

# Tennis New Brunswick

## TRANSGENDER ATHLETE PARTICIPATION POLICY

Effective Date: November 27, 2023

Approved By: Board and Membership at AGM

### PURPOSE

Tennis New Brunswick (Tennis NB) welcomes and encourages the participation of all individuals into its programs, activities and into the sport of tennis.

In furtherance of Tennis NB's mission, tradition and values, Tennis NB commits to fostering an inclusive, equitable, safe and accessible environment where every participant feels valued, respected, and supported. Specifically, Tennis NB seeks to ensure and provide an environment where all participants will have access to programming and facilities which value their gender identity.

The purpose of this Policy is to address and clarify the eligibility of entry into and participation in tournaments and events based upon a player's gender identification. The guidelines designated in this Policy are intended to ensure, insofar as possible, that Transgender athletes are not excluded from any opportunity to participate in sporting competitions and are provided a sporting environment free of discrimination.

### A. SCOPE

This Policy applies to all Tennis NB sanctioned events.

### B. DEFINITIONS

- (a) **Individual(s) or Athlete(s)** – A person participating in sporting programs and activities directly or indirectly under the auspices of Tennis NB, and/or representing Tennis NB at other events not under the jurisdiction of Tennis NB..
- (b) **Provincial Competitive Structure** – Tennis play designed for athletes who are on track to meet [PTA]'s performance and podium objectives; consists of athletes who may be selected for national sanctioned competition.
- (c) **League and Recreational Levels** – Non-professional tennis play which allows athletes to partake in tennis in a minimally competitive environment.
- (d) **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).
- (e) **Gender identity** – A person's innermost sense of their own gender. Gender also refers to a variety of social and behavioural characteristics (e.g. appearance, mannerisms). There are lots of words people may use to talk about their gender identity and expression.
- (f) **Gender category registration** – Refers to the gender identity which an athlete selects on their registration form for participation in a Tennis NB sanctioned event.

## **C. ELIGIBILITY GUIDELINES**

### **1. Exceptions**

When applicable, the eligibility guidelines of Tennis Canada, the International Tennis Federation (ITF), the Women's Tennis Association (WTA), the Association of Tennis Professionals (ATP) and/or any major games, will supersede the eligibility guidelines outlined in this Policy.

### **2. League and Recreational Levels**

- (a) At both league and recreational levels of competition, an individual may participate in the gender category in which they self-identify, without restriction.
- (b) Gender reassignment (such as hormone therapy) is not required for an individual to participate in the gender category consistent with their gender identity.
- (c) Athletes are not required to disclose their Transgender identity or history to Tennis NB or to any of Tennis NB representatives (e.g., coaches, staff, officials, etc.).

### **3. Provincial Competitive Structure**

- (a) Within Tennis NB's Provincial tournament structure, an individual may participate in the gender category in which they self-identify, without restriction.
- (b) Gender reassignment (such as hormone therapy) is not required for an individual to participate in the gender category consistent with their gender identity.
- (c) Athletes are not required to disclose their Transgender identity or history to Tennis NB or to any of Tennis NB's representatives (e.g., coaches, staff, officials, etc.).
- (d) Winning a Provincial tournament may feed into Tennis NB's selection process for National competition. In accordance with C1, should an athlete win a Provincial tournament but fails to meet National eligibility guidelines, the athlete will not be eligible to compete in the National tournament.

## **D. REGISTRATION AND TIMING**

### **1. Submitting Registration Forms**

- (a) Should an athlete choose to participate in a Tennis NB sanctioned event, participation will require submitting a registration form which includes choosing a gender category for participation.
- (b) In accordance with C2 and C3, an athlete may register according to their own gender self-identification.
- (c) An individual can only register to participate in one gender category at a time. For absolute clarity, only one registration will be active at a time.
- (d) Should an individual seek to change their gender category registration, the individual is required to cancel their old registration form (which can be found in their player profile) and then subsequently submit a new registration form indicating their gender category.
- (e) An individual who has changed their gender category registration in accordance with D, above, shall not be eligible to change their gender category again with respect to participating in a Tennis NB sanctioned event for the remainder of that calendar year.

## **2. National Ranking System**

- (a) When an athlete participates in a Tennis NB sanctioned event (which requires registration into a gender category), the athlete will accumulate points and rankings which are calculated in accordance with that athlete's results against others registered in that same gender category.
- (b) Tennis NB recognizes that an athlete's registration may change in subsequent seasons.
- (c) Should an athlete change their gender category registration, the athlete's accumulated points and rankings will be forfeited in the former gender category. For clarity, after an athlete registers into a new gender participation category, that athlete will subsequently commence participation at a rank of 0 and with an accumulated total of 0 points.

## **E. OTHER**

### **1. Doping Controls / Exemptions**

Nothing in this Policy alters or exempts individuals from doping controls or exemptions. All athletes must be aware that they may be subject to doping control testing pursuant to the Canadian Anti-Doping Program. Tennis NB encourages Transgender athletes undergoing hormonal treatment related to their transition to contact the Canadian Centre for Ethics in Sport (CCES) to determine what procedures, if any, are required to obtain a Therapeutic Use Exemption.

### **2. Tennis New Brunswick Discretion**

Tennis NB understands that the situation of each athlete may vary and that subject matters addressed herein are highly sensitive in nature. In exceptional circumstances, Tennis NB may utilize its discretion to request information from any athlete governed by this Policy.

As Tennis NB reviews the information requested and received, the athlete will be registered in the gender category consistent with their gender identity and will continue to be able to participate in such category until and if Tennis NB determines otherwise.

### **3. Confidentiality**

If made known for any reason, Tennis NB will not disclose to outside parties any documentation or information about an individual's gender identity, except as required by law.

### **4. Appeals**

Any decision rendered by Tennis NB in accordance with this Policy may be appealed based on the merits outlined below

- (a) To submit an appeal, the athlete or parent/legal guardian, if applicable, must provide a written statement setting out their grounds of appeal to the President of Tennis NB within seven (7) days of the date of receiving the decision. Grounds for appeal may include:
  - (i) failing to follow procedures as set out in this Policy
  - (ii) making a decision which was influenced by bias
  - (iii) exercising discretion for an improper purpose

- (iv) making a decision which was grossly unreasonable
- (b) Within thirty (30) days of receiving the written appeal, the President of Tennis NB will refer the appeal to a hearing panel composed of one (1) to three (3) individuals from outside of Tennis NB. The hearing panel may dismiss the appeal, or allow the appeal and, inter alia, revoke the decision, or impose a different decision. In each case, the hearing panel must give reasons in writing for its final decision.
- (c) An athlete may appeal the final decision of the hearing panel, as set out above, by submitting a written appeal to the Sport Dispute Resolution Centre of Canada.

## **5. Review**

Tennis NB commits to monitoring ongoing developments regarding national and international participation guidelines for Transgender athletes.

## **6. Amendments**

Tennis NB may revise, rescind or add to this Policy from time to time in its sole and absolute discretion, with or without prior notice.