ATHLETE SAFETY POLICY

Policy Owner: Compliance and Membership Services Manager, USABS
Effective Date: November 16, 2022

Introduction

USA Bobsled/Skeleton ("USABS") is committed to creating a safe and positive environment for athletes' physical, emotional and social development and to ensuring that it promotes an environment free of misconduct and abuse.

USABS, as a recognized National Governing Body by the U.S. Olympic & Paralympic Committee (the "USOPC"), is under the jurisdiction of the U.S. Center for SafeSport (the "Center") and subject to the Center's SafeSport Code for the Olympic and Paralympic Movement (the "SafeSport Code"). The Center, the USOPC and federal legislation all promulgate policies and procedures to safeguard amateur athletes, and this policy reinforces those principles by providing specific application for USABS.

The USABS Athlete Safety Policy (the "Policy") and the USABS Minor Athlete Abuse Prevention Policy (the "MAAPP") work in concert to forward our organization's commitment to the prevention and education efforts aimed at creating an environment free of emotional, physical and sexual misconduct and abuse, and to ensure effective and prompt resolution upon the allegation of misconduct and/or abuse.

This Policy, in addition to other USABS policies, are posted here.

Nothing contained in this policy is intended to supersede, replace, or otherwise abrogate the USABS Bylaws, the Ted Stevens Olympic and Amateur Sports Act, or the U.S. Center for SafeSport Code for the U.S. Olympic and Paralympic Movement.

Section I. Application

1.1. **Participants.** This Policy applies to those individuals defined as Participants by the Center's SafeSport Code. Specifically, this policy applies to the following individuals (the "Participants"):

a) A member or license holder of USABS;
b) USABS Employee/Intern;
c) Members of the USABS Board of Directors and Advisory Directors;
d) Members of USABS Standing Committees;
e) USABS Athlete Members (Athlete & Junior Athlete);
f) USABS Technical Members (B-Coaches and Officials);
g) Volunteers officially recognized as such by USABS[1];
h) Within the governance or disciplinary jurisdiction of USABS;
i) Contractors, vendors and other individuals who are authorized, approved or appointed by USABS to have regular contact with and/or authority over athletes;

[1] This policy may not apply to volunteers and others who only have incidental and observable contact with athletes.

j) Personal Care Assistants officially recognized as such by USABS; and
k) Any other individual determined by USABS to be a "Participant".

1.1.1. **Exception**. In limited circumstances, USABS may determine an individual(s) otherwise meeting the definition of Participant in 1.1. will not be deemed to be a Participant(s).

1.2. **Dual Jurisdiction.** A USABS Participant may also be identified as a USOPC Participant and subject to the USOPC Athlete Safety Policy and other applicable policies of the USOPC.

Section 2. Jurisdiction

2.1. **Coverage.** For the purposes of this Policy, USABS shall have jurisdiction to investigate and resolve allegations of Prohibited Conduct (as defined in Section 4) that are not within the Center's jurisdiction (exclusive and discretionary) and that are not related to a matter wherein the USOPC asserts jurisdiction.

2.2. **Relevant Organizational Policies.** Allegations against USABS employees may be addressed through USABS's employment policies and procedures and may also be addressed under this Policy. In addition, USABS may address violations of this Policy under other relevant organizational policies (e.g. USABS Bylaws, USABS Code of Conduct). USABS may address allegations against Constituents under additional relevant organizational policies (e.g. Bylaws).

Section 3. Prevention Policies

3.1. **MAAPP.** Although there a small number of minors within the USABS membership, USABS recognizes additional safeguards are paramount to the wellbeing of minors. As such, USABS has formally adopted the mandatory components of the "required Policies for One-on-One Interactions" of the Center's Minor Athlete Abuse Prevention Policies. All Participants are subject to the USABS Minor Athlete Abuse Prevention Policy (the "MAAPP").

3.2. **Education and Training.** USABS requires that all Adult Participants remain current with the required training outlined in Part I of the MAAPP. This includes, but is not limited to, the following:

3.2.1. **SafeSport Trained Core Course.** Required for all Adult Participants (a) before regular contact with an athlete AND within the first 45 days of either initial membership or upon beginning a new role subjecting the individual to the MAAPP, whichever comes first and (b) every fourth year.

