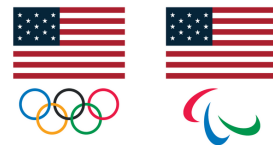


U.S. PARALYMPICS-MANAGED SPORTS COMPLAINTS



What is a U.S. Paralympics-Managed Sports Complaint?

For the sports* overseen by U.S. Paralympics (USP), athletes** may file a complaint for: (i) Administrative matters, (ii) Opportunity to Participate issues, and (iii) Disciplinary or Code of Conduct alleged violations.

*Alpine skiing, cycling, Nordic skiing, snowboard, swimming, and track and field.

**References to "athletes" may apply to coaches, trainers, managers, officials and other individuals who have signed an agreement with U.S. Paralympics, depending on the type of complaint.

Dispute Resolution Unit (DRU) Support

-  General Administration
-  Review & Acknowledgement
-  Hearing Panel Appointment
-  Hearing Panel Education
-  Hearing Panel Support
-  Communication with Parties
-  Case Management & Logistics
-  Arbitration Support

Authority & Governance



Ted Stevens Olympic & Amateur Sports Act (the Act)

In the oversight of six Paralympic sports, USP adheres to NGB obligations for dispute resolution as outlined in the Act, including obligations to provide fair notice and opportunity for a hearing before declaring the individual ineligible and procedures for the prompt and equitable resolution of grievances (see Section 220522).



USP Complaint Procedures

Outlines the dispute resolution process to hear and render decisions on USP complaints.



USOPC Bylaws & NGB Audit Standards

USP adheres to the NGB Audit Standards for operational performance applicable to maintaining and enforcing grievance procedures for the prompt and equitable resolution of disputes.

ADDITIONAL RESOURCES

-  [U.S. Paralympics](#)
-  [U.S. Paralympics Complaint Procedures](#)
-  [Complaint and Report Forms](#)
-  [U.S. Paralympics Contact](#)
paralympic.secretary@usopc.org

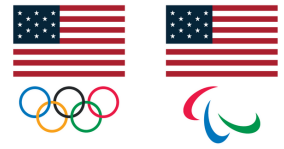
CONTACT INFORMATION

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Lucy Denley | DRU Manager
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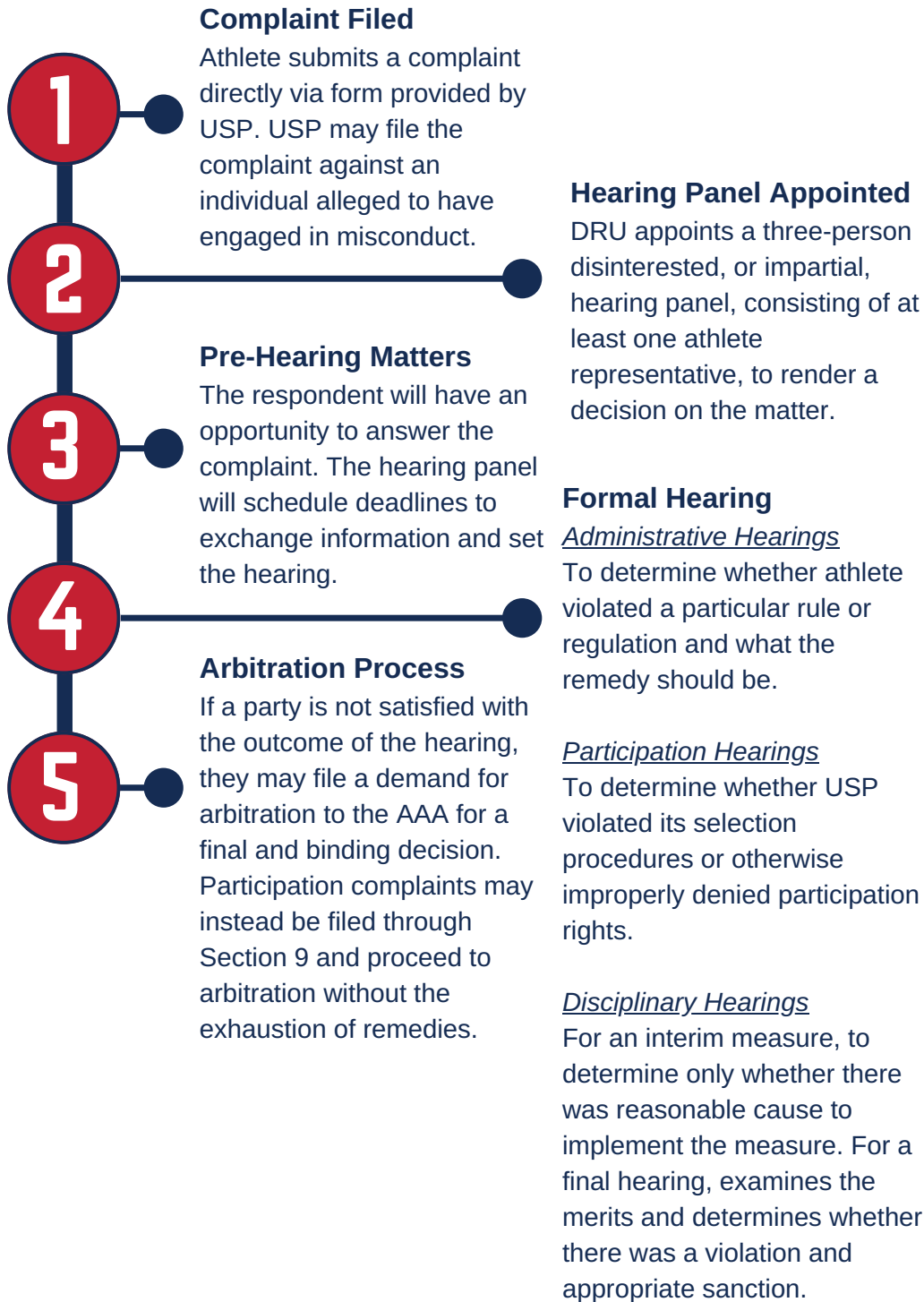
DRU@usopc.org
www.TeamUSA.org

