



Athlete Safety Guide

A comprehensive guide for Athletes, Coaches, Officials, Employees & Parents to recognize, reduce and respond to abuse in USA Roller Sports.

Table of Contents

Introduction	2
Jurisdiction	3
Definitions	4-5
Prohibited Conduct	5-15
Education & Training	16-17
Background Checks	18-20
Reporting	21-25
Event Sanctions & Auditing	26
Enforcement	27
Resources	28
Appendix A:	U.S. Center for SafeSport - Minor Athlete Abuse Prevention Policies
Appendix B:	U.S. Center for SafeSport – SafeSport Code for the U.S. Olympic and Paralympic Movement
Appendix C:	USA Roller Sports Bylaws

Note: This guide is updated annually at the start of each USA Roller Sports (USARS) season on September 1. Details within the guide may fall out of sync with the U.S. Center for SafeSport (the Center) or United States Olympic & Paralympic Committee (USOPC) policy-posting calendar.

Please refer to the U.S. Center for SafeSport website for the most up-to-date version of the SafeSport Code.

As stated in the Code under Administration and Compliance:

“Participants are responsible for knowing the information outlined herein and, by virtue of being a Participant, have expressly agreed to the jurisdiction of the Center and this Code’s policies and procedures, including those governing arbitration. The Center reserves the right to make changes to the Code as necessary. Once posted online, notice has been provided and changes are effective immediately unless otherwise noted.”

Introduction

Over the history of time, USA Roller Sports has proven that it has always had the ability to evolve and adapt to meet the demands of both the sport itself and society.

In March of 2017, the US Center for SafeSport was officially established and is recognized by the United States Congress, the United States Olympic & Paralympic Committee (USOPC), and the National Governing Bodies (NGBs) as the official safe sport organization for all Olympic, Paralympic, Pan American and Para Pan American sports in the United States.

In late 2020, a federal law was passed—the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020—that strengthens safeguards for athletes. The Act strengthens the Center’s oversight functions and mandates a reliable annual funding stream from the U.S. Olympic & Paralympic Committee (USOPC). USA Roller Sports is one of the National Governing Bodies under the USOPC.

This comprehensive guide is designed to be a resource for participants with the end goal being abuse prevention and athlete safety.

If you have any questions, please reach out to the USA Roller Sports National Office. A full contact listing can be found at usarollersports.org

Jurisdiction

Once a report has been made, be it to USA Roller Sports or the US Center for SafeSport, the next step after review lies in determining jurisdictional control.

This decision falls exclusively to the Center to undertake, with the result being one of 2 selections, and understanding where the jurisdiction lies is critical to understanding the overall process.

1. Exclusive Jurisdiction

- a. The Center has the exclusive jurisdiction to investigate and resolve allegations that a participant engaged in one or more of the following:
 - i. Sexual Misconduct, including without limitation to child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct;
 - ii. Criminal Charges or Dispositions involving Child abuse or Sexual Misconduct;
 - iii. Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
 - iv. Aiding and Abetting, when it relates to the Center's process;
 - v. Misconduct Related to the Center's process;
 - vi. Other Inappropriate Conduct, as defined in the Code.
 - vii.

2. Discretionary Jurisdiction

- a. USARS holds jurisdiction and the Center has discretionary jurisdiction to investigate and resolve allegations that a participant engaged in one or more of the following:
 - i. Non-sexual Child Abuse;
 - ii. Emotional and physical misconduct, including stalking, bullying behaviors, hazing and harassment;
 - iii. Criminal Charges or Dispositions not involving Child Abuse or Sexual Misconduct;
 - iv. Minor Athlete Abuse Prevention Policy or other similar Proactive Policy Violations;
 - v. USARS policies or other similar proactive policy violations.

For areas related to acts of protest over incidents that occur in competition, or directly involve areas of grievance that have no relevance to abuse in any way, USA Roller Sports reviews these matters through the process outlined in the USA Roller Sports Bylaws. The USA Roller Sports can be found in Appendix C and also on the USA Roller Sports website under Governance.

Definitions

Athlete: Any member who competes/practices/trains on quad, inline or other endorsed skates/wheels while participating in USARS sanctioned events and programs.

Child, Children, Minor, and Youth: An individual who is, or is believed by the Respondent to be, under the age of 18. The terms child, children, minor, and youth are used interchangeably throughout this policy.

Child Abuse: The term “child abuse” has the meaning set forth in Section 203 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341) or any applicable state law.

Claimant: The person who is alleged to have experienced conduct that constitutes a Code violation.

Coach/Trainer: Any adult who has or shares the responsibility for instructing, teaching, schooling, training, or advising an athlete. The terms Coach and Trainer are used interchangeably. Trainer may also reference a medical athletic trainer.

Code: Is in reference to the US Center for SafeSport Code.

Event: The term “Event” shall have the meaning set forth in the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341). As of the effective date of these policies and procedures, “event” includes travel, lodging, practice, competition, and health or medical treatment.

Regular Contact: Ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete(s). NOTE: NGBs, PSOs, and the USOPC must submit/include categories of members/individuals that fall under the definition including specific volunteer designations.

In-Program Contact: Any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete(s) related to participation in sport.

Investigator: Any individual designated by the Center to complete the process of investigation. Investigations should never be taken on by a participant member of any type or designation. For incidents, such as grievances related to protests and the floor of play, ethics or non-sexual violations under the governance of USA Roller Sports, the USARS Executive Director or their designee, will serve as the investigator.

MAAPP: Minor Athlete Abuse Prevention Policy as defined by the Center.

Participant/Member:

1. Any individual who is seeking to be, currently is, or was at the time of an alleged Code violation:
 - a. A member or license holder of an NGB, LAO, or the USOPC;
 - b. An employee or board member of an NGB, LAO, or the USOPC;
 - c. Within the governance or disciplinary jurisdiction of an NGB, LAO, or the USOPC;
 - d. Authorized, approved, or appointed by an NGB, LAO, or the USOPC to have regular contact with or authority over Minor Athletes.

Power Imbalance: A Power Imbalance may exist where, based on the totality of the circumstances, one person has supervisory, evaluative, or other authority over another. Whether there is a Power Imbalance depends on several factors, including but not limited to: the nature and extent of the supervisory, evaluative or other authority over the person; the actual relationship between the parties; the parties' respective roles; the nature and duration of the relationship; the age of the parties involved; whether there is an aggressor; whether there is a significant disparity in age, size, strength, or mental capacity. Once a Coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the Coach-Athlete relationship (regardless of age) and is presumed to continue for Minor Athletes after the Coach-Athlete relationship terminates until the Athlete reaches 20 years of age. A Power Imbalance may exist, but is not presumed, where an Intimate Relationship existed before the sport relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship).

Respondent: A Participant who is alleged to have violated the Code.

Third-Party Reporter: Reports brought by individuals other than the Claimant are referred to as "third-party reports" and those bringing them are "third-party reporters."

Prohibited Conduct

Prohibited Conduct includes:

- 1. Criminal Charge or Disposition:** It is a violation of the Code for a Participant to have a Criminal Charge or Disposition. Criminal Conduct is relevant to an individual's fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of the Code occurred, but may be considered for sanctioning purposes. The Center reviews Criminal Charges or Dispositions involving sexual misconduct or child abuse de novo; any prior consideration or finding by an NGB, LAO, or the USOPC regarding a Criminal Disposition involving sexual misconduct or child abuse is not relevant to the Center's determination.
- 2. Sex Offender Registry**
 - a. A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to participate.
- 3. Child Abuse**
 - a. It is a violation of the Code for a Participant to engage in Child Abuse.
- 4. Sexual Misconduct**
 - a. It is a violation of the Code for a Participant to engage in Sexual Misconduct. Sexual Misconduct offenses include, but are not limited to:
 - i. Sexual or Gender-related Harassment

1. Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined are present.
2. Sexual harassment includes harassment related to gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined are present.
3. Submission to such conduct is made, either explicitly or implicitly, a term or condition of any person's employment, standing in sport, or participation in Events, sports programs and/or activities; or when submission to or rejection of such conduct is used as the basis for sporting decisions affecting the individual (often referred to as "quid pro quo" harassment); or
4. Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, and/or pervasive such that it interferes with, limits, or deprives any individual of the opportunity to participate in any program or activity. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. Whether a hostile environment exists depends on the totality of known circumstances, including, but not limited to:
 - a. The frequency, nature, and severity of the conduct;
 - b. Whether the conduct was physically threatening;
 - c. The effect of the conduct on the Claimant's mental or emotional state;
 - d. Whether the conduct was directed at more than one person;
 - e. Whether the conduct arose in the context of other discriminatory conduct; Whether the conduct unreasonably interfered with any person's educational or work performance and/or sport programs or activities; and
 - f. Whether the conduct implicates concerns related to protected speech.
5. A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident that is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual contact without Consent, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived

offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

ii. Non-consensual Sexual Contact (or attempts to commit the same)

1. It is a violation of the Code for a Participant to engage in Sexual Contact without Consent.
2. Sexual Contact is any intentional touching of a sexual nature, however slight, with any object or body part (as described below), by a person upon another person.
3. Sexual Contact includes but is not limited to: (a) kissing, (b) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts; and (c) making another touch themselves, the Participant, or someone else with or on any of these body parts.

iii. Non-consensual Sexual Intercourse (or attempts to commit the same)

1. It is a violation of the Code for a Participant to engage in Sexual Intercourse without Consent.
2. Sexual intercourse is any penetration, however slight, with any object or body part (as described below), by a person upon another person.
3. Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

iv. Sexual Exploitation

1. It is a violation of the Code for a Participant to engage in Sexual Exploitation.
2. Sexual Exploitation occurs when a Participant purposely or knowingly:
 - a. Allows third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images) without Consent of all parties involved in the sexual activity.
 - b. Records or photographs private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without Consent of all parties in the recording or photo.
 - c. Engages in voyeurism (e.g., watching private sexual activity or viewing another person's intimate parts when that person would have a

reasonable expectation of privacy), without Consent of all parties being viewed.

- d. Disseminates, shows or posts images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without prior Consent of the person depicted in the images.
 - e. Intentionally exposes another person to a sexually transmitted infection or virus without that person's knowledge.
 - f. Engages in prostituting or trafficking another person.
- v. Bullying or hazing, or other inappropriate conduct of a sexual nature.
- 1. It is a violation of the Code for a Participant to engage in bullying, hazing, and other inappropriate conduct of a sexual nature, as further defined in the corresponding sections below.

5. Emotional and Physical Misconduct, including Stalking, Bullying, Hazing, and Harassment

- a. It is a Code violation for a Participant to engage in emotional and/or physical misconduct, when that misconduct occurs within a context that is reasonably related to sport, which includes, without limitation:
 - i. Emotional Misconduct
 - 1. Emotional Misconduct includes (a) Verbal Acts, (b) Physical Acts, (c) Acts that Deny Attention or Support, (d) Criminal Conduct, and/or (e) Stalking. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.
 - 2. Verbal Acts: Repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.
 - 3. Physical Acts: Repeated and/or severe physically aggressive behaviors, including but not limited to, throwing sport equipment, water bottles or chairs at or in the presence of others, punching walls, windows or other objects.
 - 4. Acts that Deny Attention or Support: Ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Participant from practice.
 - 5. Criminal Conduct: Emotional Misconduct includes any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).
 - 6. Stalking: Stalking occurs when a person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the

course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) to experience substantial emotional distress. "Course of conduct" means at least two or more acts, in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. "Substantial emotional distress" means significant mental suffering or anguish. Stalking also includes "cyber-stalking," wherein a person stalks another using electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

7. Exclusion: Emotional Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improved Athlete performance. Emotional Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participant's participation.

ii. Physical Misconduct

1. Physical Misconduct is any intentional contact or noncontact behavior that causes, or reasonably threatens to cause, physical harm to another person.
2. Examples of physical misconduct may include, without limitation:
3. Contact violations: Punching, beating, biting, striking, strangling or slapping another; intentionally hitting another with objects, such as sporting equipment; encouraging or knowingly permitting an Athlete to return to play prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional.
4. Non-contact violations: Isolating a person in a confined space, such as locking an Athlete in a small space; forcing an Athlete to assume a painful stance or position for no athletic purpose (e.g., requiring an athlete to kneel on a harmful surface); withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another.
5. Criminal Conduct: Physical Misconduct includes any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault).
6. Exclusion: Physical Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance. For example, hitting,

punching and kicking are well regulated forms of contact in combat sports, but have no place in swimming. Physical Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participant's participation.

iii. Bullying Behavior

1. Repeated and/or severe behavior(s) that are (a) aggressive (b) directed at a Minor, and (c) intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually. Bullying-like behaviors directed at adults are addressed under other forms of misconduct, such as Hazing and/or Harassment.
2. Examples of bullying behavior may include, without limitation, repeated and/or severe:
3. Physical Hitting, pushing, punching, beating, biting, striking, kicking, strangling, slapping, spitting at, or throwing objects (such as sporting equipment) at another person.
4. Verbal: Ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.
5. Social, including cyberbullying: Use of rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and asking others to do the same.
6. Sexual: Ridiculing or taunting based on gender or sexual orientation (real or perceived), gender traits or behavior, or teasing someone about their looks or behavior as it relates to sexual attractiveness.
7. Criminal Conduct: Bullying Behavior includes any conduct described as bullying under federal or state law.
8. Exclusion: Conduct may not rise to the level of Bullying Behavior if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

iv. Hazing

1. 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. Purported Consent by the person subjected to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate. Examples of Hazing include:
2. Contact acts: Tying, taping or otherwise physically restraining another person; beating, paddling or other forms of physical assault.
3. Non-contact acts: Requiring or forcing the consumption of alcohol, illegal drugs or other substances, including participation in binge drinking and drinking games; personal servitude; requiring social actions (e.g., wearing inappropriate or provocative clothing) or public displays (e.g., public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water and/or food; restrictions on personal hygiene.
4. Sexualized acts: Actual or simulated conduct of a sexual nature.
5. Criminal acts: Any act or conduct that constitutes hazing under applicable federal or state law.
6. Exclusion: Conduct may not rise to the level of Hazing if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Hazing does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

v. Harassment

1. Repeated and/or severe conduct that (a) causes fear, humiliation or annoyance, (b) offends or degrades, (c) creates a hostile environment (as defined above), or (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 (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.

2. Conduct may not rise to the level of Harassment if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Harassment does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved athletic performance.

6. Aiding and Abetting

- a. Aiding and Abetting occurs when one aids, assists, facilitates, promotes, or encourages the commission of Prohibited Conduct by a Participant, including but not limited to, knowingly:
 - i. Allowing any person who has been identified as suspended or otherwise ineligible by the Center to be in any way associated with or employed by an organization affiliated with or holding itself out as affiliated with an NGB, LAO, HPMO, the USOPC, or the Olympic & Paralympic Movement;
 - ii. Allowing any person who has been identified as suspended or otherwise ineligible by the Center to coach or instruct Participants;
 - iii. Allowing any person who has been identified as ineligible by the Center to have ownership interest in a facility, an organization, or its related entities, if that facility/organization/related entity is affiliated with or holds itself out as affiliated with an NGB, LAO, HPMO, the USOPC, or the Olympic & Paralympic Movement;
 - iv. Providing any coaching-related advice or service to an Athlete who has been identified as suspended or otherwise ineligible by the Center;
 - v. Allowing any person to violate the terms of their suspension or any other sanctions imposed by the Center.
 - vi. In addition, a Participant also violates the Code if someone acts on behalf of the Participant to engage in Aiding or Abetting, or if the guardian, family member, or Advisor of a Participant, including Minor Participants, engages in Aiding or Abetting.

7. Misconduct Related to Reporting

- a. Failure to Report
 - i. An adult Participant who fails to report actual or suspected Sexual Misconduct or Child Abuse to the Center and, when appropriate, to law enforcement may be subject to disciplinary action under the Center's resolution procedures and may also be subject to federal or state penalties.
 - ii. The obligation to report is broader than reporting a pending charge or criminal arrest of a Participant; it requires reporting to the Center any conduct which, if true,

would constitute Sexual Misconduct and/or Child Abuse. The obligation to report to the Center is an ongoing one and is not satisfied simply by making an initial report. The obligation includes reporting, on a timely basis, all information of which an Adult Participant becomes aware, including the names of witnesses, third-party reporters, and Claimants.

- iii. The obligation to report includes personally identifying information of a potential Claimant to the extent known at the time of the report, as well as a duty to reasonably supplement the report as to identifying information learned at a later time. Participants should not investigate or attempt to evaluate the credibility or validity of allegations involving Sexual Misconduct and/or Child Abuse. Participants making a good faith report are not required to prove the reports are true before reporting.

b. Intentionally Filing a False Allegation

- i. In addition to constituting misconduct, filing a knowingly false allegation that a Participant engaged in Prohibited Conduct may violate state criminal law and civil defamation laws. Any person making a knowingly false allegation in a matter over which the Center exercises jurisdiction shall be subject to disciplinary action by the Center.
- ii. An allegation is false if the events reported did not occur, and the person making the report knows the events did not occur.
- iii. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a Code violation.

8. Misconduct Related to the Center's, USOPC or USARS Process

- a. The behaviors identified below constitute Prohibited Conduct and may give rise to a sanction. In addition, a Participant also violates the Code if someone acts on behalf of the Participant and engages in any of the following Prohibited Conduct, including a Participant's Advisor, or the guardian, or family member of a Minor Participant. In such a case, the Participant and/or, if the party acting on behalf of the Participant is also a Participant, that person, may be sanctioned.

- i. Abuse of Process

- 1. A Participant, or someone acting on behalf of a Participant, violates this Code by directly or indirectly abusing or interfering with the Center's process by: (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's

processes; (d) harassing or intimidating (verbally or physically) any person involved in the Center's 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 information⁴; (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.

ii. Retaliation

1. Retaliation against anyone for engaging in the Center's processes is prohibited. A Participant, someone acting on behalf of a Participant, an NGB, LAO, HPMO, the USOPC or any organization subject to the Code shall not take an adverse action against any person for making a good faith report of a possible Code violation to the Center or other relevant organization as identified herein or for participating in any process under the Code.
2. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the Center's processes when the action is reasonably related to the report or engagement with the Center. Retaliation may be present even where there is a finding that no violation occurred.
3. Retaliation does not include good-faith actions lawfully pursued in response to a report of a Code violation.

9. Other Inappropriate Conduct

a. Intimate Relationship

- i. An Adult Participant violates this Code by engaging in an intimate or romantic relationship where a Power Imbalance exists.
- ii. An Intimate or Romantic relationship is a close personal relationship—other than a familial relationship—that exists independently and outside of the sport relationship. Whether a relationship is intimate is based on the totality of the circumstances, including: regular contact and/or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties' emotional connectedness, the exchange of gifts, ongoing physical and/or intimate contact and/or sexual activity, identity as a couple, the sharing of sensitive personal information, and/or intimate knowledge about each other's lives outside the sport relationship.

b. Exposing a Minor to Sexual Content / Imagery

- i. An Adult Participant violates this Code by intentionally exposing a Minor to content or imagery of a sexual nature, including but not limited to, pornography, sexual comment(s), sexual gestures, and/or sexual situation(s).
 - ii. This provision does not exclude the possibility that similar behavior between Adults could constitute Sexual Harassment, as defined in the Code.
 - c. Intentional Exposure of Private Areas
 - i. An Adult Participant violates this Code by intentionally exposing breasts, buttocks, groin, or genitals, or induces another to do so, to an Adult where there is a Power Imbalance, or to a Minor.
 - d. Inappropriate Physical Contact
 - i. An Adult Participant violates this 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: a. touching, slapping, or otherwise contacting the buttocks or genitals of a Participant; b. excessively touching or hugging a Participant; c. kissing a Participant.
 - e. Willful Tolerance
 - i. A Participant violates this Code by willfully tolerating any form of Prohibited Misconduct, when there is a Power Imbalance between that Participant and the individual(s) who are being subjected to the Prohibited Conduct.

10. Violation of Minor Athlete Abuse Prevention Policies / Proactive Policies

- a. It is a violation of the Code for a Participant to violate any provision of the Minor Athlete Abuse Prevention Policies or other proactive policies adopted by the NGBs, LAOs, HPMOs, and/or the USOPC. Proactive policies set standards for professional boundaries, minimize the appearance of impropriety, and have the effect of preventing boundary violations and prohibiting grooming tactics. Tailored to a specific sport, context, legal structure or constituency, such policies may address overnight travel rules (e.g., preventing unrelated Adult Participants and Minors from sharing rooms under specified circumstances), massages and rubdowns, social media and electronic communications, photography, locker rooms, one-on-one meetings and gifting.

Education & Training

If there is one area that is the most essential to identifying, preventing and ending abuse, it is the area of Education and Training.

1. The following individuals within USA Roller Sports are required to complete SafeSport Training:
 - a. All Athletes 18 years of age or older
 - b. Coaches
 - c. Officials (Meet Directors, Stewards, Tabulators, Judges, or other Support Staff)
 - d. Board of Director Members
 - e. Members of any National or Regional committee or sub-committee
 - f. Regional Representatives
 - g. Club Officers
 - h. Employees or Independent Contractors
 - i. Advisors
 - j. Any other participant member adult 18 years of age or older, who is in frequent contact with minor participant members, not listed above.

In order to be a member in good standing with USA Roller Sports, you must complete your required Safe Sport training if you fall in one of the categories listed above.

The training, which is conducted online through your USA Roller Sports member portal includes, Core SafeSport Training (year 1), followed by three refresher courses (annually). Once you have completed the three refresher courses, you will go back to the Core Training.

The Core SafeSport Training consists of:

- Mandatory Reporting
- Emotional & Physical Misconduct
- Sexual Misconduct Awareness Education

Refresher Courses: (Required annually - one year after the completion of the Core SafeSport Training)

- Recognizing and Reporting Misconduct
- Preventing Misconduct
- Creating a Positive Sport Environment

Additional Training and Education:

SafeSport offers several resources for training and education.

Parents of athletes have the opportunity to take the **Parent's Guide to Misconduct in Sport** right in the **USA Roller Sports membership portal**.

You can also find the following training at: <https://uscenterforsafesport.org/training-and-education/training-and-education-services/>

- Online Parent Toolkit
- Returning to Sport During Covid-19
 - Full Virtual Safety Guide
 - Guide for Coaches
 - Guide for Athletes
 - Guide for Parents
- Youth Athlete Training
 - <https://athletesafety.org/training/index>
- Adult Athlete Training

Background Checks

Background Checks are conducted via third party through the National Center for Safety Initiatives (NCSI). NCSI is officially endorsed by the United States Olympic & Paralympic Committee. USA Roller Sports will recognize background checks completed only through the NCSI system.

In addition, if an individual is involved with another NGB Sport, and they have completed a background check previously, this check will be accepted by USA Roller Sports as long as the check is current, conducted by NCSI, and validated directly from the NGB's Membership Department to USA Roller Sports.

1. The following individuals within USA Roller Sports are required to complete Criminal Background Checks:
 - a. Athletes 18 years of age or older if;
 - i. A current member of any USARS Team USA (World Team)
 - ii. Competing on USOPC property or any other venue/property that requires such a check
 - b. Coaches
 - c. Officials (Meet Directors, Stewards, Tabulators, Judges, or other Support Staff)
 - d. Board of Director Members
 - e. Members of any National or Regional committee or sub-committee
 - f. Regional Representatives
 - g. Club Officers
 - h. Employees or Independent Contractors
 - i. Advisors
 - j. Any participant member adult 18 years of age or older, who is in frequent contact with minor participant members.
 - k. USARS reserves the right to require vendors, vendor representatives and associates of any type to establish participant membership status prior to approval of affiliation.
 - l. Individuals affiliated with the media who are authorized or credentialed by the USARS to access a USARS program or event of any kind/type that may have unsupervised one-on-one interactions with participant members.

If a participant member, who falls in one of the categories listed above fails to properly complete their background check with USA Roller Sports, then that individual is subject to sanctions listed within the enforcement section of this guide.

Red Light/Green Light Status

1. Upon completion of the background check process, the individual being checked will fall into either the category of Green Lighted and able participate or they will fall into the category of Red Lighted.
2. If Red Lighted, it does not necessarily mean that the participant is completely ineligible to participate.
 - a. The individual will move to a review process conducted by the Compliance Committee of USA Roller Sports. At the end of the review process, the individual may have their ability to participate approved or the decision will maintain the Red Light and allow zero participation.
 - b. This process is automatically initiated by the USA Roller Sports staff and is presented with the individual's name redacted from the presentation made to the Compliance Committee to assure bias does not occur during a review. The process may take up to 30 days and the individual is not permitted to participate until the review occurs, with approval.

Areas of Screening Criteria Include:

1. Any felony; and
2. Any misdemeanor involving: All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;
3. Any drug related offenses;
4. Harm to a minor, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
5. Violence against a person (including crimes involving firearms and domestic violence);
6. Stalking, harassment, blackmail, violation of a protection order, and/or threats;
7. Destruction of property, including arson, vandalism, and criminal mischief; and
8. Animal abuse, cruelty, or neglect.

Areas reviewed regarding Driving Privileges:

1. No valid driver's license (expired or lack of license);
2. Suspended or revoked driver's license;
3. More than two moving violations and/or accidents in the prior two years;

4. A conviction for a major moving violation within the prior two years, including, but not limited to: DUI/DWI, possession of an open container, any drug-related motor vehicle incident, leaving the scene of an accident, assault (in any form) by use of a motor vehicle, and reckless driving (willful or wanton disregard for safety of persons or property in any form);
5. Pending traffic offenses; and
6. An individual being under 21 years of age.

What offenses result in an automatic USARS Review if Red Lighted?

1. Any felony involving:
 - a. Violence against a person within the previous ten (10) years;
 - b. Violent crimes involving weapons (including armed robbery and aggravated assault with a weapon) within the previous ten (10) years; and
 - c. Animal abuse, cruelty or neglect.
2. As well as any felony or misdemeanor involving:
 - a. All sexual crimes and criminal offenses of a sexual nature to include, but not limited to: rape, child molestation, sexual battery, lewd conduct, possession or distribution of child pornography, possession and distribution of obscene material, and any sex offender registrant (excluding prostitution, indecent exposure, and public indecency);
 - b. Drug offenses including: drug distribution, intent to distribute, manufacturing, trafficking, or sale within the previous seven (7) years (excluding crimes for drug use or possession); and
 - c. Harm to a minor, including, but not limited to: offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, providing alcohol to a minor, and DUI with a minor.

Reporting

Report here **if you have experienced abuse or misconduct—or if you have reasonable suspicion of abuse or misconduct inflicted on, or by, someone** in the U.S. Olympic and Paralympic Movement.

<https://uscenterforsafesport.org/report-a-concern/>

SafeSport Helpline

- If you need support or assistance at any time, you can contact the 24-hour [SafeSport Helpline](#) at 866-200-0796.
- If you are facing a life-threatening emergency, contact 911.
- Specialists for the Helpline (operated by RAINN) can provide confidential, one-on-one live support by phone, chat, or mobile app.

The Center accepts all reports affecting the U.S. Olympic and Paralympic Movement of:

- Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct
- Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct
- Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
- Aiding and Abetting, when it relates to the Center's process
- Misconduct Related to the Center's Process
- Other Inappropriate Conduct, as defined herein

The Center has exclusive jurisdiction to investigate and resolve reports affecting the Movement in the bulleted categories above. The Center also accepts reports of emotional and physical misconduct (including bullying, hazing, stalking, and harassment) within the Movement. Reports of emotional and physical misconduct can also be made directly to your sport's national governing body (NGB).

Reporting Requirements related to:

1. Child Abuse

- a. An Adult Participant who learns of information and reasonably suspects that a child has suffered an incident of child abuse, including sexual abuse, shall immediately make a report of the suspected abuse to both Law Enforcement and the U.S. Center for SafeSport:
 - i. Law Enforcement
 1. The agency designated by the Attorney General, consistent with federal requirements set forth in section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).
 2. Applicable State Law Enforcement agency; learn more about this requirement by visiting <https://www.childwelfare.gov/topics/responding/reporting>.
 - ii. U.S. Center for SafeSport
 1. Through the Center for SafeSport's online reporting form, www.USCenterForSafeSport.org
 2. By Phone at 720-531-0340, during regular business hours (Monday-Friday, 9:00 AM MT – 5:00 PM MT.)
 3. Reporting such conduct to the Center does not satisfy an Adult Participant's obligation to report to law enforcement or other appropriate authorities consistent with section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).

2. Sexual Misconduct

- a. The Center encourages anyone who experiences or becomes aware of an incident of Sexual Misconduct to immediately report the incident to the Center (and/or to law enforcement if the matter involves possible criminal conduct).
- b. If an Adult Participant reasonably suspects that an incident(s) of Sexual Misconduct has occurred, they must immediately report the incident(s) directly to the Center.

3. Emotional and Physical Misconduct

- a. Adult Participants are required to report to the organization with which the Participant is affiliated emotional and physical misconduct (including bullying, stalking, hazing, and harassment) prohibited under the Code, and violations of proactive policies. To report to the USOPC, NGBs, LAOs, or HPMOs, visit the relevant organization's website.

4. Criminal Dispositions

- a. Adult Participants are required to report to the Center Criminal Charge(s) and Disposition(s) involving sexual misconduct or misconduct involving Minors.

- b. Adult Participants are required to report Criminal Charge(s) and Disposition(s) involving any other form of misconduct to the relevant organization (the USOPC, NGB, LAO, or HPMO), consistent with its procedures.

5. Misconduct Related to the Center's Process

- a. Adult Participants are required to report to the Center any suspected incident(s) of:
 - i. Aiding and Abetting
 - ii. Abuse of Process
 - iii. Retaliation

6. Anonymous Reports

- a. Reports may be made anonymously to the Center. Anonymity means the Center will not know the personally identifying information of the reporter. It does not mean that the underlying information will be protected.
- b. However, an anonymous report may limit the Center's ability to investigate and respond to a report, and if an Adult Participant reports anonymously, it may not be possible for the Center to verify that mandatory reporting obligations have been satisfied.
- c. Consequently, the Center strongly encourages Adult Participants to provide their name and contact information when reporting.

7. Confidentiality for Third-Party Reporters

- a. Unless necessary to the Center's investigation or resolution of a matter, the Center and USARS does not disclose a Third-Party Reporter's personally identifying information.

8. Reporting Options for Claimants

- a. A Claimant may choose to make a report to the Center to pursue resolution under these procedures and may also choose to make a report to law enforcement and/or pursue available civil or administrative remedies. A Claimant may pursue one, some, or all of these options at the same time.
- b. A Claimant who wishes to pursue criminal action in addition to, or instead of, making a report under these procedures should contact law enforcement and/or legal counsel directly.

9. Claimant's Request for Anonymity

- a. A Claimant may request that personally-identifying information not be shared with a Respondent. The Center will seek to honor the Claimant's request(s) if it is possible to do so while also protecting the health and safety of the Claimant and the sporting community.
 - i. If the Claimant's request for anonymity can be honored

1. If the Center determines a Claimant's request that personally-identifying information not be shared with Respondent can be honored, the Center may take other appropriate steps designed to eliminate the reported conduct, prevent its recurrence, and remedy its effect on the Claimant and sporting community. Those steps may include offering appropriate remedial measures to the Claimant, providing targeted training or prevention programs, and/or providing or imposing other remedies tailored to the circumstances as a form of alternative resolution.
- ii. If the Claimant's request for anonymity cannot be honored
 1. If the Center determines it cannot honor a Claimant's request(s) that personally-identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no disciplinary action be taken, the Center may direct appropriate actions, which may include, without limitation: (i) imposing a no contact directive or other temporary measure; (ii) initiating an investigation; and (iii) arranging, imposing, or extending any other appropriate remedial and/or protective measures.
 2. In such cases, the Center will make reasonable efforts to protect the privacy of the Claimant. However, actions that may be required as part of any investigation will involve speaking with the Respondent and others who may have relevant information, in which case the Claimant's identity may have to be disclosed. In such cases, the Center will notify the Claimant that the Center intends to proceed with an investigation, but the Claimant is not required to participate in the investigation or in any other actions taken by the Center.

10. Privacy

- a. The Center is committed to protecting the privacy of all individuals involved in the investigation and resolution of reported allegations. With respect to any report under these procedures, the Center, in its discretion, will make reasonable efforts to protect the privacy of individuals involved in the Center's process, while balancing the need to gather information to assess a report and to take steps to eliminate Prohibited Conduct.
- b. Information will be shared as necessary with Center staff and counsel, witnesses, and the parties. It may also be necessary for the Center to notify the NGB, USOPC, or HPMO (a) of an allegation involving a Participant from that organization; (b) if the Center implements a temporary measure; (c) of procedural status updates; and (d) of any sanctions.
 - i. Parental/Guardian Notification
 1. The Center and USA Roller Sports reserves the right to notify guardians of Claimants regarding any health or safety risk.

11. Minor Athlete Abuse Prevention Policies (MAAPP) Located within the Appendix of this guide.

- a. It is required that all violations related to the MAAPP be reported to the USA Roller Sports National Headquarters via any of the following methods:
 - i. By email to any USA Roller Sports employee
 - ii. By phone to the USA Roller Sports National Office at 402-483-7551
 - iii. By mail to USA Roller Sports, 4370 South Street, Lincoln, NE 68506
- b. MAAPP Policy Violations include:
 - i. One-on-One Interactions
 - ii. Massage and Rubdowns/Athletic Training Modalities
 - iii. Locker Room and Changing Areas
 - iv. Electronic Communications
 - v. Transportation
 - vi. Lodging

Event Sanctions & Auditing

Sanctioning of events and programs within USA Roller Sports is required. In order to meet the standards set forth regarding prevention and athlete safety, with specific emphasis on the implementation of the Center's MAAPP requirements for all clubs and event sanction stake holders. The following requirements have been established:

1. USARS Sanction Application Submitted
2. Agreement Signatures in place on the application regarding all standards and MAAPP requirements.
3. Within 5 business days of the event sanction being complete the sanction holder will submit to USARS the official Post Sanction Event Report which will contain the critical details:
 - a. A complete list of all participant staff and officials
 - b. A complete list of all participant athletes and coaches
 - c. A complete list of all third-party vendors/other services provided
 - d. Competition Results and Protests
 - e. Certification/Validation that MAAPP was fully implemented
 - f. Any reporting related to MAAPP or SafeSport Code violations
 - g. **Note:** Upon receipt of the Post Sanction Event Report, USARS will randomly audit within 10 business days participant lists and results assuring that individuals listed are approved for participation. And will immediately follow up with the reporting of any issues related to the MAAPP or SafeSport Code violations.
4. Failure to complete the Post Sanction Event Report, will result in the following:
 - a. First Offense: Written Warning
 - b. Second Offense: Sanction Issued with Participant Level Restrictions to the next event that the sanction holder applies for.
 - c. Third Offense: Sanction Not Issued for future events, until the sanction holder is able to validate requirements are able to be met, via third party audit.
 - d. In addition, if violations are found to have occurred by any participant member associated with the event. Then those participant members are subject for review and possible individual sanction via the USA Roller Sports Compliance Committee, as well as subject to being reported directly to the US Center for SafeSport. Individual participant members may include, but are not limited to: Athletes, Coaches, Officials, Meet Directors, Tabulators, Referees, Stewards, Judges, Employees, Advisors, Rink Owners, Club Officers, Vendors and Third-Party Event Support.