3.2.1.1. **Medical Provider Exception.** Adult Participants who are recognized by USABS as USABS medical providers may elect to take the Health Professionals Course in lieu of the SafeSport Trained Core course.

3.2.2. **Refresher Training.** Required for all Adult Participants on an annual basis, beginning the calendar year after completing the SafeSport Trained Core course as prescribed in 3.2.1.

3.2.3. **Minor Training.** USABS will, on an annual basis and subject to parental consent, offer and provide training to Participants who are minors on prevention and reporting of child abuse.

3.2.4. **Parent Training.** USABS will, on an annual basis, offer training to parents of minors on the prevention and reporting of child abuse.

3.2.5. **Exemption for Survivor.** Exemptions from the education and training requirements found in Part I of the MAAPP will be made on a case-by-case basis for victims/survivors. Requests may be made through USABS at athletesafety@usabs.com or directly to the U.S. Center for SafeSport at exemptions@safesport.org.

3.2.6. **Accommodations.** USABS will work with individuals with disabilities and individuals with limited English proficiency on a case-by-case basis to satisfy these education and training requirements.

3.2.7. **Tracking Requirements.** USABS will track all education and training requirements and perform periodic checks to ensure compliance with this Policy.

3.3. **Background Check Policy**. In an effort to further foster a safe environment, USABS is subject to the USOPC's Responsible Sport Organization Background Check Policy (the "RSO Policy"). As such, USABS requires criminal background screening as follows:

3.3.1. **Application.** The following shall be subject to the requirements of the Background Check Policy:

a) All Adult Participants as identified in Section 1.1.;
b) Any non-athlete individual that USABS authorizes to train, stay or work at an Olympic & Paralympic Training Center, Training Site, or competition events to which USABS sends athletes; and/or
c) Any other individual age 18 or over USABS formally authorizes, approves or appoints to (a) serve in a position of authority over or (b) have regular contact with athletes. For purposes of clarification, USABS is considered to formally authorize, approve or appoint an individual in instances where USABS has control over the appointment process.
d) Additional individuals as required by the RSO Policy and identified by USABS.

3.3.1.1. **Dual Jurisdiction.** In addition to the RSO Policy, a USABS Participant also identified as a USOPC Participant will be subject to the USOPC Background Check Policy.

3.3.2. **Timing.** USABS requires a full background screening for all applicable adults as identified in 3.3.1 prior to commencement of membership. At a minimum, full background checks will be conducted every two years thereafter. A supplemental background check will be conducted in the off-years utilizing the supplemental background check search components identified in the RSO Policy.

3.3.2.1. **Age of Majority.** Athletes shall have 45 days after reaching the age of majority (18 years of age) to come into compliance with this background check policy.

3.3.3. **Search Components.** Full and supplemental background checks will be subject to the required search components as outlined in the RSO Policy.

3.3.4. **Tracking.** USABS will track all background screening and perform periodic checks to ensure compliance with this Policy.

3.3.5. **Findings Review.** Any USABS-initiated background check that results in a negative finding (e.g. red flag/red light) will be subject to USABS Official Background Screening Review Process to determine any potential impact on membership.

3.4. **Self Disclosure.**

3.4.1 **Criminal History.** Each Participant has the affirmative duty to disclose his/her criminal history. Failing to disclose or intentionally misrepresenting an arrest plea or conviction history in an application or any other information provided by a Participant during the screening process is grounds for employment, volunteer and/or membership revocation or restriction, regardless of when the offense is discovered.

If an applicant (1) is arrested, (2) pleas or (3) is convicted of a crime other than a minor, non-criminal traffic offense during the screening process, the applicant is required to disclose such information immediately.

In the event a Participant (1) is arrested, (2) pleas or (3) is convicted after the completion of the screening process, he or she has an affirmative duty to disclose such information immediately and report the offense and/or disposition to USABS at athletesafety@usabs.com.

3.4.2. **Sport Sanctions/Disqualifications.** Any applicant and/or Participant who has been declared as suspended or permanently ineligible by another sport organization must self-disclose this information. In addition, sanctioning or risk-mitigation measures (i.e. required chaperone) related to a violation of emotional, physical or sexual misconduct must be reported. A failure to disclose is a basis for disqualification for potential applicants and a basis for disciplinary action of Participants.

