

New Hampshire Golf Competitive Fairness Gender Policy

Effective January 1, 2025

1. Purpose

As a steward for the game and all who wish to play, New Hampshire Golf is welcoming of all gender identities and gender expressions. At the same time, with respect to elite-level competitions, which include New Hampshire Golf Championships (as defined below) and New Hampshire Team (as defined below) events, the organization is committed to ensuring that competitive fairness is maintained for all athletes competing in our events.

We recognize that scientific studies show sports performance differences exist between biological sexes and that those performance differences begin to occur during the onset of puberty. These differences are primarily due to the exposure of substantially higher levels of testosterone in biological males during puberty and beyond. Accordingly, this New Hampshire Golf Competitive Fairness Gender Policy (“Policy”) establishes the gender eligibility criteria for any athlete wishing to compete in New Hampshire Golf Championships or as a member of a New Hampshire Golf Team, and places conditions on competition as necessary to ensure that competitive fairness is maintained.

This Policy applies to New Hampshire Golf Championships and New Hampshire Golf events in recognition of the importance for establishing eligibility conditions for our championships and events which are considered to be elite-level competitions. This Policy does not apply to recreational, non-elite competitions or participatory events, teams or leagues, where different considerations may be taken into account when establishing such criteria.

New Hampshire Golf will continue to review and evaluate this Policy, which may evolve and change over time in accordance with relevant and current medical research, science, and learned information. New Hampshire Golf may modify this Policy at any time, in its sole discretion, with or without notice.

2. Definitions

Application shall mean the application required for submission by Transgender Athletes as described in Section 6 of this Policy.

Women’s Events shall mean the following New Hampshire Golf Events: Women’s Stroke Play Series, Women’s Spring Four-Ball, Women’s Team Championship, Women’s Mid Amateur Championship, Women’s Net Stroke Play, Women’s Amateur Championship, Mixed Events, Women’s Fall Fourball, New Hampshire Women’s Tristate Team, and Tournament Series.

Medical Panel shall mean the panel of medical experts described in Section 8 of this Policy.

Policy shall mean this New Hampshire Golf Gender Policy.

Tanner Stages refers to the five stages of puberty during which individuals develop secondary sex characteristics. Tanner Stage 2 denotes the onset of puberty. The normal time for the onset of puberty in females ranges from 8 to 13 years old and in males ranges from 9 to 14 years old.

Transgender Athlete shall mean an individual whose gender identity or gender expression is different from their biological sex, whether pre-puberty or post-puberty and whether or not they have completed or are currently undergoing gender-affirming treatment or other medical intervention. This includes Transgender Female athletes and Transgender Male athletes.

Transgender Female shall mean any individual whose biological sex is male and whose gender identity is female. This includes individuals who have either completed or are currently undergoing gender transition from male-to-female, whether or not through medical intervention.

Transgender Male shall mean any individual whose biological sex is female and whose gender identity is male. This includes individuals who have either completed or are currently undergoing gender transition from female-to-male, whether or not through medical intervention.

New Hampshire Golf Championship shall mean any New Hampshire Golf championship, including qualifiers, which is conducted by or on behalf of New Hampshire Golf. This shall include the New Hampshire Open, New Hampshire Amateur, New Hampshire Women's Amateur, New Hampshire Mid Amateur, New Hampshire Women's Mid Amateur, New Hampshire Stroke Play, New Hampshire Match Play, New Hampshire Junior, New Hampshire Fourball, New Hampshire Women's Team, New Hampshire Club and Mixed Club Team, New Hampshire Junior/ Senior, New Hampshire Fourball Match Play.

New Hampshire Golf Gender Policy Committee shall mean the committee of Rules and Competitions comprised of New Hampshire Golf staff and board members who have been designated by New Hampshire Golf to oversee the administration of this Policy, including proper processing and administration of all Applications.

3. Policy Application

- a. This Policy applies to all athletes who wish to compete in a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team, regardless of their gender identity or gender expression, including, but not limited to, individual athletes whose sex assigned at birth is female or male, Transgender Female athletes, and Transgender Male athletes, and athletes whose gender is non-conforming.
- b. We recognize that individuals identify across a spectrum of gender identities and gender expressions, including, but not limited to non-conforming and non-binary; however, for the purposes of this Policy and administration of New Hampshire Golf Championships and New Hampshire Golf Teams, athletes must compete in accordance with a gender competition classification defined by New Hampshire Golf as either male or female.
- c. At the time of registration for a New Hampshire Golf Championship or New Hampshire Golf Team, all athletes must register in accordance with their sex assigned at birth as either male or female.