Enforcement

The enforcement and final resolution of all policies and procedures laid out within this guide and via website postings from USA Roller Sports, the US Center for SafeSport and the United States Olympic and Paralympic committee, fall under the body that holds current jurisdiction over any specific case until passed on to USA Roller Sports. Once a final resolution has occurred, and it is passed down from the Center or the USOPC to USA Roller Sports, then at that time, USA Roller Sports accepts full responsibility on the enforcement of any sanctions issued.

The following entities within each organization are responsible in leading the enforcement process.

1. USA Roller Sports – The USA Roller Sports Compliance-Specific Staff along with the Compliance, Ethics and Eligibility Committee (for the full process, refer to the USA Roller Sports Bylaws)
2. US Center for SafeSport – Response & Resolutions
3. United States Olympic Committee – Office of Athlete Safety

Sanctions and Resolutions include, but are not limited to:

1. Informal Warning (Verbal or Written)
2. Formal Warning
3. Education & Training
4. Probation
5. Suspension or Eligibility Restriction
6. Ineligibility
7. Permanent Ineligibility
8. Other Discretionary Sanctions

Resources

Websites & Links

- USA Roller Sports
 - <https://www.teamusa.org/usa-roller-sports/usars-resources/safe-sport-and-athlete-safety>
- U.S. Center for SafeSport
 - <https://uscenterforsafesport.org/about/our-story/>
- United States Olympic & Paralympic Committee - Athlete Safety
 - <https://www.teamusa.org/team-usa-athlete-services/safe-sport>
- S.534 – Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017
 - <https://www.congress.gov/bill/115th-congress/senate-bill/534>

Appendix

- A. 2022 Minor Athlete Abuse Prevention Policies (MAAPP)
- B. SafeSport Code for the U.S. Olympic and Paralympic Movement
- C. USA Roller Sports Bylawys



MINOR ATHLETE ABUSE PREVENTION POLICIES
Publication Date: September 22, 2020

USA Roller Sports Policy Submission Date: January 31, 2021

Effective Date: January 1, 2022

TABLE OF CONTENTS

Introduction	3
Scope	5
Part I: Education & Training Policy	8
Part II: Organizational Requirements for Education & Training and Prevention Policies	9
Part III: Required Policies for One-on-One Interactions	12
One-on-One Interaction Policy	12
Meetings and Training Sessions Policy	12
Athletic Training Modalities, Massages, and Rubdowns Policy	14
Locker Rooms and Changing Areas Policy	14
Electronic Communications Policy	16
Transportation Policy	17
Lodging Policy	18
Terminology	19
Appendix	21

INTRODUCTION

The U.S. Center for SafeSport (the Center) is committed to building a sport community where Participants can work and learn together in an atmosphere free of emotional, physical, and sexual misconduct. Throughout this document the most commonly used terms are defined in the Terminology section in the back of this document.

Authority

The Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 authorizes the Center to develop training and policies to prevent abuse—including physical, emotional, and sexual abuse—within the U.S. Olympic & Paralympic Movement. 36 U.S.C. § 220542(a)(1). Federal law requires that, at a minimum, national governing bodies and paralympic sports organizations *must offer and give consistent training related to the prevention of child abuse: (1) to all adult members who are in regular contact with amateur athletes who are minors and (2) subject to parental consent, to members who are minors*. 36 U.S.C. § 220542(a)(2)(E). Federal law requires that these policies contain reasonable procedures to limit unobservable and uninterrupted one-on-one interactions between an amateur athlete, who is a minor, and an adult, who is not the minor’s legal guardian, at facilities under the jurisdiction of organizations within the U.S. Olympic & Paralympic Movement. 36 U.S.C. § 220542(a)(2)(C).

What is the MAAPP?

To that end, the Center has developed the Minor Athlete Abuse Prevention Policies (MAAPP). The MAAPP is a collection of proactive prevention and training policies for the U.S. Olympic & Paralympic Movement. It has three primary components:

1. An Education & Training Policy that requires training for certain Adult Participants within the Olympic & Paralympic Movement;
2. Required Prevention Policies, focused on limiting one-on-one interactions between Adult Participants and Minor Athletes, that Organizations within the Olympic & Paralympic Movement must implement to prevent abuse;
3. Recommended Prevention Policies.

The Center developed the MAAPP to assist National Governing Bodies (NGBs), Paralympic Sport Organizations (PSOs), Local Affiliated Organizations (LAOs), the U.S. Olympic & Paralympic Committee (USOPC), and other individuals to whom these policies apply in meeting their obligations under federal law (*note*: implementing these policies does not guarantee that an

organization or individual fully complies with federal law or all applicable legal obligations). These Organizations should share these policies with all Participants and with parents/guardians of minor athletes. Those implementing these policies should consider the physical and cognitive needs of all athletes.

The MAAPP focuses on just two important aspects of a much larger comprehensive abuse prevention strategy. These policies address training requirements and limiting one-on-one interactions between adults and minor athletes. These policies are intended to be enforceable and reasonable, acknowledging, for example, that when a 17-year-old athlete turns 18, they become an adult athlete, and a complete prohibition of one-on-one interactions may not be necessary or practical. Additionally, there may be other instances when one-on-one interactions could occur, and in those cases, these policies provide strategies so parents/guardians can provide informed consent if they choose to allow a permitted interaction. **The Center recommends that parents first complete training on abuse prevention to be informed about potential boundary violations and concerns before consenting to the interaction.**

While the MAAPP will help organizations implement these policies to greatly improve minor athlete safety, in no way can they guarantee athlete safety in all circumstances, especially when the policies are not fully implemented, followed, or monitored. These policies are not comprehensive of all prevention strategies, nor are they intended to be. These policies should be implemented alongside the [SafeSport Code](#). Additionally, other resources are available that may assist organizations in improving athlete safety¹.

How Does the Center Ensure Compliance with the MAAPP?

Federal law requires the Center to conduct regular and random audits of the NGBs to ensure compliance with these policies. 36 U.S.C. § 220542(a)(2)(E). More specific organizational compliance requirements can be found in Part II. Additionally, it is the responsibility of the USOPC and each NGB, LAO, and Adult Participant to comply with the MAAPP. The

¹ Saul, J., & Audage, N.C. (2007). [Preventing Child Sexual Abuse Within Youth-Servicing Organization: Getting Started on Policies and Procedures](#). Atlanta, GA: Centers for Disease Control and Prevention.

Canadian Centre for Child Protection. (2014). [Child Sexual Abuse: It Is Your Business](#). Winnipeg, Manitoba: Canadian Centre for Child Protection.

The Australian Royal Commission Into Institutional Responses to Child Sexual Abuse. (2017). [Final Report](#).

aforementioned Organizations can act in their respective programs for violations of the MAAPP by Adult Participants. Adult Participants also have an independent responsibility to comply with these MAAPP provisions. Violations of these provisions can result in sanctions under the SafeSport Code.

Is the MAAPP Different from the SafeSport Code?

Yes. The [SafeSport Code](#) works alongside the MAAPP to prevent abuse. The MAAPP includes proactive prevention policies for organizations and individuals, while the SafeSport Code contains misconduct policies for individuals. However, violations of the MAAPP can violate the SafeSport Code, and violators can be sanctioned.

SCOPE

The MAAPP Applies to “In-Program Contact” Within the Olympic & Paralympic Movement

The MAAPP is required for the U.S. Olympic & Paralympic Committee (USOPC), National Governing Bodies (NGB), Local Affiliated Organizations (LAO), and Paralympic Sport Organizations (PSO) within the Olympic & Paralympic Movement (each an “Organization”).

Some policies impose requirements on USA Roller Sports (USARS) at sanctioned events and facilities partially or fully under the USARS jurisdiction. Other policies impose certain requirements on Adult Participants under the USARS jurisdiction when the Adult Participant is having “In-Program Contact.”

Who is a Minor Athlete?

A **Minor Athlete** is an amateur athlete under 18 years of age who participates in, or participated within the previous 12 months in, an event, program, activity, or competition that is part of, or partially or fully under the jurisdiction of, USARS and the USOPC

Partial or Full Jurisdiction: Includes any sanctioned event (including all travel and lodging in connection with the event) by USARS or any facility that USARS owns, leases, or rents for practice, training, or competition.

Who is an Adult Participant?

An **Adult Participant** is any adult (18 years of age or older) who is:

1. A member or license holder of USARS/USARS clubs;
2. An employee or board member of USARS/USARS clubs;
3. Within the governance or disciplinary jurisdiction of USARS/USARS clubs;
4. Authorized, approved, or appointed by USARS/USARS clubs to have regular contact with or authority over Minor Athletes.

What is In-Program Contact?

In-Program Contact includes sanctioned events and facilities, but it also applies more broadly to sport-related interactions. **The MAAPP defines “In-Program Contact” as:**

Any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete(s) related to participation in sport.

Examples of in-program contact include, but are not limited to: competition, practices, camps/clinics, training/instructional sessions, pre/post game meals or outings, team travel, review of game film, team- or sport-related relationship building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community service, sport education, or competition site visits.

Does the MAAPP Have Any Exceptions?

Yes. The MAAPP was written with certain appropriate exceptions in mind. Exceptions are addressed in each policy and include:

1. A Close-in-Age Exception

This exception applies to certain policies and allows for In-Program Contact between an Adult Participant and a Minor Athlete if:

- a. The Adult Participant has no authority over the Minor Athlete; and
- b. The Adult Participant is not more than four years older than the Minor Athlete.

Note: This exception is different than the close-in-age exception in the [SafeSport Code](#) pertaining to misconduct.

2. Exceptions for Adult Participant Personal Care Assistants Working with a Minor Athlete

3. Exceptions _____ for _____ Dual _____ Relationships

This exception applies to certain policies when the Adult Participant has a dual role or

relationship with a Minor Athlete. The exception requires written consent of the Minor Athlete's parent/guardian at least annually.

Many of the exceptions require parent/guardian consent. The Center recommends parents take training on child abuse prevention before providing consent under these policies. The Center offers a free Parent Course at www.athletesafety.org.

Am I required to take SafeSport Training?

Certain Adult Participants within the Olympic & Paralympic Movement who have (i) regular contact with Minor Athletes, (ii) authority over Minor Athletes, or (iii) are employees or board members of the USOPC, NGBs, PSOs, or LAOs, are required to take training. The specific training requirements can be found in Part I.

PART I

EDUCATION & TRAINING POLICY

A. Mandatory Child Abuse Prevention Training for Adult Participants

1. Adult Participants Required to Complete Training (See Appendix)
 - a. The following Adult Participants must complete the *SafeSport Trained Core* either through the Center's online training or the Center's approved, in-person training:
 - i. Adult Participants who have regular contact with any amateur athlete(s) who is a minor;
 - ii. Adult Participants who have authority over any amateur athlete(s) who is a minor;
 - iii. Adult Participants who are an employee or board member of USARS/USARS Clubs;
 - b. Adult Participants who are medical providers, including athletic trainers or other licensed medical providers as identified by USARS, required to take training under Section (a) can take the Health Professionals Course in lieu of the *SafeSport Trained Core*.
2. Timing of Training

Adult Participants must complete this training:

 - a. Before regular contact with an amateur athlete who is a minor begins; **and**
 - b. Within the first 45 days of either initial membership or upon beginning a new role subjecting the adult to this policy.
3. Refresher Training

The above listed Adult Participants must complete a refresher course on an annual basis, beginning the calendar year after completing the *SafeSport Trained Core*. Every four years, Adult Participants will complete the *SafeSport Trained Core* training. Medical providers can take the Health Professionals Course in lieu of the *SafeSport Trained Core* and are required to take the refresher courses on an annual basis if they meet the criteria for A(1).

B. Minor Athlete Training Must Be Offered

1. USARS/LAO (USARS club), on an annual basis, must offer and, subject to parental consent, give training to Minor Athletes on the prevention and reporting of child abuse.
2. The Center offers youth courses, located at www.athletesafety.org, that meet this requirement.

C. Parent Training Must Be Offered

1. USARS/LAO, on an annual basis, must offer training to parents on the prevention and reporting of child abuse.
2. The Center offers a parent course, located at www.athletesafety.org, that meets this requirement.

D. Optional Training

1. Adult Participants serving in a volunteer capacity, who will not have regular contact with or authority over Minor Athletes, should take the Center's brief Volunteer Course (or *SafeSport Trained Core*) before engaging or interacting with any Minor Athlete(s).
2. USARS/LAO, may provide training *in addition to* the *SafeSport Trained Core*, although they cannot refer to this training as "SafeSport" training. **Training other than the *SafeSport Trained Core* or Refresher does not satisfy this policy.**
3. Parents of Minor Athletes are provided free online access to the Center's parent course and are encouraged to take the training.

E. Exemptions and Accommodations

1. Exemptions from this Education & Training Policy may be made on a case-by-case basis for victims/survivors. Requests may be made directly to the U.S. Center for SafeSport at exemptions@safesport.org.
2. The Center will work with the USARS/LAO on appropriate accommodations for persons with disabilities and individuals with limited English proficiency to satisfy these training requirements. USARS/LAO must provide reasonable accommodations and track any exemptions for individuals with disabilities and individuals with limited English proficiency.

PART II ORGANIZATIONAL REQUIREMENTS FOR EDUCATION & TRAINING AND PREVENTION POLICIES

All NGBs, PSOs, LAOs, and the USOPC (the “Organization”) must implement proactive policies designed to prevent abuse. These organizational requirements are described below.

A. Organizational Requirements for Education & Training

1. USARS must track whether Adult Participants under its jurisdiction complete the required training listed in Part I.
2. USARS/LAO (USARS Club) must, on an annual basis, offer and, subject to parental consent, give training to Minor Athletes on the prevention and reporting of child abuse.
 - a. For training to Minor Athletes, USARS must track a description of the training and how the training was offered and provided to Minor Athletes.
 - b. USARS is not required to track individual course completions of Minor Athletes.
3. USARS/LAO must, on an annual basis, offer training to parents on the prevention and reporting of child abuse.

B. Required Prevention Policies and Implementation

1. USARS must develop minor athlete abuse prevention policies that contain the mandatory components of the Center’s model policies in Part III. These model policies cover:
 - a. One-on-one interactions
 - b. Meetings and training sessions
 - c. Athletic training modalities, massages, and rubdowns
 - d. Locker rooms and changing areas
 - e. Electronic communications
 - f. Transportation
 - g. Lodging
2. The policies must be approved by the Center as described in subsection (C) below. The policies may include the recommended components in Part III and the recommended policies in Part IV. Given the uniqueness of each sport, however, some recommended components or policies may not be feasible or appropriate. An Organization may choose to implement stricter standards than the model policies.
3. USARS must also require that its LAOs implement these policies within each LAO.
4. USARS/LAO must implement these policies for all In-Program Contact.

- a. At sanctioned events and facilities partially or fully under its jurisdiction, USARS/LAO must take steps to ensure the policies are implemented and followed.
 - b. For In-Program Contact that occurs outside USARS/LAO sanctioned event or facilities, implementing these policies means:
 - i. Communicating the policies to individuals under its jurisdiction;
 - ii. Establishing a reporting mechanism for violations of the policies;
 - iii. Investigating and enforcing violations of the policies.
5. USARS/LAO must have a reporting mechanism to accept reports that an Adult Participant is violating USARS minor athlete abuse prevention policies. USARS/LAO must appropriately investigate and resolve any reports received, unless the violation is reported to the Center and it exercises jurisdiction over the report. This requirement is in addition to requirements to report abuse under the SafeSport Code.

C. Policy Approval and Submission Process

1. USARS may adopt the MAAPP as-is or adapt it to fit their needs. Regardless, USARS must submit their policies to the Center at compliance@safesport.org for review and approval by January 31, 2021. The Center will approve, approve with modifications, or deny the policies. If the Center denies the proposed policy, the mandatory components of Part III become the default policy until the Center approves the policy.
2. USARS must require their LAOs to incorporate the mandatory components of Part III. NGBs may require that their LAOs implement the NGB's policies, which may be more stringent than the policies in Part III.
3. USARS may, in its discretion, require its National Member Organizations (NMO) to implement these policies.
 - An NGB that chooses to require its NMOs to implement the Education & Training Policy must obtain advanced, written approval from the Center to expand the training access to additional persons. Requests must be submitted to ngbservices@safesport.org.
4. The mandatory components of Part III will serve as the default policy for any organization that fails to develop its own policy as required by this section.

PART III

REQUIRED POLICIES FOR ONE-ON-ONE INTERACTIONS

The U.S. Center for SafeSport recognizes that youth-adult relationships can be healthy and valuable for development. Policies on one-on-one interactions protect children while allowing for these beneficial relationships. As child sexual abuse is often perpetrated in isolated, one-on-one situations, it is critical that organizations limit such interactions between youth and adults and implement programs that reduce the risk of sexual abuse.

ONE-ON-ONE INTERACTIONS

A. Mandatory Components

1. Observable and Interruptible
 - a. All one-on-one In-Program Contact between an Adult Participant and a Minor Athlete must be observable and interruptible, except in emergency circumstances.
 - b. The exceptions below may apply to specific policies, and if the exceptions apply, they are listed in the policy. These exceptions also apply to all one-on-one In-Program Contact not specifically addressed in other policies:
 - i. When a Dual Relationship exists; or
 - ii. When the Close-in-Age Exception applies; or
 - iii. If a Minor Athlete needs a Personal Care Assistant, and:
 - (1) the Minor Athlete's parent/guardian has provided written consent to USARS/LAO (USARS Club) for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy.
 - iv. In other circumstances specifically addressed in this policy that allow for certain one-on-one interactions if USARS/LAO receives parent/ guardian consent.

MEETINGS AND TRAINING SESSIONS

A. Mandatory Components

1. Observable and Interruptible

Adult Participants must follow the one-on-one interaction policy in all meetings and training sessions where Minor Athlete(s) are present.

2. Individual Training Sessions

- a. One-on-one, In-Program, individual training sessions must be observable and interruptible except if:
 - i. A Dual Relationship exists; or
 - ii. The Close-in-Age Exception applies; or
 - iii. A Minor Athlete needs a Personal Care Assistant, and:
 - (1) the Minor Athlete’s parent/guardian has provided written consent to USARS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy.
- b. The Adult Participant providing the individual training session must receive advance, written consent from the Minor Athlete’s parent/guardian at least annually, which can be withdrawn at any time; and
- c. Parents/guardians must be allowed to observe the individual training session.

3. Meetings with licensed mental health care professionals and health care providers (other than athletic trainers²)

If a licensed mental health care professional or licensed health care provider meets one-on-one with a Minor Athlete at a sanctioned event or a facility, which is partially or fully under USARS/LAO jurisdiction, the meeting must be observable and interruptible except:

- a. If the door remains unlocked; and
- b. Another adult is present at the facility and notified that a meeting is occurring, although the Minor Athlete’s identity needs not be disclosed; and
- c. USARS/LAO is notified that the provider will be meeting with a Minor Athlete; and
- d. The provider obtains consent consistent with applicable laws and ethical standards, which can be withdrawn at any time.

² Athletic trainers who are covered under these policies must follow the “Athletic Training Modalities, Massages, and Rubdowns” policy.

Recommended Training

4. Parent Training
Parents/guardians are encouraged to take the U.S. Center for SafeSport’s education and training on child abuse prevention before providing consent for their Minor Athlete to have a meeting or training session with an Adult Participant subject to these policies.

ATHLETIC TRAINING MODALITIES, MASSAGES, AND RUBDOWNS

A. Mandatory Components

1. Athletic training modality, massage, or rubdown

All In-Program athletic training modalities, massages, or rubdowns of a Minor Athlete must:

- a. Be observable and interruptible; and
- b. Have another Adult Participant physically present for the athletic training modality, massage, or rubdown; and
- c. Have documented consent as explained in subsection (2) below; and
- d. Be performed with the Minor Athlete fully or partially clothed, ensuring that the breasts, buttocks, groin, or genitals are always covered; and
- e. Allow parents/guardians in the room as an observer, except for competition or training venues that limit credentialing.

2. Consent

- a. Providers of athletic training modalities, massages, and rubdowns or USARS/LAO, when applicable, must obtain consent at least annually from Minor Athletes’ parents/guardians before providing any athletic training modalities, massages, or rubdowns.
- b. Minor Athletes or their parents/guardians can withdraw consent at any time.

LOCKER ROOMS AND CHANGING AREAS

A. Mandatory Components

1. Observable and Interruptible

Adult Participants must ensure that all one-on-one In-Program Contact with Minor Athlete(s) in a locker room, changing area, or similar space where Minor Athlete(s) are present is observable and interruptible, except if:

- a. A Dual Relationship exists; or
 - b. The Close-in-Age Exception applies; or
 - c. A Minor Athlete needs a Personal Care Assistant and:
 - i. the Minor Athlete’s parent/guardian has provided written consent to USARS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - ii. the Adult Participant Personal Care Assistant has complied with the Education & Training Policy.
2. Conduct in Locker Rooms, Changing Areas, and Similar Spaces
- a. No Adult Participant or Minor Athlete can use the photographic or recording capabilities of any device in locker rooms, changing areas, or any other area designated as a place for changing clothes or undressing.
 - b. Adult Participants must not change clothes or behave in a manner that intentionally or recklessly exposes their breasts, buttocks, groins, or genitals to a Minor Athlete.
 - c. Adult Participants must not shower with Minor Athletes unless:
 - i. The Adult Participant meets the Close-in-Age Exception; or
 - ii. The shower is part of a pre- or post-activity rinse while wearing swimwear.
 - d. Parents/guardians may request in writing that their Minor Athlete(s) not change or shower with Adult Participant(s) during In-Program Contact. USARS/LAO and the Adult Participant(s) must abide by this request.
3. Media and Championship Celebrations in Locker Rooms
- USARS/LAO may permit recording or photography in locker rooms for the purpose of highlighting a sport or athletic accomplishment if:
- i. Parent/legal guardian consent has been obtained; and
 - ii. USARS/LAO approves the specific instance of recording or photography; and
 - iii. Two or more Adult Participants are present; and
 - iv. Everyone is fully clothed.
4. Personal Care Assistants
- Adult Participant Personal Care Assistants are permitted to be with and assist Minor Athlete(s) in locker rooms, changing areas, and similar spaces where other Minor Athletes are present, if they meet the requirements in subsection (1)(c) above.
5. Availability and Monitoring of Locker Rooms, Changing Areas, and Similar Spaces

- a. USARS/LAO must provide a private or semi-private place for Minor Athletes that need to change clothes or undress at sanctioned events or facilities partially or fully under the jurisdiction.
- b. USARS/LAO must monitor the use of locker rooms, changing areas, and similar spaces to ensure compliance with these policies at sanctioned events or facilities partially or fully under USARS/LAO jurisdiction.

ELECTRONIC COMMUNICATIONS³

A. Mandatory Components

1. Open and Transparent

- a. All one-on-one electronic communications between an Adult Participant and a Minor Athlete must be Open and Transparent except:
 - i. When a Dual Relationship exists; or
 - ii. When the Close-in-Age Exception applies; or
 - iii. If a Minor Athlete needs a Personal Care Assistant and:
 - (1) the Minor Athlete's parent/guardian has provided written consent to USARS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy.
- b. Open and Transparent means that the Adult Participant copies or includes the Minor Athlete's parent/guardian, another adult family member of the Minor Athlete, or another Adult Participant.
 - If a Minor Athlete communicates with the Adult Participant first, the Adult Participant must follow this policy if the Adult Participant responds.
- c. Only platforms that allow for Open and Transparent communication may be used to communicate with Minor Athletes.

2. Team Communication

When an Adult Participant communicates electronically to the entire team or any number of Minor Athletes on the team, the Adult Participant must copy or include another Adult Participant or the Minor Athletes' parents/guardians.

3. Content

All electronic communication originating from an Adult Participant(s) to a Minor Athlete(s) must be professional in nature unless an exception in (1)(a) exists.

4. Requests to discontinue

Parents/guardians may request in writing that USARS/LAO or an Adult Participant subject to this policy not contact their Minor Athlete through any form of electronic communication. USARS/LAO and the Adult Participant must abide by any request to discontinue, absent emergency circumstances.

³ Electronic communications include, but are not limited to: phone calls, videoconferencing, video coaching, texting, and social media.

TRANSPORTATION

A. Mandatory Components

1. Transportation

- a. An Adult Participant cannot transport a Minor Athlete one-on-one during In-Program travel, except if:
 - i. A Dual Relationship exists; or
 - ii. The Close-in-Age Exception applies; or
 - iii. A Minor Athlete needs a Personal Care Assistant and:
 - (1) the Minor Athlete's parent/guardian has provided written consent to USARS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy.
 - iv. The Adult Participant has advance, written consent to transport the Minor Athlete one-on-one obtained at least annually from the Minor Athlete's parent/guardian.
- b. Minor Athlete(s) or their parent/guardian can withdraw consent at any time.
- c. An Adult Participant meets the In-Program transportation requirements if the Adult Participant is accompanied by another Adult Participant or at least two minors.
- d. Written consent from a Minor Athlete's parent/guardian is required for all transportation sanctioned by an USARS/LAO at least annually.

Recommended Training

2. Parent Training

Parents/guardians are encouraged to complete the U.S. Center for SafeSport education and training on child abuse prevention before providing consent for their Minor Athlete to travel one-on-one with an Adult Participant.

LODGING

A. Mandatory Components

1. Hotel Rooms and Other Sleeping Arrangements

- a. All In-Program Contact at a hotel or lodging site between an Adult Participant and a Minor Athlete must be observable and interruptible, and an Adult Participant cannot share a hotel room or otherwise sleep in the same room with a Minor Athlete(s), except if:
 - i. A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USARS/LAO with advance, written consent for the lodging arrangement;
 - ii. The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USARS/LAO with advance, written consent for the lodging arrangement; or
 - iii. The Minor Athlete needs a Personal Care Assistant, and:
 - (1) The Minor Athlete's parent/guardian has provided advance, written consent to USARS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement; and
 - (2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy.
- b. Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.

2. Monitoring or Room Checks During In-Program Travel

If USARS/LAO or team performs room checks during In-Program lodging, the one-on-one interaction policy must be followed and at least two adults must be present for the room checks.

3. Additional Requirements for Lodging Authorized or Funded by the Organization

- a. Adult Participants traveling with USARS/LAO must agree to and sign the USARS lodging policy at least annually.
- b. Adult Participants that travel overnight with Minor Athlete(s) are assumed to have Authority over Minor Athlete(s) and thus must comply with the USARS' Education & Training Policy.

Recommended Training

4. Parent Training
Parents/guardians are encouraged to complete the U.S. Center for SafeSport's education and training on child abuse prevention before providing consent for lodging arrangements under this policy.

TERMINOLOGY

Adult Participant: Any adult (18 years of age or older) who is:

- a. A member of a USA Roller Sports or a USA Roller Sports Club (including unattached);
- b. An employee or board member of USA Roller Sports or USA Roller Sports Club;
- c. Within the governance or disciplinary jurisdiction of an USA Roller Sports or a USA Roller Sports member club;
- d. Authorized, approved, or appointed by USA Roller Sports or a USA Roller Sports Club to have regular contact with or authority over Minor Athletes.⁴

Amateur Athlete: An athlete who meets the eligibility standards established by the National Governing Body or paralympic sports organization for the sport in which the athlete competes.

Authority: When one person's position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person. Also see the [Power Imbalance definition in the SafeSport Code](#). *NOTE: NGBs, PSOs, and the USOPC must submit/include categories of members/individuals that fall under the definition including specific volunteer designations.*

Close-in-Age Exception: An exception applicable to certain policies when an Adult Participant does not have authority over a Minor Athlete *and* is not more than four years older than the Minor Athlete (e.g., a 19-year-old and a 16-year-old). Note: this exception *only* applies within the prevention policies and *not* regarding conduct defined in the SafeSport Code.

Dual Relationships: An exception applicable to certain policies when an Adult Participant has a dual role or relationship with a Minor Athlete and the Minor Athlete's parent/guardian has provided written consent at least annually authorizing the exception.

In-Program Contact: Any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete(s) related to participation in sport.

Examples of In-Program Contact include, but are not limited to: competition, practices, camps/clinics, training/instructional sessions, pre/post game meals or outings, team travel, review of game film, team- or sport-related relationship building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community service, sport education, or competition site visits.

⁴ This may include volunteers, medical staff, trainers, chaperones, monitors, contract personnel, bus/van drivers, officials, adult athletes, staff, board members, and any other individual who meets the Adult Participant definition.

Local Affiliated Organization (LAO): A regional, state, or local club or organization that is directly affiliated with an NGB or that is affiliated with an NGB by its direct affiliation with a regional or state affiliate of said NGB. LAO does not include a regional, state, or local club or organization that is only a member of a National Member Organization of an NGB. USARS clubs are identified as LAOs in the USARS organization.

Minor Athlete: An Amateur Athlete under 18 years of age who participates in, or participated within the previous 12 months in, an event, program, activity, or competition that is part of, or partially or fully under the jurisdiction of, an NGB, PSO, USOPC, or LAO.

Partial or Full Jurisdiction: Includes any sanctioned event (including all travel and lodging in connection with the event) by the NGB, PSO, USOPC, or LAO, or any facility that the NGB, PSO, USOPC, or LAO owns, leases, or rents for practice, training or competition.

National Governing Body (NGB): A U.S. Olympic National Governing Body, Pan American Sport Organization, or Paralympic Sport Organization recognized by the U.S. Olympic & Paralympic Committee pursuant to the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. §§ 220501, et seq. This definition shall also apply to the USOPC, or other sports entity approved by the USOPC, when they have assumed responsibility for the management or governance of a sport included on the program of the Olympic, Paralympic, or Pan-American Games.

Adult Participant Personal Care Assistant: An Adult Participant who assists an athlete requiring help with activities of daily living (ADL) and preparation for athletic participation. This support can be provided by a Guide for Blind or visually impaired athletes or can include assistance with transfer, dressing, showering, medication administration, and toileting. Personal Care Assistants are different for every athlete and should be individualized to fit their specific needs. When assisting a Minor Athlete, Adult Participant PCAs must be authorized by the athlete's parent/guardian.

Paralympic Sport Organization (PSO): an amateur sports organization recognized and certified as an NGB by the USOPC.

Regular Contact: Ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete(s). *NOTE: NGBs, PSOs, and the USOPC must submit/include categories of members/individuals that fall under the definition including specific volunteer designations.*

U.S. Olympic & Paralympic Committee (USOPC): A federally chartered nonprofit corporation that serves as the National Olympic Committee and National Paralympic Committee for the United States.

Appendix – Adult Participants

All Adult Participants identified in the below chart who have Regular Contact or Authority must complete the required training as stated above in Part 1.

