



## BYLAWS of the ATHLETES' ADVISORY COUNCIL

**Effective Date:** April 2024

**Updated:** March 22, 2024

### Introduction

Pursuant to USA Bobsled/Skeleton ("USABS") and U.S. Olympic & Paralympic Committee ("USOPC") Bylaws, the USABS shall have an Athletes' Advisory Council ("AAC"). The purpose of the AAC is to provide athletes with a meaningful voice within the USABS' governance structure. The AAC shall be governed by the Bylaws of the Athletes' Advisory Council.

### Section I. Mission

The AAC exists to support the mission of the USABS, with a primary focus of ensuring productive and open communication between athletes and USABS staff and board members.

The AAC shall seek to achieve these objectives and support the mission of the USABS by:

- *maintaining positive relationships with USABS athletes, staff, and board members;*
- *representing an accurate and aggregated athlete voice to inspire and drive positive change;*
- *staying current with USOPC and USABS resources and enhancing athlete awareness of the resources available to them;*
- *protecting the interests of athletes and advocating for their interests;*
- *reporting to the Board on its activities;*
- *providing input to USABS policies, procedures, athlete representation on committees and/or other matters as requested by USABS committees, staff and Board; and,*
- *staying faithful to the Olympic ideals of excellence, friendship, and respect.*

### Section 2. AAC Membership

**2.1. Number.** The AAC shall consist of seven (7) total members comprising of the following athlete representatives:

- USABS representative on the Team USA Athletes' Commission
- USABS alternate representative on the Team USA Athletes' Commission
- Women's Bobsled Representative
- Men's Bobsled Representative
- Women's Skeleton Representative
- Men's Skeleton Representative
- Para Representative

*Note: An At Large seat is currently filled and they will remain as an eighth (8<sup>th</sup>) member of the AAC until either the seat is vacated or the 2026 election cycle, when only seven members will be elected.*

### 2.2. Athlete Definition

- 10 Year Athlete. As defined in the USOPC Bylaws, either (i) an athlete who has been selected by to represent the United States in an Olympic Games, World Championships, or Para World Championships within the previous 10 years; or (ii) an athlete who has been selected to compete in a competition as defined by the NGB AAC and approved by the NGB Athlete Representation Review Working Group, within the previous 10 years.
- 10 Year+ Athlete. As defined in the USOPC Bylaws, either (i) an athlete who has been selected by to represent the United States in an Olympic Games, World Championships, or Para World Championships within the previous 10 years; or (ii) an athlete who has been selected to compete in a competition as defined by the NGB AAC and approved by the NGB Athlete Representation Review Working Group, but not within the previous 10 years.
- Actively Engaged Athlete. As defined in the USOPC Bylaws, (i) an athlete who qualifies as an 10 Year Athlete or 10 Year+ Athlete; (ii) an athlete who has been actively engaged in 24 months prior to election/selection in an NGB sanctioned competition (as defined by the NGB AAC and approved by the NGB Athlete Representation Review Working Group as set out in the USOPC Bylaws), which may include events that categorize entrants in age-restricted classifications; and (iii) an Athlete Competition Partner, as defined in the IPC Accreditation Guide, who serves as an athlete qualifying under (i) or (ii) above.

### 2.3. Qualifications

A) In order to be eligible to run for the election to the AAC, individuals must:

1. Be a member of USABS, as defined in the USABS Bylaws, and satisfy all applicable USABS membership requirements for their role (e.g. athlete member, general member, etc.);
2. Be a citizen of the United States;
3. Be at least 18 years of age by the date of the election; and
4. Meet the definition of a 10 Year Athlete and/or competed in and finished in the top half of USABS Skeleton Selection Races within the (2) year period prior to December 31 of the year in which the election is held.

### 2.4. Restrictions

A) An athlete is not eligible to run for the election to the AAC if they:

1. Have been deemed ineligible as set forth in the USOPC Bylaws; and/or
2. Are a paid employee of the USOPC, IOC, IBSF, IPC, any other National Olympic or Paralympic Committee, any international or domestic NGB, or any city's domestic bid committee for an Olympic Games and simultaneously serve as a Representative to the AAC. The term "paid employee" shall mean anyone who is employed on a regular basis. This provision shall not apply to:
  - individuals who are engaged on an occasional or temporary basis, which shall include, but not be limited to, coaching at a clinic or training camp, making a paid appearance for a sponsor, or working on a finite or discrete project, including contract work and internships; and/or,
  - athletes who are still competing and receiving benefits from the USOPC, the USP, or any NGB in his/her capacity as a competing athlete.

