



## **USA Cycling Policy on Transgender Athlete Participation**

USA Cycling has a policy of diversity and inclusion, as set forth in the USA Cycling Code of Conduct and Bylaws.

### ***Bylaws, Article D, Section 2:***

*Members shall have an equal opportunity to participate in bicycle racing without discrimination on the basis of race, color, religion, age, gender, sexual orientation, or national origin.*

### ***Code of Conduct, Section 2, Part F:***

*The following shall be considered violations of the USA Cycling Code of Conduct:*

*(f) Discrimination in violation of USAC Bylaw D or Section 220522(a)(8) of the Ted Stevens Olympic and Amateur Sports Act, which requires USA Cycling provide an equal opportunity to amateur athletes, coaches, trainers, managers, mechanics, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, age, gender, sexual orientation, gender identification, or national origin.*

USA Cycling is committed to ensuring that all USA Cycling members have equal access and opportunities to participate in cycling events in a manner that is fair to all competitors while preserving the integrity of the sport and respecting international competition regulations. USA Cycling therefore adopts the following transgender athlete participation policy.

### **Non-Elite Competition**

At non-elite competition levels, a member may self-select his or her gender. Members who transition to a gender different from their gender on file with USA Cycling should contact USA Cycling to be placed in a class and category appropriate for that person's racing resume and experience. Members will be subject to the mandatory upgrade policy, and USA Cycling may re-categorize a member based on results achieved after a gender identity change. This policy may be used to either downgrade a member who is not able to compete in a higher category, or to upgrade a member who shows exceptional results in a given category outside of normal upgrade regulations.

In the event that a question should arise about member's eligibility to participate in a manner consistent with his or her gender, any member may file a grievance with USA Cycling following the procedures described in USA Cycling's Policy III. In such a situation, criteria that may be used to determine a member's eligibility in a chosen gender include evidence of one or more of the following:

- Does the member's gender in their "everyday life" match his or her racing gender
- Has the member obtained civil documents with his or her racing gender identified (i.e. state I.D., driver's license, birth certificate)
- Attestation of gender identity from a medical professional
- Attestation of gender identity from a certified counselor, public official, school administrator, or other academic advisor
- Compliance with IOC guidelines (below).

### **Elite Competition**

At elite competition levels members may have the opportunity to represent the United States and participate in international competition. They may therefore be subject to the policies and regulations of the International Cycling Union (UCI) and International Olympic Committee (IOC). USA Cycling therefore follows the IOC guidelines on transgender athletes at these elite competition levels. For purposes of this policy, international competition means competition sanctioned by the UCI or competition taking place outside the United States in which USA Cycling's competition rules do not apply.

The IOC revised its guidelines on transgender athlete participation in 2015, to focus on hormone levels and medical monitoring. The main points of the guidelines are:

- Those who transition from female to male are eligible to compete in the male category without restriction. It is the responsibility of athletes to be aware of current WADA/USADA policies and file for appropriate therapeutic use exemptions.
- Those who transition from male to female are eligible to compete in the female category under the following conditions:
  - o The athlete has declared that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.
  - o The athlete must demonstrate that her total testosterone level in serum has been below 10 nmol/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).
  - o The athlete's total testosterone level in serum must remain below 10 nmol/L throughout the period of desired eligibility to compete in the female category.
  - o Compliance with these conditions may be monitored by random or for-cause testing. In the event of non-compliance, the athlete's eligibility for female competition will be suspended for 12 months.

For purposes of this policy, USA Cycling considers elite competition levels to include members competing at or above the following category thresholds in that member's self-selected gender:

<b>Discipline</b>	<b>Non-Elite</b>	<b>Elite</b>
Road	Cat. 5-3	Cat. 1-2 and Pro
Track	Cat. 5-3	Cat. 1-2 and Pro
Cyclo-Cross	Cat. 5-3	Cat. 1-2 and Pro
Mountain Bike	Cat. 3-1	Pro
BMX		All UCI licenses/categories
Collegiate	All	

All members of UCI registered teams are considered to be in the Elite category. For events on a UCI calendar, any UCI regulations or policies take precedence over USA Cycling's policy.

Collegiate racing and categories will be considered non-elite. However an athlete's non-collegiate racing category will take precedence when establishing gender and elite versus non-elite status for the purposes of this policy.

#### Procedure

Any member who desires to avail him or herself of this Elite Competition Transgender Policy shall submit to USA Cycling's Technical Director (1) a signed declaration that the member's gender identity is female and (2) an attestation from a medical professional that the member's total testosterone level in serum has been below 10 nmol/L for at least 12 months prior to the member's first competition. USA Cycling will not accept actual test results or other medical records from a member and any such documents received by USA Cycling will be destroyed immediately.

