



## GENDER EXPRESSION / GENDER IDENTITY POLICY

<b>Classification:</b>	BOARD OF DIRECTORS POLICY		
<b>Policy Section/Contact:</b>	Board of Directors	<b>Approved By:</b>	Board of Directors
<b>Effective Date:</b>	June 4, 2022	<b>Next Review Date:</b>	June 1, 2024

### HOCKEY CANADA COMMITMENT TO INCLUSION

Hockey Canada is fully committed to providing a safe, supportive, and respectful environment for all of our Registered Participants – including Athletes, coaches, volunteers, officials, and parents – regardless of race, national or ethnic origin, colour, religion, age, Sex, sexual orientation, Gender Identity or Gender Expression, marital status, family status, genetic characteristics, or disability, and in both official languages. Hockey Canada promotes the values of fair play including the development of respect for all people by all participants. Inclusion is a fundamental value for Hockey Canada and Hockey Canada recognizes that having a more diverse organization strengthens the sport.

### GUIDING PRINCIPLES

Hockey Canada recognizes that all forms of discrimination on the basis of Sex, sexual orientation, Gender Identity or Gender Expression are a violation of the Canadian Human Rights Act, 1985. Hockey Canada is committed to implementing policies and practices that provide all Registered Participants an avenue to participate in recreational and competitive hockey in an inclusive sporting environment where all Registered Participants can contribute, train, and play in a fair, safe, and supportive environment.

Hockey Canada supports the recommendations outlined in [Creating Inclusive Environments for Trans Participants in Canadian Sport](#), (2016), the guidance document developed by the Trans Inclusion in Sport Expert Working Group and published by the Canadian Centre for Ethics in Sport (CCES) and further supported by the [Position Statement on Trans Inclusion in Sport](#) (2017) of Canadian Women & Sport.

All individuals deserve respectful and inclusive environments for participation that value the individual's Gender Expression and Gender Identity. Hockey Canada recognizes all forms of Gender Identity and Gender Expression and supports Registered Participants with a Gender beyond the binary of girls/women and boys/men. Hockey Canada will use the eligibility guidelines set forth in this Policy to ensure access to the sport for all participants.

Hockey Canada does not require a Transgender or Gender diverse Registered Participant to engage in any medical or surgical transition-related care to participate in any hockey program under Hockey Canada in an expressed Gender congruent with their Gender Identity.

Hockey Canada believes in the following:

- i. In development and recreational sport:

Individuals participating in development and recreational sport (LTAD stages Active Start, FUNdamentals, Learn to Train, Train to Train, Train to Compete (until international federation rules apply) and Active for Life) must be able to participate in the sport in the Gender with which they identify and not be subject to requirements for disclosure of personal information beyond



## GENDER EXPRESSION / GENDER IDENTITY POLICY

those required of Cisgender Registered Participants. Nor should there be any requirement for medical or surgical transition-related care.

ii. In high-performance international sport:

While recognizing that it must abide by the rules, regulations and policies of the applicable governing body (e.g. IIHF, IOC) in international competition, Hockey Canada believes that:

- a. Individuals participating in high-performance sport, that is LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win, should be able to participate in the sport in their identified and expressed Gender, without any requirement for medical or surgical transition-related care, unless the international federation can prove that hormone therapy is necessary for a justified medical or safety reason.
- b. Individuals should not be required to disclose their Gender Identity or Gender history to an international federation 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 medical or safety reason requiring them to do so.
- c. There should be no requirement for medical or surgical transition-related care 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 consistent with their Gender Identity.

### DEFINITIONS

Over time, and across different geographies and cultures, terminology can vary significantly. For the purpose of consistency and respect, the following key definitions have these meanings in this document:

- A. “Athlete” –Any individual registered as a player with a team sanctioned by Hockey Canada or a Hockey Canada Member
- B. “Cisgender” – People whose Gender Identity aligns with the Sex they were assigned at birth (e.g. assigned male at birth and identify as boys/men; assigned female at birth and identify as girls/women)
- C. “Female Hockey”, a hockey program that historically has limited participation to female Athletes.
- D. “Gender” – 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
- E. “Gender Expression” – The way an individual represents or expresses Gender to others – through behaviour, outward appearance, chosen name and pronouns, activities, voice, mannerisms, etc. The traits and behaviour that may be labelled as masculine, feminine, androgynous etc. are culturally and geographically specific and change over time.
- F. “Gender Identity” – Each person’s internal and individual experience of Gender. It is a person’s sense of being a girl/woman, a boy/man, both, neither or anywhere along the Gender spectrum. A person’s Gender Identity may be the same as or different from their Sex Assigned at Birth.



