

# USA GYMNASTICS RESPONSE AND RESOLUTION PROCEDURES

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Policy Owner: Chief Legal Officer ([legal@usagym.org](mailto:legal@usagym.org))

## INTRODUCTION

USA Gymnastics (“USAG”) is the National Governing Body (“NGB”) for the sport of gymnastics. The USAG Safe Sport Policy (“the Policy”) establishes standards of conduct for USAG Participants. The USAG Response and Resolution Procedures (“the Procedures”) are drafted under the authority of USAG Bylaws (“the Bylaws”), Sections 3.4 and 13.4. USAG Chief Legal Officer, or designee, shall be responsible for the oversight and enforcement of these requirements.

The Procedures apply to any alleged violation of the Policy or the SafeSport Code for the U.S. Olympic and Paralympic Movement (“the Code”) reported to USAG. A Policy or Code Violation is defined below.

The Procedures do not apply to reported violations of the USAG Code of Ethical Conduct, USAG background checks, USAG Membership, or challenges arising from a Participant’s opportunity to participate under the Ted Stevens Act.

A Report filed with USAG does not release the reporting party from any other legal obligation to report. Reports must also be made to relevant state and federal agencies as required by law or the Center as required by the Code.

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## GLOSSARY

Unless otherwise defined in the Procedures, terms have the meanings stated in the glossary of the Policy or the Code.

An “Admonishment” is an official, written notice and formal admonition that a Participant has violated the Code or the Policy and that more severe sanctions will result should the Participant commit other violations. An Admonishment may require the Respondent to abide by certain terms and conditions.

An “Athlete” is any person eligible for competition or participation in an Event or any Member Club Event who is not a professional member of USAG or acting as an instructor or coach.

A “Child” is defined by the Code as “an individual who is, or is perceived by Respondent to be, under the age of 18.”

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

A “Claimant” is the person who is alleged to have experienced conduct that violates the Code or the Policy. In a matter under the USAG Procedures, if the Claimant is a minor, then their parent or guardian is also a Claimant.

“Jurisdiction” is the ability to enforce applicable policies including without limitation the USAG Code of Ethical Conduct, the Bylaws, or any other policy of USAG.

“Ineligible” is a restriction prohibiting participation, in any capacity, in any Event, program, activity, or competition authorized by, organized by, or under the auspices of the United States Olympic & Paralympic Committee (“the USOPC”), the NGB recognized by the USOPC, a Local Affiliated Organization as defined by the Code, or at a facility under the Jurisdiction of the same.

“Member” is anyone who has agreed to terms of membership or who has a USAG membership.

“Member Club” is any club member of USAG as described in the Bylaws.

A “Minor” is defined by the Code as “an individual who is, or perceived by the Respondent to be, under the age of 18.”

A “Minor Athlete” is an Amateur Athlete under 18 years of age who participates in, or has participated within the previous 12 months in, an Event, program, activity, or competition that is part of, or is partially or fully under the Jurisdiction of USAG.

A “No Contact Directive” is a restriction that prohibits communication between individuals. Communication includes, but is not limited to, contact by phone, through email or text message, via any social media application or other electronic medium, in-person interactions (verbal and non-verbal), or contact facilitated through a third party.

A “No Unsupervised Contact” restriction prohibits any and all unsupervised contact with Minor Members and any Minor at Member Clubs and USAG-sanctioned events without a second Adult Participant present. The second Adult Participant must have current successful completion of the U110: SafeSport Core Course, as required by the Center and USAG. The second Adult Participant must not be named as a Respondent in any open matter with USAG or the Center or be in a resolution process of any matter, including but not limited to, suspension, ineligibility, probation or ongoing educational requirements. Any contact with Minor Members or any Minor at Member Clubs or a USAG-sanctioned event must be observable and interruptible, as defined in the Policy, by the second Adult Participant. The second Adult Participant must be in close visual and physical proximity to see and hear interactions with these Minors at all times.

