

December 5th 2023

Government Oversight Committee
Ohio Senate
1 Capitol Square, Columbus, OH 43215

RE: Interested Party to HB68

Chairman Roegner, Ranking Member Hicks-Hudson and members of the Government Oversight Committee, thank you for the opportunity to testify on House Bill 68.

My name is Steven Arness and I am here today to share with you my personal experiences, thoughts and observations on this legislation.

While I may look like a white heterosexual male, I'll reveal to you that I am also THE epitome of microaggressions, bigotry, and discrimination.

In my early thirties I decided to participate in a sport I was fascinated by on TV. First step was equipment, and my first encounter with bias. My equipment choices were black or black, next was clothing and more bias. Off the rack I had three styles to choose from and a color choice of black, grey, white, and/or blue for half my outfit, the other half was black only. Not satisfied with these choices I searched for a seamstress for a custom made outfit and I finally found someone after twenty seven others had told me no.

Next was getting a coach, more bias again as most said no. One said yes if I would restrict my attire not only to when in lessons, but also in my personal life and to the aforementioned options. I said no, I eventually did find a coach, but they didn't continue with me on my second year as they were overwhelmed by the hatred of others belittling them.

The owner the pro shop I would frequent said if I provided them with a picture, they would put it up next to the other pictures of their customers. After six photo studios told me no, a friend of mine told me they knew someone who could accommodate me. Visiting the shop one day the owner told me people kept knocking my picture off the wall. In fact, some customers would call ahead and ask for my picture to be taken down before they entered the store.

What pray tell your may ask caused these people to act this way? You see, the sport I chose was ice skating or more specific, figure skating. And the attire I most often chose to wear was a traditional figure skating dress, suntan tights, and I presented as myself.

In fact I was told to leave a place of public accommodations for dressing the same way as other females had the freedom to do. When I asked the Ohio Civil Rights Commission to look into this. The defendant blatantly admitted that I would not have been kicked out if I was a women. And while the commission did agree that I was discriminated against based on sex, they denied me conciliation and closed the case.

Sure it's possible that I could self train, if I'm allowed in the building that is, but while my female counterparts can compete wearing my clothing, I cannot compete wearing their clothing.

For me, I needn't worry of which restroom I've been told I'm supposed to use as sometimes I can't even get in the building.

And that's where the problem lies.

I went to watch an ice skating competition, a young girl and I presume her dad entered. I watched as it took him two tries before he found a women to take his daughter into the girls locker room to get changed. A little while later I saw a women show up with I presume her son and they both walked straight into the men's bathroom/boys changing room without hesitation.

One day while watching practice, a mom of a skater I skated with said the lady next to her said it was odd for a man by himself to be watching young girls. She told the lady, "Oh, that's Steven, he's more interested in the dress then the girl in the dress."

At learn to skate a little girl asked me to tie her skates, I told her no, she asked why, I said I couldn't, she asked why not? After a few more back and forth, she finally left and sought help elsewhere. I know how to tie skates, but I let others who feared me stop me from being kind. In retrospect, people should fear those that fear me.

A Cleveland news reporter lead a story of a boys lost backpack with "Police on the search, but not for a wanted man."

There are no organizations that stand behind or next to me, instead I have individuals and organizations that do nothing. And while they embody female freedom, they write rules to restrict mine and other males freedom of which they do with relative impunity and no repercussions.

This all re-enforces the stereotype that men are to be feared. I am a white heterosexual male, yet face the same actions taken against other minorities, but with no support and over a simple piece of fabric.

House Bill 68 not only fails to address the root of the problem, but if passed, would cause even more harm to everyone.

Thank You for your time,

Steven Arness

THE 2004 OFFICIAL USFSA RULEBOOK

(Except as otherwise specified in the Report of Action of the May 2003 Governing Council Meeting, the effective date of any revisions to the Official Rules of the USFSA is September 1, 2003, for the 2003-04 competition season.)

Published August 2003 by
THE UNITED STATES FIGURE
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PART ONE
BYLAWS
of The United States
Figure Skating Association

PART TWO
TECHNICAL RULES

PART THREE
ADMINISTRATIVE RULES

PART FOUR
COMMITTEE RULES

PART FIVE
GLOSSARY

SSR 17.02

SSR 17.02 A warm-up period must immediately precede a competitive skating group. In case of interruption in the competition due to unforeseen circumstances of more than ten (10) minutes, the skaters concerned will be permitted a second warm-up period of six (6) minutes in the case of singles or pairs, or two (2) minutes in the case of ice dance.

SSR 18.00

COACHING

SSR 18.01 Skaters may receive coaching or instruction from the sidelines while on the ice during warm-up periods and may also leave the ice surface for that purpose, provided such coaching or instruction does not interfere with the judging of another skater. However, coaching or instruction is not permitted during the actual performance of the candidate before the judges, nor may the coach be on the ice with the skater in the warm-up area. For the purpose of this rule, coaching shall be considered any communication between the candidate and an instructor, parent or any other person. The referee may bar from the rink anyone who disregards this rule and may disqualify any candidate who receives coaching or instruction in violation thereof.

SSR 19.00

CLOTHING AND SKATE BLADES

SSR 19.01 The clothing of the competitors in all disciplines of figure skating must be modest, dignified, not garish or theatrical in design and appropriate for athletic competition. Clothing may, however, reflect the character of the music chosen. Clothing not meeting the foregoing requirements must be penalized by the judges by a deduction of 0.1 in the second mark.

A. Clothing for dance which displays an inappropriate effect of "nudity" and/or appears too "revealing" is not permitted. Clothing not meeting the foregoing requirements must be penalized by the judges by a deduction of 0.1 in the second mark.

SSR 19.02 Clothing for men cannot be theatrical in nature. Men must wear full-length trousers. Tights are not permitted. The clothing must have a neckline which does not expose the chest, must not be sleeveless and must be without excessive decoration such as beads, sequins and the like.

SSR 19.03 Clothing for ladies cannot be theatrical in nature. They must have skirts and pants covering the hips and posterior. The lady's dress must not give the effect of excessive nudity inappropriate for an athletic sport. A unitard is not acceptable. A bare midriff is not acceptable. Clothing must be without excessive decoration such as beads, sequins, feathers and the like.

SSR 19.04 Any ornamentation attached to the clothing must be firmly fastened so as not to fall off while skating under normal competitive conditions.

SSR 19.05 Accessories and props are not permitted.

SSR 19.06 Figure skating blades used during competitions and tests must be sharpened to produce a flat to concave cross section without change to the width of the blade as measured between the two edges. However, a slight tapering or narrowing of the cross section of the blade is permitted.

SSR 19.07 [Moved]

SSR 27.05

G. In the case of an interruption in the competition due to unforeseen circumstances of more than ten (10) minutes, a second warm-up of one (1) minute will be permitted for the team concerned.

SSR 24.02 If any team member(s) falls through their own fault, it must be reflected in the mark for technical merit and also in the mark for presentation if the fall interrupts the harmonious composition. A fall in itself is no bar to winning.

SSR 25.00

COACHING

SSR 25.01 Teams may receive coaching or instruction from the sidelines while on the ice during warm-up periods. However, coaching or instruction is not permitted during the actual performance of the team before the judges. For the purpose of this rule, coaching shall be considered any communication between any member of the team and an instructor, parent or any other person. The referee may bar from the rink anyone who disregards this rule and may disqualify any team who receives coaching or instruction in violation thereof.

SSR 25.02 For all qualifying and nonqualifying competitions, the referee will designate a specific area for coaches to stand during the warm-up period of their teams. Coaching will not be permitted from other areas.

SSR 26.00

MUSIC

SSR 26.01 Music:

- A. Any music, including vocal music using lyrics, is permitted. However, teams must skate the program in time to the music. Additions of sounds of applause or cheers are not permitted;
- B. If the music is not according to the requirements as stated, a deduction of 0.1 must be made in the presentation mark.

SSR 26.02 No discernible counting shall be permitted either by the coach, the leader of the team or by others. Music should be selected that is suitable for the age, skill and skating ability of the team.

SSR 27.00

CLOTHING AND SKATE BLADES

SSR 27.01 Clothing and make up must not be theatrical, must not highlight any skater, and must be kept dignified and appropriate for athletic competition. Clothing, however, may reflect the character of the music chosen. Men must wear clothing in the same or compatible color as ladies. See SSR 19.00.

SSR 27.02 Headdress must be kept to a minimum. There can be no props and/or hand props on the ice. Banners, canes or pom-poms will not be permitted.

SSR 27.03 Sequins, rhinestones or jeweled trim may be used in moderation on the clothing of senior and junior synchronized skating teams only. This adornment is allowed on the bodice only. Sleeves and skirts are to be void of adornment. Feathers or other materials that could be dislodged upon contact are not allowed. The use of adornments in all other divisions is prohibited.

SSR 27.04 The skating clothing worn in actual competition may not bear any form of advertising. However, warm-up suits may bear the name of a sponsor when the team is on the ice for warm-up.

SSR 27.05 The use of hair pins and bobby pins is prohibited while skating in any synchronized team skating competition.

