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Policy Title **Trans Inclusion Policy**

Policy Owner(s) Division / Department	Enterprise Risk Management / Operations
Effective Date:	July 01, 2019
Last Review Date:	July 01, 2019
Applicable Laws, Regulations, or Other Identified Risks	Canadian Human Rights Act Ontario Human Rights Code <i>Personal Information Protection and Electronic Documents Act</i>

Policy Statement

This Trans Inclusion Policy (“Policy”) is to ensure that Skate Canada has a diverse and inclusive, barrier-free environment where every employee, Board member, skater, official, coach, volunteer, and affiliate organizations of Skate Canada feels valued, respected and supported.

Background / Rationale

Our inclusion and diversity initiatives are only successful when they touch every area of our business. They focus on our employees, Board members, skaters, officials, coaches, and volunteers and affiliate organizations of Skate Canada.

Inclusion in sport is a fundamental value for Skate Canada. As an organization, we recognize that having more diverse participants will only strengthen our sport. As a result, our organization is fully committed to providing a safe, welcoming, and respectful environment for all, regardless of any actual or perceived differences based on race, national or ethnic origin, colour, religion, age, language, gender, sex, sexual orientation, gender identity and expression, or disability.

Skate Canada recognizes that discrimination, prejudice, or harassment based on personal attributes, including gender identity and expression, is a violation of human rights and will not be tolerated. Our organization is fully committed to implementing inclusive policies and practices that ensure trans identified people are able to participate in a safe, open, and welcoming environment in our sport.

This Policy is one part of Skate Canada’s LGBTQI2S (lesbian, gay, bisexual, trans, queer, intersex, two-spirit) inclusion strategy.



This Policy should assist in:

- offering a work environment that is supportive of all people – where every employee has the opportunity to realize their full potential
- ensuring our skaters, officials, and coaches are supported through the delivery of Skate Canada programs that embrace the fundamental value of inclusiveness and diversity
- ensuring that we serve as an example to the skating community, investing in programs that seek to promote, celebrate, and recognize diversity in society overall
- ensuring that we create a level playing field for diverse volunteers and suppliers of Skate Canada

Skate Canada must comply with relevant legislation and regulations as applicable, including the Canadian Human Rights Act (“Act”), the Ontario Human Rights Code (“Code”) and the *Personal Information Protection and Electronics Document Act* (“PIPEDA”).

Definitions

Certain terms used herein may not be capitalized; however, the following terms herein have the ascribed meanings as set forth below. For the purposes of this Policy, all references to the singular include the plural and vice versa.

affiliate(s) means a section, a club or skating school who has an affiliation with Skate Canada

ally: A term used to describe someone who is supportive of LGBT people. It encompasses non-LGBT allies as well as those within the LGBT community who support each other, e.g. a lesbian who is an ally to the bisexual community

Board means the board of Directors of Skate Canada

Bylaws means the bylaws of Skate Canada as amended and which are, from time to time, in force and effect

CCES means the Canadian Centre for Ethics in Sports, which is an independent, national, not-for-profit organization. CCES is responsible for the implementation and management of the CADP



CEO means Chief Executive Officer of Skate Canada, a Board appointed position

cisgender (adjective): means an individual whose gender identity is in line with or matches the sex they were assigned at birth

club means a not-for-profit organization that is operating for the general purpose of providing Skate Canada programs and is managed by a volunteer board of directors

director means an individual elected or appointed to serve on the Board pursuant to the Bylaw

employee means a person who is hired by Skate Canada on a permanent full-time or short-term on-going basis, or on a temporary / contract basis for a defined period of time. Employees may also include certain independent contractors who, while not technically employees within the meaning of applicable labour or tax laws, have been identified as being applicable in this Policy

gender is the complex relationship between physical traits and one's internal sense of self as male, female, both or neither as well as one's outward presentations and behaviours related to that perception. Biological sex and gender are different; gender is not inherently connected to one's physical anatomy