A “Participant” is any of the following: (i) a person who is seeking to be, currently is, or was a member of USAG; (ii) a person who is a “Covered Individual” under the Protecting Young Victim’s Act and SafeSport Authorization Act of 2017; or (iii) any person who is a “Participant” under the Code. This includes, but is not limited to: all non-member employees of Member Clubs; all members of USAG committees or task forces; all USAG employees and Directors; and all adults, including volunteers and judges, authorized by USAG or any Member of USAG to interact with Athletes.

A “Permanent Ineligibility” sanction prohibits participation, in any capacity, in any Event, program, activity, or competition authorized by, organized by, or under the auspices of the USOPC, the NGB recognized by the USOPC, a Local Affiliated Organization as defined by the Code, any Paralympic Sports Organization, or at a facility under the Jurisdiction of the same. This sanction precludes any of the rights or privileges associated with membership in USAG, including but not limited to, participating in any Event conducted or sanctioned by USAG.

“Prevention Policies” are USAG policies that set appropriate boundaries between an Adult Participant and minor athletes.

“Probation” is a period of supervision which may include required education, reporting, parent surveys, and other monitoring. Failure to complete the terms of probation or receipt of a new incident report while on probation may result in an extension of probation and an abuse of process misconduct violation.

A “Report” is notice of a Policy or Code Violation submitted to USAG through the USAG reporting portal [here](#), by email to [usagymsafesport@usagym.org](mailto:usagymsafesport@usagym.org), by calling 833-844-7233 or speaking directly to a USAG employee. There is no fee associated with reporting to USAG.

A “Reporting Party” is a person who files a grievance or similar Report with USAG.

A “Respondent” is a Participant who is alleged to have violated the Policy or the Code.

A “Restrictive or Temporary Measure” is any restriction placed on an individual’s ability to participate in USAG sanctioned events. A restrictive measure can include, but is not limited to, no contact directives, travel or lodging restrictions, schedule modifications, the issuance of a “no unsupervised contact” restriction or a suspension of membership.

A “Policy or Code Violation” is an action that constitutes one or more of the following:

1. Prohibited Conduct, as outlined in the Code.
2. Prohibited Conduct, Misconduct, or Prevention Policy violations of the Policy.
3. Any similar conduct violating current or previous standards promulgated by the Center or USAG at the time of conduct.
4. Any conduct that would violate similar community standards existing at the time of the alleged conduct, including then applicable criminal or civil laws.

“Suspension” is removal from USAG membership for a specified period of time. A suspended Participant may not, in any capacity, participate in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of the USOPC, any NGB, or any Local Affiliated Organization, or at a facility under the Jurisdiction of the same. A suspension of USAG membership prohibits contact with Member Clubs, USAG-sanctioned events, or other Events or activities involving Members, regardless of any business or financial interest. This includes training, travel, lodging or treatment related to any Member Clubs, USA Gymnastics-sanctioned events, or other Events or activities involving Members.

A “Third-Party Reporter” is a person, other than the Claimant, who files a Report.

A “Witness” is a person who has knowledge regarding the facts underlying a reported Policy or Code Violation and presents their observation to a USAG investigator or a USAG Restrictive Measure or Resolution Panel.

## I. GOVERNANCE AND AUTHORITY

USAG will follow all governing policies, procedures, and laws. This includes, without limitation, the Policy, the Code, other governance documents of the Center, the Bylaws, the USOPC Bylaws, the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. Sec. 220501 et seq.), the Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act of 2017, and the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020.

The Procedures do not prevent any Member Club or Participant from implementing higher safety standards or from making lawful employment-related decisions, even prior to the conclusion of any process outlined in the Procedures.

The Procedures do not prevent any person from exercising their legal rights.

The Procedures replace all previous published procedures, including the USAG Safe Sport Investigation & Resolution Procedures, those contained in historical USAG Bylaws. The Procedures apply to all matters arising out of Reports made on or after the effective date of the Procedures, regardless of when the incident of Prohibited Conduct occurred.

