonbinary athletes should not be allowed to participate on teams that are in congruence with their gender identity. The deceptive behavior of one student should never be identified as a reason to discriminate against gender diverse students. Gender diverse students are not typically offered immediate access to a locker room or team based on a single statement because optimizing the experience for that student often requires some level of preparation. The creation of a support plan/process is recommended for any student – this could include the involvement of a parent, principal, counselor, fellow students, and so on. Some schools pursue additional training to deepen their own understanding for what may be a first-time experience. Proactive measures to optimize any student’s experience are often welcomed by the gender diverse student while these measures simultaneously provide a vehicle for addressing the possibility of deception, pulling a prank, or any other unacceptable motives.

Q – Don’t transgender girls have an unfair physical advantage over their teammates?

A – The presence of trans female athletes on teams throughout the nation has not been shown to diminish opportunities for others. The athleticism of any female athlete, as we know, can vary widely from that of other peers. Height, musculature, build, and weight are a few variables that impact performance. Additional factors that contribute to a potential advantage include access to skills-building opportunities at earlier ages, access to facilities and coaching, greater funding for programs and teams in certain privileged communities, [chronological age, birth order, and more](#). For these, and other reasons, some athletes have advantages and opportunities over others. Many of these known variables are ones we strive to remedy. Others are variables we work to counter in different ways – team defense strategies, weight class divisions for certain sports, addressing Title IX violations, and so on. The belief that trans female athletes will dominate any team on which they participate is not a given, as some fear it will be. One high-profile example is as follows:

Several Connecticut high school cisgender female track athletes took [legal action in federal court against the Connecticut Association of Schools](#) stating that there was no way they could compete against any transgender female competitors and hope to prevail, potentially denying them championships, athletic scholarships, and other opportunities. Just days after filing suit, one of the plaintiffs in the lawsuit upped her game to beat her trans competitor and win the state championship.

Athletes and coaches all recognize the value of competition and the subsequent positive impact on the individual performances of any single athlete. Many of the top professional female athletes across the nation, rather than fearing an unfair advantage, [have stated their support](#) of trans athlete participation. As we celebrate the exceptional athleticism of any female athlete as they [dominate and add to their sport](#), so too can we embrace the talents that any trans female athlete might bring. The cultivation and celebration of the athleticism of all athletes, including trans athletes, is a valuable part of any team’s culture.

Teams who have welcomed the inclusion of their trans and nonbinary teammates see their presence as a crucial element in strengthening the entire team – ultimately serving to optimize participation for all students as they engage in excellent, fair, safe, and accessible activities.

ADDITIONAL RESOURCES



CIF Contact:

Brian Seymour, Associate Executive Director | bseymour@cifstate.org | (916) 239-4477

[CIF Guidelines for Gender Identity Participation](#)



Gender Diversity:

Gender Diversity is an organization that helps to guide schools, agencies and organizations in expanding their knowledge of gender diverse children and teens; offers best practices related to trans youth; emphasizes the inclusion of gender identity and gender expression in existing diversity policies, and helps to identify the practical, everyday ways in which to implement this inclusion.

[Gender Diversity - Education and Support Services](#) | info@genderdiversity.org
|1-855-4GENDER



Trans Families:

Trans Families is a nonprofit organization that supports transgender people through parent support groups (including a group for Spanish-speaking families), a trans youth leadership program, special topics groups, and youth support groups, with more programs in development.

[Trans Families](#) 855-443-6337 (Parent Programs - Ext. 5, Youth Programs - Ext. 8)



National Transgender Lifeline Crisis Line (staffed by transgender individuals)

[Trans Lifeline: Home](#) | 1-877-565-8860



Crisis Help: The Trevor Project

[The Trevor Project — Saving Young LGBTQ Lives](#) | 24 Hour Telephone: 866-488-7386