



USA Triathlon's Response and Resolution Policy

Updated Oct. 31, 2023

I. INTRODUCTION

USA Triathlon requires reporting of sexual, emotional, physical misconduct, or violations of the Minor Athlete Abuse Prevention Policies by any Participant and strongly encourages reporting of any additional concerns relating to SafeSport. Sexual misconduct and child abuse *must* be reported to the [U.S. Center for SafeSport](#). All other misconduct must be reported to [USA Triathlon](#). In addition to USA Triathlon's Internal SafeSport Standard Operating Procedure, the organization must have internal Response and Resolution Policies and Processes to ensure compliance with the U.S. Center for SafeSport's standards.

II. PARTICIPANTS

USAT Adult Participants are defined as being a member of one or more of the following groups:

- a. USA Triathlon Staff
- b. USA Triathlon Interns
- c. USA Triathlon Board Members
- d. USA Triathlon Certified Coaches
- e. USA Triathlon Certified Race Directors
- f. USA Triathlon Youth Event Race Directors
- g. USA Triathlon Certified Officials
- h. USA Triathlon National Team Elite Contracted Medical Personnel (i.e. doctors, trainers, chiropractors)
- i. USA Triathlon National Team Elite Contracted Massage Therapists
- j. USA Triathlon National Team Elite Contracted Mechanics
- k. USA Triathlon contractors who have direct contact with Athletes
- l. USA Triathlon Elite National Team Program Athletes
- m. Adult members who have regular contact with Minor Athletes
- n. Any other individual that USA Triathlon formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have regular contact with any Minor Athlete, including coaches, not already listed above
- o. Adults at LAOs who have regular contact with Minor Athletes, or are so designated by the LAO
- p. Any other individual that a LAO formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have regular contact with any Minor Athlete not already listed

- above or so designated by the LAO
- q. Board members of LAOs • LAO Administrators and Staff
 - r. Any non-athlete USA Triathlon authorizes to train, reside, or work at any Olympic Training Center, not already listed above

III. REPORTING MECHANISM

Athlete safety violations may be reported via email, letter, in person, or over the phone. Individuals may choose to make reports anonymously. It is important to ensure that the same procedures are followed regardless of how the report is received. USA Triathlon follows the reporting procedures of the U.S. Center for SafeSport, United States Olympic and Paralympic Committee (USOPC), and the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.

1. Receiving a Report

U.S. Center for SafeSport Jurisdiction

The U.S. Center for SafeSport has exclusive jurisdiction over allegations of sexual misconduct. The Center also may exercise discretionary jurisdiction over, and accepts reports of, emotional and physical misconduct (including but not limited to bullying, hazing, stalking, and harassment), and MAAPP violations. Reports of emotional and physical misconduct, and MAAPP violations, may be reported directly to USA Triathlon, too.

Any reports received should be promptly shared with the USA Triathlon Legal Department or reported directly to the [U.S. Center for SafeSport \(Center\)](#).

It is not the responsibility of the person receiving the report to evaluate the veracity of the claim, only to share the claim with the appropriate parties. All reported allegations that raise a reasonable suspicion of child abuse, including child sexual abuse, must be reported to law enforcement immediately after becoming aware of the allegations, in accordance with federal law. All reported allegations that raise a reasonable suspicion of child abuse, including child sexual abuse, and sexual misconduct must be reported to the Center immediately upon becoming aware of the allegations. The Center also has exclusive jurisdiction over allegations of sexual misconduct.

Reports to the Center can be made through the [online reporting form](#) or by phone at 833-587-7233. The Center's reporting mechanism has no associated costs, fees, or other financial barriers attached to submitting a report. Reporters have the option to remain anonymous when filing a report.

USA Triathlon Jurisdiction

All emotional and physical misconduct, and any violations of the [Minor Athlete Abuse Prevention Policies \(MAAPP\)](#) should be reported to USA Triathlon. The MAAPP has seven key guidelines limiting one-on-one interactions between certain adults and Minor Athletes.