## II. RESPONSE AND RESOLUTION OF REPORTED ALLEGATIONS

The Policy requires Adult Participants, including owners, administrators, and employees of USAG Member Clubs (Local Affiliated Organizations), report possible non-sexual misconduct (i.e., emotional and physical misconduct, bullying, hazing, harassment or violations of the Policy, etc.) to USAG or the Center when they become aware of it. USAG resolves all reports under these Procedures.

## III. MANDATORY REPORTING

USAG and any adult Participant is a mandatory reporter and must, upon learning of information or reasonably suspecting that a minor has suffered an incident of child abuse, including sexual abuse, report immediately and no later than within 24 hours to law enforcement, the Center, and comply with other applicable reporting requirements under state law.

## IV. U.S. CENTER FOR SAFESPORT JURISDICTION

### A. Exclusive Jurisdiction

USAG must refer to the Center all allegations within the Center's Exclusive Jurisdiction, as defined by the Code, directly to the Center immediately and no later than within 24 hours. This includes, without limitation, allegations involving:

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. Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the Center's process;
5. Other Inappropriate Conduct, as defined in the Code..

### B. Discretionary Jurisdiction

In certain instances, the Center could exercise Discretionary Jurisdiction over allegations including:

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; and
5. Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the processes of the USOPC, an NGB, an LAO, or any other organization under the Center's jurisdiction.

USAG, in its sole discretion, may also request the Center exercise its Discretionary Jurisdiction over other matters, for reasons including but not limited to, conflicts of interest.

- C. **No Interference.** USAG will not interfere in, investigate, attempt to influence the outcome of the investigation, or resolve allegations within the Center's Jurisdiction.
- D. USAG is prohibited from discussing allegations within the Center's Jurisdiction. Questions related to those allegations should be directed to the Center here.
- E. USAG and its Participants must enforce and comply with any Temporary Measure or Sanction imposed by the Center.
- F. Appeals of any matter under the Center's Jurisdiction must be directed to the Center.
- G. USAG reserves all other rights and remedies, including but not limited to the right to set membership criteria and the right to impose appropriate measures, including Restrictive Measures for matters within the Center's Jurisdiction.
- H. When the Center exercises jurisdiction over particular allegations regarding a Participant, USAG must not impose—in response to those allegations—a suspension or other restriction that may deny or threaten to deny a Participant's opportunity to participate in sport.
- I. USAG Chief Legal Officer, or designee, will respond, within reason, to requests from the Center for the eligibility status of a Participant or the existence of USAG-imposed interim measures or safety plans within 72 hours, barring unforeseen technical or other circumstances.

#### V. UNITED STATES OLYMPIC & PARALYMPIC COMMITTEE JURISDICTION

- A. USAG is required to abide by all applicable policies and procedures regarding athlete safety set forth by the USOPC.
- B. USAG must notify the USOPC's Office of Athlete Safety as soon as possible and in any case within 24 hours of learning of an allegation of Prohibited Conduct, as defined in the Code, that occurred at an Olympic & Paralympic Training Center ("OPTC") or at any third party-sponsored event in which the USOPC sends a delegation (a "Delegation Event").

- C. Any temporary measure(s) imposed by USAG and/or the Center in response to the allegation must be included in the required notification (as described in the following section).
- D. USAG must notify the USOPC's Office of Athlete Safety as soon as possible and in any case within 24 hours of imposing its own or being notified of Center-imposed sanction(s) and/or temporary measure(s), affecting Participants who USAG knows, or reasonably expects, to:
  - 1. Be nominated for or selected as a Participant to a Delegation Event,
  - 2. Have access to an OPTC, and/or
  - 3. Receive a benefit and/or service from the USOPC as outlined in the USOPC Athlete Safety Policy.
- E. USAG must notify the USOPC Office of Athlete Safety in the event of any change or removal of any such sanction and/or temporary measure(s) within 24 hours of such change by USAG or being notified of a change or removal by the Center.

