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## Overview of the U.S. Center for SafeSport Minor Resolution Process

### Introduction

The U.S. Center for SafeSport (“Center”) is a nonprofit organization authorized by the United States Congress to investigate and resolve allegations of misconduct within the Olympic and Paralympic Movement. The Center is separate and independent from the United States Olympic and Paralympic Committee (“USOPC”), the governing bodies for Olympic and Paralympic sports, and local clubs under auspices of the Movement.

As detailed in the Center’s SafeSport Code (“Code”), the Center has the exclusive authority to investigate and resolve allegations involving Sexual Misconduct/abuse within the Olympic and Paralympic Movement. The Center may also exercise discretionary authority over varied types of reported Emotional and Physical Misconduct/abuse prohibited by the Code or by the Minor Athlete Abuse Prevention Policies.

The Center may resolve allegations of misconduct involving minors either through an Alternative Resolution, Conditional Resolution, Informal Resolution, Formal Resolution, Administrative Closure, or Administrative Hold. The Center determines the method of resolution based on the severity of the misconduct, the available evidence, and whether the individual alleged to have engaged in the misconduct (the “Respondent”) poses an ongoing risk to the Movement.

The Center recognizes Minor Respondents are different from Adult Respondents due in large part to their changing and developing brains. This process takes into consideration the best interests of Minor Respondents, Claimants, Minor’s Caretaker(s), and the greater sport community by providing educational and age-appropriate responses to problematic behaviors which *may* violate the Code. The Minor Resolution Process is specifically tailored to focus on education, rapid response, trauma-informed practices, and risk mitigation involving Minor Athletes within the context of sport.

When the Center receives an allegation, or at any point in the process, Temporary Measures may be implemented to alter or limit a Respondent’s access to the Movement. Generally, 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 sport community. Temporary measures may include but are not limited to: altered training schedules, provision or requirement of chaperones, contact limitations, prohibition of one-on-one interactions, or suspension from some or all aspects of sport participation. The Center can modify Temporary Measures at any time before a matter is resolved, and an updated Notice of Allegations would be issued to all relevant parties. National Governing Bodies and Local Affiliated Organizations are also able to impose safety measures and make their own membership and employment decisions.

### Your Options Regarding Participation

Your child has been identified as an individual who may have information regarding reported misconduct/abuse. Their participation in the Center’s Response and Resolution process is completely voluntary. They may have an Advisor of their choosing (advocate, attorney, etc.) present with them throughout the process, including any time they speak with Center staff. See Section XI.1.2 of the SafeSport Code for additional information concerning Advisors.

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They may have a Support Person (advocate, friend, parent, etc.) of their choosing present with them throughout the process, including any time they speak with Center staff. A Support Person may not be a party or witness involved in the investigation or hearing. Additionally, a Support Person may not be an employee, board member, or legal counsel for the USOPC, an NGB, an LAO or the Center. See Section VIII.P of the SafeSport Code for additional information concerning Support Persons.

You may choose if, and/or when, your child speaks with the Center about the reported misconduct/abuse or may decline to do so. The Center may move forward with an investigation without your child's participation if the Center determines it has sufficient information to resolve allegations by a preponderance of the evidence and the resolution would contribute to the safety of the sporting community within the Movement. If this occurs, the Center will inform you of the reasoning behind the decision.

### **Resources and Information**

It is important to note that all U.S. Center for SafeSport staff are mandatory reporters and are legally obligated to report any knowledge or suspicion of child abuse, in any form, to law enforcement.

The Center employs Process Navigators who can answer any questions you may have regarding the Center's Response & Resolution process and who can connect you to online, local, and national resources for mental health support, 24/7 hotlines/helplines, educational materials, legal representation, or other desired resources that may benefit you during your involvement with the Center. If you have questions about our process or would like more information about resources, please reach out to the Process Navigators at [Process.Navigators@SafeSport.org](mailto:Process.Navigators@SafeSport.org) or 720-531-9024. Voicemails and emails are returned by the end of the following business day.

### **Resolution Process**

*Preliminary Inquiry:* If Claimant Advisors elect to speak with the Center, an Intake Coordinator will conduct an initial telephone call where they will review any information the Center has received and gather basic information related to their child's experience and discuss possible case resolutions. Following the call, the Intake Coordinator may proceed with any available resolutions listed below in this document. The Claimant Advisor will be notified of the next steps, including potential resolution, at the conclusion of the Preliminary Inquiry.

*Investigation Assignment:* If the matter is assigned to an Investigator, the Investigator will assess and conduct formal interviews necessary to reach a resolution, generally beginning with Claimant. The Investigator may request an interview with your child or may determine it is appropriate to proceed with any available resolution listed below in this document without an interview of your child.

### **Possible Case Outcomes**

At the Center's discretion, allegations of Prohibited Conduct in which Respondent is a Minor (under the age of

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18), or was under the age of 18 at the time of allegations, may be resolved using these three minor-specific resolutions:

*Letter of Concern*

A Letter of Concern may be used in instances where alleged misconduct presently, or if the conduct continues in the future, may violate the Code and is best addressed with a Minor Respondent and/or their Parent/Guardian with an educational conversation, followed by a Letter of Concern. The Letter of Concern may be used as an aggravator in any subsequent case(s) involving conduct of a similar nature. A Letter of Concern does not constitute a finding or admission by the Minor Respondent of a Code violation. A Letter of Concern constitutes a final and binding disposition of the matter.

