

USA Gymnastics

**2021**  
**BOARD OF**  
**DIRECTORS**  
**HANDBOOK**

Updated February 2021



USA GYMNASTICS.

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# WELCOME

Dear USA Gymnastics' Board Members,

Welcome to the USA Gymnastics family. We are honored that you have chosen to help lead this organization, where we have the incredible opportunity – and responsibility – to be instrumental in positively shaping the culture and growing the sport of gymnastics across the country.

USA Gymnastics is a mission-driven organization that exists to build a **community** and **culture of health, safety, and excellence**, where athletes can **thrive** in sport and in life. We put what is best for our community at the heart of everything we do and every decision we make. With all of our actions, we are guided by a collective and unwavering commitment to ethical conduct and our core values of:

**SAFETY** – We promote a safe and inclusive environment for our athletes and our community.

**ACCOUNTABILITY** – We hold ourselves responsible and accountable for all of our actions.

**INTEGRITY** – We act with absolute integrity through values-based actions.

**TRANSPARENCY** – We operate and communicate with transparency.

**LISTENING** – We treat our community with the utmost respect, and listen to their challenges and perspectives.

These principles guide our engagement with our community, and our engagement within our broader USA Gymnastics team. Together, grounded in our values, we know we can thoughtfully approach rebuilding our organization, while setting and leading a sustainable strategic vision for the future.

On behalf of everyone at USA Gymnastics and the entire gymnastics community, we thank you for choosing to share your expertise and time with our organization, and for your dedication, support and energy as we work together to deliver on our mission of health, safety and excellence.

Sincerely,



Kathryn Carson  
Board Chair



Li Li Leung  
President and CEO





# Olympic Governanace

## International Olympic & Paralympic Committee (IOC)

The IOC provides global oversight of the Olympic movement including the National Olympic & Paralympic Committees (NOCs), International Sports Federations (IFs) and the Organizing Committees for the Olympic Games.

## International Gymnastics Federation (FIG)

The FIG is the IF and sole authority recognized by the IOC to administer the sport of gymnastics worldwide. The FIG governs rules and competition for the sport and ensures its promotion and development. The FIG has a membership of 127 Member Federations, including USA Gymnastics.

## United States Olympic & Paralympic Committee (USOPC)

The IOC is made up of 205 NOCs, and the USOPC is recognized to serve as the NOC for the United States. As such, the USOPC is responsible for the training, entering and funding of U.S. teams for the Olympic, Youth Olympic, and Pan American Games; working jointly with the National Governing Body (NGB) for each sport. The USOPC oversees 47 NGBs, including USA Gymnastics.

127 Member Federations

47 National Governing Bodies

## USA Gymnastics

USA Gymnastics is the national governing body for the sport in the United States, as designated by the USOPC and the FIG. USA Gymnastics establishes the rules and policies that govern gymnastics in the U.S.

USA GYMNASTICS

# Executive Leadership

## CHIEF EXECUTIVE OFFICER

Li Li Leung

### CHIEF OF STAFF

Lauryn Turner

Finance  
Human Resources  
IT

### CHIEF LEGAL OFFICER

CJ Schneider

Legal  
Governance

### CHIEF OF ATHLETE WELLNESS

Kim Kranz

Athlete Health & Wellness  
Safe Sport

### CHIEF OF PROGRAMS

Stefanie Korepin

Women's  
Men's  
Rhythmic  
Acro  
Trampoline & Tumbling  
Emerging Sports

### CHIEF COMM & MARKETING

Carol Fabrizio

Marketing  
Communications  
Events  
Partnerships

### CHIEF OF MEMBERSHIP

Erica Koven

Member Services  
Education

# EXECUTIVE LEADERSHIP BIOS



## **Li Li Leung, President and Chief Executive Officer**

Leung became USA Gymnastics' president and chief executive officer in March 2019. She previously served as a vice president at the National Basketball Association (NBA), where she was responsible for building, leading, negotiating, and managing key partner relationships around the world including working alongside USA Basketball, the sport's national governing body. Prior to that, she was the managing director at the global sports management firm Helios Partners, where she built from the ground up and managed their China and London offices. She also oversaw the firm's global expansion strategy in emerging markets in Europe and Asia Pacific regions.

Leung has a long history in competitive gymnastics. After beginning her career at age 7 and competing in countless USA Gymnastics events, she was selected to be a member of the U.S. junior national training team and represented the U.S. at the 1988 Junior Pan American Games. She was a member of the University of Michigan gymnastics team, which won four-straight Big Ten titles and competed in the NCAA Championships every year during her four years on the team. She also served as a volunteer assistant gymnastics coach while earning two post-graduate degrees at the University of Massachusetts-Amherst.

Leung holds a Bachelor of Arts degree in psychology from Michigan and a master's degree in sports management as well as a Master of Business Administration from the University of Massachusetts-Amherst.



## **Lauryn Turner, Chief of Staff**

Turner joined USA Gymnastics in March 2020, bringing more than 20 years of leadership experience in the sports industry. She most recently served as Vice President, Development for Varsity Brands where she led the crossdivisional growth initiative that spanned affiliate companies Herff Jones, BSN Sports, and Varsity Spirit. Turner also served as the organization's National Director, Development, Sales and Operations where she oversaw business growth in the event and apparel sectors. In this role, Turner worked with a network of gyms across the country to provide competition and business-strategy support as well as essential educational resources. During her time with Varsity Brands, she was also an advocate for numerous athlete health and safety campaigns. Throughout her career, Turner has garnered extensive experience in the areas of strategic planning and development and as a catalyst for positive change through collaboration and analytical business management.

Turner started in gymnastics at a very early age. She touts the many lessons and character traits she learned from her time in the gym as invaluable to her personal growth and development. Gymnastics served as foundational sport that eventually led to volleyball and cheerleading, which she continued at the collegiate level.

Turner graduated Magna Cum Laude from Harding University with a bachelor's degree in mathematics and computer science. She has served as a corporate liaison and volunteer for St. Jude Children's Research Hospital since 1996.

# EXECUTIVE LEADERSHIP BIOS



## **Kim Kranz, Chief of Athlete Wellness**

Kranz joined USA Gymnastics in December 2019, bringing more than 25 years of experience in physical therapy and sports medicine with a focus on comprehensive care of the athlete, including injury prevention, sports nutrition, positive coaching, and sports psychology. She previously served as the Director of Sports Medicine and Orthopedic Surgery Services and Neurosurgery at Children's Hospital of The King's Daughters. In this role, Kranz championed athlete wellness and injury prevention, placing strategic emphasis on education. She was also a physical therapist and served as clinic director at Physiotherapy Associates where she treated professional golfers from the LPGA Tour in addition to a full caseload of orthopedic and sports medicine clients.

Kranz, PT, DScPT, SCS, FACHE, earned her Doctor of Science in physical therapy from the University of Maryland Baltimore and holds a Bachelor of Science in physical therapy from the University of Wisconsin. She is a Board-Certified Clinical Specialist in Sports Physical Therapy and a Fellow of the American College of Healthcare Executives.

She has also served as a board member for the Hampton Roads Sports Commission and an Instructor of Clinical Pediatrics at Eastern Virginia Medical School.



## **Stefanie Korepin, Chief Programs Officer**

Korepin joined the staff of USA Gymnastics in September 2019 after being affiliated with the organization for many years as an athlete, judge, and committee member. Korepin competed in both women's artistic and rhythmic gymnastics before directing her focus solely to rhythmic. As a member of the U.S. Rhythmic National Team from 1998-2002, Korepin represented Team USA at numerous international competitions, including the 1998 World Championships and 1999 Pan American Games.

After retiring from elite competition, Korepin pursued a career in the energy industry. She initially served as a consultant facilitating the permitting of large, utility-scale power plants and renewable energy projects before joining SCS Energy as a Senior Project Manager on a team developing and financing large infrastructure projects at capital costs ranging from \$500 million to over \$1 billion. All the while, the sport of gymnastics never left her heart. Korepin has been judging for 15 years and holds a rhythmic Brevet rating. She has served on numerous USA Gymnastics committees and spent four years as the Rhythmic Program Committee Chairman.

Korepin holds a Bachelor of Science degree in quantitative economics from Tufts University and a Master of Business Administration from Georgetown University. She previously served on the USA Gymnastics Board of Directors from 2018-2019 and held the position of Treasurer.

# EXECUTIVE LEADERSHIP BIOS



## **Carol Fabrizio, Chief of Communications and Marketing Officer**

Fabrizio was tapped to lead USA Gymnastics marketing and communications operations in February 2019 following a nine-year stint with Vail Resorts in Broomfield, Colo. where she most recently served as Vice President of Communications and Marketing Operations. In the role, Fabrizio led all strategic communications and public relations efforts for the organization, including corporate, crisis, and executive communications. During her time with Vail Resorts, she also oversaw public relations efforts for the industry-changing Epic Pass, 37 mountain resorts across three different countries, and numerous ancillary businesses, across the hospitality, retail, and real estate industries. Prior to that, Fabrizio served as Chief of Staff to the CEO and as corporate legal counsel at Vail Resorts.

Fabrizio holds a bachelor's degree in international relations and a Juris Doctor from the University of Southern California. She previously served on the Colorado Civil Rights Commission and on the Board of Directors for The Girls Athletic Leadership School of Denver (GALS), which seeks to empower girls to succeed academically, thrive physically, lead confidently, and live boldly.



## **Erica Koven, Chief Membership Officer**

Koven joined USA Gymnastics in 2006 as a Member Services Representative. Since then, she has assumed various roles within the Member Services Department. Throughout her time with the organization, Koven has actively contributed to the day-to-day business operations of USA Gymnastics' membership and education sectors, connecting with every facet of the gymnastics community across all disciplines. She has consistently sought ways to increase member engagement and benefits and better meet the needs of every discipline at every level of the sport. To this end, she has worked closely with USA Gymnastics' technology team to identify opportunities for improvement and to implement new and innovative solutions. She has also managed and produced numerous national educational and trade show events, including the organization's annual National Congress.

Koven majored in fine arts at Ball State University and worked in store retail management for Starbucks Coffee Company and Pier 1 Imports prior to joining USA Gymnastics.

# BOARD OF DIRECTORS BIOS

## BOARD CHAIR



### **Kathryn Carson** – *Independent Director (2019-2022)*

Carson, who is based in Armonk, NY, most recently served as the chief legal officer for the United States Golf Association. She was previously the senior vice president and general counsel for North American beverages and food service division at PepsiCo, where she held several roles over two decades. She previously was a board member for We Are Golf, the Executive Women’s Golf Association, and USA Field Hockey. Carson graduated from Mount Holyoke College with a Bachelor of Arts in political science and received her JD from George Washington University Law School.

## ATHLETE DIRECTORS



### **Sarah Finnegan** – *Women (2021-2024)*

A 2019 Louisiana State University (LSU) graduate with a degree in kinesiology and psychology, Finnegan is currently pursuing a Master’s in Occupational Therapy at Rockhurst University. As an elite gymnast, Finnegan was a member of the U.S. National Team, where she won both national and international medals in both Junior and Senior divisions. She was a member of the gold medal winning 2010 Pan American Championships U.S. Team, where she was the individual balance beam bronze medalist. Finnegan also served as an alternate for the 2012 U.S. Olympic Team. During her time at LSU, Finnegan was a 23-time All-American, five-time SEC champion, two-time SEC Gymnast of the Year, two-time Central Region Gymnast of the Year, two-time NCAA uneven bars champion, Honda Sports Women of the Year Nominee, and 2019 AAI Award Winner.



### **Brandon Wynn** – *Men (2020-2024)*

Wynn is currently the CEO at Business Elevator, a fitness, nutrition and wellness company for professionals; as well as CEO with 10th Avenue Holdings, a real estate holding company. He is a veteran of three World Championships Teams (2010, 2013, 2015) and the 2013 World still rings bronze medalist. In 2015, he helped the U.S. men place fifth at the World Championships and finished fifth on still rings. Originally from Voorhees, N.J., he is a four-time U.S. still rings champion (2010-11, 2013-14). He competed for the Ohio State University men’s gymnastics team and clinched two NCAA still rings titles. Wynn has a master’s degree in business administration, accounting and finance from Keller Graduate School of Management, graduating in 2015.

# BOARD OF DIRECTORS BIOS



## **Logan Dooley** – *Combined (2021-2024)*

Logan serves as a coach and club manager for World Elite Gymnastics in Rancho Santa Margarita, Calif. He was a member of the U.S. Trampoline and Tumbling Sr. National Team from 2007-18, earning seven synchronized trampoline national championships, eight World Championships appearances, and an Olympic berth. After being named an alternate in 2008 and 2012, Dooley competed at the 2016 Rio Olympics. In 2009, he became the first U.S. athlete to win a World Cup; he and partner Steven Gluckstein also won the synchro title. The pair later went on to win the 2010 synchronized World Cup series title. Logan attended Saddleback College with an emphasis in early Childhood Education.



## **Serena Lu** – *Combined (2021-2024)*

Serena was a member of the rhythmic gymnastics National Team from 2010-2018 and is a five-time all-around bronze medalist at the USA National Championships. She was a member of the 2014 and 2015 World Championships teams and competed at the 2017 University Games in Taipei as an undergraduate student at Princeton University. Serena completed her degree in 2020, graduating as a pre-law student with a major in Psychology and minors in Dance and Cognitive Science. Currently, Serena is on the USA Gymnastics Athlete's Council as a representative for rhythmic gymnastics and the USOPC Athlete' Advisory Council as the representative for Gymnastics. She is now working with the Manhattan District Attorney's Office and dancing with Movement Headquarters, a NYC-based contemporary ballet company.



## **Rebecca Sereda** – *Combined (2018-2021)*

Sereda, a Staten Island native and graduate of Boston University with a Molecular Biology degree, currently resides in Boston. She currently is employed at Harvard University doing Stem Cell Cardiology Research. In addition, she is a FIG Brevet Judge, Athlete Representative and serves on the Rhythmic Program Committee and Athlete Selection Committee. Sereda was six-time National Champion and was a member of the US Rhythmic National Team for seven years (2008-2014). She was a 2013 World Championships finalist and Pan American champion. She has won numerous international medals throughout her Junior and Senior competitive years.

# BOARD OF DIRECTORS BIOS

## NATIONAL MEMBERSHIP DIRECTOR



### **Kittia Carpenter** – *Women (2021-2024)*

Carpenter is the team director and head coach at Buckeye Gymnastics in Westerville, Ohio, where she has guided numerous U.S. National Team members including gold medal winners at the World Championships, American Cup and Olympic Games. In her thirty years of coaching, Carpenter's gymnasts have won over 1,000 state, regional, and national titles. As a FIG Brevet Level judge, she has judged at the top elite events in the country including the U.S. Championships and World Team Trials. Carpenter is currently the Region 5 Junior Olympic Chair for USA Gymnastics. She was an elite gymnast herself and attended Arizona State University on a full athletic scholarship.

## INDEPENDENT DIRECTORS



### **Lois Elizabeth Bingham** – *(2018-2021)*

Lois Elizabeth Bingham serves as Independent Director with a term running from 2018 through 2021. Currently based in the metropolitan Washington DC area, Bingham is the National Executive Director for Delta Sigma Theta Sorority, Inc. Prior to serving in her new role, she was a business lawyer in the Detroit area with experience in both law firm and corporate settings, having most recently served as vice president, general counsel, compliance officer and secretary for Yazaki North America. She has served on the American Bar Association's Commission on Women Bias Interrupters Working Group, and as chair of the Board of Directors for the Minerva Education and Development Foundation and Legal Aid and Defender Association in Michigan. Bingham graduated from the University of Pennsylvania with a Bachelor of Arts in political science and from Temple University's James E. Beasley School of Law.



### **Dylan Carney** – *(2021-2024)*

Dylan currently serves as an Emergency Physician and Assistant Medical Director at MarinHealth Medical Center in Greenbrae, Calif, and was the Director of Medication Assisted Treatment programs for Vituity. Carney was a member of the Stanford Men's Gymnastics team, where he earned five NCAA All-American honors – three on horizontal bar (2006-08) and two on vault (2006-07). In 2006, he was also the NCAA horizontal bar co-national champion. Carney holds Bachelor's and Master's degrees in Biological Sciences from Stanford University and a second Master's in Public Health and Medical Doctorate from Harvard University.



### **Brent Lang** – *Treasurer (2021-2024)*

Based in the San Francisco area, Lang is president and CEO of Vocera Communications (NYSE: VCRA), where he has worked since 2001. Prior to joining Vocera, he was senior director of marketing for 3Com and a strategy consultant for Monitor Company. Lang serves on the Leadership Council for Positive Coaching Alliance. Lang won an Olympic gold medal for swimming in the 4x100 freestyle relay, as part of the U.S. team at the 1988 Olympic Games in Seoul, Korea. He graduated from the University of Michigan with a Bachelor of Science in engineering and a Master of Business Administration from Stanford University Graduate School of Business.

# BOARD OF DIRECTORS BIOS



## **Staci Slaughter** – (2018-2021)

Slaughter is the executive vice president of communications and senior advisor to the CEO for the San Francisco Giants, where she has worked for 22 years. Her previous experience includes press secretary for San Francisco Mayor Frank Jordan and communications advisor to Los Angeles Mayor Richard Riordan. Slaughter currently serves as a Board member for the Baseball Assistance Team and as vice chair of the Board for Golden Gate National Parks Conservancy. Based in the San Francisco area, she graduated from the University of California, Berkeley with a Bachelor of Science in social sciences.



## **Julie Springwater** – (2020-2024)

Springwater, a resident of Andover, Mass., is an adjunct professor at Boston University's School of Social Work and interim chair of Macro Practice (non-clinical social work). She specializes in child welfare, positive youth development and human service management. Springwater also serves as the director for the New England Association of Child Welfare Commissioners and Directors, located at Boston's Judge Baker Children's Center. She is currently serving as the chair of governance for the Child Welfare League of America. She earned her Bachelor of Arts in sociology at the University of Massachusetts and her Master of Social Work at Boston University.



## **Kimberly Till** – (2020-2024)

Till has held senior roles at Disney, Sony, AOL Time Warner, and Microsoft. She was CEO of two consumer insights and data analytics businesses, one of which was a public company traded on NASDAQ. Till currently is launching two new business ventures in the commercial real estate and food and beverage industries. She has served on two public company and two privately held boards. In addition to her corporate roles, Till was selected for the prestigious White House Fellowship, where she served as a special assistant to the former U.S. Trade Representative and Secretary of Agriculture and the director of the FBI. Her academic career includes an MBA from Harvard Business School and a J.D. from Duke University Law School. Till also serves on the boards of the New York Pops and Getting Out and Staying Out (GOSO).



## **Justin Toman** – *Vice Chairman/Secretary* (2019-2022)

Toman, who is based in White Plains, N.Y., is the head of sports marketing and partnerships for PepsiCo North America Beverages, where he has worked since 2007. He received a Sports Business Journal's 2018 Power Player/Brand Builder Award and in 2017 was named one of the "40 Under 40" in sports business. Toman competed on the men's gymnastics team for the University of Michigan, where he earned his Bachelor of Science in exercise physiology, Master of Arts in sports management and communications, and Master of Business Administration in marketing and strategy. He also worked for Michigan as a National Collegiate Athletic Association rules compliance associate and an assistant sports information director while earning his graduate degrees. Toman was a three-time NCAA national champion and a five-time NCAA All-American, as well as won the 2002 Big 10 Medal of Honor and the 2002 Nissen-Emery Award. Toman was a member of the U.S. National Team from 1998-2002.

# NEW MISSION & VALUES

## MISSION

To build a community and culture of health, safety, and excellence where athletes can thrive in sport and in life.

## ORGANIZATIONAL VALUES

In service to our community,  
we embody ALL of these values to create change:

### SAFETY

We promote a safe and inclusive environment for our athletes and our community.

### ACCOUNTABILITY

We hold ourselves responsible and accountable for all of our actions.

### INTEGRITY

We act with absolute integrity through values-based actions.

### TRANSPARENCY

We operate and communicate with transparency.

### LISTENING

We treat our community with the utmost respect  
and listen to their challenges and perspectives.

# WHAT DOES IT MEAN TO BE AN “ATHLETE-CENTRIC” ORGANIZATION?



## IT MEANS

- We put what is best for our athlete community at the heart of everything we do and every decision we make.
- We are a service-based organization that exists to support our athletes, and the parents, coaches, judges, administrators, and community members that support them.
- We listen to our athletes and our community and provide platforms to embrace and amplify their voices.
- We consistently seek ways to help our athletes grow and thrive, both within and outside of the sport.
- We celebrate our community members in all disciplines and at all levels. We take time to recognize individuals for their achievements, and the commitment they've made to our athletes and the sport.

# 2021 STRATEGIC PILLARS



## ATHLETE CENTRICITY



Drive  
ATHLETE WELLNESS  
& EXCELLENCE



Transform  
CULTURE



Serve the  
COMMUNITY &  
BUILD TRUST



Enhance  
EFFICIENCY &  
GOVERNANCE

## GROW THE SPORT

# 2021 STRATEGIC OBJECTIVES



PILLARS	KEY OBJECTIVES
<p><b>Drive ATHLETE WELLNESS &amp; EXCELLENCE</b></p>	<p><b>Demonstrate leadership in athlete safety and competitive excellence:</b></p> <ul style="list-style-type: none"> <li>• Create Athlete Health &amp; Wellness programs for all disciplines</li> <li>• Proactively support preparation for Tokyo 2020One</li> <li>• Revise athlete funding model</li> <li>• Update operating codes &amp; refine Program governance</li> <li>• Conclude Training and Wellness Center initiative</li> </ul>
<p><b>Transform CULTURE</b></p>	<p><b>Build internal/external culture of excellence with focus on core values:</b></p> <ul style="list-style-type: none"> <li>• Organizational Training – starts with us</li> <li>• Recognition: Staff &amp; Community</li> <li>• Enhance diversity, equity &amp; inclusion by adopting and executing DEI plan</li> <li>• Continue and establish platforms to amplify athlete voices</li> <li>• Organize E&amp;G approach, formalize procedures, and increase efficiency</li> </ul>
<p><b>Serve the COMMUNITY &amp; BUILD TRUST</b></p>	<p><b>Increase resources, enhance transparency and listen with action:</b></p> <ul style="list-style-type: none"> <li>• Continue community outreach with leadership team</li> <li>• Launch organization rebrand and redesign touchpoints</li> <li>• Increase club owner and coach resources</li> <li>• Restructure education system and membership structure with enhanced value proposition</li> <li>• Innovate and reimagine existing events</li> </ul>
<p><b>Enhance ORGANIZATIONAL EFFICIENCY &amp; GOVERNANCE</b></p>	<p><b>Drive organizational efficiency and implement policies and procedures to align with U.S. Olympic and Paralympic Committee:</b></p> <ul style="list-style-type: none"> <li>• Enhance State &amp; Region/Committee structure with clear responsibilities</li> <li>• Drive commercial activity in partnerships, development/fund raising</li> <li>• Become a more data driven organization</li> <li>• Undertake risk assessment and mitigation review</li> </ul>

USA Gymnastics

# BYLAWS

Effective December 17, 2020

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## **ARTICLE 1 NAME AND STATUS**

### Section 1.1. Name

The name of the corporation is USA Gymnastics, Inc. (“USAG”) or the “Corporation”). USAG may establish acronyms or abbreviations as appropriate for business use, and may establish logos, service marks or trademarks as appropriate to further its purposes, mission, and goals.

### Section 1.2. Non-Profit Status

USAG is a non-profit corporation, incorporated under the laws of the state of Texas. USAG will be operated for charitable and educational purposes. It shall also have as its purpose to foster national and international amateur sports competition in the sport of gymnastics and related disciplines. USAG may adopt a mission statement as it deems appropriate. To the extent that anything within these bylaws (the “Bylaws”) is inconsistent with the laws of the state of Texas, the laws of the state of Texas will prevail. USAG shall operate consistent with, and shall maintain, a tax-exempt status in accordance with section 501(c)(3) of the Internal Revenue Code.

### Section 1.3. Business Offices and Other Offices

The principal office of USAG is currently 130 E. Washington St. Suite 700, Indianapolis, Indiana. USAG may change the location of its principal office. USAG may have such other offices, either within or outside the state of Indiana, as its board of directors (the “Board of Directors” or “Board”) may designate.

### Section 1.4. Registered Office; Registered Agent

Any registered office and registered agent of USAG as required by Texas Business Organizations Code (the “BOC”) shall be maintained in the state of Texas. The registered office or registered agent may be changed by the Board of Directors. The registered office may be, but need not be, the same as the principal office.

## **ARTICLE 2 PURPOSE & NATIONAL GOVERNING BODY RECOGNITION**

### Section 2.1. Purpose

Except as otherwise stated in the Corporation’s articles of incorporation (the “Articles”), the purpose of USAG is to build a community and culture of health, safety, and excellence where athletes and other participants can thrive in sport and in life. USAG seeks to foster a safe, positive environment for its athletes and other members; to promote and grow the sports of artistic gymnastics, rhythmic gymnastics, trampoline and tumbling, acrobatic gymnastics, and parkour in the United States; and to enable United States athletes to achieve sustained competitive excellence in domestic and international competition.