gender binary is a social system whereby people are thought to have either one of two genders: man or woman. These genders are expected to correspond to birth sex: male or female. In the gender binary system, there is no room for interpretation, for living between genders or for crossing the binary. The gender binary system is rigid and restrictive for many people who feel that their sex they were assigned/ labelled at birth does not match up with their gender or that their gender is fluid and not fixed

gender expression is how a person publicly presents or expresses their gender. This can include behaviour and outward appearance such as dress, hair, makeup, body language and voice. A person's chosen name and pronoun are also common ways people express their gender. Others perceive a person's gender through these attributes

gender identity is each person's internal and individual experience of gender. It is a person's sense of being a woman, a man, both, neither or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex



ISU means the International Skating Union, which is the exclusive international sport federation recognized by the International Olympic Committee (IOC) administering sports in the branches of figure skating and speed skating throughout the world. The ISU is composed of a number of national associations called ISU Members, who administer ISU sports at the national level and recognize that all international matters are under the sole jurisdiction and control of the ISU. ISU is responsible for the ISU Anti-Doping Rules and ISU Anti-Doping Procedures, as compiled in accordance with the WADA Code, which apply to all skating activities over which the ISU has jurisdiction.

intersex (adjective) is a general term used to describe a person whose genitals, chromosomes, and/or hormone levels do not seem to fit the typical definitions of male or female. Intersex is a socially constructed category that reflects real biological variation (Intersex Society of North America). Intersex is an assigned sex label, not a gender identity, and intersex people have a range of gender identities and sexual orientations

LGBTQI2S (Lesbian, gay, bisexual, transgender, queer, intersex, two-spirit) is an acronym that is often used as an umbrella term to encompass a broad spectrum of identities related to gender and attraction. There are different acronyms that people use (e.g., LGBT+, LGBTQ, LGBTQ+); this particular acronym includes intersex and two-spirit, specifically

management means a group of persons that are senior level employees of Skate Canada and who may have day-to-day responsibility for managing other individuals, maintaining responsibility for key business functions, creating the business strategy and ensuring the business objectives are met. The management team are held accountable by the CEO

member means each entity that meets the requirements of any of the three-member classes as defined in Article 3 hereof (of the Bylaws)

non-binary/gender non-conforming means a person whose gender identity and/or expression does not correspond with social and cultural gender expectations based on their birth-assigned gender. Individuals who identify as non-binary, genderqueer, or gender non-conforming may move between genders, identify with multiple genders, or reject the gender binary or gender altogether. Gender non-conforming and non-binary people may or may not identify as trans

organization means Skate Canada



registrant means an individual who is registered by a club or skating school with Skate Canada and who is subject to all applicable rules, regulations and policies of Skate Canada but who is not a member; and (ii) an individual who is engaged in any activity provided, sponsored, supported, sanctioned or recognized by Skate Canada and registered directly with Skate Canada but who is not a member

section means the 10 geographic jurisdictions as defined in Section 8.1 of the Bylaws

skating school means an organization other than a club that is operating for the general purpose of providing Skate Canada skating programs

sex means 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

sexual orientation is a term used to describe sexual and/or emotional attraction, from gay and lesbian to bisexual, pansexual, and heterosexual orientations. A person's gender identity is fundamentally different from and not related to their sexual orientation. Because a person identifies as trans does not predict or reveal anything about their sexual orientation. A trans person may identify as gay, lesbian, queer, straight, bisexual or asexual, just as people who do not identify as trans

third-party service provider means an individual or corporate entity having a business relationship of any kind with Skate Canada (such as, sponsors, partners, event volunteers, etc.)