3.4.3. **Criminal Activity While a Participant.** If, during the course of employment or participation in USABS programs or activities, a Participant is accused, arrested, indicted or convicted of a criminal offense against a child, it is the duty and responsibility of the Participant to notify USABS at athletesafety@usabs.com.

Section 4. Prohibited Conduct

Participants are prohibited from engaging in conduct (or failing to report prohibited conduct and/or abuse) identified in this section as prohibited conduct.

4.1. **Violations of the SafeSport Code**. USABS adopts and incorporates herein the definitions of Prohibited Conduct, as defined in the SafeSport Code.

4.2. **Violation of MAAPP**. Participants are prohibited from violating the MAAPP.

4.3. **Violation of USABS's Process**. Participants are prohibited from engaging in Prohibited Conduct as it relates to USABS processes; such as, but not limited to, failing to make a required report under this Policy, Retaliation, Aiding and Abetting, Intentionally Filing a False Allegation and Abuse of Process.

Section 5. Reporting Allegations of Prohibited Conduct

USABS recognizes it can be difficult for an athlete, teammate, co-worker, friend or family member to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. Please recognize the reporter's critical role is simply to report the allegation to the appropriate entity(ies). It is not the reporter's responsibility to evaluate the credibility of the allegation, gather additional information, or investigate the incident. Individuals needing assistance with reporting or having questions about appropriate reporting protocol should contact athletesafety@usabs.com.

5.1. **Mandatory Reporter Designation.** Although USABS strongly encourages all Participants to strengthen our culture by reporting allegations of Prohibited Conduct, Adult Participants are mandatory reporters and must report suspicions or allegations of Prohibited Conduct as directed in this section. Adult Participants are required to know their reporting requirements under this Policy, the Safesport Code, state law, and federal law.

5.2. **Sexual Misconduct and Child Abuse**

- The Center has exclusive jurisdiction over allegations of sexual misconduct and child abuse, including sexual and physical abuse.

- **Report Sexual Misconduct and Child Abuse Immediately to the U.S. Center for SafeSport** online at https://uscenterforsafesport.org/report-a-concern.

--AND—

- **Report Child Abuse Immediately to Law Enforcement.**

--AND—

- **Comply with any other applicable reporting requirements under state law.**

  Important: If an Adult Participant learns of information and reasonably suspects that a Minor has suffered an incident of Child Abuse (to include neglect, physical, emotional and sexual abuse) they must report this to both law enforcement (or in some states child protective services) and the Center immediately and comply with any other applicable reporting requirements under Federal law and State law. **Filing a report with the Center does not satisfy the reporting requirement to law enforcement.**

  Note: Individuals reporting to law enforcement are encouraged to request, retain and provide to the Center the applicable case identification number, investigator name and/or contact information, if available.

5.3. **Report Emotional, Physical and other Prohibited Conduct and MAAPP Violations.**

- Promptly report allegations of emotional, physical or other Prohibited Conduct and allegations of MAAPP violations by providing as much relevant information as possible (e.g. reporting parties name and contact information, alleged misconduct/concern, date of incident, location of incident, individuals involved and their roles, ages and contact information, if known, including potential bystanders/witnesses) and attach any relevant documentation to USABS:

- **Online: athletesafety@usabs.com**
- **Phone/In Person: USABS Compliance and Membership Services Manager and/or the USABS CEO.**

- ***Note: Nothing precludes an individual from reporting emotional, physical and/or other Prohibited Conduct or violations of the MAAPP to the Center.*** If doing so for a specific concern such as conflict of interest, the individual is encouraged to note this on the incident report form. If the Center does not assume jurisdiction, it has a process to route the allegation to the appropriate entity for review, response and resolution.
- If an allegation of sexual misconduct or child abuse is received by USABS, the matter will be referred to the appropriate law enforcement or child protective entity and the Center. USABS does not attempt to evaluate the credibility or validity of such an allegation as a condition for reporting to appropriate law enforcement authorities.
- USABS will forward any reports it receives that fall under the Center's exclusive jurisdiction to the Center immediately, but no later than 24 hours. In addition, USABS will request the Center take discretionary jurisdiction in matters it deems prudent to do so.
- USABS will inform identified reporting party of its jurisdictional determination regarding their report to USABS, communicate that the matter is being referred to the Center, addressed by USABS, or referred to a local affiliated organization.