## Section 2.2. Recognition as a National Governing Body

USAG is recognized by the United States Olympic & Paralympic Committee (the “USOPC”) as the National Governing Body for the sport of gymnastics and related disciplines in the United States. Accordingly, USAG will comply with the requirements for recognition as a National Governing Body as set forth in the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. § 220501 – 220529) (the “Ted Stevens Act”) and by the USOPC from time to time.

## Section 2.3. International Federation Affiliation

USAG is not, and shall not be, a member of more than one international sports federation included on the program of the Olympic Games or the Pan-American Games as required by the Act §220522(a)(6). Currently USAG is a member of the Fédération Internationale de Gymnastique (“FIG”).

## Section 2.4. Governance Philosophy

As the National Governing Body for the sport of gymnastics and related disciplines, USAG will encourage participation and the pursuit of excellence in all aspects of gymnastics in the United States. The Board will lead and support USAG’s efforts to promote a safe, healthy, and positive sport environment. The Board will provide leadership, vision, independent thinking, and promote safety and diversity within the sport.

## Section 2.5. National Governing Body Safe Sport and Anti-Doping Obligations

- a. Compliance with Athlete Safety Policies and Procedures. USAG will adhere to the athlete and participant safety requirements of the Ted Stevens Act, the USOPC, the U.S. Center for SafeSport (the “Center”), and any other applicable state or federal law. USAG will adopt and maintain athlete and participant safety policies and procedures that meet or exceed the requirements of these authorities.
- b. Compliance with the Anti-Doping Rules and Regulations. USAG will adhere to the anti-doping rules and regulations of the USOPC, the United States Anti-Doping Agency (“USADA”), and the World Anti-Doping Agency (“WADA”).

## **ARTICLE 3 MEMBERS**

### Section 3.1. Categories of Membership

USAG has the following types of members:

- a. Individual Member: USAG will establish the criteria for, and categories of, membership as an individual.
- b. Organizational Member: Any amateur sports organization may apply for membership in USAG as an organizational member if it (1) conducts a national program or regular

- national amateur gymnastics competitions on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur competitions; (2) sponsors amateur athletes to compete in national or international competitions; (3) otherwise demonstrates support of gymnastic programs by providing training facilities, coaches or judges; or (4) otherwise engages in gymnastic activities or activities closely allied to the sport of gymnastics. Organizations that are purely political in character are not eligible for membership. USAG will establish the categories of, and any additional criteria for, membership as an organization.
- c. Member Clubs: USAG will establish the criteria for, and categories of, membership as a club.
  - d. Honorary Members: All national organizations or individuals who have demonstrated an extraordinary level of commitment to the sport of gymnastics may have their contribution recognized by designation as an honorary member. Designation as an honorary member may be conferred by the vote of the Board. Designation as an honorary member does not confer on the designee any of the rights or obligations otherwise attached to the members under the terms of these Bylaws.

### Section 3.2. Membership Requirements and Dues

Membership in USAG is a privilege granted by USAG in its discretion. The Board of Directors may add, remove, or change the membership categories from time to time. Members have no ownership rights or any other interests of any kind in USAG's property. Members may not transfer their membership in USAG, except that an organizational member, upon written application, may be allowed to transfer its membership to another organization if the Board determines that the transferee is the successor to the assets and has assumed substantially all duties, liabilities, and obligations of the transferor.

USAG may establish criteria for membership in any or all membership categories. Such criteria may include, without limitation, background checks, Safe Sport education or training, other education requirements, and payment of dues. Further, USAG may establish such rules and procedures for the amount, manner and method of payment of dues, the collection of delinquent dues and the proration or refund of dues, as USAG shall deem necessary or appropriate. No privilege of membership shall be available until all membership requirements are satisfied and all dues are paid in full.

### Section 3.3. Safe Sport and Anti-Doping Obligations of Members

All members must comply with all applicable policies, rules, and regulations of USAG, the Center, and the USOPC. These include, without limitation, all athlete and participant safety and Safe Sport policies. All members, as a condition of membership, submit to the jurisdiction of the Center, USAG's Safe Sport Department and FIG.

It is the duty of individual members of USAG to comply with all anti-doping rules of WADA, FIG, the USOPC including the USOPC National Anti-Doping Policy, and of USADA, including the USADA Protocol for Olympic and Paralympic Movement Testing

(the “USADA Protocol”) and all other policies and rules adopted by WADA, FIG, the USOPC and USADA. Athlete members agree to submit to drug testing by FIG and/or USADA or their designees at any time and understand that the use of methods or substances prohibited by the applicable anti-doping rules make them subject to penalties including, but not limited to, disqualification and suspension. If it is determined that an individual member may have committed a doping violation, the member agrees to submit to the results management authority and processes of USADA, including arbitration under the USADA Protocol, or to the results management authority of the FIG, if applicable or referred by USADA.

It is the duty of all Athletes, Athlete Support Personnel and other Persons (as those terms are defined in the World-Anti Doping Code), by virtue of their participation in the Olympic, Paralympic, Pan American, Parapan American or Youth Olympic Games, participation in an Event or Competition organized or sanctioned by an NGB, PSO or HPMO, participation on a national team, utilization of a USOPC Training Center, receipt of benefits from the USOPC or USAG, inclusion in the Registered Testing Pool, or otherwise subject to the World Anti-Doping Code to comply with all anti-doping rules of WADA, FIG, the USOPC, and USADA, including the USADA Protocol and all other policies and rules adopted by WADA, FIG and USADA. If it is determined that an Athlete, Athlete Support Personnel, or other Person may have committed a doping violation, the individual agrees to submit to the results management authority and processes of USADA, including arbitration under the USADA Protocol, or to the results management authority of FIG, if applicable or referred by USADA. In addition, Athletes agree to submit to drug testing by the FIG and/or USADA or their designees at any time and understand that the use of methods or substances prohibited by the applicable anti-doping rules make them subject to penalties including, but not limited to, disqualification and suspension.

#### Section 3.4. Termination of Membership & Interim Measures

USAG may terminate a member’s membership or impose interim or final measures, including suspension, at any time with cause, as determined by USAG. A member will be given fair notice and the opportunity for a hearing before being denied the opportunity to participate in amateur athletic competition. USA Gymnastics will publish on its website the policies, procedures and requirements for notice and hearings.

#### Section 3.5. Leadership Roles

Holding a leadership role with USAG is a privilege. USAG has the right to define its leadership roles. To hold a leadership role, an individual must comply with all requirements established by USAG. An individual may not hold a leadership role, or USAG may remove an individual from a leadership role, if that individual does not comply with the requirements established by USAG.

## **ARTICLE 4 BOARD OF DIRECTORS**

### Section 4.1. General Powers

Except as otherwise provided in the BOC and these Bylaws, all corporate powers will be exercised by or under the authority of, and the business and affairs of USAG will be managed by, its Board of Directors.

### Section 4.2. Function of the Board

The Board of Directors will provide guidance and strategic direction for USAG. The Board of Directors will oversee the management of USAG and its affairs, but it does not manage the day-to-day activities of USAG. The Board of Directors will focus on long-term objectives and impacts rather than on day-to-day management, empowering the President to manage a staff-driven organization with effective oversight by the Board of Directors. In addition, the Board of Directors performs the following specific functions:

- a. implements procedures to orient new directors, to educate all directors on the business and governance affairs of USAG, and to evaluate Board performance;
- b. selects, compensates, evaluates, and may terminate the President;
- c. plans for management succession;
- d. reviews and approves USAG's strategic plan and the annual operating plans, budget, business plans, and corporate performance;
- e. sets policy and provides guidance and strategic direction to management on significant issues facing USAG;
- f. reviews and approves significant corporate actions;
- g. reviews and approves USAG's athlete and participant safety policies, rules, and procedures;
- h. oversees the financial reporting process, communications with stakeholders, and USAG's legal and regulatory compliance program;
- i. oversees effective corporate governance;
- j. approves capital structure, financial strategies, borrowing commitments, and long-range financial planning;
- k. reviews and approves financial statements, annual reports, financial and control policies, and, upon the recommendation of the Finance and Audit Committee, selects independent auditors;

- l. monitors to determine whether the Corporation's assets are being properly protected;
- m. monitors the Corporation's compliance with laws and regulations and the performance of its broader responsibilities;
- n. ensures that the Board and management are properly structured and prepared to act in case of a corporate crisis; and
- o. ensures that USAG adopts and maintains athlete and participant safety rules, policies and procedures that comply with or exceed the requirements of the Ted Stevens Act, the USOPC, and the Center.

#### Section 4.3. Qualifications

Each director of the Board must be a citizen of the United States and eighteen (18) years of age or older, except in the case of an eligible athlete director.

A director will (i) have the highest personal and professional integrity, (ii) have demonstrated exceptional ability and judgment, and (iii) be effective, in conjunction with the other directors, in collectively serving the long-term interests of the Corporation. Each Director shall have passed a background check, completed Safe Sport education and training, and have no record of Safe Sport violations. Directors will possess the highest personal values, judgment and integrity, understand athletic competition and the Olympic ideals, and have diverse experience in business, financial, and other areas of importance to USAG. Directors will have a high level of experience and capability in governance and Board oversight responsibilities. Directors should also have demonstrated a history of success in one or more areas of importance to USAG, including in the areas of finance, law, marketing, fundraising, audit, management, strategy, communications, child welfare and athlete safety.

Directors have an affirmative and ongoing duty to disclose any matters, including actual or potential conflicts of interest, which may be relevant to their qualifications to serve as a Director.

#### Section 4.4. Number

The Board of Directors (the "Board") will consist of 15 directors. The Board will have eight (8) Unaffiliated Directors; five (5) Athlete Directors; one (1) Affiliated Organizations Director; and one (1) National Membership Director.

#### Section 4.5. Election

The Corporation's Board of Directors will be elected as follows:

- a. *National Membership Director.* The Board will include one (1) National Membership Director. The National Membership Director will be directly elected by Individual Members, excluding athlete members, holding a valid membership as of July 31 of each year from among two candidates nominated by the Programs Council. For one

of the candidates, the Programs Council will nominate one of the two representatives on the Council from the program with the greatest number of members as of July 31 of each year. For the other candidate, the Programs Council will nominate one of the representatives on the Council from the other disciplines.

- b. *Athlete Directors.* Athlete directors shall be as follows:
- i. One (1) director who is USAG's representative to the USOPC AAC (as defined below);
  - ii. One (1) director who is USAG's alternate to the USOPC AAC (as defined below)
  - iii. One (1) director representing the discipline with the highest number of members holding a valid athlete membership in such discipline as of July 31 of each year;
  - iv. One (1) director representing the discipline with the second highest number of members holding a valid athlete membership in such discipline as of July 31 of each year; and
  - v. One (1) director representing the remaining disciplines who shall represent those combined disciplines.

At least three (3) of the athlete directors will be 10 Year Athlete Representatives. The remaining two (2) athlete directors may be either 10 Year or 10 Year+ Athlete Representatives. The terms "10 Year Athlete Representative" and "10 Year+ Athlete Representative" have the meanings set forth in the USOPC's bylaws.

The athlete directors will be directly elected by athletes who meet the definition of a 10 Year Athlete Representative and are otherwise eligible to run for the director positions.

Athlete representatives may not be drawn from events that categorize entrants in age-restricted classifications, commonly known as "Juniors," "Masters," "Seniors," "Veterans," or other similarly designated age-restricted competition. This provision is not meant to exclude from eligibility athletes who compete in an event for which the International Olympic Committee or FIG has established an age restriction, but whom otherwise meet the standard set forth in this section. For the avoidance of doubt, athlete representatives may be drawn from the "Senior" category for gymnastics.

- c. *Unaffiliated Directors.* The Board shall elect eight (8) directors from among individuals considered to be unaffiliated, as that term is defined in Section 4.6.
- d. *Affiliated Organizations Director.* The Board shall include one (1) Affiliated Organizations Director elected by the affirmative vote of a majority of the members of the Affiliated Organizations Committee pursuant to procedures established by the Affiliated Organizations Committee.

The Board of Directors will be selected without regard to race, color, religion, age, sex, sexual orientation, gender, gender identity, or national origin.

#### Section 4.6. Unaffiliated Directors

The Board determines whether a director is unaffiliated. An “unaffiliated director” must not have any material relationship with USAG, either directly or through an organization that has a material relationship with USAG. A relationship is “material” if, in the judgment of the Board of Directors, it would interfere with the director’s independent judgment. The Board will use the below standards to assist it in determining whether a director is unaffiliated.

A director is not unaffiliated if, within the preceding five (5) years:

- a. the individual was employed by or held any governance position (whether a paid or volunteer position) with USAG, FIG, the international regional sport entity, or any sport family entity connected to USAG;
- b. an immediate family member of the individual was employed by or held any governance position (whether a paid or volunteer position) with USAG, FIG, the international regional sport entity, or any sport family entity connected to USAG;
- c. the individual was affiliated with or employed by USAG’s outside auditor or outside counsel;
- d. an immediate family member of the individual was affiliated with or employed by USAG’s outside auditor or outside counsel as a partner, principal or manager;
- e. the individual was a member of USAG’s Athletes’ Council;
- f. the individual was a member of any constituent group with representation on the Board;
- g. the individual receives any compensation from USAG, directly or indirectly;
- h. the individual is an executive officer, controlling shareholder, or partner of a corporation or partnership or other business entity that does business with USAG;
- i. the individual is the parent or close family member or coach of an athlete that has competed in a protected competition (as defined in the USOPC’s bylaws); or
- j. the individual is a member of USAG in a membership category that participates in competitions.

The unaffiliated director must maintain an independent perspective by maintaining the requirements above for their entire term and any successive term with the exception of holding any governance position with USAG or FIG and reimbursement of expenses related thereto.

Where the guidelines above do not address a particular relationship, the determination of whether the relationship is material, and whether a director is unaffiliated, shall be made by the Board.

Section 4.7. Staggered Board

Directors will have staggered terms as determined by the Board. The Board may adjust terms from time to time in order to maintain staggered terms.

Section 4.8. Board Term Limits

No director shall serve more than two (2) consecutive terms. For purposes of this rule, service of two (2) or more years constitutes one (1) term. A director's term shall end on December 31, and a new director's term shall begin on January 1 of the next year. The Corporation shall nominate and elect a successor director within sixty (60) days of the end of a director's term or by the next regularly-scheduled meeting of the Board, whichever is earlier. A director therefore may hold office for a maximum of sixty (60) days beyond the end of his or her four (4) year term to permit time for the Corporation to identify and elect a successor director. The Corporation shall also nominate and elect a successor director within sixty (60) days of the date of a director's resignation, removal, incapacity, disability or death, or, at the next regularly-scheduled Board meeting, whichever is earlier.

Section 4.9. Compensation & Reimbursements

Except as otherwise provided in the BOC, directors will not receive compensation for their services as directors, although the reasonable expenses of directors may be paid or reimbursed in accordance with USAG's policies. USAG will pay for the reasonable travel costs for athlete directors to attend Board meetings, in accordance with USAG's policies. Except as otherwise provided in the BOC or USAG's conflict of interest policy, directors may not receive compensation for services rendered to or for the benefit of USAG in any other capacity. Athlete directors, however, shall be entitled to obtain compensation from USAG in connection with their capacity as athletes. Each director of the Board is bound by USAG's Conflict of Interest Policy, as updated from time to time.

**ARTICLE 5**  
**BOARD PROCEDURES**

Section 5.1. Director Attendance

Directors are expected to attend, in person or by telephone or videoconference, all regularly scheduled Board meetings. Directors must attend at least three fourths (3/4) of all regularly scheduled Board meetings.

Section 5.2. Resignation, Removal, and Vacancies

A director's position on the Board becomes vacant upon the director's resignation, removal, incapacity, disability or death, or upon the expiration of the director's term. Any

director may resign at any time by giving written notice to the Chair of the Board, except the Chair's resignation shall be given to the President. The resignation takes effect at the time specified in the written notice. Acceptance of the resignation by the Board is not necessary to make it effective. Directors will be removed by the Board if they fail to attend in person or participate by telephone or videoconference in at least three fourths (3/4) of the regular meetings of the Board during any twelve (12) month period, unless they are able to demonstrate to the other directors of the Board that the presence of exigent circumstances caused and excused the absences. A director shall be removed in accordance with the preceding sentence by the affirmative vote of a majority of the voting power of the Board (excluding the absent director). A director may also be removed for cause at any duly noticed meeting of the Board, and after being provided an opportunity for the director to be heard by the Board, upon the affirmative vote of at least two-thirds (2/3) of the total voting power of the Board (excluding the director in question). Any vacancy occurring in the Board shall be filled as set forth in Section 4.5. A director elected to fill a vacancy shall be elected for the unexpired term of such director's predecessor in office.

### Section 5.3. Regular and Special Meetings

Unless otherwise required by the BOC, the Board of Directors shall meet at regularly scheduled meetings at least four (4) times per year. Directors shall participate in regularly scheduled Board meetings in person or by telephone or videoconference. Special meetings of the Board shall be held upon the call of the Chair or President or by request of a majority of the Board when necessary or desirable. Directors may participate in special meetings of the Board by telephone or videoconference. For special meetings for the purpose of a Board vote, the meeting and voting may take place by electronic mail or telephone.

### Section 5.4. Notice of Meetings

Notice of each meeting of the Board of Directors, stating the date, time and place of the meeting, and in the case of a special meeting, the purpose for which the meeting is called, shall be given to each director of the Board by or at the direction of the Chair of the Board. Notice may be given either in writing or orally. Written notice may be delivered personally, by mail, by private carrier or by electronic transmission (including, without limitation, email or text message). Such notice shall be delivered to the director's business or residential address (or to such other address provided by the director for such purpose), to the director's email address, or to the director's cellular telephone number. Except for electronic transmission, written notice shall be delivered no fewer than five (5) days before the date of the meeting. If mailed, such notice shall be deemed delivered when deposited in the United States mail. If delivered by private carrier, such notice is deemed delivered upon deposit with the carrier. If transmitted by electronic transmission, such notice shall be deemed to be given when the transmission is sent. Oral notice may be delivered either personally or telephonically and is effective when communicated. Such notice shall be delivered to the director (or to such other individual provided by the director for such purpose). Oral or electronic transmission notice shall be delivered no fewer than two (2) days before the date of the meeting. The method of notice need not be the same as to each director.

If the Chair of the Board of Directors, in his or her reasonable discretion, determines that extenuating circumstances exist that require an immediate meeting of the Board of Directors, then the Chair may call a meeting on as short of notice as the Chair determines, in his or her reasonable discretion, is appropriate under the circumstances. Notice of each meeting of the Board of Directors, stating the date, time and place of the meeting shall be published in a timely manner providing reasonable notice given the circumstances requiring a meeting of the Board.

A director may waive notice of any meeting before, at, or after such meeting. The attendance of a director at a meeting waives notice of that meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Except as otherwise provided in these Bylaws and the BOC, and except for executive sessions or closed meetings, all meetings of the Board of Directors will be open for attendance by USAG's members. Notice of each meeting of the Board, stating the date, time and place of the meeting, will be published to USAG's members within a time intended to provide reasonable notice of the meeting given the circumstances requiring a meeting of the Board. However, if the Board determines in its reasonable discretion that a meeting is held under extenuating circumstances, then notice of the meeting may be provided at any time that the Board determines, in its reasonable discretion, is appropriate under the circumstances, including after the meeting.

#### Section 5.5. Quorum

A simple majority of the directors of the Board in office, immediately before the meeting begins, constitutes a quorum for the transaction of business at any meeting of the Board. If less than a quorum is present at a meeting, then: (i) the meeting may continue but no action of the Board may occur; and/or (ii) a majority of the directors present at the meeting may adjourn the meeting from time to time, without further notice other than an announcement at the meeting, until a quorum is present. A quorum is required for any action of the Board.

#### Section 5.6. Action of the Board; Voting; Written Consent; Presumption of Assent

The vote of a majority of directors on the Board present at a duly called meeting in which a quorum is established shall constitute an act of the Board. Each director in attendance at such a meeting shall be entitled to one (1) vote on each issue submitted to a vote at that meeting. Any vote may be taken by voice or by show of hands unless a director objects, in which case, written ballots shall be used. The unanimous written consent of all directors on the Board shall also constitute an act of the Board. No director may vote by proxy or act by proxy at any meeting of the Board. A director who is present at a meeting of the Board at which action on any corporate matter is taken shall be presumed to have assented to the action taken, unless such director's dissent or recusal is entered in the minutes of the meeting or unless the director files a written dissent or recusal to such action with the Chair of the Board before the adjournment of the meeting. Such right to dissent or recusal will not apply to a director who voted in favor of such action. A director's recusal will be

governed by Section 12.3 of these Bylaws and any policy adopted by USAG under Section 13.2 of these Bylaws.

#### Section 5.7. Action Without a Meeting

Action without a meeting may be taken by the Board if written notice as described in this Section (the “Board Notice”) is transmitted to each director, and each director by the time stated in the Board Notice either votes in writing for or against such action, abstains in writing from voting, fails to respond or vote, or fails to demand in writing that action not be taken without a meeting. The Board Notice shall state the action to be taken, the time by which a director must respond, that failure to respond by the time stated in the Board Notice will have the same effect as abstaining in writing by the time stated in the Board Notice, and failing to demand in writing by the time stated in the Board Notice that action not be taken without a meeting. Action is taken under this Section only if, at the end of the time stated in the Board Notice, the affirmative votes in writing for such action received and not revoked, equal or exceed the minimum number of votes that would be necessary to take such action at a meeting at which all of the directors then in office were present and voted, and USAG has not received an unrevoked written demand by a director that such action not be taken without a meeting. A director’s right to demand that action not be taken without a meeting will be deemed to have been waived, unless USAG receives such demand from the director in writing by the time stated in the Board Notice, and such demand has not been revoked. Any director who in writing has voted, abstained, or demanded action not be taken without a meeting pursuant to this Section may revoke such vote, abstention or demand in writing received by USAG by the time stated in the Board Notice. All communications under this Section may be transmitted or received by USAG by email or other form of electronic communication. Action taken pursuant to this Section has the same effect as action taken at a meeting of the Board and may be described as such in any document.

#### Section 5.8. Questions of Order and Board Meeting Leadership

Questions of order shall be decided by the Chair of the Board unless otherwise provided in advance by the Board. The Chair shall lead meetings of the Board. If the Chair is absent from any meeting of the Board, then the Vice Chair/Secretary shall lead. If the Chair and the Vice Chair/Secretary are both absent, then the Board may choose another director to serve as presiding officer for that meeting.

#### Section 5.9. Executive Meeting Sessions

Every in-person Board meeting shall include an executive session, which may or may not include the executive staff of USAG. In the event the Chair of the Board, with the consent of a majority of the directors of the Board in attendance, deems it appropriate to (i) exclude members at a meeting for any reason, then the Chair may declare that the meeting is closed, or (ii) convene an executive session to consider and discuss matters relating to personnel, nominations, discipline, budget, salary, legal or other sensitive matter, then the Chair may specifically designate and call an executive session. Further, the Chair of the Board may

open a meeting of the Board to non-members, with the consent of a majority of the directors of the Board in attendance.

Section 5.10. Minutes of Meetings

The minutes of all meetings of the Board of Directors for the prior three (3) years will be published on USAG's website, except that any minutes of closed meetings or executive sessions will not be published. USAG will publish the minutes of Board meetings at least quarterly.

Section 5.11. Reports to the Board

- a. *President.* The President shall provide at least quarterly reports to the Board regarding the operations and activities of USAG.
- b. *Finance and Audit Committee.* The Finance and Audit Committee shall provide no fewer than two (2) financial reports to the Board annually.
- c. *Ethics and Grievance Committee.* The Ethics and Grievance Committee shall provide no fewer than two (2) reports to the Board annually regarding conflict of interest and other compliance issues.
- d. *Safe Sport Committee.* The Safe Sport Committee or members of the Safe Sport staff shall provide a report to the Board at every Board meeting that summarizes current Safe Sport issues, a summary of resolutions, as well as provide an update to the Board on trends and mitigation efforts being utilized to address issues.

**ARTICLE 6  
COMMITTEES**

Section 6.1. Designation

USAG shall have the following standing committees:

- the Finance and Audit Committee;
- the Nominating and Governance Committee;
- the Ethics and Grievance Committee;
- the Safe Sport Committee;
- the Athletes' Council;
- a Program Committee for each discipline;
- the Affiliated Organizations Committee; and
- the Programs Council.

These committees shall advise the Board, but the Board retains all governance authority. An Executive Committee of the Board to which governance authority is delegated is prohibited.

Each standing committee must draft and adopt a charter that governs that committee's business and is consistent with these Bylaws. The Board of Directors will review and approve all committee charters. The Board may suspend a committee's authority to conduct business until the committee adopts a charter that the Board approves. The Board may require charters, consistent with this paragraph, from committees other than standing committees.

The Chair of the Board of Directors may form and terminate ad hoc committees or working groups as the Chair believes appropriate, and shall define narrowly the mission and deliverables of such committees or working groups.

## Section 6.2. Athlete Representation on Committees

At least one-third (33.3%) of the voting members of each committee must be athlete representatives.

“Designated Committee” means any committee that makes recommendations or decisions directly impacting elite athletes. Designated Committees include, without limitation, the following committees: the Nominating and Governance Committee, the Finance and Audit Committee, the Ethics and Grievance Committee, each Selection Committee, any hearing panel empowered to affect any individual's participation in protected competition, and any committee that allocates USOPC or USAG-provided resources.