Technical Requirements – Singles

6000 Singles Rules

U.S. Figure Skating reserves the right to incorporate revisions made by the ISU for junior and senior events. The revisions or clarifications made to the international judging system by the ISU may be adopted by U.S. Figure Skating at its discretion at any time after the revision or clarification is issued. For novice events, revisions or clarifications will be posted as Technical Notifications on the Members Only site and, when applicable, published in the next U.S. Figure Skating rulebook.

6001 Use of IJS

Competitions and categories that are required to use the international judging system (IJS) are listed in rule 1041.

6010 Conduct of Singles Events

6020 Singles Event Names

6021 The title “men” or “women” will apply to all singles events at or above the intermediate level, all adult singles events, all intercollegiate singles events and all open singles events. All other singles events will use the title “boys” or “girls.” If boys and girls are competing against each other at the pre-juvenile level or lower, the title “singles” will apply (i.e. pre-juvenile singles free skate).

6030 Clothing and Equipment – Singles

6031 The clothing of the competitors must be modest, dignified and appropriate for athletic competitions or tests, not garish or theatrical in design. Clothing may, however, reflect the character of the music chosen.

A. The skating clothing worn in actual competition may not bear any form of advertising. However, warm-up suits may bear the name of a sponsor when a skater is on the ice. The sponsor’s name must not exceed 4.65 square inches (30 square centimeters).

6032 Clothing must not give the effect of excessive nudity inappropriate for the discipline. Accessories and props are not permitted.

6033 Men must wear full-length trousers.

6034 Any ornamentation attached to the clothing must be firmly fastened so as not to fall off while skating under normal competitive conditions.

6035 *Skate blades:* Figure skating blades used during competitions and tests (or hockey skate blades used during moves in the field tests or moves in the field events at competitions) must be sharpened to produce a flat to concave cross section without change to the width of the blade as measured between the two edges. However, a slight tapering or narrowing of the cross section of the blade is permitted.

6040 Music – Singles

The program shall be skated in harmony with the music chosen by the competitor. For singles short program and free skate, vocal music with lyrics is permitted.

6050 Duration of Skating – Singles

Timing starts from the moment the skater begins to move or skate. Timing stops when the skater comes to a complete stop at the end of the program.

6051 Permissible Time Allowance – Intermediate and Novice Short Programs, Pre-Preliminary and No Test Free Skates and All Adult Events

The duration of intermediate, and novice short programs, and pre-preliminary, no test and adult free skate must not exceed the maximum time allowed, but may be less, provided that all technical elements are included. Any element started after the permissible time will be considered in the marking as omitted. See rules 6913 and 1071 (C) for deductions for programs that exceed the time limit using the 6.0 system and the IJS respectively.

6052 Permissible Time Allowance – Junior and Senior Short Programs and All Free Skates (Except Pre-Preliminary, No Test and Adult)

Skaters are allowed to finish junior and senior short programs, and all free skates (except for pre-preliminary, no test and adult events) within 10 seconds plus or minus the required time.

A. Any element started after the permissible time must not be marked and will have no value.

B. Should the program be 30 or more seconds short of the prescribed range, no marks will be awarded.

See rules 6914 and (C) for deductions using the 6.0 system and the IJS respectively for programs that do not finish within the range of time allowed.

6060 Composition of Singles Events

6061 Senior, junior, novice and intermediate free skate events shall consist of a short program and a free skate. If a qualifying round is necessary at qualifying competitions, only the free skate shall be skated in the qualifying round. The championship round shall consist of a short program and a free skate. The short program must precede the free skate except in qualifying rounds.

6062 Juvenile singles events shall consist of free skate only; however, at nonqualifying competitions, a juvenile short program may be offered.

6063 For the adult championships, all singles events shall consist of free skate only.

Technical Requirements – Pairs

7000 Pairs Rules

U.S. Figure Skating reserves the right to incorporate revisions made by the ISU for junior and senior events. The revisions or clarifications made to the international judging system by the ISU may be adopted by U.S. Figure Skating at its discretion at any time after the revision or clarification is issued. For novice events, revisions or clarifications will be posted as Technical Notifications on the Members Only site, and when applicable, published in the next U.S. Figure Skating rulebook.

7001 Use of IJS

Competitions and categories that are required to use the international judging system (IJS) are listed in rule 1041.

7010 Conduct of Pair Events

7020 Pair Definition

Pair skating is the skating of two persons in unison who perform their movements in such harmony with each other as to give the impression of genuine pair skating as contrasted with independent single skating. Attention should be paid to the selection of an appropriate partner.

A. In pair skating competitions, only pairs of the same composition (woman and man, two women or two men) may compete against each other.

7030 Clothing and Equipment – Pairs

7031 The clothing of the competitors must be modest, dignified and appropriate for athletic competitions and tests, not garish or theatrical in design. Clothing may, however, reflect the character of the music chosen.

A. The skating clothing worn in actual competition may not bear any form of advertising. However, warm-up suits may bear the name of a sponsor when a team is on the ice. The sponsor's name must not exceed 4.65 square inches (30 square centimeters).

7032 Clothing must not give the effect of excessive nudity inappropriate for the discipline. Accessories and props are not permitted.

7033 Men must wear full-length trousers.

7034 Any ornamentation attached to the clothing must be firmly fastened so as not to fall off while skating under normal competitive conditions.

7035 *Skate blades:* Figure skating blades used during competitions and tests (or hockey skate blades used during moves in the field tests or moves in the field events at competitions) must be sharpened to produce a flat to concave cross section without change to the width of the blade as measured between the two edges. However, a slight tapering or narrowing of the cross section of the blade is permitted.

7040 Music – Pairs

The program shall be skated in harmony with the music chosen by the competitors. For pairs short program and free skate, vocal music with lyrics is permitted.

7050 Duration of Skating – Pairs

Timing starts from the moment either partner begins to move or skate. Timing stops when both skaters come to a complete stop at the end of the program.

7051 Permissible Time Allowance – Novice Short Program and All Adult Events

The duration of novice short programs and adult free skates must not exceed the maximum time allowed, but may be less, provided that all technical elements are included. Any element started after the permissible time will be considered in the marking as omitted. See rules 7913 and 1071 (C) for deductions for programs that exceed the time limit using the 6.0 system and the IJS respectively.

7052 Permissible Time Allowance – Junior and Senior Short Programs and Juvenile through Senior Free Skates

Teams are allowed to finish junior and senior short programs, and all free skates (except for adult events) within 10 seconds plus or minus the required time.

A. Any element started after the permissible time must not be marked and will have no value.

B. Should the program be 30 or more seconds short of the prescribed range, no marks will be awarded.

See rules 7914 and 1071 (C) for deductions for programs that do not finish within the range of time allowed using the 6.0 system and the IJS respectively.

7060 Composition of Pair Events

7061 Senior, junior and novice pair events will consist of a short program and a free skate, which will be skated and judged as provided in rules 7410, 7420 and 7430 respectively. If a qualifying round is necessary at qualifying competitions, only the free skate will be skated in the qualifying round. The championship round will consist of a short program and a free skate. The short program must precede the free skate except in qualifying rounds.

7062 Intermediate and juvenile pair events will consist of a free skate only, which will be skated and judged in accordance with rules 7440 and 7450.

7063 For the adult championships, all pair events shall consist of free skate only.

Technical Requirements – Ice Dance

8000 Ice Dance Rules

U.S. Figure Skating reserves the right to incorporate revisions made by the ISU for junior and senior events. U.S. Figure Skating also reserves the right to incorporate revisions made to the ISU advanced novice dance event into the U.S. novice dance event. The revisions or clarifications made to the international judging system by the ISU may be adopted by U.S. Figure Skating at its discretion at any time after the revision or clarification is issued. For novice events, revisions or clarifications will be posted as Technical Notifications on the Members Only site and, when applicable, published in the next U.S. Figure Skating rulebook.

A. The chair of the Dance Development and Technical Committee, in consultation with the national vice chair of technical panel officials on the Domestic Officials Recruitment and Management Committee, will prepare the list of well-balanced program elements for qualifying IJS levels to correspond with the elements available each year. The list will be published as a Technical Notification on the U.S. Figure Skating website within 15 days of publication of the corresponding ISU Communication.

8001 Use of IJS

Competitions and categories that are required to use the international judging system (IJS) are listed in rule 1041.

8010 Conduct of Ice Dance Events

8011 An ice dance couple shall be composed of a woman and a man.

8020 Clothing and Equipment – Ice Dance

8021 The clothing must be modest, dignified and appropriate for athletic competitions and tests, not garish or theatrical in design. Clothing may, however, reflect the character of the music chosen.

A. The skating clothing worn in actual competition may not bear any form of advertising. However, warm-up suits may bear the name of a sponsor when the team is on the ice. The sponsor's name must not exceed 4.65 square inches (30 square centimeters).

B. ~~The clothing must not give the effect of excessive nudity inappropriate for the discipline.~~

C. Men must wear full-length trousers.

D. Women are permitted to wear trousers.

E. ~~Accessories and props are not permitted.~~

F. The decorations on the costumes must be nondetachable, and no part of the costume or hair decoration such as flowers, headbands, ribbons, etc. (which are also a part of a costume), may fall on the ice during skating.

