

TRANSGENDER ATHLETE PARTICIPATION POLICY

I. Introduction and Purpose

USA Cycling's Transgender Athlete Participation Policy ("Policy") is based on the International Olympic Committee's Framework on Fairness, Non-Discrimination, and Inclusion (the "Framework") principles. The Policy recognizes the need to ensure that everyone, irrespective of gender identity, can participate in cycling in a safe, harassment-free environment that acknowledges and respects their needs and identities and the interest of everyone to participate in fair competitions where no participant has an unfair and disproportionate advantage.

For purposes of this Policy, the following words and phrases are defined terms:

"Cisgender" means having a gender identity that corresponds with an individual's sex assigned at birth. A "Cisgender male" is a person whose sex is male and whose gender identity is male, and a "Cisgender female" is a person whose sex is female and whose gender identity is female.

"International Event" is defined by the UCI in Regulation 13.5.007 as an event registered on the UCI International Calendar in any discipline, including any event for which UCI points are awarded, as well as other events recognized by the UCI, such as world records and any other competition organized by or on the behalf of UCI.

"National Event" means any USA Cycling-sanctioned event that does not meet the definition of an International Event. For clarity, this means all non-UCI races at an International Event and all other USA Cycling-sanctioned events.

"Transgender" means having a gender identity different from an individual's sex assigned at birth. A "Transgender male" is a person whose sex is female and whose gender identity is male, and a "Transgender female" is a person whose sex is male and whose gender identity is female.

II. Application of this Policy

This Policy establishes the conditions enabling Transgender athletes to compete in USA Cycling events and describes the eligibility requirements for International Events enforced by the UCI (as defined in the UCI Eligibility Regulations for Transgender Athletes ("UCI Eligibility Regulations")).

This Policy applies to all athletes who wish to compete in a competition category (e.g., Male or Female) different than the sex assigned to the athlete at birth, including without limitation:

- Current athlete members of USA Cycling who wish to change the competition category in which they participate;
- Former athlete members of USA Cycling who wish to join USA Cycling and compete in a competition category that is different from the competition category in which the athlete was previously registered;
- Athletes who have never been members of USA Cycling who wish to join USA Cycling as a member and register in a competition category different than the sex assigned to the athlete at birth; and
- Athletes who wish to be eligible to compete in a National Championship in a competition category that is different from the sex assigned to the athlete at birth.

All athletes to whom this Policy applies shall promptly notify USA Cycling's Technical Director (or their designee) of their desire to either change their competition category or that the athlete is joining USA Cycling and registering in a competition category different than the sex assigned to the athlete at birth.

III. Group A Athletes

For purposes of this Policy, USA Cycling considers Group A Athletes to include athletes competing at or above the following racing category thresholds regardless of age:

Discipline	Group A Athletes	Group B Athletes
Road	Pro & Cat. 1, 2	Cat. 3, 4, Novice
Track	Pro & Cat. 1, 2	Cat. 3, 4, Novice
Cyclo-Cross	Pro & Cat. 1, 2	Cat. 3, 4, Novice
Mountain Bike	Pro	Cat. 1, 2, 3
BMX	All	N/A

Once an athlete achieves Group A status in any discipline, the athlete shall be considered a Group A Athlete in all disciplines.

In addition, the following athletes are considered Group A Athletes regardless of their racing category:

- Members of a UCI-registered team
- Members of a Domestic Elite Team (DET)

The following athletes are not considered Group A Athletes regardless of their racing category:

- Members of a Collegiate team, when participating in collegiate events.

Athletes competing outside the United States are subject to the UCI Eligibility Regulations or the regulations of the National Federation where they are competing.

IV. National Championships

Elite National Championship races (Elite Men, Elite Women, U23, Junior Men, Junior Women) are International Events. Therefore, the UCI Eligibility Regulations shall apply to all athletes participating in an Elite National Championship.

The eligibility conditions for Group A Transgender Athletes included in Section VI below shall apply to all athletes desiring to participate in a championship race at a National Championship except for championship races at a Collegiate National Championship, at which the eligibility conditions for Group B Transgender Athletes shall apply.

The eligibility conditions for Group B Transgender Athletes included in Section VII below shall apply at all non-championship races held in conjunction with a National Championship.

V. National Records

The eligibility conditions for Group A Transgender Athletes included in Section VI below shall apply to all athletes desiring to set a National Record.