The Legal Department reviews all reports submitted to USA Triathlon and determines whether the case may fall under the Center’s jurisdiction. The Legal Department must refer any report that may fall under the Center’s jurisdiction to the Center immediately and within 24 hours.

Reports to USA Triathlon can be made by emailing trisafe@usatriathlon.org or by submitting the online [USA Triathlon SafeSport Abuse Reporting Form](#). USA Triathlon’s reporting mechanism has no associated costs, fees, or other financial barriers attached to submitting a report. Reporters have the option to remain anonymous when filing a report.

The Legal Department is responsible for checking the trisafe@usatriathlon.org email daily for any reports that have been submitted to USA Triathlon.

2. Jurisdiction Notification

The USA Triathlon Legal Department shall promptly inform an identified reporting party once a jurisdictional determination has been made regarding whether a report is: (1) being referred to the Center; (2) being addressed by USA Triathlon; or (3) being referred to a local affiliated organization.

3. Mandatory Reporting

All USA Triathlon staff and adult Participants – including those with one-day memberships – are Mandatory Reporters. As a Mandatory Reporter, each individual has an obligation to report any form of abuse, whether it is sexual, physical, mental, or another form of misconduct. If the suspected victim of abuse is a minor, the abuse must be reported as child abuse. All reports of abuse must be reported to either the [U.S. Center for SafeSport](#) or [USA Triathlon](#) within a 24-hour period. If child abuse is suspected, it must be reported to law enforcement and the U.S. Center for SafeSport.

The USA Triathlon Legal Department and all USA Triathlon Participants shall follow all applicable state laws on mandatory reporting of child abuse and sexual misconduct. Child abuse and sexual misconduct will be reported to the agency designated by the State’s 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).

- [How to Report Child Abuse and Neglect](#)
- [State Child Abuse and Neglect Reporting Numbers](#)

The Legal Department maintains and updates a log to track mandatory reports and dates that all requirements are met for reports that are submitted or referred to USA Triathlon.

4. Reporting Allegations to the USOPC's Office of Athlete Safety

a. Prohibited Conduct

The USA Triathlon Legal Department shall notify the USOPC's Office of Athlete Safety 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"). Any temporary measure(s) or sanction(s) imposed by USA Triathlon and/or the Center in response to the allegation must be included in the required notification.

This notification requirement is in addition to any other requirement to report an allegation to the Center and if necessary, law enforcement.

Any notification shall be submitted to the USOPC's Office of Athlete Safety by email to athlete.safety@usopc.org within 24 hours of learning of an allegation.

b. Sanctions and Temporary Measures

The USA Triathlon Legal Department must notify the USOPC's Office of Athlete Safety within 24 hours of imposing its own or being notified of Center-imposed sanction(s) or temporary measure(s), affecting Participants who USA Triathlon knows, or reasonably expects, to:

- Be nominated for or selected as a Participant to a Delegation Event;
- Have access to an OPTC; and/or
- Receive a benefit and/or service from the USOPC as outlined in the USOPC Athlete Safety Policy.

The USA Triathlon Legal Department must also notify the USOPC Office of Athlete Safety of any change or removal of any such sanction or temporary measure(s) within 24 hours of the change by USA Triathlon or being notified of a change or removal by the Center.

Any notification must be submitted to the USOPC's Office of Athlete Safety by email to athlete.safety@usopc.org.

IV. INVESTIGATIONS, RESPONSE, AND RESOLUTION

USA Triathlon shall support the Center in all investigations by providing information as needed to the Center and by honoring all Center findings. USA Triathlon may also conduct investigations if the Center has declined jurisdiction.

USA Triathlon prohibits any retaliation before, during, and after the process of reporting, investigating, and resolving abuse or misconduct allegations whether led by U.S. Center for SafeSport or by USA Triathlon. USA Triathlon has zero tolerance for retaliation against individuals who make good faith reports of potential ethical, policy, financial or legal violations, or those who cooperate with investigations regardless of whether the jurisdiction remains with the Center or with USA Triathlon.