5.4. **Escalation of Reports.** If an individual feels that USABS has failed to act upon the information reported, not managed the matter appropriately, or feels there is an inherent conflict of interest in reporting the matter to the USABS Compliance and Membership Services Manager, the individual may escalate these concerns to the USABS CEO. If an individual feels that there is a conflict of interest in reporting to the matter to the USABS CEO or that the USABS CEO has been unresponsive to their inquiry, they may escalate the matter to the Chair of the USABS Board of Directors.

5.5. **Anonymous Reporting**. Anonymous reports may be made. However, it does **not** mean that the underlying information will be protected. Please remember reporting anonymously may limit USABS' ability to investigate and respond to a report. As such, USABS encourages an anonymous reporter to provide as much detail as possible (e.g. date of incident, incident location, identify of all individuals involved including potential witnesses, relevant documentation, etc.) when making the report.

5.6. **No Associated Costs or Fees.** There are no costs or fees for filing a report with USABS or the U.S. Center for SafeSport, whether the reporter identifies themselves or files anonymously.

5.7. **Bad-Faith Allegations.** A report of abuse, misconduct or policy violations that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of this Policy and the USABS Code of Conduct may result in disciplinary action.

5.8. **Privacy.** When a report is filed with USABS, USABS will make reasonable efforts to protect the privacy of all individuals involved while balancing legal or policy requirements or the need to gather information to assess an allegation of misconduct.

5.8.1. **Parents/Legal Guardians.** USABS reserves the right to notify parents/legal guardians of reports and matters involving Minors.

5.9. **Whistleblower Protection.** Regardless of outcome, USABS will support the reporting party and his/her right to express concerns in good faith. USABS will not encourage, allow or tolerate attempts from any individual or group of individuals to retaliate, punish, allow or in any way harm any individual(s) who reports a concern in good faith before, during, or after the process whether led by USABS or by the Center. Such actions against will be considered a violation of our Code of Conduct and grounds for disciplinary action.

Section 6. Response and Resolution.

All Participants are subject to the Center's SafeSport Code for the investigation and resolution of violations of prohibited conduct that fall under the jurisdiction of the Center. The Center has the exclusive authority to investigate and resolve Participant's conduct involving (a) sexual misconduct and (b) prohibited conduct under the Center's Code that is reasonably related to the underlying allegation of sexual misconduct. USABS will not interfere in, attempt to interfere, or attempt to influence the outcome of, any Center investigation. The Center also has discretionary authority over other alleged violations of any prohibited conduct under the SafeSport Code.

This section will serve as the procedures and protocol for all athlete safety matters under USABS jurisdiction. USABS Compliance and Membership Services Manager will oversee all Center requests and ensure USABS adherence to all Center Response and Resolution policies and procedures. USABS Compliance and Membership Services Manager is also responsible for overseeing the Response and Resolution Process. Requests will be answered within 72 hours for the eligibility status of the participant and the existence of USABS imposed temporary measure or safety plans. Any report received by USABS of any allegation that falls within the exclusive jurisdiction must be referred to the Center immediately and no later than 24 hours.

6.1. **Initiating Intake and Investigation.** On receipt of an allegation of misconduct that falls within USABS jurisdiction, USABS shall conduct a preliminary inquiry, and, if appropriate, undertake an investigation to determine whether a Participant engaged in Prohibited Conduct. USABS shall determine the appropriate steps to address the conduct based on several factors; including, but not limited to (i) the nature, scope and extent of the alleged Prohibited Conduct, (ii) the age of the Claimant, and (iii) the age of the Respondent. All reports and their outcomes will be tracked within an internal google document by the Compliance and Membership Services Manager and any investigations will be reflected within the Sport80 membership platform.

Such steps may include, without limitation:

- The collection of additional information from the Claimant, Respondent, and/or other individuals with potential knowledge or evidence of the incident or the accused individual;
- Formal investigation;
- Retention of legal counsel or investigation services to investigate and/or make a recommendation as to whether a violation of the relevant policy has occurred and/or a recommendation as to the appropriate sanction; and/or
- Review of applicability of other relevant USABS policies.
    - In the event the investigation reveals an incident that falls in the category of a mandatory reporting event the NGB will report to law enforcement and keep communication with them.