Adult Participants	Regular Contact	Authority
USARS/LAO Staff and Interns		X
USARS/LAO Board Members		X
Coaches	X	X
Officials (Including Meet Directors)	X	X
Adult Athletes on same teams with Minor Athletes	X	
Volunteers with Regular Contact (ex. Chaperones)	X	
Athletic Trainers	X	
Medical Professionals	X	
USARS Contractors		X
Adult Athletes not on the same teams with Minor Athletes		

Volunteers not in a role of Regular Contact or Authority		
Vendor without Regular Contact or Authority		



SAFESPORT CODE FOR THE U.S. OLYMPIC AND PARALYMPIC MOVEMENT

EFFECTIVE APRIL 1, 2021

**SAFESPORT CODE FOR THE U.S. OLYMPIC AND
PARALYMPIC MOVEMENT**

TABLE OF CONTENTS

<p>I. AUTHORITY 1</p> <p>II. ADMINISTRATION AND COMPLIANCE 1</p> <p>III. APPLICATION 1</p> <p>IV. JURISDICTION OF THE CENTER 1</p> <p style="padding-left: 20px;">A. Exclusive Jurisdiction 1</p> <p style="padding-left: 20px;">B. Discretionary Jurisdiction..... 1</p> <p style="padding-left: 20px;">C. Jurisdictional Reassessment 2</p> <p>V. JURISDICTION OF THE USOPC, NGBs, and LAOs..... 2</p> <p>VI. APPLICABLE PROCEDURES..... 2</p> <p>VII. ENFORCEMENT AUTHORITY..... 3</p> <p style="padding-left: 20px;">A. Enforcement Responsibility 3</p> <p style="padding-left: 20px;">B. Reciprocal Enforcement..... 3</p> <p style="padding-left: 20px;">C. Reviewing Temporary Measures and Sanctions 3</p> <p style="padding-left: 20px;">D. Communications to Stakeholders..... 3</p> <p style="padding-left: 20px;">E. Requirements to Register or Affiliate with a National Governing Body..... 3</p> <p>VIII. DEFINITIONS..... 3</p> <p style="padding-left: 20px;">A. Athlete..... 3</p> <p style="padding-left: 20px;">B. Child Abuse..... 3</p> <p style="padding-left: 20px;">C. Claimant 3</p> <p style="padding-left: 20px;">D. Consent..... 4</p> <p style="padding-left: 40px;">1. Force 4</p> <p style="padding-left: 40px;">2. Legal Capacity..... 4</p>	<p style="padding-left: 40px;">3. Incapacitation 5</p> <p>E. Days..... 5</p> <p>F. Event..... 5</p> <p>G. Local Affiliated Organization (LAO) 5</p> <p>H. Minor or Child 6</p> <p>I. National Governing Body (NGB)..... 6</p> <p>J. Participant..... 6</p> <p>K. Power Imbalance..... 6</p> <p>L. Respondent 7</p> <p>M. Third-Party Reporter 7</p> <p>IX. PROHIBITED CONDUCT..... 7</p> <p style="padding-left: 20px;">A. Criminal Charge or Disposition 7</p> <p style="padding-left: 40px;">1. Definitions 8</p> <p style="padding-left: 80px;">a. Criminal Disposition 8</p> <p style="padding-left: 80px;">b. Criminal Charge, including Warrant for Arrest..... 8</p> <p style="padding-left: 40px;">2. Sex Offender Registry 8</p> <p style="padding-left: 40px;">3. Hearing Related to Criminal Charge or Disposition 8</p> <p style="padding-left: 20px;">B. Child Abuse..... 8</p> <p style="padding-left: 20px;">C. Sexual Misconduct 8</p> <p style="padding-left: 40px;">1. Sexual or Gender-related Harassment 9</p> <p style="padding-left: 40px;">2. Nonconsensual Sexual Contact 10</p> <p style="padding-left: 40px;">3. Nonconsensual Sexual Intercourse..... 10</p> <p style="padding-left: 40px;">4. Sexual Exploitation 10</p> <p style="padding-left: 40px;">5. Bullying, Hazing, or Other Inappropriate Conduct of a Sexual Nature 11</p>
---	---

D. Emotional and Physical Misconduct.....	11	5. Harassment	14
1. Emotional Misconduct.....	11	E. Aiding and Abetting	15
a. Verbal Acts.....	11	F. Misconduct Related to Reporting	15
b. Physical Acts.....	11	1. Failure to Report.....	15
c. Acts that Deny Attention or Support...	11	2. Intentionally Filing a False Allegation	16
d. Criminal Conduct.....	11	G. Misconduct Related to the Center’s Process.....	16
e. Stalking.....	12	1. Abuse of Process	16
f. Exclusion	12	2. Retaliation	17
2. Physical Misconduct.....	12	H. Other Inappropriate Conduct	17
a. Contact violations.....	12	1. Intimate Relationship.....	17
b. Non-contact violations	12	2. Exposing a Minor to Sexual Content /	
c. Criminal Conduct	12	Imagery	17
d. Exclusion.....	13	3. Intentional Exposure of Private Areas.....	18
3. Bullying Behavior	13	4. Inappropriate Physical Contact.....	18
a. Physical	13	5. Willful Tolerance	18
b. Verbal.....	13	I. Minor Athlete Abuse Prevention Policies /	
c. Social, including cyberbullying.....	13	Proactive Policies	18
d. Sexual.....	13	X. REPORTING.....	18
e. Criminal Conduct	13	A. Reporting Requirements related to:	19
f. Exclusion	13	1. Child Abuse	19
4. Hazing.....	14	a. Law Enforcement	19
a. Contact acts	14	b. U.S. Center for SafeSport	19
b. Non-contact acts.....	14	2. Sexual Misconduct	19
c. Sexualized acts	14	3. Emotional and Physical Misconduct	19
d. Criminal acts	14	4. Criminal Dispositions.....	20
e. Exclusion.....	14	5. Misconduct Related to the Center’s Process .	20

B. Anonymous Reports	20	M. Relevance	25
C. Confidentiality for Third-Party Reporters	20	N. Investigation Report	25
D. Reporting Options for Claimants	20	O. Decision	26
XI. RESOLUTION PROCEDURES	21	P. Requesting a Stay of the Sanction(s)	26
A. Initiating Proceedings	21	Q. Requesting Arbitration Hearing	26
B. Substantive Standards and Procedural Rules	21	R. Reopening a Matter	26
C. Standard of Proof.....	21	S. Confidentiality – Release/Use of Materials	26
D. Consolidation	21	XII. TEMPORARY MEASURES	27
E. Related Proceedings	21	A. By the Center	27
1. Effect of Criminal or Civil Proceedings.....	21	1. Timing	27
2. No Waiver of Other Legal Remedies	21	2. Standard.....	27
F. Coordinating with Law Enforcement.....	22	3. Remedies	27
G. Statute of Limitations or Other Time Bars.....	22	4. Review by Arbitrator.....	28
H. Methods of Resolution	22	5. Modifiable	28
1. Administrative Closures	22	6. Failure to Comply with Temporary	
2. Informal Resolution.....	22	Measures	28
3. Formal Resolution	22	B. By the USOPC, NGB, or LAO	28
I. Participation.....	23	XIII. SANCTIONS.....	28
1. Parties	23	A. Sanctions	28
2. Advisors.....	23	B. Considerations.....	29
3. Witnesses	24	C. Publication.....	30
4. Claimant’s Request for Anonymity.....	24	XIV. Arbitration Rules	30
5. Privacy.....	24	1. Application.....	30
J. Procedural Rights of Respondents	25	2. Scope.....	30
K. Recordings	25	3. Arbitrator Qualifications.....	30
L. Prior or Subsequent Conduct.....	25	4. Parties.....	30

5. Advisor.....	30	21. Oaths	35
6. Confidentiality	30	22. Interpreters	35
7. Initiating Arbitration	31	23. Continuance	35
8. Number of arbitrators.....	31	24. Arbitration in the Absence of a Party or Advisor ..	35
9. Arbitrator appointment – Merits Arbitration	31	25. Standard of Proof	35
10. Notice to Arbitrator of Appointment	31	26. Rules of Evidence	35
11. Jurisdiction and conflicts of Interest	31	27. Evidence by Affidavit	36
a. Jurisdiction.....	31	28. Hearing.....	36
b. Conflicts of interest	32	a. Arbitrator to manage proceedings	
c. Replacing a conflicted arbitrator.....	32	expeditiously	36
12. Vacancies	32	b. Opening Statements.....	36
13. Submissions to and Communication with		c. Presenting evidence	36
Arbitrator	32	d. Examining witnesses	37
14. Hearing Concerning Sanctions and Criminal		e. Role of the Claimant.....	38
Charges or Dispositions.....	33	f. Closing statements	38
a. Scope.....	33	g. Hearing closed to the public	38
b. Standard of review.....	33	h. Closing of Hearing	39
c. Briefing.....	33	29. Waiver of Rules	39
d. Oral argument.....	33	30. Extensions of Time	39
e. Decision	33	31. Notice and Receipt.....	39
15. Procedural Due Process	33	32. Decisions.....	39
16. Pre-Hearing Conference.....	33	a. Time.....	39
17. Discovery	34	b. Form	39
18. Date and Time of Hearing.....	34	c. Scope	40
19. Place of Hearing.....	34	d. Delivery to parties	40
20. Attendance	35	33. Modifying Decision	40

34. No Appeal	40
35. Filing Fees and Expenses	40
36. Other Fees and Expenses	41
37. Arbitrator’s Compensation.....	41
38. Allocating Fees and Expenses.....	41
39. Interpreting and Applying These Rules	41
40. Temporary Measures	41
a. Timing.....	41
b. Arbitrator	41
c. Filing fees and expenses	42
d. Procedures	42
i. Expedited proceedings	42
ii. Pre-hearing Conference	42
iii. Position Statements.....	42
iv. Length of Hearing	42
e. Standard of review	42
f. Decision.....	43
g. No appeal.....	43
Exhibit 1	44
Exhibit 2	45

SAFESPORT CODE FOR THE U.S. OLYMPIC AND PARALYMPIC MOVEMENT

Effective April 1, 2021

I. AUTHORITY

The U.S. Center for SafeSport (Center) is recognized by the United States Congress, the United States Olympic & Paralympic Committee (USOPC), and the National Governing Bodies (NGBs) as the official safe sport organization for all Olympic, Paralympic, Pan American and Para Pan American sports in the United States.

II. ADMINISTRATION AND COMPLIANCE

The Code is administered by the Center. The USOPC, NGBs, and Local Affiliated Organizations (LAOs) must comply, in all respects, with these policies and procedures and shall be deemed to have incorporated the provisions into their relevant policies as if they had set them out in full therein.

Participants are responsible for knowing the information outlined herein and, by virtue of being a Participant, have expressly agreed to the jurisdiction of the Center and this Code's policies and procedures, including those governing arbitration. The Center reserves the right to make changes to the Code as necessary. Once posted online, notice has been provided and changes are effective immediately unless otherwise noted.

III. APPLICATION

The Code applies to Participants, as defined below. To effectuate its mandate to protect those involved in amateur athletics from

sexual or other forms of abuse, the Center assesses a Participant's fitness and eligibility to be involved with amateur athletics. Participation in the private associations making up the Olympic & Paralympic Movement is a privilege, not a right.

IV. JURISDICTION OF THE CENTER

A. Exclusive Jurisdiction

The Center has the exclusive jurisdiction to investigate and resolve allegations that a Participant engaged in one or more of the following:

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 herein.

B. Discretionary Jurisdiction

The Center has discretionary jurisdiction to investigate and resolve allegations that a Participant engaged in one or more of the following:

1. Non-sexual Child Abuse;
2. Emotional and physical misconduct, including stalking, bullying behaviors, hazing, and harassment;
3. Criminal Charges or Dispositions not involving Child Abuse or Sexual Misconduct;
4. Minor Athlete Abuse Prevention Policy or other similar Proactive Policy violations;

If the Center accepts discretionary jurisdiction, it will use the resolution procedures set forth herein.

C. Jurisdictional Reassessment

The Center may reassess its jurisdictional decision at any time.

V. JURISDICTION OF THE USOPC, NGBs, and LAOs

- A. Before the Center expressly exercises jurisdiction over particular allegations regarding a particular Participant, the relevant organization (the USOPC, NGB, or LAO) has the authority to implement necessary and appropriate measures, up to and including a suspension, to address any allegations of misconduct.
- B. When the relevant organization has reason to believe that the allegations presented fall within the Center's exclusive jurisdiction, the organization—while able to impose measures—may not investigate or resolve those allegations.

- C. When the allegations presented fall within the Center's discretionary jurisdiction, the organization may investigate and resolve the matter, unless and until such time as the Center expressly exercises jurisdiction over the particular allegations.
- D. The Center will issue a Notice of Exercise of Jurisdiction to the USOPC, NGB, or LAO when the Center determines it has jurisdiction over an allegation of Prohibited Conduct. When the Center expressly exercises jurisdiction over particular allegations regarding a particular Participant, the relevant organization(s) cannot issue—in response to those allegations—a suspension or other restriction that may deny or threaten to deny a Respondent's opportunity to participate in sport. The relevant organization may implement any necessary safety plan(s) or temporary measure(s).

VI. APPLICABLE PROCEDURES

The applicable procedures for reporting, investigating, and resolving alleged misconduct depends on the nature of the misconduct, as set forth in the Code. The procedures set forth herein will be applied to any matter over which the Center accepts jurisdiction. The procedures set forth by the adjudicating body (USOPC, NGB, or LAO) will be applied to any matter over which the Center does not accept jurisdiction.

VII. ENFORCEMENT AUTHORITY

A. Enforcement Responsibility

The USOPC, NGB, and LAO are responsible for enforcing eligibility determinations, sanctions and Temporary Measures imposed by the Center, as set forth below. 36 USC § 220505(d)(1)(C). All eligibility determinations, sanctions, and Temporary Measures imposed by the Center shall be in effect immediately upon issuance.

B. Reciprocal Enforcement

Center issued eligibility determination(s) or sanction(s) shall be reciprocally enforced by and between all NGBs, LAOs, and the USOPC.

C. Reviewing Temporary Measures and Sanctions

NGBs and the USOPC shall immediately review communications from the Center concerning Temporary Measures and sanctions for implementation. If the NGB or the USOPC determines an error or omission in such communication has been made, it shall notify the Center as soon as practicable, but no later than three Days after receipt.

D. Communications to Stakeholders

The Center shall provide a Summary of Decision, which the USOPC, NGBs, or LAOs may provide to parties to assist with enforcement of sanctions. The USOPC, the

NGBs, and LAOs shall establish a method to communicate Temporary Measures and sanctions to their relevant stakeholders.

E. Requirements to Register or Affiliate with a National Governing Body

To ensure enforcement, NGBs shall require any organization that wishes to register as an LAO, a member club, or otherwise affiliate with the organization (e.g., using the rules or procedures of an NGB), to agree to and comply with the Code, the requirements set forth in the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017, and to enforce any sanction(s) or Temporary Measure(s) imposed by the Center.

VIII. DEFINITIONS

A. Athlete

An athlete who meets the eligibility standards established by the NGB or Paralympic sports organization for the sport in which the athlete competes.

B. Child Abuse

The term “child abuse” has the meaning set forth in Section 203 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341) or any applicable state law.

C. Claimant

The person who is alleged to have experienced conduct that constitutes a Code violation.

D. Consent

Consent is (a) informed (knowing), (b) voluntary (freely given), and (c) active (not passive). Consent must be demonstrated by clear words or actions, indicating that a person who is legally and functionally competent has indicated permission to engage in mutually agreed-upon sexual activity.

Consent to any one form of sexual activity does not automatically imply Consent for any other forms of sexual activity. Previous relationships or prior Consent does not imply Consent to future sexual activity. Once given, Consent can be withdrawn through clear words or actions.

Consent cannot be obtained: (a) by force, (b) by taking advantage of the Incapacitation of another, when the person initiating sexual activity knew or reasonably should have known that the other was Incapacitated, (c) from someone who lacks legal capacity, (d) when a Power Imbalance exists.

1. Force includes (a) the use of physical violence, (b) threats, (c) intimidation, and (d) coercion.
 - a. Physical violence means that a person is exerting control over another person using physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon.
 - b. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual

activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to deny a person's ability to participate in sport.

- c. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
- d. Coercion is the use of an unreasonable amount of pressure to gain intimate or sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear their decision not to participate in a form of Sexual Contact or Sexual Intercourse, their decision to stop, or their decision not to go beyond a certain sexual interaction, continued pressure can be coercive.

Whether conduct is coercive depends on: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

2. Legal Capacity

Minors cannot Consent to conduct of a sexual nature. While the legal age of Consent varies under

state and federal law, the age of capacity under the Code is 18.

A close-in-age exception will be applied to any policy violation between an adult and a Minor, or between two Minors, when there is no Power Imbalance and when the age difference is no more than three years.

When the assessment of whether a Participant's conduct violates the Code depends upon another individual being below a certain specified age, ignorance of their actual age is no defense. Neither shall misrepresentation of age by such person, nor a Participant's bona fide belief that such person is over the specified age, be a defense.

3. Incapacitation

Incapacitation means that a person lacks the ability to make informed, rational judgments about whether to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated because of consuming alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely because of drinking or using drugs. The impact of alcohol and other drugs varies

from person to person and is evaluated under the specific circumstances of a matter.

A Respondent's being impaired by alcohol or other drugs is not a defense to any violation of the Code.

The Consent construct can also be applied to other forms of non-sexual conduct, such as hazing or other forms of Physical or Emotional Misconduct.

E. Days

Unless expressly provided otherwise, the term "days" shall mean business days, which excludes weekends and national holidays.

F. Event

The term "Event" shall have the meaning set forth in the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341). As of the effective date of these policies and procedures, "event" includes "travel, lodging, practice, competition, and health or medical treatment."

G. Local Affiliated Organization (LAO)

A regional, state or local club or organization that is directly affiliated with an NGB or that is affiliated with an NGB by its direct affiliation with a regional or state affiliate of said NGB. LAO does not include a regional, state, or local club or organization that is only a member of a National Member Organization of an NGB.

H. Minor or Child

An individual who is, or is believed by the Respondent to be, under the age of 18.

I. National Governing Body (NGB)

An amateur sports organization, a high-performance management organization, or a Paralympic sports organization that is certified by the United States Olympic & Paralympic Committee under 36 USC § 220521. This definition shall also apply to the USOPC, or other sports entity approved by the USOPC, when they have assumed responsibility for the management or governance of a sport included on the program of the Olympic, Paralympic, Pan-American, or Parapan American Games. This would include any organization, member of that organization, or Participant that has subjected itself to the jurisdiction of the Center.

J. Participant

1. Any individual who is seeking to be, currently is,¹ or was at the time of an alleged Code violation:
 - a. A member or license holder of an NGB, LAO, or the USOPC;
 - b. An employee or board member of an NGB, LAO, or the USOPC;

- c. Within the governance or disciplinary jurisdiction of an NGB, LAO, or the USOPC;
- d. Authorized, approved, or appointed by an NGB, LAO, or the USOPC to have regular contact with or authority over Minor Athletes.

K. Power Imbalance

A Power Imbalance may exist where, based on the totality of the circumstances, one person has supervisory, evaluative, or other authority over another. Whether there is a Power Imbalance depends on several factors, including but not limited to: the nature and extent of the supervisory, evaluative or other authority over the person; the actual relationship between the parties; the parties' respective roles; the nature and duration of the relationship; the age of the parties involved; whether there is an aggressor; whether there is a significant disparity in age, size, strength, or mental capacity.

Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-Athlete relationship (regardless of age) and is presumed to continue for Minor Athletes after the coach-Athlete relationship terminates until the Athlete reaches 20 years of age.

A Power Imbalance may exist, but is not presumed, when an Intimate Relationship existed before the sport

¹For the purpose of evaluating whether an individual is considered a Participant per this provision, the phrase "currently is" includes the date on which the alleged misconduct was reported to the Center, through resolution, and

including the period(s) of any sanctions imposed.

relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship).

L. Respondent

A Participant who is alleged to have violated the Code.

M. Third-Party Reporter

Reports brought by individuals other than the Claimant are referred to as “third-party reports” and those bringing them are “third-party reporters.”

IX. PROHIBITED CONDUCT

This section of the Code sets forth expectations for Participants related to emotional, physical, and sexual misconduct in sport, including bullying, hazing, and harassment.

The privilege of participation in the Olympic & Paralympic Movement may be limited, conditioned, suspended, terminated, or denied if a Participant’s conduct is or was inconsistent with this Code or the best interest of sport and those who participate in it.

It is a violation of the Code for a Participant to engage in or tolerate: (1) Prohibited Conduct, as outlined in the Code; (2) any conduct that would violate any current or previous standards promulgated by the U.S. Center for SafeSport, an NGB, an LAO, or the USOPC that are analogous to Prohibited Conduct and that existed at the time of the alleged conduct; or (3) any conduct that

would violate community standards analogous to Prohibited Conduct that existed at the time of the alleged conduct, including then applicable criminal or civil laws².

Prohibited Conduct include:

- A. Criminal Charges or Dispositions
- B. Child Abuse
- C. Sexual Misconduct
- D. Emotional and Physical Misconduct, including Stalking, Bullying, Hazing, and Harassment
- E. Aiding and Abetting
- F. Misconduct Related to Reporting
- G. Misconduct Related to the Center’s Process
- H. Other Inappropriate Conduct
- I. Violation of Minor Athlete Abuse Prevention Policies / Proactive Policies

A. Criminal Charge or Disposition

It is a violation of the Code for a Participant to have a Criminal Charge or Disposition.

Criminal Conduct is relevant to an individual’s fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of the Code occurred, but may be considered for sanctioning purposes. The Center reviews Criminal Charges or Dispositions involving sexual misconduct or child abuse *de novo*; any prior consideration or finding by an NGB, LAO, or the USOPC regarding a Criminal

² The focus of this provision is on community standards at the time of the alleged conduct as reflected in then applicable criminal and civil standards. The question is: Would a reasonable person at the time the alleged conduct occurred have had notice that the alleged conduct would

have violated community standards and norms as those standards were generally expressed in then applicable criminal and civil statutes. The Center need not establish every element of a crime, nor must it apply any evidentiary standards other than those provided in this Code.

Disposition involving sexual misconduct or child abuse is not relevant to the Center's determination.

1. Definitions

a. Criminal Disposition

It is a violation of the Code for a Participant to be or have been subject to any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, including, but not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an Alford or Kennedy plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement.

b. Criminal Charge, including Warrant for Arrest

It is a violation of the Code for a Participant to have any pending criminal charge(s) or warrant(s) for arrest.

When assessing whether conduct constitutes a Criminal Charge or Disposition, the Center may assess and rely upon the original charges, amended charges, or those to which a plea was entered.

2. Sex Offender Registry

A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to participate.

3. Hearing Related to Criminal Charge or Disposition

A Participant who wishes to challenge the Center's decision related to a Criminal Charge or Disposition may request a hearing concerning the sanction only pursuant to Rule-14.

If the Center renders a Decision regarding a Participant's Criminal Charge or Disposition, and that Charge or Disposition is subsequently modified by a criminal court, the Participant may request that the matter be reopened by the Center, pursuant to Section XI(R). In instances where a pending criminal charge(s) resolves, in that the charge(s) is eventually dismissed, results in an acquittal, or results in a Criminal Disposition as defined above, a Respondent's request to reopen will always be granted and a new Decision issued.

B. Child Abuse

It is a violation of the Code for a Participant to engage in Child Abuse.

C. Sexual Misconduct

It is a violation of the Code for a Participant to engage in Sexual Misconduct. Sexual Misconduct offenses include, but are not limited to:

1. Sexual or Gender-related Harassment
2. Non-consensual Sexual Contact (or attempts to commit the same)
3. Non-consensual Sexual Intercourse (or attempts to commit the same)
4. Sexual Exploitation
5. Bullying or hazing, or other inappropriate conduct of a sexual nature.

1. Sexual or Gender-related Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (a) or (b) below are present:

Sexual harassment includes harassment related to gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (a) or (b), below, are present.

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of any person's employment, standing in sport, or participation in Events, sports programs or activities; or when submission to or rejection of such conduct is used as the basis for sporting

decisions affecting the individual (often referred to as "quid pro quo" harassment); or

- b. Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, or pervasive such that it interferes with, limits, or deprives any individual of the opportunity to participate in any program or activity. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective.

Whether a hostile environment exists depends on the totality of known circumstances, including, but not limited to:

- i. The frequency, nature, and severity of the conduct;
- ii. Whether the conduct was physically threatening;
- iii. The effect of the conduct on the Claimant's mental or emotional state;
- iv. Whether the conduct was directed at more than one person;
- v. Whether the conduct arose in the context of other discriminatory conduct;
- vi. Whether the conduct unreasonably interfered with any person's educational or work performance or sport programs or activities; and
- vii. Whether the conduct implicates concerns related to protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or

isolated incident that is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual contact without Consent, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

2. Nonconsensual Sexual Contact

It is a violation of the Code for a Participant to engage in Sexual Contact without Consent.

Sexual Contact is any intentional touching of a sexual nature, however slight, with any object or body part (as described below), by a person upon another person.

Sexual Contact includes but is not limited to: (a) kissing, (b) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts; and (c) making another touch themselves, the Participant, or someone else with or on any of these body parts.

3. Nonconsensual Sexual Intercourse

It is a violation of the Code for a Participant to engage in Sexual Intercourse without Consent.

Sexual intercourse is any penetration, however slight, with any object or body part (as described below), by a person upon another person.

Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

4. Sexual Exploitation

It is a violation of the Code for a Participant to engage in Sexual Exploitation. Sexual Exploitation occurs when a Participant purposely or knowingly:

- a. Allows third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images) without Consent of all parties involved in the sexual activity.
- b. Records or photographs private sexual activity or a person's intimate parts (including genitalia, groin, breasts or buttocks) without Consent of all parties in the recording or photo.
- c. Engages in voyeurism (e.g., watching private sexual activity or viewing another person's intimate parts when that person would have a reasonable expectation of privacy), without Consent of all parties being viewed.

- d. Disseminates, shows or posts images of private sexual activity or a person's intimate parts (including genitalia, groin, breasts or buttocks) without prior Consent of the person depicted in the images.
- e. Intentionally exposes another person to a sexually transmitted infection or virus without that person's knowledge.
- f. Engages in prostituting or trafficking another person.

5. Bullying, Hazing, or Other Inappropriate Conduct of a Sexual Nature

It is a violation of the Code for a Participant to engage in bullying, hazing, and other inappropriate conduct of a sexual nature, as further defined in the corresponding sections below.

D. Emotional and Physical Misconduct

It is a Code violation for a Participant to engage in emotional or physical misconduct, when that misconduct occurs within a context that is reasonably related to sport, which includes, without limitation:

- 1. Emotional Misconduct
- 2. Physical Misconduct
- 3. Bullying Behaviors
- 4. Hazing
- 5. Harassment.

1. Emotional Misconduct

Emotional Misconduct includes (a) Verbal Acts, (b) Physical Acts, (c) Acts that Deny Attention or Support, (d) Criminal Conduct, or (e) Stalking. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

- a. Verbal Acts
Repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.
- b. Physical Acts
Repeated or severe physically aggressive behaviors, including but not limited to, throwing sport equipment, water bottles or chairs at or in the presence of others, punching walls, windows or other objects.
- c. Acts that Deny Attention or Support
Ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Participant from practice.
- d. Criminal Conduct
Emotional Misconduct includes any act or conduct described as emotional abuse or misconduct under federal or state law (e.g., child abuse, child neglect).

e. Stalking

Stalking occurs when a person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) to experience substantial emotional distress.

“Course of conduct” means at least two or more acts, in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property. “Substantial emotional distress” means significant mental suffering or anguish.

Stalking also includes “cyber-stalking,” wherein a person stalks another using electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

f. Exclusion

Emotional Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improved Athlete performance. Emotional Misconduct also does not include conduct reasonably accepted as part of sport or conduct reasonably accepted as part of Participant’s participation.

2. Physical Misconduct

Physical Misconduct is any intentional contact or non-contact behavior that causes, or reasonably threatens to cause, physical harm to another person.

Examples of physical misconduct may include, without limitation:

a. Contact violations

Punching, beating, biting, striking, strangling or slapping another; intentionally hitting another with objects, such as sporting equipment; encouraging or knowingly permitting an Athlete to return to play prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional.

b. Non-contact violations

Isolating a person in a confined space, such as locking an Athlete in a small space; forcing an Athlete to assume a painful stance or position for no athletic purpose (e.g., requiring an athlete to kneel on a harmful surface); withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another.

c. Criminal Conduct

Physical Misconduct includes any act or conduct described as physical abuse or misconduct under federal or state law (e.g., child abuse, child neglect, assault).

- d. Exclusion
Physical Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance. For example, hitting, punching and kicking are well-regulated forms of contact in combat sports, but have no place in swimming. Physical Misconduct also does not include conduct reasonably accepted as part of sport or conduct reasonably accepted as part of Participant's participation.

3. Bullying Behavior

Repeated or severe behavior(s) that are (a) aggressive (b) directed at a Minor, and (c) intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually. Bullying-like behaviors directed at adults are addressed under other forms of misconduct, such as Hazing or Harassment. Examples of bullying behavior may include, without limitation, repeated or severe:

- a. Physical
Hitting, pushing, punching, beating, biting, striking, kicking, strangling, slapping, spitting at, or throwing objects (such as sporting equipment) at another person.
- b. Verbal
Ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.

- c. Social, including cyberbullying
Use of rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and asking others to do the same.
- d. Sexual
Ridiculing or taunting that is sexual in nature or based on gender or sexual orientation (real or perceived), gender traits or behavior, or teasing someone about their looks or behavior as it relates to sexual attractiveness.
- e. Criminal Conduct
Bullying Behavior includes any conduct described as bullying under federal or state law.
- f. Exclusion
Conduct may not rise to the level of Bullying Behavior if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

4. 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. Purported Consent by the person subjected to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

Examples of Hazing include:

a. Contact acts

Tying, taping or otherwise physically restraining another person; beating, paddling or other forms of physical assault.

b. Non-contact acts

Requiring or forcing the consumption of alcohol, illegal drugs or other substances, including participation in binge drinking and drinking games; personal servitude; requiring social actions (e.g., wearing inappropriate or provocative clothing) or public displays (e.g., public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water or food; restrictions on personal hygiene.

c. Sexualized acts

Actual or simulated conduct of a sexual nature.

d. Criminal acts

Any act or conduct that constitutes hazing under applicable federal or state law.

e. Exclusion

Conduct may not rise to the level of Hazing if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Hazing does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

5. Harassment

Repeated or severe conduct that (a) causes fear, humiliation or annoyance, (b) offends or degrades, (c) creates a hostile environment (as defined above), or (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 (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.

Conduct may not rise to the level of Harassment if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Harassment does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

E. Aiding and Abetting

Aiding and Abetting occurs when one aids, assists, facilitates, promotes, or encourages the commission of Prohibited Conduct by a Participant, including but not limited to, knowingly:

1. Allowing any person who has been identified as suspended or otherwise ineligible by the Center to be in any way associated with or employed by an organization affiliated with or holding itself out as affiliated with an NGB, LAO, the USOPC, or the Olympic & Paralympic Movement;
2. Allowing any person who has been identified as suspended or otherwise ineligible by the Center to coach or instruct Participants;
3. Allowing any person who has been identified as

ineligible by the Center to have ownership interest in a facility, an organization, or its related entities, if that facility/organization/related entity is affiliated with or holds itself out as affiliated with an NGB, LAO, the USOPC, or the Olympic & Paralympic Movement;

4. Providing any coaching-related advice or service to an Athlete who has been identified as suspended or otherwise ineligible by the Center;
5. Allowing any person to violate the terms of their suspension or any other sanctions imposed by the Center.

In addition, a Participant also violates the Code if someone acts on behalf of the Participant to engage in Aiding or Abetting, or if the guardian, family member, or Advisor of a Participant, including Minor Participants, engages in Aiding or Abetting.

F. Misconduct Related to Reporting

1. Failure to Report

An Adult Participant who fails to report actual or suspected Sexual Misconduct or Child Abuse to the Center and, when appropriate, to law enforcement may be subject to disciplinary action under the Center's resolution procedures and may also be subject to federal or state penalties.

- a. The obligation to report is broader than reporting a pending charge or criminal arrest of a

Participant; it requires reporting to the Center any conduct which, if true, would constitute Sexual Misconduct or Child Abuse. The obligation to report to the Center is an ongoing one and is not satisfied simply by making an initial report. The obligation includes reporting, on a timely basis, all information of which an Adult Participant becomes aware, including the names of witnesses, third-party reporters, and Claimants.

- b. The obligation to report includes personally identifying information of a potential Claimant to the extent known at the time of the report, as well as a duty to reasonably supplement the report as to identifying information learned at a later time.
- c. Participants should not investigate or attempt to evaluate the credibility or validity of allegations involving Sexual Misconduct or Child Abuse. Participants making a good faith report are not required to prove the reports are true before reporting.

2. Intentionally Filing a False Allegation

In addition to constituting misconduct, filing a knowingly false allegation that a Participant engaged in Prohibited Conduct may violate state criminal law and civil defamation laws. Any Participant making a knowingly false allegation in a matter over which the Center exercises jurisdiction shall be subject to disciplinary action by the Center.

- a. An allegation is false if the events reported did

not occur, and the person making the report knows the events did not occur.

- b. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a Code violation.

G. Misconduct Related to the Center's Process

The behaviors identified below constitute Prohibited Conduct and may give rise to a sanction. In addition, a Participant also violates the Code if someone acts on behalf of the Participant and engages in any of the following Prohibited Conduct, including a Participant's Advisor, or the guardian, or family member of a Minor Participant. In such a case, the Participant and, if the party acting on behalf of the Participant is also a Participant, that person, may be sanctioned.

1. Abuse of Process

A Participant, or someone acting on behalf of a Participant, violates this Code by directly or indirectly abusing or interfering with the Center's process by: (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's processes; (d) harassing or intimidating

(verbally or physically) any person involved in the Center’s processes before, during, or following proceedings (including up to, through, and after any review by an arbitrator); (e) publicly disclosing a Claimant’s identifying information³; (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.

2. Retaliation

Retaliation against anyone for engaging in the Center’s processes is prohibited.

A Participant, someone acting on behalf of a Participant, an NGB, LAO, the USOPC or any organization under the Center’s jurisdiction shall not take an adverse action against any person for making a good faith report of a possible Code violation to the Center or other relevant organization as identified herein or for participating in any process under this Code.

Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the Center’s processes when the

action is reasonably related to the report or engagement with the Center. Retaliation may be present even where there is a finding that no violation occurred.

Retaliation does not include good-faith actions lawfully pursued in response to a report of a Code violation.

H. Other Inappropriate Conduct

1. Intimate Relationship

An Adult Participant violates this Code by engaging in an intimate or romantic relationship where a Power Imbalance exists.

An Intimate or Romantic relationship is a close personal relationship—other than a familial relationship—that exists independently and outside of the sport relationship. Whether a relationship is intimate is based on the totality of the circumstances, including: regular contact or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties’ emotional connectedness, the exchange of gifts, ongoing physical or intimate contact or sexual activity, identity as a couple, the sharing of sensitive personal information, or intimate knowledge about each other’s lives outside the sport relationship.

2. Exposing a Minor to Sexual Content / Imagery

³ The Protecting Young Victims from Abuse and Safe Sport Authorization Act of 2017 requires that the Center “protect the privacy and safety of the

[Claimant].” However, a Claimant may waive this provision by choosing to publicly disclose his/her own identifying information at any time.

An Adult Participant violates this Code by intentionally exposing a Minor to content or imagery of a sexual nature, including but not limited to, pornography, sexual comment(s), sexual gestures, or sexual situation(s).

This provision does not exclude the possibility that similar behavior between Adults could constitute Sexual Harassment, as defined in the Code.

3. Intentional Exposure of Private Areas

An Adult Participant violates this Code by intentionally exposing breasts, buttocks, groin, or genitals, or induces another to do so, to an Adult when there is a Power Imbalance, or to a Minor.

4. Inappropriate Physical Contact

An Adult Participant violates this Code by engaging in inappropriate physical contact with a Participant when there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally:

- a. touching, slapping, or otherwise contacting the buttocks or genitals of a Participant;
- b. excessively touching or hugging a Participant;
- c. kissing a Participant.

⁴ “Grooming” describes the process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct. Grooming is initiated when a person seeks out a vulnerable minor. Once selected, offenders will then earn

5. Willful Tolerance

A Participant violates this Code by willfully tolerating any form of Prohibited Misconduct, when there is a Power Imbalance between that Participant and the individual(s) who are being subjected to the Prohibited Conduct.

I. Minor Athlete Abuse Prevention Policies / Proactive Policies

It is a violation of the Code for a Participant to violate any provision of the Minor Athlete Abuse Prevention Policies or other proactive policies adopted by the NGBs, LAOs, or the USOPC. Proactive policies set standards for professional boundaries, minimize the appearance of impropriety, and have the effect of preventing boundary violations and prohibiting grooming tactics.⁴ Tailored to a specific sport, context, legal structure or constituency, such policies may address overnight travel rules (e.g., preventing unrelated Adult Participants and Minors from sharing rooms under specified circumstances), massages and rubdowns, social media and electronic communications, photography, locker rooms, one-on-one meetings and gifting.

X. REPORTING

the minor’s trust, and potentially the trust of the minor’s family. After the offender has engaged the minor in sexually inappropriate behavior, the offender seeks to maintain control over him/her. Grooming occurs through direct, in-person or online contact.

Note: Nothing in this policy shall be construed to require a victim of child abuse or other misconduct to self-report.

No one should investigate suspicions or allegations of child abuse or other Prohibited Conduct, or attempt to evaluate the credibility or validity of allegations as a condition of reporting to the Center or to appropriate authorities.

A. Reporting Requirements related to:

1. Child Abuse

An Adult Participant who learns of information and reasonably suspects that a child has suffered an incident of child abuse, including sexual abuse, shall immediately make a report of the suspected abuse to *both* Law Enforcement and the U.S. Center for SafeSport:

a. Law Enforcement

- i. The agency designated by the Attorney General, consistent with federal requirements set forth in section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).
- ii. Applicable State Law Enforcement agency; learn more about this requirement by visiting <https://www.childwelfare.gov/topics/responding/reporting>.

b. U.S. Center for SafeSport

- i. Through the Center for SafeSport’s online reporting form, www.uscenterforsafesport.org/report-a-concern.
- ii. By Phone at 720-531-0340, during regular business hours (Monday-Friday, 9:00 AM MT – 5:00 PM MT.) or toll-free at 1-833-5US-SAFE (24-hours per day, 7-days per week).

Reporting such conduct to the Center does not satisfy an Adult Participant’s obligation to report to law enforcement or other appropriate authorities consistent with section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).

