

USA Fencing: Deaf and Hard of Hearing (DHH) Athlete Assistive Technology Accommodation Policy

Governing the Use of Medically Necessary Hearing Assistive Technology at USA Fencing
Sanctioned Events

Applies To: All USA Fencing sanctioned Local, Divisional, Regional, and National
tournaments

1. Purpose

This policy establishes a formal, equitable, and enforceable framework for the accommodation of Deaf and Hard of Hearing (DHH) athletes competing at USA Fencing sanctioned events. It ensures that DHH athletes have equal access to competition, safety, coach communication, and referee interaction, and that their use of medically necessary assistive hearing technology is protected rather than penalized.

2. Scope

This policy applies to all USA Fencing sanctioned competitions. Including Local, Divisional, Regional, and National events and to all members, athletes, coaches, referees, tournament directors, and event staff operating within those competitions. It does not govern FIE international competitions.

3. Definitions

deaf (lowercase d): A clinical term referring to individuals with hearing loss, regardless of cultural identity.

Deaf (uppercase D): A cultural term referring to individuals with any level of hearing loss who use visual language (such as American Sign Language), actively engage with the Deaf community, and view being Deaf as a central cultural and personal identity.

Hard of Hearing (HoH): A functional term referring to individuals with mild to moderate hearing loss who may use spoken language, visual language (such as American Sign Language), or both.

Deaf and/or Hard of Hearing (DHH): a term encompassing the full spectrum of hearing differences, from mild to profound, regardless of cultural identity.

Hearing Assistive Technology: Medical devices that assist people with receiving sound, including hearing aids, cochlear implants, and bone-anchored hearing aids (BAHA).

DM (Digital Modulation) and FM (Frequency Modulation) Systems: Remote microphone systems designed to improve hearing in challenging environments by connecting the hearing device directly to the source of sound, such as a speaker's voice.

Tier 1 Device: A hearing device with no external transmitter - hearing aids, cochlear implants and bone-anchored hearing aids. No external person can transmit to the device.

Tier 2 Device: A hearing device is connected to a DM/FM system or a remote microphone that may be worn by the referee or connected to tournament audio. It should not be connected to a coach's mic unless the mic is muted during an active bout. Each device is different—refer to the device manual for muting instructions.

Certification Letter: The official USA Fencing document confirming an athlete's approval to use assistive hearing technology at sanctioned events.

Competitive Season: August 1 through July 31 of the following year, as defined by USA Fencing.

ASL Interpreter and/or Support Person: A person with specialized skills in communicating in Visual Language or other methods who can act as an authorized intermediary for the fencer and other tournament participants and officials.

4. Policy Statement

USA Fencing affirms that DHH athletes have the right to use medically necessary assistive hearing technology at all sanctioned events. Hearing aids, cochlear implants, and bone-anchored hearing aids devices (Tier 1) are medical device equivalent to eyeglasses and are permitted without restriction at all USA Fencing events. DM/FM systems (Tier 2) are permitted with a valid Certification Letter and, visible mute engagement.

4.A FIE Rule Accommodation

USA Fencing determines that:

- Tier 1 devices do not constitute electronic communication equipment permitting a person off the strip to communicate with the fencer during the bout under FIE rules t.64.6, t.68, and t.73.1.g, because no off-strip person can transmit to them. They are exempt from these rules.
- Tier 2 devices with the mute visibly engaged, receiving only tournament or referee audio, do not permit a person off the strip to communicate with the fencer during the bout and are therefore also exempt from FIE rules t.64.6, t.68, and t.73.1.g when a valid Certification Letter is held.

- Active coach-to-fencer DM/FM transmission during an active bout is not accommodated under this policy, as it would provide a communication advantage not available to hearing fencers. This restriction applies equally to all fencers and creates no DHH-specific disadvantage. Tier 2 systems used by coaches **may be unmuted** for communication during authorized breaks, such as the one-minute rest period between periods or during medical time-outs.

4.B Non-Discrimination

No DHH athlete shall be denied participation in, penalized during, or have equipment confiscated at any USA Fencing sanctioned event solely on the basis of their hearing status or use of medically necessary assistive hearing technology approved under this policy. Referees shall not confiscate, handle, or demand removal of hearing aids, cochlear implants, or approved DM/FM devices from a certified DHH athlete.

4.C Equity of Access

USA Fencing affirms that DHH athletes are entitled to the same quality of communication access as hearing athletes. This includes having access to hear referee bout commands, receive coaching support during breaks, communicate with referees regarding bout decisions, and any other tournament staff. Where hearing athletes receive this access naturally, DHH athletes receive it through approved assistive technology, visual signal protocols established in Section 7, and ASL Interpreter and Support Person Access detailed in Section 8C of this policy.