8022 *Skate blades:* Figure skating blades used during competitions and tests (or hockey skate blades used during moves in the field tests or moves in the field events at competitions) must be sharpened to produce a flat to concave cross section without change to the width of the blade as measured between the two edges. However, a slight tapering or narrowing of the cross section of the blade is permitted.

8030 Music – Ice Dance

8031 For ice dance events, music is chosen by the competitor except for pattern dances that have not been designated as a "skaters' choice" pattern dance.

A. For pattern dances, the music must conform to the type and tempo specified in the description of the pattern dance, except as outlined for the "skaters' choice" pattern dances, which have their own tempo regulations.

B. For pattern dances designated as "skaters' choice" pattern dances, each couple may provide their own music for each pattern dance. Couple's chosen music may be +/- 2 beats per minute different from the tempo as stated in the description of the pattern dance and may include vocals. Each team must submit their music no later than the first official practice session for their event at each competition.

C. For the rhythm dance and free dance, see event-specific rules.

8032 For nonqualifying competitions, pattern dance music may be either vocal or orchestral, and must conform to the type and tempo specified in the description of the pattern dance. For qualifying competitions, standardized music from the ISU must be used with the exception of pattern dances designated as a "skaters' choice" pattern dance, where the music can be an original piece, either vocal or orchestral, chosen by the skaters while conforming to the type and tempo requirements set forth by the Dance Development and Technical Committee. The Dance Development and Technical Committee will announce each season, by Governing Council, the requirements for the "skaters' choice" pattern dances. This will include, but may not be limited to, the length of the allowable time for each pattern dance. For rhythm dance and free dance (competition and test) music, see rules 8090, 8095 and 8324 respectively.

8033 Music registration for the rhythm dance and free dance:

A. When registering their music for the rhythm dance, couples are required to list the rhythms chosen and the order in which they will be skated.

B. In addition, couples are required to submit the name of the selected music or title or theme of their free dance program.

C. This information will be given to the referee for distribution to the judges.

8040 Duration of Skating – Ice Dance

Timing starts from the moment either partner begins to move or skate. Timing stops when both skaters come to a complete stop at the end of the program.

Technical Requirements – Synchronized Skating

9000 Synchronized Rules

U.S. Figure Skating reserves the right to incorporate revisions made by the ISU for junior and senior events. U.S. Figure Skating also reserves the right to incorporate revisions made to the advanced novice free skate event into the novice free skate event. The revisions or clarifications made to the international judging system by the ISU may be adopted by U.S. Figure Skating at its discretion at any time after the revision or clarification is issued. Revisions or clarifications will be posted as Technical Notifications on the Members Only site and, when applicable, published in the next U.S. Figure Skating rulebook.

- A. The short program and well-balanced free skate requirements, costume guidelines and deductions will be reviewed by the Synchronized Development and Technical Committee and published on the [Synchronized Skating Rules & Resources page on the Members Only site](#) no later than July 1 each season.
- B. Using the list in rule 9062 (E), the chair of the Synchronized Development and Technical Committee, in consultation with the vice chair of development, the vice chair of technical, and the technical panel representative on the Synchronized Development and Technical Committee will determine the well-balanced free skate elements for levels other than novice, junior and senior to correspond with the elements available each year. The list will be published in the [Synchronized Skating Rules & Resources page on the Members Only site](#).

9001 Use of IJS

Competitions and categories that are required to use the international judging system (IJS) are listed in rule 1041.

9010 Conduct of Synchronized Skating Events

Synchronized skating involves a team of eight or more skaters skating various elements and formations to music.

9011 Men and women may skate on the same team.

9020 Clothing and Equipment – Synchronized Skating – Competition and Official Practice

9021 The clothing of the competitors must be modest, dignified and appropriate for athletic competition, not garish or theatrical in design. Costumes may, however, reflect the character of the music chosen.

A. The clothing must not give the effect of excessive nudity inappropriate for the discipline.

B. Men must wear full-length trousers.

C. Accessories, feathers, props and rhinestones adhered to the face are not permitted.

D. Costumes that transform in appearance will be considered as props.

E. Clothing and makeup that does not adhere to these guidelines will be penalized by a deduction. See rule 9923.

9022 The decorations on costumes must be non-detachable. If any part of the costume or decoration falls on the ice during a competition, the team will be penalized by a deduction. See rule 9923. See Synchronized Skating Costume Guidelines for specific regulations per division.

9023 The skating clothing worn in actual competition may not bear any form of advertising. However, warm-up suits may bear the name of a sponsor when the team is on the ice. The sponsor's name must not exceed 4.65 square inches (30 square centimeters).

9024 *Skate blades:* Figure skating blades used during competitions and tests (or hockey skate blades used during moves in the field tests or moves in the field events at competitions) must be sharpened to produce a flat to concave cross section without change to the width of the blade as measured between the two edges. However, a slight tapering or narrowing of the cross section of the blade is permitted.

9030 Music For Synchronized Skating Events:

A. Any music, including vocal music using lyrics, is permitted. However, teams must skate the program in time to the music. Additions of sounds of applause or cheers are not permitted;

B. No discernible counting shall be permitted either by the coach, the leader of the team or by others. Music should be selected that is suitable for the age, skill and skating ability of the team.

9040 Duration of Skating – Synchronized Skating

9041 Timing starts from the moment a skater begins to move (arms, head, etc.) or skate. Timing stops when the skaters come to a complete stop at the end of the program.

9042 Permissible Time Allowance – Short Programs

The duration of the short program must not exceed the maximum time allowed, but may be less, provided that all technical elements are included. Any element started after the permissible time will be considered in the marking as omitted. No extra marks are obtained by extending the program to the maximum time permitted if it is unnecessary to do so. For IJS deductions, see the [Synchronized Skating Rules & Resources page on the Members Only site](#).

A. Senior short program: 2:50 maximum time

B. Junior short program: 2:50 maximum time

II. TECHNICAL RULES SINGLE & PAIR SKATING / ICE DANCE

GENERAL TECHNICAL RULES IN SINGLE & PAIR SKATING AND ICE DANCE

Rule 500 Definition of the skate blade

Figure Skating blades used during competitions must be sharpened to produce a flat to concave cross section without change to the width of the blade as measured between the two edges. However, a slight tapering or narrowing of the cross section of the blade is permitted.

Rule 501 Clothing

1. At ISU Championships and International Competitions, including the Olympic Winter Games and the Winter Youth Olympic Games, the clothing of the Competitors must be modest, dignified and appropriate for athletic competition – not garish or theatrical in design. Clothing may, however, reflect the character of the music chosen. The clothing must not give the effect of excessive nudity inappropriate for the discipline. Men must wear full length trousers. Accessories and props are not permitted.

Clothing that does not adhere to these guidelines will be penalized by a deduction (see Rule 353, paragraph 1.n).

For Ice Dance, exceptions to the restrictions may be announced by the IDTC.

2. The decorations on costumes must be non-detachable. Part of the costume or decoration falling on the ice will be penalized by a deduction (see Rule 353, paragraph 1.n).

Rule 502 Duration of skating

The time must be reckoned from the moment the Skater (either Skater for Pair Skating and Ice Dance) begins to move or to skate until arriving at a complete stop at the end of the program.

Photo on the wall at Skaters Edge in Rocky River Ohio



Restroom signs at Chelsea Piers in New York, New York



Charging Party did return to Respondents facility several more times to skate but did not wear only a skating dress as on July 27, 2020.

Respondent states they have offered the freestyle session over the summer for the past 10 years. Historically, only skaters between the ages of 8 to 18 years old, as well as those from the Wooster Figure Skating Club, attend. Very seldomly did Respondent have adults attend the freestyle sessions. Respondent also offered a camp for children ages 6 to 12 years old during the summer of 2020, weekdays from 8am to 5pm.

Respondent does not deny it denied Charging Party the opportunity to attend its skating session due to his attire, but states Charging Party has never sought an opportunity to skate in a skirt at a time when there were no children in the building. Indeed, Respondent stated, “[Respondent] does not believe it appropriate for a male to be wearing a short skirt in front of children” and “As long as there are children in our building [Charging Party] will not be permitted to wear a dress.” However, Respondent indicates it would not apply such a policy to Charging Party had he been female. To wit, after being asked if the same scenario happened but Charging Party were a female, would it be an issue, Respondent stated, “if a woman come in that way, they would be able to stay because it would be a woman dressed as a woman.”

The information obtained during the investigation indicates it is more probable than not Respondent discriminated against Charging Party of the basis of his sex - gender stereotyping. The attire worn by Charging Party was prohibited because it did not conform to a gender stereotype.

DECISION:

The Ohio Civil Rights Commission determines it is **PROBABLE** that Respondent has engaged in an unlawful discriminatory practice in violation of Ohio Revised Code Chapter 4112. Therefore, the Commission hereby orders that this matter be scheduled for **CONCILIATION**.

In accordance with Ohio Revised Code § 4112.05(A) and Ohio Administrative Code § 4112-3-03(C), the Commission invites you to participate in conciliation by informal methods of conference, conciliation and persuasion. Enclosed is a draft of the proposed Conciliation Agreement and Consent Order for your consideration Ronald E. Church has been assigned as Conciliator and can be reached by telephone at 330-643-3108 or by email at ron.church@civ.ohio.gov. **Please contact the Conciliator to discuss the conciliation process.** If the Commission’s attempts at conciliation are unsuccessful, a formal complaint will be issued, and the case will be scheduled for a public hearing.