- d. For any Transgender Athlete wishing to compete in a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team, they must promptly notify the New Hampshire Golf Tournament Administration Director prior to registering for such championship or team in accordance with the timelines and processes set forth in Section 6 of this Policy.
- e. In addition, the Transgender Athlete must submit an Application and all required materials in accordance with the requirements set forth in Sections 4 or 5, as applicable, and Section 6 of this Policy.
- f. In the event an issue arises that is not addressed by this Policy, New Hampshire Golf reserves the right to address the issue in a manner consistent with the objectives set forth in Section 1 of this Policy.

4. Eligibility for Women's Events or Women's Teams.

This Section 4 shall apply to Women's Events and Women's Teams. Any person who is not a Transgender Athlete and who is assigned female at birth, regardless of their gender identity or gender expression, may compete in a Women's Event or on a Women's Team. In addition, any Transgender Athlete may compete in a Women's Event or a Women's Team, subject to satisfying any applicable eligibility criteria set forth below:

a. Transgender Female

Transgender Females may compete in a Women's Event or as a member of a Women's Team if the following conditions are met:

- (1) The athlete must provide a written and signed declaration, in a form satisfactory to the New Hampshire Golf Gender Policy Committee that their gender identity is female and that they wish to compete in Women's Events or as a member of a Women's Team, as applicable;
- (2) The athlete must demonstrate to the reasonable satisfaction of the Medical Panel that they have not experienced any part of male puberty beyond Tanner Stage 2. If, in the reasonable judgment of the Medical Panel, the athlete is unable to provide sufficient evidence to demonstrate whether or when Tanner Stage 2 occurred, the athlete must demonstrate to the reasonable satisfaction of the Medical Panel that they have not experienced any part of male puberty after age 12;
- (3) The athlete must demonstrate to the reasonable satisfaction of the Medical Panel that they have continuously maintained the concentration of testosterone in their serum of less than 2.5 nmol/L; and
- (4) The athlete must continue to maintain the concentration of testosterone in their serum of less than 2.5 nmol/L at all times for so long as they wish to maintain eligibility in a Women's Event or on a Women's Team.
 - i. For athletes competing in a Women's Event, the athlete must maintain testosterone levels below 2.5 nmol/L throughout the entire competition.

- ii. For athletes competing as a member of a Women's Team, the athlete must maintain testosterone levels below 2.5 nmol/L throughout the entire period of time they are deemed a member of the Women's Team.
- iii. The athlete shall comply at all times with any monitoring plans or requirements established by the Medical Panel to ensure the athlete's compliance with this eligibility criteria.
- iv. All measurements of serum testosterone levels included for the purposes of this Policy must be conducted through means of liquid chromatography coupled with mass spectrometry.

The athlete must provide a comprehensive medical history of the athlete's gender-affirming care or other evidence to demonstrate the athlete's satisfaction of these eligibility conditions. All medical information will be submitted to the Medical Panel for review and approval in accordance with Sections 6 and 8 of this Policy.

Any Transgender Female who does not meet the requirements for the Women's Events or Women's Teams may compete in any other New Hampshire Golf Event (*i.e.*, non-Women's Events that are set forth in Section 5 below) or on Men's Teams so long as they meet all other requirements of this Policy and any other eligibility requirements and policies applicable for participation in such New Hampshire Golf Championship.

b. Transgender Male

Transgender Males may compete in a Women's Event or as a member of a Women's Team if they demonstrate to the reasonable satisfaction of the Medical Panel that they have never used exogenous testosterone or other similar anabolic androgenic substances, including in connection with gender-affirming care. In connection therewith, the athlete must provide:

- (1) a written and signed declaration that they have never used exogenous testosterone or other similar anabolic androgenic substances, including in connection with their gender-affirming care; and
- (2) a comprehensive medical history of any hormone treatment or other substances taken by or provided to the athlete relating to the athlete's gender-affirming care. All medical information will be submitted to the Medical Panel for review and approval in accordance with Sections 6 and 8 of this Policy.

All medical information and drug testing results (as applicable) will be submitted to the Medical Panel for review and approval in accordance with the procedures set forth in Sections 6 and 8 of this Policy.