At least half of the athlete representatives on Designated Committees must be 10 Year Athlete Representatives. The remaining athlete representatives must be either 10 Year or 10 Year+ Athlete Representatives.

Athlete representatives on committees other than Designated Committees must be “Actively Engaged Athlete Representatives,” as that term is defined in the USOPC's bylaws, 10 Year Athlete Representatives, or 10 Year+ Athlete Representatives.

Athletes on all committees, including Designated Committees, will be appointed by USAG's Athletes' Council.

## Section 6.3. Finance and Audit Committee

- a. The Board of Directors shall appoint the members of the Finance and Audit Committee except that athlete representatives shall be appointed according to Section 6.2. The Chair of the Finance and Audit Committee will be the Treasurer. The Finance and Audit Committee will not exceed five (5) members.
- b. The Finance and Audit Committee will:
  - i. be responsible, in cooperation with the Treasurer and President, for recommending the annual budget for operations of USAG, reviewing financial statements as appropriate, reviewing internal financial policies and procedures, and for making recommendations for investment of excess operating funds;

- ii. review the allocation of funds for specific programs;
- iii. recommend the independent auditors of USAG for Board approval, review the report of the independent auditors and management letter, and recommend action as needed;
- iv. oversee financial controls and disclosure and such other matters as directed by the Board of Directors;
- v. perform such other duties as assigned by the Board of Directors; and
- vi. report to the Board of Directors as may be requested by the Board or the Chair from time to time.

The Finance and Audit Committee shall periodically meet separately in executive session with management, the Corporation's financial staff, and the Corporation's outside auditor. In addition, the Finance and Audit Committee, or a designated representative of the Finance and Audit Committee, shall meet with the outside auditor before the release of the Corporation's annual audited financial statements and tax filings, to review such materials.

#### Section 6.4. Nominating and Governance Committee

- a. The Nominating and Governance Committee shall be selected as follows:
  - i. one (1) individual who satisfies the criteria for an unaffiliated director and who is selected by the Board;
  - ii. two (2) athletes selected according to Section 6.2 of these Bylaws; and
  - iii. two (2) individuals selected by the Board who are professional members of USAG.
- b. The members of the Nominating and Governance Committee shall serve for terms of four (4) years. An individual shall not serve on the Nominating and Governance Committee for more than two (2) consecutive terms.
- c. The Nominating and Governance Committee shall:
  - i. identify and evaluate prospective candidates for the Board;
  - ii. recommend unaffiliated directors for Board approval;
  - iii. recommend as requested by the Board individuals to serve on various committees;
  - iv. work with the Ethics and Grievance Committee to vet all nominations for potential conflicts of interest or other issues;
  - v. develop and recommend to the Board for its consideration an annual self-evaluation process of the Board and its committees;

- vi. provide feedback when requested by the Board regarding changes to policies and other governing documents;
- vii. perform such other duties as assigned by the Board; and
- viii. report to the Board of Directors as may be requested by the Board or the Chair from time to time.

Section 6.5. Ethics and Grievance Committee

- a. The Ethics and Grievance Committee shall be selected as follows:
  - i. two (2) athletes selected according to Section 6.2 of these Bylaws;
  - ii. two (2) individuals who are professional members of USAG; and
  - iii. one (1) individual selected by the Board who satisfies the standards of independence for “unaffiliated directors” as set forth in these Bylaws. A current Board director may not be a member of the Ethics and Grievance Committee.
- b. The Ethics and Grievance Committee shall:
  - i. oversee implementation of, and compliance with, USAG’s Code of Ethical Conduct and Conflicts of Interest Policy;
  - ii. advise the Board on all ethical matters and grievances that are not Safe Sport matters or grievances;
  - iii. develop, and review on an annual basis, a Conflicts of Interest Policy for the Board, officers, staff members, committee members, volunteers, and member organizations for review and approval by the Board of Directors;
  - iv. review and investigate matters of ethical impropriety and make recommendations on such matters to the Board of Directors;
  - v. review and provide guidance on ethical questions presented to it by the Board of Directors, officers, committee members, volunteers, staff and USAG’s members;
  - vi. review annual and periodic Conflicts of Interest disclosure forms and determine if a conflict of interest exists as to any particular transaction, relationship, or matter involving the Corporation;
  - vii. evaluate requests for approval under USAG’s Gift and Entertainment Policy;
  - viii. perform such other duties as assigned by the Board; and
  - ix. report to the Board of Directors as may be requested by the Board or the Chair from time to time.

## Section 6.6. Safe Sport Committee

- a. The Safe Sport Committee shall be elected as follows:
  - i. one (1) individual who satisfies the criteria for an unaffiliated director and who is selected by the Board;
  - ii. two (2) athletes selected according to Section 6.2 of these Bylaws;
  - iii. one (1) individual selected by the Board; and
  - iv. one (1) individual selected by the Board who is a professional member of USAG and could be a member club owner who is actively coaching.
- b. The Safe Sport Committee shall:
  - i. review and assist with the development and implementation of the athlete and participant safety policy and other policies or procedures related to Safe Sport;
  - ii. monitor compliance by USAG with the policies, procedures and requirements of the Center and USAG, as well as other safe sport initiatives of the USOPC and the Olympic movement;
  - iii. perform such other duties as assigned by the Board; and
  - iv. report to the Board of Directors as may be requested by the Board or the Chair from time to time.

## Section 6.7. Athletes' Council

- a. USAG's Athletes' Council (the "USAG AC") shall be a forum for comprehensive communication between athletes and USAG. The USAG AC will lead, serve, and engage athletes to communicate the interests and protect the rights of athletes, and be a conduit to USAG. The USAG AC will:
  - i. serve as a vehicle for athlete engagement;
  - ii. endeavor to protect the rights of athletes;
  - iii. provide athlete feedback;
  - iv. build and establish relationships among the athletes of the Corporation;
  - v. assist in identifying potential future athlete directors and introduce athletes to the Corporation's governance structure;
  - vi. serve as Safe Sport and USADA ambassadors and advocates;
  - vii. develop pathways for athletes within the structure of the Corporation; and

- viii. advise the Board of matters of interest to the athlete membership.
- b. Designation. The USAG AC will consist of two (2) individuals from each discipline plus two (2) individuals who are the Corporation's representative and alternate to the USOPC's Athletes' Advisory Council ("USOPC AAC"). The members of the USAG AC will be elected by athletes as provided in the USAG AC's charter.
- c. Qualifications. To be eligible to serve on the USAG AC, athlete representatives must satisfy the definition of a 10 Year Athlete Representative.
- d. Compensation. The USAG AC members shall not receive compensation for their services as USAG AC members. USAG shall pay for the reasonable expenses of all members of USAG AC to attend USAG AC meetings. While members of the USAG AC shall not receive compensation for their services as USAG AC members, they shall be entitled to obtain compensation from USAG in their capacity as athletes. Each member of USAG AC shall be bound by USAG's Conflicts of Interest Policy.

Section 6.8. Affiliated Organizations Committee

- a. The Board of Directors shall appoint the members of the Affiliated Organizations Committee, except that athlete representatives shall be selected according to Section 6.2. Each member of the Affiliated Organizations Committee will be a representative of an amateur sports organization that conducts a national program or a regular national amateur athletic competition in the sport of gymnastics on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international amateur athletic competition. The number of members on the Affiliated Organizations Committee will be determined by the Board, in its reasonable discretion, taking into account the number of amateur sports organizations that meet the criteria of the preceding sentence. The organizations having a seat on the Affiliated Organizations Committee will select their representatives to serve on the committee, subject to approval by the Board.
- b. The Affiliated Organizations Committee shall:
  - i. elect its representative on the Board from among the members of the Affiliated Organizations Committee;
  - ii. advise the Board regarding input from amateur sports organizations that conduct a national program or regular national amateur athlete competition in the sport of gymnastics on a level of proficiency appropriate for the selection of amateur athletes to represent the United States in international competition;
  - iii. perform other duties as may be assigned to it from time to time by the Board; and
  - iv. report to the Board as may be requested by the Board or the Chair from time to time.

### Section 6.9. Programs Council

- a. The members of the Programs Council will be selected as stated in the Council's charter.
- b. The Programs Council shall:
  - i. provide a forum for the representatives to consider and offer perspectives on matters relating to USA Gymnastics's disciplines and the development of best practices, uniform criteria, and guidelines for program administration that can be adopted by the Program Committees; and
  - ii. perform such duties as may be assigned to it by the Board.

### Section 6.10. Program Committees

The Program Committees will be:

- the Men's Program Committee;
- the Rhythmic Program Committee;
- the Trampoline and Tumbling Program Committee;
- the Women's Program Committee;
- the Parkour Program Committee; and
- the Acrobatic Gymnastics Program Committee.

The members of each Program Committee will be selected as provided in each committee's charter, except that the athlete representatives shall be selected according to Section 6.2. For any Program Committee not in existence as of the effective date of these Bylaws, the Board shall appoint the members of the initial committee, except that the athlete representative(s) will be selected according to Section 6.2. After the initial committee is formed, subsequent members will be selected as stated in the first sentence of this paragraph.

The Program Committees will develop a well-organized and well-designed program for their respective disciplines. Each Program Committee's charter must include reasonable term limits for committee members. As operating committees, the Program Committees will work with the appropriate staff persons and will be overseen by the President.

### Section 6.11. Selection Committees

The Selection Committees will be:

- the Men's Program Selection Committee;
- the Rhythmic Program Selection Committee;
- the Trampoline and Tumbling Program Selection Committee;
- the Women's Program Selection Committee;
- the Parkour Program Selection Committee; and

- the Acrobatic Gymnastics Program Selection Committee.

The members of each Selection Committee will be selected as provided in each committee's charter, except that athlete representatives will be appointed according to Section 6.2 of these Bylaws. All members of each Selection Committee must comply with the USAG Conflict of Interest Policy for Athlete/Coach/Judge Selection. For any Selection Committee not in existence as of the effective date of these Bylaws, the Board shall appoint the members of the initial committee, except that the athlete representative(s) will be selected according to Section 6.2. After the initial committee is formed, subsequent members will be selected as stated in the first sentence of this paragraph.

The Selection Committees will draft selection procedures and select athletes, coaches, and judges for international competitions in accordance with published selection procedures. Each Selection Committee's charter must include reasonable term limits for committee members. As operating committees, the Selection Committees will work with the appropriate staff persons and will be overseen by the President.

#### Section 6.12. State and Regions

USA Gymnastics may exercise oversight over, including without limitation establishing policies applicable to, state and regional associations affiliated with USA Gymnastics, as it deems necessary and appropriate.

### **ARTICLE 7 USOPC ATHLETES' ADVISORY COUNCIL**

#### Section 7.1. Designation

USAG shall have a representative and an alternate representative to the USOPC AAC.

#### Section 7.2. Qualifications

To be eligible to serve on the USOPC AAC, athlete representatives must meet the qualifications set forth in the USOPC AAC Bylaws.

#### Section 7.3. Election

- a. Athlete representatives on the USOPC AAC shall be directly elected by Eligible Athletes.
- b. USAG shall adopt and submit to the USOPC AAC, consistent with policies established by the USOPC AAC, a procedure whereby eligible athletes shall elect a representative and an alternate representative to the USOPC AAC.
- c. The election shall take place after conclusion of the Summer Olympic Games, but before January 1 of the year following the Summer Olympic Games.

- d. The individual with the highest vote total will be elected as the representative to the USOPC AAC. The individual with the second highest vote total is elected as the alternate representative to the USOPC AAC.

Section 7.4. Term; Term Limits

The term for all representatives to the USOPC AAC shall be four (4) years, to start on January 1 of the year following the year in which the Summer Olympic Games is held, and end on December 31 of the year in which the next edition of Summer Olympic Games is held. Any vacancies shall be filled as soon as practicable. No representative to the USOPC AAC shall serve for more than two (2) consecutive terms. There is no term limit restriction for the position of alternate representative.

**ARTICLE 8  
OFFICERS**

Section 8.1. Officers

The officers of USAG are a Chair, a Vice Chair/Secretary, a President, and a Treasurer. The President may use the title of President and Chief Executive Officer. The Treasurer must have a financial background enabling him or her to fulfill the duties of Treasurer.

Section 8.2. Election

The Chair, Vice Chair/Secretary, and Treasurer shall be elected from among the unaffiliated directors by action of the Board. The President serves by virtue of his or her employment with USAG, which will be determined by action of the Board.

Section 8.3. Term; Removal; and Resignation

The term of office of the Chair, Vice Chair/Secretary, and Treasurer is four years. The newly elected Chair, Vice Chair/Secretary, and Treasurer shall take office immediately. The Chair, Vice Chair/Secretary, and Treasurer shall hold office until the Chair, Vice Chair/Secretary or Treasurer's successor is elected and qualified, or until the Chair, Vice Chair/Secretary or Treasurer's earlier resignation, removal, incapacity, disability or death. The Chair, Vice Chair/Secretary or Treasurer may be removed for cause upon the affirmative vote of at least two-thirds (2/3) of the total voting power of the Board (excluding the director in question).

The President shall hold office until his or her employment as President by USAG ends.

Any officer may resign his/her office by written resignation addressed to the Board and delivered to the Chair, the President, or the Vice Chair/Secretary.

#### Section 8.4. Authority and Duties of Officers

The officers of USAG shall have the authority and shall exercise the powers and perform the duties specified below and as may be additionally specified by the Board of Directors or required by law:

- a. *Chair of the Board.* The Chair shall: (i) set all meetings and meeting agendas; (ii) preside at all meetings of the Board; (iii) see that all Board commitments, resolutions and oversight are carried into effect; and (iv) exercise such powers and perform such other duties as allowed by these Bylaws or as may be assigned by the Board from time to time.
- b. *Vice Chair/Secretary.* The Vice Chair shall: (i) perform the duties of and have the authority and exercise the power of the Chair when the Chair is absent or incapacitated; and (ii) perform such other duties and have such authority and powers as the Board may from time to time prescribe; (iii) keep the minutes of the proceedings of the Board and ensure that such minutes are published to the website of the Corporation; (iv) see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; and (v) perform such other duties and have such authority and powers as the Board may from time to time prescribe.
- c. *President.* The President shall:
  - i. direct the day-to-day business of USAG;
  - ii. hire, supervise, and dismiss employees of USAG;
  - iii. prepare the annual budget and submit the annual budget to the Board;
  - iv. prepare and submit to the Board an annual strategic plan;
  - v. promote a positive and safe environment for the gymnastics community;
  - vi. oversee USAG's events and activities;
  - vii. oversee USAG's high performance plan for sustained competitive excellence at the international level;
  - viii. develop and implement strategies to expand participation in the sport;
  - ix. develop a strategy for achieving USAG's mission, goals and objectives and present the strategy to the Board of Directors for approval;
  - x. with the Chair of the Board, act as USAG's spokesperson;
  - xi. enter into any contract or execute and deliver any instrument in the name of and on behalf of USAG, except as limited by policies established and approved by the Board;

- xii. disburse the funds of USAG as may be ordered by the Board, taking proper vouchers for such disbursements, and present to the Board, at a regular meeting of the Board or whenever the Board may require it, a full and clear statement of the business and financial condition of USAG, including a detailed accounting of all financial transactions of USAG;
  - xiii. authorize accounts and investments on behalf of USAG; and
  - xiv. perform all other duties assigned to the President in these Bylaws or by specific direction of the Board.
- d. *Treasurer.* The Treasurer shall: (i) have general oversight of the financial affairs of USAG; (ii) Chair the Finance and Audit Committee; (iii) ensure the preparation of USAG's financial reports on an annual or more frequent basis; (iv) present financial reports to the Board as the Board may request; (v) ensure that an annual audit is conducted of USAG; and (vi) perform all duties incident to the office of Treasurer.

#### Section 8.5. Restrictions

Officers of USAG shall perform their functions with due care. No individual may serve simultaneously as an officer of USAG and as an officer of an organization holding membership in USAG, as an officer of another National Governing Body, as an officer of the USOPC, or as an officer of the Center.

#### Section 8.6. Vacancies

If any vacancy occurs in any office of USAG, whether by resignation, removal, expiration of term, death or incapacity, the Chair may call a special meeting of the Board to elect a successor to serve the expiration of the term of the office vacated. The meeting at which a successor is elected may be the same meeting at which his/her predecessor was removed.

#### Section 8.7. Delegation of Authority

The Board may from time to time delegate any of the functions, powers, duties, and responsibilities of any Officer to any other Officer or to any agent or employee of USAG or other responsible person. In the event of such delegation, the Officer from whom any such function, power, duty or responsibility has been transferred shall be relieved of all responsibility for the prompt performance or exercise thereof.

#### Section 8.8. Compensation; Reimbursement of Expenses

- a. No salary or other compensation shall be paid for serving as an Officer except the President, whose salary shall be fixed, increased or decreased by the Board.
- b. USAG may reimburse Officers for their actual expenses incurred in connection with the business and activities USAG, provided those expenses are reasonable and are supported by appropriate documentation.

**ARTICLE 9  
SELECTION PROCEDURES**

Section 9.1.

All procedures used by USAG to select athletes, coaches, judges, delegates and others to represent the United States shall be subject to the following:

- a. USAG shall provide an equal opportunity to amateur athletes, coaches, trainers, managers, administrators and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, age, sex, sexual orientation, gender, gender identity, or national origin.
- b. The selection procedures shall be based primarily on current objective performance-related criteria. The selection procedures may also contain appropriate subjective criteria.
- c. The selection procedures shall adhere to the USAG Conflict of Interest Policy for Athlete/Coach/Judge Selection.
- d. Any selection procedures used to select athletes for the Olympic Games, Pan American Games, or any World Championships must include a requirement that an independent observer (i) monitor the selection meeting and (ii) confirm that the selection committee's meeting report accurately reflects the selection meeting. USAG shall publish and make available the selection procedures and criteria for independent observers.
- e. The procedures used to select the members of the Olympic, Pan American and World Champions Teams must be:
  - i. approved by the Board;
  - ii. approved by the USAG AC;
  - iii. approved by the USOPC (when applicable);
  - iv. published in written form as soon as practical after approval(s), but no later than 6 months before the first selection event; and
  - v. widely disseminated throughout the gymnastics community.

**ARTICLE 10  
SANCTIONING**

Section 10.1. Sanctioning Domestic Events

USAG may issue a sanction for any domestic competition, exhibition or similar event in which member athletes, coaches, or judges participate.

## Section 10.2. Sanctioning International Events

- a. Sanctions. Any competition or exhibition held in the United States that involves participation by foreign athletes, coaches or judges must be sanctioned by USAG.
- b. Invitations to Compete in the United States. All invitations to foreign athletes to compete in the United States must be extended by USAG.
- c. Invitations to Compete Abroad. All invitations for American athletes, coaches or judges to participate in competitions or exhibitions conducted outside the United States must be extended by the host country's National Governing Body for gymnastics through USAG.
- d. Compliance. Failure of any athlete, coach, judge or foreign athlete to follow the procedures listed in this Section, as well as those procedures set forth in the statutes of FIG relating to international competition or foreign events, could render the individual ineligible for participation in future USAG or FIG events. Violation of these procedures may cause action to be taken against a foreign federation consistent with the statutes of FIG.

## **ARTICLE 11 FINANCES**

### Section 11.1. Fiscal year

The fiscal year of USAG shall begin on the first of January and end on the last day of December of each year.

### Section 11.2. Record Keeping and Reporting

Consistent with generally accepted accounting principles, USAG will maintain records of its financial activity and prepare for distribution to the Board regular reports of that activity.

### Section 11.3. Budget

The President will prepare for submission to the Finance and Audit Committee both an annual budget and a four-year budget for each Olympic quadrennium to be presented and approved by the Board.

### Section 11.4. Annual Audit

The Board shall cause to be made an annual audit of USAG's books and record an examination of its business affairs. The audit and examination shall be made by independent certified public accountants approved by the Board, and the accountant's report shall be furnished to the Board.

## **ARTICLE 12 FIDUCIARY MATTERS**

### Section 12.1. Indemnification

- a. USAG will indemnify any person who was or is a party, or is threatened to be made a party, to any threatened, pending, or completed civil, administrative, or investigative action, suit, or proceeding, other than an action by or in the right of USAG, by reason of the fact that the person is or was a director, officer, employee, or agent of or a volunteer of USAG, against expenses, including attorney fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by the person in connection with such action, suit, or proceeding, if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of USAG. The termination of any action, suit, or proceeding by judgment, order, settlement, or its equivalent, shall not create, of itself, a presumption that the person did not act in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of USAG.
- b. To the extent that a director, officer, employee, member, manager, agent, or volunteer has been successful on the merits or otherwise in defense of any action, suit, or proceeding referred to in this section, or in defense of any claim, issue, or matter in such an action, suit, or proceeding, the person shall be indemnified against expenses, including attorney fees, actually and reasonably incurred by the person in connection with that action, suit, or proceeding.
- c. Unless ordered by a court, any indemnification under this section shall be made by USAG only as authorized in the specific case, upon a determination that indemnification of the director, officer, employee, member, manager, agent, or volunteer is proper in the circumstances because the person has met the applicable standard of conduct set forth in this section. Such determination shall be made by a majority vote of a quorum consisting of directors of USAG who were not and are not parties to or threatened with the action, suit, or proceeding at issue.
- d. The expenses incurred by a director, officer, employee, member, manager, agent, or volunteer in defending an action, suit, or proceeding referred to in this section, including attorney fees, shall not be paid by USAG upon the final disposition of the action, suit, or proceeding, or, if paid in advance of the final disposition of the action, suit, or proceeding, shall be repaid to USAG by the person, if it is proved, by clear and convincing evidence in a court with jurisdiction that the act or omission of the person was one undertaken with a deliberate intent to cause injury to USAG or was one undertaken with a reckless disregard for the best interests of USAG.
- e. Expenses, including attorney's fees, incurred by a director, officer, employee, member, manager, agent, or volunteer in defending any action, suit, or proceeding referred to in this section may be paid by USAG as they are incurred, in advance of the final disposition of the action, suit, or proceeding, as authorized by the directors in the specific case, upon receipt of an undertaking by or on behalf of the director, officer,

employee, member, manager, agent, or volunteer to repay the amount if it ultimately is determined that the person is not entitled to be indemnified by USAG.

- f. USAG may purchase and maintain insurance, or furnish similar protection, for or on behalf of any person who is or was a director, officer, employee, agent, or volunteer of USAG against any liability asserted against the person and incurred by the person in any such capacity, or arising out of the person's status as such, whether or not USAG would have the power to indemnify the person against that liability under this section.

#### Section 12.2. Discharge of Duties

Each director of the Board and officer shall discharge his or her duties: (i) in good faith; (ii) with the care an ordinarily prudent individual in a like position would exercise under similar circumstances; and (iii) in a manner the director or officer reasonably believes to be in the best interests of USAG.

#### Section 12.3. Conflicts of Interest

If any director of the Board, officer, or committee member has a financial interest in any contract or transaction involving USAG, or has an interest adverse to USAG's business affairs, and that individual is in a position to influence a determination with regard to the contract, transaction or business affair, such individual will: (i) disclose the conflict of interest; (ii) not participate in the evaluation of the contract, transaction or business affair; and (iii) not vote on the contract, transaction or business affair, unless the procedures set forth in USAG's Conflicts of Interest Policy are followed.

### **ARTICLE 13 POLICIES**

#### Section 13.1. Gifts & Entertainment Policy

USAG shall adopt a Gifts & Entertainment Policy applicable to all of USAG's employees, Board directors, officers, committee members, hearing panel members, judges, and volunteers.

#### Section 13.2. Conflicts of Interest Policy

USAG shall adopt a Conflicts of Interest Policy applicable to all of USAG's employees, Board directors, officers, committee members, and volunteers. Additionally, these individuals shall disclose any possible conflict for review by the Ethics and Grievance Committee. The Conflict of Interest Policy will include a process to disclose conflicts of interest during Board meetings.

#### Section 13.3. Code of Conduct

USAG shall adopt a general Code of Conduct applicable to all of USAG's members, employees, Board directors, officers, committee members, and volunteers. The Code of Conduct may be part of the Safe Sport Policy.

Section 13.4. Safe Sport Policy

USAG shall adopt a Safe Sport Policy applicable to all of USAG's members, employees, Board directors, officers, committee members, volunteers, athletes and other participants. That policy will meet or exceed the minimum standards mandated by applicable law, the Center, and the USOPC. USAG shall also adopt Safe Sport Investigations & Resolutions Procedures for resolution of complaints submitted to USAG's Safe Sport Department.

Section 13.5. Whistleblower Policy

USAG shall adopt a Whistleblower Policy to protect any employee of USAG who reports a violation of law by USAG.

**ARTICLE 14**  
**CONSTRUCTION AND AMENDMENT OF BYLAWS**

Section 14.1. Amendments

These Bylaws may be amended, repealed, or altered, in whole or in part, and new Bylaws may be adopted by affirmative vote of a majority of Directors at any meeting duly called and at which a quorum is present.

Section 14.2. Construction of Bylaws

- a. Whenever the context so requires, masculine shall include the feminine, the feminine shall include the masculine, and the singular shall include the plural, and conversely.
- b. If any portion of these Bylaws shall be invalid or inoperative, then, so far as is reasonable and possible, the remainder of these Bylaws shall be considered valid and operative; and effect shall be given to the intent manifested by the portion held invalid or in operative.

