



**DISCIPLINARY PROCEEDINGS AND GRIEVANCE POLICY**  
**UPDATED: December 2024**

USA Archery (USAA) is committed to providing prompt and equitable resolution of grievances as outlined in the Ted Stevens Olympic and Amateur Sports Act (“the Sports Act”) §220522(14). This policy outlines processes to provide fair notice and an opportunity for a hearing before declaring individuals ineligible to participate as outlined in the Sports Act §220522(8).

**1.1 Designation of Complaints.**

The following kinds of grievances may be filed by USAA or with USAA under Article XV of the USAA Bylaws (a “Complaint”):

(a) Administrative. An “Administrative Complaint” is one pertaining to any matter within the cognizance of USAA, including, but not limited to, any alleged violation of or grievance concerning: (i) any of USAA’s rules, regulations, or policies; or (ii) any provision of USAA Bylaws; or (iii) noncompliance of United States Olympic & Paralympic Committee (“USOPC”) Bylaws or the Sports Act.

(b) Right to Compete. A “Right to Compete Complaint” is one pertaining to any alleged denial, or alleged threat to deny, any member, who is an athlete, coach, trainer, manager, administrator or other official, the opportunity to compete or participate in a competition protected by the provisions of the Sports Act or the USOPC Bylaws.

(c) Safe Sport Policy violations will also be subject to the requirements as outlined pursuant to Article XVI of the USAA Bylaws, in conjunction with this policy.

**1.2(a) Filing an Administrative Grievance and/or Right to Compete Complaint.**

Any current or former member, or USAA (a “Complainant” or “you”) who believes themselves/itself to be aggrieved by any action of USAA or by one of its members, may file a Complaint with USAA. If the Complainant is a minor, the Complaint may be initiated by such minor’s parent or legal guardian. To be considered for resolution through these procedures, if you are the Complainant you must:

- (a) Complete the attached USAA Grievance Reporting Form (Appendix A), or outline in an email with the same required information, address and deliver to: (i) Chief Executive Officer and (ii) Chair of the Board of Justice at [complaints@usarchery.org](mailto:complaints@usarchery.org);

- a. The form must be completed in full to include your full name and identifying membership information;
- b. The alleged grounds of violations or non-compliance; and
- c. Attached supporting evidence and documentation to support the allegation.

(b) Anti-Retaliation Statement:

- a. USAA prohibits retaliation against anyone who reports misconduct or provides information about misconduct as more fully detailed in USAA's Whistleblower Policy located at [www.usarchery.org](http://www.usarchery.org). Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the complaint processes when the action is reasonably related to the report or engagement with the process. Retaliation may be present even where there is a finding that no violation occurred.

(c) Retaliation is defined by, but not limited to, Section 220501(b)(11) of the Sports Act. The Act states:

- a. Any adverse or discriminatory action, or the threat of an adverse or discriminatory action, including removal from a training facility, reduced coaching or training, reduced meals or housing, and removal from competition carried out against a Protected Individual as a result of any communication, including the filing of a formal complaint, by the Protected Individual or a parent or legal guardian of the Protected Individual relating to the allegation of physical abuse, sexual harassment, or emotional abuse, with the U.S. Center for SafeSport (USCSS); a coach, trainer, manager, administrator, or official associated with the USOPC; the United States Attorney General; a federal or state law enforcement authority; the Equal Opportunity Employment Commission; or Congress.

A Complaint that is not filed in accordance with this Section shall render the filing void.

### 1.2(b) **Filing a SafeSport Violation.**

SafeSport violations will be reported and filed pursuant to USAA's Response and Resolution Policy and SafeSport Code.

For further information, visit the [USAA SafeSport webpage](#).

If, based on the investigation, the CEO or their designee determines that there is probable cause (i.e., fair basis or probability) to believe that the Complaint has merit or that the underlying facts and circumstances give rise to an issue that is appropriate for resolution under this Policy, see Section 1.5(b) of this policy.

### 1.3 **Filing Fee.**

Except in the cases of an expedited procedure, you must pay a filing fee of \*\$250 if you are an individual and \$500 if you are an organization. \*A Complainant may request a waiver of the filing fee by emailing the Board of Justice at [complaints@usarchery.org](mailto:complaints@usarchery.org).