Please see Section 3 of [USA Triathlon's Whistleblower Policy](#) for additional information.

1. Ongoing SafeSport Investigations

USA Triathlon may implement temporary measures or a safety plan, if necessary, prior to the assertion of jurisdiction by the Center. USA Triathlon also enforces temporary and permanent measures, including bans, implemented by the Center.

USA Triathlon will not interfere in, attempt to interfere in, or attempt to influence the outcome of any Center investigation. Additionally, the USA Triathlon Legal Department will respond to requests from the Center regarding the eligibility status of a Participant and/or the existence of USA Triathlon imposed temporary measures or safety plans within 72 hours of the request.

When the Center has imposed a measure, the Legal Department notifies the relevant individuals and informs them of the required actions (e.g., suspending their membership, withdrawing their sanction, removing them from the Find a Coach Database, etc.). If the Center determines that the individual should be banned, the Legal Department works with the USA Triathlon Marketing and Communications Department to update the USA Triathlon Banned List on the [USA Triathlon website](#).

The following individuals must be notified in the event of a temporary or permanent measure:

- Chief Executive Officer (CEO)
- Director of Constituent Relationships
- High Performance General Manager
- Legal Department staff
- Marketing and Communications Director
- Senior Manager of Tech Strategy and Planning

2. Emotional, Physical and Minor Athlete Abuse Protection Policy (MAAPP) Investigations

(a) If Claims are reported directly to the Center:

If the Center receives a report and accepts jurisdiction, USA Triathlon will not interfere in, attempt to interfere in, or attempt to influence the outcome of the investigation.

In the event that the Center declines jurisdiction for a matter that USA Triathlon perceives as a serious athlete safety allegation, such as emotional or physical abuse, or a MAAPP violation, see Section (c) below.

(b) If Claims are reported directly to USA Triathlon:

Upon receipt of a report via email or a reporting form, USA Triathlon Legal Counsel reviews the email/form. After review of the Center's rules and this Policy, the Legal Counsel reviews the alleged misconduct and reports any sexual misconduct or child abuse directly to the Center. If it is not sexual misconduct or child abuse, USA Triathlon Legal Counsel will make a determination of whether to file the complaint with the Center, USOPC, or with the USAT Ethics Committee, and/or request that the complainant file directly with the Center, USOPC or with the USAT Ethics Committee. If the alleged misconduct does not involve sexual misconduct or child abuse, USA Triathlon may still report the alleged misconduct directly to the Center.

USA Triathlon may implement temporary measures or a safety plan, if necessary, prior to the assertion of jurisdiction by the Center

(c) If USA Triathlon has jurisdiction over the claim:

If USA Triathlon perceives the alleged misconduct to be a serious athlete safety allegation, such as emotional or physical abuse, or a MAAPP violation, USA Triathlon may, in its sole discretion, hire an external investigator to investigate and provide a recommendation to USA Triathlon.

- The USA Triathlon Legal Department will notify the claimant and/or third-party reporter that USA Triathlon is investigating the possible USA Triathlon SafeSport Policy violation.
- The Legal Department will request to know whether the Center has previously informed Respondent of the allegation. Based on the Center's response, the Legal Department will determine whether it can notify the Respondent of the allegation. If the Legal Department notifies the Respondent of the reported allegation, then it will inform him/her of the right to present evidence to rebut the allegation.