VI. Eligibility Conditions for Group A Transgender Athletes

A. Eligibility conditions for Transgender male (i.e., female-to-male) athletes

To be eligible to compete in the male competition category, a Transgender male athlete must provide a written and signed declaration to the USA Cycling Technical Director, using the [Self-Identity Verification Request](#) form, that their gender identity is male.

B. Eligibility conditions for Transgender female (i.e., male-to-female) athletes

To be eligible to compete in the female competition category, a Transgender female athlete must meet each of the following conditions:

1. Provide a written and signed declaration to the USA Cycling Technical Director, using the [Elite Athlete Fairness Application](#) form, that their gender identity is female.
2. Satisfy the Elite Athlete Fairness Evaluation process in Section IX below if the athlete:
 - a) Is a Group A Athlete; or
 - b) Desires to compete in a championship race at a National Championship.

VII. Eligibility Conditions for Group B Transgender Athletes

Group B Transgender athletes who desire to participate in National Events must meet the below conditions at least thirty (30) days before the start of the first event where the athlete would be considered a Group B Athlete. Once an athlete's request has been approved, the athlete may not initiate the process to change back to a prior competition category for two years after the initial request is approved.

A. Eligibility conditions for Transgender male (i.e., female-to-male) athletes

To be eligible to compete in the male competition category, a Transgender male athlete must provide a written and signed declaration to the USA Cycling Technical Director, using the [Self-Identity Verification Request](#) form, that their gender identity is male.

B. Eligibility conditions for Transgender female (i.e., male-to-female) athletes

To be eligible to compete in the female competition category, a Transgender female athlete must provide a written and signed declaration to the USA Cycling Technical Director, using the [Self-Identity Verification Request](#) form, that their gender identity is female.

C. Assignment of Racing Category

Upon receipt of the athlete's declaration, the Technical Director shall review the athlete's racing history and assign an appropriate racing category in the athlete's new gender competition category. The Technical Director may assign the athlete to a Group A racing category, in which case, the athlete will be subject to the Eligibility Conditions for Group A Transgender Athletes.

D. Expedited Review

Athletes may request an expedited review of their Self-Identity Verification Request form prior to the first day of the event they wish to compete in the male or female competition category. USA Cycling will make reasonable efforts to timely process all expedited review requests.

First time athletes or athletes who register at an event without prior approval must provide a written and signed declaration to the USA Cycling Technical Director, using the Self-Identity Verification Request form prior to competing.

VIII. UCI Eligibility Regulations for International Events

Effective July 17, 2023, the UCI implemented its Eligibility Regulations for Transgender Athletes. For an athlete to participate in any International Event, the athlete must first be certified by the UCI as having satisfied the eligibility criteria outlined in the UCI Eligibility Regulations. The eligibility criteria outlined in the UCI Eligibility Regulations are potentially more difficult to satisfy than those outlined in this Policy for Group A Competition. In particular, the UCI Eligibility Regulations provide:

A. UCI Eligibility conditions for Transgender male (i.e., female-to-male) athletes

To be eligible to compete in the male category of competition at an International Event, a Transgender male athlete must provide a written and signed declaration, in a form satisfactory to the UCI Medical Manager, that their gender identity is male.

B. UCI Eligibility conditions for Transgender female (i.e., male-to-female) athletes

To be eligible to compete in the female category of competition at an International Event, a Transgender female athlete must meet each of the following conditions to the satisfaction of the UCI Expert Panel:

1. They must provide a written and signed declaration, in a form satisfactory to the UCI Medical Manager, that her gender identity is female;
2. They must not have experienced any part of male puberty either beyond Tanner Stage 2 or after age 12 (whichever comes first);
3. Since puberty, they must have continuously maintained the concentration of testosterone in their serum below 2.5 nmol/L;
4. They must continue to maintain the concentration of testosterone in their serum below 2.5 nmol/L at all times (i.e., whether they are in competition or out of competition) for so long as they wish to retain eligibility to compete in the female category of competition at International Events;

5. All serum testosterone measurements must be conducted through liquid chromatography coupled with mass spectrometry, as provided in the Appendix of Part XIII Medical Rules in the UCI Regulations.

Athletes subject to the UCI's Eligibility Regulations for Transgender Athletes should review the full the full regulations located at [Chapter V, Part 13](#) of the UCI Regulations.

IX. Elite Athlete Fairness Evaluation

A. Purpose

The Elite Athlete Fairness Evaluation aims to ensure that Group A Athletes and all athletes desiring to compete in a championship race at a National Championship in the female competition category who have transitioned from a male sex assignment at birth, do not have an unfair advantage over their Cisgender female competitors.