#### Compliance

Compliance with USA Cycling's Elite Competition Transgender Policy may be monitored. Therefore a member who chooses to avail him or herself of this policy consents to testing for compliance. Any such member who cannot meet the criteria set forth in this policy will have his or her case analyzed on an individual basis and may be re-categorized by class, category or gender.

#### **Privacy**

The legitimate privacy interests and the medical privacy of transgender athletes should be preserved. Any discussions involving the gender identity of an athlete and any required written supporting documentation will be kept confidential, unless the athlete makes a specific request otherwise. All information about an individual athlete's gender identity and medical information, including physician's information provided pursuant to this policy, shall be maintained confidentially. USA Cycling will not retain any written documentation or test results

that may be provided in accordance with this policy beyond the period needed to make any required determinations.



INTERNATIONAL  
OLYMPIC  
COMMITTEE

## **IOC Consensus Meeting on Sex Reassignment and Hyperandrogenism November 2015**

### **Participants:**

Prof Dr Uğur Erdener	Chairman, IOC Medical & Scientific Commission
Prof Arne Ljungqvist	Former Chairman, IOC Medical Commission
Dr Stéphane Bermon	Monaco Institute of Sports Medicine & Surgery, IAAF Medical & Scientific Senior Consultant
Michael Beloff, QC	Barrister, Blackstone Chambers
Prof Gerard Conway	Professor of Clinical Medicine, University College London
Prof Myron Genel	Professor Emeritus of Pediatrics and Senior Research Scientist, Yale Child Health Research Center Yale University School of Medicine
Ms Joanna Harper	Chief Medical Physicist, Radiation Oncology, Providence Portland Medical Center
Prof Angelica Linden Hirschberg	Department of Woman & Child Health, Division of Obstetrics & Gynecology, Karolinska Institutet
Prof Dr Maria Jose Martinez Patino	Faculty of Sport Sciences, University of Vigo
Prof Martin Ritzén	Professor Emeritus, Dept of Woman and Child Health Karolinska Institutet
Dr Eric Vilain	Professor of Human Genetics, Pediatrics and Urology Director, Center for Gender-Based Biology Chief, Medical Genetics, Department of Pediatrics Co-director, Clinical Genomic Center David Geffen School of Medicine at UCLA
Jonathan Taylor	Partner, Bird & Bird
Liz Riley	Barrister, Bird & Bird
Dr Robin Mitchell	Vice-Chair, IOC Medical & Scientific Commission
Dr Rania Elwani	Member, IOC Medical & Scientific Commission
Dr Vidya Mohamed-Ali	Member, IOC Medical & Scientific Commission
Prof Yannis Pitsiladis	Member, IOC Medical & Scientific Commission
Dr Richard Budgett	IOC Medical & Scientific Director
Dr Lars Engebretsen	IOC Head of Scientific Activities
Christian Thill	IOC Senior Legal Counsel

## 1) Transgender guidelines

- A. Since the 2003 Stockholm Consensus on Sex Reassignment in Sports, there has been a growing recognition of the importance of autonomy of gender identity in society, as reflected in the laws of many jurisdictions worldwide.
- B. There are also, however, jurisdictions where autonomy of gender identity is not recognised in law at all.
- C. It is necessary to ensure insofar as possible that trans athletes are not excluded from the opportunity to participate in sporting competition.
- D. The overriding sporting objective is and remains the guarantee of fair competition. Restrictions on participation are appropriate to the extent that they are necessary and proportionate to the achievement of that objective.
- E. To require surgical anatomical changes as a pre-condition to participation is not necessary to preserve fair competition and may be inconsistent with developing legislation and notions of human rights.
- F. Nothing in these guidelines is intended to undermine in any way the requirement to comply with the World Anti-Doping Code and the WADA International Standards.
- G. These guidelines are a living document and will be subject to review in light of any scientific or medical developments.

In this spirit, the IOC Consensus Meeting agreed the following guidelines to be taken into account by sports organisations when determining eligibility to compete in male and female competition:

- 1. Those who transition from female to male are eligible to compete in the male category without restriction.
- 2. 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 10 nmol/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 10 nmol/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.

## 2) **Hyperandrogenism in female athletes**

In response to the interim award dated 24 July 2015 in Chand v AFI and IAAF CAS 2014/A/3759, the IOC Consensus Meeting recommended:

- Rules should be in place for the protection of women in sport and the promotion of the principles of fair competition.
- The IAAF, with support from other International Federations, National Olympic Committees and other sports organisations, is encouraged to revert to CAS with arguments and evidence to support the reinstatement of its hyperandrogenism rules.
- To avoid discrimination, if not eligible for female competition the athlete should be eligible to compete in male competition.