USA Gymnastics POLICY FOR TRANSGENDER & NON-BINARY ATHLETE INCLUSION

Updated October 2020





INTRODUCTION/PURPOSE

USA Gymnastics supports diversity and inclusion in all aspects of gymnastics and is committed to providing a safe, supportive and welcoming environment for transgender and non-binary people within our community. USA Gymnastics has developed this policy and accompanying education in a proactive effort to help guide and support members of the gymnastics community.

Transgender is an umbrella term used to describe people whose gender identity does not correspond with the sex they were assigned at birth. Many identities fall under the transgender umbrella, some of which are:

- **Transgender boys or men:** Those who were assigned female at birth whose gender identity is male.
- **Transgender girls or women:** Those who were assigned male at birth whose gender identity is female
- **Non-binary:** Those who experience their gender identity and/or gender expression as falling outside the binary categories of male or female. Not all non-binary people identify as transgender.

In all cases, it is critical to respect and listen to the individual and allow them to tell you how they identify.

The goal of this policy is to provide direction to member clubs, meet directors, judges, parents, and transgender and non-binary athletes on how transgender and non-binary athletes may participate in competitive gymnastics. This policy will respect the privacy of affected individuals, is based on medical facts, and is consistent with applicable discrimination laws. Because we know this is an area of research that is continuing to grow and change, this policy will be reviewed and updated at least every 3 years.

Who is covered by this policy?

This policy is applicable to transgender or non-binary individuals who desire to participate in USA Gymnastics' sanctioned activities. Specifically, it applies to athletes who want to participate in USA Gymnastics' competitive and non-competitive programs and other sanctioned programs *below* the International Track level.

The International Track level is defined as: Those who, in the next 12 months, intend to qualify for Junior or Senior National Team, who may represent USA Gymnastics internationally, or those who qualify to any event where a National Team is selected. Eligibility for transgender and non-binary athlete participation at USA Gymnastics' International Track level will be governed by all applicable policies and criteria required by its governing bodies: The International Olympic Committee (IOC), International Gymnastics Federation (FIG), and U.S. Olympic and Paralympic Committee (USOPC)

USA Gymnastics Member Clubs must follow the Code of Ethical Conduct and promote inclusion and an environment free of discrimination. USA Gymnastics requires all registered clubs and affiliated organizations to take steps to ensure the services that they provide are fully accessible to transgender and non-binary participants. USA Gymnastics will provide support to registered clubs and affiliated organizations to enable them to support transgender and non-binary people who are involved or wish to take part in the sport.

USA Gymnastics Program Leadership are responsible for the promotion of a positive and inclusive culture. This includes:

- · Reviewing and amending policies, procedures, and practices for which they must comply
- Actively ensuring equality of opportunity and fairness of treatment for transgender and non-binary staff within their department
- · Ensuring that staff and volunteers are aware of their responsibilities under this policy

All USA Gymnastics staff members are responsible for:

- · Challenging incidents of transphobia by other staff members, volunteers, and service users
- Being respectful and using the chosen name, pronouns, and title when communicating with a transgender or non-binary person
- Not disclosing any information about a transgender or non-binary person's sex assigned at birth or gender identity without their explicit consent

USA Gymnastics is responsible for communicating this policy to registered clubs and affiliate organizations, technical committees such as competition organizers, and judges.

Transgender and Non-Binary Categories and Corresponding Policy

Transgender and non-binary athletes in levels below the International Track level are permitted to compete in the gender category with which they identify without restriction.

Non-Binary Athletes: USA Gymnastics does not currently provide competitions specifically for people whose gender identity is non-binary. However, USA Gymnastics aims to be inclusive of everyone and will strive to support the fair participation of non-binary participants, which includes, for example, allowing non-binary athletes to choose a gender category to compete in for the season. Meet directors should bring concerns to program leadership at USA Gymnastics.

International track athletes: Transgender boys or men are eligible to compete in the male category without restriction. Transgender girls or women who, in the next 12 months, intend to qualify for Junior or Senior National Team, those who may represent USA Gymnastics internationally, or those who qualify to any event where a National Team is selected, must meet the requirements for transgender and non-binary athletes put forth by the International Olympic Committee. Testosterone level documentation is indicated for a transgender girl or woman who has been evaluated by a physician and determined to be post-pubescent.



Uniforms

To ensure that transgender and non-binary gymnasts are comfortable participating, all participationand competition-related rules must permit any participants to wear clothing that aids in participation without deduction. Some examples are unitards or tights for transgender women or a chest binder for transgender men.