*Note: an athlete desiring to serve in a paid position deemed impermissible, as noted above, may request relief if the position does not permit any perceived or real conflict of interest. The request*

*for relief must be submitted pursuant to the Conflict of Interest Policy via the Conflict of Interest Disclosure Form.*

### **Section 3. Election/Selection Procedures**

**3.1. Voter Eligibility.** In order to be eligible to vote in the AAC election, an individual must be eighteen (18) years of age or older by December 31 of the year in which the election is held, be a member of the USABS as defined in the USABS Bylaws, and meet the definition of a 10 Year Athlete and/or competed in Selection Races, World Cup, Para World Cup, European Cup, or North American Cup within the (2) year period prior.

**3.2. Timing of Election.** The election shall take place after the scheduled conclusion of the Winter Olympic Games, but prior to January 1 of the year following the scheduled Olympic Games.

**3.2.1. Games Postponement.** In the case of a postponement of the scheduled Winter Olympic Games, AAC members will continue their terms until the election after the conclusion of the Winter Olympic Games.

**3.2.2. Off Cycle Election.** In the event of a vacancy on the AAC, the AAC may hold a special election as soon as practical, and in no longer than ninety (90) days. If a vacancy comes open with less than six (6) months prior to a regularly scheduled election, the AAC may elect not to utilize the off-cycle election exception.

### **3.3. Notice Procedures.**

**3.3.1. Notification.** USABS, in coordination with the AAC, shall notify via email the USABS membership of an upcoming AAC election. The notice shall contain, at a minimum, the following:

1. A statement acknowledging athletes who are eligible to vote;
2. A clear, concise explanation of the process by which athletes are placed on the ballots. This information must be published to the pool of eligible athletes;
3. An explanation of the manner by which elections are to be conducted, including but not limited to the manner of voting, identification of the voting pool, identification of the USABS representative responsible for the administration of the election, and a specific delineation of the time frame between nominations and elections; and
4. A grievance process.

**3.3.2. 60-Day Advance Notice.** The date of the election and deadline for candidate applications shall be designated and published at least 60 days before the election.

**3.3.3. Deadline Extension Provision.** The AAC may extend the candidate application deadline and have a commensurate delay in the election date if there are fewer nominees than there are seats up for election.

**3.3.4. Content of Notification.** This notice shall contain the candidate application requirements and process, nomination process, deadline for candidate application, and the Bylaws of the AAC.

### 3.4. Candidate Application.

**3.4.1. Application Materials.** The eligible athlete candidate shall prepare the following and submit to [aac@usabs.com](mailto:aac@usabs.com):

1. Written statement of intent, which shall be typed and no more than two pages. It shall include the nominee's qualifications and reasons for pursuing an AAC position;
2. Conflict of Interest Disclosure Form pursuant to the USABS Conflict of Interest Policy;
3. Additional disclosures (i.e. felony convictions or periods of ineligibility due to violations of anti-doping codes, Athlete Classification Code, or SafeSport violations); and,
4. Resume.

*Note: athletes who compete in both sports of bobsled and skeleton must declare at the time of application which sport they wish to represent.*

**3.4.2. Deadline.** Candidate applications received later than 11:59 ET will not be considered.

**3.4.2.1. Incomplete Applications.** Candidate applications that are not complete will not be reviewed. The USABS AAC Staff Member will notify the candidate of the deficiency and the candidate will have the opportunity to resubmit their application. However, it is the candidate's responsibility to ensure a complete application. A lack of timely notification to the candidate of an incomplete application shall not serve as a reason for an extended deadline.

**3.4.3. Conflict of Interest Disclosure Forms.** Pursuant to the Conflict of Interest Policy, the AAC and the Nominating and Governance Committee shall work through the Ethics Committee to vet candidates' conflict of interest disclosures to determine the eligibility of a candidate. Prior to election, each candidate must disclose in accordance with USABS Code of Conduct and Conflict of Interest Policy, along with disclosure of any felony convictions, or other period of ineligibility served in sport such as violations of antidoping codes, or SafeSport violations. The disclosure shall be made to all eligible voters prior to the vote so that the disclosure may be considered in the voting process. Failure to disclose in advance of the election can be cause for the removal of the member once elected.