There are no filing fees for complaints filed by USAA or ANY Safe Sport Complaints.

Please note the filing fee is non-refundable regardless of case outcome.

#### **1.4 Time Bar.**

Unless the Complaint is filed by USAA or involves allegations which are USAA Safe Sport Policy and/or U.S. Center for SafeSport Code (USCSS) violations, you must file a Complaint within the following time frames:

- (a) Administrative Grievance – sixty (60) calendar days since the occurrence of the alleged violation or grievance, except as provided below.
- (b) Right to Compete – one-hundred eighty (180) calendar days since the denial or threat to deny.
- (c) Complaints alleging misconduct within USAA's Safe Sport Policy (except for those matters subject to the jurisdiction of USCSS)- not subject to any statute of limitations.

#### **1.5(a) Processing an Administrative Grievance and/or Right to Compete Complaint.**

(a) USAA shall send to the Complainant a notice acknowledging the receipt of the Complaint (the "Notice to Complainant"). The Notice to Complainant shall include a copy of these procedures.

(b) USAA shall send to any individual and organization whose conduct is the subject of the Complaint (a "Respondent") a notice of the filing of the Complaint and a copy of the Complaint (the "Notice to Respondent") within a reasonable time after receipt by the Chair not to exceed fourteen (14) business days, without good reason. No Notice to Respondent need be sent when the only Respondent is USAA as it will have already received a copy pursuant to these procedures. The Notice to Respondent shall include: (i) An invitation to respond in writing to the Complaint (which will be shared with the Complainant) to include reasons why the matter should not be taken on by USAA, or, a reasonable time for Respondent to prepare a defense; and (ii) A copy of these procedures. Delivery of the Respondent's response to the filing party will be provided within a reasonable time after receipt of the response.

(c) USAA will determine: (i) whether the Complaint complies with the requirements specified in Sections 1.2 and 1.3; (ii) whether the Complaint was filed within the appropriate time frames pursuant to Section 1.4; (iii) whether the Complainant has standing to file the Complaint; or (iv) whether USAA has jurisdiction over the matter that is the subject of the Complaint. If it is determined that the Complaint does not satisfy the criteria specified herein, USAA shall so advise the Complainant, and the Complaint shall be dismissed, and no further processing of the Complaint shall be required pursuant to this Policy.

(d) If the Complaint is not dismissed under Subsection (c), above, the USAA CEO shall cause an investigation into matters raised in the Complaint to be conducted. The CEO, or their designee, shall serve as the primary investigator; provided, however, that if it is determined appropriate by the CEO under the circumstances that an independent investigator external to USAA be appointed, then the

CEO, in consultation with the Chair of the Board of Justice, will appoint such an investigator. Further, in the event the CEO is determined to be identified within the Complaint as being subject to matters raised in the Complaint, then an independent investigator external to USAA shall be appointed by the Chair of the Board of Justice.

The investigator shall take statements (written or verbal) from the Complainant, Respondent, and any witnesses called by either party. The investigator shall collect all relevant documentation, evidence, and/or policies. The investigator shall prepare a written summary of the investigation. If requested by the Chair of the Board of Justice, the investigator may also provide a recommendation as to the appropriate disposition of the Complaint.

(e) If, based on the investigation, the CEO or their designee determines that there is not probable cause (i.e., no fair basis or probability) to believe that the Complaint has merit or that the underlying facts and circumstances give rise to an issue that is appropriate for resolution under this Policy, the CEO, in consultation with the Chair of the Board of Justice, may administratively dismiss the Complaint and no further processing of the Complaint shall be required pursuant to this Policy.

(f) If the Complaint is not dismissed under Subsection (e), above, the CEO or their designee, in consultation with the Chair of the Board of Justice, may attempt to informally resolve the dispute that is the subject of the Complaint to the satisfaction of the parties.

(1) Informal Resolution Procedures:

(i.) The CEO or their designee will contact both the Complainant and the Respondent and inquire as to what resolution they seek.

(ii.) If the proposed resolution is not agreed upon by both parties, the CEO or their designee will proceed to Section (g).