Recommendations and Guidelines for Inclusion

USA Gymnastics' Code of Ethical conduct prohibits clubs from discrimination. Below are suggestions for club owners, coaches, officials and gymnasts to assist in their interaction with transgender and non-binary athletes.

- Value diversity, equity and inclusion.
- Educate yourself and your staff about transgender and non-binary identities, using the accompanying education and resources.
- Be prepared to discuss transgender and non-binary participation with the parents of your program.
- Respect transgender and non-binary athlete identities, including by using chosen names and pronouns.
- Anticipate and address any transgender and non-binary access issues, including making locker rooms and bathrooms safely available.
- Be prepared to address discriminatory behavior, based on any perceived or actual gender identity or gender expression of an athlete.

Please see the accompanying transgender and non-binary athlete inclusion education document for more information and resources on working with transgender athletes.



The International Olympic Committee (IOC) updated their <u>guidance</u> in November 2015, which is now a key source of reference for sport governing body policy.

The IOC states that anyone who transitions from female-to-male is eligible to compete in the male category without restriction.

The IOC guidelines state that people who transition from male-to-female are eligible to compete in the female category under the following conditions:

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

Additional Note: To require surgical anatomical changes as a precondition to participation is inconsistent with developing legislation and notions of human rights.

SUPPORTING TRANSGENDER AND NON-BINARY ATHLETES

Introduction/Purpose

USA Gymnastics (USAG) supports diversity and inclusion in all aspects of gymnastics and strives to provide a safe, supportive and welcoming environment for transgender and non-binary people within the gymnastics community. USAG has developed this policy in a proactive effort to help guide and support members of the gymnastics community.

The purpose of the updated policy and this accompanying education is to ensure that transgender and non-binary participants are not excluded from the opportunity to participate in gymnastics competitions.

Background & Statistics

Whether talking about children or adults, it is helpful to understand some key terms:

- Sex. Sex refers to a category assigned to an individual based on a constellation of anatomic traits related to an individual's reproductive system and/or secondary sex characteristics, which can vary greatly and may include male, female, and intersex.
- **Gender**. An idea created by society (A.K.A. a social construct) that tells us what certain genders are "supposed" to be like, based on a group of emotional, behavioral and cultural characteristics (like how we express our feelings or how we dress).
- **Gender identity**. A person's internal sense of being male, female, or, for some people, a blend of both or neither. Everyone has a gender identity.
- Gender expression. The many ways people show their gender to others on the outside, such as the clothing and haircuts they wear or the roles and activities they choose. A person's gender expression can be very masculine (stereotypical of boys or men) or very feminine (stereotypical of girls or women), but most people are somewhere in between.

"Transgender" (sometimes "trans" for shorthand) is a broad term for a diverse group of people whose gender identity does not correspond with the sex assigned to them at birth. This includes people who identify as male but were assigned female at birth and vice versa. It also includes non-binary people, who do not identify with either gender or people with other experiences of gender, who may describe themselves as gender fluid, genderqueer, or gender-creative. Not all non-binary or genderqueer individuals identify as transgender. According to the Trevor Project's <u>National</u> <u>Survey</u>, "youth... identified with more than 100 different combinations of terms to describe their gender identity." "Cisgender" refers to a person who identifies with the sex they were assigned to at birth.

Many identities fall under the transgender umbrella, some of which are:

- **Transgender boys or men:** Those who were assigned female at birth whose gender identity is male.
- **Transgender girls or women:** Those who were assigned male at birth whose gender identity is female
- **Non-binary:** Those who experience their gender identity and/or gender expression as falling outside the binary categories of male or female. Not all non-binary people identify as transgender.

Most children know their gender by age 4; this does not mean that all children know if they are transgender by this age but that they can identify themselves as a specific gender. Some children may change their gender role before starting or during their early years in school. Others may only become fully aware when puberty starts, or later in life. In some cases, such feelings may be repressed for many years. Gender identity may continuously evolve throughout a person's life as they get to know themselves and discover new terminology and methods of expression that feel authentic to them.

Although it's difficult to determine how many people are transgender, the <u>latest estimates</u> suggest that there are about 1.4 million transgender adults in the United States – that's six transgender people among every thousand adults – and younger people are more likely to be openly transgender.

In the United States, it is <u>estimated</u> that 0.7% of youth ages 13 to 17 identify as transgender. Beyond self-identification, it is becoming increasingly common that young people know someone who identifies outside of the traditional gender binary, with 56% of 13-to-20-year-olds stating that they know someone who uses gender neutral pronouns (The Innovation Group). A <u>study</u> from the Williams Institute at UCLA School of Law, found that 27% of teens in California identified as being "gender non-conforming" and 6.2% identified as "highly non-conforming."