## VI. CONFIDENTIALITY

- A. The Bylaws and the Policy provide some protections for confidentiality during the USAG Response and Resolution Process (“the Process”). They do not, and cannot, guarantee absolute confidentiality.
- B. Documents or evidence related to the 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 USAG. Violation of this provision, including by an advisor or attorney for any person involved in the Process, constitutes Abuse of Process under the Policy and the Code. Any advisor or attorney who violates this confidentiality provision may be permanently barred from further participation in any response and resolution process, regardless of whether they are a Member or Participant.
- C. USAG may disclose the outcome of the matter to those persons or organizations with a need to know so that the outcome can be properly effectuated or understood.
- D. A Claimant may publicly discuss the incident, their participation in the Process, or the outcome of the Process. A Claimant may not discuss the participation of others in the Process.
- E. A Respondent may publicly discuss the incident, their participation in the Process, or the outcome of the Process. However, a Respondent, or any advisor or attorney for a Respondent, may not disclose any Claimant’s or Participant’s identifying information, including without limitation names and contact information.
- F. If any person or entity misrepresents the Process, the underlying facts, or the outcome of a matter, USAG may publicly correct the record.

G. USAG may be required to disclose information contained in a Report or learned during an investigation. Reasons for disclosure include, but are not limited to, the following:

1. Relevant state and/or federal law;
2. Mandatory reporting related to Child Abuse and Sexual Misconduct;
3. The Center's jurisdiction; or
4. USAG's right, as allowed by the Code, to publicly correct any misrepresentation related to the Process.

H. Each person involved in the Process is responsible for understanding what and how legal confidentiality requirements, if any, apply to their conduct.

## VII. PARTICIPANT RIGHTS

A. A Claimant has the right to:

1. Submit a report anonymously
2. Receive notification that USAG has accepted Jurisdiction
3. Consult with an advisor or an attorney
4. Choose whether or not to participate in the investigation and resolution
5. Receive notice of Restrictive or Temporary Measures imposed by USAG
6. Participate in the investigation and resolution without publicly disclosing their identity or experiences, except as required by the USAG Resolution Panel Hearing Procedures
7. Receive notification of the resolution of the matter

B. A Witness has the right to:

1. Choose whether or not to participate in the investigation and resolution
2. Participate in the investigation and resolution without publicly disclosing their identity or experiences, except as required by the USAG Resolution Panel Hearing Procedures
3. Consult with an advisor or an attorney

C. A Respondent has the right to:

1. Receive written Notice of Allegations for any action taken against Respondent, including an investigation, the imposition of sanctions, or any other disciplinary action
2. Consult with an advisor or an attorney
3. Have an opportunity to be heard during the investigation
4. Challenge a Temporary Measure of Suspension and be heard by a USAG Restrictive Measures Panel
5. Be heard by a USAG Resolution Panel before being declared ineligible to participate in Amateur Athletic competition



6. Upon issuance of a Decision, a Respondent has ten (10) business days to request a hearing before an arbitrator with the American Arbitration Association

## VIII. IMPARTIALITY

USAG Process is intended to be independent from conflicts of interest, personal bias, or undue influence from any one person or role. Members of the USAG Board of Directors and employees of USAG, other than the Chief Legal Officer, Director of Club Education and Outreach, and the USAG Safe Sport team, generally will not be involved in decisions regarding or relating to the Process or have access to the USAG case management system, except as provided below:

- A. The USAG President and Chief Executive Officer, the USAG Board of Directors, or members of the Executive Leadership Team, may be apprised of otherwise confidential outcomes of USAG misconduct matters for purposes of making business decisions, determining membership eligibility, and making necessary decisions on behalf of the organization regarding process and strategy (e.g., considering whether to appeal a hearing panel decision to arbitration).
- B. All USAG misconduct matters are subject to the USAG Conflict of Interest Policy (found [here](#)).
- C. The USAG Board of Directors, USAG Safe Sport Committee, and Executive Leadership Team may receive anonymized or aggregated data to evaluate trends and allocate resources.