(iii.) If such informal resolution is successful, the agreed upon resolution will be recorded with USAA in a form which includes written acknowledgement by the parties of that resolution.

(g) If the Complaint is not dismissed under Subsection (e), above, and is not resolved under Subsection (f), above, the Chair of the Board of Justice will then appoint at least three (3) disinterested and impartial individuals to serve as the hearing panel that will hear the matter (the "Hearing Panel"). These appointments shall be subject to the following:

(i) The Chair of the Board of Justice may appoint themselves or any other member of the Board of Justice to the Hearing Panel.

(ii) The appointment of the Hearing Panel will include the designation of a chair.

(iii) The Hearing Panel shall have at least thirty-three and one-third percent (33.33%) athlete representation. All athlete members of the Hearing Panel must meet the standards specified for an athlete representative to a board of directors of a National Governing Body or a "Designated Committee," as that term is defined in the bylaws of the USOPC.

- a. It is the responsibility of the Chair of the Board of Justice to ensure that athlete representation requirements are met.
- b. If athlete representatives as elected to the Board of Justice by the AAC/ Para AAC are not available, the AAC/ Para AAC will vote on an Eligible Athlete or Eligible Para Athlete to serve on the hearing panel.

(iv) The Chair of the Board of Justice is responsible for confirming the availability of each appointee to serve on the Hearing Panel.

(v) The Chair of the Board of Justice shall disclose the identity of the Hearing Panel members to the Complainant and Respondent.

(vi) All Hearing Panel members should immediately disclose any conflict that they have (and that may arise during the process) and follow procedures as outlined in USAA's Conflict of Interest Policy. It may be necessary for a Hearing Panel member to recuse themselves from the Hearing.

(vii) In the event any party or Hearing Panel member raises a conflict of interest, the chair of the Ethics Committee will consider the issue and require replacement of the hearing panel member if necessary.

#### **1.5(b) Requesting a Hearing for SafeSport Violation.**

USAA shall process the report pursuant with USAA's Response and Resolution Policy and SafeSport Code.

- (a) If, based on the investigation, the CEO or their designee determines that there is not probable cause (i.e., no fair basis or probability) to believe that the Complaint has merit or that the underlying facts and circumstances give rise to an issue that is appropriate for resolution under this Policy, the CEO or their designee, in consultation with the Chair of the Board of Justice, may administratively dismiss the Complaint and no further processing of the Complaint shall be required pursuant to this Policy. USAA will document Administrative Closure by completing an internal Investigative Summary and Case Resolution Form.
- (b) If, based on the investigation, the CEO or their designee determines that there is probable cause (i.e., fair basis or probability) to believe that the Complaint has merit or that the underlying facts and circumstances give rise to an issue that is appropriate for resolution under this Policy, the CEO or their designee, may attempt to informally resolve the dispute that is the subject of the Complaint to the satisfaction of the parties.

##### **(1) Informal Resolution Procedures:**

- (i.) The CEO or their designee will contact both the Claimant and the Respondent and inquire as to what resolution they seek.

(ii.) If the proposed resolution is not agreed upon by both parties, the CEO or their designee will proceed to Section (c).

(iii.) If such informal resolution is successful, the agreed upon resolution will be recorded with USAA in a form which includes written acknowledgment by the parties of that resolution.

(c) If an informal resolution cannot be reached, the CEO or their designee, will refer the report to the Chair of the Board of Justice and request a hearing be set. USAA must clearly identify and document the evidentiary standard applied to the evaluation of alleged misconduct and/or policy violation. If temporary measures have not already been established, USAA will review and implement any temporary measures as deemed appropriate.

(d) The Chair of the Board of Justice will then appoint at least three (3) disinterested and impartial individuals to serve as the hearing panel that will hear the matter (the "Hearing Panel"). These appointments shall be subject to the following:

(i.) The Chair of the Board of Justice may appoint themselves or any other member of the Board of Justice to the Hearing Panel.

(ii.) The appointment of the Hearing Panel will include the designation of a chair.

