

# **USA Fencing Proposed Transgender Policy**

Presented to the USA Fencing Board on July 28, 2022

## **Appendix I: Proposed USA Fencing Transgender + Non-Binary Policy**

USA Fencing is committed to ensuring athletes have the opportunity to participate in USA Fencing sanctioned events on a fair, inclusive and safe basis without discrimination. Currently USA Fencing has two divisions – men’s and women’s – that default to using the gender binary to determine participation in each division (for youth players, the divisions are boys, girls). However, we recognize not all individuals’ gender identities are binary, and a gender binary default for participation could potentially cause harm - leaving some individuals to feel excluded and unsafe. Within our divisions, USA Fencing will not discriminate on the basis of gender identity, regardless of sex assigned at birth, or any other form of gender expression for participation in any division. As such, athletes will be permitted to participate in USA Fencing sanctioned events in a manner consistent with their gender identity/ expression, regardless of the gender associated with the sex they were assigned at birth in accordance with the guidelines listed below.

### **A. Registration and Participation for Athletes participating in domestic competitions**

To participate in a USA Fencing sanctioned event, athletes are to register with USA Fencing as the gender in which they identify and wish to compete during registration/renewal. Please note, this selection will be logistically binding and athletes will not be permitted to modify their gender during the season. If the athlete registers as a gender other than their gender associated with the sex assigned at birth, they should adhere to the the following requirements:

#### **Youth athletes (Y10,Y12,Y14):**

- Transgender and non-binary athletes competing in youth events are permitted to compete in the gender category with which they identify, without restriction.
- Registration and/or other documents submitted on behalf of a minor must be submitted by, or with the express approval of, a parent or guardian.

#### **Cadet:**

- Transgender and non-binary athletes competing in youth events are permitted to compete in the gender category with which they identify.
- Registration and/or other documents submitted on behalf of a minor must be submitted by, or with the express approval of, a parent or guardian.
- Transgender Cadet athletes who qualify to compete in junior and/or senior competitions must adhere to the requirements for transgender athletes in those divisions (see below).

**Junior, Senior and Veteran athletes:** See requirements below for national ranking competitions

- **Transgender male (FTM) athletes:**
  - Athletes who **have** received a medical exception for treatment with testosterone for purposes of USA Fencing sanctioned competitions may compete in men’s events team, and are no longer eligible to compete in women’s events team.
  - Athletes who are not taking testosterone related to gender transition may participate in either men’s or women’s events. team.
- **Transgender female (MTF) athletes:**
  - Athletes being treated with testosterone suppression medication, for the purposes of USA Fencing sanctioned competitions may continue to compete in men’s events, but may only compete in women’s events after completing one

calendar year (12 months) of testosterone suppression treatment. Proof of compliant hormone therapy must be provided prior to competition.

- **Non-binary athletes:**

- Athletes are permitted to compete as the gender of which the athlete identified as at the time of registration. However, if an athlete wishes to compete as a gender opposite of the gender associated with the sex assigned at birth, they must adhere to the aforementioned guidelines for transgender athletes.

\*restriction based on scientific data provided by NCAA

- [https://13248aea-16f8-fc0a-cf26-a9339dd2a3f0.filesusr.com/ugd/2bc3fc\\_4a135824fab462183c71357c93a99b4.pdf](https://13248aea-16f8-fc0a-cf26-a9339dd2a3f0.filesusr.com/ugd/2bc3fc_4a135824fab462183c71357c93a99b4.pdf)
- <https://bjsm.bmj.com/content/55/11/577>

## **B. Registration and Participation for Athletes participating in International competitions**

Any athlete who qualifies for the International Fencing Federation (FIE) World Championship and/or any competitions hosted by the FIE, are to adhere to the compliance requirements set forth by the FIE Transgender Policy. Failure to adhere to FIE transgender policy guidelines impact the athlete's participation in international competition. **Refer to Section C.3(c)(i).**

\*For the most up-to-date international transgender policies, refer to the following sites: [International Olympic Committee](#)

## **C. USA Fencing Classification**

Transgender athletes will be permitted to keep the fencing classification that was held prior to transitioning. For example, a transgender woman who held an A classification in the men's division will keep her A classification in the women's division.

## **D. USA Fencing National Rankings (points)**

If an athlete changes their gender category, points earned under their previous gender category will be forfeited and not applied to the athlete's record.

## **E. National Championship Qualification**

Athletes who qualify for USA Fencing National Championships must compete in the National Championship event as the gender in which they qualified under.

## **F. Appeals**

All appeals are to be reported to the office of Diversity, Equity, Inclusion and Belonging for review.

## **G. Anti-Doping Requirements Remain Applicable**

In accordance with the FIE, it is the responsibility of the athlete to monitor testosterone level(s), and submit appropriate documentation to satisfy anti-doping policies.