2. Sexual Misconduct

The Center encourages *anyone* who experiences or becomes aware of an incident of Sexual Misconduct to immediately report the incident to the Center (and to law enforcement if the matter involves possible criminal conduct).

If an *Adult Participant* reasonably suspects that an incident(s) of Sexual Misconduct has occurred, they ***must*** immediately report the incident(s) directly to the Center.

3. Emotional and Physical Misconduct

Adult Participants are required to report to the organization with which the Participant is affiliated emotional and physical misconduct (including bullying, stalking, hazing, and harassment) prohibited under the Code, and violations of proactive policies. To report to the USOPC, NGBs, or LAOs, visit the relevant organization's website.

4. Criminal Dispositions

Adult Participants are required to report to the Center Criminal Charge(s) and Disposition(s) involving sexual misconduct or misconduct involving Minors.

Adult Participants are required to report Criminal Charge(s) and Disposition(s) involving any other form of misconduct to the relevant organization (the USOPC, NGB, or LAO), consistent with its procedures.

5. Misconduct Related to the Center's Process

Adult Participants are required to report to the Center any suspected incident(s) of:

- a. Aiding and Abetting,
- b. Abuse of Process,
- c. Retaliation

B. Anonymous Reports

Reports may be made anonymously to the Center. Anonymity means the Center will not know the

personally identifying information of the reporter. It does not mean that the underlying information will be protected.

However, an anonymous report may limit the Center's ability to investigate and respond to a report, and if an Adult Participant reports anonymously, it may not be possible for the Center to verify that mandatory reporting obligations have been satisfied.

Consequently, the Center strongly encourages Adult Participants to provide their name and contact information when reporting.

C. Confidentiality for Third-Party Reporters

Unless necessary to the Center's investigation or resolution of a matter, the Center does not disclose a Third-Party Reporter's personally identifying information.

D. Reporting Options for Claimants

A Claimant may choose to make a report to the Center to pursue resolution under these procedures and may also choose to make a report to law enforcement or pursue available civil or administrative remedies. A Claimant may pursue one, some, or all of these options at the same time.

A Claimant who wishes to pursue criminal action in addition to, or instead of, making a report under these procedures should contact law enforcement or legal counsel directly.

XI. RESOLUTION PROCEDURES

A. Initiating Proceedings

When the Center receives a report of allegations that fall within its exclusive authority, or accepts jurisdiction over allegations within its discretionary authority, it will notify the relevant NGB, or the USOPC, conduct a preliminary inquiry, and, if appropriate, undertake an investigation to determine whether a Participant violated the Code.

B. Substantive Standards and Procedural Rules

When the alleged conduct by a Participant occurred prior to the effective date of the Code, the Center may apply other substantive standards in effect at the time of the conduct that are analogous to Prohibited Conduct, including then effective criminal laws or previous standards promulgated by the U.S. Center for SafeSport, NGB, LAO, or USOPC. However, in all cases, these resolution procedures will be used to investigate and resolve matters, regardless of when the incident of Prohibited Conduct occurred.

C. Standard of Proof

The Center bears the burden of gathering sufficient evidence to reach a determination, based on the preponderance of the evidence, that a Participant violated the Code. A “preponderance of the evidence” means “more likely than not.”

D. Consolidation

Matters involving more than one Claimant or more than one Respondent may, in the Center’s discretion, be consolidated into a single matter.

E. Related Proceedings

1. Effect of Criminal or Civil Proceedings

Because the standards for finding a violation of criminal law are different from the standards for finding a violation of the Code, the resolution of a criminal proceeding without a Criminal Disposition is not determinative of (but may be relevant to) whether a violation of the Code has occurred. Conduct may violate the Code even if the Respondent is not charged, prosecuted or convicted for the behavior that could constitute a potential violation of the Code, is acquitted of a criminal charge, or legal authorities decline to prosecute.

Apart from the application of the Code as it relates to Criminal Charge(s) and Disposition(s), the Center’s resolution will not be precluded merely because (a) a civil case or criminal charges involving the same incident or conduct have been filed, (b) criminal charges have been dismissed or reduced; or (c) a civil lawsuit has been settled or dismissed.

2. No Waiver of Other Legal Remedies

Participating in the Center’s process does not extend or restrict a person’s right to file charges or claims

regarding the underlying allegations with any other agency, law enforcement, or court. This is not intended to create or grant a right of action against the Center or in any way waive the Center's, the USOPC's, an NGB's, or any other applicable party or entity's immunity, if any, under the Protecting Young Victims from Abuse and Safe Sport Authorization Act of 2017 or any other legal theory.

F. Coordinating with Law Enforcement

The Center may contact any law enforcement agency that is conducting its own investigation to inform that agency that the Center is also investigating, to ascertain the status of the criminal investigation, and to determine the extent to which any evidence collected by law enforcement may be available to the Center in its investigation. At the request of law enforcement, the Center may delay its investigation temporarily while an external law enforcement agency is gathering evidence. The Center will resume its investigation when notified that law enforcement has completed the evidence-gathering stage of its criminal investigation. The Center may also provide some or all of its case information, documentation, or evidence to law enforcement.

G. Statute of Limitations or Other Time Bars

The Center assesses a Participant's fitness to participate in sport. As past conduct informs current fitness, no criminal, civil, or rules-based statutes of limitations or time bars of any kind prevent the Center from investigating, assessing, considering and adjudicating any relevant conduct regardless of when it occurred.

H. Methods of Resolution

1. Administrative Closures

The Center, in its discretion, may administratively close a matter. This may be done as a result of insufficient evidence, a Claimant(s) who elects not to participate in the resolution process, or other factors as determined by the Center. The Center may, upon receipt of new information or evidence, or a change in circumstances, reopen the matter for further investigation.

2. Informal Resolution

A Respondent may, at any time before a matter is final, elect to resolve allegations of Prohibited Conduct by accepting responsibility for a policy violation. A Participant's doing so provides for the opportunity to informally resolve the matter, and the Center will determine the appropriate sanction. An informal resolution is not a settlement, but does constitute a final and binding disposition of the matter. The outcome and sanctions of an informal resolution may be published by the Center.

3. Formal Resolution

A Formal Resolution occurs after the Center has completed an investigation and issues its Decision. A Respondent may request a hearing of the Center's Decision if a violation is found.

I. Participation

1. Parties

The parties to an investigation and arbitration are the Center and the Respondent. During the investigation, the Claimant and Respondent will have an opportunity to submit information and relevant evidence, to identify witnesses who may have relevant information, and to submit questions that they believe should be directed by the investigator to each other or to any witness.

Neither the Claimant nor Respondent are required to participate in the investigation nor any form of resolution under these procedures. However, full cooperation and participation in the resolution process is important to ensure that all relevant information and evidence are presented so the Center can determine whether a Code violation occurred. If a Claimant or Respondent declines to cooperate or participate in an investigation, the Center will make its decision based on the available evidence; alternatively, the Center may, in its discretion, choose not to proceed.

- a. Where a Claimant declines or is otherwise unable to participate in an investigation or hearing, the Center's ability to resolve the allegations may be limited. In such cases, the Center may pursue the report if it is possible to do so without the Claimant's participation in the investigation or resolution (e.g., where there is other relevant evidence of the Prohibited Conduct, such as

recordings, corroborating reports from other witnesses, or physical evidence). Even with such evidence, however, the Center may only be able to respond to the report in limited and general ways.

- b. If during the investigative process (i.e., prior to the Decision being issued), information or evidence that is available to the Respondent, including testimonial evidence, is not provided to the investigator, such information or evidence will not be considered in determining whether a violation of the Code occurred.

If such information or evidence is provided after a Decision has been issued, absent good cause, it will be afforded less weight during any subsequent Arbitration. The Center may reopen the investigation to determine the evidentiary value of, or gather additional evidence related to, such evidence. The arbitration-related costs associated with any delay will be borne by the Respondent.

2. Advisors

Throughout the resolution process, Claimant(s) and Respondent(s) each have the right to choose and consult with an advisor. The advisor may be any person, including an attorney. However, a party or witness involved in the investigation or hearing, or an employee of, board member of, or legal counsel for the USOPC, an NGB, or the Center, cannot serve

as an advisor.⁵ The Claimant and Respondent may be accompanied by their respective advisors at any meeting or proceeding related to the investigation, hearing and resolution of a report under these procedures. While the advisors may provide support and advice to the parties at any meeting or proceeding, they may not speak on behalf of the Claimant or Respondent, or otherwise participate in such meetings or proceedings except as provided herein.

3. Witnesses

Witnesses who are Participants are expected to participate and cooperate in the Center's investigation and any associated proceedings. Any witness likely to provide testimonial evidence in an Arbitration must, if requested, consent to be interviewed by the Center within a reasonable time prior to any hearing. If such witness refuses to be interviewed, the witness's testimonial evidence will neither be admitted nor considered at an Arbitration. The Center may request a postponement of any hearing to allow sufficient time to interview witnesses and follow-up as necessary.

4. Claimant's Request for Anonymity

A Claimant may request that personally-identifying information not be shared with a Respondent. The Center will seek to honor the Claimant's request(s)

if it is possible to do so while also protecting the health and safety of the Claimant and the sporting community. However, the Center may not be able to proceed with an investigation or resolution of a matter if a Claimant requests anonymity.

5. Privacy

The Center is committed to protecting the privacy of all individuals involved in the investigation and resolution of reported allegations. With respect to any report under these procedures, the Center, in its discretion, will make reasonable efforts to protect the privacy of individuals involved in the Center's process, while balancing the need to gather information to assess a report and to take steps to eliminate Prohibited Conduct.

Information will be shared as necessary with Center staff and counsel, witnesses, and the parties. It may also be necessary for the Center to notify the NGB or the USOPC (a) of an allegation involving a Participant from that organization; (b) if the Center implements a temporary measure; (c) of procedural status updates; and (d) of any sanctions.

Parental/Guardian Notification

The Center reserves the right to notify guardians of Claimants regarding any health or safety risk.

This provision does not intend to interfere with the Office of Athlete Ombuds' performance of statutorily mandated functions, nor does it

contemplate the Center's Resource & Process Advisor.

J. Procedural Rights of Respondents

Federal law provides Respondents with certain procedural rights. 36 USC § 220541(a)(1)(H). For any action taken against a Respondent, including an investigation, the imposition of sanctions, or any other disciplinary action, the Center must provide procedural due process to the Respondent, which includes:

1. The provision of written notice of allegations against the Respondent;
2. The right to be represented by counsel or other advisor;
3. An opportunity to be heard during the investigation;
4. A reasoned decision from the Center if a violation is found;
5. The ability to challenge through arbitration any temporary measures or sanctions imposed by the Center.

Federal law permits the Center to impose temporary measures or sanctions before providing an opportunity to arbitrate. 36 USC § 220541(a)(2)(A).

K. Recordings

No audio or video recording of any kind is permitted during interviews or meetings, except as authorized and conducted by the Center.

L. Prior or Subsequent Conduct

Prior or subsequent conduct of the Respondent may be considered for any purpose, including in determining

pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Code violation, may be deemed relevant to determining responsibility for the conduct under investigation. Determining the relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially like the conduct under investigation or indicates a pattern of similar Prohibited Conduct.

Evidence relating to other sexual behavior or the sexual predisposition of the Claimant cannot be considered in any decision, nor admitted as evidence in any arbitration, unless the probative value of the use or admission of such evidence, as determined by the Center or the arbitrator, as applicable, substantially outweighs the danger of—

- (i) any harm to the alleged victim; and
- (ii) unfair prejudice to any party.

M. Relevance

The Center has the discretion to determine the relevance of any proffered evidence. In general, statements of opinion as to any person's general reputation for any character trait, rather than direct observations or reasonable inferences from the facts, will not be considered.

N. Investigation Report

A final Investigation Report will be prepared that sets

forth the investigator's findings of fact. This report will be shared with the Claimant(s) and Respondent(s) upon issuance of the Decision. The Investigation Report and any attachments are considered confidential.

O. Decision

The Center will determine whether there is sufficient information, by a preponderance of the evidence, to support a finding that Respondent violated the Code. If there is a finding that the Respondent violated the Code, the Decision will note the violation and identify an appropriate sanction(s). The Claimant and Respondent will be notified of the Decision. Such Notice of Decision will set forth any violation(s) of the Code, as supported by the rationale set forth in the Decision and Investigation Report; the sanction(s) imposed against the Respondent (if applicable); and the rationale for any sanction(s) imposed. The Notice of Decision is considered confidential; however, the outcome reflected in the Decision—including whether a violation was found, the nature of the underlying misconduct, and any sanctions imposed—is not.

P. Requesting a Stay of the Sanction(s)

At any time, the Center—on its own or at the request of a Respondent—may stay a sanction(s). Whether to stay a sanction(s) is within the Center's sole discretion and is not reviewable.

Q. Requesting Arbitration Hearing

Upon issuance of a Decision, a Respondent has ten Days to request a hearing before an arbitrator. If Respondent does not make such a request within ten Days, the Decision is no longer subject to review, except as permitted herein. If a Respondent timely requests that the Center grant an extension of time to request an Arbitration, the Center may, in its discretion, grant such request.

R. Reopening a Matter

At any time, the Center—on its own or at the request of a Claimant or Respondent—may reopen a matter based upon new evidence that was previously unavailable or a change in circumstances that could substantially impact the original finding or sanction. Whether to reopen a case is within the Center's sole discretion and is not reviewable.

S. Confidentiality – Release/Use of Materials

The Center's decisions, investigation reports, and other work product are confidential under 36 USC § 220541(f)(4)(C). The following documents or evidence related to the response and resolution process must remain confidential, in that they may not be disclosed outside of the proceedings, except as may be required by law or authorized by the Center: the Notice of Decision; the Investigation Report and any documents or evidence attached thereto, including interview

statements of a Claimant, Respondent, or other witnesses; any audio recordings or transcripts of those recordings created as part of the investigative process; all documents or evidence submitted to or prepared by the arbitrator, including any hearing transcripts. Violation of this provision, including by an advisor for an involved party, may constitute an Abuse of Process.

While the physical documentation must remain confidential, the relevant NGB or the USOPC, or its affiliates may disclose the outcome of the matter, including the Summary of Decision, to those parties or organizations with a need to know so that the outcome can be properly effectuated or understood.

Additionally, subject to the Abuse of Process provision (including the prohibition on identifying a Claimant), the Center does not impose any restrictions on a Claimant's or Respondent's ability to discuss the incident, their participation in the Center's process, or the outcome of that process.

If any person or entity misrepresents the process, the underlying facts, or the outcome of a matter, the Center reserves the right to publicly correct the record.

XII. TEMPORARY MEASURES

A. By the Center

1. Timing

The Center may implement Temporary Measures at any time. A Temporary Measure shall be effective immediately upon notice, unless stated otherwise. Temporary Measure(s) will remain in effect until the Center expressly removes the Temporary Measure(s).

2. Standard

When implementing a temporary measure, the Center evaluates whether (i) the measure is reasonably appropriate based on the seriousness of the allegations and the facts and circumstances of the case; (ii) the measure is reasonably appropriate to maintain the safety or well-being of the Claimant, other Athletes, or the sport community; or (iii) the allegations against the Respondent are sufficiently serious that the Respondent's continued participation in the sport could be detrimental to the best interest of sport and those who participate in it.

When the allegations involve child sexual abuse, the age of those allegations is not relevant to this determination.

3. Remedies

Temporary measures may include, but are not limited to, altering training schedules, providing or requiring chaperones, implementing contact limitations, implementing measures prohibiting one-on-one interactions, and suspensions from participation in

some or all aspects of sport activity. If measures require monitoring or chaperoning, the Respondent may be required to locate, arrange and pay for some or all of those services as a condition of continued participation pending completion of the investigation.

4. Review by Arbitrator

In all instances when a Temporary Measure materially affects the opportunity to participate (e.g., suspension), the Participant may challenge the measure by requesting an Arbitration, in accordance with Arbitration Rule 40.

5. Modifiable

The Center may modify a Temporary Measure at any time.

6. Failure to Comply with Temporary Measures

Failure to comply with a Temporary Measure constitutes an independent violation of the Code.

B. By the USOPC, NGB, or LAO

Upon the Center's issuance of a Notice of Exercise of Jurisdiction, any temporary measures previously imposed by the USOPC, NGB, or LAO will be automatically and immediately adopted by the Center as its own, and will be applicable throughout all Olympic, Paralympic, Pan American and Para Pan sports in the United States, and will remain in effect unless and until

the Center modifies those measures.

XIII. SANCTIONS

Where there is sufficient evidence through the resolution procedure to support a finding that a Participant violated the Code, the Center will determine whether or the extent to which a Participant may participate in sport and may impose one or more sanctions. Different incidents constituting a violation of the same policy may arise out of markedly different circumstances, including various case-specific aggravating or mitigating factors.

A. Sanctions

One or more of the following sanctions may be imposed singularly or in combination:

- *Written warning*
An official, written notice and formal admonition that a Participant has violated the Code and that more severe sanctions will result should the Participant be involved in other violations.
- *Probation*
A specified period of time during which, should any further violations of the Code occur during the probationary period, it will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements.
- *Suspension or other eligibility restrictions*
Suspension for a specified period of time from

participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of the USOPC, any NGB, or any LAO, or at a facility under the jurisdiction of the same. In the Center's discretion, a suspension may include restrictions or prohibitions from some types of participation but allowing participation in other capacities.

A suspended Participant is eligible to return to sport after the suspension lapses, but reinstatement may be subject to certain restrictions or contingent upon the Participant satisfying specific conditions noted at the time of suspension.

- *Ineligibility*
Ineligibility to participate until further notice, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of the USOPC, any NGB, or any LAO, or at a facility under the jurisdiction of the same. Ineligibility is typically imposed when a Respondent has pending charges, in violation of the Criminal Charges or Disposition provision.
- *Permanent Ineligibility*
Permanent ineligibility to participate, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of the USOPC, any NGB, or any LAO or at a facility under the jurisdiction of the same.
- *Other discretionary sanctions*
The Center may, in its discretion, impose other

sanctions for Prohibited Conduct, including, but not limited to, other loss of privileges, no contact directives, requirement to complete educational or other programs, or other restrictions or conditions as deemed necessary or appropriate.

B. Considerations

Factors relevant to determining appropriate sanctions include, without limitation:

1. The Respondent's prior history;
2. A pattern of inappropriate behavior or misconduct;
3. The ages of individuals involved;
4. Whether the Respondent poses an ongoing or potential threat to the safety of others;
5. Respondent's voluntary disclosure of the offense(s), acceptance of responsibility for the misconduct, and cooperation in the Center's process;
6. Real or perceived impact of the incident on the Claimant, the USOPC, NGB(s), LAO(s), or the sporting community;
7. Whether given the facts and circumstances that have been established, continued participation in the Olympic & Paralympic Movement is appropriate; or
8. Other mitigating and aggravating circumstances.

Any single factor, if severe enough, may be sufficient to justify the sanction(s) imposed.

C. Publication

The Center is required under 36 USC § 220541(a)(1)(G) to maintain a publicly-available searchable database of Participants whose eligibility has in some way been restricted by the Center, the USOPC, an NGB, or an LAO.

XIV. Arbitration Rules

1. Application

These Rules shall apply to arbitrations arising out of the Code. No other arbitration rules shall be applicable. Each Participant, by virtue of membership, affiliation, or participation or other activity making them subject to the jurisdiction of the Center, agrees to abide by and be subject to these Arbitration Rules as the sole and exclusive method of resolving any challenge to the Center's eligibility decision(s) or the Center's processes.

2. Scope

Arbitration shall resolve whether a Respondent violated the Code and the appropriate sanction.

3. Arbitrator Qualifications

The pool of arbitrators for the Center's cases shall consist of individuals who are U.S. citizens and meet the SafeSport Arbitrator Qualifications (Exhibit 2), as determined by the arbitration body. All arbitrators in the Center's arbitrator pool will receive specialized training.

4. Parties

The parties to the Arbitration will be the Center and the Respondent. A reference to the parties, the Center, the Respondent or the Claimant will include any parent or guardian of a Minor, unless otherwise stated herein.

5. Advisor

A Claimant or Respondent may have a single advisor, at that party's own expense. The advisor may but need not be an attorney.

The Respondent's advisor, if any, may participate in the pre-hearing conference, confer with the Respondent during the hearing, clarify procedural questions, present opening and closing arguments on behalf of the Respondent, suggest questions to the Respondent and the arbitrator during witness examinations, or to the extent direct examination by the parties is permitted, question witnesses on behalf of the Respondent.

A Claimant or Respondent intending to have an advisor shall notify the Center and the arbitration body of the name and address of the advisor a minimum of 24 hours before the date set for the hearing or other proceeding at which the advisor is first to appear. The parties are responsible for keeping the arbitration body informed of any changes in advisors. Notice given to a designated advisor shall be deemed notice to the advisee.

6. Confidentiality

The arbitration, including all pre-hearing matters, shall

be subject to the confidentiality provisions set forth in the Code and other confidentiality policies adopted by the Center.

7. Initiating Arbitration

After receiving a request for an Arbitration hearing, the Center will send a notice to the Respondent and the Arbitration administrator informing them that an Arbitration has been initiated and requesting confirmation of an email address to which notice will be deemed received upon mailing to such address. The notice shall set forth (i) the alleged violation; (ii) the sanction determined by the Center; (iii) the recipient's confidentiality obligations; and (iv) that any recipient who violates confidentiality obligations shall be subject to the jurisdiction of the Center and may be held, after proper process, to have violated the Code. The Arbitration will be deemed initiated upon receipt by the administrator of the necessary fees.

8. Number of arbitrators

There shall be one arbitrator.

9. Arbitrator appointment – Merits Arbitration

- a. Promptly after Arbitration is initiated, the Arbitration body will send simultaneously to Respondent and the Center an identical list of nine arbitrators, all of whom shall be attorneys or retired judges. The parties are encouraged to agree to an arbitrator from the submitted list and to advise the Arbitration body of their agreement.

- b. Within 48 hours after receiving the arbitrator list, the Center and the Respondent each may strike the names of up to two arbitrators from the list and return the list to the Arbitration body. If a party does not return a strike list within the time specified, all persons named in the list shall be deemed acceptable to that party. The names stricken by a party will not be disclosed to the other party.
- c. From among the persons not stricken by the parties, the Arbitration body shall invite an arbitrator to serve. If, for any reason, an arbitrator cannot be appointed from the submitted lists, the Arbitration body shall have the power to make the appointment from among the other attorneys or retired judges of the pool, not to include any arbitrator previously stricken by a party.

10. Notice to Arbitrator of Appointment

Notice of the appointment of the arbitrator, whether appointed by the parties or by the Arbitration body, shall be sent to the arbitrator by the Arbitration body, together with a copy of these Rules. A signed acceptance by the arbitrator shall be filed with the Arbitration body.

11. Jurisdiction and conflicts of Interest

- a. Jurisdiction

The arbitrator shall have the power to rule on the arbitration body's jurisdiction, including any objections with respect to the existence, scope or validity of the Arbitration agreement. Any

challenges to the arbitrator's jurisdiction must be made in the position statement and shall be decided at or before the commencement of the hearing.

b. Conflicts of interest

Any person appointed as an arbitrator shall disclose to the arbitration body any circumstance that could affect impartiality or independence, including any bias, any financial or personal interest in the result of the Arbitration, or any past or present relationship with the parties or witnesses.

The arbitration body shall communicate any information concerning a potential conflict of interest to the relevant parties and, as appropriate, to the arbitrator.

A party may file an objection with the Arbitration body contesting an arbitrator's continued service due to a conflict of interest. Upon receiving an objection, the arbitration body shall determine whether the arbitrator should be disqualified and shall inform the parties of its decision, which shall be conclusive. The parties may agree in writing that an appointed arbitrator subject to disqualification will not be disqualified.

c. Replacing a conflicted arbitrator

If the arbitration body determines that a selected arbitrator has a conflict of interest with one of the parties and the parties do not agree to waive the conflict, then the arbitration body shall select a substitute arbitrator from the remaining attorneys or retired judges not stricken by the parties. If the

appointment cannot be made from the list, the arbitration body shall have the power to make the appointment from among other attorneys or retired judges in the arbitrator pool without the submission of additional lists, not to include any arbitrator previously stricken by a party.

12. Vacancies

If an arbitrator is no longer able to hear a case for which the arbitrator has been appointed, the arbitration body shall select a substitute arbitrator from the remaining attorneys or retired judges not stricken by the parties. If the appointment cannot be made from the list, the arbitration body shall have the power to make the appointment from among the other attorneys or retired judges of the full arbitrator pool without the submission of additional lists, not to include any arbitrator previously stricken by a party.

13. Submissions to and Communication with Arbitrator

Except as provided herein, no party shall communicate unilaterally concerning the arbitration with an arbitrator or a candidate for an arbitrator position. Any documents submitted by any party to the arbitration body or to the arbitrator (with the exception of arbitrator strike lists and, when appropriate, *ex parte* submission of witness questions) shall simultaneously be provided to the other party or parties to the arbitration.

14. Hearing Concerning Sanctions and Criminal Charges or Dispositions

If a Respondent requests a hearing concerning only the Center's sanctions, or regarding a Criminal Charge or Disposition, the following Rules apply:

a. Scope

The violation and the underlying facts will be deemed established and irrebuttable. The arbitrator will determine whether the Center's sanctions are appropriate given the facts and circumstances, as established.

b. Standard of review

The arbitrator is authorized to modify the sanction only upon finding that the Center abused its discretion.

c. Briefing

Within ten Days of the arbitrator's appointment, the Respondent shall file a position statement setting forth the basis for the challenge to the sanction. Within seven Days of the Respondent's filing, the Center shall file its position statement.

d. Oral argument

The decision shall be based on the parties' briefs and the Decision. However, the arbitrator may in the arbitrator's discretion allow for oral argument.

e. Decision

The arbitrator will render a final and binding written decision to all parties within five Days from briefing, or if oral argument is allowed, within five Days of oral argument.

15. Procedural Due Process

The SafeSport Code and 36 USC § 220541(a)(1)(H) provide a Respondent with certain procedural due process protections. A Respondent who alleges violations of these rights can raise the claim before the arbitrator only if the Respondent has previously informed the Center of the alleged violation and given the Center an opportunity to cure the violation. An arbitrator can order a party to take any reasonable steps necessary to cure the violation, except for dismissal of the action.

16. Pre-Hearing Conference

- a. The arbitrator shall schedule as soon as practicable a preliminary pre-hearing conference with the parties by telephone or video conference, but no sooner than four Days and no later than 10 Days after the arbitrator is appointed.
- b. At least two Days before the pre-hearing conference, the Respondent shall provide the Center and arbitration body with a written answer to the Center's Decision against him/her (to include a written statement containing Respondent's summary of the factual rebuttal to the violation and the defenses the Respondent intends to raise at the arbitration) and the

documentary evidence and witnesses that the Respondent intends to present at the hearing. If the Respondent fails to submit the required information, the arbitrator has the discretion to deny its admittance at the arbitration.

- c. The pre-hearing conference will be directed by the arbitrator and shall be the exclusive opportunity of the parties to address issues that need to be resolved before the hearing, including, but not limited to:
 - i. The timeline for the exchange of position statements, list of evidence, and list of witnesses. The position statement shall address any expected evidentiary issues, challenges to jurisdiction, and any other disputed issues.
 - ii. The scheduling and logistics of the hearing, to include without limitation the amount of time each side will have to present its evidence. Absent exceptional circumstances, the arbitrator will schedule the hearing to be completed within a single, eight-hour day. The arbitrator may schedule more than one pre-hearing conference only if the arbitrator determines that an additional conference is necessary.
 - iii. The arbitrator shall issue a written decision that memorializes decisions made and agreements reached during or following the pre-hearing conference.

17. Discovery

Respondents will receive from the Center a Notice of Decision, Investigation Report, and any exhibits to the Investigation Report, redacted for any personally identifying information. There shall be no additional discovery.

18. Date and Time of Hearing

The arbitrator shall use best efforts to ensure that the hearing is completed and the decision rendered within 15 Days of the pre-hearing conference.

Although the arbitrator shall make reasonable accommodations to the parties and their advisors with regard to scheduling, the parties and their advisors have a duty to be reasonably available to ensure the ability of the arbitration process to render a reasonably prompt result. The arbitrator, in the arbitrator's sole discretion, may rule that the unavailability of a party's advisor is not grounds for postponing the hearing.

Failure by the arbitrator or the Center to adhere to the timelines set forth herein shall not be grounds for overturning the arbitrator's decision.

19. Place of Hearing

The hearing will be conducted telephonically or by videoconference except as authorized by the arbitrator in extraordinary circumstances, in which case the hearing may be held in person at a location in the United States determined by the arbitrator. If a hearing is held in

person, the arbitrator may nonetheless permit Claimant(s) or witness(es) to appear behind screens, by telephone or via videoconference. For all hearings, whether in person, telephonically, or by videoconference, the seat of the arbitration shall be Denver, Colorado.

20. Attendance

Unless the arbitrator and the parties agree otherwise, only the following individuals shall be present at the hearing: (1) the Center's representatives; (2) the Respondent; (3) the Claimant(s); (4) the Claimant(s) and Respondent's respective advisors; and (5) witnesses during their own testimony.

21. Oaths

Before proceeding with the hearing, each arbitrator will take an oath of office if required by law. The arbitrator will require witnesses to testify under oath if it is required by law.

22. Interpreters

All arbitration proceedings shall be conducted in English. Any party who would like an interpreter is responsible for coordinating directly with the interpreter and is responsible for the costs of the interpreterservice. The interpreter must be free of conflicts of interest and approved by the Center.

23. Continuance

The arbitrator may continue any hearing upon agreement of the parties, upon request of a party or upon the arbitrator's own initiative. Unless agreed, postponements shall be discouraged and only granted in compelling circumstances. A party or parties causing a postponement of a hearing will be charged a postponement fee, as set forth in the arbitration fee schedule.

24. Arbitration in the Absence of a Party or Advisor

Subject to Section XI(J), the arbitration may proceed in the absence of any party or advisor who, after notice, fails to be present or to obtain a postponement. The arbitrator shall require the party who is present to submit evidence that the arbitrator may require for the making of a decision.

25. Standard of Proof

The Arbitration shall use a preponderance of the evidence standard to determine if a Participant has violated the Code.

26. Rules of Evidence

- a. Strict conformity to legal rules of evidence shall not be necessary, and hearsay evidence may be considered.
- b. The Center's Decision and Investigative Report with Appendices shall be admitted into evidence and the arbitrator shall give them appropriate weight.

- c. The arbitrator shall determine the admissibility, relevance and materiality of the evidence offered and may exclude evidence deemed by the arbitrator to be cumulative, irrelevant or unreliable.
- d. The arbitrator shall take into account applicable principles of privilege, including without limitation those involving the confidentiality of communications between an attorney and client and between a physician and patient.
- e. Any statement from a Minor, be it written, recorded or live, and whether direct or hearsay, shall be admissible.
- f. Evidence relating to other sexual behavior or the sexual predisposition of the Claimant cannot be admitted as evidence in any arbitration unless the probative value of the use or admission of such evidence, as determined by the arbitrator, substantially outweighs the danger of—
 - (i) any harm to the alleged victim; and
 - (ii) unfair prejudice to any party.

27. Evidence by Affidavit

The arbitrator may receive and consider the evidence of witnesses by declaration or affidavit and shall give it such weight as the arbitrator deems appropriate after considering any objection made to its admission.

28. Hearing

Unless the parties agree that the arbitrator can determine

the case without an oral hearing and on written briefing alone (which the parties may do whether the matter relates to liability and sanctions or sanctions only), the arbitrator will hold an oral hearing.

- a. Arbitrator to manage proceedings expeditiously

The arbitrator, exercising discretion, shall conduct the proceedings expeditiously and may direct the order of proof, bifurcate the hearing between the violation and sanction portions of the hearing, and direct the parties to focus their presentations on issues the decision of which could dispose of all or part of the case.

- b. Opening Statements

Each party shall be entitled to present a concise opening statement prior to the presentation of evidence. The Center or its advisor shall present its opening statement first, followed by the Respondent.

- c. Presenting evidence

Both the Center and the Respondent shall be entitled to an equitable amount of time to present evidence in support of or in opposition to the alleged violations, as determined by the arbitrator at the pre-hearing conference. Absent exceptional circumstances, the parties will be expected to complete the hearing in a single, eight-hour business day. The arbitrator will track the time used by each party during the course of proceedings and enforce the time limits to ensure equitable time to both parties. The parties will be permitted, subject to any pre-hearing orders, to

present documentary evidence through the submission of exhibits and to present testimony through affidavit or in-person testimony of witnesses.

The Center will present its evidence first. The Respondent will present its evidence second. The Center may then present any rebuttal evidence.

d. Examining witnesses

1. The Claimant shall be subject to questioning by only the arbitrator unless the Claimant agrees to direct examination and cross-examination by the opposing party.
2. Unless the Claimant elects to be questioned directly by the parties, no later than five Days before the hearing, the Center and the Respondent each may submit, *ex parte* to the arbitrator, proposed questions and lines of inquiry for the questioning of the Claimant. The arbitrator will review the submitted questions and lines of inquiry and will, in the arbitrator's discretion, determine which are appropriate and relevant based on the understanding of the matter and to ensure the arbitrator's ability to render a decision in the matter. The arbitrator also may ask such other questions which the arbitrator deems appropriate.
3. If the arbitrator has been the sole questioner of the Claimant, then after the arbitrator's direct questioning of the Claimant is completed, the

witness will be temporarily excluded from the hearing so that the arbitrator can discuss with each of the parties separately appropriate follow-up questions or supplemental lines of inquiry for the arbitrator to consider. The arbitrator will ask follow-up questions of the witness that the arbitrator deems appropriate.

4. The parties may question all other witnesses directly, provided that the arbitrator shall have the authority to limit questioning of witnesses or lines of inquiry based on, without limitation, relevance, that the questioning is cumulative, the age or mental capacity of the witness, or that the questioning has become harassing or abusive.
5. Examining Minors – the presumption is that a Minor will not testify live at a hearing; however, with the permission of the Minor's parents or guardians (or in extraordinary circumstances, without such permission), the Minor may testify if so desired.

The arbitrator shall determine the manner in which Minor's evidence shall be given, including whether any or all questioning of the Minor (live or via video) will be completed outside the presence of their parent(s) or guardian(s), bearing in mind (a) the objective of achieving a fair hearing, (b) the possible damage to a Minor's welfare from giving evidence, and (c) the possible advantages that the Minor's evidence will bring to determining the facts.

