

UC Irvine Intercollegiate Athletics Policy on Transgender and Nonbinary Student-Athlete Participation

Introduction

UC Irvine Intercollegiate Athletics (ICA) is committed to diversity, equity, and inclusion in consideration of all individuals and groups it serves. ICA strives to provide safety, privacy, and dignity of transgender and nonbinary student-athletes, as well as their teammates, while preserving the integrity of ICA competition.

The purpose of this policy is to ensure transgender and nonbinary gender student-athletes' fair, respectful, and legal access to participation on intercollegiate athletics teams at UCI. This policy was created based on the University's [nondiscrimination policy](#), as well as state and federal laws regarding the protection of students from discrimination based on sex, gender identity and gender expression; and the [NCAA Inclusion of Transgender Student-Athletes Resource Guide](#), including guiding principles as well as the NCAA Policy on Transgender Student-Athlete Participation. The NCAA continues to regularly review and update the guidance and policy.¹ Up to date information and resources may be found on the [NCAA website](#).

Process for Participation of Student-Athletes Undergoing Gender Affirmation Hormone Therapy in ICA Sports

Request for Participation

1. In order to ensure meaningful participation in a sport season, a student-athlete who has completed, plans to initiate, or is in the process of taking hormones as part of a gender transition must submit a request to participate on their intended sports team in writing to the director of athletics upon matriculation or when the decision to undergo hormonal treatment is made.
2. The request must include a letter from the student's physician documenting the student-athlete's intention to take hormones for gender affirmation or the student's status on hormonal therapy if the medication(s) have already been initiated. This letter must identify the prescribed hormonal treatment for the student's gender affirmation and documentation of the student's testosterone levels, if relevant. The requirements for student-athletes undergoing gender affirmation hormone therapy, as established by the NCAA, are outlined below.

Approval Process

1. The director of athletics (or designee) will review the student's submitted request and physician's letter.
2. If needed, the director of athletics (or designee) will meet with the student to review eligibility requirements and the procedure for approval of participation pursuant to this policy.
3. If hormone treatment is involved in the student-athlete's transition, the director of athletics (or designee) will notify the NCAA of the student's request to participate with a medical exception request. Upon receiving a medical exception request and consistent with the policy section outlined below, the ICA may prohibit the student-athlete from competing until NCAA approval is received. The NCAA has approval authority over all medical exemption requests.
4. When necessary, a representative from UCI Student Health or Counseling Services will provide medical related consultation to the director of athletics (or designee).
5. All discussions among involved students and athletics and required written supporting documentation will be kept confidential, unless the student-athlete makes a specific request otherwise or disclosure is permitted or required by law. All information about an individual student's transgender identity and medical information, including physician's information provided pursuant to this policy, shall be maintained confidentially unless disclosure of such information is permitted or required by law.
6. The director of athletics will make a decision regarding the student-athlete's participation based on the participation policies regarding student-athletes undergoing hormone therapy (see next section), and other

¹ Implementation phases two and three of the NCAA Transgender Student-Athlete Participation Policy go into effect on August 1, 2022, and August 1, 2023, respectively. The two phases describe changes to transgender and nonbinary student-athlete participation requirements, particularly regarding additional documentation required prior to competition season and NCAA championships. Refer to the NCAA Policy for requirements of each phase.

applicable NCAA or medical information, and any applicable federal, state, local, UC or NCAA laws/rules/regulations.

- a. If the student-athlete's request to participate in intercollegiate athletics is approved, the director of athletics will notify the NCAA of the outcome, and the NCAA will confirm that the treatment requirement has been met if the student is undergoing hormone therapy treatment.
- b. The director of athletics will then inform the student in writing of outcome of the NCAA's decision.
- c. If the student athlete is subject to a one-year waiting period, the director of athletics (or designee) will provide guidance and support to the student if they submit a request to the NCAA for an extension of eligibility at the end of the transition period.
- d. In the event that an opposing team or school challenges the student athlete's eligibility, the director of athletics will direct the challenge to the NCAA for resolution.

Procedures Regarding Denial or Further Consultation

1. If the request to participate in intercollegiate athletics is denied and a student wishes to appeal the decision, or if the director of athletics requests further review, the decision will be reviewed by the Title IX Athletics Advisory Committee. The Title IX Athletics Advisory Committee will review the student's request and related materials and forward a recommendation to the director of athletics based on the equity, legal, and participation issues applicable to the request
2. If the Title IX Athletics Advisory Committee recommends that the request to participate in intercollegiate athletics be approved, the director of athletics will notify the NCAA of the outcome, and the NCAA will confirm that its treatment requirement has been met.
3. If the Title IX Athletics Advisory Committee recommends denying the request to participate in intercollegiate athletics, the student-athlete may appeal the decision to the Appeal Officer, the Associate Chancellor and Chief of Staff to the Chancellor, who will exercise final decision making authority, within the framework of any federal, state, local, UC and/or NCAA laws/rules/regulations related to discrimination or other applicable standards. Without final NCAA approval, a student-athlete will not be permitted to participate on an ICA varsity team.²

Policy for Student-Athletes Undergoing Gender Affirmation Hormone Therapy

1. A student-athlete engaging in medically prescribed hormone treatment (taking testosterone) related to gender affirmation (e.g. FTM or transmasculine athlete) may participate, but not compete, on a men's team at any time. A medical exception from the NCAA must be granted before competing on a men's team because testosterone is an NCAA-banned substance.
2. A student-athlete engaging in medically prescribed hormone treatment (taking testosterone) related to gender affirmation (e.g. FTM or transmasculine athlete) may not compete on a women's team.
3. A student-athlete engaging in medically prescribed hormone treatment (testosterone suppression) related to gender affirmation (e.g. MTF or transfeminine athlete) may participate and compete on a men's team at any time.
4. A student-athlete engaging in medically prescribed hormone treatment (testosterone suppression) related to gender affirmation (e.g. MTF or transfeminine athlete) must complete one year of said medically prescribed hormone treatment before competing on a women's team.
5. A student-athlete engaging in medically prescribed hormone treatment related to gender affirmation must be monitored by a physician. Additionally, the NCAA must receive regular reports from the student-athlete's institution about the student-athlete's eligibility according to these guidelines.

Policy for Student-Athlete Not Undergoing Gender Affirmation Hormone Therapy

1. Any student-athlete who is not engaging in hormone treatment related to gender affirmation may participate in sex-separated sports activities in accordance with their assigned sex at birth.
2. A student-athlete with assigned female sex at birth who is not taking testosterone related to gender affirmation may participate on a men's or women's team.³
3. A student-athlete with assigned male sex at birth who has not completed the hormone treatments related to gender transition in accordance with this policy may not compete on a women's team.

² Except by participating in sex-separated ICA sports activities in accordance with their assigned sex at birth.

³ As a reminder, testosterone is a banned substance unless by approved medical exception pursuant to relevant policies.