## GENDER EXPRESSION / GENDER IDENTITY POLICY

- G. "LTAD" (also "Long Term Athlete Development") - a model used by Hockey Canada and other sport governing bodies which organizes sport into seven stages of development:
- Active Start: Development of basic movement skills (generally 0–6 years)
  - FUNdamentals: Improving movement competency (6–9)
  - Learn to Train: Acquiring sport skills (8–12)
  - Train to Train: Developing capabilities to progress (11-16)
  - Train to Compete: Challenging to national podium performances and representing Canada internationally (15–23)
  - Train to Win: Competing at the highest level internationally, challenging for medals (18+)
  - Active for Life: Participating in sport and physical activity for competition, fitness, or recreation (any age participant)
- H. "Non-Gendered Team" –a team that is not restricted to individuals of a particular Gender or Sex and that welcomes members from multiple Gender Identities, including but not limited to men/boys and women/girls (both Cisgender and Trans) as well as individuals who identify outside of the Gender binary, such as individuals who are agender, Gender neutral, Gender queer, Two Spirit, etc. Non-Gendered Team replaces the term "co-ed", as an intentional move away from non-inclusive language of the Gender binary and more accurately reflects the reality of a Gender spectrum.
- I. "Non-Binary" – People whose gender identity is neither exclusively girl/woman nor boy/man. Non-Binary people may identify as being both a girl/woman and a boy/man, somewhere in between, or as falling completely outside these categories. Some individuals self-identify as Non-Binary, whereas others may use terms such as genderqueer, bi- or polygender, genderfluid, gender non-conforming, Two Spirit, or agender. Non-Binary people may or may not conform to societal expectations for their Gender Expression and Gender role, and they may or may not seek Gender affirming medical or surgical care.
- J. "Registered Participants" has the meaning found in Hockey Canada By-Law 14.1
- K. "Sex/Sex Assigned at Birth" – The classification of people as male, female or intersex. Sex is usually assigned at birth (with the exception of intersex) and is based on an assessment of a person's reproductive system, hormones, chromosomes and other physical characteristics, most notably by external genitalia.
- L. "Transgender" – People whose Gender Identity differs from the Sex they were assigned at birth. (also "Trans")
- M. "Transgender Boy / Man" – Someone who was assigned female Sex at birth, but who identifies as a boy or man.
- N. "Transgender Girl / Woman" – Someone who was assigned the male Sex at birth, but who identifies as a girl or woman.



## GENDER EXPRESSION / GENDER IDENTITY POLICY

- O. “Transition” – Refers to a variety of social, medical, and/or legal changes that some Trans people may pursue to affirm their Gender Identity. There is no checklist or average time for a Transition process and no universal goal or end point. Each person decides what meets their needs.

### **ACTIONS FOR INCLUSION:**

Hockey Canada pledges to:

- a. Provide this Policy to staff, Directors, Members, officials and coaches and offer additional inclusion education and training opportunities on its implementation
- b. Provide registration forms and other documents that allow the individual to:
  - i. indicate their Gender Identity, rather than their Sex; and
  - ii. abstain from indicating a Gender Identity with no consequence to the individual
- c. Ensure that Gender Identity and Gender Expression are prohibited forms of discrimination in Hockey Canada’s organizational policies and procedures, e.g., our Maltreatment, Bullying, Harassment Prevention and Protection Policy, our Codes of Conduct, etc.
- d. Maintain organizational documents and Hockey Canada’s website in a manner that promotes inclusive language and images
- e. Honour and respect individuals by referring to them by their chosen name and pronouns.
- f. Work with Trans and Non-Binary Athletes and other Trans and Non-Binary Registered Participants and staff of Hockey Canada on the implementation, monitoring, and/or modification of this Policy
- g. When Hockey Canada has the authority to determine participants’ use of washrooms, change rooms, and other facilities, it shall provide individuals with safe access to such facilities in accordance with their Gender Identity or Gender Expression. Hockey Canada will seek to do so in a discreet, confidential, and sensitive manner that does not violate an individual’s privacy.
- h. Work with other teams and host organizations to ensure the respectful treatment of all Registered Participants (to include but not be limited to staff, coaches, Athletes, volunteers, officials, parents) spectators and the media, regardless of their Gender Identity or Gender Expression.
- i. Ensure off-ice apparel and dress codes respect an individual’s Gender Identity and Gender Expression
- j. Make determinations with respect to the eligibility of Registered Participants in accordance with the Eligibility Guidelines below.

### **ELIGIBILITY GUIDELINES:**

The majority of Hockey Canada’s programs, regardless of whether considered competitive or recreational, are multi-Gender and therefore all Athletes are eligible to participate regardless of Sex/Sex Assigned at Birth, Gender Identity, and other forms of Gender Expression. As a general principle, and subject to the eligibility guidelines below, all Athletes are eligible to participate in a program that aligns with their Gender Identity. As such, the following guidelines apply to Hockey Canada programming:



