INTRODUCTION

Saint Elizabeth University (SEU) works to demonstrate its acceptance of all its students and employees, heterosexual, gay, lesbian, bisexual, transgender, and questioning. The attempt to understand and strengthen relationships with students and employees to build a welcoming community for all is at the heart of the SEU Mission and Values, deeply rooted in:

- the Scriptural command of Jesus “Love one another: just as I have loved you, you also must love one another.” (John 13:34)
- the foundational Catholic Social Justice Principle of the Dignity of the Human Person (usccb.org)
- the pastoral teaching of the Catholic Bishops who state “God has created every human person out of love and wishes to grant him or her eternal life in the communion of the Trinity. All people are created in the image and likeness of God and thus possess an innate human dignity that must be acknowledged and respected.” (Ministry to Persons with a Homosexual Inclination: Guidelines for Pastoral Care, USCCB 2006)
- our Catholic identity which commits us “to promote justice, understanding, dialogue and respect.” (SEU Mission and Values Statement)
- our Catholic tradition which states that charity “is the greatest social commandment. It respects others and their rights. It requires the practice of justice, and it alone makes us capable of it.” (Catechism of the Catholic Church, 1889)
- a call to “just and ethical relationships” which includes a call to the self-giving love of charity and growth in the virtue of chastity, “the spiritual power which frees love from selfishness and aggression.” (The Truth and Meaning of Human Sexuality, Pontifical Council for the Family 1996, 16)
- the call to community expressed in friendship - “In this world two things are essential: life and friendship. Both should be highly prized, and we must not undervalue them. … if we are not to remain solitary, there must be friendship.” (Sermon Denis, 16, St. Augustine) “Whether it develops between persons of the same or opposite sex, friendship represents a great good for all.” (Catechism of the Catholic Church, 2347).

Based on the foundational values of the University and the teachings of the Catholic Church, Saint Elizabeth University is committed to instituting the following practices:

- Admitting qualified students into all programs and services at the University;
- Hiring qualified employees to serve in all capacities at the University;
- Providing campus information and formation to create a supportive and welcoming environment for all;
- Adoption of processes for dealing with concerns of unjust treatment of students or employees who are heterosexual, gay, lesbian, bisexual, transgender, or questioning;
- Avoidance of any political or social activities which might compromise SEU’s Catholic identity;
• Support for continued growth in self-giving through development of the virtue of charity; and
• Access to resources for services in the broader community.

**COMPLIANCE AND ADMISSIONS POLICIES**

Saint Elizabeth University does not discriminate on the basis of sex, age, class, income, geographical location, veteran status, race, creed, color, religion, disability, age, marital status, sexual orientation, gender identity or expression, or national origin, in the administration of its admissions, educational policies, scholarship and loan programs, or other University policies including employment. In addition, discrimination and/or harassment of any kind will not be tolerated from faculty, staff, students or guests. Respect, understanding, and a basic generosity of spirit are expected.

Saint Elizabeth University has filed a statement of compliance with the Department of Health, Education and Welfare under the Title VI—Civil Rights Act of 1964 as amended; Title IX, Education Amendment of 1972 as amended, Section 504 of the Rehabilitation Act of 1973 as amended.

Transgender students are encouraged to identify themselves to the Vice President for Student Life (Annunciation Center, Room 213 or (973) 290-4203) to ensure access to appropriate resources on campus. Transgender employees are likewise encouraged to identify themselves to the Director of Human Resources.

**TRANSGENDER INCLUSION**

1. **Student Admissions**
   Saint Elizabeth University accepts all qualified students, including transgender students. Furthermore, the University strives to create and sustain an inclusive, supportive, safe and nondiscriminatory campus environment for faculty, staff and students. As such, the University has adopted the following policies pertinent to transgender students. Transgender students will have equal access to educational programs and activities even in circumstances in which other students, parents, or community members raise objections or concerns. As is consistently recognized in civil rights cases, the desire to accommodate others’ discomfort cannot justify a policy that singles out and disadvantages a particular class of students.

   When a prospective or enrolled student notifies University administrators that s/he will assert a gender identity that differs from previous representations or records, the University will begin treating the student consistent with the student’s gender identity. Under Title IX, there is no medical diagnosis or treatment requirement that students must meet as a prerequisite to being treated consistent with their gender identity, even if identification documents indicate a different sex. University employees will use pronouns (e.g. she, “ze”, he or name only) that are consistent with a transgender student’s identity.
2. **Campus Housing**

The University strives to recognize and respect the stated gender identity of the student. Thus, every effort will be made to provide safe and comfortable housing assignments in keeping with the gender identity of a student provided that University officials have been informed of such preferences in a timely fashion. Single occupancy rooms are available to any student requesting them on a first-come, first-served basis.