transgender or trans (adjective) is 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. Trans includes people whose gender identity is different from their birth-assigned sex, as well as people who identify as transgender, transsexual, gender non-conforming (gender diverse or genderqueer), and other identities. Trans is used as an umbrella term within this document but it is acknowledged that not all gender non-conforming people or persons whose gender identity differs from their birth-assigned sex self-identify as trans

two-spirit (adjective) is a term used by Indigenous people to describe, from a cultural perspective, people who are gay, lesbian, bisexual, trans or intersex. It is used to capture a concept that exists in many different Indigenous cultures and languages



working group means a group of individuals, as established by the Board or management, who are brought together on a temporary basis to execute a specific mandate and/or support the efforts of the organization

WADA means the World Anti-Doping Agency (WADA) which is an international independent agency composed and funded equally by the sport movement and governments of the world. Its key activities include scientific research, education, development of anti-doping capacities, and monitoring of the World Anti-Doping Code (“WADA Code”) – the document harmonizing anti-doping policies in all sports and all countries – which includes the possible Anti-Doping Rule Violations (ADRV)

WADA Code means the WADA core document that provides the framework for anti-doping policies, rules, and regulations within sport organizations and among public authorities, and is designed to harmonize anti-doping policies and ensure the standards are the same for all athletes

Policy Scope/Applicability

This Policy, in accordance with the eligibility guidelines as set out within this Policy, applies to Skate Canada in respect of the events that Skate Canada has jurisdiction over as follows:

- Skate Canada Challenge
- Skate Canada National Skating Championships
- Skate Canada Synchronized Skating Championships

This Policy applies to all:

- employees of Skate Canada; directors of the Board; members of the standing committees of the Board; and members of the operating committees and working groups of Skate Canada; and all departments and divisions thereunder shall adhere to the Policy as outlined
- members, registrants, skaters, officials, coaches, event volunteers
- affiliate organizations of Skate Canada

Policy Requirements

Guiding Principles:

As a trans inclusive organization, Skate Canada is committed to:



- **Use of Name and Pronouns:** We will make every effort to learn and use the name and pronouns that our employees, registrants, members, and event volunteers identify with.
- **Use of Toilets, Change Rooms and Other Facilities: Subject to limitations that may be imposed by facility infrastructure,** Skate Canada will make every effort to provide all individuals with safe access and use of toilets, change room, and other facilities in accordance with their gender identity and/or gender expression.
- **Gender Inclusive Attire, Images, and Language:** Skate Canada will ensure that our dress codes respect an individual's gender identity and/or gender expression. The images that we use in our written, video, and online materials will reflect the diversity of our organization and will use gender inclusive language in all communications. Discriminatory language will not be tolerated, as addressed in anti-harassment policies and the Skate Canada Code of Ethics.
- **Support for Transitioning Individuals:** Skate Canada is committed to having in place the necessary support for individuals to successfully transition within our sport. We will ensure that all members in our sporting community are treated with dignity and respect in accordance with their expressed needs.
- **Safeguarding an Individual's Right to Privacy and Confidentiality:** Skate Canada recognizes the privacy rights of all our members. We will only ask for information about gender from our staff and members when it is critical to the services or programs, in a manner that is inclusive, and for which there are no consequences for abstaining. We will respect and safeguard the privacy and confidentiality of any staff or member who is trans, recognizing that failing to do so may place that individual at risk.

Eligibility Requirements

For participation in events under Skate Canada's jurisdiction

- Skaters in Skate Canada's events under our jurisdiction who identify as trans are able to participate in the gender category in which they identify. Individuals who identify as a girl or woman are eligible to compete on girls', women's, and mixed teams for such events. Individuals who identify as a boy or a man are eligible to compete on boys' or men's and mixed teams for such events. All identifications of gender identity by our athletes are believed to be made in good faith and do not require further disclosure or documentation.
- Skating in Canada, like sport more generally, remains organized according to the gender binary; put another way, skating events remain segregated using two



gendered categories (girls/women, boys/men). Skate Canada is committed to the inclusion of non-binary individuals (including genderqueer, gender non-conforming, gender diverse, two-spirit, and intersex individuals) and will be investigating ways to be more inclusive in this regard moving forward. For now, skaters who identify outside the gender binary and skaters with intersex traits are welcome to register for events in the gender category that makes the most sense to them. This Policy will be updated in the future in accordance with developments made on policy and rules/regulations.

