Deaf and transgender since birth, meet Dominice ... your new hero.

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By Amber Stearns
Photos by Mark A. Lee

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As a parent, what do you do when your 4-year-old child refuses to communicate and strips naked every time you leave the house to take him to school? Obviously, something’s amiss. But what is the problem? And how do you go about fixing it? For Carl Wayne Denney and his wife, Tuesday, that was life with their son Dominic, the fourth child in their crew of five.

“He was kicked off the bus because he was taking off all of his clothes,” recalls Tuesday. “When his dad started taking him to school and it was the same thing.”

“He was throwing his shoes at my head as we drove down I-69,” says Carl.

The ride from their home to the Indiana School for the Deaf was difficult.

Not only was Dominic not staying in his clothes, but he was refusing to sign, which made communication tough.

“We would go to the store — Wal-mart or Target or something — and he would instantly go to the girl clothes,” says Tuesday. “At first I didn’t think anything of it. It didn’t bother me that he liked to play with dolls. But he wouldn’t sign. He would just point at things.”

Sign language is the primary language in the household. Carl, Tuesday and Dominic are deaf. (The other children are not, but still know sign language.) Dominic’s refusal to sign made getting to the heart of his issues even more difficult. Thank God for Oprah.

Nine-year-old Dominice likes basketball, volleyball, and cheerleading and wants to be able to play and do all of them with her friends.
A TRANSGENDER person is someone who feels the gender of their inner self differs from the gender identified by their anatomy. In Dommie’s case, her body is technically male, however, she knows herself to be female.

GENDER IDENTITY is different from sexual orientation. Gender identity is introspective, meaning it has to do with how someone views himself or herself. It is about the individual and only the individual. Sometimes the inside matches the outside and sometimes it doesn’t. Sexual orientation is about a person-to-person connection on a romantic and sexual level, or rather, an individual’s connection to another individual.

Dominic, at 3 years old (inset), knew she was a girl and was not happy living life as a boy. Now at age 9 (above), Dominice is a vibrant, happy child, ready to take on sports and the world.
“But we eventually came back because of the cost of living,” says Carl, who is a Hoosier native. “And Indiana is a good place to raise a family.”

Thankfully, things had changed for the better at the Indiana School for the Deaf. Dommie’s return was met with acceptance from the administration and teachers. She is allowed to live in the girls’ dormitory and use the girls’ bathroom.

Things are definitely better than they were before the trek out West and back, but they aren’t exactly perfect.

“She wants to do everything,” said Tuesday. “Gymnastics, cheerleading, basketball, volleyball … she wants to be with her friends.”

Of course she does — just like so many other American kids. But there is also the reality that while sports at an elementary level is child’s play, competition and pressures increase with age, practice and skill. That increased level of competition is something Carl knows and understands as a coach. It led both Carl and Tuesday to be proactive in their thinking regarding Dommie’s future in school sports.

“Knowing Dommie wants to play volleyball and basketball in middle school, we decided to talk to the middle school athletic director,” said Carl. “We wanted him to know that Dommie was coming and to prepare for that.”

The Indiana School for the Deaf (ISD) is a part of the Indianapolis Independent Schools League (IISL), where interscholastic play between schools begins at the middle school level with fifth- and sixth-grade teams and seventh- and eighth-grade teams. Other schools in the league include the International School of Indiana, Sycamore School, the Oaks Academy and St. Richards Episcopal School among others.

Sommie would be eligible for interscholastic play in two years when she enters the fifth grade—if the athletic director lets her.

According to Carl and Tuesday, the middle school athletic director said Dommie would not be allowed to play as a girl on the girls’ basketball or volleyball teams.

“He said he is concerned about what other parents would say. What locker room would she use? Where would she use the bathroom? What does that even mean?” asked Tuesday. “She is a girl! She sleeps in the girls’ dorm when she is at school. Suddenly, she was a brand new person, like a butterfly coming out of her cocoon. She started talking [signing] constantly, so full of life, and she hasn’t stopped since.”

— TUESDAY APPLE, DOMINICE’S MOTHER
school. She uses the girls’ bathroom at school. Why would playing a sport be any different?”

For coaching dad Carl, the argument is even less valid from an athletic standpoint. “There is no competitive advantage for any fifth- or sixth-grader at that age at ISD’s level and conference,” said Carl.

ISD superintendent Dr. David Geeslin says the “no” the Denneys were given by the school’s athletic department was taken out of context. Although Dommie turns 10 years old this year, an age typically associated with fifth grade students, she will actually enter the third grade in the fall. Geeslin says regardless of her age, Dommie would need to play with her grade level and is two years away from playing as a fifth-grader.

“However, we will support her when she enters the fifth grade,” says Geeslin. “The research says that a positive environment creates a positive learning environment and we are dedicated to providing that for Dommie as well as the rest of our students.”

Geeslin adds the middle school athletic director, Wade Curtis, is in agreement with the administration about her grade level and is two years away from playing as a fifth-grader.

Carl says the high school athletic director is “ambivalent” about allowing transgender students to play as the gender they are identified instead of...
Mixed signals for transgender athletes

Both the Indiana High School Athletic Association (IHSAA) and the National Collegiate Athletic Association (NCAA) have rules regarding eligibility for transgender athletes — but the rules and requirements for each do not complement each other. In fact, the IHSAA rules are much more stringent and discriminatory compared to the NCAA rules.