A Minor may only be asked to testify in exceptional circumstances as determined by the arbitrator. In making this decision, the arbitrator shall consider:

- a. the Minor's wishes and feelings, in particular, the Minor's willingness to give evidence (an unwilling Minor should rarely, if ever, be obligated to give evidence);
 - b. the Minor's particular needs and abilities;
 - c. whether the case depends on the Minor's allegations alone;
 - d. corroborative evidence;
 - e. the age of the Minor;
 - f. the maturity, vulnerability, understanding, capacity and competence of the Minor;
 - g. whether a matter can be properly adjudicated without further questioning of the Minor;
 - h. the wishes and views of any parent, person with parental responsibility for the Minor, or any guardian, if appropriate; and
 - i. whether the Minor has given evidence to another tribunal or court related to the subject matter of the proceeding, the way in which such evidence was given, and the availability of that evidence.
- e. Role of the Claimant

The Claimant is not a party, but has the right to be present during the hearing and to give testimony as a

witness if called, but shall not otherwise participate in the hearing.

f. Closing statements

Each party will be entitled to present a concise closing statement after the close of evidence and before the hearing is concluded. The Center will present its closing statement first, followed by the Respondent, and the Center will be allowed time for a reply.

g. Hearing closed to the public

The hearing shall be closed to the public.

i. No disclosure of information

All information obtained by the Center, Respondent or the Claimant during the arbitration, including the arbitral decision, shall be deemed confidential not to be disclosed outside of the Center's process except as expressly provided herein.

ii. Recording

At the request of any party or the arbitrator, hearings shall be recorded by the arbitration body and retained by the Center in its confidential files, but shall not be made available to any party or third party except as determined by the Center or any lawful order of a Court. The requesting party is responsible for arranging and paying for the recording.

h. Closing of Hearing

- i. After all evidence has been submitted at the hearing, the arbitrator shall specifically inquire of each party whether it has any further evidence to offer or witnesses to be heard. Unless the arbitrator determines that additional evidence or witness(es) are required to resolve the controversy, the arbitrator will declare the hearing closed.
- ii. There shall be no post-hearing briefing ordered except in exceptional circumstances. If documents or responses are to be filed as directed by the arbitrator, or if briefs are to be filed, the hearing shall be declared closed as of the final date set by the arbitrator for the receipt of briefs.

29. Waiver of Rules

Any party who proceeds with the arbitration after knowledge that any provision or requirement of these Rules has not been complied with and who fails to promptly state an objection in writing shall be deemed to have waived the right to object to such noncompliance.

30. Extensions of Time

For good cause shown, the arbitrator may extend any period of time established by these Rules, except the time for making the decision, keeping in mind the need to resolve these disputes expeditiously; the unavailability of an advisor—after an arbitrator’s efforts to reasonably accommodate the advisor’s schedule—shall not be

considered good cause except in exceptional circumstances. The arbitrator shall notify the parties of any extension.

31. Notice and Receipt

The parties each must provide an email address to the arbitration body and opposing parties/advisors upon initiation of an arbitration under the Rules. Notice sent to that email address shall be considered actual notice to the party effective upon delivery.

32. Decisions

a. Time

The reasoned decision shall be made promptly by the arbitrator after the close of evidence, and, unless otherwise agreed by the parties or specified by law, no later than seven Days from the date of close of the evidence or any briefing ordered by the arbitrator. To allow the Center sufficient time to arrange to share the outcome with the Claimant(s), the arbitration body will initially transmit the decision to the Center. Four hours later, the Center shall share the outcome with the Claimant(s) and the arbitration body shall transmit the decision to the Respondent(s).

b. Form

In all cases, the arbitrator shall render a written, reasoned final decision, which shall be signed by the arbitrator. All identifying information of the Claimant (including name), and witnesses (other

than the Respondent) shall be redacted. If the arbitrator determines that there has been no violation, then the Respondent may request that the arbitrator redact their name or identifying information in the final decision.

c. Scope

The arbitrator may grant such remedy or relief the arbitrator deems just and equitable and within the scope of the Code and the Sanctioning Guidelines.

d. Delivery to parties

The final decision shall be deemed delivered to the parties if transmitted as provided in these Rules.

33. Modifying Decision

Within three Days after the transmittal of the arbitrator's final decision, any party, upon notice to the other parties, may request the arbitrator, through the arbitration body, only to correct any clerical, typographical, or computational errors in the decision. The arbitrator is not empowered to re-determine the merits of any matter already decided. The other parties shall be given two Days to respond to the request. The arbitrator shall dispose of the request within two Days after transmittal by the arbitration body to the arbitrator of the request and any response thereto.

34. No Appeal

The arbitration decision shall be considered final and binding. The parties waive, to the fullest extent

permissible by law, any right to challenge in court the arbitrator's decision.

35. Filing Fees and Expenses

- a. The arbitration body shall prescribe filing and other administrative fees and expenses to compensate it for the cost of providing services. The fees in effect when the fee or charge is incurred shall be applicable.
- b. Initiating arbitration
 - i. Arbitration fees and expenses

The Respondent shall pay a full deposit for all fees and expenses associated with the arbitration as set forth in Exhibit 1. If, within 30 calendar days of the request for arbitration, the Respondent fails to provide the deposit, the Center or the arbitration body will issue a notice of failure to pay. If payment is not made within five Days after the notice of failure to pay is issued, or an extension is not granted, then the opportunity to request arbitration lapses and the Decision is final.

- ii. Hardship exemption

Respondents may, at the discretion of the Center, obtain a hardship exemption from payment of some of these fees through written certification that they have insufficient funds to cover arbitration.

36. Other Fees and Expenses

The expenses of witnesses for any party shall be paid by the party producing such witnesses. Parties shall be responsible for their own advisor's fees and costs, and all other expenses not expressly assumed by the Center. A party who successfully seeks a continuance shall pay a continuance fee as set forth in Exhibit 1.

37. Arbitrator's Compensation

Arbitrators shall be compensated at the rates set forth in the arbitration fee schedule (Exhibit 1).

If there is disagreement concerning the terms of compensation, an appropriate rate shall be established with the arbitrator and the arbitration body, and confirmed to the parties. Any arrangement for the compensation of an arbitrator shall be made through the arbitration body and not directly between the parties and the arbitrator.

38. Allocating Fees and Expenses

The arbitrator shall, in the final reasoned decision, allocate fees and expenses as follows:

- a. If a violation is not found, the Center shall reimburse the Respondent for all arbitration fees and expenses paid to the arbitration body, pursuant to Exhibit 1, below.
- b. If the case involves multiple violations, and the arbitrator modifies some violations but not all, the

arbitrator has the discretion to allocate the fees and expenses paid to the arbitration body.

- c. If, in a sanctions-only hearing, the sanction is reduced the arbitrator may reapportion responsibility for all arbitration fees and expenses paid to the arbitration body between the Center and the Respondent.

39. Interpreting and Applying These Rules

The arbitrator shall interpret and apply these Rules insofar as they relate to the arbitrator's powers and duties.

40. Temporary Measures

The following Rules govern Temporary Measures hearings.

a. Timing

At any time after Notice of a Temporary Measure, when those temporary measures materially affect the opportunity to participate (e.g., suspension), Respondent may request a hearing which shall take place no later than 72 hours after the Respondent submits the required fees or at such time as the parties otherwise agree.

b. Arbitrator

If the Center imposes or seeks to impose Temporary Measures before the appointment of a merits

arbitrator on a Decision, then a special arbitrator will be appointed by the arbitration body solely to conduct the Temporary Measures hearing. This special arbitrator shall not be considered for appointment to review a final Decision. If the Center imposes or seeks to impose Temporary Measures after the appointment of an arbitrator for review of a Decision, then the appointed arbitrator shall conduct the Temporary Measures hearing.

c. Filing fees and expenses

The arbitration body shall prescribe filing and other administrative fees and expenses to compensate it for the cost of providing services. The fees in effect when the fee or charge is incurred shall be applicable. The Center shall pay a deposit for 2/3 of the fees and expenses and the Respondent shall pay 1/3 of the fees and expenses associated with a Temporary Measures arbitration as set forth in Exhibit 1. The Respondent shall not be responsible for filing fees if qualifying for a Hardship Exemption.

d. Procedures

i. Expedited proceedings

The Temporary Measures hearing is an expedited proceeding to quickly resolve whether sufficient evidence exists to satisfy the arbitrator that the temporary relief requested is appropriate based on the known facts and circumstances of the case at the time of the hearing. The Temporary Measures hearing is not intended to

be the hearing necessary to finally resolve whether the Respondent has committed a violation or what the appropriate sanctions should be if a violation is found to have occurred.

ii. Pre-hearing Conference

The arbitrator shall hold a brief pre-hearing conference solely to address scheduling of the hearing.

iii. Position Statements

The Center and Respondent may each submit a position statement of no more than five pages setting forth the basis for their respective positions. Each party may also present such evidence as it deems necessary. The position statement may also address jurisdictional objections or allegations that the Center failed to follow its procedures. All other issues and objections, if any, are reserved and preserved for a hearing on the final Decision.

iv. Length of Hearing

Except in exceptional circumstances, the Temporary Measures hearing will last no longer than two hours.

e. Standard of review

To affirm Temporary Measures, the arbitrator must find based on the evidence presented, that: (i) the measure is reasonably appropriate based on the seriousness of the allegations and the facts and

circumstances of the case; (ii) the measure is reasonably appropriate to maintain the safety or well-being of the Claimant, other Athletes, or the sport community; or (iii) the allegations against the Respondent are sufficiently serious that the Respondent's continued participation in the sport could be detrimental to the best interest of sport and those who participate in it. In all cases, there shall be a rebuttable presumption that the allegations, as presented, are true. When the allegations involve child sexual abuse, the age of those allegations is not relevant to this determination.

previously in the Center's possession. In such cases, the Respondent will be offered another hearing.

f. Decision

The arbitrator may approve, reject, or modify the Temporary Measures imposed or proposed by the Center. The arbitrator shall issue a decision regarding the Center's request for Temporary Measures either orally at the conclusion of the hearing, with a written reasoned order to follow, or by a written reasoned decision issued within 24 hours of the close of the Temporary Measures hearing. The decision is inadmissible and shall be given no weight in an arbitration on the final Decision, if any.

g. No appeal

Neither the Center nor the Respondent may appeal the arbitrator's decision. The denial of the requested relief shall not, however, prejudice the Center's right to seek Temporary Measures in the same case in the future based on information or evidence not

Exhibit 1

JAMS ARBITRATION FEES

The arbitration body for U.S. Olympic and Paralympic SafeSport Arbitrations is JAMS, www.jamsadr.com. Applicable arbitration fees are as stated, effective March 3, 2018.

\$5,200.00 Single arbitrator

\$1,500.00 Single arbitrator, temporary measures hearing

- A deposit for the full price of JAMS fees and neutral rates is due at the time an Arbitration is requested. An amount of \$1,600 for single arbitrator matters is non-refundable. An amount of \$500 for single arbitrator, temporary measures hearings, is non-refundable.
- Applicable arbitrator travel costs will be charged.
- The above fees exclude usage of facilities. If a JAMS facility is used, a room rental fee not to exceed \$300/day will be charged.

CANCELLATION/CONTINUANCE POLICY

<i>Cancellation/Continuance period</i>	<i>Fee</i>
14 or more calendar days prior to hearing	<ul style="list-style-type: none"> • Arbitration, single arbitrator, \$3,600 is refundable • Temporary Measures Hearing, non-refundable

- Hearing fees are non-refundable if time scheduled (or a portion thereof) is cancelled or continued after the cancellation date. The cancellation policy exists because time reserved and later cancelled generally cannot be replaced. In all cases involving non-refundable time, the party requesting the hearing is responsible for the fees of all parties.
- JAMS reserves the right to cancel the hearing if fees are not paid as required by the applicable cancellation date and JAMS confirms the cancellation in writing.

Exhibit 2
SafeSport Arbitrator Qualifications

INDEPENDENCE

Each arbitrator shall be independent. An arbitrator is “independent” if (a) the individual has no current, material affiliation or relationship, directly or indirectly, with the United States Center for SafeSport, the United States Olympic Committee (USOPC), any National Governing Body (NGB), any Paralympic Sports Organization (PSO), the Athletes Advisory Council of the USOPC (AAC), or any other affiliated organization such as an Olympic Training Center or designated partner, and (b) such person is free of any direct or indirect relationships that create an actual or perceived conflict of interest that could reasonably be expected to interfere with the exercise of independent judgment of such person. Before an arbitrator may be selected for the JAMS SafeSport Panel, the individual shall disclose any potential conflicts of interests to JAMS.

KNOWLEDGE

In addition to independence, arbitrators shall have a demonstrated working knowledge of sexual assault, domestic violence, child sexual abuse, grooming, trust dynamics, and trauma-informed questioning/forensic interviewing protocol. Experience involving emotional, physical and sexual misconduct in sport is strongly preferred.

WORKING EXPERIENCE

Arbitrators shall have experience working in at least one of the following areas:

- In criminal law as a judge, district attorney, or defense attorney, with specific experience in sexual misconduct
- Law enforcement, with specific experience in sexual misconduct
- As a social worker
- A Title IX coordinator or investigator
- As a guardian *ad litem*, or
- Other comparable working experience.

BYLAWS OF THE UNITED STATES AMATEUR CONFEDERATION OF ROLLER SKATING
DBA USA ROLLER SPORTS

2021 Edition
April 1, 2021

An Official Publication of
USA ROLLER SPORTS

Recognized by the United States Olympic & Paralympic (USOPC) Committee and World Skate
as the National Governing Body for Competitive Roller Sports in the United States.

This document is fully protected by copyright and nothing that appears in it may be reprinted in
any manner, either wholly or in part, for any use whatsoever, without special written permission
of the copyright owner expressly permitting such reprint upon each and every occasion.

© 2021 USA Roller Sports
4730 South Street, Lincoln, Nebraska 68506

BYLAWS OF THE UNITED STATES AMATEUR CONFEDERATION OF ROLLER SKATING (DBA USA ROLLER SPORTS)

ARTICLE I. NAME, STATUS, AND OFFICES.

SECTION 1. NAME.

The name of the corporation shall be United States Amateur Confederation of Roller Skating (referred to in these bylaws as “USA Roller Sports” or “USARS”). USARS may establish such acronyms or abbreviations as may be appropriate for business use, and may establish logos, service marks or trademarks as may be appropriate to further its purpose, mission, recognition and goals.

SECTION 2. NON-PROFIT STATUS.

USA Roller Sports shall:

- A. Be a non-profit corporation incorporated and licensed pursuant to the laws of the State of Nebraska.
- B. Operate for charitable and educational purposes.
- C. Have as its purpose to foster national and international amateur sports competition in Roller Sports.
- D. Maintain a tax-exempt status and operate in accordance with Section 501 (c) (3) of the Internal Revenue Code.

SECTION 3. PRINCIPAL OFFICE.

The principal office of USARS shall be in Lincoln, Nebraska. USARS may at any time and from time to time change the location of its principal office. USARS may have such other offices, either within or outside Nebraska, as the Board of Directors may designate or as the affairs of USARS may require from time to time.

SECTION 4. REGISTERED OFFICE.

The registered office of USARS required by the Nebraska Nonprofit Corporation Act (the “Nonprofit Corporation Act”) shall be maintained in Nebraska. the registered office may be changed from time to time by the Board of Directors or by the officers of USARS, or to the extent permitted by the Nonprofit Corporation Act by the registered agent of USARS. The registered office may be, but need not be, the same as the principal office.

ARTICLE II. MISSION, VISION AND PURPOSE.

SECTION 1. MISSION.

As the recognized National Governing Body (NGB) by the United States Olympic & Paralympic Committee, the Mission of the USA Roller Sports (USARS) shall be to develop, promote, educate and grow Roller Sports at all levels and to enable athletes to achieve sustained competitive excellence in domestic and international competitions.

SECTION 2. VISION.

To inspire and enable our members to achieve excellence in Roller Sports and in life by building the base, promoting the sport and achieving competitive success.

SECTION 3. PURPOSE.

USARS shall 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 et seq. and as mandated by the United States Olympic & Paralympic Committee (referred to in these Bylaws as "USOPC") as such requirements are promulgated or revised from time to time. In fulfilling those requirements USARS shall:

- A. Be a member of only one (1) international sports federation, which is recognized by the International Olympic Committee as the worldwide governing body for Roller Sports (World Skate, formerly known as the Federation Internationale de Roller Sports, FIRS);
- B. Be autonomous in the governance of the Roller Sports by independently determining and controlling all matters central to such governance, by not delegating any of that determination or control, and by being free from outside restraint;
- C. Maintain the managerial and financial competence and capability to establish national goals for Roller Sports relating to the development and well-being of the sport, to implement and administer a plan for the attainment of those goals, and to execute its obligations as the National Governing Body for Roller Sports;
- D. Provide for individual and organizational membership;
- E. Ensure that its Board of Directors, and any other governance body, has established criteria and election procedures for, and maintains among its voting members individuals who are actively engaged in athletic competition in Roller Sports or who have represented the United States in an international athletic competition in Roller Sports within the preceding ten (10) years, and ensures that the voting power held by those individuals is not less than twenty (20) percent or higher to thirty three (33) percent if dictated by a change of requirements within the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. §220501 et seq. or the S.2330 - Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 of the voting power held in its Board or other governance body of Standing Committees;
- F. Provide for reasonable direct representation on its Board of Directors for any sports organization which, in the sport of Roller Sports, conducts on a level of proficiency appropriate for selection of athletes to represent the United States in international

athletic competition, a national program, or regular national athletic competition, and ensure that representation reflects the nature, scope, quality, and strength of the programs and competitions of that sports organization in relation to all other of those programs and competitions in Roller Sports in the United States;

- G. Be governed by a Board of Directors whose members are selected without regard to race, color, religion, national origin or sex, with reasonable representation on the Board of both males and females;
- H. Provide an equal opportunity to athletes, coaches, trainers, managers, administrators, and officials to participate in Roller Sports competitions without discrimination on the basis of race, color, religion, age, sex or national origin. In addition, USARS will complete all requirements specific to Diversity and Inclusion as required through the USOPC NGB Certification Process;
- I. Establish and maintain Gender Equity with established performance criteria that is the same for all national or event team athletes that are on any delegation event program, with the criteria published online or via direct communication to all athlete, such as an athlete handbook;
- J. Not have an officer who is also an officer or employee of another sports organization that is recognized by the USOPC as a National Governing Body;
- K. Provide procedures for the prompt and equitable resolution of grievances of its members;
- L. Provide fair notice and an opportunity for a hearing to any athlete, coach, trainer, manager, administrator or official before declaring such individual ineligible to participate;
- M. Agree to submit to binding arbitration in any controversy involving:
 - 1. Its recognition as a National Governing Body, or
 - 2. the opportunity of any athlete, coach, trainer, manager, administrator or official to participate in athletic competition in Roller Sports, upon demand of the USOPC or any aggrieved athlete, coach, trainer, manager, administrator or official, conducted in accordance with the Commercial Rules of the American Arbitration Association or as modified pursuant to the Ted Stevens Olympic and Amateur Sports Act;
- N. Not have eligibility criteria relating to membership status or to participation in the Olympic or Pan American Games that are more restrictive than those of the international sports federation for the sport of Roller Sports recognized by the International Olympic Committee (World Skate, formerly known as the Federation Internationale de Roller Sports - FIRS);
- O. Perform all other obligations and duties imposed by the Ted Stevens Olympic and Amateur Sports Act and by the USOPC of a National Governing Body.

ARTICLE III. MEMBERSHIP.

SECTION 1. MEMBERSHIP QUALIFICATIONS.

- A. Membership shall be open to ALL individuals who are residents of the United States, who are interested in promoting the purposes of USARS as set forth in these Bylaws and who meet the requirements of membership set forth in Subsection C and Section 3.
- B. Membership shall be open to organizations which are organized within and under the laws of the United States, which are interested in promoting the purposes of USARS as set forth in these Bylaws, and which meet the requirements of membership set forth in Subsection C and Section 3.
- C. Membership shall be divided into classes according to the following requirements:
 1. CLASS I. ATHLETES - COMPETITIVE ROLLER SKATERS. The Amateur Sports Act of 1978, Public Law, 95-606, Title 1, Section 103(1) defines an amateur athlete as any athlete who meets the eligibility standards established by the National Governing Body for the sport in which the athlete competes. USARS, the National Governing Body for Roller Sports, defines an amateur skater as follows: A roller sports competitor who conducts him or herself in the Olympic tradition of good sportsmanship while engaging in USARS competitions and all other sponsored activities of USARS. The competitor must be truthful and honorable in dealing with other athletes and officials, and when establishing eligibility for USARS competitive events which are determined by age or previous competitive experience. There are no occupational requisites or restrictions applied to USARS competitive eligibility.
 2. CLASS II. OFFICIALS. Officials are roller sports trainers, managers, administrators, referees, judges or other officials active in roller Sports.
 3. CLASS III. A. OTHER INDIVIDUAL MEMBERS. Other individual members are individuals who are not members of Class I, Class II, or Class VI and whose interest in the sport(s) of roller skating, at the sole discretion of the Board of Directors, is sufficient to qualify them for membership.
 4. CLASS III. B. OTHER ORGANIZATIONAL MEMBERS. Other organizational members are corporations, associations or other entities which are not members of Class IV or Class V, and which do not participate in, arrange, conduct, or sanction roller sports competitions, but which have sufficient interest in the sport(s) of roller skating, in the sole discretion of the Board of Directors, to qualify them for membership.
 5. CLASS IV. CHARTERED CLUBS, LEAGUES, ASSOCIATIONS AND GROUPS. General roller sports organizations are not-for-profit corporations, clubs, federations, unions, associations, leagues or other groups which sponsor or arrange roller sports activities, which are chartered by or accepted by USARS and which agree to comply with all Bylaws, General Rules, and decisions of the USARS Board of Directors. The decision to charter a club, league, association or group as a Class IV member shall be at the sole discretion of the Board of Directors.

6. CLASS V. NATIONAL ROLLER SPORTS ORGANIZATIONS. National roller sports organizations are not-for-profit corporations, federations, unions, associations or groups which conduct regular national programs or competitions in roller sports at various relevant levels of proficiency, and which are capable of holding an annual championship on a level of proficiency appropriate to the selection of athletes to represent the United States in international competition.
7. CLASS VI. REGISTERED AND CERTIFIED COACHES. Coaches are individuals qualifying as registered or certified coaches under requirements adopted by the Board of Directors from time to time. In order to receive recognition by USARS as a certified coach, an individual must successfully pass a documented course of study such as the USARS Board of Directors may from time to time prescribe in consultation with athletic educational professionals and with the U.S. Olympic & Paralympic Committee Director of Coaches Education. A roller sports coach, as recognized by USARS for the purposes of his or her participation in USARS sanctioned competitions and training programs, must in every positive sense of the word be a "professional" in training, conduct and demeanor. The coach's responsibilities require skills as a teacher, motivator and as a guardian of the physical and mental well-being and health of athletes. USARS reserves the right in the interest of its athletes to recognize coaches for the purpose of their participation in USARS sanctioned events.
8. CLASS VII. INDEPENDENT COMPETITIVE ROLLER SPORTS GROUPS. Other groups or entities may be accepted for membership when they can demonstrate that they have arranged, conducted, or sanctioned and continue to arrange, conduct, or sanction roller sports activities in accordance with appropriate, published rules which provide for rules of competition, officiating, record keeping, and safety, and for conduct of the activities in accordance with publicized claims. Such other groups or entities also must agree in writing to coordinate and cooperate with USARS to avoid unnecessary conflicts in the scheduling of competitions.

SECTION 2. MEMBERSHIP PRIVILEGES.

A. GENERAL

1. Membership in USARS is a privilege and creates with it certain obligations and duties. The Board of Directors may establish such membership requirements and dues as the Board shall deem necessary or appropriate. Further, the Board may establish such rules and procedures for the manner and method of payment of dues, the collection of delinquent dues and the proration or refund of dues, as the Board 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.
2. USARS MEDICAL INSURANCE
USARS has contracted for an accidental death and dismemberment, and medical excess insurance coverage for all individually registered USARS members. The price of each individual membership card shall include this insurance. However, such coverage is conditioned upon USARS' ability to continue a policy with at least the coverage

provided members by these Bylaws at a reasonable cost as determined at the discretion of the Board of Directors. By registering with USARS, you are provided with excess (secondary) accident/medical expense benefits for injuries occurring ON SKATES limited to organized and supervised practice sessions held within USARS chartered club facilities, or during USARS sanctioned competitions and/or USARS training sessions sanctioned by USARS national headquarters specified to occur outside of club facilities. Coverage for non-competitive cardholders as USARS officials is limited to accidents occurring either on or off skates while actually participating in a competition that is in progress. Not covered is training off skates or training outside of chartered club facilities, unless specified by USARS sanction, or any injury occurring while on skates but while not in training for USARS competitions. Pre-existing conditions are not covered under this policy, meaning any condition for which prior treatment has been provided. Claim forms may be obtained from USARS National Headquarters or on the USARS website. All injury claims should be submitted first to your personal medical insurance company. If you do not have personal medical insurance, this coverage will become primary. Date of effective coverage is the date the athlete completes the online membership process, with full payment specific to their position(s) for the current season and is determined to be in good standing at the time of the incident. Injuries should be reported immediately, with claims filed within 30 days of occurrence, submitted on forms provided by USARS. Equipment required for safety under USARS General Rules must be worn at all practices and competitions, otherwise USARS accident/medical insurance is void.

B. CLASS I ATHLETES: Competitive Roller Skaters, if they are otherwise qualified, and eligible, and in good standing under these Bylaws and the General Rules:

1. May participate in competitive events sanctioned by USARS;
2. May participate in exhibitions and roller sports shows sanctioned by USARS;
3. May hold office in USARS and local clubs if they are of legal age;
4. May become, upon passing the required tests, a commissioned judge of USARS sanctioned roller sports activities;
5. May officiate in other capacities at sanctioned USARS activities;
6. May submit their views to the Board of Directors and, under such restrictions and time limitations as the Board of Directors may impose by majority vote, may personally present their views at Board of Directors meetings. However, in matters involving protests, members shall follow the procedures in the General Rules governing protests; and
7. May vote in the election of Directors as provided in Article V; and
8. The athlete/coach/official has the right to take part in "outside" competitions over which USARS has no jurisdiction.

C. CLASS II. OFFICIALS: if they are otherwise qualified, eligible, and in good standing under the Bylaws and General Rules:

1. May hold office in USARS and local clubs if they are of legal age;
2. May participate in USARS sanctioned exhibitions or carnivals with the written permission of USARS;

3. May become, upon passing the required tests, a commissioned judge or referee of USARS roller sports contests, and may officiate in other capacities at sanctioned USARS activities;
4. May submit their views to the Board of Directors and, under such restrictions and time limitations as the Board of Directors may impose by majority vote, may personally present their views at Board of Directors Meetings. However, in matters involving protests, members shall follow the procedures in the General Rules governing protests; and
5. May, if they are and have been for the immediately preceding two (2) years commissioned by USARS as a national championship meet official, vote in the election of Directors as provided in Article V.

D. CLASS III. A. OTHER INDIVIDUAL MEMBERS, if they are otherwise qualified, eligible, and in good standing under these Bylaws and the General Rules:

1. May hold office in USARS and local clubs if they are of legal age;
2. May become, upon passing the required tests, a commissioned judge of USARS roller sports contests;
3. May officiate in other capacities of sanctioned USARS activities; and
4. May submit their views to the Board of Directors and, under such restrictions and time limitations as the Board of Directors may impose by majority vote, may personally present their views at Board of Directors meetings. However, in matters involving protests, members shall follow the procedures in the General Rules governing protests.

E. CLASS III. B. OTHER ORGANIZATIONAL MEMBERS, if they are in good standing, under these Bylaws and General Rules, may submit their views to the Board of Directors and, under such restrictions and time limitations as the Board of Directors may impose by majority vote, may personally present their views at Board of Directors meetings. However, in matters involving protests, members shall follow the procedures in the General Rules governing protests.

F. CLASS IV. A. CHARTERED FIGURE, SPEED, HOCKEY AND ROLLER DERBY CLUBS, LEAGUES, ASSOCIATIONS AND GROUPS, if they are in good standing under these Bylaws and General Rules:

1. May apply for sanctions within the authority of their charter for local, state and regional roller sports activities, which shall be granted or denied under the provisions for sanctioning of these Bylaws and the General Rules;
2. May conduct other activities within the authority of their charter; and
3. May submit their views to the Board of Directors and, under such restrictions and time limitations as the Board of Directors may impose by majority vote, may personally present their views at Board of Directors meetings. However, in matters involving protests, members shall follow the procedures in the General Rules governing protests; and
4. Each club, through its President or other authorized officer, may cast one vote in the election of Directors as provided in Article V.

G. CLASS IV. B. CHARTERED FITNESS CLUBS, if they are in good standing under these Bylaws and General Rules:

1. May apply for sanctions within the authority of their charter for local, state and regional roller sports activities, which shall be granted or denied under the provisions for sanctioning of these Bylaws and General Rules.
2. May conduct other activities within the authority of their charter, and
3. May submit their views to the Board of Directors and, under such restrictions and time limitations as the Board of Directors may impose by majority vote, may personally present their views at Board of Directors meetings.

H. CLASS V. NATIONAL ROLLER SPORTS ORGANIZATIONS, if they are in good standing under these Bylaws:

1. May apply for sanctions for international roller sports competitions which sanction shall be granted or denied under the provision of the United States Olympic & Paralympic Committee (USO(C) Article VII. Section 2;
2. May apply for sanctions for other roller sports activities, which shall be granted or denied under the provisions for sanctioning set forth in these Bylaws and the General Rules;
3. Shall be entitled to reasonable direct representation on the Board of Directors, provided that such representation shall reflect the nature, scope, quality and strength of the programs and competitions of such national organization in relation to all other such programs and competition in roller sports in the United States and subject to the provisions of Article V; and
4. May submit their views to the Board of Directors and, under such restrictions and time limitations as the Board of Directors may impose by majority vote, may personally present their views at Board of Directors meetings. However, in matters involving protests, members shall follow the procedures in the General Rules governing protests.

I. CLASS VI. REGISTERED AND CERTIFIED COACHES, if they are in good standing under these Bylaws and General Rules may receive membership benefits as follows:

1. Membership in USARS for designated sport.
2. Subscription to USARS electronic communications.
3. Coaching recognition as Registered, Certified, Advanced and Elite Coaches.
4. Free distribution of General Rules and appropriate sport technical manuals.
5. Semimonthly coaching newsletter (as available).
6. Eligible to be Commissioned Official.
7. Eligible to be Club Officer. USARS coaches may use this membership for the purpose of registering as a Club Officer in any sport, in the same fashion as the non-competitive registration.
8. Recognition pins for championship achievement.
9. Eligibility for all other Class VI membership privileges as enumerated in USARS Bylaws.
10. Accident/injury insurance, if any, as per USARS membership card while actively coaching in a registered USARS club facility or sanctioned competition.
11. Liability insurance while actively coaching in a registered USARS club facility or participating in a sanctioned competition. In addition to the personal accident insurance coverage for all USARS Registered Coaches, USARS will provide \$1 million liability insurance for USARS Certified Coaches who are engaged in coaching or assisting USARS registered athletes who are participating in or training for roller sports competitions or while being taught during a Star Skate program. An "A" rated company,

meeting the requirements for National Governing Bodies, as established by the U.S. Olympic & Paralympic Committee, issues this insurance protection. This coverage is participant liability insurance, which is generally difficult to obtain in standard insurance policies. However, this coverage is subject to continued availability of a policy providing at least the coverage provided herein to members at a reasonable cost as determined at the discretion of the Board of Directors. Conditions of the policy require that each participant must be a member of USARS, for which a liability insurance premium has been paid; the individual coach and student have accident/injury protection as part of their member insurance coverage; and that both have executed a USARS waiver of liability statement on their primary membership registration applications. For this reason, the liability insurance umbrella of USARS protects a coach when they are instructing a skater who is preparing for USARS competitions or instructing class skaters who are USARS members through the Star Skate program . There is no coverage for general liability, normally part of commercial rink operation, when a teacher is not involved with USARS programs. Coaches should bear in mind that coverage under this program begins when the student is an individual USARS member. Mass instructional programs of non-members and other general rink promotional teaching are recreational activities not covered by the general USARS insurance program. These do not meet the insurance policy's defense requirements for USARS competitive and the Star Skate programs, but are risks associated with the rink's own general liability insurance.

12. Certification as USARS-USOPC coach, with competitive floor privileges, upon fulfillment of requirements for certification as adopted by the Board of Directors from time to time. USARS Registered or Certified Coaches are to be admitted free to all sanctioned USARS competitions, including regional and national championships in the respective sport. They are also to have access to the floor area or pit area at a championship if they are in their first year as a USARS Registered Coach or as a Certified Coach. Access to the pit/floor area is an exclusive right for USARS coaches. Free admission to the championship site may be extended to others at the option of the meet host.
13. Seminars and programs for Continuing Coaches' Education.
14. May, if a Certified Coach, vote in the election of Directors as provided in Article V.

J. CLASS VII. INDEPENDENT COMPETITIVE ROLLER SPORTS GROUPS. Accepted members are those organizations who demonstrate that they have arranged, conducted or sanctioned roller sports activities. Accepted members if they are in good standing under these Bylaws and General Rules:

1. May apply for sanctions for international roller sports competitions which sanctions shall be granted or denied under the provisions of the United States Olympic & Paralympic Committee Constitution, Article VII, and Section 2;
2. May apply for sanctions for other roller sports activities, which shall be granted or denied under the provisions for sanctioning set forth in these Bylaws and General Rules;
3. May submit their views to the Board of Directors and, under such restrictions and time limitations as the Board of Directors may impose by majority vote, may personally present their views at Board of Directors meetings. However, in matters involving protests, members shall follow the procedures in the General Rules governing protests.

SECTION 3. MEMBERSHIP APPLICATION PROCEDURE.

A. ALL CLASS I - ATHLETE - COMPETITIVE ROLLER SKATERS, CLASS II - OFFICIALS, CLASS III - OTHER INDIVIDUAL AND ORGANIZATIONAL MEMBERS and CLASS VI - REGISTERED AND CERTIFIED COACHES shall apply for membership annually via the online membership system, and specific to their position(s), managed and operated by the National Headquarters. Annual dues shall accompany the online application process. The National Headquarters, initially, shall grant or deny the online application process in accordance with these Bylaws, or via directive from the US Center for SafeSport (the Center) or United States Anti-Doping Agency (USADA). Any Class I, Class II, or Class VI applicant or any member in good standing who is dissatisfied with the National Headquarters' decision may protest the decision as provided in these Bylaws and the General Rules. There shall be no protest of denials of Class III applications. However, all denials of Class III applications shall be referred by the National Headquarters to the Compliance, Ethics and Eligibility Committee for consideration at their next regular meeting.