5. Eligibility

To be eligible for accommodation under this policy, an athlete must:

- Hold a current USA Fencing membership in good standing
- Have a documented hearing loss or auditory processing condition confirmed by a licensed physician or audiologist
- Use assistive hearing technology that is prescribed or medically recommended for their condition
- Submit a complete annual application through the USA Fencing DHH Assistive Technology Approval Program
- Hold a valid, unexpired Certification Letter at the time of competition

6. Approval Process

The USA Fencing DHH Assistive Technology Approval Program operates on an annual basis aligned with the competitive season (August 1 through July 31). All approvals expire on July 31 and must be renewed annually.

6.A Application Submission

Athletes or their guardians must submit the online intake form determined by USA Fencing. The application must include:

- Athlete full name and USA Fencing Membership ID
- Primary contact name and email address
- Type of assistive technology — hearing aid, cochlear implant, DM/FM system, or other
- Device make and model (required for Tier 2 DM/FM systems)
- Photo of the Device. Note that cosmetic variations, such as earmold color, may occur when components are replaced; however, these changes do not impact the device's function.
- Signed physician's or audiologist's letter meeting the requirements in Section 6.B

Applications open July 1 each year for the upcoming season.

6.B Physician's Letter Requirements

The submitted letter must:

- Be printed on official practice or hospital letterhead and signed by a licensed physician or audiologist
- Be dated within the current competitive season (August 1 through July 31)
- Identify the athlete by name and confirm a qualifying diagnosis
- Explicitly state that the identified assistive technology is medically necessary or recommended for the athlete

6.C Decisions and Certification

All applications are reviewed by USA Fencing within 14 business days of a complete submission.

Approved: A Certification Letter is issued and emailed to the athlete. The record is marked Approved in USA Fencing's system with a July 31 expiry. This certification letter will be issued on official USA Fencing letterhead.

Declined: The athlete is notified by email with the specific reason for decline and instructions for resubmission. Resubmission is permitted.

7. Visual Signal Protocol

No changes to the hand signal required by referees. In accordance with current rules, all signals are delivered simultaneously with the corresponding verbal command, not sequentially. To ensure equity, referees should secure the athletes' attention before issuing the first command. It is appropriate to emphasize visual gestures, as both athletes will have access to this information. Common actions include:

En Garde: The referee stands facing the fencers with both arms extended outward to the sides at approximately hip/waist height, palms facing down and slightly open. This signals fencers to take their starting positions on the strip.

Ready? / Prêts?: The referee holds both arms extended outward to the sides at hip/waist height, palms facing towards the fencers. Signals that fencers should be immediately ready to begin.

Fence / Allez: The referee drops both arms inward toward the center, with both hands moving toward each other in a closing, sweeping motion. The arms come together in front of the body, but do not fully connect the hands. This is the signal for fencing to begin.

Halt: One arm is raised sharply upward, straight up above the head, with the hand raised high and the elbow extended. This is the priority signal; it must stop all action immediately.

Touch Awarded: One arm extends upward and out at roughly a 45-degree angle toward the fencer being awarded the point, with the hand raised and open, pointing toward that fencer. Paired with the "Hit Against" signal which extends the opposite arm horizontally toward the fencer who was hit. Together these two signals communicate who scored and who was touched.

8. Competition Day Procedures

8.A Athlete Responsibilities

- Carry the Certification Letter, either printed or digital, to every competition
- Notify the Bout Committee and Head Referee of DHH status at check-in or before the first bout

- Present the Certification Letter to the strip referee before the first bout in which assistive technology will be used
- For Tier 2 DM/FM systems for referees: Present a Tier 2 DM/FM microphone system, if needed, to the referee and explain its use for the referee.
- For Tier 2 DM/FM systems for coaches: demonstrate to the referee that the mute function is visibly engaged before each bout begins. The mute may be disengaged only during authorized coaching breaks and must be re-engaged before fencing resumes.
- Ensure the assistive technology in use matches the approved type listed on the Certification Letter

8.B Referee Responsibilities

- Accept and review the Certification Letter; confirm athlete name, Membership ID, device type, and expiration date
- Referees **must** wear an athlete's Tier 2 transmitter when requested by a certified DHH athlete. Referees shall not deny the use of the microphone based on personal preference or lack of familiarity with the device.
- Deliver all commands in a clear, projected voice with clear, simultaneous visual signals, not sequentially
- For Tier 2 devices: visually confirm that the mute function is engaged and the device is declared receive-only before the bout begins.
- Use the USA Fencing Lookup Base to verify approval status if the Certification Letter is not available
- Contact the Head Referee or Tournament Organizer before denying access, not after
- Never confiscate, handle, or demand removal of any Tier 1 or certified Tier 2 device from a DHH athlete. The exception of handling devices is the Tier 2 device to be used by the referee during appropriate active bouts, and returned to the fencer at the end of each bout.

