



NATIONAL CENTER FOR LESBIAN RIGHTS

Dear Commissioner Bowsby:

We are writing to express our concerns about Brigham Young University's (BYU) candidacy for Big 12 Conference membership. As organizations committed to ending homophobia, biphobia and transphobia both on and off the field of play, we are deeply troubled by this possibility. We feel it would be extremely problematic to include BYU in your conference expansion for the following reasons:

Adding BYU would be inconsistent with Big 12 Conference membership values.

Currently, the Big 12 as a conference is overwhelmingly LGBT-inclusive. Nine out of ten of your member schools have explicit protections for students based on their sexual orientation. Eight out of ten of your member schools have explicit protections for students based on their gender identity. And nine out of ten of your member schools have LGBT resource centers to proactively make their schools safe and welcoming for LGBT people.

BYU, conversely, actively and openly discriminates against its LGBT students and staff. It provides no protections for LGBT students. In fact, through its policies, BYU is very clear about its intent to discriminate against openly LGBT students, with sanctions that can include suspension or dismissal for being openly LGBT or in a same-sex relationship.¹ The LGBT climate is so bad at BYU that it is ranked the 6th worst school in the country for LGBT students.² Given BYU's homophobic, biphobic and transphobic policies and practices, BYU should not be rewarded with Big 12 membership.

BYU's anti-LGBT policies are bad for the Big 12 sports community, especially student-athletes.

The Big 12 is known for its dedication to its sports community (fans, coaches, staff and players, etc.) and its commitment to the welfare of its student-athletes. BYU's membership to the Big 12 would jeopardize both. First, LGBT coaches, players and fans who attend and/or compete at any Big 12 events hosted at BYU would be subject to discrimination since BYU remains exempt from Utah's LGBT nondiscrimination law. Moreover, any student-athlete who identifies as LGBT, and subsequently selects BYU due to its Big 12 membership, would be subjected to BYU's unabashed discrimination. This would endanger the student-athlete's NCAA eligibility and

¹ Brigham Young University, Honor Code on Homosexual Behavior, <https://policy.byu.edu/view/index.php?p=26&s=s1164>.

² *BYU Ranked Among the Least LGBT-Friendly Campuses*, The Salt Lake Tribune, (August 11, 2015), <http://www.sltrib.com/home/2814697-155/ranking-byu-high-among-lgbt-unfriendly-campuses>.

mental health.³ The Big 12's sports community, especially its student athletes, deserve better than this.

BYU's anti-LGBT policies violate both Big 12 guidelines and NCAA guidelines.

All Big 12 member schools have to comply with NCAA guidelines.⁴ The NCAA requires schools to comply with Title IX. As an institution that openly discriminates against transgender students, BYU is not in compliance with Title IX.⁵ As such, it not only violates NCAA's membership guidelines, but it also violates the Big 12's commitment to gender equity.

The Big 12 is a conference committed to sportsmanship, fair play and inclusion both on and off the playing field. You are known for your dedication to fans and your commitment to the welfare of your student-athletes. Adding a school like BYU to your membership while it still champions anti-LGBT policies and practices would greatly undermine these Big 12 values.

Sincerely,

Athlete Ally
Bradbury-Sullivan LGBT Community Center, Allentown, PA
Campus Pride
CenterLink: The Community of LGBT Centers
Equality Federation
Equality North Carolina
Gay & Lesbian Center of Southern Nevada
Georgia Equality
GLAAD
Go! Athletes
Lambda Legal
Long Island Transgender Advocacy Coalition
National Center of Lesbian Rights
National Center for Transgender Equality
National LGBTQ Task Force
One Million Kids for Equality
one n ten
One Community Arizona
Pride Center of WNY

³ Sue Rankin and Genevieve Weber, *Mind, Body and Spirit: Harassment and Discrimination-- LGBTQ Student-Athletes*, NCAA, <http://www.ncaa.org/health-and-safety/sport-science-institute/mind-body-and-sport-harassment-and-discrimination-lgbtq-student-athletes>.

⁴ Under Big 12 Guideline 1.2.3, all Big 12 members must adhere to NCAA Rules, http://www.big12sports.com/files/10410/pdfs/handbook/ConferenceHandbook.pdf?DB_OEM_ID=10410.

⁵ Under NCAA Bylaw 2.3.1, NCAA member schools are required to follow federal and state gender equity laws such as Title IX, <http://www.ncaapublications.com/productdownloads/D116JAN.pdf>.

Our Family Coalition
Kalamazoo Gay Lesbian Resource Center
Resource Center
Soulforce
TransAthlete.com