

2020 SafeSport Code Addendum
Effective: October 14, 2020

Definition of National Governing Body (NGB)

All High Performance Management Organizations (HPMOs) and Paralympic Sports Organizations (PSOs) are now included in the definition of National Governing Body. 36 USC § 220521.

Procedural Rights

Federal law provides Respondents with certain procedural rights. 36 USC § 220541(a)(H). For any action taken against a Respondent, including an investigation, the imposition of sanctions, or any other disciplinary action, the Center must provide procedural due process to the Respondent, which includes:

1. The provision of written notice of allegations against the Respondent;
2. The right to be represented by counsel or other advisor;
3. An opportunity to be heard during the investigation;
4. A reasoned decision from the Center if a violation is found;
5. The ability to challenge through arbitration any temporary measures or sanctions imposed by the Center.

Federal law permits the Center to impose temporary measures or sanctions before providing an opportunity to arbitrate. 36 USC § 220541(a)(2)(A).

Evidence Related to Prior or Subsequent Conduct

Section XI.L of the Code is replaced with the following:

Evidence relating to other sexual behavior or the sexual predisposition of the Claimant cannot be considered in any decision, nor admitted as evidence in any arbitration, unless the probative value of the use or admission of such evidence, as determined by the Center or the arbitrator, as applicable, substantially outweighs the danger of—

- (i) any harm to the alleged victim; and
- (j) unfair prejudice to any party.

36 USC § 220542(a)(2)(J).