6.2. **Temporary Measures.** USABS may implement Temporary Measures which are designed for protective purposes pending a determination of findings and/or sanctioning by the appropriate

entity (i.e. by the U.S. Center for SafeSport, USOPC or USABS) at any time. Generally, the Temporary Measures are implemented based on the severity of the allegations, the evidentiary support for the allegations, and/or the perceived risk to athletes or the Olympic and Paralympic community. Temporary Measures may include, but are not limited to:

- Altering training schedules,
- Providing or requiring chaperones,
- Implementing contact limitations,
- Implementing measures prohibiting one-on-one interactions,
- Suspension from facility or other USABS privileges,
- Alternative housing arrangements,
- Alternative transportation arrangements,
- Suspensions from participation and/or membership in some or all aspects of activity in USABS

6.3. **Sanctions**. Where there is sufficient evidence through the investigation and resolution procedure to support a finding that a Participant engaged in Prohibited Conduct, the Hearing Panel will determine the appropriate sanction(s).

Sanctions include, but are not limited to, the following (either by itself or in combination):

- Verbal warning
- Written warning or reprimand
- Education and/or training
- Probation
- Loss or Suspension of Athlete Support (OPTC resident privileges, monthly stipend, etc.)
- Membership Suspension
- Suspension of facility access/use
- Permanent ineligibility
- Employment Termination
- Other discretionary sanctions

For the purposes of this Policy, a suspension membership shall mean that the individual may not participate in any capacity or in any role in the business, events or activities of USABS for the duration of the period of suspension.

Note: All costs resulting from a Participant's sanction will be the sole responsibility of the Participant.

6.4. **Procedural Compliance.** USABS shall follow the following steps to ensure compliance with the Ted Stevens Olympic and Amateur Sports Act:

6.4.1. **Preliminary Determination.** On receipt of a disclosure and/or other information alleging misconduct, if the USABS CEO or Chairman of the Board is satisfied, in the exercise of his or her discretion, that there is a sufficient reasonable, reliable and persuasive evidence to support the complaint alleging emotional, physical or sexual misconduct or a MAAPP violation, he or she shall notify the Review Panel. The Review Panel will consist of the CEO or his/her designee, the Chair of the USABS Board of Directors or his/her designee, the Chair of the Ethics Committee, the Chair of the Judicial Committee, the USABS AAC representative, and legal counsel as determined by the

Chair of the Board. The Review Panel shall determine if there is sufficient evidence of Prohibited Conduct and whether the matter requires referral to a Hearing Panel, as set forth in Section 14.7 of the USABS Bylaws, with the addition of the following provisions:

6.4.2. **Evidence.** At the hearing, the Respondent will be allowed to present any reasonable evidence or argument that he/she she wishes the Hearing Panel to consider.
The Hearing Panel may require or permit documentary evidence, such as the written report of any investigator or other fact-finder, before the hearing and that the names of any witnesses be disclosed before the hearing. The Hearing Panel may also consider another organization's determination as evidence to be considered. If the Claimant(s) is a minor, the investigator's or other fact-finder's report may substitute for the minor witness' direct testimony, provided that the Respondent had an opportunity to present and respond to relevant information collected during the investigation and before the report was transmitted to the Review Panel.

The Hearing Panel may proceed in the Respondent's absence if it cannot locate the individual or if the individual declines to attend the hearing.

6.4.3. **Findings and Sanctions.** The Hearing Panel has the discretion to impose sanctions on the Respondent if it finds, based on a preponderance of the evidence, that emotional, physical or sexual misconduct or a violation of the MAAPP has occurred.

The Hearing Panel will communicate its finding to the Respondent. The Hearing Panel may impose sanctions on the Respondent in its findings.

Any sanctions imposed by the Hearing Panel against the Respondent must be proportionate and reasonable, relative to the conduct that is found to have occurred. The decision regarding the appropriate sanction shall be up to the panel adjudicating each violation. In imposing a sanction, the Hearing Panel shall consider:

a) The legitimate interest of USABS in providing a safe environment for its Participants;
b) The seriousness of the offense or act;
c) The age of the Respondent and Claimant when the offense or act occurred;
d) Any information produced by the Respondent, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct;
e) Whether the individual poses an ongoing concern for the safety of the USABS and/or Olympic & Paralympic community; and
f) Any other information, which in the determination of the Panel, bears on the appropriate sanction.