NOTICE OF RIGHT TO REQUEST RECONSIDERATION:

Pursuant to Ohio Administrative Code § 4112-3-04, you have the right to request reconsideration of this determination of the Commission. The application must be in writing and state specifically the grounds upon which it is based. If you wish to appear before the Commissioners to present oral arguments supporting your request, you must specifically make a request to appear in writing.

This request must be sent to the Compliance Department, Ohio Civil Rights Commission, 30 East Broad Street, 5th Floor, Columbus, Ohio 43215. You must submit the request for reconsideration, along with all additional evidence or supporting documentation, within **TEN (10) days** of the date of mailing of this notice. Any application for reconsideration or additional materials received by the Compliance



OHIO CIVIL RIGHTS COMMISSION

Governor Mike DeWine
Commissioners: Lori Barreras, Chair | William Patmon, III | Dr. Carolyn Peters | Madhu Singh
Executive Director Angela Phelps-White

REC 3/15/21

March 11, 2021

**Mailed on March 11, 2021

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(seth@nobleice.com)

LETTER OF DETERMINATION

Steven Arness v. The Donald & Alice Noble Foundation, Inc., dba The Alice Noble Ice Arena
AKRG3(40836)08012020; 22A-2020-02711F

FINDINGS OF FACT:

Charging Party filed a charge of discrimination with the Ohio Civil Rights Commission alleging Respondent engaged in an unlawful discriminatory practice. All jurisdictional requirements for filing a charge have been met.

After receiving the charge, the Commission conducted an investigation into Charging Party's allegation against Respondent. During the investigation, the Commission considered relevant documents and testimony. The information gathered does support a recommendation that Respondent unlawfully discriminated against Charging Party.

Specifically, the Commission found on July 27, 2020, Charging Party arrived at Respondent's facility to attend its freestyle figure skating session, which was an open skate event with no limitations on age or skill level. When Charging Party arrived, his attire consisted of a skating dress, which he has worn to prior sessions at the facility, except this day Charging Party did not have on warm up pants. Charging Party was immediately approached by General Manager, Seth Greenburg, who told him he could not wear a skirt as it was inappropriate because of there is children in the facility. Greenburg then informed Charging Party he could either skate with pants on or Respondent would refund his money and Charging Party could leave. Greenburg also told Charging Party if he wanted to skate in a skirt, Greenburg would find a time for adults only. Charging Party requested and received a refund and left the building.

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AKRG3(40836)08012020; 22A-2020-02711F
Page 3

Department in the Commission's Columbus Central Office after the ten-day period has expired will be deemed untimely filed. Extensions of this ten-day filing period are not permitted.

FOR THE COMMISSION,

Bradley S.S. Dunn
Bradley S. S. Dunn
Akron Regional Director

cc: Representative for Charging Party:
Andrew E. Wides, Esq.
The Pecchio Law Firm Co., L.P.A.
The Riverparke Building
1653 Merriman Road, Suite 203
Akron, Ohio 44313
(awides@pecchiolawfirm.com)

Representative for Respondent:
David D. Noble, President & CEO
121 North Market Street, Suite 600
Wooster, Ohio 44691
(david.noble@noblefound.com)

Representative for Respondent:
Kyle A. Cramer, Esq.
50 South Main Street, Suite 615
Akron, Ohio 44308
(kyle_cramer@staffdefense.com)



THE OHIO CIVIL RIGHTS COMMISSION

CENTRAL OFFICE

Rhodes State Office Building
30 East Broad Street, 5th floor
Columbus, Ohio 43215
Telephone: (614) 466-2785
Toll Free: (888) 278-7101
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AKRON REGIONAL OFFICE

Ocasek Government Office Building
161 S. High Street, Suite 205
Akron, Ohio 44308
Telephone: (330) 643-3100
Toll Free: (888) 278-7101
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CONCILIATION AGREEMENT AND CONSENT ORDER

Charge Number: ARKG3(40836)08012020; 22A-2020-02711F

Charging Party: Steven Arness

Respondent: The Donald & Alice Noble Foundation, Inc., dba The Alice Noble Ice Arena

General Provisions

1. This Conciliation Agreement and Consent Order is made between the Ohio Civil Rights Commission (hereinafter "Commission"); Steven Arness (hereinafter "Charging Party"); The Donald & Alice Noble Foundation Inc., dba The Alice Noble Ice Arena (hereinafter "Respondent") and Respondent's heirs, representatives, officers, agents, employees, successors, or assignees.
2. This Conciliation Agreement and Consent Order is designed to ensure voluntary compliance with the provisions of the Ohio Laws Against Discrimination, as set forth in Ohio Revised Code Chapter 4112.
3. Respondent agrees that there shall be no discrimination of any kind as prohibited by Ohio Revised Code Chapter 4112. and that there shall be no retaliation against any person because he/she has opposed a practice deemed illegal under that chapter or because he/she has filed a charge, testified, assisted, or participated in an investigation, proceeding, or hearing.
4. The Charging Party hereby waives, releases, and agrees not to sue Respondent for any claims arising before the Ohio Civil Rights Commission that were the subject of the above-referenced charge.

Steven Arness v. The Donald & Alice Noble Foundation, Inc., dba The Alice Noble Ice Arena

ARKG3(40836)08012020; 22A-2020-02711F

Page 1 of 3

Remedial Action

5. As evidence of a good faith effort to resolve the above-referenced charge, it is agreed:
 - a. Respondent agrees to provide the Akron Regional Supervisor with a list of the names, positions, and employment dates for all of its Officers, Directors, Managers, Supervisors, Commissioners, and employees who handle the admittance of consumers of Respondent's services in the State of Ohio.
 - b. Within one-hundred and eighty days of the disposition of this case by the Commissioners, Respondent agrees to provide training regarding gender stereotyping to all Respondent's Officers, Directors, Managers, Supervisors, Commissioners, and employees who handle the admittance of consumers of Respondent's services in the State of Ohio. The training will be at least two hours in length and address local, federal, and state laws against discrimination, specifically addressing gender stereotyping. The training materials must be approved by the Akron Regional Supervisor in advance of the training. After the training has been completed, Respondent will provide sign-in sheets to include all who attended the training and notarize the sign-in sheets to attest to the attendance of the participants.
 - c. Respondent agrees to subject all individuals, hired to fill positions referenced in Section 5a. on or before February 11, 2022, to training as directed in Section 5b. of this agreement within thirty days of hire.
 - d. Respondent will immediately change any and all policies and procedures that violate state, local, and federal discrimination laws, specifically those related to the permitted attire that differentiates male and female consumers of Respondent's services.
6. Supporting documentation and proof of compliance with this Conciliation Agreement and Consent Order shall be mailed to Ron Church, Akron Regional Supervisor, Ohio Civil Rights Commission, 161 S. High St., Suite 205, Akron, OH 44308 by August 11, 2021.

Enforcement

7. In accordance with the terms of Ohio Revised Code § 4112.06 and Ohio Administrative Code § 4112-3-03(D), this Conciliation Agreement and Consent Order constitutes a final order of the Commission. Respondents agree to be legally bound by this Conciliation Agreement and Consent Order and to waive a public hearing in this matter. See Ohio Adm. Code § 4112-3-10(B)(3).
8. This Conciliation Agreement and Consent Order does not constitute an admission by Respondent of any violation of Ohio Revised Code Chapter 4112.
9. The Commission may investigate whether Respondent has complied (or is complying) with the terms of this Conciliation Agreement and Consent Order. To that end, the Commission may require written reports and/or conduct inspections, examine witnesses, and review and copy pertinent records to determine compliance with the terms contained herein.

10. In the event of a breach of this Agreement, Respondent agrees to pay the Commission, as liquidated damages, the base hourly rate for Commission employee(s) involved in handling the breach, multiplied by the hours spent on documented enforcement efforts by said employee(s). *Such liquidated damages are intended to represent estimated actual damages and are not intended as a penalty.*
11. Respondent agrees that upon its failure to fully comply with the provisions of this Conciliation Agreement and Consent Order the Commission may initiate further action including, but not limited to, the filing of a complaint in the Court of Common Pleas to seek enforcement of the terms and provisions of this Conciliation Agreement and Consent Order and reimbursement for any legal fees and costs incurred in filing such enforcement action.

RESPONDENT (The Donald & Alice Noble Foundation Inc., dba the Alice Noble Ice Arena or Representative)

Signature Printed Name Date

Title

CHARGING PARTY (Steven Arness or Representative)

Signature Printed Name Date

Title

OHIO CIVIL RIGHTS COMMISSION

Signature Printed Name Date

Title

A Slippery Slope

By SUSAN VINELLA

That Steven Arness prefers skating skirts doesn't sit well with some folks. But to deny him the right to wear them would be treading on thin legal ice.

STEVEN ARNESS LACED UP his skates, slipped on his gloves and started toward the frozen oval at Kent State University's ice arena. Before his blades touched the ice, the whispers began. People stared. Some frowned. Others giggled.