For participation in events under ISU's jurisdiction

- Skate Canada will stay informed of related eligibility policies in other jurisdictions that may impact on our trans athletes. We will ensure our athletes are knowledgeable about these eligibility requirements and we will work with our trans athletes at their request to fully support their eligibility choices. The eligibility guidelines of the ISU, and/or any major national or international Games Organization regarding transgender athlete participation will supersede the eligibility guidelines as outlined in this Policy. Current regulations related to eligibility requirements for participation in events under ISU's jurisdiction do not address non-binary or gender non-conforming athletes. Skate Canada is committed to work with the ISU in this regard moving forward.

Anti-Doping Requirements

- Skate Canada encourages trans athletes to seek information regarding the status of any medications they are using to determine their Therapeutic Use Exemptions (TUE) requirements for the use of prohibited medications, and to ensure compliance with the ISU Anti-Doping Rules and WADA Code requirements where necessary. The CCES provides assistance to all athletes with these aforementioned tasks.

Roles and Accountabilities

Skate Canada is committed to:

- ensuring an inclusive, barrier-free environment where every employee, Board member, skater, official, coach, volunteer, and affiliate organizations (including third-party service providers) feels valued, respected and supported; and
- ensuring a quality experience through our English and French services and materials, and accessibility of our services and events without barriers.



Controls and Monitoring

Skate Canada is committed to including trans and gender diverse people in the Canadian skating and sport community in the ongoing monitoring and evaluation of the Policy.

The primary controls and monitoring mechanisms for this Policy are as follows:

- in accordance with the Policy Management Policy, each member of the management team is required to attest to compliance to all policies every two (2) years, including this Policy
- third-party service provider selection, as applicable, will follow all internal protocols and policies related to the management of third-party service providers

Reporting and Escalation/Exceptions

There are no exceptions to this Policy. Any issues or conflicts with this Policy will be escalated to the CEO and/or the President, as applicable.

Governance / Oversight

This Policy is reviewed and approved at a minimum every year, or sooner if there are legislative or regulatory changes, as part of policy validation in accordance with the Policy Management Policy and related procedure(s).

Related Documents

Skate Canada Policies

Accessibility and Accommodation Policy
Anti-Doping Policy
Code of Ethics Policy
Code of Conduct Policy
Guide to Anti-Doping
Official Languages Policy
Privacy Policy
Respectful Workplace Policy

Other Resources

Canadian Association for the Advancement of Women and Sport and Physical Activity (CAAWS)



Canadian Centre for Ethics in Sport (CCES)
Canadian Anti-Doping Program (CADP), and regulations and policies thereunder of the
Canadian Centre for Ethics in Sport (CCES) (<https://www.cces.ca/cadp-adoption>)
The 519 – Creating Authentic Spaces
Sports Canada – The Canadian Policy Against Doping in Sport-2011, as amended from
time to time)

International Skating Union (ISU) Anti-Doping Rules and procedures thereunder, and
educational courses (<https://www.isu.org/clean-sport/anti-doping>)

WADA Code (World Anti-Doping Agency), International Standards and Guidelines
(<https://www.wada-ama.org/en/resources/the-code/world-anti-doping-code>)
WADA Resources – Athlete Reference Guides / Coach Reference Guides, etc.
(<https://www.wada-ama.org/en/resources/search>)
WADA Prohibited List ([https://www.wada-ama.org/en/resources/science-
medicine/prohibited-list-documents](https://www.wada-ama.org/en/resources/science-medicine/prohibited-list-documents))

Further explanation of the terms used in this Policy and additional terms and additional
resources can be found at www.skatecanada.ca.

Questions/ Contact Information

For questions, please refer to Senior Director, Operations