Non-discrimination laws vary throughout the United States. Many public accommodation non-discrimination laws protect LGBTQ people from being unfairly refused service or entry to, or from facing discrimination in, places accessible to the public on the basis of sexual orientation or gender identity. Public accommodation laws generally cover anywhere someone may go when All young people should have the opportunity to participate in athletics and have their personal dignity respected.

they are not at home, work, or school, including retail stores, restaurants, parks, doctors' offices, etc. Currently, state law explicitly prohibits discrimination based on sexual orientation and gender identity in 20 states and the District of Columbia. Additionally, in states without state protections, municipalities may provide local-level non-discrimination protections.

WHY DO WE NEED A TRANSGENDER AND NON-BINARY ATHLETE INCLUSION POLICY?

All young people should have the opportunity to participate in athletics and have their personal dignity respected. Transgender and non-binary youth are no different. In fact, because transgender and non-binary youth must often overcome significant stigma and challenges, it would be particularly harmful to exclude them from the significant physical, mental, and social benefits that young people gain by participating in gymnastics. The impact of such discrimination can be severe and can cause lifelong harm. In contrast, permitting transgender and non-binary children and youth to participate in gymnastics based on their gender identity, can provide an enormous boost to their selfconfidence and self-esteem and provide them with positive experiences that will help them in all other areas of their lives.

Being transgender or non-binary does not give a child a physical advantage over others. The individual variation with respect to athletic ability in children within each sex is much more significant than any group differences between male and female youth. Transgender and non-binary children display the same individual variation in size, strength, and athletic ability as other youth. There is no reason, based on considerations of fairness, that would justify preventing a young person who is transgender or non-binary from participating in gymnastics competition.

- "On Transgendered Athletes, Fairness and Doping: An International Challenge," <u>Sport in Society:</u> <u>Cultures, Commerce, Media, Politics, 1743-0445,</u> <u>Volume 9, Issue 2 (2006) Pages 227-251</u>)
- Sport and Transgender People: A Systematic Review of the Literature Relating to Sport Participation and Competitive Sport Policies. <u>Sports Med 47, 701-716</u> (2017)
- <u>Transgender Law and Policy Institute, Guidelines</u> for Creating Policies for Transgender Children in Recreational Sports (2009)

CURRENT TRANSGENDER INCLUSION POLICIES IN SPORTS

Transgender inclusion policies are becoming common practice in sports organizations in the United States and globally. Some examples of international and American sports organizations that have transgender inclusion policies that do not require surgery are: CrossFit, International Olympic Committee, International Quidditch Association, International Tennis Federation, International Gay and Lesbian Football Association, World Flying Disc Federation, World Out Games, US Association of Blind Athletes, USA Climbing, USA Curling, USA Cycling, USA Hockey, US Rowing, US Soccer Federation, USA Swimming, USA Track & Field, USA Triathlon, USA Ultimate, and USA Wrestling.

The National Collegiate Athletics Association (NCAA),

which organizes competitions in 23 sports at over 1,000 colleges and universities does not require gender confirming surgery or legal recognition of a player's transitioned sex in order for transgender players to participate on a team which matches their identity. The recommended NCAA policy requires one year of hormone treatment as a condition for transgender female student-athletes prior to competing on a female team. Conversely, transgender male student-athletes remain eligible to compete in women's or men's sports unless or until that athlete begins a physical transition using hormones (testosterone). Once a transgender male student-athlete has begun hormone treatment (testosterone), they are eligible to compete on men's or mixed teams only.

The **International Olympic Committee (IOC)** updated their guidance in November 2015, which is now a key source of reference for sport governing body policy. The IOC states that anyone who transitions from female to male is eligible to compete in the male category without restriction. The IOC guidelines state that post-pubescent athletes who transition from male to female are eligible to compete in the female category under the following conditions:

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

At present, the **International Gymnastics Federation (FIG)** does not have any rules in place in respect to the participation in FIG regulated competitions by transgender gymnasts.

HIPAA protects a right to medical privacy. Where a transgender person has not made it public that they are transgender, this information must not be disclosed without their explicit consent.

POLICY STATEMENTS

- USAG aims to ensure that all transgender and non-binary people can take part in the sport of gymnastics without fear of discrimination or bullying.
- USAG believes that transgender and non-binary gymnasts should not be restricted from taking part in gymnastics competition based on their gender identity.
- USAG recognizes that it is an individual's right to choose whether they wish to be open about their gender identity.
 USAG will provide a supportive environment for anyone who discloses their transgender or non-binary status or feels able to be open about their transgender or non-binary status within the wider gymnastics' community.
- Where a person's transgender or non-binary status is disclosed, USAG will maintain confidentiality about their status and will not disclose this information without the explicit consent of the individual.



