



HUMAN  
RIGHTS  
CAMPAIGN

November 11, 2021

Dear President Emmert & NCAA Governance,

The NCAA's history of [making explicit commitments](#) to inclusion and diversity in sports, including being "committed to ensuring that NCAA championships are open for all who earn the right to compete in them," has been critical to the safety and success of a wide range of student-athletes. Now that you are in the process of revising your Constitution and updating your policies, we ask that you formally express a continued commitment to diversity, equity, and inclusion for all athletes -- including transgender ones.

Specifically, we request that the NCAA:

1. Include an enumerated policy providing non-discrimination protections for all athletes including on the basis of age, color, disability, sex, gender identity, sexual orientation, national origin, race, religion, and creed.
2. Protect all transgender student-athletes by adopting a policy of refusing to hold championships in states with laws that discriminate against LGBTQ+ people, including and especially transgender athletes.

In the past, the NCAA has followed public commitments with action by refusing to hold tournaments in states that make the student-athletes, coaches, and fans less safe and less equal, as the Association did in North Carolina in 2016 in response to the [anti-trans bathroom bill HB2](#). Many credit the NCAA's willingness to remove tournaments from North Carolina with the partial repeal of HB2 in North Carolina.

But this year, during a historically bad legislative session for the LGBTQ+ community, when state legislators were specifically targeting transgender student-athletes, the NCAA remained on the sidelines.

When [we reached out to you](#) in March asking you to take action, you responded by affirming your prior commitments and stating that you were [monitoring the situation](#).

In April, [we wrote to you again](#) explaining the urgency of the situation -- transgender youth, who just wanted to play sports on teams that align with their gender identity, were under attack -- and asked you to do more.

Our calls to action were echoed by over a thousand NCAA athletes, professional athletes and coaches, and current and former transgender and nonbinary collegiate athletes.

But you did not live into your commitments. Instead, you named schools in [Alabama, Arkansas, Mississippi, and Tennessee](#) as championship host sites for upcoming tournaments even though all of these states have passed bills banning the participation of transgender athletes in sports consistent with their gender identity. It is not possible to create an environment free of discrimination in states that have active and openly hostile legislation that targets transgender athletes.

You must do better. These legislative attacks further fuel the anti-trans stigma that has made 2021 the deadliest year on record for the trans and non-binary community in the U.S.

As the NCAA enters its next chapter with a new constitution this fall, you have a real opportunity to course correct -- to renew your commitment to equity and inclusion -- and to follow those commitments with action right now.

But in the draft constitution you released on November 8, unlike in your previous constitution, your claim to a strong commitment to diversity, equity, and inclusion is not reinforced by a single line of nondiscrimination policy language.

Where are the protections for LGBTQ+ students? For women? For students of color? Where is the enforcement mechanism?

History tells us that, without specific protections in the constitution of your organization, these young athletes will remain vulnerable to discrimination and harm at every NCAA function.

By leaving these students vulnerable, without a standard policy ensuring they can participate on an equal playing field, you stand to jeopardize not only the future of countless student-athletes but the future of athletics. The [LGBTQ+ youth population is growing](#) in every aspect of life, including in school sports. The students not allowed to play today are potential athletes who will never make it to the NCAA in the future.

To be clear: the attacks are not going to stop here. Our opponents are just testing the waters. They may be targeting K-12 athletes now, but who is the next generation of college athletes? They are coming for college athletes. And ultimately -- they are coming for all LGBTQ+ people.

You have the opportunity and responsibility to protect all student-athletes. And you must.

A handwritten signature in black ink that reads "Joni Madison". The signature is written in a cursive style with a large initial "J".

Joni Madison  
Interim President, Human Rights Campaign  
She/Her/Hers

A handwritten signature in black ink that reads "Hudson Taylor". The signature is written in a cursive style with a large initial "H".

Hudson Taylor  
Founder and Executive Director, Athlete Ally  
He/Him/His