5. Eligibility for All Other New Hampshire Golf Championships and Men's Teams.

This Section 5 shall apply to Men's Teams and to all other New Hampshire Golf Championships not covered by Section 4 above, including the New Hampshire Open, New Hampshire Amateur, New Hampshire Senior, New Hampshire Mid Amateur, New Hampshire Fourball, New Hampshire Stroke Play, New Hampshire Match Play, New Hampshire Fourball Match Play. Any Transgender Athlete

may compete on a Men's Team or New Hampshire Golf Championship covered by this Section 5, in each case subject to satisfying any applicable eligibility criteria set forth below.

a. Transgender Males

Transgender Males may compete in any New Hampshire Golf Championship covered by this Section 5, so long as they are in compliance with all other applicable eligibility requirements. For clarity, if the athlete is undergoing treatment involving testosterone or other anabolic substances as part of their female-to-male gender-affirming care, they are required to obtain a Therapeutic Use Exemption (TUE) for such treatment in accordance with the anti-doping rules and regulations applicable to such New Hampshire Golf Championships or New Hampshire Golf Teams and/or team events in which the athlete intends to compete. It is the responsibility of the athlete to complete any such TUE and/or comply with all other requirements under applicable anti-doping rules and regulations.

Transgender Males may compete as a member of a Men's Team so long as they are in compliance with all other applicable eligibility requirements and they provide a written and signed declaration, in a form satisfactory to the New Hampshire Golf Gender Policy Committee that their gender identity is male and that they wish to compete as a member of a Men's Team.

b. Transgender Females

Transgender Females may compete on any Men's Team or in any New Hampshire Golf Championship covered by this Section 5 so long as they are in compliance with all other applicable eligibility requirements.

6. Application Process

- a. Any Transgender Athlete wishing to compete in a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team must notify the New Hampshire Golf Administration of their intent to compete in a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team. For New Hampshire Golf Championships, notifications may be submitted up to six (6) months prior to the close of entries, but no later than ninety (90) days prior to the close of entries for the first New Hampshire Golf Championship in which the athlete wishes to compete. If wishing to be considered for a New Hampshire Golf Team in an upcoming calendar year, the athlete must promptly notify the New Hampshire Golf Administration by November 1st of the prior calendar year.
- b. New Hampshire Golf Championship Administration will work with New Hampshire Golf Rules and Competition Committee and New Hampshire Golf Board of Directors to discuss the Policy requirements as it pertains to the Transgender Athlete and assist the athlete with determining all required information and documentation necessary to meet the eligibility criteria hereunder. A Competitive Fairness Gender Policy Application ("Application") will be provided to the athlete to fill out for submission. The athlete must provide any required medical waivers and releases prior to submitting their Application.

- c. Once all required materials are compiled, a Transgender Athlete must submit an Application, which must include the required information and materials set forth in Sections 4, 5 or 6, including any required declarations of self-identity, as applicable to the athlete and the gender competition classification in which they wish to compete. For a New Hampshire Golf Championship, the Application must be submitted at least sixty (60) days prior to the close of entries of the first New Hampshire Golf Championship in which the athlete wishes to compete. Applications may be submitted prior to the opening of entries. If wishing to compete as a member of a New Hampshire Golf Team in a calendar year, the Application and required materials must be submitted by November 15th of the calendar year prior to competition. Applications for New Hampshire Golf Championships and New Hampshire Golf Teams will be reviewed provided that the athlete meets the applicable eligibility requirements such as Handicap Index and age for such event or team. Applications will be provided by the New Hampshire Golf Championship Administration.
- d. Transgender Athletes must provide both a notification as set forth in Section 6(a) above and submit an Application to New Hampshire Golf, whether or not a Transgender Athlete wishes to compete in a gender competition classification that is different than their sex assigned at birth.
- e. Applications which require Medical Panel evaluation, along with any communications and other materials and information received by New Hampshire Golf, will be provided to New Hampshire Golf Rules and Competitions Committee for initial review to determine if any additional materials or information are needed for evaluation. Once all required materials are received, materials will be anonymized and evaluated in accordance with the eligibility criteria set forth in Sections 4 and 5 of this Policy and in accordance with the evaluation processes set forth in Section 8 below. Any and all communications, Applications and materials provided under this Policy will be handled confidentially in accordance with Section 9.
- f. Self-Identity Declarations which require review by New Hampshire Golf Rules and Competitions Committee, along with any communications and other materials and information received by New Hampshire Golf, will be provided to the New Hampshire Golf Championship Administration for initial review to determine if any additional materials or information are needed for review. Once all required materials are received, such materials will be provided to the New Hampshire Golf Rules and Competitions Committee for review and evaluation in accordance with the eligibility criteria set forth in Sections 4 and 5 of this Policy and in accordance with the evaluation processes set forth in Section 7 below. Any and all communications, Applications and materials provided under this Policy will be handled confidentially in accordance with Section 9.
- g. New Hampshire Golf Championship Administration shall serve as a liaison between the athlete and the New Hampshire Golf Medical Advisor, the Medical Panel and/or New Hampshire Golf Gender Policy Committee.
- h. New Hampshire Golf Championship Administration Senior Director and/or the New Hampshire Golf Chief Legal Officer (or their designee) may inform any relevant New