RECOMMENDATIONS AND RESOURCES FOR INCLUSION

USA Gymnastics' Code of Ethical conduct prohibits clubs from discrimination. Below are suggestions for club owners, coaches, officials and gymnasts to assist in their interaction with transgender and non-binary athletes.

- · Value diversity
- · Educate yourself and your staff about transgender and non-binary identities
- Be prepared to discuss the participation of transgender and non-binary youth with the parents of your program
- Respect the transgender and non-binary athlete's identity and use their chosen names and their proper pronouns
- Anticipate and address any access issues, including making locker rooms and bathrooms safely available
- Allow transgender and non-binary athletes to wear gymnastics unitards or tights, chest binders or other articles of clothing that allow them to compete comfortably and safely in gymnastics. Points deductions should not be taken for these uniform choices in competition.
- Allow transgender and non-binary athletes to compete without question with other athletes of their gender identity.
- Be prepared to address discriminatory behavior, based on any perceived or actual gender identity or gender expression of an athlete

FAQ:

- 1. Do transgender athletes have an unfair advantage? How do we make sure competitions are fair? Prepubescent athletes of all sexes have very similar strength and flexibility characteristics that would not provide an advantage. Even within a sex, there is a wide range of differences among athletes: some are shorter, some are more flexible, some are more coordinated, and some are stronger. Additionally, all children experience the onset of puberty at different times. Between 10-16 years old, individuals of the same age can be 4-5 years apart developmentally leading to a natural variation even in cisgender athletes. Trans athletes who begin hormone therapy should experience physical maturation changes during puberty in ways consistent with their cisgender counterparts.
- 2. Does USA Gymnastics require a trans or non-binary athlete to apply for permission to compete in the gender that they identify with? Our new policy does not require athletes competing in competitive or non-competitive levels of gymnastics to apply for permission. Athletes wishing to compete at the International track level must comply with the IOC and USOPC guidelines for transgender athletes.
- 3. Does a minor trans athlete need to be on hormone therapy or have gender re-assignment surgery in order to participate in gymnastics with the gender they identify with? No. These are outdated beliefs that no longer stand up to best practices and have no basis in medical literature. Sports organizations that represent adult athletes, like the NCAA, do have rules around hormone therapy for participation in college sports.

- 4. Do I need a separate locker room or restroom for trans athletes? No. Trans athletes should be permitted to use the restroom or locker room that matches their gender identity. Transgender athletes who want additional privacy in a restroom or locker room for any reason can ask for an alternative. It is important to note that transgender and nonbinary athletes may not identify with either male or female, so a gym can let an athlete use a single-user restroom or add curtains or stalls in locker rooms to give everyone more privacy.
- 5. Do I need to have a separate team for trans or nonbinary athletes? No. Trans and non-binary people have the same rights to play sports as anybody else. Excluding trans and non-binary people from any space or activity is harmful, particularly for youth. Denying a trans or non-binary athlete the ability to compete equally condones, reinforces and affirms that athlete's social status as an outlier or a misfit.
- 6. Should I let other parents, teammates or judges know that an athlete is transgender or non-binary in order to avoid uncomfortable situations for the athlete? Not without permission from the athlete and the athlete's parent(s). Athletes have a right to privacy about their personal information and this information must not be shared without their permission and from the parent(s). Discuss any situations with the athlete's parent(s) and ask for their guidance on how to handle specific situations for their child. Permission from the athlete and the athlete's parent(s) to disclose this information should include guidance on who you may disclose the information to and how the information will be shared.

RESOURCES:

- 1. <u>Supporting and Caring for Transgender Children</u>. A joint publication of the American Academy of Pediatrics, The American College of Osteopathic Pediatricians and the Human Rights Campaign Foundation.
- 2. GLSEN: <u>On the Team: Equal Opportunity for Transgender Student Athletes</u>. Report created to provide guidance to high school and collegiate athletic programs about how to ensure transgender student athletes fair, respectful and legal access to school sports teams.
- GLSEN: <u>Safe Space Kit</u>. Includes concrete strategies to help support LGBTQ students.
- 4. <u>Gender Spectrum</u>. Video on Young Athletes' gender-affirming experiences in sport.
- Trans Youth Equality Foundation. Resources for parents, educators and professionals. Check out the <u>parent resources</u> page for suggested videos for adults.
- 6. ACLU: Four Myths About Trans Athletes, Debunked.
- 7. GLSEN: Transgender Inclusion in Hight School Athletics.
- 8. The Trevor Project: https://www.thetrevorproject.org/



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