What, they all wondered, is with this guy wearing a dress?

The 34-year-old Arness says it's not what some people think. He has no agenda, no deep-rooted desire to express a feminine side and absolutely no intention to prey on children. The self-employed computer cable installer and summertime Go Kart park manager simply likes to glide across the ice in women's skating dresses.

"I like the flow," Arness says. "I'm attracted to the movement. I'm fascinated with the styles ladies get to wear."

Some in the Greater Cleveland skating community are less than fascinated with Arness. They find him disruptive, weird and even a little scary. His unorthodox attire has prompted discussion about whether rinks can impose dress codes for public skating sessions.

Others have skipped the discussion and gone straight to outrage.

One recent Tuesday evening, parents complained to management at Brooklyn's rink when a photographer showed up to take pictures of Arness skating in a dress and tights during a public session. Some called Arness a "faggot" and "pervert" and used profanity and obscene finger gestures toward both the photographer and Arness.

Several parents pulled their children off the ice, demanded a refund and left.

"They didn't want their little kids photographed with a guy wearing a skirt," says Al Sforzo, recreation commissioner for the city of Brooklyn.

After the incident, Sforzo spoke to the city's law director, who told him the rink had no legal right to

ban Arness from skating in dresses. "We don't like it, but there's nothing we can do," Sforzo says. "We don't like it because it doesn't seem appropriate. But he has the right to dress how he wants."

Last year, when Arness first showed up in Brooklyn, Sforzo called several other local rinks to find out if they had a dress code, or planned to create one, for skaters who attend public sessions. No one did, he says, and no one wants to initiate one for fear of a discrimination lawsuit.

Rinks can mandate skating attire during public sessions only to enforce safety, says Sforzo.

Skating clubs have more leeway. Because they buy ice time for their skaters to use during private sessions, they essentially "own" the ice during that time and have the right to impose dress codes for any reason. Men must wear pants.

So that he can wear his dresses and pay less for ice time, Arness skates during public sessions. He has about 100 skating outfits — which are basically leotards with skirts — but wears only 20 of his favorites, mostly in shades of blue.

He doesn't understand clothing restrictions that clubs impose on men.

"Ladies can wear pants or skirts," he says. "Men can wear pants only. I find that discriminating."

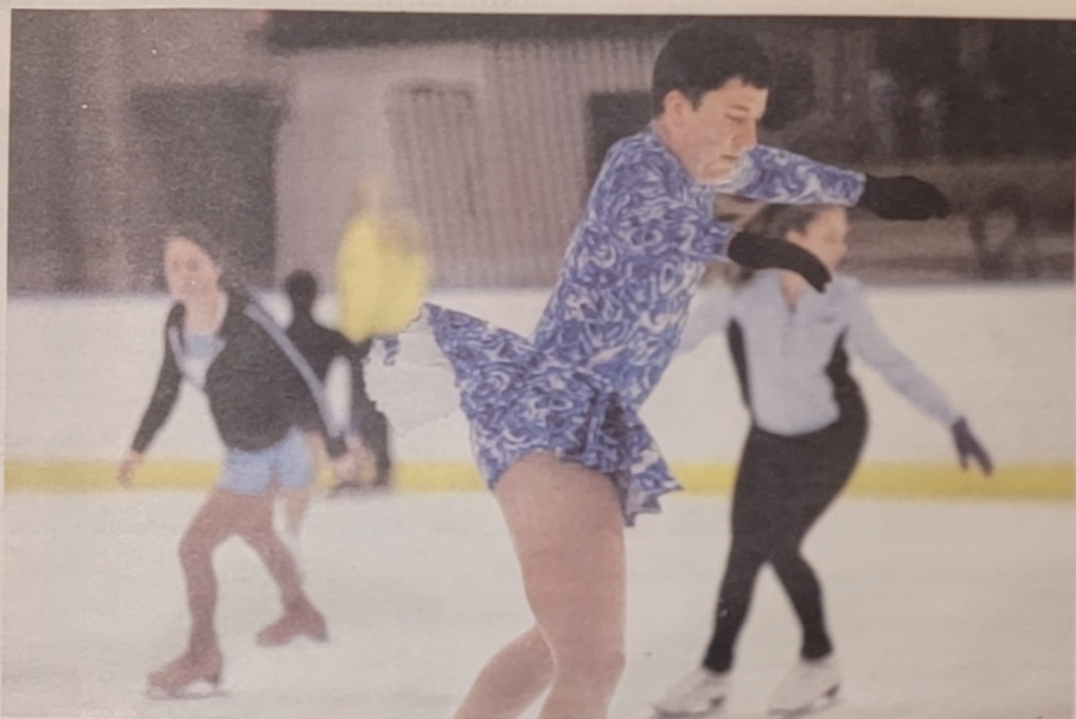
Still, as a member of the Kent Skating Club, he refuses to be ignored. He insisted his photo — in which he is wearing pants over his dress — be displayed on the bulletin board with the rest of the club members, most of them girls. He is the only adult pictured.

He has filed two grievances with the club; one complaining about being discriminated against because he's an adult, another complaining about "unprofessional" behavior from one of the coaches there. He says several skaters stopped talking to him after their coach told them to stay away from him.

"Whatever her opinion is, she should not be using her professional status to influence her students like that," says Arness, who took up skating three years ago.



Steve Arness wears one of his favorite skating outfits.



Steven Arness likes the movement and flow of women's skating dresses. He wears no makeup or wigs — "That's too much hassle," he says — but shaves his legs because he thinks bare legs look and feel better in skating tights.

He says he plans to take his complaints to U.S. Figure Skating, the sport's national governing body, if they are not resolved to his satisfaction.

Kent Skating Club president Lanna Omlor calls Arness a "nice" guy but otherwise declines to discuss him.

Arness says he is not out to make trouble. He just wants to be welcomed for who he is.

Though he describes himself as "weird," he says his penchant for skating in dresses has no hidden meaning or malicious intent. He doesn't believe he's a woman in a man's body, which is a typical belief of cross-dressers. (He says he was asked to leave a local cross-dressing group because he's comfortable with his gender.)

Off the ice, he wears pants and dates women. He says he wants to marry someday, although girlfriends often flee when they learn about his dresses. "Talk about a sonic boom," he says.

Friend and former coach Chandra Morgan-Henley of Cleveland says there is no need to fear Arness. "I think there are too many adults who worry that because he's different he's a threat. Once you get to know Steven, you realize his clothing quirks are only clothing quirks."

Others don't accept that.

Arness says several mothers whose children skate with him during afternoon sessions at Kent are morally opposed to him and worry

that he might harm their children. He found their opposition so hurtful at first, he stopped skating for a month.

One woman, who was reading the Bible while her 15-year-old daughter skated, acknowledged that she has instructed Arness not to talk to her daughter. She declined to give her name and says she and Arness have agreed not to speak.

Coaches, too, can find it difficult to be associated with Arness.

Leslie Shackelford-Rinicella, a longtime coach with one of the highest certifications in skating, says she's seen a lot in her 20-year career, but Arness' situation "definitely took the cake."

"I took a lot of flak" for coaching him, Shackelford-Rinicella says. "A lot of coaches in the area said: 'Why are you doing this to yourself? Do you want to keep getting beat up?'"

Shackelford-Rinicella says she wanted to help Arness because "he has a very good heart."

At the same time, she wanted him to understand that "you can't change 100 years of tradition."

"I don't think the ice rink is the place to stand on his pedestal," she says.

Shackelford-Rinicella took a full-time job in December at a local fitness club and Arness has been searching for a replacement coach ever since. In the meantime, he attends adult

learn-to-skate classes and practices on his own during public sessions.

If he can find a coach, he hopes to begin competing soon. But there are dress codes for competition, too.

If he enters adult "freestyle" competitions — freestyle is the type of skating seen in the Olympics — he will receive an automatic deduction if he wears a skirt, according to U.S. Figure Skating rules. Interpretative competitions, however, permit skaters to wear costumes, so a skirt might be OK.

Some don't care what Arness wears on the ice.

Marie Sorokin of Ravenna was impressed when she spotted Arness skating across the Kent rink in a navy velour skating dress, tan tights and white skates during a recent outing with her son-in-law and five grandchildren.

"The first thing I said to my son-in-law was, 'I can't tell what gender that person is, but what great legs,'" Sorokin says.

When Arness skated closer and she realized he was a man, she shrugged it off.

"You go to public places, what's out there is out there." ■

Susan Vinella is a Plain Dealer sportswriter who covers figure skating. She used to wear leotards when she competed in gymnastics, but no skirts. She may be reached at 216-999-5010 or through magnail@plaind.com.

The Pain Dealer, A Slippery Slope Sunday, May 16, 2004 Susan Vinella

Steven Arness laced up his skates, slipped on his gloves and started toward the frozen oval at Kent State University's ice arena. Before his blades touched the ice, the whispers began. People stared. Some frowned. Others giggled.