Hampshire Golf staff member(s) with a need to know, depending on their roles and responsibilities, of any submitted Applications and shall keep such persons informed of all relevant information and decisions made by the New Hampshire Golf Gender Policy Committee and/or Medical Panel.

- i. New Hampshire Golf Gender Policy Committee and/or Medical Panel will complete their evaluation of an Application or Self-Identity Declaration (as applicable) as soon as reasonably practicable given the facts and circumstances of the matter. However, there is no obligation to complete an evaluation or review by any particular date, including prior to the date of competition in which the athlete wishes to compete, and in no circumstance will, New Hampshire Golf, the New Hampshire Golf Medical Advisor, or any member of the Medical Panel or New Hampshire Golf Gender Policy Committee be liable for any detriment allegedly suffered by the athlete or anyone else as a result of the length of time taken to complete their evaluation of an Application, including, but not limited to, the inability of the athlete to compete in competition.
- j. Athletes may request additional time to submit an Application or required materials, with permission to be granted or denied in the sole discretion of New Hampshire Golf. The athlete acknowledges and agrees that New Hampshire Golf, the New Hampshire Golf Medical Advisor, and members of the New Hampshire Golf Gender Policy Committee or the Medical Panel shall not be responsible for any delay in making a determination under this Policy, and that the athlete may be prohibited from competing in a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team in the applied-for gender competition classification until a final determination is made by the Medical Panel or the New Hampshire Golf Gender Policy Committee and issued by New Hampshire Golf.
- k. If an athlete's Application is approved by New Hampshire Golf, or if an athlete is deemed to be in compliance with this Policy following an investigation concerning an athlete's compliance with this Policy, that decision and any conditions associated with that decision, including, but not limited to, monitoring requirements, shall be communicated in writing to the athlete by the New Hampshire Golf Championship Administration Senior Director.
- l. If an athlete is approved for a New Hampshire Golf Championship or New Hampshire Golf Team in a particular gender competition classification, the athlete shall be approved to compete in other New Hampshire Golf Championships and New Hampshire Golf Teams in the same gender competition classification. Such approval shall be applicable to all future New Hampshire Golf Championships and New Hampshire Golf Teams that the athlete wishes to compete so long as there are no changes in circumstances and the athlete continues to meet the eligibility criteria set forth in this Policy. Should any changes in circumstances occur that may impact the athlete's eligibility under this Policy, the athlete must immediately notify the New Hampshire Golf Championship Administration Senior Director.
- m. Once a Transgender Athlete is approved under this Policy to compete in a gender competition classification for New Hampshire Golf Championships and New Hampshire Golf Teams (*i.e.*, either male or female), the athlete may not compete in the other gender competition classification in a New Hampshire Golf Championship or as a member of a

New Hampshire Golf Team for at least a period of one (1) year following the approval of the athlete's Application. After such one (1) year period, if the athlete wishes to compete in the other gender competition classification for any New Hampshire Golf Championship or on New Hampshire Golf Team, the athlete must submit a new Application in accordance with applicable eligibility criteria set forth in the then-current Policy.

- n. If an athlete's Application is denied by New Hampshire Golf or if an athlete is deemed to be in violation of this Policy following an investigation concerning an athlete's compliance with this Policy, that decision and the reasons for such denial or violation shall be communicated in writing to the athlete by the New Hampshire Golf Championship Administration Senior Director.
- o. New Hampshire Golf may revoke or modify its decision of an athlete's eligibility under this Policy based on relevant and material information subsequently acquired after a decision is issued.