Section 14.3. Table of Contents

The table of contents and headings used in these Bylaws have been inserted for convenience only and do not constitute matters to be construed in interpretation.

Section 14.4. Savings Clause

Failure of literal or complete compliance with provisions of these Bylaws in respect to dates and times of notice, or sending or receipt of the same, or errors in phraseology or notice of proposals that are not prejudicial, as determined by the Board in its reasonable discretion, shall not invalidate the actions or proceedings.

## **ARTICLE 15 GENERAL PROVISIONS**

### Section 15.1. Books and Records

USAG shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its Board.

### Section 15.2. Corporate Seal

USAG's seal (of which there may be one or more) shall specify the name of the Corporation, "USA Gymnastics, Inc." The seal may be used by impressing or reproducing a facsimile of it, for use on official documents of USAG.

### Section 15.3. Website

USAG will maintain a website, which is currently [usagym.org](http://usagym.org). The website may be changed by USAG from time to time.

### Section 15.4. Inurement of Benefits

No part of the net earnings of USAG shall inure to the benefits of any director of USAG, Officer, or any private individual (except that USAG may pay reasonable compensation for services rendered to or for USAG affecting one or more of its purposes). No director of USAG, officer, or any private individual shall share in the distribution of any of the corporate assets upon dissolution of USAG. No substantial part of the activities of USAG shall be the carrying on of propaganda, or otherwise attempting to influence legislation. USAG shall not participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf on any candidate for public office.

### Section 15.5. Prohibited Purposes

Notwithstanding any other provision of these Bylaws, USAG shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as they may be amended.

### Section 15.6. Dissolution

Upon dissolution of the Corporation, the assets of the Corporation will be distributed exclusively to one or more organizations that would then qualify under the provisions of Section 501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as they may be amended.

### Section 15.7. Arbitration

USAG agrees to submit to binding arbitration conducted under the commercial rules of the American Arbitration Association in any controversy involving (i) the opportunity of

any amateur athlete, coach, trainer, manager, administrator or official to participate in amateur athletic competition under the Ted Stevens Act or the USOPC bylaws; or (ii) its recognition as a National Governing Body, as provided in the Ted Stevens Act.

## **ARTICLE 16 ORGANIZATIONAL COMMITMENTS**

### Section 16.1. Commitments

USAG will develop and implement policies to promote, nurture, and further the following commitments:

- Commitment to Safety: USAG and the Board are committed to creating a culture of safety throughout the sport and within the organizations.
- Commitment to Diversity, Equity, and Inclusion: USAG and the Board desire diversity at all levels, including among its athletes and other members. The Board shall foster norms that favor open discussion and favor the presentation of different views.
- Commitment to Holistic Athlete Development: USAG and the Board are committed to helping athletes develop holistically, so that they can succeed not only in the gym, but in all areas of life.
- Commitment to Integrity and Transparency: USAG and the Board are committed to operating and communicating with integrity and transparency.
- Commitment to Listening: USAG and the Board are committed to listening to the gymnastics community by intentionally seeking feedback and setting the stage for meaningful dialogue in pursuit of improving its operations and the sport of gymnastics.

USA Gymnastics

# SAFE SPORT POLICY

October 2019

USA Gymnastics may update its Safe Sport Policy at any time. Unless otherwise stated, changes are effective immediately upon publication. **The Safe Sport Policy can be found at [www.usagym.org/safesport](http://www.usagym.org/safesport).**



USA GYMNASTICS.



# INTRODUCTION

**T**he 2019 USA Gymnastics Safe Sport Policy defines our organization's framework to ensure the protection of our athletes and professional members. Underpinning our vision is an unwavering commitment to promote a safe, positive and encouraging environment where athletes and members are empowered to pursue their dreams.

Every athlete has the right to participate in a safe place, regardless of whether they are learning a basic skill or representing the United States on the international stage. That is why we are committed to fostering a culture that actively works to prevent the opportunity for abuse to occur. The USA Gymnastics Safe Sport Policy provides a blueprint to reach that aim. The supporting educational materials and initiatives provide the tools for its execution. All of us – athletes, parents, coaches, judges, administrators, meet directors, club owners and the club family – must know the policy and understand its educational components. The safety and well-being of our athletes is dependent upon all of us.

The Policy outlines a three-pronged process to ensure the protection of our athletes and members. Specifically, it stipulates mandatory reporting by all adult members, defines the categories of misconduct, and sets boundaries for interaction between professional and athlete members through the Prevention Policies.

This Policy is the product of a lengthy and collaborative discussion with contributors from across the gymnastics community. Input from the people whom this policy is intended to protect, as well as those charged with its implementation at the club and national levels, helped ensure the terms were not only informed by experience, but also meaningful and legitimate. We thank the members, member clubs, parents, outside experts in the fields of mental health, health care, and youth development, as well as athletes and survivors of abuse, for providing valuable feedback. We are also grateful to the USA Gymnastics Safe Sport Committee (which includes representation from athletes, club owners, coaches and medical and mental health professionals), the Deborah Daniels report, the U.S. Center for SafeSport, and the United States Olympic Committee for their support and guidance in drafting the Policy.

Athletes are the heart and soul of USA Gymnastics. Professional members are the backbone. Member clubs are the foundation. Collectively, we must work together to build a safe environment where athletes can train, compete and thrive. The protection of athletes and members is not just a priority, it is our pledge.

## USA Gymnastics Pledge

USA Gymnastics is committed to an environment of safety by creating these policies for the protection of all members of the gymnastics community. It is our pledge that athletes are able to train and compete with an expectation they will be treated with respect and that all activities are in the best interest of their physiological and psychological welfare.

### Scope of this Policy

These policies apply to all USA Gymnastics Members and Participants. The terms "Member" and "Participant" are defined in the glossary and include, but are not limited to: all professional, instructor, junior instructor, and athlete Members; all Member Clubs; all non-member employees of Member Clubs; all members of USA Gymnastics' committees or task forces; all USA Gymnastics employees and Directors; and all adults, including volunteers and judges, authorized by USA Gymnastics or any Member of USA Gymnastics to interact with athletes. Reporting requirements are mandatory for all adults under USA Gymnastics' jurisdiction. This document presents these policies in five separate areas:

1. Authority and Governance
2. Child Abuse
3. Reporting Prohibited Conduct
4. Prohibited Conduct as defined by the SafeSport Code for the U.S. Olympic and Paralympic Movement
5. Prevention Policies Specific to USA Gymnastics

### Adult Membership Requirements

All USA Gymnastics Participants will promote a safe and healthy environment free from misconduct and abuse. USA Gymnastics Participants are responsible to know these policies and all other applicable USA Gymnastics, United States Olympic Committee, the USA Gymnastics Code of Ethical Conduct, the U.S. Center for SafeSport policies, as well as relevant state and federal law.

New adult professional and instructor applicants will be subject to a 45 day probationary period. During that probationary period, new applicants will not be permitted contact with USA Gymnastics athletes, until they have successfully completed and passed a background check and the U.S. Center for SafeSport Core Course (U-110.) This restriction specifically applies to any competition, training, travel, medical care, or lodging related to USA Gymnastics or its Member Clubs. This policy applies to first time professional and instructor applicants only.

### Member Club Requirements

USA Gymnastics Member Clubs will adopt these policies as a condition of membership. Member Clubs may adopt these policies through publication of their own handbook that contains these policies, or by reference to these policies in their governance documents. These policies do not prevent any Member Club from adopting higher safety standards consistent with state and federal law.

USA Gymnastics reserves the right to audit Member Clubs for compliance with U.S. Gymnastics Safe Sport Policy.

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# GLOSSARY OF TERMS

The definitions below are intended to provide clarity. Many of the terms are defined under federal law or within the U.S. Center for SafeSport's policies. In other cases, USA Gymnastics uses specific defined terms that it believes are necessary to its members guidance. Member Clubs must use these definitions to build their own athlete safety handbook.

**Adult** is any person age 18 years or older; an "adult Participant" is defined by the Protecting Young Victims Act; an "applicable adult" is defined by the U.S. Center for SafeSport's Minor Athlete Abuse Prevention Policies

**Adverse Party** is a person who receives notice of a Formal Complaint, and/or against whom sanctions may be imposed by USA Gymnastics.

**Amateur Athlete** is defined in the Ted Stevens Olympic and Amateur Sports Act as an athlete who meets the eligibility standards established by the national governing body for the sport in which the athlete competes. Therefore, any athlete who meets the eligibility standards for competition within USA Gymnastics governance is considered an amateur athlete.

**Athlete** is any person eligible for competition or participation in a USA Gymnastics Event or any USA Gymnastics Member Club Event who is not a professional member of USA Gymnastics or acting as an instructor or coach. This includes the category of "Amateur Athletes." Please see "event."

**Center or the Center or USCSS** means the U.S. Center for SafeSport, an independent organization with exclusive jurisdiction over the investigation and resolution of sexual misconduct allegations within Olympic sport organizations.

**Child** is defined by the SafeSport Code as "an individual who is, or is perceived by the Respondent to be, under the age of 18."

**Child Abuse** has the meaning established under relevant state or federal law. The federal definition of Child Abuse must be considered at all times, and is defined by the Victims of Child Abuse Act of 1990. Abuse may also be defined by the law of the state in which the behavior occurs.

**Claimant** is the person who is alleged to have experienced conduct that constitutes a SafeSport Code or USA Gymnastics policy violation. See also "Complainant."

**Coach** is a person who is authorized to instruct or train athletes, based on supervisory, evaluative or other authority over that athlete. This includes, but is not limited to, professional members, instructor members, and junior professional members, including volunteers and Member Club employees acting in this capacity. The SafeSport Code states that once a Coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the relationship, regardless of age.

**Code or SafeSport Code** refers to the SafeSport Code for the U.S. Olympic and Paralympic Movement.

**Complaint** is a document alleging an administrative, misconduct or participation violation of USA Gymnastics governance.

**Complainant** is any person who believes themselves to be wronged by any action of a person subject to the jurisdiction of USA Gymnastics. See also "Claimant." For the avoidance of doubt, USA Gymnastics accepts third-party complaints.

**Corporation** means USA Gymnastics.

**Covered Individual** is as defined by the Protecting Young Victims and SafeSport Authorization Act of 2017, covered individuals are persons required by federal law to report Child Abuse to legal authorities, and abuse of amateur athletes to the United States Center for SafeSport. Any Covered Individual must report as required by federal law, in addition to any obligation to report under relevant state law. A Covered Individual includes, but is not necessarily limited to, any person authorized by USA Gymnastics, a USA Gymnastics Member Club or a Member of USA Gymnastics to interact with a minor or Amateur Athlete at an amateur sports organization facility, or Event as defined by federal law or this policy, including those sanctioned by USA Gymnastics, its Member Clubs, or its members.

Please see "Event" and "Participants" for further explanation.

# GLOSSARY OF TERMS

**Discovery** is an exchange of information between parties involved in litigation, arbitration, or the hearing panel process established by USA Gymnastics governance.

**Event** as defined by the Protecting Young Victims and SafeSport Authorization Act of 2017, includes any of the following activities sanctioned by USA Gymnastics, Member Clubs or USA Gymnastics Members, or related to those activities:

1. Travel;
2. Lodging;
3. Training (practice;)
4. Competition;
5. Health or medical treatment.

**Federal Child Abuse Definitions.** Covered individuals must comply with federal Child Abuse reporting standards. Terms relevant to those standards include:

1. "Child Abuse" means the physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child;
2. "Physical injury" includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe bruising or serious bodily harm;
3. "Mental injury" means harm to a child's psychological or intellectual functioning, which may be exhibited by severe anxiety, depression, withdrawal or outward aggressive behavior, or a combination of those behaviors. This harm demonstrated by a change in behavior, emotional response or cognition;
4. "Sexual abuse" includes the employment, use, persuasion, inducement, enticement or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children;
5. "Sexually explicit conduct" refers to actual or simulated sexual conduct;
6. "Exploitation" means child pornography or child prostitution;
7. "Negligent treatment" means the failure to provide, for reasons other than poverty, adequate food, clothing, shelter, or medical care so as to seriously endanger the physical health of the child.

**Formal Complaint** is a document that provides notice to a responding person or party when the hearing panel procedure is formally initiated with respect to that responding person or party.

**Green Light/Red Light** is a system used by the National Center for Safety Initiatives and USA Gymnastics to determine whether a Member or potential member has met background screening criteria.

**Hearing Panel** is defined in USA Gymnastics Bylaws Article 10.9 as three (3) disinterested individuals assigned by the chair of the Ethics and Grievance Committee to review and decide any matter requiring a hearing.

**Jurisdiction** is the ability to enforce applicable policies including USA Gymnastics Code of Ethical Conduct, bylaws, governance of USA Gymnastics, the policies of the U.S. Center for SafeSport and/or the SafeSport Code for the U.S. Olympic and Paralympic Movement.

**Member** is anyone who has agreed to terms of membership or who has a USA Gymnastics membership, including all professional, instructor, junior instructor, and athlete members.

**Member Club** is any Club Member of USA Gymnastics as described in the USA Gymnastics Bylaws. A Member Club is subject to requirements under the code for a "Local Affiliated Organization."

**Merit** is the criteria for determining if a complaint qualifies as a Safe Sport grievance.

**Minor** is defined by the SafeSport Code as "an individual who is, or is perceived by the Respondent to be, under the age of 18."

**Participant** is any person who is seeking to be, currently is, or was a member of USA Gymnastics; any person who is a "Covered Individual" under the Protecting Young Victim's Act and SafeSport Authorization Act of 2017; or any person who is a "Participant" under the Code. This includes, but is not limited to, the following persons: all non-member employees of Member Clubs; all members of USA Gymnastics' committees or task forces;

## GLOSSARY OF TERMS

all USA Gymnastics employees and Directors; and all adults, including volunteers and judges, authorized by USA Gymnastics or any Member of USA Gymnastics to interact with athletes.

**Participating Adult** is any participant age 18 or older. Minor Athletes who become 18 or older; a participating adult as defined by the Protecting Young Victims Act; an “Applicable Adult” as defined by the U.S. Center for SafeSport’s Minor Athlete Abuse Prevention Policies.

**Power Imbalance** as defined by the SafeSport Code exists where, “based on the totality of the circumstances, one person has supervisory, evaluative, or other authority over another.” A Power Imbalance is presumed to exist through the duration of a Coach-Athlete relationship. For factors used to determine if a Power Imbalance exists, please see the Code section VIII(K), “Power Imbalance.”

**Preponderance of the Evidence** is a standard of proof under which a conclusion is more than 50% likely to be true or “more likely to be true than not.”

**Public Finding** is defined in USA Gymnastics Bylaws Article 10.14. When the discipline imposed is suspension, restrictions on membership, or permanent ineligibility, USA Gymnastics may

publish the name, state and/or Member Club, and with respect to decisions of permanent ineligibility rendered after the adoption of the Section 10.14, which of the Corporation’s Bylaws, rules, regulations or polices was violated.

**Reporter** or **Reporting Party** is a person who files a grievance or similar report with USA Gymnastics.

**Responding Party / Respondent** is a Participant who is alleged to have violated the SafeSport Code or other USA Gymnastics policy. See also “Adverse Party.”

**Safe Sport Authorization Act** shall refer to the “Protecting Young Victims from Sexual abuse and Safe Sport Authorization Act of 2017.”

**Sexual Conduct** is defined by the SafeSport Code as any conduct of a sexual nature—including actions, spoken or written language, and/or visual materials—that specifically refer to, portray, or otherwise involve sexual activity.

**Third Party Report** is a report brought by an individual other than the Claimant. The person making the report is a “third-party reporter.”

# I. AUTHORITY AND GOVERNANCE

## Adoption of the SafeSport Code and Recognition of the U.S. Center for SafeSport's Authority

USA Gymnastics adopts the SafeSport Code and recognizes the authority of the Center as established under both the bylaws of the U.S. Olympic Committee and the Protecting Young Victims and Safe Sport Authorization Act of 2017.

Modifications to the USA Gymnastics Safe Sport Policy will be available on the USA Gymnastics website and are effective upon publication.

It is a violation of both the SafeSport Code and USA Gymnastics Safe Sport Policies for a Participant to engage in or allow (1) Prohibited Conduct as outlined; (2) any relevant conduct that violates any previous standard similar to Prohibited Conduct; or (3) any conduct that violates community standards that existed at the time of the reported conduct, such as criminal or civil laws.

USA Gymnastics will offer annual training to Minor Athletes regarding prevention and reporting of Child Abuse, as required by the Center. Attendance at this training will require parental or legal guardian consent.

## The U.S. Center for SafeSport: Exclusive Jurisdiction

The Center has exclusive Jurisdiction to investigate and resolve the following matters:

1. Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct;
2. Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct;
3. Misconduct related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
4. Aiding and Abetting, when it relates to the Center's process;
5. Misconduct related to the Center's process;
6. Other Inappropriate Conduct, as defined in the Code.

.....  
**USA Gymnastics Participants must report any matter within the Center's exclusive Jurisdiction directly to the Center.**  
.....

USA Gymnastics' authority to impose interim measures is provided by the [Safe Sport Authorization](#).

## USA Gymnastics' Jurisdiction

USA Gymnastics' Jurisdiction covers any Member and any Adult authorized by an Adult subject to USA Gymnastics jurisdiction, to have regular contact or authority over athletes at any of the following USA Gymnastics or Member Club activities:

1. Sanctioned meets or activities;
2. Training activities;
3. Travel;
4. Lodging;
5. Medical treatment, provided at any event listed above.

# I. AUTHORITY AND GOVERNANCE

## Permanently Ineligible and Suspended Member Policy

USA Gymnastics publishes a list of persons declared permanently ineligible for membership in USA Gymnastics, and a separate list of both suspended and restricted persons.

The U.S. Center for SafeSport publishes a searchable database. This database includes all persons declared by the Center to be ineligible for participation, and all person's subject to sanctions by the Center, including suspension or restricted conduct.

Adults who knowingly violate any term published by USA Gymnastics or the Center will be subject to sanctions. (See Aiding and Abetting below).

A Member Club will be subject to termination of Member Club status when it knowingly employs or associates in any way with a person listed as "ineligible" by USA Gymnastics or the Center, a person listed as a sex offender on a sex offender registry, or a person declared to be a sex offender by state or federal law.

## Additional Resources

U.S. Center for SafeSport searchable database:  
<https://uscenterforsafesport.org/response-and-resolution/disciplinary-database/>

Persons declared permanently ineligible by USA Gymnastics: [https://usagym.org/page/permanently\\_ineligible\\_members](https://usagym.org/page/permanently_ineligible_members)

Persons restricted by USCSS or USA Gymnastics Interim measures: [https://usagym.org/pages/aboutus/pages/suspended\\_members.html](https://usagym.org/pages/aboutus/pages/suspended_members.html)

Sexual offender registries may be found here: <https://www.fbi.gov/scams-and-safety/sex-offender-registry>

## II. CHILD ABUSE

### USA Gymnastics Child Abuse Reporting Policy

Any adult under USA Gymnastics' Jurisdiction must report Child Abuse immediately. This requirement begins when an adult learns of facts that give reason to suspect any child has suffered an incident of Child Abuse or that adult is informed of an allegation of Child Abuse. Reports must be made immediately both to relevant government agencies and the Center.

If an individual is unsure about reporting, they should seek guidance from the local police department, department of child services or child advocacy center. These authorities will understand the law in their jurisdiction.

.....  
**Child Abuse, and the failure to report Child Abuse, are both Prohibited Conduct under the SafeSport Code.**  
.....

Any adult identified as a "Participant" or "Covered Individual" in the glossary must follow this policy. Any adult identified as a "participant" by the SafeSport Code for the U.S. Olympic and Paralympic Movement, or "covered individual" under federal act, will also have a duty to report Child Abuse.

The term "child" is not limited to athletes and includes any child.

The term "Child Abuse" is defined in the glossary. Please also see the glossary under "Federal Child Abuse Definitions" and <https://www.childwelfare.gov/topics/responding/reporting/> for more details on these standards.

It is each person's obligation to understand and comply with state and federal law.

**For state-  
by-state  
information  
on reporting  
Child Abuse:  
[www.childwelfare.gov/  
topics/systemwide/  
laws-policies/can/reporting](https://www.childwelfare.gov/topics/systemwide/laws-policies/can/reporting)**

# III. REPORTING PROHIBITED CONDUCT OTHER THAN CHILD ABUSE

## Duty to Report Prohibited Conduct

Participating Adults must report all sexual misconduct to the Center immediately upon learning of the misconduct. Participating Adults must also report sexual misconduct to the authorities if it is required by relevant state or federal law.

.....

**Reports of sexual abuse or sexual misconduct must be made immediately. No one should investigate or attempt to evaluate the credibility or validity of such reports.**

.....

### Participating adults must:

- a. Report Possible sexual misconduct to the Center when they become aware of it.
- b. Report Possible non-sexual misconduct to USA Gymnastics when they become aware of it.
- c. Report Any criminal charges or “dispositions” involving sex or kids to the Center, including anything but a “not guilty” finding.
- d. Supplement their report when they learn new information.
- e. If a Participating Adult does not Report when they should, they violate the SafeSport Code and the USA Gymnastics Policy.

**USA GYMNASTICS ACCEPTS ANONYMOUS REPORTS.**

## Reporting to the Center

- Any matter subject to the Center’s exclusive Jurisdiction must be reported directly to the Center, in a timely manner. The Center will also accept any report.
- Reports may be made to the Center as follows:
  - a. Through the U.S. Center for SafeSport’s online reporting form, [www.uscenterforsafesport.org](http://www.uscenterforsafesport.org).
  - b. By telephone at 720.531.0340 during regular business hours (Monday-Friday, 9:00 AM– 5:00 PM MT).
- Reports to the Center must include:
  - a. All information known to the party, including the names of witnesses, third parties and persons affected by the misconduct or abuse; and
  - b. Identifying information of any person potentially affected by the misconduct or abuse.

## Reporting to USA Gymnastics

1. Any matter not subject to the exclusive Jurisdiction of the Center may be reported directly to USA Gymnastics.
2. Reports may be made to USA Gymnastics as follows:
  - a. [www.usagym.org/safesport](http://www.usagym.org/safesport)
  - b. 800.345.4719
3. Reports made to USA Gymnastics involving prohibited conduct must include:
  - a. All information known to the reporting party;
  - b. Identifying information of any person potentially affected by the prohibited conduct; and
  - c. Any information the reporting party learns about the matter after reporting initially, including the names of witnesses, third parties and persons affected by the prohibited conduct.

# IV. SUMMARY OF PROHIBITED CONDUCT

## The following is a summary of Prohibited Conduct defined by the SafeSport Code.

### Sexual Misconduct

Sexual Misconduct must always be reported to the Center. Sexual Misconduct includes:

- a. Sexual Contact with a Minor;
- b. Sexual or Gender-related Harassment;
- c. Non-consensual Sexual Contact;
- d. Non-consensual Sexual Intercourse;
- e. Sexual Exploitation;
- f. Bullying or hazing, or other inappropriate conduct of a sexual nature.
- g. Other Inappropriate Conduct
  - Engaging in an intimate or romantic relationship when a Power Imbalance exists.
  - Intentionally exposing a minor to imagery of a sexual nature.
  - Intentionally exposing or inducing another to expose breasts, buttocks, groin or genitals to a minor, or to an Adult where there is a Power Imbalance.
  - A Participating Adult violates the Code by engaging in inappropriate physical contact with a Participant where there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally:
    - touching, slapping, or otherwise contacting the buttocks or genitals of a Participant;
    - excessively touching or hugging a Participant;
    - kissing a Participant.

### Emotional Misconduct

Emotional misconduct includes verbal acts that repeatedly and excessively verbally attack someone personally in a manner that serves no productive training or motivational purpose.

Physical acts that are repeated and/or severe.

Acts that deny attention or support by ignoring or isolating a person for extended periods of time, including routine or arbitrary exclusion from practice/training.

Any similar act prohibited by law.

### Physical Misconduct

Any intentional behavior that causes or reasonably threatens to cause physical harm to another person.

This includes the following:

- a. Contact violations
  - Physical contact with another person by body or object.
  - Encouraging or knowingly permitting an athlete to return to play prematurely following a serious injury and without clearance of a medical professional.
  - Non-contact violations
  - Confinement or isolation.
  - Painful stances or positions.
  - Actions interfering with hydration, nutrition, food or sleep.
  - Illegal provision of drugs or alcohol.
- b. Other similar acts prohibited by law.

### Stalking

Purposefully engaging in a course of conduct directed at a specific person, knowing that the cause of conduct would cause a reasonable person to fear for his/her safety, the safety of a third person, or to experience significant mental suffering or anguish.

### Bullying Behavior

Repeated and/or severe behavior(s) of any kind that are aggressive, directed at a Minor, and intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually.

### Hazing

Any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, humiliate, degrade or intimidate the person as a condition of joining or being socially accepted by a group, team, or organization.

### Harassment

Repeated and/or severe conduct that:

- a. causes fear, humiliation or annoyance;
- b. offends or degrades;
- c. creates a hostile environment (as defined in the SafeSport Code);
- d. reflects discriminatory bias in an attempt to establish dominance, superiority or power over an individual or group based on age, race, ethnicity, culture, religion, national origin, or mental or physical disability; or

## IV. SUMMARY OF MISCONDUCT

- e. any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

### **Aiding and Abetting**

Knowingly facilitating, promoting or encouraging the commission of Prohibited Conduct by a Participant.