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Amish Country travel expert, author Brandy Gleason visits the area

LIFE, 1B



The Daily Record

SUNDAY, MAY 22, 2022 | THE-DAILY-RECORD.COM

PART OF THE USA TODAY NETWORK

MORE THAN CORNERSTONE

Superintendent focuses on master plan

Linda Hall

Special to Wooster Daily Record
USA TODAY NETWORK

WOOSTER – The fate of the Cornerstone Elementary building has been a major focus of public feedback on Wooster City School District's master plan for facilities.

Concerns expressed about demolishing a large portion of the building postponed the board's consideration of the full plan at an April school board meeting.

Superintendent Gabe Tudor's hope is for the public to more thoroughly examine the plan as a whole.

Wooster City School District's proposed plan for facilities

Developed by a diverse group of 37 teachers, parents, administrators, community members, construction consultants and architects, the plan was proposed to address a number of issues.

Among them are enhancing school safety, accommodating new instruction-

al models, addressing a projected growth in enrollment, and promoting student equity.

Newer buildings incorporate added safety measures, Tudor said, and they also assist in optimum teaching and learning.

"We know kids learn differently than they did 50 years ago," Tudor said, and newer buildings offer more flexible space and more technical integration.

The proposed plan moves the district from a neighborhood school approach to a grade level configuration, allowing

teachers of the same grade level to more easily meet for professional development on a regular basis.

This ensures consistency in learning among students — "the same experience for all overall," Tudor explained.

An anticipated increase in the student population is another factor. When buildings were closed across the district and the eighth grade was moved to Wooster High School, enrollment was declining.

See **PLAN**, Page 2A



Steven Arness said he's been asked to leave ice arenas, including Alice Noble in Wooster, because he likes to wear women's figure skating skirts when he skates. The 53-year-old Norton resident displays some of his skating dresses from the backyard of his home. MIKE CARDEW/AKRON BEACON JOURNAL

A skating skirt, a Wooster ice rink and a man's 2-year legal odyssey

Derek Kreider

Special to Wooster Daily Record
USA TODAY NETWORK

By his recollection, Steven Arness has been figure skating for 17 years.

The individuality of the sport — that is, the opportunity to express himself — is what drew Arness to the ice.

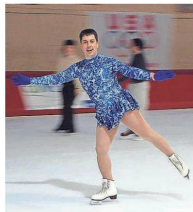
At first, he wore the traditional men's outfit, a shirt and pants, but soon transitioned to wearing more unorthodox attire — a women's figure skating skirt.

"For me, in the skirt, it adds energy, there's movement to it. It adds to the performance," Arness said.

He also enjoys the variety offered by women's outfits.

Arness, who lives in Norton, estimates that he's amassed around 200 outfits since he's been skating.

And for most of that time, Arness said, he's faced discrimination for his



Steven Arness sometimes wears a skirt when he ice skates. This photo was taken in 2005 at the Petit in Milwaukee, the first ice rink he was asked to leave due to his attire, according to Arness. PROVIDED

choice of dress.

After being asked to leave the Alice Noble Ice Arena in Wooster in July 2020 due to his attire, Arness decided he had enough. On Aug. 1, 2020, he filed a discrimination complaint with the Ohio Civil Rights Commission, a body established in 1959 tasked with enforcing state laws against discrimination.

Seven months later, the commission found the rink likely discriminated against Arness. But the legal saga continued.

Steven Arness not welcome in the rink when he wears a skirt to skate

According to the 53-year-old Arness, he arrived at Alice Noble dressed in his figure skating skirt, and was leaving up his skates when the general

See **ARNESS**, Page 3A

Meet Matt Huffman: The man who really runs Ohio

Anna Staver

Ohio Bureau
USA TODAY NETWORK

Nothing becomes law in Ohio unless Matt Huffman says so.

The Lima Republican, who most people couldn't pick out of a lineup, decides whether bills on abortion, marijuana, education and gun control ever get a vote in the state Senate.

And with enough GOP votes to override the governor, he can move election days, limit the powers of state officials and draw districts for 147 state and federal lawmakers.

"People don't understand how powerful Statehouse leaders are ...," former Ohio Democratic Party Chair David Pepper said. "(Huffman) exerts control over the governor, over other state-wide officials, and most people don't know who he is."

From Lima with love

Ohio's Senate president came into this world on April Fool's Day 1960, the fifth of what would become nine children in a traditional Catholic family.

"You grow up with six brothers and two sisters and you soon realize that it's impossible to get away with anything," Huffman said. "There's always a sibling ready to hold you responsible...It creates a sometimes uncomfortable but honest way of life."

His older sister taught him to read. He helped his younger siblings with their work. Everyone had chores. A place. A role to play.

And the same is true today in the state Senate.

Huffman "deputizes" Republican senators as experts on issues like sports betting or legalizing the use of fireworks. They write the bills, handle the amendments and defend their decisions at private meetings. It's the way former House Speaker Bill Batchelder did things when Huffman was his No. 2.

"You have to rely on their knowledge and trust those people," Huffman



Huffman

See **HUFFMAN**, Page 7A

USA TODAY

US sees risk of COVID supply rationing without more funds. 6A

Memorial Day

Wayne and Holmes counties will mark the holiday with many services. 3A

Weather

High 68° | Low 50°
Morning shower. Forecast, 2A

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Arness

Continued from Page 1A

manager asked him to leave.

Arness found himself at Alice Noble due to their lifting of COVID restrictions, and being urged back onto the ice by his wife, Erin Stewart-Arness. She's known about her husband's fondness for wearing women's figure skating outfits since before they were married.

With her support, Arness said, he went ahead with the discrimination complaint.

"Being his wife, he gives me full support of whatever I want to do, and I give him full support of whatever he wants to do," said Stewart-Arness. "Regardless of what's on the outside, he is the best man that I will ever know."

She describes him as caring, honest, and mellow, willing to help out anyone who might need assistance.

Being of mixed-race heritage, Stewart-Arness said she understands what it's like to be met with strange looks in public, even when she and her husband go out for dinner together.

Arness recalls the manager at Alice Noble telling him he couldn't be in the rink wearing a skating dress, and that he'd heard about Arness and his eccentricities from other rink operators.

According to Arness, the manager went on to say that he couldn't afford to lose income from people leaving due to Arness' presence, expressing an uneasiness that a man would figure skate wearing a short skirt when children are present. Arness accepted a refund and left. He returned to skate another time wearing more traditional attire, he said.

But that wasn't the end of it.

Ohio Civil Rights Commission complaint alleges discrimination

Arness went to the Ohio Civil Rights Commission (OCRC) alleging the Donald and Alice Noble Foundation and the Alice Noble Ice Arena discriminated against him over his choice of clothing.

The OCRC agreed, finding there is probable cause the ice rink workers had engaged in a discriminatory manner.

A letter filed by the OCRC notes representatives for the ice arena stated

they would have no problem with a woman wearing a short skirt while children were present because, "If a woman come[sic] in that way, they would be able to stay because it would be a woman dressed as a woman."

Despite repeated attempts seeking comment, no one from the ice rink or the foundation would speak to The Daily Record about the complaint.

What happened next with Steven Arness' civil rights complaint?

In an attempt to resolve the matter, the OCRC issued a conciliation agreement and consent order requiring the Noble rink to provide gender stereotyping training to its employees.

Andrew Wides, Arness' lawyer, said the conciliation agreement is the commission's suggested method to resolve the matter.

"In this case," Wides said, "Steve didn't want that resolution. So he said, 'I'm not OK with that, that's not what I want to do.' What happened there is the OCRC and the ice rink moved forward without Steve, and went ahead and agreed to the conciliation formally."

Wides said the conciliation agreement does nothing to address the matter at hand.

"The underlying issues, from our perspective, in the conciliation, were that it was more so a box-checking exercise to ensure overarching compliance," Wides said. "The remedial action that was requested in no way shape or form addressed what happened to Steve."

Arness asked Wayne County Common Pleas Court to review the issue. During a review, the court seeks to make sure that everyone involved has the chance to participate in the case, and that the OCRC conducted its initial investigation appropriately.

Going through an administrative body like the OCRC is a legal prerequisite to filing a lawsuit.

Steven Arness seeks apology: 'This kind of baloney' is wrong

Arness wants an apology and some kind of recognition that the discrimination he has faced is wrong.

"I'm just like anybody else. I shouldn't be having to deal with this kind of baloney," Arness said.

Being kept away from an activity

that he loves due to the attitudes of others is frustrating, he said.

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Wides said his client's position boils down to the dearth of functional men's figure skating outfits, and that Arness is simply more comfortable in the women's attire.

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Case dismissed

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Arness had hoped that his case might serve as a light showing people a way out of the box they might be in.

"I wonder how many boys and men ... restrict themselves," Arness said. "They may like a skirt or a dress, but they're told that they're not allowed to explore that part of their mindset. If they were to do that, they would have more freedom, and more positivity, maybe."

Reach Derek at 330-541-9413 or dkreider@gannett.com

Norton man targets Wooster ice rink over right to wear women's figure skating skirts

Derek Kreider Special to Wooster Daily Record

Published 5:06 a.m. ET May 19, 2022 Updated 2:25 p.m. ET May 19, 2022

Note: This story has been updated to add new information. Arness' complaint in Wayne County Common Pleas Court was dismissed this week.