## GENDER EXPRESSION / GENDER IDENTITY POLICY

1. All Athletes are eligible to participate in the hockey program that aligns with their Gender Identity. All identifications of Gender Identity or Gender Expression are believed to be made in good faith and do not require further disclosure or documentation. Such determination shall be made by the Athlete and/or their parent/guardian, where applicable, at registration as per the following steps:
  - (i) Select the Athlete's Gender Identity upon registration. The categories are:
    - a. Girl/Woman
    - b. Boy/Man
    - c. Non-Binary (including agender, genderqueer, gender fluid, bi/polygender, & Two Spirit)
    - d. Not captured in these options
    - e. Prefer not to state
  - (ii) Select the hockey program/level that the Athlete is seeking to try out/play for during the season.
  - (iii) Complete the remainder of the registration process.
2. All Athletes and other Registered Participants, regardless of their Gender Identity may participate on a Non-Gendered Team.
3. Any Athlete or other Registered Participant who identifies as a girl/woman—a Transgender Girl or Transgender Woman; or a Cisgender girl or Cisgender woman—or a Non-Binary Athlete or Non-Binary Registered Participant who wishes to play or participate in Female Hockey, may register. For the avoidance of doubt, Cisgender men and boys are not permitted to play Female Hockey but may participate in Female Hockey in any other capacity.
4. Any Athlete or other Registered Participant who was assigned the female Sex at birth and is Transitioning may participate or continue to participate in Female Hockey.
5. The eligibility guidelines described in this Policy for Athletes seeking to play in Female Hockey programs or activities apply equally to participation by any other Registered Participant.

### ELIGIBILITY GUIDELINES - EXCEPTIONS:

Notwithstanding the principles and guidelines stated herein, when applicable, the eligibility guidelines of the International Sport Organization, international federation, and/or any major Games regarding a Registered Participant's ability to participate in competition that is restricted to Athletes of a specific Sex or Gender will supersede the eligibility guidelines outlined in this Policy.

Hockey Canada will keep informed of related eligibility policies in other jurisdictions that may impact on our Registered Participants. We will ensure our Registered Participants are knowledgeable about these eligibility requirements and we will work with Registered Participants at their request to fully support their eligibility as outlined in this Policy.

All Athletes at the high-performance level who are members of a Provincial or National team must be aware that they may be subject to doping control testing pursuant to the Canadian Anti-Doping Program (CADP). Athletes undergoing medical transition with hormone 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).



## GENDER EXPRESSION / GENDER IDENTITY POLICY

### **SAFEGUARDING AN INDIVIDUAL'S RIGHT TO PRIVACY AND CONFIDENTIALITY:**

Hockey Canada recognizes the privacy rights of all our Registered Participants. Gender information will only be requested from our Registered Participants when it is critical to the services or programs, in a manner that is inclusive, and for which there are no consequences for abstaining. Privacy and confidentiality shall be safeguarded and protected by Hockey Canada, in accordance with our privacy policy.

### **HOCKEY CANADA REGISTRY**

A change in a Registered Participant's Gender Identity shall be reflected in their Hockey Canada Registry ("HCR") only upon receipt of a request from the Registered Participant, and/or their parent/guardian if they are under the age of majority. Data on Gender Identity shall be maintained by Hockey Canada in accordance with our privacy policy.

### **REPORTING MALTREATMENT, BULLYING, OR HARASSMENT**

Should an individual feel they have been subject to, or a witness of, maltreatment, bullying or harassment, based on Gender Identity or Gender Expression, action may be taken through Hockey Canada's *Maltreatment, Bullying, and Harassment Prevention and Protection Policy* or the equivalent policy at the Member or Minor Hockey Association (MHA) level. Should the individual not feel safe in doing so, they should seek assistance from a Hockey Canada Representative (as defined in the Procedure to the Maltreatment Policy) or the appropriate individual identified in the applicable Member or MHA policy.

### **APPEAL**

Any decision rendered under this Policy may be appealed in accordance with Hockey Canada's Appeal Procedure or the equivalent policy at the Member or Minor Hockey Association (MHA) level.

### **ONGOING MONITORING**

Hockey Canada commits to work with Registered Participants; subject matter experts; and other members and staff on the implementation, ongoing monitoring (including any unintended consequences) and / or modification of this Policy.

Hockey Canada commits to monitoring ongoing developments regarding national and international participation guidelines for Transgender and Non-Binary Registered Participants and pledges to review and/or revise this Policy on an annual basis for the first three years following its implementation, and thereafter, as new information becomes available.

Hockey Canada will work with any Member to ensure the Policy is implemented in a manner that does not contradict human rights legislation in that Province or Territory, or contravene any human rights settlements the Member has entered into thereunder.



## GENDER EXPRESSION / GENDER IDENTITY POLICY

### **Related Policies**

1. Maltreatment, Bullying, and Harassment Prevention and Protection Policy
2. Code of Conduct
3. Privacy Policy
4. Equity, Diversity and Inclusion Policy

### **Resources**

Additional resources to support the implementation of this policy, including an FAQ, recommendations for facilities accommodations, and training in Gender Expression and Gender Identity are being developed and will be made available to the Members prior to implementation of the Policy.

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### **Revision History**

<b><i>Date</i></b>	<b><i>Version #</i></b>	<b><i>Change</i></b>
June 4, 2022	1.0	New