**According to the IHSAA (2012):**

“The IHSAA rules do not permit transgender or transsexual, cross-dressing or similar types of student-athletes to participate on a member school’s team which is other than the team of the gender which matches the student’s birth gender.” – IHSAA C-1 Gender Policy

- The only exception to the rule is if the student athlete completes gender reassignment surgery. In other words, the minor student athlete would have to undergo a surgical sex change in order to play high school sports in Indiana as their chosen gender. The rules also state that all legal recognition of the change in gender would have to be “conferred” by all the proper government entities. An amended birth certificate, a court order or another official state document showing the student’s new gender would have to be presented.

- To verify a student’s changed gender, the student may be required to submit to a confidential case-by-case evaluation by an IHSAA Gender Committee relative to the gender change.

**According to the NCAA (2011):**

Transgender student-athletes are eligible to participate in sex-separated sports activities so long as the athlete’s use of hormone therapy is consistent with the NCAA policies and current medical standards, which state:

- A trans male (female to male) student-athlete who has received a medical exception for treatment with testosterone for gender transition may compete on a men’s team but is no longer eligible to compete on a women’s team without changing the team status to a mixed team. A mixed team is eligible only for men’s championships.

- A trans female (male to female) student-athlete being treated with testosterone suppression medication for gender transition 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 documented testosterone-suppression treatment.

Participation policies for high school transgender athletes in other states mirror the NCAA policy including Wisconsin, Washington and Colorado.

**IHSAA commissioner Bobby Cox on the gender policy:**

“Initially, the IHSAA was one of the first state associations in America to adopt a gender policy. Our policy was first included in our policy manual for the 2012-13 school year.

“At the time of authorship, the protocols included in the policy succinctly addressed the issue of transgender students and their identity with respect to interscholastic participation. The IHSAA did not consult with the NCAA or any other non-interscholastic entity to develop our policy.

“All policies are subject to membership review and potential revision. Having stated that, the IHSAA has received no request to alter our gender policy based upon the actions of the NCAA or any other governing body and at this moment, we do not intend to make any modifications.”

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their birth gender. The varsity athletic director expressed concern about how other teams would react to a transgender player on the opposing team. But Carl says that is a non-issue. “According to FERPA [the Family Educational Rights and Privacy Act], the other schools don’t have to know,” he says. “It is the family’s right to keep that information private.”

Even so, the underlying issue for any sport is the level of competition — something Carl’s well aware of as a coach and realizes is a major issue for transgender athletes.

“ISD competed in this national basketball competition among other deaf schools from around the country,” recalls Carl. “The ISD girls’ team played the Phoenix Deaf School girls’ team and ISD, of course, mopped the floor with them. Later I discovered that the Phoenix team had a transgender player. When I brought this to the attention of ISD’s athletic director, thinking about Dommie, he said, ‘Well, that’s different.’ When I asked him why he said it was because they weren’t any good. I told him it didn’t matter. A precedent had been set at that moment.”

Dr. Geeslin says when the time comes for Dommie to play in high school, he and ISD will continue to advocate for her right to play in both the IISL and the IHSAA.

For Tuesday, it really doesn’t matter if Dommie plays or not, but the decision to play or not to play should be Dommie’s and not based on someone’s assumptions or their lack of knowledge about transgender people.

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— TUESDAY APPLE

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It’s already happening — even before Dommie gets to middle school. “There was a cheerleading thing where the girls were doing cheers for the school and the parents,” says Tuesday. “Dommie had practiced with the other girls and knew the cheers but she wasn’t allowed to perform. Dommie was fine with it and was doing the cheers from the audience and cheering for her friends who were on the stage, but I was crying inside because I knew she was being excluded. It wasn’t fair.”

Like any mom, Tuesday’s number one concern is the emotional well-being of her children. Dommie’s situation and the potential for harm keep Tuesday on heightened alert.

Her biggest fear is that one day Dommie will fall victim to all of the negativity thrown in her direction — and perhaps even become suicidal. “She is such a loving child and rolls with the punches,” says Tuesday. “But she does come home sometimes crying because she wasn’t completely included in something. She has friends that say they are her friends but then she finds out there was a birthday party and she wasn’t invited. What happens when she gets older? I want her to be able to stand up for herself.”

The family support Dommie has around her is what allows her to be stable and confident in her identity. Her parents know the road ahead is full of obstacles, but they are dedicated to educating everyone around them about transgender people to ensure their daughter’s continued stability and security. The opportunity to play sports is just one more level of acceptance they feel Dommie deserves to have.

But for now, Dommie is just what she is supposed to be — a happy-go-lucky little girl surrounded with pink frilly things, baby dolls and love.

“I don’t care if she wants to play or not,” Tuesday says. “Just don’t say no to her because of who she is.”

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“Dominice... I am beyond blessed to have you as my beautiful transgender daughter. Remember, GOD LOVES YOU, even though you’re a transgender! DO NOT LET anyone tell you differently!”

– Tuesday Apple (above, with Dominice) on Facebook.