By his recollection, Steven Arness has been figure skating for 17 years.

The individuality of the sport — that is, the opportunity to express himself — is what drew Arness to the ice.

At first, he wore the traditional men's outfit, a shirt and pants, but soon transitioned to wearing more unorthodox attire — a women's figure skating skirt.

“For me, in the skirt, it adds energy, there's movement to it. It adds to the performance,” Arness said.

He also enjoys the variety offered by women's outfits.

Arness, who lives in Norton, estimates that he's amassed around 200 outfits since he's been skating.

And for most of that time, Arness said, he's faced discrimination for his choice of dress. After being asked to leave the Alice Noble Ice Arena in Wooster in July 2020 due to his attire, Arness decided he had enough. On Aug. 1, 2020, he filed a discrimination complaint with the Ohio Civil Rights Commission, a body established in 1959 tasked with enforcing state laws against discrimination.

Seven months later, the commission found the rink likely discriminated against Arness. But the legal saga continued.

Steven Arness not welcome in the rink when he wears a skirt to skate

According to the 53-year-old Arness, he arrived at Alice Noble dressed in his figure skating skirt, and was lacing up his skates when the general manager asked him to leave.

Arness found himself at Alice Noble due to their lifting of COVID restrictions, and being urged back onto the ice by his wife, Erin Stewart-Arness. She's known about her husband's fondness for wearing women's figure skating outfits since before they were married.

With her support, Arness said, he went ahead with the discrimination complaint. "Being his wife, he gives me full support of whatever I want to do, and I give him full support of whatever he wants to do," said Stewart-Arness. "Regardless of what's on the outside, he is the best man that I will ever know."

She describes him as caring, honest, and mellow, willing to help out anyone who might need assistance.

Being of mixed-race heritage, Stewart-Arness said she understands what it's like to be met with strange looks in public, even when she and her husband go out for dinner together.

Arness recalls the manager at Alice Noble telling him he couldn't be in the rink wearing a skating dress, and that he'd heard about Arness and his eccentricities from other rink operators.

According to Arness, the manager went on to say that he couldn't afford to lose income from people leaving due to Arness' presence, expressing an uneasiness that a man would figure skate wearing a short skirt when children are present.

Arness accepted a refund and left. He returned to skate another time wearing more traditional attire, he said. But that wasn't the end of it.

Ohio Civil Rights Commission complaint alleges discrimination

Arness went to the Ohio Civil Rights Commission (OCRC) alleging the Donald and Alice Noble Foundation and the Alice Noble Ice Arena discriminated against him over his choice of clothing.

The OCRC agreed, finding there is probable cause the ice rink workers had engaged in a discriminatory manner.

A letter filed by the OCRC notes representatives for the ice arena stated they would have no problem with a woman wearing a short skirt while children were present because, "If a woman come[sic] in that way, they would be able to stay because it would be a woman dressed as a woman."

Despite repeated attempts seeking comment, no one from the ice rink or the foundation would speak to The Daily Record about the complaint.

What happened next with Steven Arness' civil rights complaint?

In an attempt to resolve the matter, the OCRC issued a conciliation agreement and consent order requiring the Noble rink to provide gender stereotyping training to its employees.

Andrew Wides, Arness' lawyer, said the conciliation agreement is the commission's suggested method to resolve the matter.

"In this case," Wides said, "Steve didn't want that resolution. So he said, 'I'm not OK with that, that's not what I want to do.' What happened there is the OCRC and the ice rink moved forward without Steve, and went ahead and agreed to the conciliation formally."

Wides said the conciliation agreement does nothing to address the matter at hand.

"The underlying issues, from our perspective, in the conciliation, were that it was more so a box-checking exercise to ensure overarching compliance," Wides said. "The remedial action that was requested in no way shape or form addressed what happened to Steve."

Arness asked Wayne County Common Pleas Court to review the issue. During a review, the court seeks to make sure that everyone involved has the chance to participate in the case, and that the OCRC conducted its initial investigation appropriately.

Going through an administrative body like the OCRC is a legal prerequisite to filing a lawsuit.

Arness wants an apology and some kind of recognition that the discrimination he has faced is wrong.

"I'm just like anybody else. I shouldn't be having to deal with this kind of baloney," Arness said.

Being kept away from an activity that he loves due to the attitudes of others is frustrating, he said.

Stewart-Arness said watching her husband be denied opportunities to participate in something he's passionate about because of his choice of dress saddens her.

"Steven, being that he has loved ice skating for years, and he's not able to do that freely, that is very upsetting, and very disheartening," she said.

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Cross Overs On Ice

By David Kettlewell

CENTER STORY

At the far end of the Kent State Ice arena a skater practices their edges. You hear the crunching of steel blades cutting ice in wide arcs. First, inside and outside edges on the left foot, then the same on the right foot.

As the skater approaches closer, you see immaculate white skates, suntan- colored tights, a brilliant blue skating dress, and a trim black jacket with a rhinestone name pin attached.

The skater approaches, he holds out his hand and says calmly, “Hi, my name is Steven.”

It is a male voice, it is a man, dressed, well, in a dress.

Steven Arness is a 35 year old male who has determined to skate on the ice, in public, in a dress.

As he puts it, to be accurate, they are not “women’s clothes,” but instead are clothes originally made for a woman, but which are now his, so they should be referred to as his clothes.

One would expect that a male skater wearing a dress on the ice, on the same ice that hockey skaters call home turf, would be the target of considerable criticism.

You would be right.

Kids in bleachers hoot as Steven skates by, figure skaters’ parents careen their kids to supposedly safer ground, and most people simply refuse to interact in any way.

To say that his wearing a dress affronts some in the conservative fish bowl of rink life would be an understatement.

“Some people pick on me. Some have accused me of being a pervert or a voyeur in wait for children, some accuse me of being in defiance of the bible’s commands, but I put up with it,” says Steven, because wearing a dress is what he wants to do.

Steven has had great difficulty finding a coach who always offer one excuse or another for why they cannot teach him, is oftentimes treated poorly by skating club parents and club officers, and occasionally finds someone willing to hear his views on dress, or dressing.

So why go through all this to wear a dress?

THE FIRST TIME

For Steven, unmarried, a computer and telephone cabling contractor in winter, and manager of a Go-Kart track in summer, the first step into women's clothing was wearing a leotard at age 11.

"I was 11 or 12, and I got a black leotard which I wore at home. Did you know that leotards were actually developed by a man for use by acrobats and other performers?"

"As a child I'd seen the beautiful outfits that females wore and thought, 'Why do they get to wear such beautiful outfits while the guys wear such bland and ordinary styles?'" He determined that if and when he learned to skate, he would wear whatever he wanted, be it pants or a dress.

"My mom thought I should wear a wig and makeup and pass as a woman, (she thought it would be less controversial,) but I couldn't do it. It's not me. I'm not a woman in a man's body, I'm a man, but a man who chooses to wear what I call non-traditional attire," said Steven.

The first dress he wore on ice was made by a New York woman. When she learned that Steven himself intended to wear the dress, she refused to alter it. "She lost a lot of business, because it's one of my favorites in terms of cut and style."

Steven has about 100 skating dresses, from plain white to brilliant blue, to tie dies, in many hues of colors. Blue is his favorite color.

He says that women's clothing offers him so many styles to choose from.

"Open a skating catalog, what do you see? One page for men's fashion and a hundred for women. I'm built different from a woman, so most of my outfits are custom made with a long girth. I've been told that a V-waist is most becoming for me, and I prefer a longer rear skirt because I don't want too much of my cheek to show!"

I asked Steven the question so many impatient men ponder: just why is it that women take so long to shop for clothes?

"It's simple. There are so many different styles and colors, it takes time to see them all, to try them on," said Steven.

Do clothiers allow him to shop for clothes?

"Yes, they do. I go to a shop in Cleveland and they treat me well. I also buy some dresses by catalog, but prefer being able to try them on." (Steven seldom wears a dress in public, primarily at the ice arena.)

WEARING A DRESS IS NO BIG DEAL

Said Steven, “Look, my wearing a dress is no great whoopee. I don’t think of myself as a crossdresser, I am who I am. I see no problem with wearing a dress on the ice and I don’t understand the stigma. Women wear pants and men’s shirts and no one thinks anything of it. I can be feminine in male pants, or masculine in clothing made for a female. These are just labels, what I wear does not change who I am on the inside.”

He points out that we live in a world of breast enhancement surgery, tattooing, and body piercings, which to his way of thinking are equally “diverse.”

“I think that too many people are more worried about what’s on the outside (how people see them), than on what’s on the inside,” said Steven.

“I don’t care how others dress, I really don’t. I look at somebody and I may feel that what they are wearing is goofy, but I still let that person express themselves, until such time as they express themselves in a negative or dangerous manner.”

On February 6th and 7th of 2004, Steven marched in the Million Skirted Men March in New York City. “About a hundred of us marched, we were fighting for the rights of men to wear skirts. We marched from the Guggenheim Museum to the Metropolitan Museum of Art.”

For Steven, skating was a chance to wear the clothing he enjoys and to lose unwanted pounds.

“I weighed about 210 before I began skating, and now I’m closer to 170.”