Knowingly facilitating, promoting or encouraging a violation of any restrictive measure placed on membership or participation by either USA Gymnastics or the Center, including without limitation, suspension, ineligibility, interim measures, restrictions imposed per USA Gymnastics Bylaws or similar measures is prohibited.

This includes, without limitation, knowingly facilitating, promoting or encouraging any of the following, if it would violate a restrictive measure:

- a. Any association or affiliation with USA Gymnastics events;
- b. Coaching or providing any coaching-related advice or service to any Member of any USA Gymnastics Member Club or USA Gymnastics;
- c. Ownership interest in any USA Gymnastics Member Club or affiliated entity.

### **Misconduct Related to Reporting: Failure to Report.**

Sexual Misconduct or Child Abuse must be reported to the Center and/or law enforcement consistent with the Code, these policies and relevant law.

Prohibited Conduct must be reported to either USA Gymnastics or the Center.

Failure to report these matters is misconduct under the SafeSport Code.

### **Misconduct Related to Reporting: Intentionally Filing a False Allegation**

Any person making a knowingly false allegation in a matter over which the Center or USA Gymnastics has Jurisdiction, shall be subject to disciplinary action by the responsible entity.

An allegation is false if it is proven that the events reported did not occur and the person made the report knowing the reported events did not occur.

A “false allegation” does not include a report where supporting evidence is insufficient to determine if the reported events are true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a SafeSport Code violation.

Any good faith report of Child Abuse is not considered a False Allegation.

### **Misconduct Related to Process: Abuse of Process**

It is misconduct under the Code to engage in any of the following directly, or to involve another in any of the following on behalf of a person subject to the Center’s or USA Gymnastics’ process:

- a. falsifying, distorting or misrepresenting information, the resolution process or an outcome;
- b. destroying or concealing information;
- c. attempting to discourage an individual’s proper participation in or use of the Center (or USA Gymnastics) processes;
- d. harassing or intimidating (verbally or physically) any person involved in the Center’s or the USA Gymnastics’ processes before, during and/or following proceedings (including up to, through and after any review by an arbitrator);
- e. publicly disclosing a Claimant’s identifying information;
- f. failing to comply with a temporary measure or other sanction;
- g. distributing or otherwise publicizing materials created or produced during an investigation or arbitration as a part of these policies or procedures, except as required by law or as expressly permitted by the Center; or
- h. influencing or attempting to influence another person to commit abuse of process.

### **Misconduct Related to Process: Retaliation**

It is misconduct under the Code to engage in any of the following, or to involve another in any of the following on behalf of a person subject to the U.S. Center’s or USA Gymnastics’ process:

- a. Taking adverse action against any person for making a good faith report of a possible USA Gymnastics Code of Conduct violation to the Center or USA Gymnastics or for participating in any process under the SafeSport Code or this Policy.

# V. USA GYMNASTICS PREVENTION POLICIES

## USA Gymnastics Prevention Policies

Prevention Policies are authorized by the U.S. Center for SafeSport and define gymnastics-specific Prohibited Conduct. A violation of a USA Gymnastics Prevention Policy is a violation of the SafeSport Code, and it must be reported to USA Gymnastics.

Unless a policy is specifically identified as subject to the U.S. Center for SafeSport's exclusive Jurisdiction, a Member Club or Meet Director, may first attempt to address a reported violation of a prevention policy in a manner that resolves the violation without USA Gymnastics intervention. For example, during a meet, a Meet Director may take action to address a Prevention Policy violation in real-time, before reporting that violation to USA Gymnastics. USA Gymnastics reserves the right to take further action in addition to any action taken by the Meet Director. All Prevention Policy violations must be reported to USA Gymnastics.

## One-on-One Interactions

One-on-one contact is defined as interaction between one unrelated Participating Adult and one Minor Athlete.

- Contact is not one-on-one if it is observable and conducted at a distance allowing interruption by another adult.
- One-on-one interactions between unrelated Participating Adults and Minor Athletes is not permitted under any circumstance, except as stated in this policy.
- USA Gymnastics recognizes the following exceptions to the prohibitions against one-on-one contact
  - a. Emergency circumstances, such as fires and medical emergencies.
  - b. Office meetings at a Member Club, only if the door is open, and the meeting is observable and interruptible by another adult. If the subject matter requires a closed door, the minor athlete's parent or legal guardian must be present.
  - c. If the subject matter is confidential and requires a medical or mental health care professional, the parent or guardian must first be involved in selecting and providing legal authorization directly to the professional.

## V. USA GYMNASTICS PREVENTION POLICIES

- Individual training sessions must comply with the One-on-one Policy by being observable and interruptible at all times. A minor's legal guardian must be allowed to attend the individual training session. Written permission must be provided in advance of individual training sessions if the parent cannot attend.
- Meetings with Mental Health Professionals at Member Clubs must comply with the One-on-one Policy without exception.
- Leaving Minor Athletes unattended or unsupervised at USA Gymnastics or Member Club events violates this policy;
- One Adult and one unrelated Minor Athlete alone in a USA Gymnastics Member Club or facility violates this policy.
- Exception: When only one Participating Adult and one unrelated Minor Athlete travel to a competition together, the Minor Athlete must have his/ her legal guardian's written permission in advance for each incidence of travel. Contact between the two should only occur in an observable and interruptible setting. While travelling, the Participating Adult and Minor shall not sit side by side during transport. Additionally, the Minor Athlete's Member Club must comply with the Parental Travel Consent section of this policy.
- Parents and guardians must receive and approve full travel itineraries before permitting any arrangement.
- USA Gymnastics will develop educational materials to identify safety concerns and protocols prior to the start of the 2019-2020 competitive season.



### Travel Policy

Each USA Gymnastics Member Club must publish a travel policy that is consistent to USA Gymnastics Safe Sport Policy and provide it to, at a minimum, all adult gymnasts, parents of minor gymnasts, coaches and all Participating or other Adults traveling with the team. USA Gymnastics strongly recommends that the Member Club obtain a signature by each Adult acknowledging receipt of and agreeing to the travel policy.

#### Local Travel

- The One-on-one Policy always applies, including to daily transportation to and from regular activities (such as training or Member Club events.)
- Absent emergency circumstances, a Participating Adult shall not ride in a vehicle alone with a single unrelated Minor Athlete. A second Minor Athlete or second Adult must always be present.

#### Team Travel

- The One-on-one Policy applies when traveling to Events away from an athlete's Member Club, including organized overnight stay at the event, team meetings and room checks.

### Parental Travel Consent

The U.S. Center for SafeSport Minor Athlete Abuse Prevention Policies contains both mandatory and optional components. As allowed by the optional components, USA Gymnastics has adopted this Parental Travel Consent policy to facilitate participation in the sport.

A Member Club may deviate from the USA Gymnastics Safe Sport Policy and provide "legal guardian consent" options for the limited purpose of airline travel or local travel. The Member Club exercising this option will be responsible to indemnify USA Gymnastics from all liability, and must execute the terms of Addendum A, "Indemnification and Assumption of Responsibility," before facilitating any one-on-one contact between Minor Athletes and unrelated adults.

If, and only if, these terms are fully executed in 100% compliance, will USA Gymnastics allow for this option regarding the prevention policy prohibition on one-on-one contact between an unrelated adult and a Minor Athlete. Failure to fully execute the terms of the "Indemnification and Assumption of Responsibility" will jeopardize the Member Club's member status, as well as the persons responsible for any intentional, reckless or material failure of those terms. Misconduct, ethical, or similar concerns are not exempt from the Safe Sport process under any condition.

## V. USA GYMNASTICS PREVENTION POLICIES

**USA Gymnastics will not tolerate or recognize any other form of one-on-one contact between unrelated Adults and Minor Athletes under any circumstances, except as explicitly permitted by the policy.**

### Hotel Rooms

- When athletes share rooms, they must be of the same gender, and of an age difference consistent with the Minor Athletes who become Adult Athletes Policy. An appropriate number of athletes will be assigned per room depending on accommodations.
- The Minor Athletes who become Adult Athletes exception allows adult athletes to room with Minor Athletes under certain circumstances. This is permitted only if:
  - a. allowed by applicable state and federal law;
  - b. allowed by hotel/lodging policy; and
  - c. all terms of this policy are satisfied.
- The minor athlete, their parent or legal guardian, and the adult athlete must be notified in writing before travel. The minor athlete, their parent or guardian or the adult athlete must agree in writing and may refuse this arrangement without explanation. A refusal by any party must be honored without exception.
- Athletes are permitted to make and receive regular check-in telephone calls to and from legal guardians/parents. Team personnel will allow any calls that do not interfere with team events, such as training sessions or meetings. Emergency calls will be permitted regardless of team schedule or events.
- Participating Adults who travel with USA Gymnastics must successfully pass a criminal background check and complete the U110 SafeSport Core Training Course.
- All persons must comply with United States Olympic Committee protocols when applicable.

### Best Practice Recommendations for Member Clubs

- Member Clubs should review travel education materials with parents and athletes before travel.
- Meetings should not be conducted in a hotel room.

- If the Member Club chooses to have any Adult provide transportation while travelling with the team, that Adult must be appropriately insured and legally authorized to drive.
- Adult pay-per-view channel access should be blocked for athlete rooms.
- Family members are encouraged to stay in the team hotel but must be informed of their obligations to report abuse under the Protecting Young Victims Act of 2017.
- Contact information for all adult team personnel should be provided to parents/guardians prior to travel.
- Specific travel itineraries should be distributed to parents/guardians once available, but not shared with any person outside of the team or families.

**Participating Adults shall not share a hotel room or other sleeping arrangement with an unrelated Minor Athlete.**



### Social Media and Electronic Communications

All electronic communication, including social media contact, must comply with the One-on-one Policy.

- All electronic communication must be professional in nature.
- Private communication from a minor in violation of the One-on-one Policy must be brought to the parent or guardian's attention before responding. Future communications must include a third party, following notice to the parent.
- Electronic communications to an entire team must include at least one other participating adult if any team member is a minor.
- A parent or guardian may request in writing that a minor not be contacted through electronic communications. Requests that a minor not be contacted electronically must be honored.
- Any private or public direct communication between adults and minors involving the following is prohibited and must be reported:
  - a. drug or alcohol use;
  - b. sexual content; or
  - c. explicit content.

## V. USA GYMNASTICS PREVENTION POLICIES

- Participating Adults are not permitted to maintain private social media connections with unrelated Minor Athletes. All such existing connections must be discontinued by the Participating Adult if they violate this policy.
- Note: Public fan pages are excluded from these restrictions. Private messaging to Minor Athletes is not excluded.

### Best Practice Recommendations for Member Clubs

- Publish a Social Media and Electronic Communications Policy unique to their Member Club and circumstances;
- Send electronic communications to their Members only between the hours of 8:00 a.m. and 8:00 p.m., excepting travel, competition or emergency circumstances.
- Be mindful of social media messaging and content.



### Photography/Videography

Photographs or videos of athletes must be taken in public view, observe generally accepted standards of decency, and must

appropriately serve the best interest of the athlete.

- An Athlete (or a legal guardian of a Minor Athlete) may request that their photograph be removed from display, posting or publication.
- An Athlete (or legal guardian of a Minor Athlete) may request that the athlete's picture not be taken.
- Failure to take reasonable efforts to satisfy either request may constitute a violation of this policy.
- Meet Directors may enforce these policies in the context of a meet. USA Gymnastics reserves the right to take additional action.
- Member Clubs may set guidelines for the taking of photographs and video by parents while in their facility.



### Locker Rooms/Changing Areas

The One-on-one Policy applies at all times, including locker rooms, changing areas, and restrooms.

- Adults should not be alone in a locker room with an unrelated minor.

- If a venue allows for specifically designated "athlete exclusive areas" for athlete use, and if "athlete designated areas" are established, then this policy will be enforced only in those areas.
- If a facility does not allow for "athlete designated areas," the One-on-one Policy applies to all locker rooms and changing areas within the facility.
- Adults are not permitted to be alone with an unrelated Minor Athlete in a locker room or changing area, except under emergency circumstances, or as permitted under the Minor Athletes who become Adult Athletes Policy.
- Recording of any kind is prohibited in locker rooms, rest rooms, changing areas or similar spaces. This includes voice recording, still cameras, and video recording.
- Adults shall not expose their breasts, buttocks, groin or genitals to a Minor Athlete at any time. This prohibition does not apply to a nursing mother.
- Locker rooms or designated changing areas should be regularly and randomly monitored at any facility in use for purposes of a USA Gymnastics event or Member Club event.
- Member Clubs are encouraged to post locker room policies specific to their facility



### Gifting

Personal gifts are not permitted to be given to athletes by Participating Adults, as it is a violation of the One-on-one Policy.

- Member Clubs may set their own guidelines for a reward system that equally applies to all eligible athletes. Gifts must serve a legitimate motivational, inspirational or educational purpose. The reward system must be:
  - a. set by the Member Club administration;
  - b. clearly defined for the coaches and parents;
  - c. accessible to all individual members in a group or team;
  - d. given without conditions or restrictions regarding the relationship between the athlete and Member Club; and
  - e. given in the presence of at least one other Adult Member and within guidelines set by the Member Club.

## V. USA GYMNASTICS PREVENTION POLICIES



### Massaging/Icing/Taping

#### Massaging

- Participating Adults are not permitted to provide massages to athletes, beyond immediate pain mitigation on the competition or training floor.
- Member Clubs must develop and publish a massaging policy before providing massaging services in the Member Club.
- A Member Club's policy must include the following:
  - a. All massages must be performed in an open and interruptible location.
  - b. Written consent from the athlete and a legal guardian (in the case of a Minor Athlete) is required before any treatment. The consent form must include the following, and be presented and explained to the athlete and/or parent or guardian before it is signed.
    - A detailed treatment plan including specific areas and method of treatment;
    - An absolute right for the athlete and Parent/Guardian to stop the treatment without explanation; and
    - A second adult with a full unobstructed view of the treatment will be present at all times.
  - c. Any deviation from the treatment plan must be approved before implementation.
  - d. Any contact with genitalia, breast or buttocks is explicitly forbidden, and must be reported to legal authorities and the Center.
  - e. A method of reporting any deviation from the treatment plan or any other aspect of this policy.

#### Icing and Taping

- Icing or taping of the breasts, buttocks or genitalia of an athlete by an unrelated Adult is expressly forbidden and should be reported.
- If ice must be applied to these areas, the athlete must self-apply the ice.

- Parents and guardians must be consulted prior to taping, beyond immediate first aid, and both the athlete and the guardian must consent to the process.



### Stretching and Other Physical Contact

- This policy addresses frequent and/or intentional physical contact that erodes the professional athlete/coach relationship.
- Participants should take care to prevent and avoid any compromising positions while stretching or closely interacting with athletes, including, but not limited to:
  - a. laying or sitting on top of the athlete;
  - b. facing and being in close proximity to an athlete in a static straddle or similar position;
  - c. having the athlete sit in the participant's lap.



### Alcohol and Drug Use

- Any adult authorized to interact with Minor Athletes is expressly forbidden from engaging in any of the following while under the influence of drugs or alcohol, regardless of level of impairment or intoxication:
- Instructing or spotting athletes;
  - Being present on the competition floor;
  - Overnight team travel in the presence of athletes; or
  - Transporting athletes;
    - a. USA Gymnastics Members and other Participating Adults are also expressly forbidden from interacting with Minor Athletes while impaired by the use of drug or alcohol.
    - b. "Impairment" and "under the influence of" drugs or alcohol may be determined by observable behavior and conditions along with other relevant considerations.

**Xcel, Junior Olympic, Olympic Games, Pan American Games, and similar competitive delegations must apply to the Center for variances from Prevention Policies if necessitated by the limitations of competition or international travel.**

## V. USA GYMNASTICS PREVENTION POLICIES

- c. Deference will be given to the good faith opinions of Meet Directors and other Participating Adults who intervene when they have identified a safety concern.
- d. Member Clubs may establish prescription or over-the-counter-medication policies as allowed by law.

### Access to Training Sessions

All Member Clubs must permit all parents and guardians access to training sessions.

- Access may include sitting areas, in person viewing options, closed-circuit broadcast (including audio) or similar methods of viewing.
- Each training session must be accessible to at least a portion of the Member Club's parents and guardians (subject to space and safety limitations.)
- All Members, Participants and parents will respect the coach-athlete relationship and should not interrupt training sessions, absent a belief that misconduct is occurring.
- Member Clubs may set parameters for appropriate viewing behavior.
- Member Clubs may not prohibit a specific parent or guardian from physical access without fair notice and process. The Member Club must provide a reasonable alternative for that parent or guardian to view their athlete's training sessions.

### Member and Member Club Responsibilities

USA Gymnastics Members must self-report charges or indictments for any offense that, if it resulted in a conviction, would violate the USA Gymnastics Red Light policy.

USA Gymnastics Red Light Policy is available here. <https://usagym.org/PDFs/Member%20Services/BackgroundCheckPolicy.pdf>

As Covered Individuals, all adults having "authority over" or interacting with Minor Athletes "on a regular basis" must successfully complete the U110 SafeSport Core Training Course. Member Clubs must ensure that all non-member employees with any athlete contact will complete this training annually.

### Illegal and Unethical Sexual Misconduct

- Any sexual act or conduct prohibited by state or federal law is also a violation of this policy if the act or conduct involves any USA Gymnastics Member, Participant or Event.
- Any act violating the USA Gymnastics Code of Ethical Conduct that involves a sexual act, conduct, or component, is a violation of this Safe Sport policy.
- USA Gymnastics Members may not engage in intimate relationships with an Athlete they currently coach, regardless of that athlete's age.
- Illegal and Unethical Sexual Misconduct as described in this policy is subject to the Center's Exclusive Jurisdiction and will be referred to the Center for resolution.

### Minor Athletes Who Become Adult Athletes

With the exception of athletes who are members of the same team, Minor Athletes who reach the age of majority (i.e. 18 years of age) must adhere to the provisions found in the Center Minor Athlete Abuse Prevention Policies when interacting with Minor Athletes who are 14 years of age or younger. For example, an 18-year-old amateur athlete may room with a 16-year-old amateur athlete, but that same 18-year-old amateur athlete may not room with a 13-year-old amateur athlete.

However, Minor Athletes who reach the age of majority and then obtain a position of authority that presents a Power Imbalance (please see glossary), such as becoming a coach or official, must also comply with these Prevention Policies regardless of the age of the Minor Athletes with whom they interact.

## FIND USA GYMNASTICS ON THE WEB

 [usagym.org](http://usagym.org) • [usagym.org/safesport](http://usagym.org/safesport)

## FOLLOW US ON SOCIAL MEDIA

 Twitter: [@usagym](https://twitter.com/usagym) • [@usagymsafesport](https://twitter.com/usagymsafesport)

 Facebook: [USA Gymnastics](https://www.facebook.com/USAGymnastics) • [Member Services](https://www.facebook.com/USAGymnasticsMemberServices)

## CONTACT US WITH QUESTIONS

 [Safesportpolicy@usagym.org](mailto:Safesportpolicy@usagym.org)

 Member Services: 800.345.4719

 Safe Sport Helpline: 833.844.7233



USA GYMNASTICS.

USA Gymnastics Safe Sport

# SAFE SPORT POLICY SNAPSHOT



USA GYMNASTICS.

# INTRODUCTION

**T**he “2019 USA Gymnastics Safe Sport Policy Snapshot” is a top-line summary of the safety and prevention responsibilities for all USA Gymnastics members and individuals participating in USA Gymnastics activities or events. These policies apply to adults who are USA Gymnastics members or authorized by a USA Gymnastics member or member club to participate in any USA Gymnastics event, activity or member club. This overview is intended to provide a quick and easy-to-understand look at the important fundamentals of the policy. Everyone needs to read and become familiar with the Safe Sport Policy in its entirety, because the policy is the official governance document and takes precedence should questions arise.

This Safe Sport Policy is the foundation for rules, policies and responsibilities regarding athlete safety and well-being and the prevention of abuse. The policy requires mandatory reporting; defines misconduct; creates standards that set boundaries between professional and athlete members; establishes a structure for investigation of complaints and their underlying circumstances; and promotes greater accountability and compliance. It also encompasses the requirements of the Center’s SafeSport Code for the U.S. Olympic and Paralympic Movement and the federal law, Protecting Young Victims and Safe Sport Authorization Act of 2017.

Each and every one of us has the same goal-promoting a safe, positive and encouraging environment where athletes and professional members alike can thrive, follow their dreams and enjoy a sense of accomplishment, whether it is learning a basic skill, competing or representing the United States on the international stage.

The 2019 edition of the policy represents a months-long, collective effort, and we appreciate the input, feedback and perspectives provided by former athletes, members, club owners, parents, abuse survivors, and outside experts in mental health, health care, child advocacy and youth development. We also want to thank the members of the USA Gymnastics Safe Sport Committee, which includes coaches, club owners, athletes and medical and mental health professionals, for their work on developing the policy, as well as for guidance from the U.S. Center for SafeSport, the United States Olympic Committee and the Deborah Daniels report.

The safe sport area on the USA Gymnastics website, [usagym.org](http://usagym.org), has additional materials to assist you in learning and understanding the Safe Sport Policy, including frequently asked questions, the Safe Sport Policy, and educational materials and opportunities.

Athlete safety and well-being are the responsibilities of all of us – athletes, parents, coaches, judges, meet directors, club owners and administrators, staff and the community – and we need to work together to foster a safe and positive environment where athletes can train, compete and thrive.



# OUR PLEDGE

USA Gymnastics is committed to fostering a safe, positive and encouraging environment throughout the gymnastics community.

The USA Gymnastics Safe Sport Policy provides the framework of prevention. By recognizing the importance of professional standards, USA Gymnastics is dedicated to education, prevention, and care.

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# DUTY TO REPORT

Any adult under the jurisdiction of USA Gymnastics who becomes aware of an incident of child abuse or sexual misconduct involving a minor must immediately report the incident to law enforcement and the U.S Center for SafeSport.

## WHO TO CONTACT



### Local Authorities

*All instances of the below must be reported to law enforcement:*

- Child abuse
- Sexual abuse or criminal activities involving a minor



U.S. CENTER FOR  
SAFESPORT™

- Child abuse
- Any sexual misconduct
- Sexual harassment
- Grooming



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- [Emotional misconduct](#)
- [Bullying](#)
- [Hazing](#)
- [Physical misconduct](#)
- Retaliation related to Safe Sport
- [Prevention Policy violations](#)



### Gymnastics Club

- Gym cleanliness
- Equipment issues
- Financial disputes
- Scores
- Competitive progression concerns
- Employment disputes

# JURISDICTION



## U.S. Center for SafeSport Jurisdiction

The U.S. Center for SafeSport (“Center”) is an independent, national non-profit organization that has the exclusive authority to investigate and resolve possible violations of the SafeSport Code for the U.S. Olympic and Paralympic Movement involving sexual misconduct. The Center also provides education and training to promote respect and prevent abuse in sport.

USA Gymnastics and its members must report any allegations of sexual misconduct and child abuse that they become aware of to the U.S. Center for SafeSport for investigation and resolution.

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**To report sexual misconduct  
to the U.S. Center for SafeSport**



**[uscenterforsafesport.org/  
report-a-concern](https://uscenterforsafesport.org/report-a-concern)**



**720.531.0340**



## USA Gymnastics Jurisdiction

USA Gymnastics has jurisdiction over its member clubs and members, including all adults authorized by USA Gymnastics or a USA Gymnastics member/member club to have regular contact with or authority over minor or amateur athletes. USA Gymnastics handles reports of the other forms of misconduct. Any violation of the SafeSport Code or USA Gymnastics Safe Sport Policy can and should be reported to USA Gymnastics.