6.4.4. **Confidentiality.** The conduct of the hearing will be private. If the Hearing Panel determines that the Respondent has violated policy, it may publish its decision or a brief summary of its decision, unless the Respondent is a minor. However, if the individual appeals, the summary of the Hearing Panel's decision will not be disclosed until an appellate decision has been made. USABS may also publish a list of individuals who are suspended and/or declared permanently ineligible from USABS.

If the Hearing Panel determines the Respondent did not violate the relevant policy, the Hearing Panel will publish a summary only at the individual's written request.

6.4.5. **Appeal.** If the individual disagrees with the finding or sanction of the Hearing Panel and wishes to appeal, he/she may file an appeal with the AAA within 14 days of USABS's finding. A decision rendered by the AAA shall be final and binding on all parties.

6.5. **USOPC Notification.** USABS shall comply with the USOPC's NGB Athlete Safety Policy; including but not limited to the following:

a) USABS will notify the USOPC's Security & Athlete Safety Office as soon as possible and no later than 24 hours of any allegation of Prohibited Conduct that occurred at an Olympic & Paralympic Training Center (OPTC) or USOPC Delegation Event;

b) USABS will notify the USOPC's Security & Athlete Safety Office as soon as possible and no later than 24 hours of imposing its own or Center-imposed sanction(s) and/or temporary measure(s) (as well as any change or removal of such a sanction or temporary measure) affecting Participants who USABS knows, or reasonably expects to:

a) be attending, nominated for or selected as a Participant to a Delegation Event,
b) have access to an OPTC, and/or
c) receive a benefit and/or service from the USOPC as outlined in the USOPC Athlete Safety Policy.

6.6. **Center Notification.** USABS will communicate its own sanctions and/or temporary measures to the Center within 72 hours.

6.7 USABS Employment Assistance. USABS will not assist a member or former member in obtaining a new job (except for the routine transmission of administrative and personnel files) if USABS knows that that member or former member violated the policies or procedures of the Center related to sexual misconduct or was convicted of a crime involving sexual misconduct with a minor in violation of applicable law or the policies or procedures of the Center.

Section 7. Definitions.

"Adult" means 18 years of age or older.

"Center" means the U.S. Center for SafeSport.

"Claimant" means a person who is alleged to have experienced conduct that constitutes Prohibited Conduct.

"MAAPP" means the USABS Minor Athlete Abuse Prevention Policy.

"Participant" has the meaning set forth in Section 1.1.

"Policy" as used herein means the USABS Athlete Safety Policy.

"Respondent" means a Participant who is alleged to have violated this Policy.

"RSO Policy" refers to the USOPC's Responsible Sport Organization Background Check Policy.

"SafeSport Code" means the U.S. Center for Safe Sport's SafeSport Code for the Olympic & Paralympic Movement.

“Temporary Measures” has the meaning given to it in Section 6.2 of this Policy.

“USABS” means the U.S.A. Bobsled & Skeleton Federation.

“USOPC” means the United States Olympic & Paralympic Committee

Section 8. Relevant Policies

USABS Minor Athlete Abuse Prevention Policy (MAAPP): https://maapp.uscenterforsafesport.org/resource/2025-minor-athlete-abuse-prevention-policies-bobsled-skeleton/

USABS Official Background Screening Review Process: https://www.usabs.com/policies-bylaws

USABS Bylaws: https://www.usabs.com/policies-bylaws

USABS Code of Conduct: https://www.usabs.com/policies-bylaws

U.S. Center for SafeSport SafeSport Code for the Olympic and Paralympic Movement (SafeSport Code): https://uscenterforsafesport.org/response-and-resolution/safesport-code/

USOPC NGB and HPMO Athlete Safety Policy: https://www.teamusa.org/team-usa-athlete-services/safe-sport.

USOPC Responsible Sport Organization Background Check Policy (RSO Policy): https://www.teamusa.org/team-usa-athlete-services/safe-sport

USOPC Background Check Policy: https://www.teamusa.org/team-usa-athlete-services/safe-sport