## IX. REPORT SUBMISSION AND INTAKE

### A. Submitting an incident Report

1. Anyone may report a Policy or Code Violation to USAG. Reports should be submitted through the USAG reporting portal [here](#). Written Reports may also be submitted by mail to USAG at 1099 N. Meridian Street, Indianapolis, Indiana 46204 or by e-mail to [usagymsafesport@usagym.org](mailto:usagymsafesport@usagym.org). Individuals unable to submit an email Report or use the reporting portal, can call 833-844-7233 for assistance.
2. There is no fee associated with reporting to USAG.
3. Each Report will be treated as a confidential submission to the extent allowed by law and governing policy.
4. Reports may be made anonymously to USAG. An anonymous Report may limit the response and resolution process because of the inability to confirm the reported information. Reporting parties and Claimants may participate in the investigation and resolution without publicly disclosing their identity or experiences. USAG strongly encourages a Reporting Party to provide their name and contact information when reporting.
5. The Reporting Party will receive communication indicating that USAG will address the allegations or the allegations will be referred to the Center.

6. A Report filed with USAG does not release the Reporting Party from any other legal obligation to report. Reports must also be made to relevant state and federal agencies as required by law or the Center as required by the Code.

B. Intake

1. USAG will review all Reports to determine if allegations or circumstances:
  - a. Mandate reporting to law enforcement or child protective services;
  - b. Mandate reporting to the Center;
  - c. Are governed by the Code, the Policy, or the U.S. Center for SafeSport Minor Athlete Abuse Prevention Policies (“the MAAPP”); or
  - d. Require imposition of Restrictive Measures.
2. USAG determines Jurisdiction and promptly notifies the Claimant or Reporting Party.
3. Matters involving more than one Claimant, or more than one Respondent may, in the discretion of USAG, be consolidated into a single matter.

X. SUBSTANTIVE STANDARDS AND PROCEDURAL RIGHTS

When the alleged conduct by a Participant occurred prior to the effective date of the Policy or the Procedures, USAG may apply other substantive standards in effect at the time of the conduct that are analogous to Prohibited Conduct. The Procedures apply to all matters arising out of Reports made on or after the effective date of the Procedures, regardless of when the incident of Prohibited Conduct occurred.

XI. RELATED PROCEEDINGS

A. 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 Policy or the Code, the resolution of a criminal proceeding without a conviction is not determinative of whether a violation of the Policy or the Code has occurred. Conduct may violate the Policy or the Code even if the Respondent is not charged, prosecuted or convicted for the same underlying conduct.

B. No Waiver of Other Legal Remedies

Participating in the Process does not extend or restrict a person’s right to file charges or claims regarding the underlying allegations with any agency, law enforcement, or court.

XII. COORDINATING WITH LAW ENFORCEMENT

USAG may contact any law enforcement agency to coordinate the investigations by USAG and that agency. At the request of law enforcement, USAG may delay its investigation temporarily while a law enforcement agency completes its investigation. USAG will resume its investigation when notified that law enforcement has completed its investigation. USAG

may also provide some or all its case information, documentation, or evidence to law enforcement.

### XIII. STATUTE OF LIMITATIONS OR OTHER TIME BARS

There are no statute of limitations or other time bars of any kind on Policy or Code Violations.

### XIV. PREVENTION POLICY PROCEDURE

- A. USAG, in its discretion, may allow Reports of isolated violations of the USAG Prevention Policies to be resolved informally by the Member Club. Any informal resolution by the Member Club must include notice to the family of the affected Minor Athlete.
- B. USAG, in its discretion, will utilize the Process for any Report it determines to be inappropriate for informal resolution by the Member Club, for example, Reports of multiple and/or severe USAG Prevention Policy violations. Notice will be given to the parents of any affected Minor Athlete.