3. **Locker Rooms/Changing Facilities**

On the lower level of Saint Joseph Hall, there are two sex-specific locker rooms both of which include single user changing and shower rooms. Transgender individuals should use the locker room that corresponds to their sex or gender identity, depending on which option they feel is safer.

4. **Privacy and Education Records**

Protecting transgender students’ privacy is critical to ensuring they are treated consistent with their gender identity, and thus is a priority at Saint Elizabeth University. Nonconsensual disclosure of personally identifiable information (PII), such as a student’s birth name or sex assigned at birth, could be harmful to or invade the privacy of transgender students and may also violate the Family Educational Rights and Privacy Act (FERPA). The University may maintain records with this information, but such records will be kept confidential.

FERPA generally prevents the nonconsensual disclosure of PII from a student’s educational records; one exception is that records may be disclosed to individual University personnel who have been determined to have a legitimate educational or business purpose for obtaining the information. Even when a student has disclosed the student’s transgender status to some members of the University community, SEU may not rely on this FERPA exception to disclose PII from education records to other school personnel who do not have a legitimate educational or business purpose for receiving the information. Inappropriately disclosing (or requiring student to disclose) PII from education records to the school community may violate FERPA and interfere with transgender students’ rights under Title IX to be treated consistent with their gender identity.

Under FERPA’s implementing regulations, the University may disclose appropriately designated directory information from a student’s education record if disclosure would not generally be considered harmful or an invasion of privacy. Directory information may include a student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. University officials may not designate students’ sex, including transgender status, as directory information because doing so could be harmful or an invasion of privacy. The University will allow students a reasonable amount of time to request that the school not disclose the directory information.
If requested to correct a student’s education records to make them consistent with the student’s gender identity and/or new name, the University will do so to help protect privacy and ensure personnel consistently use appropriate names and pronouns.

Under FERPA, the University will consider the request of an eligible student to amend information in the student’s education records that is inaccurate, misleading, or in violation of the student’s privacy rights. If the University does not amend the record, it must inform the requestor of its decision and of the right to a hearing. If, after the hearing, the school does not amend the record, it must inform the requestor of the right to insert a statement in the record with the requestor’s comments on the contested information, a statement that the requestor disagrees with the hearing decision, or both. That statement must be disclosed whenever the record to which the statement relates is disclosed.

5. **Restrooms**
   Typically, restrooms on campus are segregated by sex. Transgender students or employees should use restrooms that correspond to their sex or gender identity, depending on which option they feel is safer, or use restrooms that are designated gender neutral. Designated gender-neutral restrooms can be found at the following locations:
   - Annunciation Center – Main Level, rear hallway
   - Founders Hall – Ground floor
   - Henderson Hall – ground floor (also handicapped accessible) Mahoney Library – Upper foyer, adjacent to the Octagon O’Connor Hall – Basement, east wing (near game room)
   - Santa Maria Hall – Third floor (adjacent to the EOF department) Santa Rita Hall – Lower level
   - Saint Joseph Hall – Conference Room, main floor, Locker Rooms, ground level, Athletics Lounge, lower level.

6. **Sex Specific Activities**
   The University will not segregate or otherwise distinguish students on the basis of their sex, including gender identity, in any school activities or the application of any University rule. Likewise, the University will not discipline students or exclude them from participating in activities for appearing or behaving in a manner that is consistent with their gender identity or that does not conform to stereotypical notions of masculinity or femininity (e.g., in yearbook photographs, at University dances, parties etc.).

7. **Single-Sex Classes/Lectures/Workshops**
   When offered, students may participate in courses, course sections, lectures or workshops that are consistent with their gender identity.

8. **Employment**
   Transgender individuals employed at the University are encouraged to identify themselves to the Director of Human Resources to avail themselves of the resources
available on campus. When an employee notifies the Director of Human Resources that s/he will assert a gender identity that differs from previous representations or records, the University will begin treating the employee consistent with the preferred gender identity. University employees will use pronouns (e.g. she, “ze”, he or name only) that are consistent with a transgender employee’s identity. The employee should use the restroom or locker room that corresponds to their sex or gender identity, depending on which option they feel is safer or use restrooms that are designated gender neutral (listed above).

**TRANSGENDER INCLUSION IN UNIVERSITY ATHLETICS**

Saint Elizabeth University is a member of the National Collegiate Athletics Association, Division III (NCAA, DIII) and therefore we are compelled to abide by all policies, practices and guidelines set forth by the NCAA.