U.S. PARALYMPICS-MANAGED SPORTS COMPLAINTS



What is the U.S. Paralympics-Managed Sport Complaint Process?

After a formal complaint is filed, U.S. Paralympics-managed sport complaints are heard and decided by an impartial hearing panel. For disciplinary complaints, hearings may be requested for an interim measure that affects participation rights, and/or on the underlying allegation.



Constituent Involvement

- ★ Athlete**

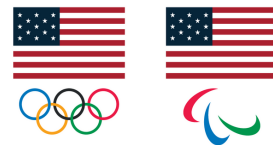
The Individual bringing forth a complaint against USP or who is alleged to have violated applicable rules regarding conduct.
- ★ U.S. Paralympics (USP)**

Either the respondent who defends its adherence to rules; or the claimant who must prove a conduct violation against the athlete.
- ★ Hearing Panel**

The hearing panel is comprised of three, disinterested individuals, including an athlete representative.
- ★ Dispute Resolution Unit**

DRU manages the internal U.S. Paralympics-managed sport hearing process.
- ★ American Arbitration Association (AAA)**

The arbitral organization that administers appeal proceedings.



DRU Support Details



General Administration

DRU oversees the general administration of a USP-managed sport complaint to ensure that the complaint is heard in a timely and efficient manner. This involves managing the overall processing of the complaint, from initiation of the matter to the closing of the case. DRU receives the complaint, reviews filing deficiencies, acknowledges the complaint, provides education to hearing panel members, serves as a liaison and counsel to the hearing panel, communicates with the parties, and oversees the general case management, among any other administrative or legal support.



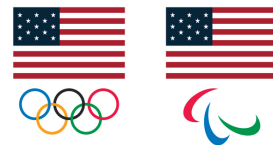
Review & Acknowledgement

Upon the filing of the complaint in accordance with USP Complaint Procedures, DRU is immediately notified of the complaint. DRU reviews the complaint in a timely manner to ensure all filing requirements are met.

If any of the minimum requirements are not met, DRU will notify the claimant of the deficiency and provide them with an opportunity to correct. DRU makes no legal determination or judgment as to the merits of the complaint, but rather ensures that the complaint meets the minimum requirements for filing.

If there are deficiencies with the filing requirements, DRU may direct the claimant to an alternate complaint process that may be more appropriate for their claims. Correcting filing deficiencies and providing general advice is done in an effort to ensure that the claims fit within the correct forum to properly bring resolution in a timely manner and are not duplicative of other processes.

After any potential filing deficiencies have been corrected, DRU formally acknowledges receipt of the complaint with the claimant, along with providing notice of the complaint to the appropriate internal Para sport.



DRU Support Details



Hearing Panel Appointment

Upon receipt of a properly filed complaint, DRU promptly appoints a three-person disinterested hearing panel to hear the case, including the appointment of the chair of the panel. One of the hearing panel members will be an athlete meeting the qualifications outlined in the USOPC Bylaws and the other two members may be any individual so long as they are disinterested and will be impartial to the case. Members of the panel need not be involved in the respective sport.

For the athlete representative, DRU collaborates with the relevant sport AAC representative for recommendations of an athlete to serve in this role. DRU may reach out to the recommended athlete on a preliminary basis regarding the potential appointment and will obtain any disclosures.

For the other two individuals, DRU may work with the USOPC NGB Services department to identify potential candidates to serve on the panel. DRU generally identifies individuals with background knowledge of the Olympic and Paralympic movements, NGB experience, interest in serving on a panel, or with a legal background. DRU may reach out to potential candidates on a preliminary basis and will obtain any disclosures.

DRU notifies the parties of the hearing panel appointment, provides the parties with any disclosures, and may provide the parties with an opportunity to object to the composition of the hearing panel (depending on the urgency of the case).