### XV. INQUIRY

The inquiry process consists of:

- A. Initial contact with the Reporting Party, Claimant and or Witness(es).
- B. Preliminary information-gathering.
- C. If the Reporting Party and/or Claimant declines to participate, USAG may, in its discretion, choose not to proceed or may respond to the Report in limited and general ways.
- D. All information gathered, including notes, are confidential and privileged work product of USAG. Disclosure of information necessary to facilitate USAG Restrictive Measure or Resolution Panel Hearing process is not a subject matter waiver of any privilege.
- E. Following the inquiry, USAG will determine, in its discretion, whether the matter is appropriate for investigation, resolution by dismissal, or resolution by administrative closure.

### XVI. INVESTIGATION

The investigation process consists of:

- A. A Notice of Allegations which summarizes the alleged Misconduct is provided to Respondent before the Respondent is contacted by an investigator.

- B. Following the notice to Respondent, a Notice of USAG Misconduct Report is provided to the club in which Respondent is employed or was employed at the time of alleged Misconduct.
- C. A USAG investigator will contact Claimant, the Reporting Party, identified Witnesses, and Respondent to request statements or interviews.
- D. If any party to a matter declines to participate, USAG may, in its discretion, choose not to proceed or may respond to the Report in limited and general ways.
- E. Any party may consult with an advisor or an attorney. A party or Witness involved in the matter, or an employee of, board member of, or legal counsel for, USAG cannot serve as an advisor. Only a Claimant or Respondent may be accompanied by their respective advisor throughout the Process. While the advisor may provide support and advice throughout the Process, they may not speak on behalf of the Claimant or Respondent, or otherwise participate in the Process except as provided herein. Only an attorney may speak on behalf of a Claimant or Respondent client.
- F. All information gathered, including investigator's notes, are confidential and privileged work product of USAG. Disclosure of information necessary to facilitate USAG Restrictive Measure or Resolution Panel Hearing process is not a subject matter waiver of any privilege.
- G. Following the investigation, USAG will determine, in its discretion, whether the matter is appropriate for resolution by dismissal, administrative closure, resolution agreement, or by a USAG Resolution Panel.

## XVII. RESTRICTIVE MEASURES

- A. Restrictive Measures are intended to:
  - 1. Ensure the safety and well-being of the gymnastics community
  - 2. Prevent conduct or participation detrimental to the sport or its Participants
  - 3. Prevent escalation of a reported Policy or Code Violation
  - 4. Restrict or monitor the participation of a Respondent
- B. When imposing A Restrictive Measure, USAG evaluates the appropriateness of a measure based on:
  - 1. The allegations and the facts and circumstances of the case;
  - 2. The need to maintain the safety or well-being of Participants or the community; and
  - 3. Whether the allegations against Respondent are sufficiently serious to warrant a safety measure.

- C. USAG may impose Restrictive Measures at any time. A Restrictive Measure shall be effective immediately upon notice to Respondent, unless stated otherwise. Restrictive Measures will remain in effect until expressly removed by either USAG or the Center.
- D. USAG may impose Restrictive Measures up to and including Suspension.
- E. If USAG imposes a Suspension from participation in amateur athletic competition protected by the Ted Stevens Act or the USOPC Bylaws, then Respondent may appeal through a USAG Restrictive Measures Panel Hearing. Respondent must request a Restrictive Measures Panel Hearing within five (5) business days of the imposition of a Suspension from participation by USAG. Failure to request a hearing within this timeframe will be deemed a waiver by Respondent.
- F. USAG maintains a publicly-available *List of Suspended and Restricted Persons* found [here](#), and a list of *Permanently Ineligible and Ineligible Members and Participants* found [here](#), of individuals who are restricted, ineligible or permanently ineligible from participating. USAG will not publish names of Minors.
- G. Member Clubs must enforce any Restrictive Measure imposed by USAG or the Center.
  - 1. USAG will notify the Member Club of any Restrictive Measure.
  - 2. The Member Club is responsible for enforcing the Restrictive Measure and notifying club Participants.
  - 3. The Member Club may impose any additional measures it deems necessary.
  - 4. USAG may notify Participants of the Restrictive Measure if it has reason to believe a Member Club has failed to enforce or provide notice of the Restrictive Measure.
  - 5. USAG reserves the right to notify additional individuals on a need-to-know-basis to ensure athlete safety.