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**To report all forms  
of non-sexual misconduct  
to USA Gymnastics Safe Sport**



**[usagym.org/pages/  
education/safesport](https://usagym.org/pages/education/safesport)**



**833.844.7233**

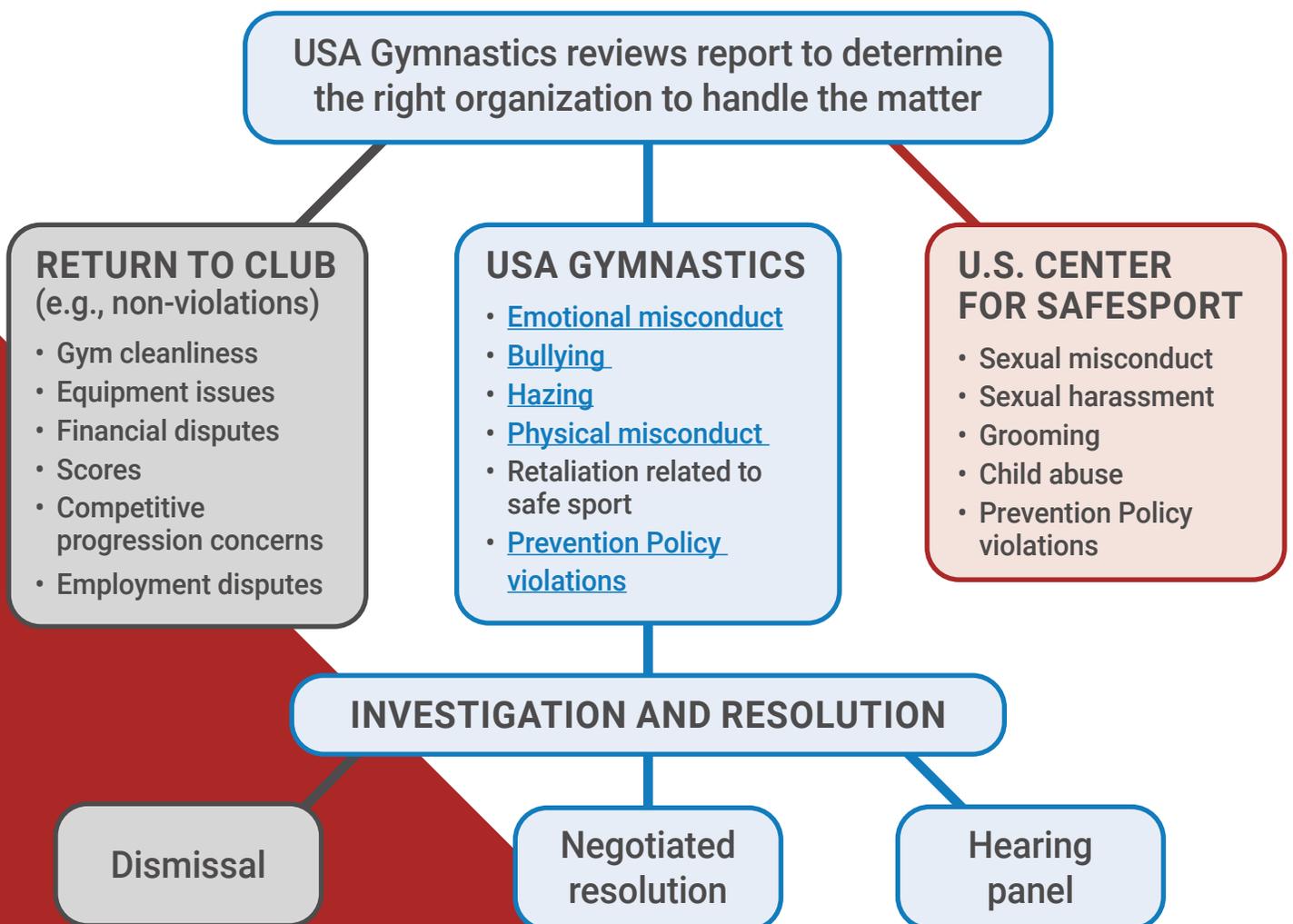
# Making a Report to USA Gymnastics

All USA Gymnastics professional members, athletes and parents play important roles in fostering a safe, positive and encouraging environment for all members, which includes reporting suspected misconduct. USA Gymnastics takes every report seriously, and your report matters!

Child abuse in any form, including sexual abuse, must first be reported to local, state or federal authorities before filing reports with USA Gymnastics or the U.S. Center for SafeSport. Reporters should not attempt to conduct their own investigation.

To find your state reporting laws: [childwelfare.gov/topics/systemwide/laws-policies/can/reporting](https://www.childwelfare.gov/topics/systemwide/laws-policies/can/reporting)

## What happens after I make a report to USA Gymnastics?



# TYPES OF MISCONDUCT

## SEXUAL

Sexual misconduct includes sexual conduct without consent, sexual relationships involving a power imbalance, sexual harassment and any attempts to engage in sexual misconduct.

## EMOTIONAL

Repeated and severe non-contact behavior that includes any act or conduct described as emotional abuse under federal or state law. There are three forms of emotional misconduct: verbal, physical, and acts that deny support.

## PHYSICAL

Any intentional contact or non-contact behavior that causes or reasonably threatens to cause physical harm to another person.

## STALKING

Unwanted or repeated surveillance by an individual or group towards another person.

## BULLYING

Behavior that is repetitive and involves an imbalance of power that is aggressive, directed at a minor, and intended to hurt, control or diminish a child/athlete/individual.

## HAZING

Conduct that endangers, abuses, humiliates, degrades or intimidates the person as a condition of joining or being socially accepted by a group/team.

## HARASSMENT

Repeated and severe conduct used in an attempt to cause fear, humiliation or annoyance. Creates a hostile environment, offends, degrades or reflects discriminatory bias.

# MISCONDUCT RELATED TO REPORTING AND PROCESS

Abusing the Safe Sport process is a serious offense and could lead to severe consequences. Misconduct related to reporting and/or the process is dangerous for the gymnastics community.

## RELATED TO REPORTING

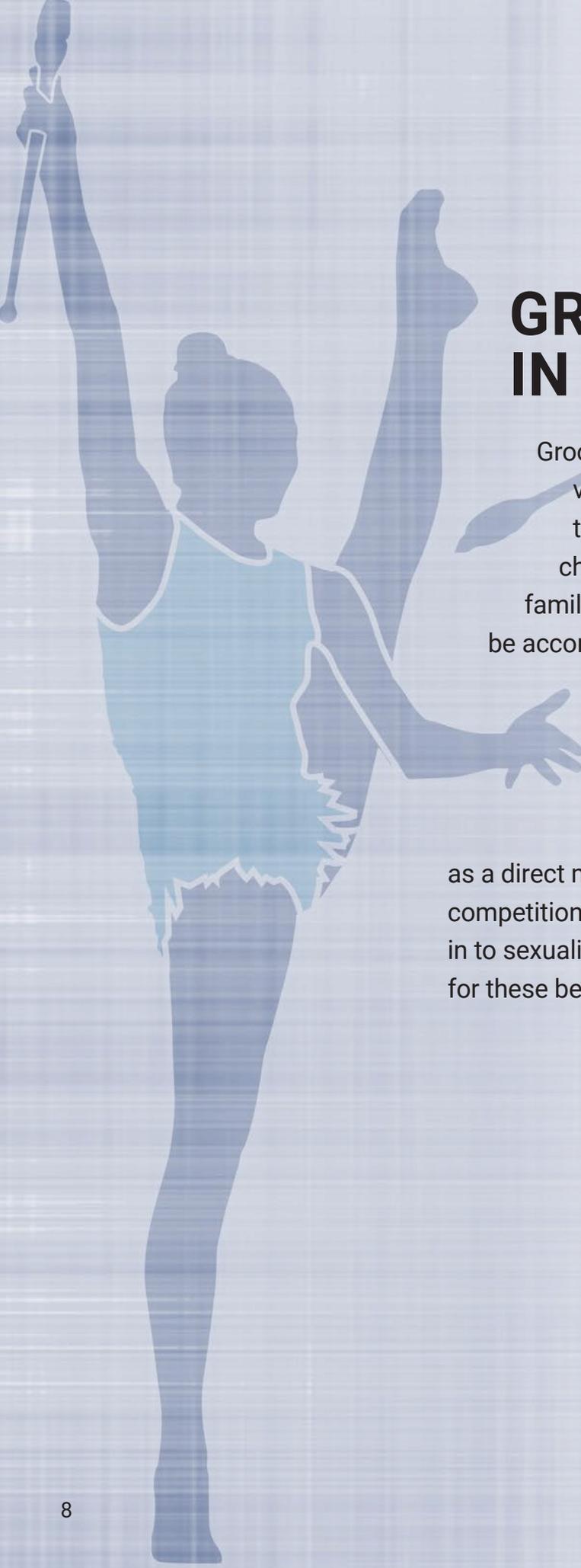
- Failure to report
- Intentionally filing a false allegation

## RELATED TO PROCESS

- Abuse of process
- Retaliation

## AIDING & ABETTING

Knowingly facilitating, promoting or encouraging a violation of any restriction placed on a member or participant by the U.S. Center for SafeSport or USA Gymnastics.



# GROOMING IN SPORT

Grooming is a process where offenders gradually draw victims into a sexual relationship and maintain that relationship in secrecy. A person grooming a child seeks to gain trust with both the child and the family through the process of desensitization. This can be accomplished by offering to take the child home from practice or offering a personal gift, even when that gift is not part of a club's motivational reward system. Those seeking to lure children will often find ways to communicate with the child outside of gymnastics activities, such as a direct message on social media or during travel for a competition. The grooming process is a way of luring a child in to sexualizing the relationship. It's up to all of us to watch for these behaviors.

# A CLOSER LOOK AT THE TYPES OF MISCONDUCT

**SEXUAL** | Sexual misconduct and sexual abuse are examples of some of the most damaging power one person can hold over another. The reasons athletes stay silent and/or are afraid to speak up are many, from fear of retaliation to not being believed. The effects of sexual misconduct can range in severity from physical symptoms of eating disorders, changes in sleep patterns and increased startled response, to emotional effects including depression, anxiety, guilt, fear and self-blame. Sexual abuse can happen to both girls and boys. If you are told about abuse, you should listen, believe and report immediately.

## Sexual misconduct offenses includes:

- Any sexual conduct between an adult and a minor;
- Gender or sexual orientation harassment;
- Non-consensual sexual contact;
- Sexual exploitation;
- Sexualized bullying or hazing;
- A coach asking about an athlete's sex life or discussing his or her sex life with an athlete;
- Sending or requesting nude photos;
- Exposing athletes to pornographic materials.

**Believe the Athlete**

Sexual misconduct is defined as sexual conduct without consent, sexual relationships involving a power imbalance, sexual relations with a minor, and sexual harassment, among others.

All sexual contact between a coach and athlete, regardless of age, is strictly prohibited.

Sexual misconduct is not limited to sexual contact between a minor and adult and includes any non-consensual sexual contact between two persons.

**EMOTIONAL** | Emotional misconduct is one of the hardest forms of abuse to recognize. It can be subtle and manipulative or overt and blatantly obvious. Athletes who have been emotionally abused will often show signs of depression, loss of interest in gymnastics, anxiety before practice and uncontrollable crying. Emotional misconduct is confusing to describe because abuse is often confused with "tough coaching" and will often have elements of humiliation and embarrassment. It's about power and control.

## Some signs of emotional misconduct:

- Pattern of verbal abuse, such as name calling, yelling, and repeated personal attacks that often start with a negative adjective and "you statements."
  - "You are the **worst** athlete I've ever coached!"
  - "You are **too fat** to ever be successful."
  - "You are **useless**."
- Using language that is discriminatory in nature, such as attacks on gender, race, sexual orientation, religion or body weight.
- Striking or throwing objects to create an environment of fear.
- Deliberate isolation for long periods of time that has no training or motivational purpose.
- Using phrases that are meant to make a victim question his/her own perception of the situation.
  - "You are **too sensitive** to be a good athlete."
  - "You are **such a baby**. Grow up!"
  - "It was a **joke**. You can't take a joke?"

Emotional misconduct is meant to invalidate the opinions, talents or success of an athlete. It may take weeks or months to establish a pattern of behavior, so it's important to listen for words that are meant to degrade, insult and/or single out an individual.

# A CLOSER LOOK AT THE TYPES OF MISCONDUCT *(cont.)*

## PHYSICAL

**Physical abuse in sports is serious and often happens when the intensity of a coach's demands exceed an athlete's abilities.** Physical misconduct is intentional behavior that causes or reasonably threatens physical harm to an athlete and can be identified by contact, non-contact and the absence of athlete care. Physical misconduct can take on many forms, from the obvious to not so obvious, and usually includes elements of emotional abuse and almost always with the intent to humiliate.

### Physical misconduct includes:

- **CONTACT:** Beating, punching, slapping, striking.  
It is never okay for anyone to strike another person in any setting, and there is no approved coaching method in any sport where physical abuse is considered appropriate. If you have been harmed by being hit, slapped or kicked, please contact your local police or legal authorities immediately. You should also file a report with USA Gymnastics Safe Sport.
- **NON-CONTACT:** Confinement; forcing an athlete to assume a painful position for no athletic purpose; denying hydration, medical attention or nutrition.  
Non-contact physical misconduct is difficult to recognize and will often be veiled in the explanation of "tough" coaching practices. It can include isolating an athlete from the rest of the team for an undetermined period of time or denying water as punishment for failing to complete a skill in the correct way. The intent is obedience and the method is through fear.
- **ABSENCE OF ATHLETE CARE:** Encouraging or knowingly permitting an injured athlete to return to practice without clearance by medical professional or parental authority.

In the simplest of terms, this type of misconduct includes the manipulation of a gymnast to train, demanding a gymnast train on an injury against advice of a medical professional, or having an athlete return to training when a medical professional has not approved the return.

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## STALKING

**Stalking is the act of purposefully engaging in a course of conduct directed at a specific person, knowing the conduct would cause a reasonable person to fear for her/his safety.**

### Stalkers often:

- Follow their target and show up unannounced or uninvited;
- Send unwanted gifts, letters or emails;
- Calling or texting repeatedly;
- Drive by their target's home or school.

In gymnastics, a stalker may pursue a gymnast who has left the sport or found a new coach or place to train. Stalking is serious and can escalate over time.

For more information on stalking, please visit the Stalking Resource Center at <https://victimsofcrime.org/our-programs/past-programs/stalking-resource-center/stalking-information>.

# A CLOSER LOOK AT THE TYPES OF MISCONDUCT *(cont.)*

**BULLYING** | **Bullying is an unwanted act that is repeated, intentional and involves a power imbalance.** Bullying can also be seen among adults through workplace bullying and is meant to harm the social standing and career of a colleague. Bullying in gymnastics isn't isolated to any age group and can be found in all levels of gymnastics.

- Bullying is meant to create fear in another person who feels helpless to respond, as well as eliminate the social standing of the targeted individual.
- An act of bullying can be committed by one person or by a group.
- Bullying can include name-calling, ridiculing, lying, and taunting based on gender, sexual orientation, race, religion or disability.

Children who have been bullied often show signs of depression, anxiety, wanting to quit their favorite activity, and fear retaliation if they report to an adult.

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**HAZING** | **Hazing is any situation that intentionally causes humiliation or embarrassment to members trying to gain acceptance from others or a team.** Hazing has often been considered a rite of passage for teammates, where participation in specific initiation activities – like beatings, illegal activities or forced consumption of alcohol – is a requirement for team acceptance. Hazing is considered a crime in most states if it results in bodily harm.

**Here are a few specific examples.**

- Hazing is any conduct that endangers, abuses, humiliates, degrades or intimidates a person as a condition of joining or being socially accepted by a team.
  - Contact acts – tying, taping or otherwise physically restraining another person.
  - Non-contact acts – forcing consumption of alcohol or illegal drugs, personal servitude, excessive training requirements.
- 

**HARASSMENT** | **Harassment demeans or embarrasses a person and is intended to make him/her feel uncomfortable and fear losing his/her job if he/she isn't compliant with the harasser's desires.** Harassment can include inappropriate types of touching and verbal or written remarks.

- Harassment involves repeated attempts to establish dominance, superiority over an individual or group.
- Determining if conduct is harassment depends on the totality of the circumstances, including the nature, frequency, intensity, location, context and duration of the behavior.
- Conduct may not rise to the level of harassment if it is rude, mean or saying something hurtful that is not a part of a behavior pattern.



# STAYING PROACTIVE

USA Gymnastics has identified 10 policies meant to set professional and acceptable boundaries between adults in a position of power and athletes. These guidelines are intended to reduce isolated interactions with minors; prevent the grooming process that leads to sexual abuse; and help athletes, parents and other adults recognize inappropriate behavior. These policies help create an atmosphere of confidence in an organization when adopted and embraced by all members.

## 1:1

One-on-one interactions between an adult and a minor athlete must be observable and interruptible.

## TRAVEL

No minor athlete shall ride alone in a vehicle with an unrelated adult involved in gymnastics.

## SOCIAL MEDIA & ELECTRONIC COMMUNICATION

All electronic communication originating from adults to minors must include a second adult or one other person.

## PHOTOGRAPHY/VIDEOGRAPHY

Photographs or videos of athletes may only be taken in public view and must observe generally accepted standards of decency.

## LOCKER ROOM/ CHANGING AREA

Adults are not permitted to be alone with minors in locker rooms or changing areas.

## GIFTING

No personal gifts are permitted. Gifts must be equally distributed to all athletes and serve a motivational or educational purpose.

## MASSAGING

All rubdowns and massages require consent from the athlete and minor's legal guardian. Massages are not permitted beyond immediate pain mitigation while on the competition or training floor. All massages must be performed in an open and interruptible location.

## ICING/TAPING

Icing or taping performed on an athlete must be in an open and interruptible location.

## STRETCHING & OTHER PHYSICAL CONTACT

Care should be taken to prevent and avoid any compromising positions while stretching or interacting with athletes.

## DRUGS/ALCOHOL

No coach, trainer or instructor who is impaired may interact with a gymnast.

## ACCESS TO TRAINING SESSIONS

All member clubs must allow parents of minors to access or observe training.

# ABOUT THE PREVENTION POLICIES

## ONE-ON-ONE INTERACTIONS

Promoting a safe environment for athletes begins when all adult-athlete interactions are professional in nature and one-on-one interaction is limited. The one-on-one policy applies to all situations, including training, medical and athletic training treatments, office meetings, communications, social media, locker rooms, restrooms and travel. One-on-one contact is not permitted outside of gymnastics activities.



One-on-one interaction is defined as one unrelated adult and one minor athlete alone. All interactions must be observable and at a distance allowing interruption by another adult.

- Office meetings must occur with the door unlocked or open. If the subject matter requires a closed door with a minor, then the minor's parent must be involved.
- Parents have the ability to observe training sessions and all medical/athletic training treatments.
- Social media and electronic communication must remain professional in nature and include other adults.

### Observable & Interruptible

- Travel
- Training Sessions
- Locker Rooms/Bathrooms
- Social Media
- Medical Treatments
- Office Meetings

## TRAVEL

All member clubs must have a travel policy that is published and provided to all adult gymnasts, legal guardians, coaches and other adults.

USA Gymnastics strongly recommends that the member club obtain a signature by each adult acknowledging the responsibilities for both local and team travel. For Parental consent options, please see Safe Sport Policy.



– One-on-one policy always applies. –

## SOCIAL MEDIA & ELECTRONIC COMMUNICATIONS

USA Gymnastics encourages members and member clubs to participate in social media by posting their experiences and photos as a show of support for their club and team.



### Some key points to remember

- Posts between adults and minors must be open and transparent.
- All communications must be professional in nature and team focused.
- Any electronic communication between a minor athlete and an unrelated adult should copy another participating adult and/or the minor's parent or guardian.

Clubs are encouraged to publish a social media and electronic communications policy for all staff

## ABOUT THE PREVENTION POLICIES *(cont.)*

### PHOTOGRAPHY & VIDEOGRAPHY

Photographs or videos of athletes must be taken in public view and observe generally accepted standards of decency. An athlete and/or his/her legal guardian may request his or her photo be removed from display or posting.



### LOCKER ROOMS/ CHANGING AREAS

should regularly and randomly monitor the use of locker rooms, changing areas, and restrooms at their club.

Athletes have the right to privacy in locker rooms, changing areas, and restrooms. At no time should an unrelated adult be alone with an athlete in this environment. Member clubs



– One-on-one policy always applies at all times. –

### GIFTING

To prevent the grooming of athletes or an imbalance of power between the athlete and coach, gift-giving by an unrelated member of USA Gymnastics is prohibited.

USA Gymnastics encourages member clubs to set their own guidelines for a reward system that equally applies to all athletes. Gifts must serve a motivational, inspirational, or educational purpose.



### MASSAGING, ICING, TAPING

Any rubdown or massage performed by an unrelated adult on a minor or amateur athlete must be conducted in an open and interruptible environment, within the presence of another person. The one-on-one policy must be adhered to at all times. Parents must be notified prior to, and permitted to observe, any massaging, taping or similar treatment.

Any rubdown or massage performed by an unrelated adult on a minor or amateur athlete must be conducted in an open and interruptible environment, within the presence of another person. The one-on-one policy must be adhered to at all times. Parents must be notified prior to, and permitted to observe, any massaging, taping or similar treatment.



Members of USA Gymnastics are not permitted to provide massages to athletes beyond immediate pain mitigation during competition or training.

# ABOUT THE PREVENTION POLICIES *(cont.)*

## STRETCHING & OTHER PHYSICAL CONTACT

USA Gymnastics recognizes the importance for a coach to adjust the body of the gymnast to help him or her understand proper alignment, positioning and overall safety. Best practices include using different approaches in coaching, such as the use of visual and verbal cues when



possible; an appreciation for the personal space of the gymnast while stretching, and to make sure all hands-on corrections are made in a professional manner and in an open and interruptible location.

Physical contact that is reasonably intended to coach, teach or demonstrate a gymnastics skill or to prevent or lessen injury (e.g., spotting, catching) is permissible. Infrequent, non-intentional physical contact, particularly contact that arises out of an error or a misjudgment on the part of the gymnast, participant or coach, does not violate this policy.

## DRUGS & ALCOHOL

Because a coach, trainer or instructor is so directly tied to a gymnast's physical safety during training and competition, it is imperative that such persons not interact with gymnasts while physically or emotionally impaired. Adult members must



refrain from interacting with gymnasts during times when they may have diminished reactions subsequent to using alcohol or drugs.

## ACCESS TO TRAINING SESSIONS

All training sessions should be held in open and interruptible locations, and all member clubs must institute measures to allow athlete parents or guardians to watch their children during training. Parameters for parent/guardian viewing may be set for athlete safety and can be in person or via a closed-circuit monitor. Clubs are encouraged to publish rules for viewing.



Parents/guardians demonstrating misbehavior or inappropriate conduct may be asked to leave, but may not be denied access for an undetermined amount of time.

# STAY VIGILANT AND INFORMED

The information in this Snapshot is just that, a brief overview of the safety and prevention measures included in the USA Gymnastics Safe Sport Policy. Members and the gymnastics community need to read the entire policy to understand the full scope of the policy and the associated responsibilities. USA Gymnastics will offer a number of educational opportunities tailored to each segment of the entire membership, including webinars, courses, articles, and seminars. Additional information is also available on the website.

Everyone has a role, and USA Gymnastics encourages all club owners, coaches, parents, and athletes to actively participate in athlete safety initiatives. Safe sport is more than policies and reporting. It is about creating training environments where gymnasts have a voice and can thrive, have fun, be successful and be themselves. Clubs that embrace a philosophy of safety generate an atmosphere where coaches are well trained, parents are well informed, and athletes are heard, encouraged and enjoy success.

At USA Gymnastics, we pledge to offer ongoing information and education, listen to feedback, and seek to innovate as we move forward for the welfare of athletes and all members.

USA Gymnastics uses several methods of communicating to our membership: the website; club and parent newsletters; and social media.

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 [Safesportpolicy@usagym.org](mailto:Safesportpolicy@usagym.org)

 Member Services: 800.345.4719

 Safe Sport Helpline: 833.844.7233



USA GYMNASTICS.

USA Gymnastics

**SAFE SPORT  
INVESTIGATION  
& RESOLUTION  
PROCEDURES**

Updated December 2020



USA GYMNASTICS.



## INTRODUCTION

USA Gymnastics is the national governing body for the sport of gymnastics. The USA Gymnastics Safe Sport Policy (herein “the Safe Sport Policy”) establishes standards of conduct for USA Gymnastics Participants. Participation in USA Gymnastics is a privilege, not a right. The USA Gymnastics Safe Sport Investigation and Resolution Procedures (herein “the Procedures”) are drafted under the authority of USA Gymnastics Bylaws (herein “the Bylaws”), Sections 3.4 and 13.4.

The Procedures apply to any reported Safe Sport Violation provided to USA Gymnastics Safe Sport. A Safe Sport Violation is an action that constitutes one or more of the following:

1. Prohibited Conduct, as outlined in the SafeSport Code for the U.S. Olympic and Paralympic Movement (herein “the Code”);
2. Prohibited Conduct, Misconduct or Prevention Policy violations within the USA Gymnastics Safe Sport Policy;
3. Any analogous conduct violating current or previous standards promulgated by the U.S. Center for SafeSport (herein “the Center”), or USA Gymnastics at the time of the conduct; or
4. Any conduct that would violate analogous community standards existing at the time of the alleged conduct, including then applicable criminal and/or civil laws.

The Procedures do not apply to reported violations of the USA Gymnastics Code of Ethical Conduct or challenges arising under a Participant’s right to participate as guaranteed by federal act that are unrelated to Safe Sport Violations.

USA Gymnastics Safe Sport will use these Procedures to assess the fitness and eligibility of an individual to participate in the events of USA Gymnastics under authority of USA Gymnastics Bylaws, Section 13.4 and 3.4. The primary goal of USA Gymnastics Safe Sport is safety, not punishment. USA Gymnastics will strive to identify and eliminate Misconduct and abusive situations throughout the sport and venues subject to its jurisdiction. These efforts recognize the need for rehabilitative growth and changes in conduct, with reliance on removal when necessary to ensure the future safety of the USA Gymnastics community. The promotion of a culture leading to a safer sport requires participation of all professional Members, Athletes and parents.

A Report filed with USA Gymnastics Safe Sport does not release the Reporting Party from any other legal obligation to report. Reports must also be made to relevant state and federal agencies as required by law.

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## USA Gymnastics Safe Sport Investigation and Resolution Procedures Glossary

Unless otherwise defined in these Procedures, terminology in these Procedures have the meanings stated in the glossary of the USA Gymnastics Safe Sport Policy.