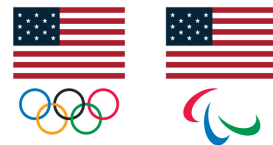


Hearing Panel Education

DRU provides education to the hearing panel members upon appointment. This includes providing an overview of the governing authority for the complaint process and jurisdictional basis (i.e. from the Act, a specific section from the USOPC Bylaws or other policy), explaining relevant precedents and standards, outlining the various steps in the process, detailing a panel member's role and authority, and clarifying any additional responsibilities required of panel members.

DRU delivers a presentation, intended for education of hearing panel members, immediately upon appointment. Education for hearing panel members occurs on a continuous basis throughout the process. This includes providing memos on various precedents and standards, outlining agendas, answering questions and offering guidance on the hearing panel authority, all in an objective manner.

Hearing panel education is aimed at delivering the tools needed for the hearing panel members to properly apply when considering evidence and rendering decisions, and is no way intended to influence or prejudice any hearing panel member's decision-making authority. Education allows hearing panel members to act within the required scope of review and is fundamental to ensuring that the parties receive a fair case.



DRU Support Details



Hearing Panel Support

DRU serves as liaison to the hearing panel in this type of proceeding. This includes setting up meetings, staying apprised of filings, forwarding party communication, answering procedural and logistical questions, and working through hearing panel needs. As all hearing panels are comprised of volunteers, DRU is respectful of the hearing panel members' time and serves to support them in their role by making any part of the process as streamlined and efficient as possible.

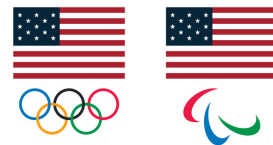
An attorney within DRU serves as counsel to the hearing panel in this complaint process. In the role as legal counsel to the hearing panel, the attorney may provide general legal advice and guidance and answer any questions related to legal issues that arise in the proceeding. This includes setting out the standards and scope of review so the hearing panel understands the appropriate purview of the proceeding, along with its authority. A representative of DRU participates in all hearing panel deliberations to assist the hearing panel with points of clarification, but does not have any decision-making authority. DRU drafts all orders, decisions and/or reports in line with the hearing panel's decision in each particular case for final review and approval by the hearing panel.



Communication with Parties

DRU communicates directly with the parties or involved individuals in the case and serves as a liaison between the parties and the hearing panel. This prevents any ex-parte communications with the panel, along with streamlining information. This also allows for the effective facilitation of information to the panel by eliminating extraneous communications. DRU ensures that all documents, filings submissions, or formal requests are promptly delivered to the panel and confirms receipt and delivery with the parties.

DRU may answer logistical, administrative, or other questions from the parties directly, along with addressing any procedural questions on behalf of the USOPC.



DRU Support Details



Case Management & Logistics

DRU utilizes an internal case management site to effectively track all details within a case from filing to resolution, in accordance with the timeframes as set forth in the USOPC Document Retention Policy. This includes storing:

- Contact information from relevant individuals in the case (e.g. parties, hearing panel, counsel, representatives, other affected parties)
- Filings and submissions
- Deadlines
- Orders and decisions
- Summaries of claims, issues, and decisions
- Key features and outcomes

Additionally, DRU ensures that hearing panel members have access to case details in an effective manner. To accomplish this, DRU may create an external case management site for hearing panel members or some other mechanism to adequately track the case. DRU also keeps an ongoing and updated summary of all filings/submissions, along with a spreadsheet of the timeline of key events, to assist hearing panel members in staying apprised of the high-level information in a case. DRU reminds hearing panel members about upcoming or past deadlines and may communicate with the parties if deadlines are not complied with.

DRU, with the assistance of the USOPC Communications department, ensures that all orders, decisions and awards from cases are publicly posted on TeamUSA.org.

To provide services for an effective proceeding, DRU provides logistical support for any conference calls or hearings. DRU sets up all conference calls, including providing links or call-in details and sending calendar invites and reminders. DRU completes roll call for all calls and hearings, keeps track of time, and assists with taking notes, when appropriate.

Additionally, DRU arranges all administrative aspects for each hearing, including setting the conference line and/or securing office space, providing breakout rooms for the parties and the hearing panel, IT setup requests, and any other logistical issue that may arise.

U.S. PARALYMPICS-MANAGED SPORTS COMPLAINTS



DRU Support Details



Arbitration Support

For any case that is brought forth to the American Arbitration Association (AAA), DRU serves as a liaison to the AAA for administration of these matters.

To the extent permitted and agreed to by the parties, DRU may be notified of the proceeding and may participate as an observer in the arbitration.



Ted Stevens Olympic and Amateur Sports Act



Section 220522:

(a) General. An amateur sports organization is eligible to be recognized, or to continue to be recognized, as a national governing body only if it:

(8) provides 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, sex, age, or national origin, and with fair notice and opportunity for a hearing to any amateur athlete, coach, trainer, manager, administrator, or official before declaring the individual ineligible to participate.

(13) provides procedures for the prompt and equitable resolution of grievances of its members

USOPC Bylaws



Section 8.4.1 Certification Standards.

To be certified, an NGB must satisfy these requirements:

(e)(iv) maintain and enforce grievance procedures that provide for prompt and equitable resolution of grievances and fair notice and an opportunity for a hearing before declaring an individual ineligible to participate.