7. Self-Identity Declarations Review

- a. The New Hampshire Golf Policy Committee will review all submitted declarations of gender self-identity ("Self-Identity Declarations") for approval to determine whether the athlete's gender identity declaration has been made in good faith, and that the athlete identifies as the applied-for gender in their everyday life. The New Hampshire Golf Gender Policy Committee may compile and review other relevant information and materials and/or request from the athlete any additional relevant information or materials deemed necessary, in their reasonable discretion.
- b. In its discretion, the New Hampshire Golf Gender Policy Committee may refer any Self-Identity Declarations to the Medical Panel for further review, and the Medical Panel may request any additional information or materials it deems necessary for its review. The New Hampshire Golf Gender Policy Committee may rely on any recommendations made by the Medical Panel, in its reasonable discretion.
- c. Any decisions by the New Hampshire Gender Policy Committee to approve or deny an athlete's Application based on the Self-Identity Declaration, and any conditions associated with the decision, shall be communicated in writing. If the New Hampshire Golf Gender Policy Committee decides that the Self-Identity Declaration and information submitted is not sufficient to demonstrate that the athlete meets the eligibility criteria set forth under this Policy, it must explain in writing the reasons for its decision. Decisions shall be communicated to the athlete by the New Hampshire Golf Championship Administration Senior Director in accordance with the procedures set forth in Section 6 above. All such decisions shall be final and binding unless appealed in accordance with the provisions of Section 18.

8. Medical Panel Evaluations

- a. All relevant information regarding an Application, including the Application information and materials, athlete communications, and other materials submitted by the athlete or the athlete's treating physicians, shall be anonymized and submitted to the Medical Panel for evaluation under the eligibility requirements set forth in Sections 4 and 5 of this Policy.
- b. The Medical Panel shall consist of three (3) or more medical experts, with preference for those with experience related to transgender health, gender-affirming treatment, endocrinology, sports or physical performance of athletes or individuals, including cisgender and transgender persons, including specifically golf performance.
- c. The Medical Panel shall review each Application solely in accordance with the applicable eligibility criteria set forth in Sections 4 and 5 of this Policy. The Medical Panel may make inquiries as it deems necessary to carry out its evaluation of the Application and/or an individual athlete in order to ensure assessments are conducted accurately and effectively and the eligibility conditions of this Policy are upheld. In conducting its evaluations, the Medical Panel may: (i) request additional information from the athlete or the athlete's treating physicians, as deemed appropriate and necessary; (ii) seek input or opinions from other relevant medical experts; and (iii) request additional testing from the applicant, as deemed necessary.
- d. The Medical Panel may not request any gynecological examinations or other similar invasive physical examinations.
- e. The athlete must fully cooperate with New Hampshire Golf , New Hampshire Golf Medical Advisor and the Medical Panel in its evaluation efforts and must ensure that all information provided is accurate and complete and that relevant information is not withheld.
- f. For any Transgender Athlete approved under this Policy and who may require continued monitoring of testosterone levels, the Medical Panel shall establish an internal plan for such monitoring to ensure the athlete's compliance with applicable eligibility criteria. The monitoring plan shall be communicated to the athlete, to the extent feasible.
- g. Any decisions by the Medical Panel to approve or deny an athlete's Application, and any conditions associated with the decision, shall be communicated in writing to New Hampshire Golf. If the Medical Panel decides that the Application and information submitted is not sufficient to demonstrate that the athlete meets the eligibility criteria set forth under this Policy, it must explain in writing the reasons for its decision. Thereafter, decisions shall be communicated in writing to the athlete by the New Hampshire Golf Championship Administration Senior Director in accordance with the procedures set forth in Section 6 above. All such decisions shall be final and binding unless appealed in accordance with the provisions of Section 18.

9. Confidentiality & Privacy

- a. All Applications and other matters arising under this Policy, including but not limited to any athlete information provided to New Hampshire Golf, New Hampshire Golf Medical Advisor,

New Hampshire Golf Gender Policy Committee or the Medical Panel under this Policy, and all results of evaluations conducted under this Policy, will be handled with care and strict confidence at all times. For clarity, all medical information and personal information of an athlete will be treated and processed in accordance with applicable privacy policies and laws. The information provided under this Policy will not be used for any purposes not expressly set forth in this Policy and will not be disclosed to any third party without proper permission, except as required by law or as necessary for the effective application and enforcement of this Policy. If consent is provided by the athlete, New Hampshire may share with another golf organization whether or not an athlete has been approved under this Policy to compete in a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team to the extent such other golf organization will recognize the decision of New Hampshire Golf for the purposes of determining eligibility of the athlete under its own gender policy. For clarity, the underlying medical information will not be shared with other golf organizations without the express written permission of the athlete.