As part of the external investigator's investigation, the external investigator will:

- Seek to interview the Claimant and/or Reporting Party. If a third-party made the report, the external investigator will seek to interview the alleged victim.
- Seek to interview the Respondent if applicable (see above prior notification by the Center and approval by the Center). The Respondent will be provided with the opportunity to present a response to the allegations, including evidence and the names and/or contact information of potential witnesses with direct knowledge of the allegations.
- Seek to interview witnesses with direct knowledge of the allegations.
- Seek additional evidence (e.g., videotape, audio recording, email correspondence) based on the interview(s) of involved individuals.
- Review the evidence provided by the Claimant, Reporting Party (if applicable), Respondent, and any other source and document all investigative efforts.
- Determine whether any of the allegations are serious and egregious and whether the evidence supports severe sanctions for any prohibited conduct and why.
- Present findings and recommendation(s) to the Legal Department regarding potential sanctions for any prohibited conduct

The Legal Department will review the external investigator findings and recommendation(s), and consult with the CEO to determine a resolution. The CEO will consult with Legal Counsel and any other USAT management necessary to consider the findings and recommendations. This team of individuals will assess the following factors and make a recommendation to the CEO: 1) the safety of any athletes, coaches, or other individuals involved and whether there any safety concerns to USAT community; 2) whether a lesser, different or heftier sanction would be more appropriate under the circumstances; 3) any prior history of misconduct by the respondent; and 4) whether other factors that may be relevant to assessing the recommendation based on history of USAT, current relationship with USAT of claimant and respondent, and sensitivity to USAT's goals. The CEO shall be the final authority to determine the disciplinary action(s), if any,

and resolution unless the CEO is an involved party in the matter. If the CEO an involved party, the Legal Department will review the findings and recommendation(s) and consult with the Chair of the Board of Directors to determine the disciplinary action(s), if any, and resolution.

At any point prior to the final resolution, USA Triathlon may close the investigation if (a) the external investigator could not complete the investigation (e.g., unwilling participants) or (b) it is determined that there is no reason to believe that there has been a USA Triathlon SafeSport Policy violation.

Alternatively, if USA Triathlon believes the issues does not rise to a serious athlete safety allegation, such as emotional or physical abuse, or a MAAPP violation, there may be an internal investigation led by the USA Triathlon Legal Department, or Human Resources or appropriate USAT management, if the complaint is regarding a USAT staff/team member. This team of individuals will make a recommendation to the CEO regarding whether to do an internal investigation or close the case that assesses: 1) the safety of any athletes, coaches, or other individuals involved and whether there any safety concerns to USAT community, 2) whether a lesser, different or heftier sanction would be more appropriate under the circumstances, 3) any prior history of misconduct by the respondent, and 4) whether other factors that may be relevant to assessing the recommendation based on history of USAT, current relationship with USAT and sensitivity to USAT's goals. Any decision to do an internal investigation will be led by the Legal Department, or Human Resources, and follow similar guidelines to an external investigator. The CEO shall be the final authority to determine the disciplinary action(s), if any, and resolution unless the CEO is an involved party in the matter. If the CEO is an involved party, the Legal Department will review the findings and recommendation(s) and consult with the Chair of the Board of Directors to determine the disciplinary action(s), if any, and resolution

If the findings determine that the alleged misconduct is true, and *egregious*, the disciplinary action(s) may include, but are not limited to, the following:

- Lifetime ban
- Suspension for a specified period
- Suspension from certain USA Triathlon activities and/or events
- Other eligibility restrictions

If the findings determine that the alleged misconduct is true, and minor, the disciplinary action(s) may include, but is not limited to, the following:

- Issuing an admonishment letter
- Probation with reporting requirements
- Completion of additional educational requirements

The Legal Department will issue a notice to the Respondent (via electronic communication) that states (a) whether a USA Triathlon SafeSport Policy violation occurred, (b) the USA Triathlon SafeSport Policy violation, and (c) the disciplinary action(s) imposed, if any. If USA Triathlon concludes that the investigation should be closed because the external investigator could not complete the investigation or there was no violation, the notice of decision will state that the investigation is for the applicable reason.