B. Elite Athlete Fairness Evaluation

To initiate the Elite Athlete Fairness Evaluation process, an athlete must submit an [Elite Athlete Fairness Application](#) ("Application") to the Technical Director at least ninety (90) days before the start of the first event where the athlete would be considered a Group A Athlete, or the first championship race at a National Championship, in which the athlete seeks to compete in the female competition category. The Technical Director shall submit the Application to a panel consisting of three independent medical experts (the "Elite Athlete Fairness Panel" or "Panel"). USA Cycling's Chief Medical Officer will serve as a liaison to the Elite Athlete Fairness Panel.

C. Eligibility Criteria

To be eligible to compete in the female competition category as a Group A Athlete or in a championship race at a National Championship, a Transgender female athlete shall have the burden of demonstrating the following to the satisfaction of the Panel:

1. The athlete's total testosterone level in serum has been below 2.5 nmol/L for a period of at least 24 months.
2. The athlete's total testosterone level in serum must remain below 2.5 nmol/L throughout the period of desired eligibility to compete in the female category.

D. Panel Evaluation

In evaluating an athlete's Application, the Panel shall consider the medical file, serum testosterone results, and other information submitted by the athlete. The Panel may request

additional information from the athlete or the athlete's treating physicians. The Panel may also direct additional testing. Per the Framework, the Panel will not request any of the prohibited testing outlined in the Framework and will not request gynecological examinations or similar forms of invasive physical examinations to determine an athlete's sex, sex variations, or gender. The athlete must fully cooperate with the Panel in its evaluation efforts. The athlete is responsible for ensuring that the information provided is accurate and complete and that nothing relevant to the Panel's assessment of the case is withheld. The athlete must also provide the appropriate consents and waivers to enable the athlete's physician(s) to disclose to the Panel any information that the Panel deems necessary to its assessment. The athlete acknowledges that this evaluation process is complicated and agrees that neither USA Cycling nor members of the Panel shall be liable for any detriment caused to the athlete by delays in the evaluation process. Any costs attributable to additional information requests or testing made by the Panel associated with this evaluation will be paid by USA Cycling.

E. Panel Decision

If the Panel approves an athlete's Application, that decision and any conditions associated with that decision shall be communicated to the athlete by the Technical Director. In its decision, the Panel shall specify applicable serum testosterone monitoring requirements as well as other conditions of approval. In addition, USA Cycling may, at its discretion, collect serum testosterone samples from the athlete at any time with or without notice. To maintain eligibility, if the Application is approved, the athlete must meet the eligibility criteria and any conditions imposed by the Panel as long as the athlete remains a Group A Athlete, or wishes to compete in the Female category in championship races at National Championships. If the Panel denies the Application, the reasons for that denial shall also be communicated to the athlete. The Panel may revoke or modify its approval of an athlete's Application based on subsequently acquired information. For purposes of participating as a Group A Athlete or participating in a championship race at a National Championship, an athlete may not change the athlete's competition category back to male for a period of four years following the approval of the athlete's Application. Decisions of the Panel shall be final and binding and may only be challenged by appeal as allowed in Article IX of this Policy.

F. Compliance and Consequences

USA Cycling may take any and all appropriate action to investigate whether an athlete has complied with the requirements of this Policy or a decision of the Panel. Athletes must cooperate fully with any such investigation. Where violations of this Policy or a Panel decision are found, consequences may be imposed, including but not limited to any of the following: referral back to the Panel to reconsider its decision to approve the athlete's Application, disqualification of results obtained by the athlete, and/or imposition of a period of ineligibility on the athlete.

G. Guidelines

The Fairness Panel may establish guidelines for the implementation of the evaluation process. Such guidelines, if and when adopted, will be attached to this Policy.