## XVIII. RESOLUTION PROCESS

- A. USAG may resolve a misconduct matter by:
  - 1. Dismissing matters not governed by the Policy or the Code.
  - 2. Administratively closing matters governed by the Policy or the Code for which there is insufficient information to determine that a violation occurred.
  - 3. Issuing an Admonishment letter.
  - 4. Reaching an agreed resolution with Respondent, which that may include:
    - a. Educational requirements
    - b. Parent surveys
    - c. Club audit
    - d. Self-assessment
    - e. Probation with reporting requirements
    - f. No contact directive
    - g. Restrictive or safety measures
    - h. Suspension
    - i. Ineligibility

j. any other terms agreed to by USA Gymnastics and the Respondent.

5. Presenting the matter to a USAG Resolution Panel for matters not resolved by dismissal, administrative closure, Admonishment, or agreed resolution. The USAG Resolution Panel Hearing Procedures are found [here](#).

B. The outcome of a matter does not restrict, limit or impede any rights of the persons witnessing, reporting or harmed by a Policy or Code Violation, Misconduct, abuse or unethical conduct.

C. USAG may give notice of the resolution terms to each Claimant, Witness, or Reporting Party.

#### **XIX. INELIGIBILITY AND PERMANENT INELIGIBILITY**

A. Ineligibility prohibits, until further notice, participation in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or sanctioned by USAG, or held at a Member Club.

B. Permanent ineligibility prohibits participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or sanctioned by USAG, or held at a Member Club.

C. USAG maintains a publicly-available *List of Suspended and Restricted Persons* found [here](#), and a list of *Permanently Ineligible and Ineligible Members and Participants* found [here](#), of individuals who are restricted, ineligible or permanently ineligible from participating. USAG will not publish names of Minors.

D. Member Clubs must enforce any restrictions imposed by USAG or the Center.

E. USAG reserves the right to notify any individual of a restrictive measure on a need-to-know-basis to ensure athlete safety.

#### **XX. CASE MANAGEMENT**

Reported allegations within USAG's jurisdiction are tracked in the USAG case management system, reflecting how allegations were responded to, and their respective outcomes.

#### **XXI. RETALIATION**

Retaliation, including any adverse or discriminatory action, or threat of an adverse or discriminatory action, carried out against a Participant as a result of any communication, including the filing of a Report, by the Participant or a parent or legal guardian of the Participant relating to the report of abuse or misconduct, is prohibited and a violation of the Policy.

Retaliation is prohibited before, during, and after the process (whether led by the USAG or by the Center) of resolving an abuse or misconduct allegation.

XXII. ARBITRATION

- A. Opportunity to Participate. Under USAG [Opportunity to Participate Grievance Procedures](#), USAG and Respondent agree to submit to binding arbitration of any USAG Resolution Panel decision involving the opportunity to participate in amateur athletic competition. The arbitration shall be conducted before the American Arbitration Association under its Commercial Arbitration Rules. The arbitration shall be conducted before a single arbitrator as an appeal from the decision of Resolution Panel. The appeal shall be limited to the record before the Resolution Panel.
- B. Arbitration may be exercised upon demand of USAG or any aggrieved Amateur Athlete, coach, trainer, manager, administrator or official.