- “**Character evidence**” is any evidence of a Respondent’s character that is not direct evidence of an event reported as a Safe Sport Violation.
- A “**Claimant**” is the person reported to have experienced an event, action or omission constituting a Safe Sport Violation.
- A “**Report**” is notice of a Safe Sport Violation submitted to USA Gymnastics Safe Sport through the USA Gymnastics Safe Sport reporting portal, or directly to a USA Gymnastics Safe Sport team member.
- A “**Reporting Party**” is a person who has reported a Safe Sport Violation to USA Gymnastics.
- A “**Respondent**” is a person reported to have committed a Safe Sport Violation.
- A “**Restrictive Measure**” is any term or qualification placed on an individual’s ability to participate in USA Gymnastics events.
- A “**Witness**” is any person who has observed a specific event or events underlying a reported Safe Sport Violation and presents their observation to the Investigator or a Hearing Panel.

### I. Governance and Authority

- A. USA Gymnastics shall follow all governing policies, procedures, and applicable laws. This includes, without limitation, the Safe Sport Policy, the Code, other governance documents from the Center, the Bylaws, applicable portions of the United States Olympic and Paralympic Committee’s (“USOPC”) Bylaws, the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. Sec. 220501 et seq.), the Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act of 2017, and the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020.
- B. The Procedures do not prevent any Member Club or Member from imposing higher safety standards or any person from exercising their legal rights.
- C. The Procedures do not prohibit any Member Club or Member from making lawful employment-related decisions, even prior to the conclusion of any process outlined in these Procedures.
- D. These Procedures replace all previous published Safe Sport Procedures, including those contained in previous USA Gymnastics Bylaws.

### II. U.S. Center for SafeSport Jurisdiction

- A. The Code defines the Center’s “Exclusive” and “Discretionary” jurisdiction.
  1. USA Gymnastics must refer all matters within the Center’s Exclusive jurisdiction to the Center. This includes, without limitation, matters involving Child Abuse and Sexual Misconduct.
  2. USA Gymnastics will transfer to the Center any matter over which the Center exercises Discretionary jurisdiction as permitted under federal act.
  3. USA Gymnastics will request the Center exercise its Discretionary jurisdiction when USA Gymnastics identifies a potential conflict of interest or when the Center has accepted jurisdiction over another matter related to the Respondent.
  4. USA Gymnastics will not investigate or resolve Misconduct over which the Center exercises Exclusive or Discretionary jurisdiction.

- B. USA Gymnastics and its Member Clubs must enforce and comply with any suspension, restrictive measures, or other sanctions imposed by the Center, including those originating from conduct in other amateur sports.
- C. Appeals of any matter under the Center's jurisdiction must be appealed directly to the Center.
- D. USA Gymnastics reserves all other rights and remedies, including but not limited to the right to set membership criteria and the right to impose appropriate measures, including Interim Measures for matters within the Center's jurisdiction.

### III. Confidentiality

- A. The Bylaws, the Safe Sport Policy, and the Code provide some protections for confidentiality during the Safe Sport process. They do not, and cannot, guarantee absolute confidentiality.
- B. USA Gymnastics will report all allegations of child abuse to relevant state or federal agencies.
- C. USA Gymnastics may be required to disclose information contained in a report or learned during an investigation. Reasons for disclosure include, but are not limited to, the following:
  1. Relevant state and/or federal law;
  2. Mandatory reporting related to Child Abuse and Sexual Misconduct;
  3. The Center's jurisdiction; or
  4. USA Gymnastics' right, as allowed by the Code, to publicly correct any misrepresentation related to the Safe Sport process.
- D. Relevant state and federal laws may also impose other requirements on the parties. Each party to the Safe Sport process is responsible for understanding what legal requirements, if any, apply to their conduct.

### IV. Participant Rights

- A. All persons involved in the Safe Sport process have the right to be treated with dignity and respect by all parties.
- B. Claimants, Witnesses and Reporting Parties have a right to participate in the Safe Sport process without publicly disclosing their

identities or experiences and may request their identities to be treated as confidential as permitted under these procedures. However, their identities must be disclosed to the Hearing Panel and Respondent if the matter proceeds to a Hearing Panel.

- C. If any matter proceeds to a confidential Hearing Panel, the Claimant, Witness or Reporting Party may decline to participate in the Hearing Panel process rather than allow USA Gymnastics to share their identity with the Hearing Panel and Respondent.
- D. USA Gymnastics will identify any party to the Resolution Hearing Panel process by name at least five (5) days prior to the party's scheduled testimony.

### V. Impartiality

- A. USA Gymnastics' Safe Sport process of intake, investigation and resolution of individual Reports is intended to be independent from conflicts of interest, personal bias, or undue influence from any one person or role. Accordingly, with the exception of the general counsel and the executive team member responsible for USA Gymnastics Safe Sport, Members of the Board of Directors, the Chief Executive Officer (herein "CEO"), the Executive Leadership Team (herein "the ELT"), and program leaders will not be involved in decisions regarding individual Reports or resolutions or have access to USA Gymnastics' case management system.
- B. Anyone within USA Gymnastics, including the CEO or other member of the ELT, who has a conflict of interest with someone involved in a Report will recuse themselves from involvement in the case as required by the USA Gymnastics Conflict of Interest Policy.
- C. Despite the above, it is also critical that the ELT has oversight over, and accountability for, ensuring a fair and efficient Safe Sport process and enforcement of the Safe Sport and other administrative policies. Accordingly, the ELT may receive sufficient information (e.g. anonymized or aggregated data) to ensure that the policies are being followed, resolutions are timely, and the process is fair and free from bias.

## **VI. Submission and Review of Safe Sport Reports**

### **A. Reports**

1. Any person—including without limitation Athletes, Members, and non-members—may report a Safe Sport Violation to USA Gymnastics Safe Sport.
2. Reports should be submitted to USA Gymnastics Safe Sport through the USA Gymnastics Safe Sport portal. Written letters may also be submitted to USA Gymnastics Safe Sport at 130 E. Washington Street, Suite 700, Indianapolis, IN 46204 or electronic mail sent to safesportpolicy@usagym.org
  - a. If you are unable to submit an email report or use the USA Gymnastics reporting portal, please call 833.844.7233 for further direction.
3. Each Report will be treated as a confidential submission to the extent allowed by law and governing policy.

### **B. Review of Reports**

1. USA Gymnastics Safe Sport will review all Reports to determine, in its discretion, the appropriate response and to identify:
  - a. If any information must be reported to law enforcement or the Center;
  - b. If there are grounds to consider the Center's Discretionary jurisdiction (such as conflict or relation to a pending case);
  - c. If the conduct reported is appropriate for resolution through this Safe Sport process;
  - d. If Interim Measures are appropriate; and
  - e. If any other factors are relevant to an informed decision.

### **C. Prevention Policy Procedure**

1. A reported Safe Sport Violation involving the USA Gymnastics Prevention Policies may be resolved by involving the relevant Member Club, the reported individual and/or the parent of any Minor identified in the report.
2. USA Gymnastics Safe Sport, in its discretion, may allow Reports of isolated violations of the Prevention Policies to be resolved informally by the Member Club. Any informal resolution by the Member Club must include notice to the family of the affected Minor Athlete.

3. USA Gymnastics Safe Sport, in its discretion, will utilize the USA Gymnastics Safe Sport Resolution Process for any Report it determines to be inappropriate for informal resolution by the Member Club, for example, Reports of multiple and/or severe Prevention Policy violations. Notice will be given to the parents of any affected Minor Athlete.

## **VII. Investigation**

- A. USA Gymnastics Safe Sport may assign an Investigator (the "Investigator") to gather information related to a Safe Sport Report.
- B. All information gathered, and any written summary prepared by the Investigator, is confidential and privileged work product of USA Gymnastics. Disclosure of information necessary under the Hearing Panel process is not a subject matter waiver of any privilege.
- C. USA Gymnastics Safe Sport will review the Investigator's written summary and any other information that USA Gymnastics deems appropriate in its reasonable discretion.
- D. After its review, USA Gymnastics Safe Sport will determine, in its discretion, whether the matter is appropriate for resolution by a Hearing Panel, by dismissal, or by an alternate resolution method.
- E. If the matter is appropriate for resolution by a Hearing Panel or alternate resolution panel, USA Gymnastics will provide the Respondent with a summary of allegations.

## **VIII. Interim Measures**

- A. Interim Measures are intended to:
  1. Ensure the safety and well-being of the gymnastics community;
  2. Prevent conduct or participation detrimental to the sport or its reputation;
  3. Prevent escalation of a reported Safe Sport Violation; or
  4. Limit/monitor the conduct of a Participant who is the subject of a Safe Sport Violation Report.

- B. Hearings will be offered on any interim measure that denies the Respondent the right to participate in a USA Gymnastics sanctioned event.
- C. USA Gymnastics will notify the Respondent of the Interim Measure. The Respondent must request a Hearing Panel within five (5) days of notice.
- D. USA Gymnastics Safe Sport shall publish Interim Measures on a dedicated web page listing restriction on participation including, at a minimum, the name of the Respondent, the measure and duration of the measure being imposed, and the organization responsible for imposition of the measure.
- E. If the Respondent is a Minor, then USA Gymnastics Safe Sport will contact the Minor's parent(s) and/or legal guardian(s). USA Gymnastics will not publish Interim Measures imposed on Minors.
- F. Member Clubs must honor any Interim Measure imposed by USA Gymnastics as part of their membership agreement.
  - 1. USA Gymnastics Safe Sport will notify the Member Club of a relevant suspension.
  - 2. The Club shall be responsible for the enforcement of the measure and notice to all club members of the measure's existence in a manner that meets necessary minimum criteria provided by USA Gymnastics Safe Sport.
  - 3. The Club may impose any additional measures they deem necessary.

## IX. Resolution Process

- A. USA Gymnastics Safe Sport may pursue resolution of a Report by dismissal, a Hearing Panel or alternative resolution.
- B. Alternatives to the Hearing Panel process may include, but are not limited to:
  - 1. Dismissal: USA Gymnastics will notify the Respondent the case has been closed without finding;
  - 2. Administrative Closure: USA Gymnastics will notify the Respondent of case closure contingent on mandatory educational requirements, without a finding of responsibility by the Respondent;
  - 3. Admonishment: USA Gymnastics will notify the Respondent that USA Gymnastics has found the Respondent responsible for the reported Safe Sport Violation;
- 4. Negotiated Resolution: USA Gymnastics will provide a resolution agreement and offer to resolve the reported Safe Sport Violation without use of the Hearing Panel process;

## C. Negotiated Resolutions

- 1. Any negotiated resolution between USA Gymnastics Safe Sport and a Respondent must:
  - a. Be in writing signed and notarized by the Respondent, and signed by an authorized representative of USA Gymnastics Safe Sport; and
  - b. Not restrict, limit or impede the existing rights of the persons witnessing, reporting or harmed by Safe Sport Violation, misconduct, abuse or unethical conduct.
- 2. USA Gymnastics Safe Sport may give notice to each person reportedly harmed by the Safe Sport Violation if USA Gymnastics Safe Sport enters into the agreed-upon resolution.
- 3. USA Gymnastics Safe Sport may, in its discretion, provide notice of the agreed-upon resolution to Reporting Parties and Witnesses.

## X. Hearing Panels

- A. Matters that remain unresolved through the alternative resolution process, or are not dismissed by USA Gymnastics Safe Sport, will be resolved through the Hearing Panel process.
- B. USA Gymnastics Hearing Panels will be categorized either as a "Resolution Panel" or an "Interim Measure Panel."
- C. Fundamental Principles
  - 1. A Respondent has a right to fair notice and a hearing in any matter where USA Gymnastics seeks to declare the individual ineligible to participate in amateur athletic competition sanctioned by USA Gymnastics.
  - 2. Fair notice means the Respondent will be provided with:
    - a. Written notice of the reported Safe Sport Violation;
    - b. An opportunity, before the hearing, to review the information that will be submitted to the Hearing Panel;

- c. A reasonable opportunity for the Respondent to participate in the Hearing Panel and present his or her case;
  - d. An opportunity for cross examination of Witnesses, subject to restrictions and limitations imposed for the protection of Minors and survivors of a Safe Sport Violation or other abuse;
  - e. Notice of possible disciplinary results for an adverse finding; and
  - f. The opportunity to be represented by counsel in the hearing.
3. USA Gymnastics Safe Sport is a party to all proceedings.
  4. All proceedings conducted under this section shall be kept confidential, subject to the publication of any ruling or decisions of the Hearing Panel, and the rights of the parties to seek arbitration.
- D. Panel Construction
1. Persons serving on a Hearing Panel must be impartial – meaning they have no prior knowledge of the underlying allegations or any independent relationship with any Claimant(s), Witness(es) or Respondent(s).
  2. Athlete representatives will be identified and selected by the USA Gymnastics Athlete Council.
  3. Non-athlete panelists will be selected from a pool approved by the USA Gymnastics Ethics and Grievance Committee.
  4. USA Gymnastics, and its Members, agree to submit to binding arbitration in any controversy involving the opportunity of any Amateur Athlete, Coach, trainer, manager, administrator or official to participate in amateur athletic competition, upon demand of USA Gymnastics or any aggrieved Amateur Athlete, Coach, trainer, manager, administrator or official.
  5. A Hearing Panel directly impacting elite Participants, including any Hearing Panel affecting any individual's participation in Protected Competition must include Athlete representation consistent with USOPC Bylaw standards, specifically a "10 Year Athlete Representative" in compliance with USOPC Bylaw 8.5.
6. Any other Hearing Panel (those not qualifying under item 5 above) must include Athlete representation consistent with USOPC Bylaw standards, specifically an "Actively Engaged Athlete Representative" in compliance with USOPC Bylaw 8.5.
- E. Resolution Panel
1. A panel formed for the resolution of a pending Safe Sport Violation Report will be designated as a "Resolution Panel".
  2. A Resolution Panel will review the submitted evidence to determine if an individual has committed a Safe Sport Violation within the jurisdiction of USA Gymnastics Safe Sport under a "preponderance of the evidence" standard – meaning the event is more likely than not to have occurred.
  3. A non-voting alternate may be appointed to the panel to serve as timekeeper, and to substitute for a panel member if that member is excluded by conflict or unavailability. The alternate should be excluded from deliberation.
  4. USA Gymnastics Resolution Panel hearing procedures are available for review at (LINK PENDING).
- F. Interim Measure Panels
1. An Interim Measure that prohibits a Member's participation in an amateur athletic competition sanctioned by USA Gymnastics is subject to review by a USA Gymnastics Safe Sport Interim Measure Panel.
  2. An Interim Measure Panel will determine if reasonable cause exists to impose or uphold one or more Interim Measures on the Respondent.
    - a. "Reasonable Cause" is a conclusion based on a fair and sensible assessment of the facts, and a finding that a fair and reasonable person would believe an Interim Measure is appropriate pending resolution of the underlying reported Safe Sport Violation(s).

3. The Interim Measure Panel may:
  - a. Modify the original Interim Measure upon finding a lack of “reasonable cause” or a finding of “reasonable cause” to impose an alternate Interim Measure.
  - b. Impose a time limit on the Interim Measure.
4. A non-voting alternate may be appointed to the panel to serve as timekeeper, and to substitute for a panel member if that member is excluded by conflict or unavailability. The alternate should be excluded from deliberation.
5. Interim Measure Panel Procedures are available for review at: (LINK PENDING)

#### **XI. Arbitration**

- A. USA Gymnastics agrees to submit to binding arbitration in any controversy involving the opportunity of any Amateur Athlete, Coach, trainer, manager, administrator or official to participate in amateur athletic competition arising from these procedures.
- B. Arbitration may be exercised upon demand of USA Gymnastics or any aggrieved Amateur Athlete, Coach, trainer, manager, administrator or official.

#### **XII. Publication of Ineligible and Restricted Members**

- A. USA Gymnastics Safe Sport will publish a list of persons declared ineligible for Membership by the Center and/or USA Gymnastics.
- B. USA Gymnastics Safe Sport will publish a list of persons subject to restrictive measures by either the Center and/or USA Gymnastics Safe Sport.

- C. In any decision rendered in a matter where a USA Gymnastics Participant is declared ineligible due to Safe Sport Violation or similar prohibited conduct, USA Gymnastics Safe Sport shall publish the following information:
  1. The name of the individual;
  2. The state where the behavior occurred and/or where the individual resides, or Member Club is located at the time the discipline is imposed;
  3. The relevant governance, or underlying conduct, of which the person has been found in violation.
  4. Arbitration/Appeal status of any matter currently under appeal.
- D. In any decision rendered in a matter where a USA Gymnastics Participant is the subject of a Restrictive Measure (or similar restriction such as suspension) due to a reported Safe Sport Violation, USA Gymnastics shall publish the following information:
  1. The name of the individual;
  2. The state where the underlying behavior occurred and/or where the individual resides, or Member Club is located at the time the restriction is imposed;
  3. The duration of the restriction;
  4. The non-confidential terms of the restriction;
  5. If the restriction is an Interim/pre-resolution Measure, a post-resolution measure or subject to appeal/not final; and
  6. The Safe Sport Violation.

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Member Services: 800.345.4719

Safe Sport Helpline: 833.844.7233



**USA GYMNASTICS**

USA Gymnastics

# CONFLICT OF INTEREST POLICY



USA GYMNASTICS.



## USA GYMNASTICS CONFLICT OF INTEREST POLICY

**Effective Date:** 02/26/2021  
**Policy Owner:** Chief Legal Officer

### ARTICLE I. PURPOSE & APPLICABILITY

**1.1 Purpose.** USA Gymnastics (“USAG”) is committed to building and sustaining a transparent and ethical organization free of actual and potential conflicts of interest. Each Interested Person, as defined below, has the responsibility to recognize, disclose, and avoid conflicts of interest. Interested Persons must (a) not use their positions with USAG, or knowledge gained from those positions, for personal benefit; (b) exercise their best care, skill, and judgment for the sole benefit of USAG when making decisions or acting on behalf of USAG; (c) exercise the utmost good faith in all decisions and actions involving their role with USAG; and (d) put the interests of USAG first. USAG requires that all Interested Persons recognize and attempt to avoid activities or investments that involve, might appear to involve, or could result in, an actual or potential conflict of interest.

**1.2 Applicability.** This Conflict of Interest Policy (“Policy”) applies to all Interested Persons, which includes, but is not limited to, employees, Directors, Officers, committee members, task force or working group members, hearing panel members, volunteers, and independent contractors. A family member of an Interested Person (“Family Member”) includes a spouse, child, stepchild, parent, stepparent, sibling, stepsibling, and any of their spouses.

### ARTICLE II. CONFLICTS OF INTEREST & EXAMPLES

#### 2.1 Conflict of Interest Defined.

(a) A Conflict of Interest or COI exists when the activities or interests of an Interested Person or a Family Member interfere with, influence, or have the potential to interfere with or influence, the Interested Person’s responsibilities on behalf of USAG or undermine the interests of USAG.

(b) This definition of COI includes, but is not limited to, situations where an Interested Person or Family Member (i) may receive improper personal gain or advantage from a transaction or other decision; (ii) may be unable to put USAG’s interests first; or (iii) in the context of athlete or team selection, has an Affiliation, defined below, with a person who is in contention for the selection process.

(c) A “transaction” includes any contract, transaction, agreement, arrangement, or relationship of any kind involving an exchange of value between USAG and one or more parties.

(d) An “Affiliation” means any of the following:

(i) A personal coach of a contending athlete or a member of the athlete’s coaching staff (i.e., head or assistant coach in a club program or a member of a collegiate coaching staff).

(ii) A former personal coach, or coaching staff member, of a contending athlete. A former coach no longer has a conflict of interest if they last coached a contending athlete more than two years ago. A coach who previously served as part of a coaching staff for a delegation representing the U.S., where a contending athlete was part of the same delegation, is not considered a COI.

(iii) A known future personal coach, or coaching staff member, of a contending athlete (e.g., a collegiate coach at the university where a contending athlete has committed).

(iv) For athlete representatives, a retired athlete turned coach/judge/administrator or a former teammate (same training club) of a contending athlete. An athlete who trained in the same gymnastics club, but not in the same era or training group (minimum two-year gap) is not considered a COI. An athlete who previously competed with a contending athlete on the same team representing the U.S. is not considered a conflict.

(v) Financial or business relationship with a person in contention for selection.

(vi) Employment by, or an ownership interest in, a gymnastics club where the contending athlete is training or has previously trained within the past two years.

(vii) Any other past, present, or known future personal or professional relationship with a person in contention for selection that could compromise an individual’s ability to participate in the selection process in an unbiased manner.

**2.2 Examples of Conflicts of Interest.** Examples of potential COIs are listed below. This list is not exhaustive, and other facts and circumstances may give rise to an actual or potential COI. Potential COIs that should be disclosed in accordance with this Policy include, but are not limited to, the following:

(a) Owning stock/shares, holding debt, or having another ownership or proprietary interest in any third party dealing or potentially dealing with USAG. For example: a USAG employee or director owns stock or another equity stake in a company that contracts, or is seeking to contract, with USAG to provide consulting services.

(b) Holding a second job as an employee or contractor (or former employee or contractor) with a third party that provides goods or services to USAG. For example: an employee or committee member is a contractor for a company that sells apparel or provides educational services to USAG.

(c) Serving on the board or in any other governance position, holding other office, or participating in management of any third party that has a business relationship with USAG. For example: A committee member is on the board of directors of an organization that provides, or is seeking to provide, consulting services to USAG.

(d) Receiving a financial or other type of benefit for USAG entering into a particular transaction. For example, a director receives a commission if USAG contracts with a particular third party.

(e) Using USAG's resources, including without limitation time, personnel, equipment, supplies, intellectual property, or goodwill, for anything other than activities, programs, and other purposes approved by USAG. For example, a committee member uses USAG's logo or other trademarks to advertise her club without authorization.

(f) Requesting or receiving personal gifts, loans, gratuities, discounts, or other benefits from third parties in violation of USAG's Gift & Entertainment Policy. For example, a USAG employee accepts season tickets to a professional sporting event in exchange for steering a USAG event to a particular venue.

(g) Acting as an agent, representative, consultant, or otherwise on behalf of an organization whose interests may conflict with USAG's interests. For example, a USAG board member agreed with another NGB to promote the other NGB during discussions with potential sponsors or other business partners.

(h) Having a business relationship with a sponsor, supplier, licensee, vendor, or other business partner of USAG. For example, a Family Member provides legal services to one of USAG's sponsors.

(i) Awarding USAG business, or providing favorable treatment, to a business in which an Interested Person or Family Member has an interest. For example, reducing the rebate that USAG receives from a Family Member's hotel, when compared to other similarly situated hotels.

(j) Participating in preparing selection procedures or on a selection committee when the Interested Person or a Family Member has a relationship with an athlete who is potentially impacted by the selection procedures or decision (e.g., as a coach, trainer, parent, teammate, etc.) or when the individual could benefit directly or indirectly from the procedures or decision. For example, an athlete sits on a selection committee for an event in which his or her teammate is under consideration by the committee.

(k) Having activities or interests, whether direct or indirect, that interfere with or influence, or have the potential to interfere with or influence, the Interested Person's responsibilities on behalf of USAG or to undermine the interests of USAG. For example,

an Interested Person serves on a Safe Sport hearing panel involving the Interested Person's, or a Family Member's, club.

(l) An officer of USAG serving as an Officer for another NGB, the United States Olympic and Paralympic Committee, or the U.S. Center for SafeSport.

**2.3 Interpretation of this Policy.** This Policy should be interpreted broadly to promote the disclosure of actual or potential COIs. The disclosure of an actual or potential COI will not necessarily prohibit involvement with the disclosed activity or with USAG. Rather, each disclosure will be reviewed and resolved in accordance with this Policy.

### **ARTICLE III. DISCLOSURES, REPORTING, AND ANTI-RETALIATION**

**3.1 Annual Disclosures.** Each Interested Person must annually complete, sign, and submit for review by the Ethics and Grievance Committee and USAG's Chief Legal Officer, the COI Acknowledgment & Questionnaire attached to this Policy as **Exhibit 1**. Interested persons must disclose any actual or potential COIs in the COI Acknowledgment & Questionnaire. USAG will maintain copies of COI Acknowledgments & Questionnaires submitted per this Policy.

**3.2 New Interested Persons.** Any new USAG employee must submit a COI Acknowledgment & Questionnaire within 14 days of his or her first day of employment. Any other new Interested Person must submit a COI Acknowledgment & Questionnaire within 14 days after his or her status as an Interested Person begins. An Interested Person must not participate in any decisions regarding a proposed transaction before the Interested Person submits a COI Acknowledgment & Questionnaire.

**3.3 Ongoing Disclosures.** All Interested Persons have an ongoing obligation to update their COI Acknowledgment & Questionnaire whenever any new actual or potential COI arises.

**3.4 Disclosures at Board & Committee Meetings.** At all meetings of the USAG Board of Directors ("Board") or any USAG committee, the first order of business is for all Interested Persons in attendance to disclose any actual or potential conflicts of interest based on a review of the agenda. All disclosures of COIs during any Board or committee meeting must be documented in the minutes. Disclosures made at hearing panels must appear in the record.