- b. New Hampshire Golf will not publicly comment on the specifics of any Applications or decisions made under this Policy, except, in its discretion, it may do so in response to public comments made by or attributed to the athlete or athlete's representatives.

10. Additional Terms

- a. For the avoidance of doubt:
 - i. The conditions for eligibility set forth in this Policy operate without prejudice to all other eligibility requirements applicable to all athletes (regardless of gender identity or gender expression) competing in any New Hampshire Golf Championship or as a member of a New Hampshire Golf Team, which must be satisfied at all relevant times. In particular, nothing in the Policy shall be construed to undermine or affect any of the requirements set forth in any applicable anti-doping rules or regulations, including, but not limited to the New Hampshire Golf Anti-Doping Policy, IGF Anti-Doping Policy, or WADA rules and regulations. All athletes must continue to comply with all such regulations and requirements, including any requirement to obtain a TUE for the use of any prohibited substances (e.g., WADA Prohibited List), such as testosterone, spironolactone, or other similar substances. Any athletes who have used testosterone or other similar substances in violation of the applicable anti-doping rules or regulations may return to competition after they have served their period of ineligibility.
 - ii. Neither legal recognition of an athlete's gender identity nor surgical anatomical changes are required for a Transgender Athlete to be eligible to compete at a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team.
- b. No athlete is required to undergo any medical assessment and/or treatment under the Policy. It is the athlete's responsibility, in consultation with their treating physicians and

medical advisors, to decide on the advisability of proceeding with any assessment and/or treatment.

11. Non-Discrimination and Non-Harassment

All athletes who wish to compete in any New Hampshire Golf Championship or as a member of a New Hampshire Golf Team must be treated with dignity and respect, without being subject to abuse, harassment, or discrimination based on their gender identity or gender expression. Furthermore, any actions or conduct against an athlete simply on the basis that their physical appearance does not conform to certain pre-conceived gender notions is unacceptable. All forms of harassment or discrimination are strictly prohibited under this Policy. Such matters shall be reviewed by the New Hampshire Golf Gender Policy Committee and New Hampshire Golf Safeguarding Team, and any athlete or other persons who are deemed to have engaged in such conduct shall be subject to disciplinary action by New Hampshire Golf.

12. Monitoring and Investigations for Compliance

- a. New Hampshire Golf reserves the right to monitor any athlete's compliance with the eligibility requirements set forth in this Policy at any time, with or without notice, whether by random or targeted testing of an athlete's serum testosterone levels or by other appropriate means. The athlete agrees to provide serum samples for this purpose and that any samples provided for anti-doping testing may be used for this purpose.
- b. In addition, New Hampshire Golf may investigate an athlete's compliance with the eligibility conditions under this Policy at any time. This includes, but is not limited to: (i) whether or not a Transgender Athlete has notified the New Hampshire Golf Championship Administration Senior Director of their intent to compete in a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team and submitted an Application and necessary materials as required under this Policy; (ii) if, after a Transgender Athlete is deemed to have satisfied the eligibility conditions under this Policy, due to subsequent learnings, subsequent changes in circumstances, or otherwise, it is deemed necessary to undergo further evaluation to determine whether or not such athlete still satisfies such conditions; and (iii) any circumstances indicating any athlete's non-compliance with this Policy. In such cases, an athlete must promptly cooperate fully and in good faith with any such investigation.
- c. Only New Hampshire Golf may initiate such an investigation and may only do so in good faith and on reasonable grounds based on information derived from reliable sources, such as, by way of example, information provided by the athlete who is the subject of the investigation or data from medical records or based on serum testosterone levels.
- d. Any person or entity that provides information to New Hampshire Golf for consideration under this Policy must ensure that the information is accurate and complete and shall not

provide information in bad faith, to harass, harm, or otherwise injure an athlete, or for any other improper use.

