



Maryland State Department of Education
200 West Baltimore Street
Baltimore, MD 21201

MPSSAA Guidance for Participation of Transgender Youth in Interscholastic Athletics

The purpose of this guidance is to designate a set of criteria in which student-athletes are able to compete on a level playing field in a safe, competitive and friendly environment, free of discrimination. At the center of educational programming is the value placed in providing equal opportunity for all students.

Each school system should develop and apply criteria for students to participate on interscholastic athletic teams consistent with their gender identity. All students who participate in interscholastic athletics must meet eligibility standards in COMAR 13A.06.03.

Definitions:

For purposes of this guidance, the following definitions apply:

1. **Transgender Person:** A person whose gender identity does not match the sex assigned to him or her at birth. A transgender male is someone who identifies as male but was assigned the sex of female at birth; a transgender female is someone who identifies as female but was assigned the sex of male at birth.
2. **Gender Identity:** A person's deeply-felt internal sense of gender. A person's gender identity may be different from or the same as the person's sex assigned at birth.
3. **Sex Assigned at Birth:** Refers to the sex designation recorded on an infant's birth certificate should such a record be provided at birth.
4. **Gender Expression:** A person's external characteristics and behaviors that are socially defined as either masculine or feminine, such as dress, mannerisms, speech patterns and social interactions.

Guiding Principles:

Local school systems' criteria for inclusion of students whose gender identity and expression do not match their gender assigned at birth should be consistent with the following guiding principles:

1. Participation in interscholastic athletics is a valuable part of the education experience for all students.
2. All student-athletes should have equal opportunity to participate in sports.

3. The integrity of women's sports should be preserved.
4. Policies governing sports should be based on sound medical knowledge and scientific validity.
5. Policies governing the participation in sports should be fair in light of the tremendous variation among individuals in strength, size, musculature, and ability.
6. The legitimate privacy interests of all student athletes should be protected at all times.
7. Policies governing the participation of students in athletics should comply with Maryland and federal laws protecting students from discrimination based on sex, disability, sexual orientation, and gender identity and expression.
8. Once the student has been granted eligibility to participate in the sport consistent with his/her 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.

Participation Determination:

To ensure competitive fairness and equal opportunities to participate without discrimination, local criteria for transgender persons should reflect the following:

1. Participation should provide for the opportunity for all students to participate in interscholastic athletics in a manner that is consistent with their gender identity, irrespective of the gender listed on a student's records.
2. A student and/or parent/guardian shall contact the school administrator indicating the student has a consistent gender identity different than the gender listed on the student's school registration records, and that the student desires to participate in activities in a manner consistent with his/her gender identity.
3. On a case-by-case basis, the local school system should establish an Appeal Review Committee should questions arise about whether a student's request to participate in a sports activity consistent with his/her gender identity is bona fide.
4. Students and/or parents/guardians may request review of the student's eligibility through the appeal's procedure.
5. An Appeal Review Committee should minimally consist of:
 - Physician, psychologist or licensed mental health professional familiar with gender disorders and standard of care
 - Title IX Coordinator of the local school system

- School administrator
 - School coach
 - School athletic director
6. An Appeal Review Committee should minimally review:
- Current school registration information
 - Documentation of the student's gender identity (e.g. written/oral statements from the student, and/or parent/guardian, and/or health care provider)
 - Any other pertinent information.
7. Any appeals of the Appeal Review Committee's decision should be handled through local school system procedures.

Revised - August, 2016