**3.4.4. Nomination.** Any USABS member may nominate an eligible athlete for consideration. Nominations should be directed to [aac@usabs.com](mailto:aac@usabs.com) and must include rationale for their nomination. An AAC representative (or USABS staff designee) will notify the nominee of their nomination and advise them of the candidate application requirements, deadline, and any other pertinent information. The nomination will only move forward for consideration if the nominee completes the candidate application acknowledging their interest in serving on the AAC.

**3.5. Election/Selection Process.** Five (5) individuals shall be elected to the AAC as follows:

**3.5.1.** Elections to the AAC shall be conducted in conjunction with the Nominations and Governance Committee, the Ethics Committee and with the AAC Staff Liaison as appropriate to ensure a fair and equitable election, compliant with policies and procedures.

**3.5.2.** The categories shall be as follows:

- Women's Bobsled
- Men's Bobsled
- Women's Skeleton
- Men's Skeleton
- Para Athlete

**3.5.3.** The top candidate who receives the highest number of votes in each category shall be elected.

**3.5.4.** All eligible voters may vote for one (1) candidate in each of the categories.

**3.5.5.** Ballot Counting Procedures: The counting of the ballots shall be conducted by the USABS AAC Staff Liaison (or USABS staff designee) and reviewed by a member of the AAC.

**3.5.6.** In the event a tie between two (2) or more candidates occurs for a position in which a definitive winner is required, and as a result of the tie a definitive winner for that position cannot be determined, a tie-breaking ballot shall be used.

**3.5.6.1.** USABS AAC Staff Liaison shall create a ballot containing the slate of candidates affected by the tie.

**3.5.6.2.** The voting procedure for the tie-breaker shall comply with the Approval Voting Method.

**3.5.6.3.** The candidate receiving the highest number of votes shall be elected. In the event more than one (1) position remains vacant, prior to the tiebreaker, the candidates with the highest point totals shall be elected to fill each of the remaining positions.

**3.5.6.4.** In the event a tie between candidates continues, any candidate receiving fewer votes than the tied candidates shall be eliminated.

**3.5.6.5.** The tie-breaking process shall continue for as many rounds as are necessary for the remaining position(s) to be filled.

**3.6.** The sixth and seventh positions on the AAC shall be filled by the USABS representative and alternate representative to the Team USA Athletes' Commission elected pursuant to the Bylaws of the Team USA Athletes' Commission.

Eligibility requirements for the Team USA Athletes' Commission can be found in the

## **Section 4. Terms, Term Limits and Attendance**

### **4.1. Term**

**4.1.1.** The term for newly elected AAC members will begin on January 1 following the election. During the period between the outcome of the election and January 1, newly elected AAC members may attend AAC Council meetings as ex-officio, non-voting members.

**4.1.2.** The term for members of the AAC shall be four (4) years.

**4.1.3.** A member shall remain on the AAC until the member's successor is elected and qualified, or until the member's earlier resignation, removal, incapacity, circumstance that precludes service, or death.

### **4.2. Term Limits**

No AAC member shall serve more than two (2) consecutive terms.

When an AAC member is elected to fill a vacancy because of the resignation, removal, incapacity, disability that precludes service, or death of a USABS AAC member, and the remaining term is for two (2) or more years, such term shall constitute a full term. Thus, if the vacancy being filled is for two (2) or more years, following completion of the filled vacancy term, the AAC member may serve one additional four (4) year term. If the vacancy being filled is for less than two (2) years, the term shall not be a full term and the AAC member shall be able to serve two (2) additional four (4) year terms.

### **4.3. Attendance**

#### **4.3.1. Attendance Requirement.**

Members of the AAC shall be expected to attend all regularly scheduled Council meetings. Members shall be required to attend no less than one-half of all regularly scheduled Council meetings during any twelve-month period. Should an AAC member attend less than one-half of scheduled AAC meetings during a twelve-month period, the AAC may vote the member off of the AAC by a majority vote.