- e. Investigations involving medical evaluations shall be referred to the Medical Panel and conducted in accordance with the medical evaluation procedures set forth in Section 8.
- f. Decisions regarding an athlete's compliance or non-compliance with the eligibility criteria set forth in this Policy shall be communicated in accordance with the processes set forth in Section 6 above.
- g. To the extent an athlete is deemed to be in violation of this Policy following an investigation concerning an athlete's compliance, New Hampshire Golf may issue appropriate sanctions, in its sole and reasonable discretion, including, but not limited to, disqualification or suspension from competing in any current or future New Hampshire Golf Championships or New Hampshire Golf Teams, and/or forfeiture of results, rankings, exemptions received or prize money awarded in connection with the athlete's participation in any New Hampshire Golf Championships or New Hampshire Golf Teams.

13. Athlete Agreement, Consent and Release

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

- a. All information submitted in connection with the Application is accurate and complete to the best of their knowledge and that no relevant information has been intentionally withheld.
- b. The athlete will fully cooperate with and provide any additional information requested by New Hampshire Golf and its staff, the New Hampshire Golf Policy Committee, the New Hampshire Golf Advisor and/or the Medical Panel.
- c. In connection with New Hampshire Golf Gender Policy Committee's review of an athlete's Self-Identity Declaration and/or the Medical Panel's evaluation of an athlete's Application, or for the continued monitoring of the athlete if that Application is approved, the athlete agrees to the following conditions:
 - i. To provide medical waivers and releases allowing (1) New Hampshire Golf its designated representatives and medical consultants, including the New Hampshire Golf Medical Advisor, the Medical Panel and New Hampshire Golf staff members with a need to know, to contact the athlete's physicians regarding the athlete's relevant medical history, and (2) the athlete's physicians to share records and information with New Hampshire Golf and its designated representatives and medical consultants, including the New Hampshire Golf Medical Advisor, the Medical Panel and New Hampshire Golf staff members with a need to know any such relevant information;

- ii. To comply with any conditions imposed by the Medical Panel as a condition of its approval of the athlete's Application, including any continuous monitoring of an athlete's concentration of serum testosterone levels;
 - iii. To undergo any additional medical testing required by New Hampshire Golf or the Medical Panel in connection with its evaluation of the athlete's Application, or ongoing status if the Application is approved, or the athlete's compliance with the eligibility criteria of this Policy. The cost of any such testing will be at New Hampshire Golf's expense;
 - iv. To blood sample collection to evaluate the athlete's serum testosterone levels, whether or not with advance notice;
 - v. To drug testing collection to evaluate the athlete's exogenous or endogenous testosterone within their body, whether or not with advance notice; and
 - vi. Any blood sample or urine sample collected in connection with an anti-doping control may also be used for such purpose.
- d. The athlete agrees that New Hampshire Golf, any member of the Medical Panel or New Hampshire Golf Gender Policy Committee, the New Hampshire Golf Medical Advisor, or any New Hampshire Golf Executive Committee members, employees, directors, officers, agents, representatives, or other persons involved in the administration of this Policy shall not be liable in any way in relation to acts or omissions performed in good faith in connection with the administration of this Policy or for any detriment caused to the athlete by any delays in the evaluation process.

14. Mutual Recognition

Where a Transgender Athlete is approved to compete in a competition or as part of a membership administered by another golf organization, New Hampshire Golf may, in its sole discretion, recognize and give effect to the eligibility decision by such other golf organization, provided that the Policy, including, but not limited to, the eligibility conditions and evaluation processes of applications of such other organization are materially consistent with this Policy. Any such eligibility approval shall be subject to the athlete's ongoing compliance with the conditions set forth in this Policy.

15. National or International Competitions

Athletes who are deemed eligible to compete as a member of a New Hampshire Golf Team under this Policy are required to satisfy any other eligibility requirements applicable to a national or international competition in which the New Hampshire Golf Team competes, which may include different eligibility conditions as it relates to gender or transgender athletes.

16. Exemptions

To the extent an athlete meets the eligibility conditions set forth under this Policy and, through their play in a New Hampshire Golf Championship or a member of a New Hampshire Golf Team, earns an exemption to play in another competition, membership or team administered by another golf organization, the athlete is required to satisfy the eligibility requirements applicable to such other competition, membership or team as set by such other golf organization, which may include different eligibility conditions as it relates to gender or transgender athletes.

17. Costs

Any costs that the Medical Panel incurs, and any costs the athlete incurs at the request of the Medical Panel, associated with the panel's evaluation will be paid by New Hampshire Golf. The athlete will be responsible for the costs of their personal treating physicians and/or any treatment prescribed to them by their treating physicians, including any treatment required to satisfy the eligibility conditions of this Policy.