**3.5 Reporting.** Any individual with a good faith belief that an Interested Person has a conflict of interest is strongly encouraged to notify USAG of that belief. All Interested Persons with a good faith belief that another Interested Person has a conflict of interest must notify USAG of that belief. Notices can be reported anonymously to the Chief Legal Officer and Chair of the Ethics & Grievance Committee [here](#). Notices will be addressed in accordance with this Policy.

**3.6 Retaliation Prohibited.** Retaliation in any form against an individual for complying with this Policy, including its disclosure and reporting requirements, is strictly prohibited. Any retaliation in violation of this section is a separate violation of this Policy and is subject to the provisions of Article V.

**ARTICLE IV.**  
**PROCESS TO ADDRESS CONFLICTS OF INTEREST**

**4.1 Recusals.** Whenever an Interested Person has an actual or potential COI, that person must consider in good faith whether to recuse himself or herself from the transaction or other situation where the COI exists. If the Interested Person recuses himself or herself from any involvement in the transaction or other situation, including without limitation any discussion or voting, then no further action is needed under this Article IV, unless the recusal does not fully resolve the COI. All recusals must be documented in the minutes or other official record of the proceeding. If the Interested Person does not recuse himself or herself, or if recusal does not completely resolve the actual or potential COI, then the matter will be reviewed by the Ethics and Grievance Committee in accordance with this Article IV.

**4.2 Addressing COIs Generally.** The Ethics and Grievance Committee, in consultation with the Chief Legal Officer or other counsel as appropriate, will review any disclosure, notice or other report of an actual or potential COI, together with all material facts, to determine (a) whether a COI exists and (b) if so, the appropriate resolution.

**4.3 Process for Addressing Actual or Potential Business COIs.** The Ethics and Grievance Committee will use the following process to address and resolve actual or potential COIs involving a proposed transaction by USAG. Whenever possible, this process must be followed before any decision is made regarding the proposed transaction. The process is:

(a) The Interested Person may present information to the Ethics and Grievance Committee, in a form and manner determined by the Committee, regarding the transaction at issue and the actual or potential conflict of interest.

(b) The Ethics and Grievance Committee may request relevant information from others, including without limitation the board, committees, working groups, and individuals, as the Committee determines appropriate.

(c) The Ethics and Grievance Committee will review alternatives to the proposed transaction that are presented to the Committee by the Board, staff, or relevant committee.

(d) After exercising due diligence, the Ethics and Grievance Committee will determine whether USAG can obtain, with reasonable efforts, a more advantageous transaction from a person or entity that would not give rise to a COI.

(e) If a more advantageous transaction that is free of COIs is not reasonably possible under circumstances, then the Ethics and Grievance Committee will determine by a majority vote whether the transaction is in USAG's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with this determination, the Ethics and Grievance Committee will inform the Board, staff, or relevant committee whether there is a COI precluding USAG from entering into the transaction, or if there are mitigating measures that may be implemented to alleviate concerns regarding the COI.

**4.4 Procedures for Addressing Actual or Potential Selection COIs.** The Ethics and Grievance Committee will use the following process to address and resolve actual or potential COIs involving selection procedures or team/athlete selection. Whenever possible, this process must be followed before any decision is made regarding the proposed selection procedures or team/athlete section. The process is:

(a) The Interested Person may present information to the Ethics and Grievance Committee, in a form and manner determined by the Committee, regarding the actual or potential COI.

(b) The Ethics and Grievance Committee may request relevant information from others, as the Committee determines appropriate.

(c) The Ethics and Grievance Committee will determine whether a COI exists.

(d) If a COI exists, the Ethics and Grievance Committee will then determine to what extent, if any, the Interested Person can participate in the selection process. The following examples are for illustration purposes and do not limit the determination of the Committee:

(i) The Ethics & Grievance Committee may determine that the individual can still participate in drafting the selection procedures or in the selection discussions, but may not take part in any sign-off, vote, or decision. For example, a national team coach or high-performance director may provide information to the selection committee so long as such information is provided in a fair and unbiased manner and the committee member who disclosed the COI does not vote toward the final decision. An Interested Person with a COI must not attempt to influence others involved in the selection process.

(ii) The Ethics & Grievance Committee may determine that the individual can still participate in the entire selection process. For example, if a national team coach has worked with all athletes equally in the past, and no bias can be shown towards any one particular athlete, then the Committee may allow that national team coach to participate in the entire selection process.

(e) If a vacancy occurs on a selection committee, then USAG will use reasonable efforts to fill that vacancy in accordance with the committee's charter. If the vacancy impacts an athlete representative, then the Athletes' Council will appoint another qualified athlete to fill the vacancy.

## **ARTICLE V. VIOLATION OF THE CONFLICT OF INTEREST POLICY**

**5.1 Process for Addressing Violations.** The Ethics & Grievance Committee will address violations of this Policy using the following process:

(a) If the Ethics & Grievance Committee has reasonable cause to believe that an Interested Person has failed to disclose an actual or potential COI, then it shall promptly

inform the Interested Person of the basis for such belief and give the Interested Person an opportunity to respond to the alleged failure to disclose.

(b) If this Ethics and Grievance Committee has reasonable cause to believe that any member or other participant of USA Gymnastics has retaliated against an individual for complying with this Policy, then it shall promptly inform the accused person of the basis for such belief and afford that person an opportunity to respond to the alleged retaliation.

(c) The Ethics and Grievance Committee may request relevant information from others, as the Committee determines appropriate.

(d) The Ethics and Grievance Committee will determine whether a violation of this Policy occurred based upon the information available to the Committee.

(e) If the Ethics and Grievance Committee determines that a violation of this Policy occurred, then the Committee will take appropriate action to remedy the situation, as determined by the Committee in its reasonable discretion. By way of example and not limitation, the Committee may recommend to the appropriate person or body that the Interested Person be removed from his or her role with USAG.

(f) During the process outlined in this article, the Interested Person who allegedly violated this Policy must not participate in any way in discussion or decisions that have any relationship whatsoever to the matter that is the subject of the actual or potential COI.

## **ARTICLE VI. RECORDS OF PROCEEDINGS**

**6.1** The minutes of the Ethics and Grievance Committee must, at a minimum, contain all of the following:

(a) The names of the persons who disclosed or were found to have an actual or potential COI, the nature of the COI, any action taken under this Policy or otherwise to determine whether a COI exists and address it, and the Ethics and Grievance Committee's decision as to whether a COI in fact exists.

(b) The names of the persons who were present for discussions and votes relating to the transaction or selection process, the content of the discussion (including, but not limited to, an analysis of the fairness and reasonableness of the transaction in question, or the fairness of having the individual participate in the selection process), including any alternatives to the proposed transaction, and a record of any votes during the proceedings.

## **ARTICLE VII. RESOURCES**

**7.1 Athlete Ombudsman.** For athletes with questions about this Policy, the Athlete Ombudsman provides free, independent and confidential advice regarding athlete rights; resolving

disputes or grievances; and any sport rule, policy, or process, including NGB-athlete agreements, codes of conduct or team selection procedures. The Athlete Ombudsman can also help athletes connect with legal counsel or mental health resources if needed. Athletes may contact the Athlete Ombudsman at: (719) 866-5000, [ombudsman@usathlete.org](mailto:ombudsman@usathlete.org), or [www.usathlete.org](http://www.usathlete.org)

USA Gymnastics

**CODE OF  
ETHICAL  
CONDUCT**



USA GYMNASTICS.

# Code of Ethical Conduct

Updated January 2021

## Introduction

Every USA Gymnastics member has the power and the responsibility to shape the culture within our sport. By practicing our shared values, and staying focused on our highest priority – the safety and well-being of our athletes – we can promote an environment that empowers and supports athletes, and makes participation in the sport a positive and rewarding experience for all members.

The USA Gymnastics Code of Ethical Conduct (the “Code”) is our collective commitment to work ethically in all instances. It offers a tangible way to put our values into practice, and guidance in situations that have potential or actual ethical implications. Ultimately, the effectiveness of the Code depends on a personal commitment from every member of the gymnastics community.

This Code is divided into three sections: (1) the Athlete Bill of Rights; (2) Ethical Obligations; and (3) Resolution of Ethical Issues. The Code does not address misconduct or abusive behaviors. Instead, the *USA Gymnastics Safe Sport Policy* provides the definitions and mandatory reporting requirements for misconduct and abuse.

All Members of USA Gymnastics are required to implement and adhere to this Code.

## I. Athlete Bill of Rights

Collectively, members of USA Gymnastics are committed to ensuring that athletes have a safe, inclusive, and supportive environment to train and compete, and that each athlete has the ability to:

### 1. Participate in gymnastics

Gymnastics is inclusive and open to everyone. All athletes have the right to participate, regardless of their age, race, ethnicity, gender, sexual orientation, gender identity, disability, religion, or other similar characteristic. Athletes have the right to participate at a level commensurate with their maturity and ability and will be given an equal opportunity to strive for success.

### 2. Train and compete safely

Safety is paramount. All athletes have the right to:

- Participate in an environment that is free from emotional, sexual, or physical abuse;
- Train and compete in a safe environment, free from inappropriate physical hazards, bullying, hazing, harassment, stalking, violence, or similar threats; and
- Train and compete on equipment that is clean, appropriately fitted, and properly maintained.

### 3. Have their personal health and wellness prioritized

Athletes have the right to pursue a healthy lifestyle that includes proper nutrition, mental health support, injury prevention and care, and necessary rest and recuperation, especially when healing from injury.

#### 4. To be treated with dignity and respect

Athletes have the right to be treated fairly and with dignity and respect. They have the right to make mistakes and fail without fear. They have the right to be respected, encouraged and supported appropriately by other athletes, parents, coaches, judges, spectators, event officials and those in positions of authority.

#### 5. Receive proper instruction

Athletes have the right to:

- Be coached by individuals who are knowledgeable and have received appropriate training.
- Be properly prepared for participation by those in positions of authority, including coaches, club owners, and administrators.
- Question or report improper behavior or violations of the Safe Sport Code, including of coaches or club owners, without fear that doing so will negatively impact their participation or success.
- All athletes (and particularly minor athletes) are entitled to have their parents observe coach/athlete interactions.

#### 6. Integrity and Transparency

Athletes have the right to fair and transparent procedures and policies within their discipline – including selection procedures – that demonstrate integrity and are free from conflicts of interest, impropriety, and favoritism.

#### 7. Provide input on matters that directly affect them

Athletes have the right to provide input, and have their voices respected, in matters that directly affect them.

#### 8. Voice opinions on issues that affect the gymnastics community

Athletes have the right to respectfully express themselves on issues that impact the gymnastics community, with the confidence that doing so will not jeopardize their ability to participate and/or negatively impact their success.

The foundational philosophies of this Bill of Rights are separate from, but intended to guide, the responsibilities of each individual member included in the Ethical Obligations of Members (below) as well as the Safe Sport Policy. Ethical Obligations should be interpreted with these principles in mind.

## **II. Ethical Obligations of Members**

### **A. Promotion of a Safe, Positive and Healthy Environment for All**

Members have an ongoing obligation and commitment to ensure a safe and healthy environment for all gymnastics participants. Consistent with this obligation, members must:

- Make decisions in the best interest of athletes.
- Maintain a safe training and competing environment.
- Promote a culture of trust and empowerment.

- Respect the fundamental rights, dignity, and worth of all participants.
- Encourage a healthy lifestyle and support nutritional well-being.
- Promote and respect all Safe Sport principles.

## **B. Commitment to Integrity**

Members have a responsibility to uphold the integrity of the sport and to act honestly, openly, fairly, and competently. Members must:

- Be knowledgeable of, understand, and follow USA Gymnastics rules and policies, and refrain from knowingly misrepresenting or misinterpreting such.
- Promote fair play.
- Maintain respect on the floor and refrain from intimidating, embarrassing or improperly influencing any individual responsible for participating in, judging, or administering a competition.
- Follow the established procedures for challenging a competitive result.
- Make honest certifications regarding compliance with USA Gymnastics' policies, procedures or membership requirements.
- Avoid engaging in business practices directed toward another Member that are known to be or are determined by a court or similar adjudicatory body to be, unethical, illegal or a breach of contract.

## **C. Participation and Inclusion**

Members have the right to participate in any USA Gymnastics activity or event for which the Member is properly qualified under the rules of that activity or event and may participate to the best of his/her abilities at his/her discretion:

- Members may not knowingly participate in, or cause others to participate in, any activity or event where that individual is inadequately prepared or unable to participate safely.
- Members must promote positive participation and avoid behavior that is likely to interfere with the orderly conduct of the activity or other Members' participation in, or enjoyment of, an activity or event.
- Members must respect the rights and opinions of others.
- Members must facilitate cooperation in order to serve athletes and other participants effectively and appropriately.
- Members must promote inclusion and an environment free of discrimination. Members may not:
  - Restrict the ability of a Member to qualify for or participate in competition because of the Member's association with a particular organization or individual or because of that Member's race, sex, creed, sexual orientation, gender identity, age, national origin, mental or physical disability, or any other basis proscribed by law.
  - Discriminate in the allocation of resources or opportunities to any Member or prospective Member on the basis of race, sex, creed, sexual orientation, age, national origin, mental or physical disability, or any other basis proscribed by law.

## **D. Communication**

Members of USA Gymnastics have a duty to communicate honestly and openly and must:

- Respect the voice of athletes, particularly in matters that affect them.
- Strive to promote the sport and athletes.
- Provide all information and resources necessary to enhance a gymnast's enjoyment of the sport or reduce their risk of injury or illness.
- Refrain from unsportsmanlike comments or behavior.
- Address differences in a calm and respectful manner.
- Clearly communicate roles, responsibilities and expectations.
- Avoid making false or misleading claims; or, falsify, or omit any information, record or document or other evidence for any purpose.
- Accurately represent competitive achievements, professional qualifications, education, experience, eligibility, criminal record and other misconduct, and/or affiliations.

## **E. Concern for the Welfare of Others**

Members shall seek to contribute to the welfare of gymnastics participants and must:

- Promote a culture of empowerment with a focus on athlete health and safety.
- Comply with mandatory reporting requirements established by federal law, the U.S. Center for SafeSport and USA Gymnastics Safe Sport Policy.
- Proactively address potentially harmful behavior or an unsafe environment.
- Be sensitive to any imbalance of power.
- Resolve conflicts in a professional manner.

## **F. Professional Responsibility**

Members have the responsibility to aspire to the highest possible standards of conduct and must:

- Prioritize athlete welfare.
- Faithfully complete USA Gymnastics membership requirements.
- Strive to maintain high standards and excellence.
- Seek to increase proficiency levels through continuing education and in consultation with other professionals.
- Participate only at a level of the sport in which an individual is qualified and prepared for.
- Accept appropriate responsibility for one's own behavior and report any unlawful or other inappropriate conduct of others in accordance with Section II below.

## **G. Alcohol and Drug Free Environment**

Members of USA Gymnastics must ensure that the sport is conducted in an environment free of drug or alcohol abuse. Members may not:

- Use or provide to a third party any illegal (scheduled) drug pursuant to applicable federal, state or municipal law.
- Assist or condone any competing athlete's use of a drug banned by any applicable governing body, or, in the case of athletes, to use such drugs or refuse to submit to properly conducted drug tests administered by any governing body.
- Provide alcohol to or condone the use of alcohol by minors; consume alcohol while engaging in USA Gymnastics activities, including coaching and/or training and/or competing; consume excessive alcohol in the presence of athletes or at USA Gymnastics' events; or consume alcoholic beverages while a minor.

### III. Resolving Ethical Issues

Members of USA Gymnastics have an obligation to be familiar with the principles outlined within this Code. The methods for reporting and resolution of possible ethical violations is outlined below. Members must cooperate fully with any and all undertakings in the review and resolution of a potential ethical violation.

#### A. Informal Resolution of Ethical Violations

When a Member believes that another Member has committed an ethical violation, they may attempt to resolve the issue by bringing it to the attention of that individual if an informal resolution appears appropriate and when intervention does not violate any athlete rights that may be involved. If such information resolution does not resolve matters, the Member should report such ethical violation in accordance with the below.

#### B. Reporting Possible Ethical Violations

1. If an apparent ethical violation is not appropriate for informal resolution or is not resolved properly in that fashion, a Member may file a complaint with USA Gymnastics via any of USA Gymnastics' reporting avenues, including:
  - Email: [safesport@usagym.org](mailto:safesport@usagym.org)
  - Hotline: (833) 844-SAFE
  - [Online](#)
2. Complaints must describe the nature of the alleged ethical violation, identify the aggrieved party and the individual(s) believed to be responsible for the violation, and the desired resolution. While confidentiality will be maintained where possible, in no case will confidentiality preclude the reporting of a violation as required by state or federal law.
3. Parents, on behalf of their minor child, are encouraged to file reports on behalf of their son or daughter, in situations where they believe a Member of USA Gymnastics has committed an ethical violation.

#### C. Resolution of Complaints

1. Review  
Upon timely review and consideration of a complaint alleging an ethical violation, USA Gymnastics may:
  - a. Determine that the complaint does not merit further action after review of all material facts and opportunity for informal inquiry.
  - b. Refer the complaint for an alternate resolution path:
    - *U.S. Center for SafeSport.* If the review of a complaint gives rise to facts and circumstances that are within the exclusive jurisdiction of the U.S. Center for SafeSport, USA Gymnastics will notify the Center, and transfer the matter to the Center for resolution.
    - *USA Gymnastics Safe Sport.* If the complaint addresses facts and circumstances that may implicate USA Gymnastics' Safe Sport Policy, then USA Gymnastics will refer the complaint to its Safe Sport department for handling.
    - *Other referrals.* If the review of a complaint gives rise to facts and circumstances that are more appropriate for resolution elsewhere,

USA Gymnastics will refer the complaint, as appropriate, to a state or regional chair, committee or affiliated organization.

- c. If the complaint has not been dismissed or otherwise referred, then:
  - Notice will be provided to both parties who will be given an opportunity to respond and/or provide supporting information, and
  - Where appropriate, additional discussions with the parties or other individuals who may have relevant information will take place, and
  - If necessary, additional due diligence will be conducted which may include additional research or collection of documents, review of a member record, or any other actions that can be reasonably undertaken to assess the situation.

## 2. Resolution

- a. USA Gymnastics' standard of proof in determining whether an ethical violation has occurred is "more likely to have occurred than not." Based upon careful review of all the available information, an individual will be found responsible for an ethical violation if it can be reasonably concluded that the violation more likely than not occurred.
- b. USA Gymnastics will err on the side of protecting the safety and well-being of athletes.
- c. Lack of awareness or misunderstanding of an ethical standard is not itself a defense to an allegation of unethical conduct.
- d. Based on a careful review of the complaint and information obtained during the review process, USA Gymnastics may:
  - Inform the parties that based upon the review there was no finding of an ethical violation, or
  - Inform the parties that based upon the review there is a finding of an ethical violation; and counsel the members, as appropriate, or impose an appropriate sanction or an appropriate relief.
  - Report to law enforcement where required by state or federal law.
- e. *Sanction Guidelines.* Sanctions for ethical violations shall apply equally to all members based on an evaluation of the violation regardless of gender, competitive/coaching/judging level, achievements within the sport, or other factors not directly related to the violation. Sanctions will be reasonable and proportionate to the violation and surrounding circumstances, consistent with sanctions issued for similar violations and designed to promote participant welfare. General considerations when imposing sanctions include:
  - Nature and severity of the violation
  - Ages of the individuals involved
  - Member record and pattern of behavior
  - Voluntary disclosure of the violation, cooperation, or demonstration of remorse
  - Disposition by law enforcement
  - Perceived or real impact on the concerned parties
  - Likelihood of rehabilitation
  - Ability to affect positive change

- f. *Types of Sanctions.* Disciplinary sanctions include a wide range of options that range in severity (note: this is not an all-inclusive list, but rather, common forms of sanctions).
- *Warning.* A warning letter - either public or private - will detail the specific violation and/or action or inaction that led to the finding of the misconduct or violation, as well as the future behavior expectations.
  - *Removal from sanctioned activity.* Either for a specific event, series of events, or period of time.
  - *Warning with recommendation.* i.e., a mandate to review or implement a specific policy or behavior.
  - *Educational remedy.* Mandate to take an educational course or demonstrate compliance with USA Gymnastics' or a Member Club's policy.
  - *Interim Measures.* Imposing restrictions or requirements such as amended training schedules, supervised interactions, contact limitations, and may also include Probation or Suspension.
  - *Probation.* A period of time whereby the individual's behavior will be monitored, and generally includes restrictions on membership privileges.
  - *Suspension.* A period of time whereby the individual does not have any of the rights and privileges associated with membership, including the right to be involved in a Member Club's activities or participate in USA Gymnastics' sanctioned activities. The suspension notification will detail the criteria by which the suspension will be reviewed, lifted, or converted to an alternate sanction.
  - *Revocation of Member Club Status.* A club whose membership in USA Gymnastics has been terminated and therefore may no longer host USA Gymnastics sanctioned events or register/compete a team of athletes in USA Gymnastics sanctioned competitions.
  - *Permanently Ineligible for Membership.* An individual whose membership in USA Gymnastics has been terminated for life and who may no longer be affiliated with a USA Gymnastics Member Club or participate in USA Gymnastics' sanctioned activities.
  - *Membership Ineligibility.* An individual deemed ineligible to obtain membership in USA Gymnastics, such as an individual involved in the sport who has never been a member of USA Gymnastics or a Covered Individual, nor applied for membership.
  - *Other Relief.* Relief deemed appropriate to the violations and/or circumstances of the matter, for example, an apology or restitution.

USA Gymnastics

# **SPEAK UP POLICY**



USA GYMNASTICS.

# USA Gymnastics' Speak Up Policy

## Overview

USA Gymnastics has developed this policy to encourage directors, officers, employees, contractors, volunteers, and other individuals who are associated with the organization to raise ethical and legal concerns. As individuals associated with USAG, we must comply with the Code of Ethical Conduct and practice honesty and integrity in fulfilling our responsibilities to our athletes, professionals, clubs, and other members.

## Why is this important?

Each of us has a responsibility to raise any concerns about ethical and legal issues that might affect its athletes and members. Issues and problems cannot be addressed if we do not know about them. By bringing a concern to our attention, we can investigate and address the potential issue in a timely manner. Remaining silent, however, may erode the trust that everyone – both those associated with USAG and the public – has in the organization.

## What is required of me?

Every individual associated with USAG, including but not limited to athletes, directors, officers, employees, members, committee members, task force members, hearing panel members, contractors, and volunteers, must report a violation or suspected violation of:

- USAG's Code of Ethical Conduct
- USAG's Safe Sport Policy
- Any law or regulation that applies to USAG, including the Ted Stevens Act and mandatory reporting laws
- Any USAG policy or procedure
- United States Olympic & Paralympic Committee (USOPC) Bylaws
- Moral or ethical standards that affect the organization, its people, or its athletes

If you're ever in doubt about whether you should report something or not, it is always better to report. Please note, however, that this policy does not cover (1) complaints about employment, including complaints about suspected harassment or discrimination in employment, which should be addressed through the procedures outlined in the Employee Handbook; or (2) reports of violations or suspected violations of USAG's Safe Sport Policy, which should be reported as stated in that policy.

## How do I report?

USAG has an open-door policy and encourages athletes, other members, employees and other individuals to share their good faith questions, concerns, suggestions, or complaints with the Chief Legal Officer. Employees may also submit reports anonymously [here](#). Members of management must report suspected violations to the Chief Legal Officer, who will coordinate an investigation of the suspected violation.

A person acts in "good faith" when he or she has reasonable grounds to believe the information disclosed indicates a violation, legal, or ethical concern. Reports may be made in good faith even if they are ultimately not substantiated. Any person who acts maliciously, makes a report that is knowingly false, or otherwise acts without good faith will be appropriately disciplined, up to and including termination of employment or other relationship with USAG.

## **What happens when I report?**

The Chief Legal Officer will promptly investigate the report or refer it to the Ethics & Grievance Committee for investigation and resolution. The person or persons who are accused of a violation will be notified of the report, although USAG will make all reasonable efforts to not disclose the identity of the reporting person unless necessary (see below). Either the Chief Legal Officer or the Ethics Committee will determine whether a violation occurred. The Chief Legal Officer will inform both the individual who made the report and the accused of the result of the investigation, and will issue appropriate corrective action, if necessary.

## **Confidentiality**

Reports will be kept as confidential as practicable, consistent with the need to conduct an adequate and appropriate investigation. The reporting person can help keep his or her identity and the content of the report confidential by not disclosing or discussing the report with anyone else.

## **No retaliation**

“Retaliation” means taking an adverse action against someone because he or she engaged in a certain type of activity. USAG prohibits and will not retaliate against any individual who makes a good faith report under this policy. Any employee who retaliates is subject to discipline, up to and including termination of employment. USAG will evaluate and possibly terminate its relationship with a non-employee who retaliates against an individual who makes a good faith report.

Please submit reports to:

C.J. Schneider, Chief Legal Officer

Phone: 1-616-831-1738

E-mail: [schneiderc@millerjohnson.com](mailto:schneiderc@millerjohnson.com)

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 [usagym.org](http://usagym.org) • [usagym.org/safesport](http://usagym.org/safesport)

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## CONTACT US WITH QUESTIONS

 [Safesportpolicy@usagym.org](mailto:Safesportpolicy@usagym.org)

 Member Services: 800.345.4719

 Safe Sport Helpline: 833.844.7233



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