The NCAA affirms that:

*As a core value, the NCAA believes in and is committed to diversity; inclusion and gender equity among its student-athletes, coaches and administrators. The NCAA seeks to establish and maintain an inclusive culture that fosters equitable participation for student-athletes and career opportunities for coaches and administrators from diverse backgrounds. Diversity and inclusion improve the learning environment for all student-athletes and enhance excellence within the Association.*

**Inclusion Policies for Intercollegiate Teams***

A transgender student athlete should be allowed to participate in any sports activity so long as that athlete's use of hormone therapy, if any, is consistent with the National University Athletic Association (NCAA) existing policies on banned medications.

**Participation in Sex-Separated Intercollegiate Sport Teams**

**A. Transgender student-athletes who are undergoing hormonal treatment for gender transition:**

- A female-to-male (FTM) student-athlete who has received a medical exception for treatment with testosterone related to gender transition, for purposes of NCAA competition may compete on a men's team, but is no longer eligible to compete on a women's team without changing that team status to a mixed team.

- A male-to-female (MTF) student-athlete being treated with testosterone suppression medication related to gender transition, for the purposes of NCAA competition may continue to compete on a men's team but may not compete on a women's team without changing it to a mixed team status until completing one calendar year of testosterone suppression treatment.

- In any case where a student-athlete is taking hormone treatment related to gender transition, the use of an anabolic agent or peptide hormone must be
approved by the NCAA before the student-athlete is allowed to participate in competition while taking these medications. The NCAA recognizes that some banned substances are used for legitimate medical purposes. Accordingly, the NCAA allows exception to be made for those student-athletes with a documented medical history demonstrating the need for regular use of such a drug. The institution, through its Compliance Officer and Sports Medicine Department, may request (to the NCAA) an exception for use of an anabolic agent or peptide hormone by submitting to the NCAA medical documentation from the prescribing physician supporting the diagnosis and treatment.

B. Transgender student-athletes who are NOT undergoing hormonal treatment

- A female-to-male (FTM) transgender student athlete who is not taking testosterone related to gender transition may participate on a men's or women's team.

- A male-to-female (MTF) transgender student athlete who is not taking hormone treatments related to gender transition may not compete on a women's team.

- Any transgender student-athlete who is not taking hormone treatment related to gender transition may participate in sex-separated sports activities in accordance with his or her assigned birth gender.

Participation in Mixed Gender Sport Activities

A mixed team has both female and male participants and may be restricted in championship play according to specific national governing body rules.

A. Transgender student-athletes who are undergoing hormonal treatment

- For purposes of mixed gender team classification, a female-to-male (FTM) transgender student-athlete who is taking medically prescribed testosterone related to gender transition shall be counted as a male participant and must request a medical exception from the NCAA prior to competing because testosterone is a banned substance.

- For purposes of mixed gender team classification, a male-to-female (MTF) transgender student athlete who is taking medically prescribed hormone treatment related to gender transition shall be counted as a male participant until the athlete has completed one year of hormone treatment at which time the athlete shall be counted as a female participant.

B. Transgender student-athletes who are NOT undergoing hormonal treatment
For purposes of mixed gender team classification, a female-to-male (FTM) transgender student-athlete who is not taking testosterone related to gender transition may choose to play on either the male or female team.

For purposes of mixed gender team classification, a female-to-male (FTM) transgender student-athlete who is not taking testosterone related to gender transition and participating on a women's team shall not make that team a mixed gender team.

For purposes of mixed gender team classification, a male-to-female (MTF) transgender student-athlete who is not taking hormone treatment related to gender transition shall count as a male.

Implementation Process

A. The Student's Responsibility

In order to avoid challenges to a transgender student's participation during 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 shall:

• Submit a written request to participate on a sports team to the athletics director, upon matriculation or when the decision to undergo hormonal treatment is made. *

• Request a letter from their current prescribing physician documenting the student-athlete's intention to transition and/or the student's transition hormonal treatment/list of medications for the student’s gender transition and also documentation of the student's monitored testosterone levels, if relevant.

• Meet with the athletics director and provide the above-mentioned documentation and discuss the steps needed for the student-athlete to apply for an NCAA medical clearance to participate in the sport of their choice. This letter will be kept on file in the student-athlete's personal sports medical record.

B. Individual School and National Governing Body Responsibilities

• The athletics director will meet at the request of the student-athlete to discuss the student-athlete's request and review necessary documentation.