#### **4.3.2. Resignation and Removal.**

A member's position on the Council shall be declared vacant upon the member's resignation, removal, incapacity, or death. Any member may resign at any time by giving written notice to the Chair, except the Chair's resignation shall be given to the USABS CEO. 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.

If a member fails to attend one-half of the regularly scheduled Council meetings during any twelve-month period, unless the member is able to demonstrate to the other members of the Council that the presence of exigent circumstances caused and excused

their absences, the member may be removed by the Council by an affirmative vote of a majority of the AAC, not including the voting power of the absent member.

Any member of the Council may also be removed for cause after being provided an opportunity to be heard by the Council and upon the affirmative vote of at least two-thirds of the total voting power of the AAC, excluding the voting power of the member in question. No member shall be subject to removal based on how they vote as a member of the AAC.

## **Section 5. Leadership of the AAC**

### **5.1. Leadership Roles.**

**5.1.1. Chair.** The role and responsibilities of the Chair are as follows:

- Create the agenda and facilitate all AAC meetings;
- Preside over council meetings, ensuring that all AAC members are afforded the opportunity to participate in AAC deliberations;
- Nominate for consideration by the AAC, athlete appointees to USABS committees; ensuring appropriate vetting through the Nominating and Governance Committee and the Ethics Committee; and
- Oversee the annual review and revision, if applicable, of the Professional Code.

**5.1.2. Vice Chair.** The role and responsibilities of the Vice Chair are as follows:

- Preside over council meetings in the absence of the Chair;
- Assume the position of Chair in the case of death, resignation, suspension or removal of the Chair.

**5.1.3. Secretary.** The role and responsibilities of the Secretary are as follows:

- Take the meeting minutes for each AAC meeting. Minutes shall include the following:
  - Roll call and meeting attendance.
  - Request for motions, seconds, and results of votes.
  - Notations when a member or the staff liaison recuses themselves from the meeting for any reason and specifically due to a real or potential conflict of interest. A record of the call by the AAC Chair for declaration of conflicts at the beginning of each meeting must also be notated.
  - An overview of discussions and of information provided to the AAC in the course of its deliberations.
- Present the meeting minutes to the AAC for vote at subsequent meeting.

**5.1.4. Staff Liaison.** In consultation with the AAC Chair, the USABS CEO shall appoint a member of staff to be the staff liaison to the AAC. The staff liaison is not to be considered a member of the AAC nor shall the staff liaison hold a vote.

The staff liaison shall provide administrative support to the AAC, including but not limited to the following:

- Advise the AAC in relation to any applicable policy, procedure, and/or Bylaw requirement; and
- Support the fair and equitable election and selection of AAC membership by ensuring the administrative aspects of the election and selection procedures.

## **5.2. Selection of Leadership.**

**5.2.1. Majority Vote.** All leadership positions on the AAC shall be elected from its membership, by a majority vote.

**5.2.2. Timing.** The election of all leadership positions shall take place at the first meeting following AAC elections.

## **5.3. Term and Term Limits of Leadership.**

The leaders of the AAC may serve in their elected role for as long as they are eligible to serve as a member of the AAC.

Individuals in leadership positions shall hold office until a successor is elected or until their resignation, removal, incapacity, or death. Individuals resigning from their leadership positions may remain as a member of the AAC.

## **Section 6. USABS Board of Directors**

**6.1. Number.** Per the USABS Bylaws, Athlete Representation on the USABS Board of Directors shall consist of five (5) Athlete Directors, constituted as follows:

- USABS representative on the Team USA Athletes' Commission
- Two (2) USABS AAC Representatives; one individual representing a men's program and one individual representing a women's program.
- Two (2) individuals who meet the definition of a 10 Year+ Athlete who are not members of either the Team USA Athletes' Commission or the USABS AAC; one individual representing a men's program and one individual representing a women's program.

Per the USABS Bylaws, the USABS alternative representative on the Team USA Athletes' Commission will be a non-voting ex officio member of the Board and will not count towards the minimum number of Athlete Directors.

**6.2. Qualification.** Athletes shall meet the qualification requirements for Board membership.

**6.3. Role and Responsibilities.** The function of the Board and therefore the roles and responsibilities of the athlete representative to the Board of Directors shall be as promulgated in the USABS Bylaws.