B. CLASS IV. CHARTERED CLUBS, LEAGUES, ASSOCIATIONS AND GROUPS.

1. CLUBS. Persons participating in the sports of figure, speed, hockey and roller derby may organize as clubs. Separate registration must be obtained for each sport.
 - (a) Club charters shall be issued to organizations whose primary purposes is sport and not for recreational or social roller sports activities.
 - (b) Club constitutions must conform to the minimum standards set forth in these Bylaws.
 - (c) A club must have a minimum of two officers. With one individual being the Primary Registered Officer.
 - (d) A club must have a minimum of five (5) qualified and registered USARS members who regularly practice roller sports. A club whose membership consists of less than five (5) such members shall be or become probationary until the minimum membership requirement is met. A probationary club shall not be entitled to any voting privileges within leagues or state or regional associations or in the election of a director on the Board of Directors.
 - (e) A club must be located at a venue which is suitable to pursue the sport aspects of roller sports and must demonstrate that suitable time is available at that location to develop skills and participate in competitive roller sports.
 - (f) No club charter may be transferred or relocated without permission of the USARS Executive Director.
 - (g) All officers and individual members of the club must be individual members of USARS in good standing.
 - (h) The disbursement of club funds must be set forth in writing. This includes initiation fees, dues, fundraising monies, contributions and funds from all sources. Distribution information must be provided to all persons when they become club members. The club's failure to comply with this requirement or failure to distribute the funds as documented should be brought to the attention of the Executive Director of USARS. A copy of the written club document specifying fund distribution should accompany any complaint. When justified, the Executive

Director will refer such complaints to the Compliance, Ethics and Eligibility Committee for action.

2. STATE AND REGIONAL ASSOCIATIONS may be formed if approved by the USARS Board of Directors.
 - (a) Each such association shall be composed of USARS clubs in good standing, the members of which are all members in good standing with this Confederation.
 - (b) The states comprising any one region shall be specified by the Board of Directors and membership shall be restricted to clubs located within such state or region.
 - (c) For purposes of establishing a state or regional association, all chartered USARS clubs in that state or region must be notified 30 days in advance of the association's organizational meeting.
 - (d) All USARS clubs in the state or region are to be accepted as members of the association should they petition to join.
 - (e) USARS will allow a grace period of 60 days after the end of the previous membership period, to be determined by each sport, to enable chartered clubs and their officers to remain in good standing for the sole purpose of Regional Association organizational meetings and voting.
 - (f) All USARS clubs in good standing that are members of the association shall enjoy equal voice and vote in the affairs of the organization. An individual may be an officer of more than one (1) USARS member club, and that individual may cast a vote at state or regional association meetings for each individual club, within the same facility, for which he/she is the primary registered officer for the club. That vote must be made in person. If a person is the primary registered officer of clubs, located within different facilities, he/she will be restricted to voting for those clubs in just one facility. If the primary registered officer is unable to attend these meetings, he/she may designate in writing another club officer who can use this authority to act as the club's voting delegate at USARS meetings, subject to the same applicable restrictions. At the discretion of a state or regional association, a facility's multiple club votes may be restricted to apply only to that sport so affected by a particular vote, i.e., a figure club may be restricted from casting a vote concerning a speed club matter.
 - (g) State and regional associations shall conduct a minimum of one (1) meeting each season.
3. LEAGUES are subdivisions of state or regional associations and may be formed only for the purpose of creating or promoting inter-club competitions between league members.
 - (a) All leagues shall be endorsed annually by the association in the state or region in which they are located before a USARS league charter can be issued. If a league is located in more than one state or region, it shall have the endorsement of all affected state and regional associations.
 - (b) All clubs constituting a recognized USARS league must be chartered USARS members in good standing or in probationary status. All competitors who shall participate in these contests also must be USARS members in good standing.
 - (c) Each league shall adopt a constitution, which shall be submitted to USARS with its application.

- (d) Selection of league officers and their administration shall follow the guidelines set forth in these Bylaws for associations. The league shall submit its competitive dates and site selection to the appropriate state or regional association to coordinate league contests with other area clubs outside the league.
- 4. Any organization applying for membership as a regional or state association, league or club shall submit an application annually on the form required by the National Headquarters. Annual dues shall accompany the application. The National Headquarters shall make the initial decision to grant or deny the application. Any applicant or present member who disagrees with the National Headquarters' decision may file a protest as set forth in these Bylaws and the General Rules.

C. CLASS V. NATIONAL ROLLER SPORTS ORGANIZATIONS.

- 1. Class V. National Roller Sports Organizations must meet the requirements of membership as set out in the Articles and Bylaws. These requirements are taken initially from the USOPC Constitution. Further definition, however, must be based upon the sport involved and must recognize that the sport of roller sports is a national sport with sanctioned competitive clubs located in at least forty-four states and with suitable competitive facilities located in all fifty states. Therefore, membership requirements are defined further as follows:
 - (a) "National roller sports organization" shall mean an organization which is comprised of at least fifty (50) bona fide roller sports clubs, of which at least twenty-five (25) clubs are located east of the Mississippi River (Eastern Division) and at least twenty-five (25) clubs are located west of the Mississippi River (Western Division); provided those clubs in the Eastern Division shall be located in not less than six (6) separate states and those clubs in the Western Division shall be located in not less than six (6) separate states; and provided, further, that the membership of the organization shall be open to any individual who is an athlete, coach, trainer, manager, administrator or official active in roller sports.
 - (b) "Bona fide roller sports club" shall mean a roller sports organization formed for the purpose of competitive sport and not for recreational or social roller sports activities, consisting of not less than five (five) qualified and registered USARS members who regularly practice roller sports in one (1) or more of the recognized sports.
 - (c) "Regular national programs or competitions" means an organized system supervised by the national roller sports organization in which each member club is offered a reasonable opportunity to compete against other clubs in a sanctioned annual competitive program.
 - (d) "Capable of holding an annual championship" means able to demonstrate with a reasonable degree of certainty its financial managerial capacity to plan and execute its obligations, including but not limited to:
 - i) The financial ability to plan, organize, promote and conduct a championship each year of a size appropriate to the size of the organization;
 - ii) The ability to train and certify qualified officials to conduct the competition;

- iii) The ability to organize and operate a system to protect the status of athletes who will take part in the competition and to protect their eligibility to compete in athletic competition in the United States and in international athletic competitions;
 - iv) The appropriate provision for validation of records, which may be established during the competition;
 - v) The assurance that due regard has been given to any international athletic requirements specifically applicable to the competition;
 - vi) The provision of proper medical supervision for athletes who compete; and
 - vii) The assurance of proper safety precautions to protect the personal welfare of the athletes or spectators.
- (e) "Level of proficiency appropriate to the selection of athletes to represent the United States in international competition" shall mean with regard to each sport respectively: i) Hockey-At least two teams capable of competing with other international-level teams from the United States shall have competed in its most recent annual championship. ii) Figure-At least two entries for each event regularly found on the program for the Pan American Games and World Skate (formerly known as Federation International de Roller Sports - FIRS) World Championships who are capable of competing with other international-level entries shall have competed in its most recent annual championship. iii) Speed-At least two entries for each event regularly found on the program for the Pan American Games and World Skate (formerly known as Federation Internationale de Roller Sports - FIRS) World Championships who are capable of competing with other international-level entries shall have competed in its most recent annual championship.
- (f) "Capable of conducting international athletic competition" means able to demonstrate with a reasonable degree of certainty its financial and managerial capacity to plan and execute its obligations, including but not limited to:
- i) The ability to plan, organize, promote and conduct an international competition of a size and quality appropriate to international competition;
 - ii) The ability to attract qualified international officials to conduct the competition.

D. CLASS VII. INDEPENDENT COMPETITIVE ROLLER SPORTS GROUPS: Entities or groups seeking Class VII. Membership by acceptance shall submit the required dues and an application on the form or forms prepared by the USARS National Headquarters. The information shall be submitted to the National Office and shall be sufficient for a determination to be made regarding the guidelines for acceptance as a Class VII member and shall include, at a minimum:

1. A copy of the organizational documents, i.e. Articles and Bylaws, Constitution, etc.
2. A printed, typewritten or electronic copy of the organization's complete rules, including rules of competition, safety, officiating, record keeping, and sanctioning.
3. A listing of the names and addresses of all officers and directors, or members of the policy making body, stating their respective positions.

4. A description of the size of the organization, including number of members and number of competitive divisions, if any, such as clubs, leagues, regions or associations.
5. Identification by date, location, number of participants, and type of competition or other activity, of all competitions or other activity arranged, conducted, or sanctioned by the applicant within the 2 years preceding the date of the application. The National Headquarters, initially, shall grant or deny applications for acceptance as a Class VII members in accordance with these Bylaws. There shall be no protest of denials of acceptance. However, all denials of acceptance shall be referred by the National Headquarters to the Board of Directors for consideration at its next regular meeting.

SECTION 4. TERMINATION OF MEMBERSHIP.

The membership of any member may be terminated at any time with cause by the Compliance, Ethics and Eligibility Committee, the US Center for SafeSport, or USADA. A member shall have the right to fair notice and a hearing prior to termination. USARS may retain jurisdiction over any member who has pending financial obligations, or pending grievances against him/her, regardless of the status of membership.

SECTION 5. TRANSFER OF MEMBERSHIP.

Members may not transfer their membership in USARS. Members shall have no ownership rights or beneficial interests of any kind in the property of USARS.

ARTICLE IV. MEETINGS.

SECTION 1. REGULAR MEETINGS.

Regular meetings of the Board of Directors shall be held at least twice each year at a time and place, either within or without the State of Nebraska, or virtually as designated by the Chairperson of the Board. The semiannual meeting shall be held within one hundred eighty (180) days of the close of the fiscal year. The annual meeting shall be held not less than thirty-one (31) days or more than eighty-five (85) days after the beginning of the fiscal year. USARS Board meetings are open to observation by any registered USARS member, provided that notice of the intention to attend the Board meeting is given 10 days prior to USARS Headquarters. No person may participate in the meeting without recognition by the President.

SECTION 2. SPECIAL MEETINGS.

Special meetings of the Board of Directors may be called by the President or at the written request of any five (5) Directors.

SECTION 3. NOTICE.

Notice shall be deemed to be given when the electronic transmission is complete. Oral notice may be delivered either personally or telephonically. Such notice shall be delivered to the

director (or to such other individual provided by the director for such purpose). Oral notice shall be delivered no fewer than two (2) days before the date of the meeting. Oral notice is effective when communicated. the method of notice need not be the same as to each director.

SECTION 4. QUORUM.

A majority of the number of Directors shall constitute a quorum for the transaction of any business at any regular or special meeting of the Board of Directors, but if less than a quorum is present, those present may adjourn the meeting from time to time without further notice.

SECTION 5. MEMBERS.

Election of Directors by voting members shall be electronic ballot in lieu of an annual meeting. Information of significant corporate actions shall be communicated to members through electronic notification in lieu of an annual meeting.

SECTION 6. ABSENCE.

If an athlete representative is not going to be at the board table, he/she must notify the National Office 45 days prior in order to invite the runner up. The alternate will be invited by the organization to be a voting member for that meeting.

SECTION 7. WRITTEN CONSENT.

The unanimous written consent of all directors on the Board shall also constitute an act of the Board.

SECTION 8. PRESUMPTION OF ASSENT.

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 shall be entered in the minutes of the meeting or unless the director shall file a written dissent to such action with the individual acting as the Secretary of the Board before the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such action.

SECTION 9. ACTION WITHOUT A MEETING.

Any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting if each and every director of the Board in writing either: (i) votes for such action; (ii) votes against such action; or (iii) abstains from voting. Each director who delivers a writing described in this Section to the corporation shall be deemed to have waived the right to demand that action not be taken without a meeting.

ARTICLE V. BOARD OF DIRECTORS.

SECTION 1. GENERAL POWERS.

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

SECTION 2: FUNCTION OF THE BOARD.

The USARS Board of Directors shall represent the interests of the Roller Sports community for USARS in the United States and its athletes by providing USARS with policy, guidance and strategic direction. The Board shall oversee the management of USARS and its affairs, but it does not manage USARS. The Board shall select a well-qualified Executive Director and diligently oversee the Executive Director in the operation of USARS. The Board shall focus on long-term objectives and its impacts rather than on day-to-day management, empowering the Executive Director to manage a staff-driven organization with effective Board oversight. In addition, the Board performs the following specific functions, among others:

- A. Implements procedures to orient new Board directors, to educate all directors on the business and governance affairs of USARS, and to evaluate Board performance;
- B. Selects, compensates, evaluates, and may terminate the Executive Director and plans for management succession;
- C. Reviews and approves USARS strategic plan and the annual operating plans, budget, business plans and corporate performance;
- D. Sets policy and provides guidance and strategic direction to management on significant issues facing USARS;
- E. Reviews and approves significant corporate actions;
- F. Oversees the financial reporting process, communications with stakeholders, and USARS legal and regulatory compliance program;
- G. Oversees effective corporate governance;
- H. Approves capital structure, financial strategies, borrowing commitments, and long-range financial planning;
- I. Reviews and approves financial statements, annual reports, financial and control policies, and, upon the recommendation of the Finance Committee, selects independent auditors;
- J. Monitors to determine whether USARS assets are being properly protected;
- K. Monitors USARS compliance with laws and regulations and the performance of its broader responsibilities; and
- L. Ensures that the Board and management are properly structured and prepared to act in case of an unforeseen corporate crisis.
- M. Ensures athlete safety rules, policies, and procedures comply with requirements.

SECTION 3. DIVERSITY OF DISCUSSION.

USARS Board shall be sensitive to the desirability of diversity at all levels of USARS, including among its athletes. USARS Board shall develop and implement a policy of diversity at all levels of USARS, supported by meaningful efforts to accomplish that diversity. USARS Board shall develop norms that favor open discussion and favor the presentation of different views.

SECTION 4. QUALIFICATIONS.

Each director of the Board must be a citizen of the United States and eighteen (18) years of age or older. A director need not be a resident of Nebraska.

A director shall (i) have the highest personal and professional integrity, (ii) have demonstrated exceptional ability and judgement, and (iii) be effective, in conjunction with the other directors, in collectively serving the long-term interests of USARS. Directors shall possess the highest personal values, judgement and integrity, understanding of athletic competition and the Olympic ideals, and have diverse experience in the key business, financial and other challenges that face USARS. Directors shall have a high level of experience and capability in Board oversight responsibilities, including in the areas of finance, marketing, fundraising, audit, management, communications, and sport. At least one (1) of the director, who shall also serve on the Finance Committee, shall have financial expertise.

Directors shall inform the Nominating Committee of any changes in their employment responsibilities or other constraints on their time in order for the Nominating Committee to determine whether it is appropriate to nominate the Board director for continuing Board service.

SECTION 5. MEMBERSHIP.

The number of Directors shall not be less than thirteen (13). The number of directors shall be established by resolution of the Board of Directors, from time to time, provided that reducing the number of directors shall shorten no director's term. The Directors shall be selected without regard to race, creed, color, religion, age, national origin or sex. It shall be the policy of USARS to assure reasonable representation of both males and females on the Board. The Board of Directors shall be composed of members of USARS. At least twenty percent (20%) or higher to thirty three (33) percent if dictated by a change of requirements within the Ted Stevens 16 Olympic and Amateur Sports Act, 36 U.S.C. §220501 et seq. or the S.2330 - Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 of the Directors shall be individuals who are actively engaged in athletic competition in roller sports and who have represented the United States in international competition in roller sports within the preceding ten (10) years. No member of the USARS Board of Directors is or may be an officer of any other sports organization recognized as an NGB.

SECTION 6. SELECTION AND TERM OF OFFICE.

All Directors must be current USARS members in good standing and maintain membership in good standing throughout their term. Each Director, except for ex officio members of the Board

and except as required to provide for staggered terms, shall be elected for a period of three (3) years and until his or her successor is elected and qualified. The terms of the Directors shall be staggered so as to provide that approximately one-third (1/3) are selected each year. Elections by Class I, II, IV and VI members shall be conducted by electronic ballot in lieu of an annual meeting. Electronic ballots for eligible Class I, II, IV and VI members shall be delivered forty-five (45) days prior to the Fall Annual Board Meeting of each year to the members of each class or subclass electing a director in such year, to be returned ten (10) days prior to the Fall Annual Board Meeting for tabulation. No proxy voting shall be permitted. Ex Officio members' terms shall commence immediately upon their eligibility to be directors. Other directors' terms shall commence at the close of the annual meeting following their selection unless a runoff election is necessary, in which case that director's term shall commence either (1) at the close of that year's annual meeting or (2) immediately upon the announcement of the results of the runoff election, whichever is later. A runoff election will be conducted by electronic ballot within ten (10) days following the close of the Fall Annual Board Meeting, for any election under this section in which no candidate receives a majority of the vote. In the case of Class I, II, IV and VI board seats, USARS will electronically mail ballots containing the names of the two nominees who received the most votes to all eligible electors for the board seat involved. In the event that there is a tie between the nominees who received the most votes, the names of all the nominees who received or tied for the top two places will be mailed to the eligible electors. Eligible electors in the re-run election must return their votes to the USARS principal office no later than thirty (30) days after the conclusion of the Fall Annual Board Meeting for tabulation. Eligibility of electorship as set forth below shall be determined by a member's status at the beginning of the month preceding the deadline for distribution of ballots for those positions selected by election. An individual USARS member may vote in all membership categories for which he or she may qualify. Successor directors shall be selected as follows:

A. Athletes (3 Year Term)

1. Speed Athletes. Class I members belonging to USARS shall be entitled to elect one (1) director, as defined in Section 4 that follows.
2. Figure Athletes. Class I members belonging to USARS shall be entitled to elect one (1) director, as defined in Section 4 that follows.
3. Hockey Athletes. Class I members belonging to USARS shall be entitled to elect one (1) director in their respective Hockey discipline (Rink Hockey and Inline Hockey), as defined in Section 4 that follows.
4. Roller Derby Athletes. Class 1 members belonging to USARS shall be entitled to elect one (1) director, as defined in Section 4 that follows.
5. Eligibility and Procedure. For each of the elections under this subsection (a), this subsection (a) (iv) shall apply. Only those athletes, who are current USARS, registered members within the federation then electing a director, who are competing or have competed within the immediately preceding ten years at the domestic senior elite level will be eligible to vote. Domestic senior elite level shall be defined for Speed Athletes as only those who have competed at the Senior Outdoor National Championships, for Figure Athletes as only those who have competed in Senior World Class National Championships events (as recognized by USARS), and for Hockey Athletes as only those who have competed in the

Women's Division of the National Rink Championships, or the National Men's Gold and Silver Divisions and the elite rink hockey camps, and the Men's Gold and Silver Divisions and the Women's Division of the National Roller Inline (Puck) Championships. Only current USARS members, who have attained 18 years of age or older and who either meet the United States Olympic & Paralympic Committee definition of an active athlete and/or who have competed in roller sports in the Olympics, Pan American Games, Senior World Championships or other Senior International Elite Level Competitions within the immediately preceding ten years may apply for and qualify for nomination for a Board seat. The ten-year qualification period for voting or nomination must be met by the athlete as of the date of the annual meeting at the close of which the director to be elected will take office. Terms shall be staggered so that one sport representative will be elected each year to the Board of Directors. Application and qualifications for a board seat to be filled in the following year shall be published on the USARS website. All applications for nomination must be received at the USARS' principal office no later than the following March 15. The Athlete Nominating Committee shall select from the applicant nominees to be voted upon pursuant to Article VIII E Section 3. A list of the nominees shall be published on the USARS website. Athletes may at this time submit additional nominees from the field for Board positions, according to Article VIII. Section 3 (f). Ballots shall be delivered to eligible voters 45 days before the start of the Fall Annual Board Meeting. Any eligible voter who did not receive an electronic ballot 15 days before the start of the Fall Annual Board Meeting may contact the principal office and a ballot shall be emailed immediately. Votes must be returned and received at the USARS principal office no later than 10 days prior to the start of the Fall Annual Board Meeting. The USARS representative or alternate to USOPC's Athlete's Advisory Council, an officer of USARS and a USARS employee shall tabulate the ballots prior to the annual meeting of the Board of Directors, at the close of which the elected director is to assume office.

6. The selection of athletes to service on the board of directors must follow the procedures outlined in the bylaws per Article 5, Section 6 A. And in addition, will be ratified by only existing sitting elected athlete members of the Board of Directors via quorum of only sitting elected athletes present. As such, upon completion, the vote will be ratified and no additional vote by the entire Board of Directors will be required and accepted.
- B. Officials. (3 Year Term) Class II members with voting rights (USARS commissioned national championship meet officials who are serving and have served in such capacity for at least the immediately preceding two (2) years) shall be entitled to elect one (1) director. Each "official" elector will be entitled to one vote per person, regardless of the number of commissions held by an official or positions filled at the National Championships. Candidates may be nominated by the nominating committee or by petition and shall meet the following requirements:
1. Be a USARS commissioned national championship meet official for a minimum of five (5) years;

2. Be a current USARS member;
 3. Be actively involved in USARS programs;
 4. Contribute significantly to the advancement of roller sports;
 5. Agree in writing to abide by USARS Code of Ethics; and
 6. Shall submit a resume and application for the board seat.
- C. Clubs. (3 Year Term) Class IV members not on probation, which are chartered clubs, as defined in Article III, Section 3, shall each be entitled to elect one (1) director, with the one vote of each club to be cast by its President or other authorized club officer on behalf of the Club. Candidates may be nominated by the Nominating Committee or by petition and shall meet the following requirements:
1. Be a USARS club officer for a minimum of five (5) years;
 2. Be an officer in league, state or regional association for a minimum of three (3) years;
 3. Be a current USARS member;
 4. Be actively involved in USARS programs;
 5. Contribute significantly to the advancement of roller sports;
 6. Agree in writing to abide by USARS Code of Ethics; and
 7. Submit resume and application for board seat.
- D. Coaches. (3 Year Term) Class VI members who are USARS certified coaches shall be entitled to elect one (1) director. Each coach elector will be entitled to one vote per person, regardless of the number of sports in which a certified coach may be registered. Candidates may be nominated by the Nominating Committee or by petition and shall meet the following requirements:
1. Be a USARS advanced or elite certified coach for a minimum of five (5) years;
 2. Be actively engaged as a teaching coach;
 3. Contribute significantly to the advancement of roller sports;
 4. Agree in writing to abide by USARS Code of Ethics; and
 5. Submit a resume and application for the board seat.
- E. World Skate (formerly known as Federation Internationale de Roller Sports - FIRS) Delegates. One USARS delegate to World Skate (formerly FIRS) shall be an ex officio member of the USARS Board of Directors with vote. Seating shall be according to the following priority:
1. A USARS member elected to the World Skate Executive Commission, including but not limited to the president of World Skate, first vice president of World Skate, FATC (Figure Committee) Chairperson, FRHTC (Rink Hockey Committee) Chairperson, FIHTC (Inline Hockey Committee) Chairperson, FSTC (Free Style/Slalom) Chairperson, Roller Derby Chairperson, Inline Freestyle Chairperson and Skateboarding/Roller Freestyle Skating Chairperson, provided that if more than one USARS member attains these positions, the one with the most seniority will qualify as the member of the USARS Board of Directors;
 2. In the absence of one USARS delegate being elected to the World Skate (formerly FIRS) Executive Commission, any USARS member who is elected as the North American Continental Vice President of World Skate (formerly FIRS),

and thus is a member of the World Skate (formerly FIRS) Central Committee, shall qualify as a member of the USARS Board of Directors; and

3. If the position on the Board is not filled by the above priorities, then a USARS member who is elected as a member of a World Skate (formerly FIRS) technical committee, other than its president, shall be a member of the USARS Board of Directors. If more than one (1) person should qualify, the individual with the highest rank within the technical committee or the person with the greatest FIRS technical committee seniority shall receive the USARS board seat. Upon qualification as a USARS director, such director's term shall be concurrent with his or her World Skate (formerly FIRS) term in office and maintenance of priority as defined above.
- F. World Skate America (formerly Confederacion Panamericana of Roller Sports - CPRS) Delegates. One USARS delegate to World Skate America shall be an ex officio member of the USARS Board of Directors with vote. Seating shall be according to the following priority:
1. A USARS member elected to the World Skate America Executive Committee, including but not limited to the President of World Skate America, the first, second and third vice president of World Skate America, Hockey Committee President, Speed Committee President and Figure Committee President; provided that if more than one USARS member attains these positions, the one with the most seniority will qualify as the member of the USARS Board of Directors.
 2. In the absence of one USARS delegate on the World Skate America Executive Committee, any USARS delegate who is elected as a member of the World Skate America Technical Committee, other than its president, shall be a member of the USARS Board of Directors. If more than one (1) person shall qualify the individual with the highest rank within the Technical Committee or if none, the person with the greatest World Skate America Technical Committee seniority shall receive the USARS board seat. Upon qualification as a USARS director, such director's term shall be concurrent with his or her World Skate America term in office and maintenance of priority as defined above.
- G. National Roller Sports Organizations. Each Class V member and director candidate shall be able to apply and be considered, upon review and approval of the Board of Directors to select one (1) director whose 3-year term of office shall commence at the close of the next regular Board meeting after such member's admission into membership so long as his or her organization remains a member in good standing.
- H. Athletes' Advisory Council (AAC) (4 Year Term). The USARS Athletes' Advisory Council representative of the USOPC shall be entitled to a seat (1) on the Board of Directors, ex officio with vote.
- I. Grassroots Representatives. (3 Year Term) Two (2) directors shall be elected by the Board of Directors to represent domestic and multi-sport developmental interests of USARS in terms of funding, management and program administration. The Nominating Committee shall nominate candidates or alternate candidates, at the discretion of the Board, may be proposed who meet the following requirements:

1. Be a current and a minimum 3-year continuous member of USARS;
 2. Possess overall knowledge and experience of the technical aspects for the sport, including, but not limited to, competitive roller sports, coaching, various official assignments and administrative experience as a club officer;
 3. Be actively involved in USARS programs;
 4. Contribute significantly to the advancement of roller sports;
 5. Agree in writing to abide by USARS Code of Ethics; and
 6. Submit a resume and application for a board seat.
- J. At-Large Representatives. (3 Year Term) Two (2) directors shall be elected by the Board of Directors from business/professional persons or others with special talents to contribute to the USARS Board of Directors and who have an interest in competitive roller sports. The Nominating Committee shall nominate the candidates or alternate candidates, at the discretion of the Board, may be proposed who meet the following requirements:
1. Be a current member of USARS;
 2. Possess special knowledge and experience of a technical or business nature or of the professions, which could be utilized to improve the management and development of the sport of competitive roller sports;
 3. Be actively involved in USARS programs;
 4. Agree in writing to abide by all current USARS policies and codes.
 5. Submit a resume and application for a board seat.
- K. Independent. (1-3 Year Term) One (1) director shall be elected by the Board of Directors from the community and be independent from personal involvement with Roller Sports and other related Roller Sports connected involvement (Manufacturing, Rink Ownership, etc.) The Nominating Committee shall nominate the candidates at the discretion of the Board, may be proposed who meet the following requirements:
1. Agree to become a member of USARS;
 2. Meet the criteria established through the USOPC's NGB Certification requirements;
 3. Agree in writing to abide by the USARS Code of Ethics; and
 4. Submit a resume and application for a board seat or be recommended by the USOPC.
 5. The Independent Candidate should not have been employed or served in any governance position (whether a paid or volunteer position) with the NGB, World Skate or Regional capacity with World Skate, or any sport family entity connected to the NGB within the past 2 years.
 6. The Independent Candidate must not have been affiliated with or employed by the NGB's outside auditor or outside council for the past 2 years.
 7. The Independent Candidate must be an immediate family member or be affiliated with or employed by the NGB's outside auditor or outside counsel as a partner, principal or manager.
 8. The individual may also not have served on the NGB's Athlete Advisory Council within the past 2 years.

9. The individual may not have been a member of any constituent group with representation to the Board of Directors of USARS within the past 2 years.
 10. The individual may not have received any compensation from USARS, directly or indirectly within the past 2 years.
 11. The individual may not have served as an executive officer, controlling shareholder, or partner of a corporation or partnership or other business entity that does business with USARS in the past 2 years.
 12. It is recommended that the individual is not the parent or close family member or coach of an athlete that has competed in a protected competition of USARS.
 13. It is recommended that the individual is not a member of the NGB in a membership category that participates in competitions.
- L. In order to properly assure an individual is vetted and meets the criteria established within section 6 of these bylaws, all candidates for Board of Director service must be vetted, prior to election, either from the USARS Nominating or Athlete Nominating process. Nominations for positions from the floor while the Board is in session will not be accepted.

SECTION 7. VOTING AND MANNER OF ACTING.

Each director shall have one vote. No proxy voting shall be allowed. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, except as otherwise provided in these Bylaws.

SECTION 8. MAIL BALLOT.

At the discretion of the President or at the written request of five (5) Directors, any issue arising between regular Board meetings may be submitted to the Board by mail ballot. The mail ballot may be tabled by the vote of five (5) Directors.

SECTION 9. VIRTUAL MEETING OR TELEPHONE CONFERENCE CALL.

At the discretion of the President, any special meeting of the Board of Directors may be conducted by telephone conference call or virtually via an electronic system platform, provided that each director participating in the meeting is able to speak to and hear each other participating director. Participation by such means shall constitute presence in person at a meeting.

SECTION 10. INTEREST OF DIRECTORS IN TRANSACTIONS.

Transactions between USARS and any corporation, firm, or association in which one or more of the directors are directors, employees, or are financially interested, shall be valid provided such interest shall be known to all directors, and shall be made a part of the record.

SECTION 11. TERM LIMITS.

There are no term limits for directors.

SECTION 12. DIRECTORS ATTENDANCE.

Directors are expected to attend in person or via virtual all regularly scheduled board meetings. Each director must attend a minimum of at least one half (1/2) of the meetings during any twelve-month period.

SECTION 13. REMOVAL AND VACANCIES.

- A. A director's position on the Board shall be declared vacant upon the director's resignation, removal, incapacity, disability or death. Any director shall resign at any time by giving written notice to the Chairperson of the Board of USARS, except the Chairperson's resignation shall be given to the President. Such resignation shall take effect at the time specified in the written notice, and unless otherwise specified in the written notice, the acceptance of such resignation shall not be necessary to make it effective.
- B. A director may be removed for cause by three-fourths (3/4) vote of the Board members present at a regular or specially called meeting of the Board of Directors.
 - 1. The director shall be entitled to not less than 30 day notice of the regular or special meeting of the Board of Directors at which the motion to remove shall be voted on and of the alleged cause upon which the motion shall be based.
 - 2. The director shall be entitled to be heard on the alleged cause and shall be entitled to be represented by counsel.
 - 3. The following shall constitute cause for removal: Failure to attend two consecutive regular meetings of the Board, except for reasons beyond the control of the director; unruly or disruptive behavior at a Board Meeting; violation of a Board of Director's policy or USARS By-Law when the director knew or should have known of the policy or by-law; an act or acts bringing disrepute on the Board of Directors, USARS or the sport of roller skating.
- C. Any vacancy occurring in the Board of Directors, other than ex officio members, shall be filled by election or appointment, as the case may be, by the constituency that elected the director filling the seat prior to the vacancy. When the filling of a vacancy requires the vote of a constituency of members, the Board of Directors may appoint an interim director to serve until that constituency in the next available annual election process can elect a replacement. The person appointed by the Board to serve as an interim director must be a USARS member in good standing, which meets all the published requirements of that respective constituency for nomination to the position.
- D. If and when a board member misses two consecutive meetings he or she will be notified that they are in jeopardy of being removed from the board.

SECTION 14. AGENDA.

The agenda for a meeting of the Board shall be set by the Chairperson of the Board/President after consultation with the Executive Director. A director may request that items be placed on the Board agenda.

SECTION 15. QUESTIONS OF ORDER AND BOARD MEETING LEADERSHIP.

Questions of order shall be decided by the Chairperson of the Board unless otherwise provided in advance by the Board. The Chairperson shall lead meetings of the Board. If the Chairperson is absent from any meeting of the Board, then the Chairperson shall designate in writing in advance one (1) other director of the Board to preside. If the Chairperson is unable to make or has not made such a designation, the Board may choose another director to serve as presiding officer for that meeting.

SECTION 16. EFFECTIVENESS OF ACTIONS.

Actions taken at a meeting of the Board of Directors shall become effective immediately following the adjournment of the meeting, except as otherwise provided in the Bylaws or when a definite effective date is recited in the record of the action taken.

SECTION 17. OPEN AND EXECUTIVE MEETING SESSIONS.

Ordinarily, all meetings of the Board of Directors shall be open to USARS members. In the event the Chairperson of the Board, with the consent of a majority of the directors of the Board in attendance, deems it appropriate: (i) to exclude members at an open meeting for any reason, then the Chairperson may declare that the meeting is closed, or (ii) to convene an executive session to consider and discuss matters relating to personnel, nominations, discipline, budget, salary, litigation or other sensitive matter, then the Chairperson may specifically designate and call an executive session. Further, the Chairperson 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 18. MINUTES OF MEETINGS.

The minutes of all meetings of the Board of Directors shall be published on USARS website. Every reasonable effort will be made to publish the minutes within thirty (30) days after completion of the meeting. Minutes must state high-level topics discussed during executive sessions. Minutes should also include when individuals recuse themselves from voting or topics due to a conflict of interest.

SECTION 19. COMPENSATION.

Directors of the Board shall not receive compensation for their service as directors, although the reasonable expenses of directors may be paid or reimbursed in accordance with USARS policies, to include one's primary membership fee. Directors are disqualified from receiving compensation for services rendered to or for the benefit of USARS in any other capacity. It is also the duty of USARS to compensate, specifically to elected athletes, expenses related to travel and lodging for Board of Director meetings that will be held in person.

Directors of the Board shall not receive compensation for their service as directors. Elected athletes must be compensated for any expenses related to attending Board of Director meetings held in person. All other directors of the Board may receive reimbursement for reasonable expenses in accordance with USARS policies, including their primary membership fee.

ARTICLE VI. OFFICERS.

SECTION 1. TERM AND ELECTION.

The regular officers shall consist of Chairperson of the Board, President, at least one (1) Vice President, a Corporate Secretary/Executive Director and a Treasurer that shall be elected or re-elected to a one-year term by the Board of Directors at the annual meeting.

- A. Candidates for USARS Chairperson of the Board, President and at least one (1) Vice President, shall be selected from only voting members of the Board.
- B. The Corporate Secretary/Executive Director of USARS shall serve as a non-voting member of the Board of Directors.
- C. The USARS Treasurer need not be a voting member of the Board of Directors.
- D. The Chairperson of the Board must be a voting member of the Board of Directors.

SECTION 2. THE CHAIRPERSON OF THE BOARD.

The Chairperson of the Board shall call regular and special meetings of the Board of Directors, shall preside at all meetings and shall perform other duties prescribed in these Bylaws. The Chairperson of the Board shall substitute for the President as principal executive officer of USARS in the event of inability of the President to represent USARS or with the expressed permission of the President. The Chairperson of the Board shall also serve as the primary spokesperson for USARS, in the event the Executive Director is unable to perform their duties related to communication of USARS matters to the public and membership.

SECTION 3. THE PRESIDENT.

The President shall be the principal executive officer of USARS and, subject to the control of the Board of Directors, shall in general supervise and control all of the business and affairs of the Corporation.

SECTION 4. THE VICE PRESIDENT.