“Skating was my first sport, the first time I used my body as an athlete. I never was into baseball, football or basketball.”

“Skating has a different kind of power and energy to it, I like the footwork and spins and jumps and it’s so exciting to go across the ice!”

“It’s been a different thing for me.”

SOCIETY'S MIRROR

There is a darker side, explained to me in detail by a grouping of individuals who all requested their names be withheld.

“He’s a pervert and I don’t want my kids anywhere near him,” said one woman with two children who skate. Her views seem to reflect the views of many.

They view his peculiar dressing habits as something to be feared.

One ice arena manager said, “We don’t care what he wears, we’re a public facility and as long as he follows our rules, we have no problem. But I’ll tell you that many parents have come to me and asked that he be thrown off the ice.”

A minister said his wearing a dress went against the teachings of the bible, although he had no success in finding an applicable passage.

Steven’s legal rights are definitely not on slippery ice. He says that attorneys have told him he has every right to wear exactly what he wants, where he wants to wear it. To not allow him to participate in skating would be tantamount to saying that someone can’t participate due to their race, age, or sex. It’s illegal and he knows it.

“One skating club wanted me off the ice but they contacted an attorney at the United States Figure Skating Association. They were told to let me wear what I want.”

While overt discrimination has been rare, he does find making his way in the skating world a hard go.

“It’s been hard to find a coach who will teach me, and most skaters warn I’ll never be able to compete in a dress. I have a tunic which is close in style to a dress, but I would have to wear pants underneath. I haven’t decided yet how much I want to push the issue.”

Steven had hoped to participate in a fundraising calendar featuring men in dresses, but it never got off the ground. His hopes of being part of an endeavor with those of like mind evaporated like ice on a warm day.

BEFRIENDED BY SOME

There are people who can accept Steven the way he is, who almost seem to cherish him.

Chandra Morgan-Henley is one such friend.

“I was morbidly obese for much of my life, I weighed about 500 pounds. I would walk through the grocery store, which was work for me, and kids would stand up on shopping carts and scream, ‘look how huge she is!’”

“People would either ignore me or make fun of me. People in general should be able to live without others passing judgment on what you wear, or the color of your skin, or your body size, or hair color.”

Roger Thurman, a luthier in Kent, Ohio, summed up his thoughts, “People just don’t like what’s different. It scares them, and I’ll tell you what, they can be dangerous.”

Thurman served in the armed forces in Vietnam as an interpreter.

He continued, “Oftentimes how people respond to someone who is different, like Steven, says far more about the person being critical than it does the subject of the criticism.”

Another individual said, “Steven is important and of value to each of us. In him, we confront something we cannot relate to, and so the question becomes, “how do you relate to those who are different?”

In this sense, Steven is a mirror and it is we who are reflected.

Steven has hopes for the future, on and off the ice.

Article written about me by request, then considered to controversial to publish

HE SAID, EXCUSE ME MAAM, MAY I WEAR A DRESS?

By David Kettlewell

You may have read about Steven, he's the male skater who wears a dress on the ice.

If you haven't heard of him, read the center insert. It gives the details.

As an author with 24 years of professional writing experience, I've never dealt with an issue that generated such tremendous emotion from the public.

Respected, intelligent, successful people literally accosted me with views that were anything but balanced or reflective of a considered viewpoint.

I was told his genetic material should be removed from the gene pool, that he was ungodly, and worse. Friends from the skating world called to suggest the story should not be written.

What follows is my attempt to make sense of the emotions. It is theatrical. It is overblown, by design.

The essentials of the story are pretty obvious, and even predictable for those of us born and raised in Ohio.

A man chooses to wear a dress on the ice. People make fun of him. He feels outcast. End of story. Or is it?

We Midwesterners have about as much tolerance for this type of behavior as we do for a fish that won't swim.

Ok, let's put it another way. You want to win the Presidency? You better win Ohio because as goes Ohio, so goes the nation.

I figure it has to do with the frontier of the 1800's. The real conservative types stayed in the East, and the real adventurous went to California, but the middle of the roaders...yep, we're here in Ohio.

So the predominance of opinion is against the guy wearing a dress. He's never hurt anyone, that's not the point. You don't have to hurt anyone. Just don't "go along."

Clearly, he's not "going along." Step in line boy, you should.

Like the prison guard with the shotgun in Cool Hand Luke who bloats, “What We Have Here Is A Failure to Communicate.” Luke ended up shot and driving at a snail’s pace in the ambulance till he died. Or Jack Nicholas’s character in One Flew Over The Cuckoo’s Nest. He didn’t want to take his pills, he didn’t want to get along so he got lobotomized and had the life literally smothered out of him with a pillow.

Think this is just in the movies? Think again.

Guess what, what we say about the man in the dress says whole lots more about us than it does about him.

WE say he doesn’t fit in, he won’t go along, he’s sick, and maybe dangerous.

What we should say is we expect everyone to fit in, that you better go along to get along, that we define those that don’t as sick, and that it’s we who can be dangerous.

One finger points, three point back.

In the 1700’s men of the aristocracy wore wigs, perfume, makeup, stockings, and little bitty outfits that look a lot like a skirts.

What we wear is merely a convention, we agree to agree, about clothes at least.

Wear this, it says you fit in. True in bowling leagues and the corporate suites.

So what does it say when a person chooses to wear something different?

Well, I don’t think we like what it says.

It says that our conventions aren’t the final word. That our views aren’t the only ones that count. That he can choose to be different. And that if we don’t like it, we can go jump.

Not that we don’t like a bit of the outcast in our stars. Madonna, Marlon Brando, Avril Lavigne, bad boys all. But please, pretty please, not too outcast.

Look, you can wear a Harley outfit and ride a Fat Boy, that’s ok, but don’t wear a dress.

We wear the thick muck of prejudice around our necks like an oxen yoke, and it fits so good we don’t even see it.

For most, our eyes are the key to our prejudices. Forget about them being the window to the soul. It’s prejudice we like, pure prejudice. See a black man, hate a black man, see a white man, hate a white man, you get the point.

To see beyond the eyes, to view something and think clearly about what our options are, how we choose to respond from various options, this is a monumental task, Herculean. It's like, "Love Your Enemy," Jack, that's hard.

Convention can be a good thing. It makes traffic flow work. But convention has an ugly side too.

Like when we can't even tolerate a dress. Or an accent in speech.

We're a lot closer to our nation's potential regarding armaments than we are with the nuances of freedom.

Better than thou? Don't count on it. Do I like a man in a dress? No. I'm an Ohioan.

What does it mean when we react so to a guy in a dress? Who does it hurt? Why do we care?

You tell me.

Facebook Comments

What Color is Bigotry?

Andy R Haynes - Find dr phil

Aevahn Whaleyiss - That man needs some psychiatric help so he can come to terms with reality.

Lynda Blaner - Is this a gay wad sight

Cindy Tyre - I believe God, and He says men shouldn't wear women's clothing. But, if you dont care about where you spend eternity, have at it. If you don't want my opinion, don't put this crap on my page.

Gunner N Maggie - Steven Arness you've got quite a few loose screws up there bud.

Michael Bertalot - Sounds to me as if you're getting the vapors Steve. Why not lie down until it passes then you can do your woman thing again. Have a nice day. Goodbye.

Steve Kellison - Sickening

Lyle Garrer- What color is mental illness? #whatcolor

Lyle Garrer - You don't have to be a veterinarian to indentify a snake

Geary Miller - Birth defect.

Cindi Stallard - Sickening

Michael Ward - More mental illness please.

Tom Chadwick - A mental illness has no color.

Cliff Dickerson - What color is twisted?

Michael Lewis - Jesus Saves Romans 10:9

Dean Johnson - Nauseating

Darci Mabe - The one who wears womens clothing and has a male appendages..ugh

Cindy Tyre - I believe God, and He says men shouldn't wear women's clothing.

Lisa Maez - Delusions or denial, dang you got both!

Joshua Todd - What color is mental illness?

Sédik Kali - Why are you gay ?

Joyce SJohn - lol americas shame

Mason Britt - That is being gay with extra steps.

Ken Armstrong - Mental illness

Johnny Extremist - What number is mental illness?

Mike Hall - No color, who cares. Your freak show is your business but keep it behind closed doors.

Michael Claymour - I'm all for transgender rights and lgbtq rights but this is where I draw the line.

Chris Hays - Bigotry? Calling a spade a spade and calling a mental disease what it is. If you think a human born with a pecker a female? Please do not have kids. We have enough stupidity in the world

Christofer Robin Pedersen - What the f*** is that?

Bob Landon - What color is stupid ?

Art Tinberg - Perverted lifestyle.

Jim Johnson - I will never forget what you people have done.

Sherman Adkins - They are both fucktards

Joe Hamm - I will pray for you.

John Long - Isn't that precious LOL.

Kelly Dickinson - Lmao....weirdo

Robert Colfack - They both look like fairy's

Luis Kilbert - Gross

Fred Geiger - Sick not funny

Angel Tamburo - Queers.

Ray Doyle Anderson - You look like a disgusting out of shape old man trying to look like a little girl olympic skater pal! Dont you see how disgusting you look!

Tim Bondurant - I know perversion when I see it