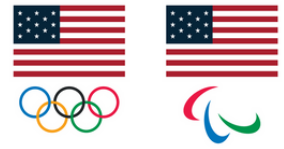


BACKGROUND CHECK REVIEW



What is a Background Check Review?

The USOPC requires participants to complete a background check for Delegation Events, training at the U.S. Olympic and Paralympic Training Center or Internally Managed Sports. In the event of a "Red Light*" determination or self-disclosure of a criminal charge, a review panel is convened to determine any impacts to participation.

*A "Red Light" determination indicates a reportable criteria-related conviction or pending disposition.

Dispute Resolution Unit (DRU) Support

 **General Administration**

 **Review Panel Support**

 **Review Panel Counsel**

 **Communication with Participant**

 **Case Management**

 **Logistical Support**

 **Arbitration Support**

Authority & Governance



Ted Stevens Olympic & Amateur Sports Act (the Act): The USOPC has authority to determine participation at the Games while carrying out its obligations to prevent misconduct in sport and provide procedures to resolve participation disputes (Section 220523(3)(a)(b), 220505(c)(5), and 220509).



U.S. Center for SafeSport

Code: Requires the USOPC to adopt preventative measures to eliminate misconduct in sport and the Code outlines the criminal charges considered as prohibited conduct.



USOPC Background Check Policy & Procedures:

Outlines the jurisdiction and scope of Red Light reviews and hearings, participant obligations and the adjudication of Red Light determinations.

USOPC Athlete Safety Policy: Outlines adherence to the USOPC Background Check Policy and Procedures as a preventative measure.

ADDITIONAL RESOURCES

- ★ [U.S. Center for SafeSport Code](#)
- ★ [USOPC Athlete Safety Policy](#)
- ★ [USOPC Background Check Policy](#)
- ★ [Responsible Sport Organization Background Check Policy](#)

CONTACT INFORMATION

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BACKGROUND CHECK REVIEW



What is the Background Check Review Process?

The Background Check Review process provides impacted participants the opportunity to provide details of the Red Light determination to a review panel that decides appropriate participation impacts to ensure safety for all participants.



Constituent Involvement

- ★ National Center for Safety Initiatives (NCSI)**
NCSI performs background checks for participants.
- ★ Athletes/Members**
The participant or individual who receives the Red Light determination or self-discloses a criminal charge.
- ★ USOPC**
The USOPC conducts background checks through NCSI to ensure the safety of athletes in sport and to prevent misconduct.
- ★ DRU**
USOPC Dispute Resolution Unit manages the background check review process. An attorney from DRU also sits on the review panel and may provide legal advice and guidance.
- ★ Review Panel**
Determines participation eligibility or restrictions based on the red light determination. Comprised of representatives from various USOPC internal departments (depending on the type of participation), and two athlete representatives.



DRU Support Details



General Administration

DRU oversees the general administration of a background check review to ensure the Red Light or self-disclosure is heard in a timely and efficient manner. This involves managing the overall processing of the relevant issue, from initiation of the matter to the closing of the case.

DRU receives the Red Light finding or the self-disclosure of a criminal charge, obtains any preliminary background about the Red Light finding or self-disclosure, communicates with relevant individuals as needed. DRU notifies and acknowledges the Red Light to the affected individual, conducts a preliminary inquiry about the Red Light, and provides relevant information of the Red Light to the review panel. Additionally, DRU serves as liaison to the review panel, schedules the hearing, and oversees the general case management, among any other administrative or legal support.



Review Panel Support

DRU serves as liaison to the review panel in this type of matter. This includes setting up meetings, forwarding relevant documents or communication, answering procedural and logistical questions, and working through review panel needs. DRU is respectful of the review panel members' time and serves to support them in their role by making any part of the process as streamlined and efficient as possible.



Review Panel Counsel

An attorney within DRU serves as counsel to the review panel, and may sit as a voting member on the review panel. In the role as legal counsel to the review panel, the attorney may provide general legal advice and guidance and answer any questions related to legal issues that arise in the proceeding. This includes setting out the standards and scope of review so the review panel understands the appropriate purview of the proceeding, along with its authority. DRU participates in deliberations with the review panel. DRU prepares and distributes all decisions in line with the review panel's determination in each particular case.



Communication with Participant

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

(continued)



DRU Support Details



Communication with Participant (*continued*)

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



Case Management

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

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

Additionally, DRU ensures that review panel members have access to case details in an effective manner. DRU organizes and stores all case related materials and tracks outcomes for executive-level reporting purposes.



Logistical Support

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

Additionally, DRU arranges all administrative aspects for each hearing, including setting the conference line and/or securing office space, distributing case materials to the review panel members, clearing witnesses and/or representatives, IT setup requests, and any other logistical issue that may arise.



DRU Support Details



Arbitration Support

If the individual disagrees with the finding of the review panel, they may appeal the decision by filing a demand for arbitration with the the arbitral body designated by the USOPC within thirty days of the review panel's decision. A decision rendered by the designated arbitral body shall be final and binding on all parties. DRU serves as a liaison to the designated arbitral body for administration of these matters.

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