The Vice President shall substitute for the President as principal executive officer of USARS if the Chairperson is unable to do so, with the expressed permission of the President or when authorized to do so under Section 7 of this Article. The Vice President shall be assigned as the lead or primary point of contact for special projects as deemed necessary.

SECTION 5. CORPORATE SECRETARY/EXECUTIVE DIRECTOR.

The Secretary, who may or may not be the Executive Director, shall: (a) keep the minutes of the Board of Directors' meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these Bylaws as required by law; (c) be custodian of the corporate records and seal of USARS and see that the seal of USARS is affixed to all documents, the execution of which on behalf of the USARS under its seal is duly authorized; and (d) in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or by the Board of Directors. The Corporate Secretary/Executive Director, or a designee, shall sign and issue sanctions for competitions, carnivals and exhibitions, but only after the same have been approved as provided in these Bylaws.

SECTION 6. THE TREASURER.

The Treasurer shall monitor and report all financial matters, specific to the requirements as dictated in the USA Rollers Sports financial procedures manual, to the Board of Directors and perform all of the duties incident to the office of Treasurer and such other duties as from time to time that may be assigned by the President or by the Board of Directors.

SECTION 7. RESIGNATION, REMOVAL AND VACANCIES.

An officer's position with USARS may be declared vacant upon the officer's resignation, removal, incapacity, disability or death. An officer may resign at any time by giving written notice to the Board. Such resignation shall take effect at the time specified in the notice, and unless otherwise specified in the notice, the acceptance of such resignation shall not be necessary to make it effective.

Officer's may be removed with or without cause upon the affirmative vote of at least two-thirds (2/3) of the total voting power of the Board (excluding the voting power of the director in question).

Any Officer vacancy shall be filled by the Board within 45 days, and after a candidate has been vetted and recommended by the Nominating committee, and by majority vote. A person elected to fill a vacancy shall be elected for the unexpired term of such predecessor in office.

SECTION 8. COMPENSATION.

Officer's shall not receive compensation for their service, although the reasonable expenses of the Officer may be paid or reimbursed in accordance with USARS policies.

ARTICLE VII. FIDUCIARY MATTERS.

SECTION 1. INDEMNIFICATION.

USARS shall defend, indemnify and hold harmless each director of the Board and each officer from and against all claims, charges and expenses which he or she incurs as a result of any action or lawsuit brought against such director or officer arising out of the latter's performance of his or her duties with USARS, unless such claims, charges and expenses were caused by fraud or willful misconduct on the part of said officer or director.

SECTION 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 USARS.

SECTION 3. CONFLICTS OF INTERESTS.

If any director of the Board, officer, or committee member has financial interest in any contract or transaction involving USARS, or has an interest adverse to USARS business affairs, and that individual is in a position to influence a determination with regard to the contract, transaction or business affair, such individual shall: (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.

SECTION 4. PROHIBITED LOANS.

No loans shall be made by USARS to any director of the Board, officer, committee member, or to any USARS employee.

ARTICLE VIII. COMMITTEES.

SECTION 1. EXECUTIVE COMMITTEE.

The Board of Directors may elect an Executive Committee of ~~six~~ members from the Board of Directors who shall have the power of government of USARS between meetings of the Board of Directors to the full extent allowed by law. The committee shall be made up of six (6) voting Board of Director members; President, Vice President, two (2) additional Board of Director members, AAC Rep, and one (1) additional elected athlete. The Chairman of the Executive Committee shall be the President of USA Roller Sports. For this committee, the selection of the two (2) additional Board of Director members and the additional athlete will come via nomination from the Board of Directors in the current session and approved by the Board of Directors at the fall meeting. All current officers and members of the Board of Directors may attend any Executive Committee meetings or sessions and shall be recognized with no voting authority.

SECTION 2. STANDING COMMITTEES.

Standing committees will carry either an administrative or sport committee designation.

- Administrative committees will have their chairperson appointed by the Board of Directors through recommendation of the Committee on Committees.
- Sport committees will elect their own chairperson after their committee has been approved by the Board of Directors through recommendation by the Committee on Committees.
- The Athlete Advisory Committee shall be designated as Standing Committee only, and their Chairperson shall be the currently elected AAC Rep. All committees will be assigned a nonvoting staff advisor by the Executive Director, who will be required to attend all meetings.
- Committee Chairs, in conjunction with their assigned staff advisor will establish a consistent meeting schedule, agendas, and follow up minutes.
- In addition, each committee should as part of their duties, deliver a report to both the fall and spring Board of Director meetings that will address current issues, requests and action.
- The committees should also actively work in conjunction with the organization's Strategic Plan, as they establish short, mid and long-term goals.
- All standing committees must maintains among its voting members individuals who are actively engaged in athletic competition in Roller Sports or who have represented the United States in an international athletic competition in Roller Sports within the preceding ten (10) years, and ensures that the voting power held by those individuals is not less than twenty (20) percent or higher to thirty three (33) percent if dictated by a change of requirements within the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. §220501 et seq. or the S.2330 - Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020.

The Standing Committees shall be as follows:

- A. Committee on Committees
- B. Finance Committee
- C. Compliance, Ethics & Eligibility Committee
- D. Nominating Committee
- E. Figure Committee
- F. Speed Committee
- G. Rink Hockey Committee
- H. Inline Hockey Committee
- I. Roller Derby Committee
- J. Athletes Advisory Committee
- K. Athlete Nominating Committee

SECTION 3. COMMITTEE ON COMMITTEES.

- A. The Board of Directors shall nominate and elect five (5) members of the Committee on Committees, which shall be comprised of the President of USARS as the Chairperson, either the AAC Rep or AAC Alternate, one (1) additional elected athlete to the Board of Directors and two other current Board of Director members.
- B. The function of the Committee on Committees is to recommend for approval of the Board of Directors all standing (administrative) and special committee chairs and members. of USARS and to recommend all standing (sport) committee members only, as those committees will elect their own chair. The Committee on Committees will present, but not recommend or choose, the slate of members and chairs specific to itself, the Nominating Committee and the Athlete Nominating Committee, all of which have their own selection criteria. Committee on Committees will also recommend members and a chairperson for Special Committees that are slated for renewal.
- C. The Committee on Committees shall be elected at the Spring Board of Directors meeting and shall work with all committees in advance of their meeting to receive feedback from the committees where vacancies exist. The final slate of recommendations will be provided to the Board of Directors at the Fall meeting.

SECTION 4. SPECIAL COMMITTEES.

The Board of Directors may during the season find a need to create, from time to time, such other committees, as it may deem necessary. The President shall appoint the chairperson and members of a new special committee with the approval of the Board of Directors. Special Committees that are slated for renewal will go through the Committee on Committees process in selecting their members and chair.

- A. Hall of Fame & Awards Committee
- B. Elite Coaches Selection Committee
- C. Communication & Technology Committee
- D. Education/Star Skate Committee
- E. National Championships Planning Committee

SECTION 5. CONFERENCE CALLS AND VIRTUAL MEETINGS.

Authorization of Committee conference telephone calls and virtual meetings shall lie within the jurisdiction of the USARS Executive Director, who will determine the maximum length of the call predicated on the pre-approved meeting agenda for the conference call. This is required for Committee budgetary control.

SECTION 6. NOMINATING COMMITTEES.

- A. Appointment and Eligibility
 - a. Nominating Committee. The Nominating Committee shall be a Standing Committee of five (5) members consisting of the following:

- i. One past or present National Officer, selected by the USARS Board of Directors, who shall serve as the Chair of the Committee, with vote.
 - ii. The USARS representative on the Athletes Advisory Council of the U.S. Olympic & Paralympic Committee, or the elected alternate who acts as replacement for the representative.
 - iii. Three Regional Representatives, taken from among the nine currently elected Regional Chairmen. The nine regions will be divided into groups of three (3) and referred to as Regional Association Groups. The three Regional Representatives of the Nominating Committee will be alternately selected from each group of elected Regional Chairmen, beginning with Group 1, the following year Group 2 will be selected, afterward Group 3 and repeating starting with Group 1. The Regional Associations will be grouped as follows: Group 1 - Southwest Pacific, Northwest Pacific and South Central. Group 2 – North Central, Great Lakes and Southern. Group 3 – Northeastern, Eastern and Southeastern. If one of the current Regional Chairmen from designated group is a candidate for election or reelection to the USARS Board of Directors, the replacement Nominating Committee Member shall be the Vice Chairman of that Region, or the next highest ranking Regional Officer.
 - b. Athlete Nominating Committee. The Athlete Nominating Committee shall consist of members of the USARS Athletes Advisory Council, exclusive of any member who may be running for current election to a Board seat. The USARS Athletes Advisory Council will appoint substitute committee members from the appropriate sport should a current USARS AAC member be thus disqualified.
- B. Restriction. No person may be a candidate for or serve on the Nominating Committee and at the same time be a candidate for elective or appointive office, which is under review by that same Nominating committee. In no event may more than two members of the Nominating Committee be a current officer or director of USARS.
- C. Nomination Process.
 - a. The Nominating Committee shall provide for the Board of Directors' consideration at the Annual Meeting, a recommended roster of candidates for the appointed seats on the Board of Directors, i.e., At-Large and Grassroots. The Nominating Committee shall solicit and screen eligibility and may interview applicants for all seats on the USARS Board of Directors, other than those seats to be filled by election by Class I members, Class V organizations or the USOPC Athletes' Advisory Council member from USARS.
 - March 15 - Deadline for interested members to return applications for seats on Board of Directors (all classes)
 - May 15 - Deadline for Nominating Committee (Class II, IV, VI) to select and submit slates to the National office.
 - b. The Nominating Committee shall submit to the eligible electors two (2) qualified candidates for each board seat in the Class II (national championship officials), IV (chartered clubs), and VI (certified coaches) elector categories. The election

each year will present only one of these three membership categories on the electronic ballot, unless a vacancy should exist for an unexpired term.

- c. The Nominating Committee also shall prepare for the Board of Directors' consideration at the annual meeting a recommended roster of candidates for Officers and openings in Grassroots, At-Large and Independent seats on the Board of Directors. In addition, the Nominating Committee will review and recommend any applications for board seats by National Roller Sports Organization Class V members. Alternate candidates at the discretion of the Board of Directors may be considered for open Board seats or Confederation Officers. In the event of a run-off election for Board seats, the Nominating Committee shall delay its recommendation of USARS officers until the run-off is concluded.
- d. The USARS Athlete Nominating Committee shall submit to the eligible electors' two (2) qualified candidates for each board seat to be filled by a sport discipline's members within Class I (Athletes), with the election each year to present candidates to only one of the three federations unless a vacancy should exist for an unexpired term.
- e. In the review of potential candidates for the USARS Board of Directors, the Nominating Committee and the Athletes Nominating Committee shall be responsible for USARS remaining in compliance with the Sports Act and the United States Olympic & Paralympic Committee Constitution by maintaining reasonable representation of both male and female directors, maintaining appropriate balance along the representative sports and participating groups that operate within the USARS structure and assuring that prospective board members are selected without regard to race, creed, color, religion, age, national origin or sex as required in Article V, Section 2 of the Bylaws.
- f. Nominations may also be submitted from the field by petition. Each such petition must contain the signatures of twenty-five (25) eligible athlete electors for the applicable athlete board vacancies, twenty-five (25) eligible National Championships officials' signatures for an Official's board seat vacancy, seventy-five (75) eligible club representative signatures for the applicable club board seat vacancy, and seventy-five (75) eligible Certified Coach signatures for a Coach Board seat vacancy. Such nominees are required to meet the criteria for the particular board vacancy to which he or she is nominated. The petition must include a submitted factual biography of the nominee, which shows his or her qualifications for the board seat and the signature of the nominee consenting to nomination by petition. Nominating petitions must be submitted to the national office no later than June 1 of the year in which the election for the board vacancy will be held. The USARS website shall contain a list of persons nominated by petition.
- g. No person shall be eligible to be nominated by the Nominating Committee and/or by petition as a candidate for more than one director's position on the electronic ballots during the same election period.

SECTION 7. SPORT LEADERSHIP (DISCIPLINE) COMMITTEES.

- A. Appointment and Eligibility. To accomplish the work of each sport within USARS, there will be a five to nine-person committee for each sport in Roller Sports. Each Committee will be elected by the Board of Directors from resumes submitted to Committee on Committees and recommended to the Board. Each Committee will include among its voting members individuals who are actively engaged in athletic competition in USA Roller Sports or who have represented the United States in an international athletic competition in Roller Sports within the preceding ten (10) years, and ensures that the voting power held by those individuals is not less than twenty (20) percent or higher to thirty three (33) percent if dictated by a change of requirements within the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. §220501 et seq. or the S.2330 - Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 and one staff advisor as assigned by the Executive Director, who will have no voting authority. All other positions are elected for four-year terms of office. Members may serve no more than two consecutive four-year terms. The board will be aware and sensitive to diversity of gender, ethnicity, geographic location in his or her appointments to ensure that there is national representation and meeting the requirements of the USOPC. Leadership Committees shall elect their chairperson at the first meeting following the Fall Annual Board Meeting. The Executive Committee or Board will affirm those actions.
- B. Procedures for Election of the Sport Leadership Committees Term of Office – The elective term of office shall be four years, with staggered terms to ensure continuity. The following membership groups will be eligible for submitting resumes to be a Sport Committee member – coaches, athletes and officials. Initial election will have designated terms to stagger terms which may dictate a term shorter than four years.
1. Athletes
 - (a) Figure, Inline Hockey, Rink Hockey, Speed and Roller Derby athletes shall be entitled to be elected to the Sport Leadership Committee.
 - (b) Only members who have attained 18 years of age or older and who meet the USOPC definition of an active athlete (meaning they must have competed in roller sports in the Olympics, Pan American, Senior World Championships or other Senior International Elite Level Competitions within the immediately preceding ten years) may apply to and qualify for nomination for a Sport Leadership Committee.
 2. Officials
Figure, Inline Hockey, Rink Hockey, Speed and Roller Derby officials who are commissioned national championships officials who have served in such a capacity for at least the immediately preceding two (2) years shall be entitled to submit a resume to be elected to a Sport Leadership Committee.
 3. Coaches
Figure, Inline Hockey, Rink Hockey, Speed and Roller Derby coaches, when possible, who are USARS advanced or elite level coaches shall be entitled to submit a resume to be elected to a Sport Leadership Committee.

SECTION 8. ATHLETE REPRESENTATION.

Among a sport leadership committee's voting members shall be athletes who are actively engaged in athletic competition in Roller Sports or who have represented the United States in an international athletic competition in Roller Sports within the preceding ten (10) years, and ensures that the voting power held by those individuals is not less than twenty (20) percent or higher to thirty three (33) percent if dictated by a change of requirements within the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. §220501 et seq. or the S.2330 - Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020

SECTION 9. TERM.

The term for all committee members shall be two years, except on the Sport Leadership Committees. A committee member shall remain on the committee until the committee member's successor is appointed, or until the committee member's earlier resignation, removal, incapacity, disability or death.

SECTION 10. TERM LIMITS.

There are no term limits for service on a committee, with the exception of Sport Committees as referenced in Section 7.A of this Article.

SECTION 11. COMMITTEE MEMBER ATTENDANCE.

Committee members are expected to attend in person all regularly scheduled committee meetings of which they are a member. Each committee member must attend a minimum of at least one half (1/2) of the committee meetings of which they are a member during any twelve-month period.

SECTION 12. RESIGNATION, REMOVAL and VACANCIES.

A committee member's position on a committee may be declared vacant upon the committee member's resignation, removal, incapacity, disability or death. A committee member may resign at any time by giving written notice to the Board. Such resignation shall take effect at the time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Committee members may be removed by the Board if they fail to attend in person more than one half (1/2) of the regular committee meetings during any twelve-month period, unless they are able to demonstrate to the directors of the Board that the presence of exigent circumstances caused and excused the absences. In such circumstances, the absent committee member shall be removed upon the affirmative vote of a majority of the voting power of the Board (not including the voting power of the absent committee member in question, if also a director). Committee members may also be removed with or without cause upon the affirmative vote of at

least two-thirds (2/3) of the total voting power of the Board (excluding the voting power of the committee member in question, if also a director).

Any vacancy occurring in a committee shall be filled as set forth for the appointment of that committee member. A committee member appointed to fill a vacancy shall be appointed for the unexpired term of such committee member's predecessor in office.

SECTION 13. PROCEDURES.

Each committee shall establish procedures for conducting its business and affairs. Such procedures shall be published and made available on the USARS website.

SECTION 14. OPEN AND EXECUTIVE MEETING SESSIONS.

Ordinarily, all committee meetings shall be open to USARS members. In the event the committee chair, with the consent of a majority of the committee members in attendance, deems it appropriate to exclude members at an open meeting for any reason, then the chair may (i) declare that the meeting is closed, or (ii) to convene an executive session to consider and discuss matters relating to personnel, nominations, discipline, budget, salary, litigation or other sensitive matter, then the chair may specifically designate and call an executive session. Further, the chair may open a meeting of the Board to non- members, with the consent of a majority of the members of the committee in attendance.

SECTION 15. COMMITTEE MEMBERS MINUTES OF MEETINGS.

Each committee shall take minutes of its meetings and submit to the Corporate Secretary and Executive Director, or their designee in a timely manner. Minutes should also include when individuals recuse themselves from voting or topics due to a conflict of interest.

SECTION 16. COMMITTEE MEMBERS COMPENSATION.

Committee members shall not receive compensation for their services as committee members, although the reasonable expenses of committee members may be paid or reimbursed in accordance with USARS policies/ Committee members who are not directors of the Board may receive compensation for services rendered to or for the benefit of USARS in any other capacity, provided the Board gives explicit approval.

SECTION 17. FINANCE COMMITTEE.

The Finance Committee shall have the following responsibilities:

- A. Recommend the independent auditors of USARS, review the report of the independent auditors and management letter, and recommend action as needed;
- B. Investigate matters of financial controls and disclosures and such other matter as directed by the Board; and
- C. Perform such other duties as assigned by the Board.
- D. The Executive Director shall serve as the Staff Advisor to the Finance Committee.

- E. The Finance Committee members should include the President as a non voting member, meet the requirements of athlete representation and be renewed with one year terms annually.

SECTION 18. COMPLIANCE, ETHICS & ELIGIBILITY COMMITTEE.

The Compliance, Ethics and Eligibility Committee shall be appointed and have the responsibilities as follows:

- A. The Board of Directors shall appoint the members of the Compliance, Ethics and Eligibility Committee and its chair, including the selection and approval of athlete representatives according to Section 8. No director of the board shall be appointed to the Compliance, Ethics and Edibility Committee.
- B. The Compliance, Ethics and Eligibility Committee shall:
 - 1. Generally administer, review, investigate, and oversee all administrative grievances, right to compete matters, and matters of ethical impropriety filed with USARS including implementation of, and compliance with, the USARS Code of Ethics;
 - 2. Identify individuals who would be fair and impartial and who would have the qualifications and ability to serve on hearing panels;
 - 3. Hear and render a decision, or appoint, a panel to hear and render a decision, on grievances, disciplinary, and ethical matters;
 - 4. Report to the board on all administrative grievances, right to compete matters, and ethical issues;
 - 5. Develop, and review on an annual basis, a code of ethics for the Board, officers, employees, committee members, volunteers, and member organizations for adoption by the Board;
 - 6. Make recommendations on ethical matters to the Board;
 - 7. Review and provide guidance on ethical questions presented to it by the Board, officers, committee members, volunteers, employees, and USARS members;
 - 8. Perform such other duties as assigned by the Board.
 - 9. The Executive Director and one additional staff member shall serve as the Co-Staff Advisors to the Committee.
- C. This committee should meet the requirements of athlete representation and be renewed with one-year terms annually.

ARTICLE IX. REPRESENTATIVES TO SPORTS ORGANIZATIONS.

SECTION 1.

The Board of Directors shall, from time to time, elect and the Secretary shall appropriately certify the credentials of the following representatives to sports organizations: A. Delegates to World Skate (formerly the Federation Internationale de Roller Sports - (FIRS); B. Members of

the Board of Directors of the USOPC; C. Delegates to World Skate America (previously Confederacion Panamericana of Roller Sports - CPRS).

SECTION 2. ATHLETES ADVISORY COUNCIL.

Procedures for Election of USARS Representative to the Athlete's Advisory Council of the U.S. Olympic & Paralympic Committee:

- A. Term of Office - The elective term of office will be four years, coinciding with the Olympic quadrennial.
- B. Eligibility - Only athletes who have represented roller sports in the Olympics, Pan American Games, World Championships or other major international competitions are eligible to be nominated for election to the AAC. Such representation must have occurred within the preceding ten years as measured from the first AAC meeting of the quadrennial, which USARS will interpret as January 1. The athlete must not have served two previous terms on the AAC as a representative, but status as an alternate does not constitute serving as a term. If an alternate replaces a representative and serves over half of the quadrennial in the latter capacity, one term has then been served. Athletes cannot be paid employees of the USOPC or USARS and simultaneously serve on the USOPC AAC.
- C. Election Procedures
 1. Solicitation of eligible athlete nominations for the AAC roller sports representative position will commence November and December prior to the beginning of the Summer Olympic Games and be conducted prior to the end of the quadrennial. All such athletes that meet the eligibility requirements may be nominated. USARS, through its electronic notices and website will notify the entire membership of USARS of the open AAC position and request nominations. Such notice will appear a minimum of twice in USARS electronic notices and remain on its website once posted.
 2. Only athletes registered as USARS members and eligible under the AAC criteria as specified above may nominate a candidate, however, a candidate will be permitted to nominate him or herself. Only athletes in this same category may be electors and shall notify the USARS National office of their interest in securing a ballot for election of the AAC representative for roller sports. A statement shall accompany a request for a ballot from the individual denoting their eligibility as an elector/nominator/candidate under the rules of eligibility.
 3. Nominations for AAC representative shall be closed no sooner than 90 days after first notice of the election and requests for nominations have appeared in an electronic notice or on the USARS website, but no later than May 15 of the year, prior to the start of a quadrennial. The National Office shall include names of petition nominees in its electronic notices and on the USARS website. An eligible elector may request a ballot at the same time as transmittal of a nomination. A complete list of all nominees that are declared eligible under the rules by the AAC-USARS Nominating Committee will be placed on the ballot in alphabetical order; using the elective timeline established for Board Member positions elected by ballot to the USARS Board.

4. AAC NOMINATING COMMITTEE will consist of the USARS Athlete Members of the Board of Directors for each of the three sports so represented, as well as the roller sports representative on the USOPC Board of Directors acting as Chair, making a Nominating Committee of four individuals. No member of the Nominating Committee may be nominated for this position. Duties of the Nominating Committee:
 - (a) Certify the eligibility of nominees.
 - (b) Ensure that all nominees are included on the ballot in alphabetical order without any editorial comment.
 - (c) Certify the results of the election and verify the eligibility of the electors.
 - (d) Only official ballots executed by electors will be counted.
 - (e) The Nominating Committee will select a USARS staff member to act as Secretary for the Committee, to gather executed ballots for the AAC representative, according to the elective timeline for Board Member position elected by ballot, to take place in the year, prior to the new quadrennial. At any time until the deadline, an eligible elector may request a ballot for an AAC representative, provided said ballot is returned and in the custody of the Secretary by the established deadline.
 - (f) Athletes with disputes concerning the election procedure or results shall submit such disputes in writing by Certified Mail to the current AAC Nominating Committee, which shall exercise final jurisdiction on the issue.
5. The qualified individual receiving the most number of votes shall be declared the AAC representative for roller sports during the next Olympic quadrennial. To simplify the procedure, since all nominees are required to be placed on the ballot, as well as to conform to the required timetable, the election will not require a majority of the votes cast. The individual of the opposite gender receiving the second most votes cast will be declared the alternate, regardless of possible duplication sport.
6. PERMANENT USARS ELECTION TIMELINE
September 1 - National Office requests each Regional Association to nominate one person for election to the Nominating Committee (See Article XXVI., Section 6., A., (c).
November 1 - Deadline for Regional Associations to return nominations for seats on the Nominating Committee.
November/December - National Office publishes election procedure and qualifications on the USARS website, and requests applications from members interested in seats on the Board of Directors.
March 15 - Deadline for interested members to return applications for seats on Board of Directors (all classes).
March 15 - Deadline for Athletes Nominating Committee (Class I - Athletes) and Nominating Committee (Class II - Officials, IV - Clubs, VI - Coaches to select and submit slates to the National Office.
April - National Office publishes Athletes Nominating Committee slate (Class I) and Nominating Committee slate (Class II, IV, VI) with nominee biographies on the USARS website.
July 15 - Deadline for eligible electors to submit names of additional nominees by

petition.

August 1 - National Office publishes names of petition nominees on the USARS website. Forty-Five (45) days prior to the Fall Annual Board Meeting, electronic ballots are sent for seats on the Board of Directors (Class I, II, IV, VI) to eligible electors. Up to fifteen (15) days prior to the Fall Annual Board Meeting, eligible electors can request an electronic ballot if one was not received. Ten (10) days prior to the Fall Annual Board Meeting, deadline for eligible electors to vote for seats on Board of Directors (Class I, II, IV, VI). Ten (10) days after the Fall Annual Board Meeting, the National Office electronically sends ballots for any runoff election to eligible electors (Class I, II, IV, VI). Thirty (30) days after the conclusion of the Fall Annual Board Meeting, the vote in a runoff election for Class I, II, IV, VI must be received, November/December - National Office publishes results of runoff election.

ARTICLE X. RIGHT TO PARTICIPATE, SAFE AND DRUG FREE.

SECTION 1. RIGHT TO PARTICIPATE

All Class I Members, Roller Skaters, Class II Members, Officials, or Class VI Coaches shall have an equal opportunity to participate in athletic competition without discrimination on the basis of race, creed, color, religion, age, sex, or national origin and shall have fair notice and opportunity for a hearing before being declared ineligible to participate.

SECTION 2. SAFE SPORT

As a member of the National Governing Body of the United States Olympic & Paralympic Committee, USARS is required to adhere to the safe sport Rules and Regulations of the USOPC. Additionally, USOPC Bylaw Section 8.7 (l) provides that, as a condition of membership in the USOPC, each NGB shall comply with the policies and procedures of the independent safe sport organization designated by federal law and recognized by USOPC to investigate and resolve safe sport violations, the U.S. Center for SafeSport. The current safe sport rules, policies and procedures are available at the offices of USARS, the USARS website and the official website of the Center at: www.USCenterForSafeSport.org

As a condition of membership in USARS and a condition for participation in any competition or event sanctioned by USARS or its member organizations, each athlete, coach, trainer, agent, athlete support personnel, medical or para-medical personnel, team staff, official and other person who participates in USARS or USARS events (whether or not a USARS), agrees to comply with and be bound by the safe sport rules, policies and procedures of the U.S. Center for SafeSport and to submit, without reservation or condition, to the jurisdiction of the U.S. Center for SafeSport for the resolution of any alleged violations of those rules, policies and procedures, as may be amended from time to time. To the extent any USARS rule is inconsistent with the rules of the U.S. Center for SafeSport, such rule is hereby superseded.

If the U.S. Center for SafeSport declines jurisdiction, USARS would assume jurisdiction and review consistent with its rules.

SECTION 3 – USADA.

As a member of the National Governing Body of the United States Olympic & Paralympic Committee, USA Roller Sports shall adhere to the anti-doping rules and regulations of the USOPC. Additionally, USOPC Bylaw Section 8.7(k) provides that, as a condition of membership in the USOPC, each National Governing Body shall comply with the policies and procedures of the independent anti-doping organization designated by the USOPC to investigate and resolve anti-doping rule violations. The USOPC has designated USADA as that organization. The current anti-doping rules, policies and procedures are available at the offices of USA Roller Sports or online at the following website: www.usada.org.

ARTICLE XI. MEMBER MISCONDUCT.

The U.S. Center for SafeSport (“Center”) has been established by federal law and recognized by the USOPC and is charged with the responsibility of monitoring and enforcing compliance with the SafeSport Code for the Olympic and Paralympic Movement (“SafeSport Code”). The provisions of this Article and of Article XII of these Bylaws are subject to matters within the jurisdiction of the Center. With respect to such matters, discipline will be imposed in accordance with the adjudication and determination by the Center under the provisions of the SafeSport Code.

For the purposes of Article Xi and XII, a “Member” is a Covered individual as defined in USA Roller Sports SafeSport Policy (which includes current members of the Corporation, applicants for membership, or any individual who was a member of the Corporation at the time of any alleged Misconduct), and any Member Club of the Corporation.

SECTION 1. MISCONDUCT.

In the event a member is alleged to have committed any of the following acts (“Misconduct”), the member may be disciplined:

- A. Violation of USARS Athlete Safety or US Center for SafeSport policies or any of the rules, regulations, policies or procedures of the Corporation pertaining to conduct; A. Causing another to violate USARS Athlete Safety or US Center for SafeSport policies or any of the rules, regulations, policies or procedures of the Corporation pertaining to conduct; C. Engaged in conduct which is detrimental to the Corporation or which is inconsistent with the best interests of roller sports or of the athletes the Corporation serves; or D. A Special category of Misconduct enumerated below or any other sexual misconduct described in USARS Athlete Safety or US Center for SafeSport policies or the SafeSport Code.

SECTION 2. SPECIAL CATEGORIES OF MISCONDUCT.

- A. If the Corporation becomes aware that any member:
1. Is listed on any State or Federal sexual offender list or registry;
 2. Has been declared a sex offender in any applicable State or Federal jurisdiction;
 3. Has been convicted of or has entered a plea of guilty, a statement of no contest, or has been sentenced to any affirmative terms related to a criminal charge or indictment issued by an applicable City, County, State or Federal jurisdiction, and such charge or indictment directly or indirectly involved or related to sexual misconduct, child abuse or conduct that is a violation of any law or regulation that is specifically designed to protect minors; ("Special Categories of Misconduct"), the Corporation may, without conducting any additional investigations, rely upon such fact, finding or determination and may promptly notify the member that: (a). The Corporation intends to terminate the individual's membership or impose any other discipline authorized in Article X by a specified date; and (b). The individual may request a hearing prior to the termination or other discipline before becoming effective.
- B. The hearing, if requested, shall be: 1. A telephone hearing; 2. Implemented on the most expedited basis possible; and 3. Strictly limited to the issue of whether the individual falls into one of the Special Categories of Misconduct.
- C. The decision of the Corporation made pursuant to this Section shall be final and binding and shall not be eligible for reconsideration upon later expungement or similar legal process.

SECTION 3. U.S. CENTER FOR SAFESPORT.

The Corporation shall report and refer all allegations of sexual Misconduct or alleged violations as described in the current US Center for SafeSport Code to the Center, and all such matters will be within the Center's exclusive jurisdiction. The Center shall investigate such allegations or reports, issue any interim suspension or other measures pending the conclusion of the investigation and any hearing(s), make recommendations of sanctions or disciplinary action as a result of such investigation, and fully adjudicate such matters. Members have an obligation to promptly report any possible violations pertaining to sexual Misconduct:

- A. Directly to the Center; or
- B. Directly to USARS, which will in turn forward the information to the Center.

Reporting to the Center and/or the Corporation DOES NOT satisfy any legal reporting requirements under state or federal law. If the suspected conduct may also be criminal, persons are required to report to law enforcement. For state-by-state reporting requirements see www.childwelfare.gov. USARS shall accept jurisdiction over matters referred by the Center to USARS.

SECTION 4. DISPOSITION OF MISCONDUCT COMPLAINTS.

- A. Discipline may be imposed in accordance with the procedures outlined in this Article XI only if the Misconduct is one of the Special categories of Misconduct enumerated in Section 2 above.

- B. The Center has exclusive authority and jurisdiction to investigate and manage hearings involving complaints of sexual misconduct and certain other complaints that are related to allegations involving sexual misconduct as referred to in Section 3 above.
- C. All other forms of Misconduct will be processed under Article XII of these Bylaws.

SECTION 5. EXCLUSIVE REMEDY.

Any alleged Misconduct by a member that is processed under the terms of Article XI of these Bylaws resulting in the imposition of discipline may not also be the subject of a complaint under the terms of Article XII of these Bylaws. Any alleged Misconduct by a Member that is processed by the Center resulting in a final adjudication by the Center may not also be the subject of a complaint under the terms of Article XII of these bylaws.

ARTICLE XII. COMPLAINTS.

SECTION 1. DESIGNATION OF COMPLAINTS.

The following kinds of complaints may be filed with the Corporation or by the Corporation under this Article XII (a "Complaint"):

- A. Administrative: An "Administrative Complaint" is one pertaining to any matter within the cognizance of the Corporation, including, but not limited to, any alleged violation of:
 - 1. Any provision of the Corporation's Certificate of Formation or these Bylaws; or
 - 2. Any of the Corporation's rules, regulations, policies or procedures that do not pertain to Misconduct.
- B. Opportunity to Participate. An "Opportunity to Participate Complaint" is one pertaining to any alleged denial, or alleged threat to deny, any member, who is an athlete, coach, trainer, manager, administrator, or official, the opportunity to compete or participate in a Corporation sanctioned competition or a competition protected by the provisions of the Sports Act or the Bylaws of the USOPC.
- C. Misconduct. A "Misconduct Complaint" is one pertaining to Misconduct other than one within the exclusive authority of the Center, or, involving Special Categories of Misconduct described in Article XI.
 - 1. The Center has discretionary authority and jurisdiction to investigate and manage hearings involving certain Proactive Policies and Other SafeSport Misconduct (as such terms are defined in the SafeSport Code and/or USARS Athlete Safety Policy). The Corporation may, in its discretion, request that the Center accept jurisdiction over other matters in accordance with such SafeSport Code.
 - 2. Misconduct Complaints that are not referred to the Center will be processed in accordance with the procedures in this Article XII.

SECTION 2. FILING A COMPLAINT.

- A. Any current member or current or former athlete member (the "Complainant") who believes himself/herself/itself to be aggrieved by any action of the Corporation or by one

of its Members, may file a complaint with the Corporation. If the Complainant is a minor, the Complaint may be initiated by such minor's parent or legal guardian.

1. A Misconduct Complaint may be submitted to the Corporation in any reasonable manner or form, including in any manner described in USARS Athlete Safety Policy.
 2. An Administrative or Opportunity to Participate Complaint must:
 - i. Be submitted in writing to the Corporation at its principal place of business;
 - ii. Be signed by the Complainant (a Complaint submitted electronically fulfills criteria (1) and (2)); and
 - iii. Include a concise statement of the nature of the Complaint, the individual and/or organization believed to be responsible for the acts or omissions described in the Complaint and the relief requested.
 - iv. In the case of an Opportunity to Participate Complaint, the Complainant shall include with the Complaint a list of all other individuals, together with their contact information, that may be adversely affected by a decision rendered upon the Complaint. A Complaint that is not filed in accordance with this Section may render the filing ineffective.
- B. The Corporation may file an Administrative Complaint or a Misconduct Complaint against a Member based on information which reasonably causes the Corporation to believe that grounds exist for such a Complaint to be filed. the Complaint must be in writing and include a concise statement of the nature of the Complaint, the individual or organization believed to be responsible for the acts or omissions described in the Complaint, and the discipline or other relief sought by the Corporation.

