

USMS Policy on Transgender Athlete Inclusion

In accordance with Article 102.5.3, this USMS policy is intended to guide determinations of gender as a competition category in USMS sanctioned and recognized competition. This policy notwithstanding, USMS article 501.3 specifies that membership in USMS shall not be denied by virtue of gender or gender identity. Participation in all USMS events and administrative activities shall not be restricted on the basis gender identity.

This policy is intended to provide guidance for swimmers, coaches, and officials to make determinations on gender as a competition category at sanctioned and recognized meets. Note that gender as a competition category only pertains to recognition of official times, places, records, Top 10, and other official forms of recognition that result from USMS sanctioned and recognized events.

Athletes who identify as transgender are not required to provide documentation on eligibility except in cases where an athlete requests an eligibility determination prior to competition or when a protest of eligibility is made.

An individual who is already a registered USMS member and begins the transition process to a different gender may change their gender designation or re-register in the new gender. The individual is responsible for notifying the membership coordinator at the National Office of the change.

USMS eligibility guidelines for competition are in accordance with current guidelines issued by the International Olympic Committee (updated in November 2021). Athletes who identify as transgender must meet the following guidelines in order to earn official recognition (times, places, records, Top 10) in USMS competition.

1. Athletes who identify as trans male are eligible to compete in the male category without restriction. Note that trans male athletes who compete in the male category are subject to swimwear requirements for males. Athletes may apply for an exception to swimwear guidelines per article 102.12.1C.

2. Athletes who identify as trans female are eligible to compete in the female category provided that the following conditions are met:

- Hormonal therapy appropriate for the female gender has been administered continuously and uninterrupted in a verifiable manner for a sufficient length of time, no less than one year, to minimize gender-related advantages in sport competitions.
- Documentation is available showing testosterone serum levels regularly measured during the last twelve months that are below 5 nmol/L. In the event of an eligibility question or protest, the athlete is responsible for providing such documentation.
- Verification of testosterone serum levels applies regardless of when the gender transition occurred and whether or not the athlete has undergone gender confirmation surgery. In the event of an eligibility question or protest, the athlete will not be required to provide any specific health or medical information other than the specified hormone treatments and levels.

Athletes who identify as female who do not meet the above requirements may participate in the female gender category, with their times removed from the results. In other words, the athlete is not eligible for official times, places, points, records, Top 10, or other forms of official recognition.

LMSC Officials shall refer questions of eligibility to compete in a gender category to the Rules Committee Chair who may determine if a formal eligibility determination is necessary or may provide guidance to the officials in accordance with this policy. In the case of a formal eligibility determination, an ad-hoc eligibility determination panel shall be appointed to review all pertinent information and make a decision. The decision may be appealed by the athlete to the entire Rules Committee. The eligibility determination panel may refer possible code of conduct violations to the National Board of Review in accordance with Part 4 of the USMS Code of Regulations and Rules of Competition.

USMS acknowledges that some members may identify as non-binary and intends to study a non-binary membership registration option with future implementation as soon as practical. Until this membership option is available, athletes who identify as non-binary will compete in the gender category that corresponds to the gender assigned at birth.

USMS acknowledges that this is an evolving area and will provide guidance in these areas as may be necessary.

USMS Rules Committee, March 2022