



CANADA BASKETBALL TRANS INCLUSION POLICY

Guiding Principles

1. Canada Basketball 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). Association adopts the best practices outlined in the document and has used the four Policy Guidance statements in the development of this *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 in 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) *“Cisgender”* – A term to describe a person whose gender identity corresponds with their birth-assigned sex (e.g. someone whose gender identity is man and was assigned male at birth).
 - b) *“Gender”* – The socially constructed roles, behaviours, activities and attributes that a society assigns to masculinity or femininity.
 - c) *“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 associated with masculinity and femininity are culturally specific and change over time.
 - d) *“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 behavioral characteristics (e.g. appearance, mannerisms). There are lots of words people may use to talk about their gender identity and expression
 - e) *“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.
 - f) *“Intersex”* – Refers to a combination of features that distinguish male and female anatomy.

- g) “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
- h) “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 culture and society. It includes but is not limited to people who identify as transgender, transsexual, cross dressers (adjective) or gender non-conforming (gender diverse, agender or genderqueer).
- i) “Transgender Female” (including trans female or trans feminine) – Someone who was assigned the male sex at birth, but whose gender identity is female
- j) “Transgender Male” (including trans male or trans masculine) – Someone who was assigned female sex at birth, but whose gender identity is male
- k) “Non-binary” – a spectrum of gender identities that are not exclusively masculine or feminine – identities that are outside the gender binary

Purpose

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

Actions for Inclusion

4. Canada Basketball pledges to:
 - a) Provide this Policy to Association staff, Directors and Provincial/Territorial members and provide education on gender identity and gender diversity and the importance of trans 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; and
 - ii. the individual to abstain from indicating a gender identity with no consequence to the individual
 - c) Maintain organizational documents and Canada Basketball website in a manner that promotes inclusive language and images
 - d) Refer to individuals by their chosen name and pronoun that aligns with their gender identity
 - e) Work with trans athletes on the implementation, monitoring and/or modification of this *Policy*
 - f) When Canada Basketball has the authority to determine participants’ use of washrooms, change rooms, and other facilities, Canada Basketball will permit individuals to use the facilities of their gender identity and non-binary people will be supported by being able to use the facility that they believe they will be safest in
 - g) Ensure uniforms and dress codes that respect an individual’s gender identity and gender expression
 - h) Determine Eligibility Guidelines for trans participants (as described in this Policy)

Eligibility Guidelines - Exceptions

5. When applicable, the eligibility guidelines of FIBA and/or any major Games regarding trans athlete participation will supersede the eligibility guidelines as outlined in this Policy

Eligibility Guidelines

6. As a general guiding principle for Canada Basketball’s eligibility guidelines, Canada Basketball 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 and non-binary athletes can choose which team they participate in
8. Individuals are not required to disclose their trans identity or history to Canada Basketball or any of Canada Basketball'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 affirming surgery, medical transition by way of hormone replacement or suppressing therapy 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. Canada Basketball will not disclose to outside parties any documentation or information about an individual's gender identity and expression

Ongoing Monitoring

11. Canada Basketball 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

Process for Resolving Conflicts and Issues

12. 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 Canada Basketball's policies. Should the person not feel safe in doing so, they should seek assistance from the CEO of Canada Basketball for advice and support, or action on their behalf

Appeal

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

Review

14. This Policy was last reviewed and approved by the Board of Directors on the 11th day of December 2019