



December 17, 2021

Dear President Emmert, Interim Senior Vice President Martin, & NCAA Governance:

Thank you for your timely response to our request from November 11. We appreciate that your letter reiterates the NCAA's commitment to inclusion and fairness. We are also grateful to you for your willingness to continue to engage with us on this critical issue.

However, the language you have shared in your draft constitution and your response gives us pause.

We regularly advise thousands of leading companies, hospitals and universities that non-discrimination policies should be clearly enumerated in official documentation. We remain concerned that the removal of an explicit policy in your Constitution signals a retreat on your commitment to diversity, equity and inclusion and leaves the health and safety of college students across the country in jeopardy.

We are writing to request a meeting with your team in early January to address these concerns.

As you know, in the last two years, we have seen a stark increase in anti-trans sports-based legislation being proposed and passed in the states. Now, the 2022 state legislative season is almost upon us; bills are already being submitted for consideration. Historically, the NCAA's choices to stand against hate by refusing to hold tournaments in states with discriminatory legislation, like the 2016 anti-trans bathroom bill HB2 in North Carolina, have had a significant impact on the success of these bills.

Today, as anti-trans rhetoric and bills are emerging in states across the country, these student-athletes need the same kind of intervention. In fact, one such student-athlete, a young transgender woman named [Lia Thomas](#), has qualified for the March 2022 NCAA Championship in Georgia – a state which currently threatens to pass anti-trans sports ban legislation this session.

By taking action now and committing to include non-discrimination policies in your constitution as well as pledging not to hold tournaments in states with discriminatory policies, the NCAA has the potential to deter legislators from introducing discriminatory legislation that would put student-athletes like Lia at tremendous risk before the state legislative session is in full swing.

Now is the time for leadership from our organizations to meet and discuss how the NCAA can make an impact as an ally to young trans athletes and explicitly ensure that your new constitution protects all marginalized student-athletes, including LGBTQ+ youth.

We look forward to hearing from you soon about a potential meeting, and we thank you again for continuing to engage.

A handwritten signature in black ink that reads "Joni L. Madison".

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

A handwritten signature in black ink that reads "Hudson Taylor".

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