**6.4. Tenure and Term Limits.** The tenure and term limits of athlete representatives shall be as promulgated in the USABS Bylaws.



## **6.5. Election/Selection.**

- The USABS representative on the Team USA Athletes' Commission shall be elected per the Team USA Athletes' Commission Bylaws.
- The two (2) additional USABS AAC Representatives and the two (2) 10 Year+ athletes shall be elected by the voting pool. In a distinct election for athlete representatives on the Board of Directors, the highest women's and men's vote receivers in each category (USABS AAC Representatives and 10 Year+ Athlete) shall be elected. Tie break procedures as outlined in Section 3.5 shall be utilized in the event of a tie.

**6.6. Vacancies.** In the event of a vacancy on the Board, the next highest vote receiver in the same category from the election in which the athlete was elected will assume the vacant position only if the election was held within six months of the vacancy. If the vacancy occurs after the athlete has served for six months or longer, an Off-Cycle Election will be held.

## **Section 7. Procedures**

### **7.1 Conducting Business**

The USABS AAC shall establish procedures for conducting its business and affairs. Such procedures shall be published and available on the USABS' website.

### **7.2 Quarterly Meetings**

The Chair of the AAC will be responsible for arranging at least 4 quarterly mandatory yearly meetings. When appropriate, AAC members may attend the meetings via teleconference.

The 1<sup>st</sup> AAC meeting will be held in the Pre-Season, 2<sup>nd</sup> meeting will be held Mid-Season, 3<sup>rd</sup> meeting will be held Post-Season, 4<sup>th</sup> meeting will be held Mid-Summer.

### **7.3 Emergency Meetings**

Emergency meetings may be held at any time to address important athlete issues as determined by the AAC. These issues may include certain requests from the USABS CEO.

### **7.4 Open and Executive Meetings**

Ordinarily, all AAC meetings shall be open to USABS members, and where appropriate, non-members. However, the AAC Chair may, with the consent of a majority of AAC members in attendance, deem it appropriate to (a) declare the meeting closed for any reason and exclude non-members; or (b) convene an executive session.

### **7.5 Meeting Minutes**

During the AAC meeting, the AAC Secretary will be responsible for keeping track of the meeting minutes and submitting those minutes to the USABS management to be posted on the USABS website in a timely manner.

## **Section 8. Compensation**

Per USABS Bylaws, the AAC members shall not receive compensation for their service. USABS shall pay for the reasonable expenses of all members of the AAC to attend AAC meetings. In addition, USABS shall pay for the reasonable expenses of the two athlete Board Directors to

attend USABS Board of Director meetings.

**Section 9. Conflict of Interest**

Athlete representatives are subject to the USABS Conflict of Interest Policy. This policy calls for an annual disclosure, a disclosure in the event of a material change in circumstance, and/or as new conflicts arise.

The AAC identifies compliance with this Policy imperative to earning and retaining the trust of the athlete community.

**Section 10. Professional Code**

One of the duties of the AAC shall be to help create a Professional Code. The Professional Code shall, in fact, be created by the athletes of the USABS to act alongside the USABS Code of Conduct and other policies addressing the behavior and conduct of USABS athlete members. The purpose of the Professional Code is to increase the level of commitment of athletes to our sport, as well as hold our athletes accountable for their actions as they represent the United States as part of the USABS. The athletes of the USABS should use the code to help each other grow as competitors on all levels as well as ambassadors of our sport and country. The code shall be treated as a living document and can be added to or rewritten whenever deemed appropriate by the AAC.

The Code shall be reviewed and revised, if needed, during the pre-season in an all-athlete meeting led by the AAC.

The Professional Code shall be posted each season on the USABS website.

**Section 11. Grievance Procedures**

A grievance pertaining to these Bylaws shall be filed as an administrative grievance pursuant to the USABS Grievance Procedures.

**Section 12. Bylaw Review**

The AAC shall review these Bylaws annually and report to the Board any suggested changes or updates. The AAC may also suggest changes or updates outside of the scope of an annual review should the need arise.

The Board may consider changes to these Bylaws outside of recommendations from the AAC but must consult directly with the AAC during the review process and prior to enacting any revisions.

*Review History*

Change	Reviewed Led By	Date of Enabling Action	Approved By	Date of Enabling Action
Approval	AAC		BOD	

Next Scheduled Review:				