*Conditional Resolution*

The purpose of a Conditional Resolution is to engage with Minor Respondents under the age of 13, and their parent(s)/legal guardian, to address problematic behaviors through age and developmentally appropriate responses and collaboration. The type of response should be tailored to the behaviors and needs of the Minor Respondent and their parent(s)/legal guardian.

*Alternative Resolution*

Alternative Resolutions are intended for Minor Respondents between the ages of 13 and 17, and their parent(s)/legal guardian, to address problematic behaviors through age and developmentally appropriate responses and collaboration.

*Informal and Formal Resolution*

At the Center's discretion, both Informal and Formal Resolutions may be used to resolve cases. Additional process information will be provided if the Center determines an Informal or Formal Resolution is appropriate.

*Administrative Closure*

An Administrative Closure may be used after the Center accepts jurisdiction and determines one of the following case closure categories is appropriate. Below are the definitions for the types of Administrative Closures.

1. *No Applicable Policy*: The alleged misconduct, even if true, would not rise to the level of a violation of the Code, and there is no applicable NGB policy at the time the reported misconduct occurred.
2. *Previously Adjudicated*: The specific allegations reported to the Center are confirmed to have been appropriately adjudicated and/or formally resolved by the USOPC, NGB, or LAO, and no new information materially changing the circumstances of the previous adjudication has been presented to the Center. Documentation must be obtained from the USOPC, NGB, or LAO confirming the prior adjudication.
3. *Deceased Respondent*: When the Center has confirmed the Respondent is deceased, the case will be Administratively Closed.
4. *Unsupported Allegations*: The reported Claimant(s) deny they have experienced misconduct, and there is no corroborative evidence to support the allegations. Most Unsupported Allegations cases will be related to reports made by Third Parties.

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When the Center administratively closes a case, there are no restrictions from the Center on the Respondent's ability to participate with the U.S. Olympic and Paralympic Movement. However, after the Center administratively closes a case, National Governing Bodies can make their own membership or employment decisions or implement safety plans as they deem appropriate.

Claimants will be notified of the closure, as well as the reason, if a case is administratively closed. If a Respondent has been notified of an open investigation they will be notified if it is administratively closed.

#### *Administrative Hold*

An Administrative Hold may be used if the Center determines that it cannot move forward with a case but would like to maintain the ability to reopen and continue the investigation in the future. The Center administratively holds cases for the following reasons.

1. *Insufficient Information:* There is insufficient information to proceed with or continue a formal investigation regarding a reported violation of the Code. Lack of party and/or witness participation and/or relevant documentary evidence impedes a full assessment of the allegations, and such participation and/or evidence, if they were to become available, would be necessary to determine investigatory finding(s). An Administrative Hold for Insufficient Information may also include cases in which the Claimant has declined to participate in the Center's process, and cases in which a Claimant is non-responsive.
2. *Unidentified Claimant:* When the report alleges misconduct but does not specify the Claimant, the Center has exhausted all means to obtain information and Claimant remains unidentified, and their participation is deemed necessary for the Center to proceed with an investigation.

When the Center administratively holds a case, there are no restrictions from the Center on the respondent's ability to participate with the U.S. Olympic and Paralympic Movement. However, National Governing Bodies and their regional/state/local affiliated organizations always have the right to make their own membership or employment decisions or implement safety plans as they deem appropriate.

Claimants will be notified if a case is placed on an Administrative Hold. If a Respondent has been notified of an open investigation they will be notified if it is administratively held.

#### **14-Day Opportunity to Respond and Review**

If the Center determines a formal resolution is appropriate and conducts a full investigation, prior to drafting the Investigation Report, Claimant(s) and Respondent will be provided an opportunity to review all the evidence collected (with the exception of information the Center must redact, including but not limited to medical reports or Personal Identifying Information). During this time, parties can provide the Investigator with any additional information or evidence, in writing, that they believe is relevant to the investigation. The 14-day review period at the conclusion of the investigation limits Respondents' ability to submit new evidence during arbitration proceedings.

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Prior to the 14-day Opportunity to Review and Respond, and before any evidence is sent to a Claimant, Claimants (and Respondents) will be notified the investigation has concluded, and the documentation is being prepared for review and response. The Center understands reviewing evidence related to a case may trigger difficult emotions or memories related to traumatic experiences. With that in mind, parties may opt-out of the Opportunity to Review and Respond at any time.

### **Privacy and Retaliation Concerns**

The Center always makes reasonable efforts to protect the privacy of participants. During an investigation, the Respondent (and other witnesses) may need to learn Claimant's name and the details of the investigation so an allegation can be fully investigated. The Code prohibits Participants (i.e. Respondents, Claimants, and Witnesses participating in the Olympic and Paralympic Movement) from publicly sharing the identity of a Claimant.

If the Center implements temporary measures or final sanctions that the Respondent chooses to arbitrate, the identity of the Claimant(s) will be known to those involved in the arbitration process. However, all arbitration proceedings are confidential.

It is understandable that you may have concerns about potential repercussions for your child related to their participation in our process. Please know that retaliation against any party involved in the Center's process is a violation of the SafeSport Code and the Center prohibits retaliation of any kind. Should a party involved in our process retaliate against your child because of the report of misconduct/abuse or their participation in our process, it may lead to the retaliator's suspension or prohibition from sport participation for that retaliatory action. Please report any acts of retaliation to the Center by submitting a report via our website or calling our reporting hotline during regular business hours. You are also able to pursue protection from processes outside the scope of SafeSport, such as submitting reports to law enforcement, seeking protection orders, and/or consulting an attorney regarding civil action.