If hormonal medications utilized for gender transition are listed on the World Anti-Doping Agency's Prohibited List USADA can grant a Therapeutic Use Exemption (TUE). The TUE application process is

### Other Option Considered but not recommended by Stakeholders:

USA Fencing is committed to ensuring athletes have the opportunity to participate in USA Fencing sanctioned events on a fair, inclusive and safe basis without discrimination. Currently USA Fencing has two divisions – men's and women's – that default to using the gender binary to determine participation in each division (for youth players, the divisions are boys', girls'). However, we recognize not all individuals' gender identities are binary, and a gender binary default for participation could potentially cause harm - leaving some individuals to feel excluded and unsafe. Within our divisions, USA Fencing will not discriminate on the basis of gender identity, regardless of sex assigned at birth, or any other form of gender expression for participation in any division. As such, athletes will be permitted to participate in USA Fencing sanctioned events in a manner consistent with their gender identity/ expression, regardless of the gender associated with the sex they were assigned at birth.

See below for resources that promote transgender, non-binary and gender nonconforming inclusion. We encourage you to review these resources to help foster an inclusive environment of your transgender and non-binary teammates, coaches, friends and community members.

#### Links:

- [Transgender Athlete Inclusion in sports](#) (Stack the Deck Against Hate & Athlete Ally)
- [Trans Rights are Human Rights](#) (Athlete Ally)
- [Gender Affirming and Inclusive Athletics Participation](#) (GLSEN)
- [Be an Ally - Support Trans Equality](#) (Human Rights Campaign)

### A. Registration and Participation for Athletes participating in domestic competitions

To participate in a USA Fencing sanctioned event across levels (local, regional and national), athletes are to register with USA Fencing as the gender of which they identify as and feel most comfortable competing with. If the athlete wishes to register as a gender other than their gender associated with the sex assigned at birth, they should adhere to the the following requirements:

- **Transgender male (FTM) athletes:** No additional requirements
- **Transgender female (MTF) athletes :** Athletes (or their parents/legal guardians in the case of a minor) are to provide a sincere letter of attestation confirming their gender identity. This letter should be sent to membership at [information@usafencing.org](mailto:information@usafencing.org)
- **Non-binary athletes:** Are permitted to compete as the gender of which the athlete identified as at the time of registration.

**Commented [1]:** This gives more flexibility to those that are non-binary than it does to those that are MTF. Is that fair/consistent?

**Commented [2]:** This is for the completely inclusive option, which I imagine we will not propose.

**Stakeholders Consulted:**

USA Fencing DEIB Committee  
USA Fencing Sport Performance  
Team USA Athletes  
Mt. Sinai Hospital System  
Inclusion Playbook LLC.

**NCAA Policy:**

Those who transition from female to male are eligible to compete in the male category without restriction.

Those who transition from male to female are eligible to compete in the female category under the following conditions:

2.1. The athlete has declared that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.

2.2. The athlete must demonstrate that her total testosterone level in serum has been below 10nmol/L for at least 12 months prior to her first competition (with the requirement for any longer period to be based on a confidential case by case evaluation, considering whether or not 12 months is a sufficient length of time to minimize any advantage in women's competition).

2.3. The athlete's total testosterone level in serum must remain below 10nmol/L throughout the period of desired eligibility to compete in the female category.

2.4. Compliance with these conditions may be monitored by testing. In the event of non-compliance, the athlete's eligibility for female competition will be suspended for 12 months

**IOC Policy**

[IOC-Framework-Fairness-Inclusion-Non-discrimination-2021.pdf \(olympics.com\)](#)

**Other NGB and Sport Organization Policies**

[TRANSATHLETE US National Governing Bodies Transgender Policies](#)

## **Proposal Adopted by USA Fencing Board of Directors on October 30, 2022**

### **Transgender and Non-Binary Athlete Policy Motion (Mr. Arias):**

That USA Fencing adopt as stated the USA Fencing Transgender and Non-Binary Athlete Policy provided in a separate document (to be attached as Appendix I)

**Rationale:** As USA Fencing continues to expand access to the sport of fencing, we recognize the importance of creating inclusive and safe spaces that promote equality and fairness for all. As it currently stands, the existing transgender policy places considerable limitations that have the potential to exclude transgender and non-binary athletes from competing in our sport. Additionally, enforcing a nanomole requirement for transgender women (MTF) has the potential to exclude persons not intended to be impacted by this policy (i.e., intersex individuals and others born with genetic gender deficiencies). The proposed policy, which was developed in collaboration with other USA Fencing Staff, members of the DEIB committee, legal counsel and medical working groups, leans on the most available scientific data pertaining transgender athlete performance broadly. In accordance with our mission to foster a fencing community of diversity, equity, inclusion, and belonging, the proposed policy centers fairness in the sport while also promoting inclusion of transgender and non-binary athletes.

Second: Lauryn Deluca

**Result: Passed by voice vote**