X. Appeals

If an athlete wishes to challenge the decision of the Elite Athlete Fairness Panel with respect to the athlete's Elite Athlete Fairness Application, either may appeal the decision by requesting a review hearing with the USA Cycling Elite Athlete Fairness Appeal Body ("Appeal Body"). The Appeal Body shall consist of three disinterested individuals appointed by the CEO of USA Cycling, one of whom shall be an NGB 10-Year Athlete, one of whom is an Elite Athlete Fairness Panelist who did not serve on the subject athlete's Fairness Panel. Pending a decision by the Appeal Body, the athlete shall remain eligible to compete in the competition category consistent with the sex assigned to the athlete at birth. The parties to the appeal shall be the athlete and USA Cycling. No other person or entity shall have standing to challenge the decisions of the Elite Athlete Fairness Panel or to participate in any appeal. The Appeal Body shall be the exclusive forum for challenges to Elite Athlete Fairness Panel decisions. In any proceeding before the Appeal Body, the Eligibility Criteria shall not be subject to challenge or review. The athlete may challenge only the application of the Eligibility Criteria to the athlete's individual circumstances. The Panel's decision shall be upheld unless the Appeal Body finds that the appellant has carried the burden of demonstrating that the Panel's decision is arbitrary and capricious with no rational basis. In a review hearing, the Appeal Body shall consider such witness testimony and/or other evidence that the Appeal Body considers relevant and appropriate. The Appeal Body may adopt appropriate rules of procedure subject to review and approval by USA Cycling's Chief Administrative Officer and General Counsel. The Appeal Body's decision shall be final and binding on USA Cycling and the athlete. Nothing in this Section IX shall be construed to limit members' rights provided by the Ted Stevens Olympic and Amateur Sports Act, the United States Olympic and Paralympic Committee's Bylaws, and USA Cycling's Bylaws.

XI. Confidentiality

All athlete information provided to USA Cycling under this Policy, and the results of examinations and assessments conducted under this Policy will be dealt with in strict confidence and applicable privacy laws. Such information will not be used for any purpose not contemplated in this Policy and will not be disclosed to any third party unless that disclosure is necessary for the effective application and enforcement of this Policy or is required by law. USA Cycling shall not publicly comment on individual Applications, or decisions under this Policy except, in its discretion, it may do so in response to public comments attributed to the athlete or the athlete's representatives.

XII. Compliance with Anti-Doping Rules

Nothing in this Policy shall affect an athlete's obligation to fully comply with the Anti-Doping Rules of the United States Anti-Doping Agency (USADA), the International Testing Agency (ITA), the USOPC, the UCI, or USA Cycling. If the use of a substance on the World Anti-Doping Agency Prohibited List is contemplated in connection with a gender transition, then the athlete must first obtain a Therapeutic Use Exemption from the U.S. Anti-Doping Agency before that substance is used.

XIII. Discrimination Prohibited

All USA Cycling members, including its athlete members, have a right to participate in the activities of USA Cycling without being subjected to harassment or discrimination regarding their sexual orientation, gender expression, or transition to a different cycling gender category. Any USA Cycling member who engages in conduct that violates this right shall be subject to discipline under the USA Cycling Code of Conduct.

XIV. Membership Requirement

For an athlete to submit an Application, the athlete must be an athlete or prospective athlete member of USA Cycling.

XV. Other Eligibility Requirements Not Affected

The application of this Policy shall not affect eligibility requirements or rules otherwise set out in USA Cycling's rules, regulations, and policies.

XVI. Assistance with This Policy

USA Cycling is committed to including transgender individuals in the sport of cycling subject to the eligibility requirements outlined in this Policy. Any person seeking information on the application of this Policy should contact the Technical Director for assistance. The USA Cycling Technical Director may be reached at officials@usacycling.org.

XVII. Athlete Agreement, Consent, and Release

By submitting an Application, an athlete represents and agrees that:

- a. All information submitted concerning the Application is accurate and complete to the best of their knowledge, and no relevant information has been intentionally withheld.
- b. The athlete will fully cooperate with and provide any additional information the Panel requests.

- c. In connection with the Panel's evaluation of the athlete's Application, or for the continuing monitoring of the athlete if that Application is approved:
 - i. To provide medical waivers and releases allowing the athlete's physicians to share records with the Panel.
 - ii. To comply with any conditions imposed by the Panel as a condition of its approval of the athlete's Application.
 - iii. To undergo any additional medical testing required by the Panel in connection with its evaluation of the athlete's Application, or ongoing status if the Application is approved. The cost of any such testing will be at USA Cycling's expense.
 - iv. To advance notice, or no advance notice, blood sample collection to evaluate the athlete's serum testosterone level.
 - v. Any blood sample collected in connection with an anti-doping control may also be used for such purpose.
- d. Neither USA Cycling, any member of the Panel, nor any USA Cycling employees, directors, officers, agents, representatives, or other persons involved in the administration of this Policy shall be liable in any way in relation to acts done or omitted to be done in good faith in connection with the administration of this Policy.

XVIII. Policy Effective Date

This Policy shall go into effect January 1, 2024. After that date, the eligibility requirements set forth in this Policy shall be fully applicable without regard to an athlete's status under any prior USA Cycling or UCI policy.