8.C Interpreter and Support Person Access

Applying the standard established by the consent decree in *Kempf v. Michigan High School Athletic Association* (W.D. Mich. 2015), the following interpreter access rules apply:

- American Sign Language (ASL) interpreters, DHH support persons, or personal assistants are permitted at either end of the fencing strip, outside the piste boundary
- Minimum positioning distance: 2 meters from the edge of the piste during active bouts
- In venues where 2-meter clearance is not achievable, the Head Referee determines appropriate positioning in consultation with both fencers
- Support persons may not enter the piste area during an active bout
- Support persons may communicate with the fencer during authorized breaks, between bouts, and during time-outs

8.D Referee Lookup Base

USA Fencing maintains a read-only online verification base accessible to all certified referees and tournament directors. The base displays each approved athlete's USA Fencing Membership ID, full name, and current approval status. No medical information, diagnosis details, or physician documentation is visible in this view.

8.E Escalation and Denial Protocol

No athlete presenting a valid Certification Letter shall be denied use of approved assistive hearing technology under FIE rules t.64.6, t.68, or t.73.1.g. Any referee or official with concerns about a Certification Letter must contact the USA Fencing before taking any restrictive action. Contact information is printed on every Certification Letter.

9. Tournament Environment Standards

The following environment standards apply to all USA Fencing sanctioned events:

- Scoring machines must be powered off by table staff promptly at the conclusion of each bout. Continuous unattended beeping constitutes an auditory barrier for DHH athletes and causes cognitive fatigue that interferes with assistive hearing technology.
- Referees must deliver all commands — En Garde, Allez, and Halt — in a clear, projected voice alongside the visual signals required by Section 7.
- Tournament directors should assign DHH fencers to strips with the best sight lines and lowest ambient noise where operationally feasible and safe operations permit.

- Sustained, high-volume screaming that may interfere with a DHH athlete's ability to perceive Halt commands is subject to the same yellow-card standards applicable to all unsporting conduct.

10. Annual Certification Renewal

All certifications issued under this policy expire on July 31 of the season for which they were granted. Certification does not automatically renew. Athletes must resubmit a complete application with an updated physician's letter each season.

July 1: USA Fencing sends renewal reminder notifications to all currently certified athletes.

July 1: Renewal application form opens for the upcoming season.

July 31: All current-season certifications expire.

August 1: New season begins. Only athletes with a valid renewed certification may use Tier 2 devices on strip.

Within 14 business days of submission: Target turnaround for all certification decisions.

11. Roles and Responsibilities

Athlete / Guardian

Submit annual application; provide qualifying physician's letter; carry and present the Certification Letter at events; demonstrate Tier 2 mute engagement to the referee before each bout; use approved technology in compliance with this policy.

USA Fencing Reviewer

Review applications within 14 business days; verify documentation; issue or decline certifications; communicate decisions to applicants; maintain online records. This individual will be HIPAA trained to handle personal health information (PHI) and personally identifiable information (PII).

USA Fencing

Oversee program administration; maintain the online system; handle escalations and appeals; remind referees and tournament directors about this policy annually; manage the renewal cycle; serve as the competition-day escalation point of contact.

USA Fencing Tournament Committee and event-specific/onsite Tournament Director

Ensure all assigned referees at USA Fencing-sanctioned tournaments are briefed on this policy before each event begins; enforce tournament environment standards; resolve on-site escalations.

Strip Referee

Confirm understanding and operation of simultaneous use of coach or others Tier 2 devices: by referees, coach, authorized helper and/or parents. Wear Tier 2 device if asked by DHH athlete or support person. Demonstrate mute engagement before each bout. Use the Referee Lookup Base for real-time status verification; Escalate concerns to the Tournament Director before restricting access. Never confiscate, handle, or demand removal of any Tier 1 or certified Tier 2 device from a DHH athlete. The exception of handling devices is the Tier 2 device to be used by referee during appropriate active bouts, and returned to the fencer at the end of each bout.

12. Appeals

An athlete or guardian who believes a certification decision is incorrect may submit a written appeal to the USA Fencing within 30 calendar days of the decision. The appeal must include a written statement explaining the grounds for the appeal and any additional supporting documentation not included in the original submission. Appeals are reviewed by the USA Fencing and a second designated reviewer within 14 business days. The outcome of the appeal review is final.

13. Privacy and Data Handling

All medical documentation submitted under this policy, including physician's letters and health-related information, is treated as confidential. Individuals who submit for this exemption will provide consent to USA Fencing to store their medical documentation. Access to medical records is restricted to designated USA Fencing Program staff.

The Referee Lookup Base contains only non-medical information: athlete name, Membership ID, and approval status. It does not contain, display, or link to any medical records, diagnosis information, or physician documentation. This still protected information (personally identifiable information - PII), however this is not considered PHI (protected health information).

Submission records are retained by USA Fencing for a minimum of four competitive seasons for audit and program improvement purposes.

14. Policy Review

This policy will be reviewed annually by the USA Fencing and relevant staff prior to the start of each competitive season. Amendments may be made to reflect changes in USA Fencing rules, FIE regulations, applicable law, or the operational needs of the program. Material amendments will be communicated to all USA Fencing members no less than 30 days prior to taking effect.