• If hormone treatment is involved in the student-athlete's transition, the Compliance Officer and Director of Sports Medicine will be notified of the student's request to participate under an NCAA medical exception.
• The Director of Sports Medicine will provide to the Compliance Officer written supporting medical documentation needed by the NCAA to consider the request for medical clearance.

• The Compliance Officer shall meet with the student-athlete to review eligibility requirements and procedures for approval of transgender student-athlete’s participation and will contact the student-athlete and the coach when cleared to participate in competition.

• All discussions among involved parties and required written supporting documentation shall be kept confidential.

Accommodations

A. Locker Rooms
Every attempt will be made to provide private facilities, if requested, to anyone using sports facilities on SEU’s campus - whether it is a SEU student-athlete, a visiting student-athlete, or other participant or attendant.

B. Dress Code and Uniforms
Dress codes should enable all student-athletes and other sports participants to dress in accord with their gender identity and preferred expression. For example, instead of requiring gendered forms of ”dressy,” such as a skirt or dress, dress codes should require students to dress with appropriate formality in ways that suit their gender identity. Since transgender athletes may have preferred gender expressions that do not conform to traditional norms of dress, this policy should be understood to apply to all athletes. Uniforms, ideally, should not conflict with an athlete's gender identity.

C. Travel
When possible, SEU student-athletes traveling to other schools should be assigned accommodations based on their gender identity, with more privacy provided, if possible, when requested.

At schools or venues where SEU student-athletes compete: without naming or violating the privacy of transgender athletes or personnel in question, relevant authorities and personnel at those venues will be informed about expectations for the treatment of transgender athletes- including accommodation, pronoun, and name use during and outside of play.

D. Privacy
Protecting the privacy of transgender student-athletes must be a top priority for all athletics department and affiliated school personnel, particularly when in the presence of the media. All medical information shall be kept confidential in accordance with applicable state, local and federal privacy laws.
E. Names and Pronouns
Teammates, coaches, and other participants in sports shall refer to participating individuals by their preferred names and pronouns.

F. Intramural, Club, and Recreational Sports
Individuals participating in any intramural, club, recreational sports, or other athletics department sponsored programs, may participate in accordance with their gender identity, should that be relevant, regardless of any medical treatment.

Enforcement and Non-Retaliation
A. Enforcement
Any member of the SEU athletics department, who has been found to have violated this policy by threatening to withhold an athlete’s opportunity or harassing any student on the basis of the student’s gender identity or expression, or by breaching medical confidentiality, will be subject to disciplinary action, up to and including discharge or expulsion from the school. The athletics department will also take appropriate remedial action to correct the situation. Any member of the athletics department who becomes aware of conduct that violates this policy should report the conduct to the appropriate official such as the Athletics director or Vice President for Student Life.

B. Non-Retaliation
Retaliation is specifically forbidden against anyone who complains about discrimination based on gender identity or expression, even if the person was in error. The athletics department will take steps to prevent any retaliation against any person who makes such a complaint.

C. Awareness
At Saint Elizabeth University, student-athletes, coaches, athletic trainers, and others involved in the athletics program will be made aware of this Inclusion Policy and specifically about gender identity and expression, and the principles of transgender inclusion.

*For more information on NCAA Participation:

Inquiries/Concerns/Complaints:

Student inquiries concerning implementation of these policies should be made to the Vice President for Student Life (973-290-4203). Employee concerns should be addressed to the Director of Human Resources or the Vice President for Finance and Administration. The address of appropriate federal agencies referenced in this position statement may be obtained upon request.
Glossary of terms often used in association with transgender individuals:

**Transgender:** The term for a broad range of people whose gender identity or gender expression is different from that typically associated with the sex assigned to them at birth. It can include transsexuals, cross-dressers and those who are otherwise gender nonconforming.

**Transsexual:** A medical term for people whose gender identity and sex do not line up and who often seek medical treatment to bring their body and gender identity into alignment. Avoid using this term unless an individual self-identifies as such.

**Gender identity:** An individual’s personal sense of gender. It is different from “sex,” which is the biological status of being male or female.

**Genderqueer:** How some people describe themselves when they present themselves in a gender-nonstandard way. Avoid using this term unless an individual self-identifies as such.

**Transitioning:** The process of going MTF (male to female) or FTM (female to male). The process can take some time and may include changes in dress, name and gender identification, as well as hormonal and surgical therapy.

**Gender expression:** How a person communicates gender identity to others through behavior, clothing, hairstyle, voice or body characteristics.

**Sources:** Human Rights Campaign, American Psychological Association.