The Legal Department may refer an allegation to the USA Triathlon Ethics Committee if it involves a potential violation of the USA Triathlon Code of Conduct or Conflict of Interest Policy. The Ethics Committee will determine whether the violation is within its jurisdiction and if so, the disciplinary action(s), if any, that should be imposed on the involved individual. The Legal Department may also investigate an allegation under our Whistleblower Policy or direct a complainant to Grievance Policy, if necessary. Other allegations may be brought to the Legal Counsel or the CEO, depending on the situation, the CEO will refer the matter to Legal Counsel for appropriate recommendation.

USAT reserves the right to impose temporary measures on the Respondent and/or Claimant prior to the notice of decision to ensure prevent a hostile sporting environment, mitigate risk for participants, reduce potential conflict throughout an investigation, lessen the likelihood of intimidation, harassment or retaliation and/or ensure a fair and neutral investigation into the matter. Temporary measures may include, but are not limited, to the following:

- No contact order
- Temporary suspension
- Supervision
- Travel or lodging restriction

The Legal Department maintains and updates a log recording all the cases under USA Triathlon's jurisdiction. This log includes the allegations, how USA Triathlon responded to the allegations, and their respective outcomes.

The Legal Department is responsible for ensuring that the Response and Resolution policy is followed in all investigations.

3. Clubs

All Adult Participants are Mandatory Reporters. As a Mandatory Reporter, each individual has an obligation to report any form of abuse, whether it is sexual, physical, mental, or another form of misconduct. If the suspected victim of abuse is a minor, the abuse must be reported as child abuse. All reports of abuse must be reported to either the [U.S. Center for SafeSport](#) or [USA Triathlon](#) within a 24-hour period. If child abuse is suspected, it must be reported to law enforcement and the U.S. Center for SafeSport. Please see Section III, Subsection 3: Mandatory Reporting. The Center also has exclusive jurisdiction over allegations of sexual misconduct.

Clubs are empowered to manage incidents that they have encountered if the reported incidents do not rise to the level of sexual misconduct or do not involve a minor. Clubs are encouraged to reference the [Emotional and Physical Abuse and Misconduct Toolkit](#) for more information about what constitutes emotional and physical abuse or misconduct and what to do when a report is received. In addition to the Emotional and Physical Abuse and Misconduct Toolkit, USA Triathlon will provide the Center's [Response Processes Fundamentals and Best Practices](#) document to clubs on an annual basis.

On a biannual basis, clubs are required to complete an online survey to document the number of emotional and physical abuse incidents that were reported and managed by the club during the specified time period. This survey is outlined in Section VI of this policy.

The club president of each USA Triathlon certified club is responsible for ensuring that their club follows this policy.

V. QUALITY CONTROL SYSTEM

The purpose of the Quality Control System is twofold: (1) to confirm that all Adult Participants who need to be trained have completed SafeSport training; and (2) to ensure that no event Participant is on the USA Triathlon Banned List or facing a temporary sanction.

1. Training and Education

For USAT owned events, the Legal Department compiles a list of all individuals with regular contact or authority over Minor Athletes and confirms that none of these individuals have expired SafeSport certifications.

For sanctioned events, the Race Director or designee must ensure that individuals with regular contact or authority over Minor Athletes have completed SafeSport training within the 12 months prior to the event. Race Directors must collect the SafeSport certificate of completion from all necessary individuals and must submit a list of event registrants following the event. The SafeSport Requirements and Quality Control System for Race Directors is posted on the Race Director page of the [USA Triathlon website](#).

Regular Contact is defined as 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). Authority is 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.

Two times a year, in March and September, the USA Triathlon Marketing and Communications Department, at the direction of the Legal Department, will send out messaging offering SafeSport training to both parents and minor athletes regarding the prevention and reporting of child abuse.

2. USA Triathlon Banned List

Any individual banned or suspended from USA Triathlon or the Center may not participate in any USA Triathlon event in any capacity. Participation includes such roles as: athletes, volunteers, officials, bike technicians, lifeguards, USADA chaperones, or anyone else contracted to work at the event.