SECTION 3. TIME BAR.

Unless the Complaint is filed by the Corporation or involves allegations which are of the type described in one of the Special Categories of Misconduct and/or involve alleged sexual misconduct as defined in the SafeSport Code, a Complaint must be submitted within one (1) year of the occurrence of the alleged incident, violation, grievance, denial or threat to deny. In the event that the Complainant was a minor at the time of the occurrence of the alleged incident, violation, grievance, denial or threat to deny, the Complaint must be submitted within one (1) year following the minor's eighteenth (18) birthday.

- A. Nothing in this Time Bar provision relieves a Covered Individual of their legal reporting requirements under state or federal law, nor of their duty to report pursuant to USA Roller Sports Safe Sport policy.

SECTION 4. PROCESSING THE COMPLAINT.

- A. Upon receipt of a Complaint (other than a Complaint filed by the Corporation), the following will be determined:
 1. Whether the Complaint complies with the requirements specified in Section 2;
 2. Whether the Complaint is time barred pursuant to Section 3;

3. Whether the underlying facts and circumstances referenced in the Complaint give rise to an issue that is appropriate for resolution under these procedures;
4. Whether the Complainant has standing to file the Complaint;
5. Whether the Corporation has jurisdiction over the matter, including a determination of whether the Adverse party is a Covered individual; and
6. Whether the Complaint involves matters which the Corporation does not have the authority or ability to remedy.

If it is determined that the Complaint does not satisfy the criteria specified herein, then the Complainant shall be so advised, and the Complaint may be dismissed, and no further processing of the Complaint would be required pursuant to this Article.

- B. The Executive Director shall serve as the primary investigator for all filed complaints. In the event, the Executive Director is determined to be listed within the complaint, an independent investigator shall be appointed by the Compliance, Ethics and Eligibility committee to investigate the Complaint. The Investigator may not be an individual who is directly or indirectly involved in an occurrence that is the subject of the Complaint.
- C. Unless the Complaint was filed by the Corporation, the Corporation shall send to the Complainant a notice acknowledging the receipt of the Complaint (the "Notice of Complaint"). The Notice to Complainant shall include:
 1. The name and contact information of the Investigator;
 2. The date by which it is anticipated that the investigation will be completed; and
 3. A copy of Articles XI and/or XII of these Bylaws, as applicable.
- D. The Corporation shall send to any individual and organization whose conduct is the subject of the Complaint (an "Adverse Party") a notice of the filing of the Complaint and a copy of the Complaint (the "Notice to Adverse party"). No Notice to Adverse Party need be sent when the only Adverse Party is the Corporation. The Notice to Adverse Party shall include:
 1. An invitation to respond in writing to the Complaint;
 2. The name and contact information of the Investigator;
 3. The date by which it is anticipated that the investigation will be completed; and
 4. A copy of Articles XI and/or XII of these Bylaws, as applicable.
- E. Other than a Complaint filed by the Corporation:
 1. The Notice to Adverse Party of a Misconduct Complaint shall allow the Adverse Party an opportunity to request that the Complaint be resolved upon the conclusion of the investigation by decision of the Corporation rather than by a hearing. If this request is granted and it is determined that the Adverse Party has engaged in Misconduct, the Corporation may discipline the Adverse Party in any manner consistent with the forms of discipline set forth in this Article.
 2. In any instance where it appears that the Notice to Adverse Party was received by or was refused by an Adverse Party, or despite the best efforts of the Corporation, could not be delivered to an Adverse Party, or an Adverse Party fails or refuses to notify the Corporation as to which method the Adverse Party would prefer to use to resolve the allegations, the Corporation may decide whether the Complaint will be resolved by the Corporation or a Hearing Panel.

SECTION 5. INTERIM MEASURES.

At any point before a Complaint is resolved under the provisions of this Article XII, interim measures may be imposed to ensure the safety and well-being of the roller sports community or where an allegation is sufficiently serious that an Adverse Party's continued participation could be detrimental to the sport or its reputation.

- A. Notice. Unless imposed under emergency circumstances involving an imminent threat of harm, the Corporation will notify an Adverse Party that intends to impose an interim measure by a specific date, and the Adverse Party may request a hearing prior to interim measure becoming effective.
- B. Hearing. The hearing, if requested, shall be:
 - 1. A telephone or webinar hearing;
 - 2. Will be conducted by a five (5) member hearing panel appointed by the Compliance, Ethics and Eligibility Committee, consistent with the Hearing Panel staffing requirements set forth in this Article;
 - 3. Implemented on the most expedited basis possible; and
 - 4. Strictly limited to determining whether there exists reasonable cause to impose one or more interim measure(s).
- C. Measures. The Corporation may impose any interim measure consistent with the forms of discipline set forth in this Article XII, and may also include, but not be limited to altering training schedules, providing chaperones, implementing contact limitations, or Member Club restrictions.

SECTION 6. DECISIONS MADE AT COMPETITIONS.

If the incident which is the subject of the Complaint occurs at an event or competition sanctioned by the Corporation, and the subject 40 matter of the Complaint could have been the subject of protest procedures described in any applicable governing rules and policies, then those protest procedures must be exhausted prior to the filing of a Complaint. The failure to exhaust those protest procedures precludes the processing of a Complaint pursuant to this Article. Furthermore, the final decision of an official during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the official) shall not be reviewable through these procedures for, or the subject of, an Administrative Complaint or an Opportunity to Participate Complaint unless the decision is: (1) outside the authority of the official to make, or (2) the product of fraud, corruption, partiality or other misconduct of the official. For purposes of this Section, the term "official" shall include any judge, meet director, meet referee or other individual with discretion to make field of play decisions.

SECTION 7. INVESTIGATING OF THE COMPLAINT.

The investigation of the Complaint shall include a collection of relevant documents and interviews (or attempted interviews) with the Complainant, any Adverse Party and other persons having information related directly to the subject matter of the Complainant.

SECTION 8. DISPOSITION OF THE COMPLAINT.

- A. The Investigator shall prepare a written summary of the investigation. If requested, the Investigator shall also provide a recommendation as to the appropriate disposition of the Complaint.
- B. In the case of a Complaint filed by a Complainant other than the Corporation, without being limited or bound by any such recommendations, the Corporation may then:
 1. Inform the parties that upon the basis of the investigation, the Complaint is devoid of merit or that the underlying facts and circumstances do not give rise to an issue that is appropriate for resolution under these procedures, and the Complaint shall be dismissed, and no further processing of the Complaint shall be required pursuant to this Article.
 2. Attempt to mediate the dispute to the satisfaction of the parties. If mediation is successful, the agreed upon resolution must be recorded by the Corporation in a form which includes the written acknowledgement by the parties of that resolution. iii). If the Complaint has been resolved pursuant to Section 4.e., inform the Complainant that the Complaint is being referred to a Hearing Panel under the procedures set forth herein. iv). Inform the Complainant that the Corporation elects to pursue the matter against the Adverse Party as a Complaint by the Corporation under the procedures set forth in this Article XII.
- C. In the case of a Complaint filed by the Corporation, unless the matter is resolved by agreement of the Adverse Party and the Corporation upon completion of the investigation, the matter will proceed to a hearing.

SECTION 9. HEARING PANEL.

The Corporation will report the need for a hearing to the chair of the Compliance, Ethics and Eligibility Committee. The chair of the Compliance, Ethics and Eligibility Committee will then appoint at least five (5) disinterested individuals to serve as the hearing panel that will hear the matter (the "Hearing Panel"). These appointments shall be subject to the following:

- A. The chair of the Compliance, Ethics and Eligibility Committee may appoint himself/herself or any other member of the Committee to the Hearing Panel.
- B. The appointment of the Hearing Panel will include the designation of a chair.
- C. The Hearing Panel shall have at least 33% athlete representation. All athlete members of the Hearing Panel must meet the standards specified for an athlete representative to a board of directors of a National Governing Body or a "Designated Committee," as that term is defined in the bylaws of the USOPC.
- D. The chair of the Compliance, Ethics and Eligibility Committee is responsible for confirming the availability of each appointee to serve on the Hearing Panel.
- E. The hearing panel may not include any individual who has a direct conflict of interest to the respondent or complaint parties. All potential conflicts will be determined by the investigator, with recommendations made to the chair of the Compliance, Ethics and Eligibility committee who will make the final decision on if an individual may serve on the hearing panel.

SECTION 10. ADMINISTRATION.

- A. The Compliance, Ethics and Eligibility Committee shall be responsible to ensure that all Complaints proceeding to a Hearing Panel are heard in a timely, fair and impartial manner and may promulgate procedures in addition to those set forth in these Bylaws for the effective administration of Complaints filed with the Corporation.
- B. Opportunity to Participate Complaint.
 - 1. In a Complaint involving an Opportunity to Participate, the Hearing Panel shall determine which individuals in addition to those identified in 2.a.ii.4 should receive notice of the Complaint and shall provide appropriate notice to these individuals. Any individual so notified then shall have the right to participate in the proceeding as a party. If an individual is notified of the Complaint, then that individual shall be bound by the decision of the Hearing Panel even though the individual chose not to participate as a party.
 - 2. Every effort will be made to expedite the proceedings, including, but not limited to, modifications made by the Corporation or by the chair of the Hearing Panel to the procedures set forth above in order to resolve the Complaint prior to the start of competition.

SECTION 11: CONDUCT OF THE HEARING

- A. The chair of the Hearing panel will select the time and place for the hearing so as to have the hearing occur at the earliest convenient date.
- B. The chair may choose to conduct the hearing by conference call or other similar electronic means.
- C. The chair, utilizing the resources of the National Office and staff, will communicate the information about the hearing schedule along with the identity of the other members of the Hearing Panel to the parties. Prior to the hearing, the Corporation will provide to the Hearing Panel copies of the Complaint, any written response previously submitted by an Adverse party, and, where applicable, documents collected by the Investigator and the Investigator's summary. The Hearing Panel will not receive (and neither party may introduce or mention) any resolution of the dispute proposed during any mediation or any effort to amicably resolve the matter.
- D. Not less than fifteen (15) days prior to the hearing, the chair of the Hearing Panel shall cause to be sent to the parties a written copy of the procedures to be followed at the hearing. These procedures shall include the opportunity for each party to be represented by counsel, to present and examine oral or written evidence, to cross-examine witnesses 42 (subject to restrictions and limitations imposed by the Hearing Panel for the protection of minors) and to present such factual or legal claims and argument as desired, unless such exhibits pertain solely to possible impeachment matters. The Hearing Panel shall set such timelines and other rules regarding the proceeding and the conduct of the hearing as it deems necessary. Either upon its own initiative or at the request of a party, the Hearing Panel may direct the production of documents and other information. Further, the Hearing Panel may require that the parties:
 - 1. Identify any witnesses the parties intend to call at the hearing; and

2. Exchange copies of all exhibits the parties intend to submit at the hearing. The Hearing Panel shall set due dates for the exchange of such information. The Hearing Panel is authorized to resolve any dispute concerning the exchange of information. No party and no one acting on behalf of any party shall communicate ex parte with a Hearing Panel member. The hearing shall be informal, except that testimony shall be taken under oath. Members of the Hearing Panel shall have the right to question witnesses or the parties to the proceeding at any time. Any party may have a record made of the hearing. A court reporter may be present at the hearing at the request of a party. The court reporter shall be paid for by the party requesting the court reporter, or if mutually agreed, the cost may be equally divided. Any transcript shall be paid for by the party requesting the transcript.
- E. All procedural and evidentiary decisions shall be made by the Hearing Panel. The rules of evidence shall not be strictly enforced, instead, the rules of evidence generally accepted in administrative proceedings shall be applicable. The Hearing Panel shall determine the admissibility, relevance and materiality of the evidence offered and may exclude evidence deemed by the Hearing Panel to be inadmissible, cumulative, or irrelevant. The Complainant shall bear the burden of proof by a preponderance of the evidence.
- F. All proceedings conducted under this Section shall be kept confidential by the parties and participants, however, any discipline imposed may be subject to publication per Section 14. The Hearing Panel shall be responsible for issuing a written decision summarizing the panel's findings and conclusions, and of any sanctions imposed under authority of this Section. Should either party choose to preserve the proceedings by transcription or recording, all transcriptions and recordings shall be subject to the confidentiality requirements.
- G. If the Complaint is not dismissed, decisions about the merits of the Corporation and the form of any sanction shall be made by majority vote of the Hearing Panel. The Hearing Panel shall report its decision on the merits in the form of written findings of fact and conclusions. The decision shall be sent to the parties. Subject only to any right to arbitration as is specified in Section 16, the decision of the Hearing Panel shall be final and binding upon all parties.

SECTION 12. DISCIPLINE.

The following forms of discipline may be imposed:

- A. Reprimand. A communication, either public or private, of the Corporation's decision to impose a reprimand regarding the Complaint. Any reprimand may be combined with probation or suspension.
- B. Probation. A ruling that, for a specified time, the subject's continued participation in the Corporation's activities, sanctioned competitions or membership programs is conditional upon the satisfaction of certain conditions. These conditions shall be described specifically, as shall the consequences of failing to meet them.
- C. Suspension or Termination. A determination that:
 1. Either permanently or for a specified period of time, the subject is prohibited from participating in sanctioned competitions or other of the Corporation's activities; or

2. The subject is terminated from membership in the Corporation. The effect of a suspension may be limited to certain activities or competitions, and conditions may be established that, if satisfied, will result in the lifting of a suspension.
- D. Other. The Hearing Panel may order such other relief as it deems appropriate (e.g. letter of apology or restitution, including, for example, the payment for damaging equipment or the recovery of any financial benefit improperly derived by an Adverse Party).
- E. Notice of any discipline imposed on a Member will be communicated to the affiliated Member Club, and to any other necessary parties such as State and Regional Chairs or meet directors.

SECTION 13. DISCIPLINARY AFFECTS.

- A. Any member suspended for any duration, who is terminated from membership, or who is determined to be permanently ineligible is prohibited from any association with any activities conducted by a Member Club, in addition to being prohibited from participation in sanctioned competitions or other Corporation activities, for the duration of the suspension, termination or ineligibility.
- B. A suspension, termination or determination of permanent ineligibility of an individual Member who has any ownership interest-direct or indirect- of a private roller sports facility and/or the managing director of a public/non-profit facility will result in a suspension of Member Club status.
- C. With respect to all matters which are investigated and adjudicated by the Center, the Corporation shall enforce any such sanction imposed by the Center.

SECTION 14. PUBLICATION OF SUSPENSIONS AND PERMANENTLY INELIGIBLE MEMBERS

- A. Where a decision has been rendered in a matter where the discipline imposed is suspension or permanent ineligibility for membership, the Corporation shall publish the following information:
 1. The name of the individual;
 2. The state where the violation occurred and/or where the individual resides or Member Club is located at the time the discipline is imposed; and
 3. With respect to decisions of permanent ineligibility rendered after the adoption of this Section 14, which of the Corporation's Bylaws, rules, regulations, or policies was violated.
- B. In matters that are adjudicated by the Center that result in permanent ineligibility for membership and are published on the Center's searchable database, the Corporation (USARS) will also publish via the USARS website a direct website link from the Center's searchable database to assure all current sanctions are available for public view.

SECTION 15. GENERAL.

All notices, reports and decisions under this Article shall be made in writing and delivered in person by electronic mail receipt or registered or certified mail, or other form of delivery creating

a record of receipt. Participation in these procedures shall be deemed to constitute agreement to be bound by the provisions of this Article. If, in the course of an investigation or hearing conducted pursuant to this Article, the Corporation discovers that an Adverse Party has engaged in one of the Special Categories of Misconduct specified in Article XI, the resolution of the Adverse Party's status shall be referred to the Center or resolved under Article XI, as appropriate, and the proceedings under this Article XII may be promptly terminated.

SECTION 16. ARBITRATION.

The Corporation agrees to submit to binding arbitration conducted under the commercial rules of the American Arbitration Association, any controversy involving (1) an Opportunity to Participate Complaint that is a protected competition under the Sports Act or the USOPC Bylaws or (2) its recognition as a National Governing Body, as is provided in the Sports Act. The fee for an Arbitration Filing shall be determined at the time the request is made, based solely on the current fee for a hearing. The Arbitration Filing fee will be due at time of filing. If the Corporation is determined to be the unsuccessful party in Arbitration, then the Arbitration Filing Fee will be returned, and the expense the responsibility of the Corporation.

ARTICLE XIII. GENERAL RULES FOR COMPETITIVE ROLLER SPORTS

There is incorporated herein by reference and made a part of these Bylaws the "Membership and Eligibility Rules" contained in the USARS General Rules, as published for the season under consideration, and as the same may be amended by the Board of Directors from time to time.

ARTICLE XIV. OLYMPIC AND PAN AMERICAN GAMES; INTERNATIONAL AND WORLD COMPETITIONS

SECTION 1.

As the National Governing Body of roller sports, USARS shall develop and submit to the USOPC a program of tryouts or competitions for selection of athletes and the plan or method of selecting team managers, coaches, and other team officials for participation in roller sports competitions in Olympic and Pan Am Games as required by the USOPC Constitution and Bylaws.

SECTION 2.

USARS shall develop and sanction a program of competitions leading to National Championships from which shall be selected the United States participants in the annual World Skate (formerly Federation Internationale de Roller Sports – FIRS) World Competitions.

SECTION 3.

As the National Governing Body of roller sports, USARS shall develop and implement a program to sanction international competitions as required by Article VII, Section 2 of the USOPC Constitution

ARTICLE XV. SPORTS

The Confederation shall consist of the following sport disciplines

- A. Roller Figure (Artistic) Skating
- B. Roller Speed Skating
- C. Rink Hockey
- D. Roller Derby
- E. Inline Hockey
- F. Inline Freestyle
- G. Roller Freestyle
- H. Downhill
- I. Alpine
- J. Other future sport disciplines currently or to be recognized by World Skate

The individual disciplines have such authority over their own sport as shall be provided in the Rules and Regulations of the Board of Directors and shall be organized as separate committees as provided by the Board of Directors. Class I members of USARS shall maintain at least one primary sport discipline and hold a card designating it. However, members may also participate in all disciplines at the same time.

ARTICLE XVI. STATE AND REGIONAL ASSOCIATIONS AND LEAGUES

SECTION 1.

The USARS Board of Directors shall determine rights, powers, and duties of state and regional associations. USARS Board of Directors shall approve the Articles, Bylaws, and Rules of such state or regional association.

- A. Such association shall keep in touch with the roller sports activities within their respective state or region, assist in the formation of clubs, promote harmony among the clubs, ascertain the wishes of member clubs in that state or region with reference to holding local, state, or regional championships, suitability of the facilities for conducting such meets, and assist in sponsoring, preparing for, conducting, and financing all such competitions.
- B. The state or regional associations may be designated by USARS Board of Directors to arbitrate any difference in their state or region, investigate any alleged violations of

USARS rules, make recommendations to the officers, standing committees, and Board of Directors of this Confederation, and cooperate with them in the solution of their state or regional problems.

- C. In any state or region in which there are no such associations, the USARS Board of Directors shall have the authority to establish a committee, from the members of this Confederation residing in such states or region, whose powers and duties shall be similar to those of a state or regional association, and as provided by the Board of Directors of this Confederation.
- D. State or regional associations are not to independently issue sanctions for roller sports events taking place within their assigned area. Such authority shall rest solely with the administration of the USARS Executive Director.
- E. All requirements governing the regulation and the conduct of competitive sports events as set down by the state or regional association shall be in full compliance with the USARS Bylaws and Rules.
- F. State and/or regional USARS organizations are encouraged to request local facility organizations to submit suggested sites for all meets to insure maximum input and effective dispersal of contests among those facility operators who are cooperating and participating in USARS activities.
- G. USARS unattached skaters and USARS clubs not belonging to the regional association, but who are otherwise qualified for entry, may not be denied access to a regional championship.
- H. All meetings shall have a notice mailed to member clubs thirty (30) days prior to the meeting date. The regional association must give thirty (30) days advance written notice to all USARS clubs within the state or regional geographic area when a meeting is to be held to approve a new state or regional championship site.
- I. Any disciplinary action affecting such membership must be referred to the USARS Board of Directors for appropriate action.

SECTION 2.

The state or regional association or associations having jurisdiction over them, which action shall be subject to review by the USARS Board of Directors, shall determine rights, powers, and duties of leagues.

- A. All league constitutions shall be subject to review and approval by the USARS Board of Directors. All league policies shall be decided by a majority vote of those clubs voting.
- B. Each league shall submit its competitive dates and site selection to the appropriate state or regional association or associations. The appropriate association or associations shall coordinate league contests with other USARS contests outside the league, subject to the restrictions as outlined in Article XVI, "Sanctions."

ARTICLE XVII. SANCTIONS.

SECTION 1.

USARS reserves to itself the privilege of granting permission in writing for competitions, contests, shows, exhibitions, carnivals, revues, etc., which shall involve any of its members. These written permissions shall be known as sanctions and are obtainable by making an application in writing to the National Headquarters, which will hold final approval authority.

SECTION 2.

There shall be five (5) classes of sanctions:

- A. show and exhibition sanctions
- B. club contest sanctions
- C. Inter-club contest sanctions
- D. USARS championship sanctions
- E. Special event sanctions

SECTION 3.

Sanctions shall be granted pursuant to the rules and regulations adopted by the Board of Directors.

SECTION 4.

The sanction fees for all sanctioned events shall be such as the Board of Directors shall from time to time fix and determine prior to each competitive season start date.

SECTION 5.

Sanctions may be awarded to clubs, associations, or registered members which meet the USARS Rules and which have rules and regulations not inconsistent therewith.

SECTION 6.

USARS sanctions for contests, exhibitions, shows, and other events shall be available to USARS member clubs, leagues, and associations and to non-member clubs, leagues, associations or sponsors. Qualifications and fees for sanctions will be set forth in the General Rules.

ARTICLE XVIII. ATHLETES ADVISORY COUNCIL.

USARS shall have an Athletes Advisory Council, which shall consist of members as follows: (1) the USARS representative to the Athletes Advisory Council of the U.S. Olympic & Paralympic Committee, who shall serve as the chair of the council, with vote; (2) the alternate USARS

representative to the USOPC Athletes Advisory Council; all Board of Directors members elected by the Class I (Athletes) members; In the event that the athlete Board member ran unopposed for a particular sport seat on the Board in the previous election, the Chairman of the Roller Sports Athlete Advisory Council shall select an additional athlete member to represent that sport, provided this athlete meets all other qualifications as a potential candidate for the Board seat.

ARTICLE XIX. MEMBERSHIP DUES AND ASSESSMENTS

Membership dues and assessments for each class of members shall be determined by the Board of Directors, but may not become effective before September 1st, starting a new competitive season.

ARTICLE XX. RECOGNIZED SPORTS ORGANIZATIONS

A recognized roller sports organization is an organization which has demonstrated to USARS that:

- A. It is a not-for-profit corporation, club, federation, union, association or other group organized in the United States.
- B. It sponsors or arranges roller sports competitions.
- C. It has taken appropriate measures to protect the status of athletes who will take part in its competitions and to protect their eligibility to compete in athletic competitions.

In order to demonstrate that it meets these criteria, an organization must submit an application to the USARS National Headquarters consisting of the following:

- A. A copy of the organic documents governing the organization.
- B. The names and addresses of the officers and members of the governing body.
- C. A statement as to the membership of the organization including individuals, clubs and organizations by category.
- D. A copy of its rules governing competitive status and safety, which cannot be more lenient than USARS Rules.
- E. A description of the procedures employed to verify and protect the competitive status of competitors.
- F. A service fee of \$50.00 annually.

The application may be renewed annually upon filing of an abbreviated statement stating only the changes that have occurred since the last application.

ARTICLE XXI. PARLIAMENTARY PROCEDURE

All USARS Board of Directors meetings and committees shall be conducted in accordance with Robert's Rules of Order, Revised.

ARTICLE XXII. CONTRACTS, CHECKS AND DEPOSITS

SECTION 1.

The Board of Directors may authorize any officer or officers to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation and such authority may be general or confined to specific instances.

SECTION 2.

All checks, drafts or other orders for payment of money shall be signed by two persons to be designated by resolution of the Board of Directors.

SECTION 3.

All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

SECTION 4.

All money or property coming to USARS by gift, device or bequest, shall be expended for any purpose not inconsistent with the objects and purposes of the Articles of Incorporation of this Confederation, and within the program and purposes provided in Section 501((c)(3) of the Internal Revenue Code of 1954. All money or property coming to USARS by conditional gift, device or bequest, shall be administered in accordance with the terms and conditions imposed by the donors so long as they are not inconsistent with the objects or purposes of the Articles of Incorporation of this Confederation, and within the programs and purposes provided in Section 501((c) (3) of the Internal Revenue Code of 1954.

SECTION 5.

All funds available for investment shall be invested in such manner and in such projects, stocks, bonds, savings accounts, or other securities, as the Board of Directors shall from time to time determine to be in the best interests of USARS and consistent with its programs and purposes.

ARTICLE XXIII. FISCAL YEAR.

This fiscal year of the Corporation shall begin on the 1st day of September and end on the 31st day of August in each year.

ARTICLE XXIV. CODE OF ETHICS.

USARS shall adopt a Code of Ethics and a Conflict of Interest Policy applicable to all USARS employees, directors of the Board, officers, committee members, and volunteers. Each USARS Board director, officer and employee shall annually certify compliance with the Code of Ethics.

Additionally, these individuals shall disclose any possible conflict for review by the Compliance, Ethics, and Eligibility Committee.

ARTICLE XXV. EXECUTIVE DIRECTOR.

SECTION 1.

Designation. USARS shall have an Executive Director, who shall be the leader of the daily management and vested with the authority to make decisions on behalf of management. The Executive Director shall not be a voting director of the Board. The Board shall hire and oversee the Executive Director, who shall be responsible as outlined below in Section 3, in addition to overseeing the hiring and firing of all staff and the staff's ethical and competent implementation of the Board's policies, guidance and strategic direction of USARS, determine the size and compensation of, hire and terminate the professional staff in accordance with USARS compensation policies and guidelines established by the Board).

SECTION 2. TENURE.

The Executive Director shall be employed by the Board of Directors for whatever term the Board deems appropriate. The Executive Director may be removed by the Board at any time, with or without cause, but removal shall not affect the contract rights, if any, of the Executive Director. If the Executive Director has a contract of employment with USARS, the contract shall provide that the Executive Director's employment may be terminated by the Board with or without cause. During the Executive Director's tenure, they will receive an annual assessment and written performance review.

SECTION 3. RESPONSIBILITIES.

The Executive Director shall:

- A. Develop a strategy for achieving USARS mission, goals and objectives and present the strategy to the Board of Directors for approval;
- B. Determine the size and compensation of, hire and terminate the professional staff in accordance with USARS compensation policies and guidelines (established by the Board) to effectively carry out USARS mission, goals and objectives;
- C. In conjunction with the Finance Committee, prepare and submit annual budgets to the Board for approval;
- D. Either directly or by delegation manage all staff members;
- E. Be responsible for resource generation and allocation of resources;
- F. Coordinate USARS international activities;
- G. Act as the USARS spokesperson and serve as the monitor of communications to the public across all medium platforms;
- H. Serve as the primary contact for all USARS affiliated organizations, World Skate and the USOPC. In addition, the Executive Director will serve as the voting delegate representing USARS on the USOPC's National Governing Body Council.

- I. Is afforded the ability, along with all USARS employees the right to implement the USA Roller Sports Whistleblower policy in reporting to all and any associated governing parties and law enforcement, when deemed necessary and without retaliation penalty.
- J. Perform all functions as usually pertain to the office of Executive Director.

ARTICLE XXVI. RECORDS OF THE CORPORATION

SECTION 1. MINUTES.

USARS shall keep as permanent record minutes of all meetings of the Board, a record of all actions taken by the Board without a meeting, and a record of all waivers of notices of meetings of the Board.

SECTION 2. ACCOUNTING RECORDS.

USARS shall maintain appropriate accounting records.

SECTION 3. MEMBERSHIP LIST.

USARS shall maintain a record of the members in a form that permits preparation of a list of the names and other critical information data, essential in maintaining the integrity of the sport and competition that may be produced and sorted as needed and specific to individual data points of member information obtained.

SECTION 4. RECORDS IN WRITTEN FORM.

USARS shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time.

SECTION 5. WEBSITE.

USARS shall maintain a website for the dissemination of information to its members and the public. USARS shall publish on its website (i) its Bylaws; (ii) its rules, and regulation; (iii) a procedure for communicating with the Chair of the Finance Committee regarding accounting, internal accounting controls, or audit-related matters; (iv) its three (3) most recent audited financial statements; and (v) its three (3) most recent 990 Forms filed with the Internal Revenue Service. So as to facilitate the ability of interested parties to communicate their concerns or questions, USARS shall publish on its website a mailing address and an e-mail address for communications directly with USARS.

SECTION 6. RECORDS MAINTAINED BY PRINCIPAL OFFICE.

USARS shall keep a copy of each of the following records at its principal office:

- A. The Articles of Incorporation;
- B. These Bylaws;

- C. Rules or regulations adopted by the Board of Directors pertaining to the administration of Roller Sports;
- D. Rules or regulations that govern the conduct of USARS, the USARS Board and Committees and the USARS Members;
- E. Rules and regulations that govern the technical conduct of Roller Sports events in the United States;
- F. The minutes of all meetings of the Board of Directors, and records of all action taken by the Board without a meeting, for the past (3) years;
- G. All written communications within the past three (3) years to the members generally as the members;
- H. A list of the names and business or home addresses of the current directors and officers;
- I. A copy of the most recent corporate report delivered to the State of Nebraska Secretary of State;
- J. All financial statements prepared for periods ending during the last three (3) years;
- K. USARS application for recognition of exemption and the tax-exemption determination letter issued by the Internal Revenue Service; and
- L. All other documents or records required to be maintained by USARS at its principal office under applicable law or regulation.

SECTION 7. INSPECTION OF RECORDS BY MEMBERS.

The following rights and restrictions shall apply to the inspection of records by members:

- A. Records maintained at the Principal Office. A member shall be entitled to inspect and copy, during regular business hours at USARS principal office, any of the records of the USARS described in Section 6, provided that the member gives USARS written notice at least five (5) business days before the date on which the member wishes to inspect and copy such records.
- B. Financial Statements. Upon the written request of any member, USARS shall mail to such members its most recent annual financial statements showing in reasonable detail its assets and liabilities and results of its operations.
- C. Membership List.
 - 1. Preparation of Membership Voting List. After determining the members entitled to vote in an election USARS shall prepare, by class, an alphabetical list of the names of all members who are entitled to vote. The list shall show for each member entitled to vote, that member's name and address, and the number of votes the member is entitled to cast.
 - 2. Right of Inspection. A member shall be entitled to inspect and copy, during regular business hours at USARS principal office, a list of members who are entitled to vote in an election, provided that (1) the member has been a member for at least sixty days immediately preceding the demand to inspect or copy, (2) the demand is made in good faith and for a proper purpose reasonably related to the member's interest as a member, (3) the member gives USARS written demand at least five (5) business days before the date on which the member wishes to inspect and copy such voting list, (4) the member describes with reasonable particularity the purpose for the inspection, and (5) the inspection of

the list of members is directly connected with the described purpose. Any member seeking to inspect and copy a membership list shall, prior to such inspection and copying, execute a signed agreement in the form as approved by USARS limiting the use of such list in accordance with Section 7. c. 3.

3. Limitation on Use of Membership Voting List. Without consent of the Board of Directors, a membership voting list may not be obtained or used by any person for any purpose unrelated to a member's interest as a member. Without limiting the generality of the previous sentence, without the consent of the Board a membership voting list may not be; (1) used to solicit money or property, (2) used for any commercial purpose; or (3) sold to or purchased by another person.

D. Scope of Members' Inspection Rights.

1. Agent or Attorney. The member's duly authorized agent or attorney has the same inspection and copying rights as the member.
2. Right to Copy. The right to copy records under these Bylaws includes, if reasonable, the right to receive copies made by photographic, xerographic, electronic or other means.
3. Reasonable Charges for Copies. USARS may impose a reasonable charge, covering the costs of labor and material, for copies of any documents provided to a member. The charge may not exceed the estimated cost of production and reproduction of the records.
4. Litigation. Nothing in these Bylaws shall limit the right of a member to inspect records to the same extent as any other litigant if the member is in litigation with USARS, or the power of a court to compel the production of corporate records for examination.

ARTICLE XXVII. FINANCIAL MATTERS.

SECTION 1. BUDGET.

USARS shall have an annual budget

SECTION 2. AUDIT.

Each year USARS shall have an annual audit of its books and accounts prepared by an independent certified public accountant as recommended by the Finance Committee. The Finance Committee shall provide the auditor's report to the Board of Directors upon completion.

SECTION 3. INDIVIDUAL LIABILITY.

No individual director of the Board, officer or employee shall be personally liable in respect of any debt or other obligation incurred in the name of USARS pursuant to the authority granted directly or indirectly by the Board of Directors.

SECTION 4. IRREVOCABLE DEDICATION AND DISSOLUTION.

The property of USARS is irrevocably dedicated to charitable purposes, and no part of the net income or assets of USARS shall insure to the benefit of private persons. Upon dissolution or winding up of USARS, its assets remaining after payment, or provision for payment, of all debts and liabilities of USARS, shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated for charitable purposes and which has established its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

ARTICLE XXVIII. MISCELLANEOUS PROVISIONS.

SECTION 1. SEVERABILITY AND HEADINGS.

The invalidity of any provision of these Bylaws shall not affect the other provisions of these Bylaws, and in such event these bylaws shall be construed in all respects as if such invalid provision were omitted.

SECTION 2. SAVING CAUSE.

Failure of literal or complete compliance with any provision of these Bylaws in respect of dates and times of notice, or the sending or receipt of the same, or errors in phraseology of notice of proposals, which in the judgement of the directors of the Board do not cause substantial injury to the rights of the directors, shall not invalidate the actions or proceedings of the directors at any meeting.

ARTICLE XXIX. AMENDMENTS

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by the Board of Directors at any regular or special meeting of the Board of Directors provided notice of such proposed amendment is given at least ten (10) days prior to such meeting, which notice may be waived by unanimous consent of the Board.

The undersigned, being the Secretary of the United States Amateur Confederation dba USA Roller Sports, hereby indicates that the Board has adopted the foregoing Bylaws as the Bylaws of the corporation on or before February 1, 2021.

Ricci Porter-Kmetz Executive Director

Date: April 1, 2021

*The USARS Corporate Secretary reserves the right to automatically update the USARS Bylaws as it relates to name changes of roller sport organizations, i.e. World Skate (formerly known as the Federation Internationale de Roller Sports - FIRS), clerical corrections such as formatting, grammar, and changes in the fiscal year, etc., without Board approval.