18. Appeals

If either an athlete or New Hampshire Golf ("Appellant") wishes to challenge either the decision of New Hampshire Golf Gender Policy Committee regarding a Self-Identity Declaration or the decision of the Medical Panel regarding an athlete's Application or an athlete's violation or non-compliance with the eligibility criteria of this Policy, either party may appeal the decision to the New Hampshire Golf Appeals Committee ("Appeals Committee"). Appellant may initiate a request for an appeal by filing a statement of appeal within thirty (30) days after the date a written decision to approve or deny an Application or a written decision regarding an athlete's compliance or non-compliance with the Policy is issued by New Hampshire Golf. Requests for an appeal, including the statement of appeal, shall be sent via email to New Hampshire Golf Championship Administration Senior Director at khoffmann@nhgolf.com

Appeals will be conducted and governed in accordance with the terms of this Policy and New Hampshire Golf Appeals Committee Procedures. The parties to the appeal shall be the athlete and New Hampshire Golf, and no other person or entity shall have standing to challenge the decisions of the New Hampshire Golf Gender Policy Committee or Medical Panel or participate in any appeal. Minor athletes who are parties to an appeal may have parent/guardian representation. In all cases the athlete and New Hampshire Golf may have attorney representation during the appeals process. The Appeals Committee shall be the exclusive forum for challenges to decisions issued by the New Hampshire Golf Gender Policy Committee or the Medical Panel.

In any proceeding before the Appeals Committee, the Appellant may challenge only the application of the eligibility criteria to the athlete's individual circumstances. The eligibility criteria established under this Policy shall not be subject to challenge by the Appellant or review by the Appeals Committee. The Appellant has the burden of demonstrating that the underlying decision was arbitrary and capricious with no rational basis. Pending a final decision of the appeal by the

Appeals Committee, the decision under appeal shall remain in full force and effect. To the extent an athlete's Application was denied, the athlete shall remain eligible to compete in a New Hampshire Golf Championship or as a member of a New Hampshire Golf Team consistent with their sex assigned at birth. The Appeal Committee's decision shall be final and binding on both the athlete and New Hampshire Golf .

19. Arbitration

Any claim, dispute, or cause of action arising related to this Policy or its interpretation, enforcement, or validity thereof, including the determination of the scope or applicability of this agreement to arbitrate, shall be resolved by mandatory, final, and binding arbitration, held before a neutral, single arbitrator by the Judicial Arbitration Mediation Services, Inc. ("JAMS") pursuant to the JAMS Comprehensive Arbitration Rules and Procedures, as modified herein. The place of arbitration shall be New Hampshire and this Policy shall be governed by the laws of New Hampshire without giving effect to the conflict of laws principles thereof. The content and existence of the arbitration shall be confidential and shall not be shared by any party with exception to the extent required by law. By agreeing to individual arbitration, you acknowledge that rights you would have in court will not be available or will be more limited in arbitration, including the right to appeal (excluding the appeals right set forth in Section 18 above). Each Party shall bear its own costs, expenses, and attorneys' fees in connection with the arbitration. The prevailing party may recover reasonable costs and attorney's fees if awarded by the arbitrator.

Any and all issues relating or pertaining to arbitration or this arbitration clause, including but not limited to the threshold question of arbitrability or the enforceability or validity of this arbitration clause shall be delegated exclusively to the single selected arbitrator pursuant to this provision. Judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction. If any provision or part of these terms is held to be illegal or unenforceable such provision or part thereof shall be modified to the least extent necessary to render such provision legal, enforceable, and effective, or, if no such modification is possible, such provision or part thereof shall be severable, such that any and all other provisions in and referenced in these terms remain valid and binding. If it is determined that this Section 19 is not enforceable as to a particular claim or request for relief, then the parties agree that such particular claim or request for relief may proceed in court but shall be severed and stayed pending arbitration of the remaining claims. This Section shall not preclude parties from seeking provisional remedies in aid of arbitration from a court of appropriate jurisdiction.

Athletes and New Hampshire Golf agree that all disputes shall be arbitrated on an individual basis and waive any right to litigate in court or arbitrate any claim as a class action, representative action or class arbitration.

20. Questions

For any questions regarding the application of this Policy, please contact the New Hampshire Golf Administration at khoffmann@nhgolf.com