For USA Triathlon owned events, registration closes at least three days prior to the event. The Legal Department checks the Participant list against the USA Triathlon Banned List and the list of individuals facing a temporary sanction 24 hours before the start of the competition. The Legal Department sends the USA Triathlon Banned List and the list of individuals facing a temporary sanction to all staff and contractors 24 hours prior to the start of the event. The Legal Department also provides a list to those managing volunteers and anyone responsible for same-

day registration for credentials (e.g. coach credential pickup) and requires those individuals to check photo identification at the event.

For sanctioned events, it is the responsibility of the Race Director to ensure that no individuals on the USA Triathlon Banned List or any individuals who are facing a temporary sanction participate in their event. As such, the Race Director or designee must check the Participants against the USA Triathlon Banned List and the list of individuals facing a temporary sanction prior to the event. Additionally, as many events allow Participants to register at the event site, the Race Director or designee must provide the USA Triathlon Banned List and the list of individuals facing a temporary sanction to anyone responsible for same-day registration and must require those individuals to check photo identification onsite before approving new registrants and volunteers to participate in the event.

If a member of the USA Triathlon Banned List or an individual facing a temporary sanction attempts to participate in an event, the Race Director must notify the Legal Department at trisafe@usatriathlon.org following the event.

The list of individuals permanently banned by USA Triathlon is available on the [USA Triathlon website](#). Additionally, a list of individuals who are temporarily and permanently banned by the Center is posted on the U.S. Center for SafeSport Centralized Disciplinary Database which is also available on the [USA Triathlon website](#). Further, if applicable, USA Triathlon will provide a list of administrative holds or temporary sanctions imposed by USAT to Race Directors in advance of their event.

VI. DATA OF MATTERS ADDRESSED BY USA TRIATHLON

On an annual basis, the USA Triathlon Legal Department will submit a report to the Center regarding matters that have been addressed by the organization and by USA Triathlon certified clubs.

To obtain information from clubs, USA Triathlon will send an online reporting form to clubs to complete on a biannual basis. Emails will be sent to clubs in advance of the deadline to remind them to submit the reporting form.

The first page of the online reporting form will ask the club if they received any of the following during the specified time period:

- (1) reports of incidents of alleged emotional or physical misconduct or abuse;
- (2) reports that a Participant violated the MAAPP; or
- (3) reports that a Participant engaged in retaliation.

If the club responds that they have not received any reports during the specified time period, they will be directed to skip to Section IV for electronic signature. If the club responds that they have received reports, they will be directed to appropriate section(s) to provide data on the case(s).

Section I: The first section on the form is dedicated to reporting of incidents of alleged emotional or physical misconduct or abuse during the previous six months. If the club responds that they have not received any reports, they will skip to Section II. If the club responds that they have received reports, they will be prompted to provide data in response to the following questions.

- Total reported incidents of alleged emotional misconduct
- Total number of investigations of alleged emotional misconduct
- Total number of violations for emotional misconduct adjudicated

- Total reported incidents of alleged physical misconduct
- Total number of investigations of alleged physical misconduct
- Total number of violations for physical misconduct adjudicated

Section II: The second section on the form focuses on any MAAPP violations the club received during the previous six months. If the club responds that they have not received any reports, they will skip to Section III. If the club responds that they have received reports, they will be prompted to provide data in response to the questions listed below.

- Total reported incidents of alleged violations of the MAAPP, by policy type
- Total number of investigations of alleged violations of the MAAPP
- Total number of violations of the MAAPP

Section III: The third section on the form focuses on any reports of retaliation that the club received in the previous six months. If the club responds that they have not received any reports, they will skip to Section IV. If the club responds that they have received reports, they will be prompted to provide data in response to the questions listed below.

- Total reported incidents of alleged retaliation
- Total number of investigations of alleged retaliation
- Total number of violations of retaliation policy

Section IV: The final section of the form will collect contact information and an electronic signature from the club representative.

USA Triathlon will generate a data report from all submitted online forms. USA Triathlon will combine club data with data from its reporting log to submit all reporting data of matters addressed to the Center on an annual basis.