(iii.) The Hearing Panel shall have at least thirty-three and one-third percent (33.33%) athlete representation. All athlete members of the Hearing Panel must meet the standards specified for an athlete representative to a board of directors of a National Governing Body or a "Designated Committee," as that term is defined in the bylaws of the USOPC.

a. It is the responsibility of the Chair of the Board of Justice to ensure that athlete representation requirements are met.

b. If athlete representatives as elected to the Board of Justice by the AAC/ Para AAC are not available, the AAC/ Para AAC will vote on an Eligible Athlete or Eligible Para Athlete to serve on the hearing panel.

(iv.) The Chair of the Board of Justice is responsible for confirming the availability of each appointee to serve on the Hearing Panel.

(v) The Chair of the Board of Justice shall disclose the identity of the Hearing Panel members to the Complainant and Respondent.

(vi.) All Hearing Panel members should immediately disclose any conflict that they have (and that may arise during the process) and follow procedures as outlined in USAA's Conflict of Interest Policy. It may be necessary for a Hearing Panel member to recuse themselves from the Hearing.

(vii.) In the event any party or Hearing Panel member raises a conflict of interest, the chair of the Ethics Committee will consider the issue and require replacement of the hearing panel member if necessary.

**1.5(c) Requesting a Hearing for Temporary Measures that Materially Affect Respondent's Opportunity to Participate**

- (a) If, based on the investigation and/or the information available, the CEO or their designee determines that there is probable cause (i.e., fair basis or probability) to believe that the Complaint has merit or that the underlying facts and circumstances give rise to an issue that should be given consideration for imposition of temporary measures that would materially affect the Respondent's opportunity to participate (e.g. suspension), the CEO or their designee may refer the case to the Board of Justice to set a hearing date.
- (b) USAA shall send to any individual and organization whose conduct is the subject of the Complaint (a "Respondent") a notice of the filing of the Complaint and a copy of the Complaint (the "Notice to Respondent") within a reasonable time after receipt by the Chair not to exceed fourteen (14) business days, without good reason. The Notice to Respondent shall include: (i) An invitation to respond in writing to the Complaint (which will be shared with the Complainant) to include reasons why the matter should not be taken on by USAA, or, a reasonable time for Respondent to prepare a defense; and (ii) A copy of these procedures. If the Respondent chooses to accept the temporary measures, no hearing is required.
- (c) The Chair of the Board of Justice will then appoint at least three (3) disinterested and impartial individuals to serve as the hearing panel that will hear the matter (the "Hearing Panel"). These appointments shall be subject to the following:
  - (ii) The Chair of the Board of Justice may appoint themselves or any other member of the Board of Justice to the Hearing Panel.
  - (ii) The appointment of the Hearing Panel will include the designation of a chair.
  - (iii) The Hearing Panel shall have at least thirty-three and one-third percent (33.33%) athlete representation. All athlete members of the Hearing Panel must meet the standards specified for an athlete representative to a board of directors of a National Governing Body or a "Designated Committee," as that term is defined in the bylaws of the USOPC.
    - a. It is the responsibility of the Chair of the Board of Justice to ensure that athlete representation requirements are met.
    - b. If athlete representatives as elected to the Board of Justice by the AAC/ Para AAC are not available, the AAC/ Para AAC will vote on an Eligible Athlete or Eligible Para Athlete to serve on the hearing panel.
  - (iv) The Chair of the Board of Justice is responsible for confirming the availability of each appointee to serve on the Hearing Panel.
  - (v) The Chair of the Board of Justice shall disclose the identity of the Hearing Panel members to the Complainant and Respondent.
  - (vi) All Hearing Panel members should immediately disclose any conflict that they have (and that may arise during the process) and follow procedures as outlined in USAA's Conflict of

Interest Policy. It may be necessary for a Hearing Panel member to recuse themselves from the Hearing.

(vii) In the event any party or Hearing Panel member raises a conflict of interest, the chair of the Ethics Committee will consider the issue and require replacement of the hearing panel member if necessary.

#### **1.6 Decisions Made at Competitions.**

If the incident which is the subject of the Complaint occurs at an event sanctioned by USAA, to include allegations of cheating, and the subject matter of the Complaint could have been the subject of appeal procedures described in any applicable governing rules and policies, then those appeal procedures must be exhausted prior to the filing of a Complaint. The failure to exhaust those appeal procedures precludes the processing of a Complaint pursuant to this Policy. Furthermore, the final decision of an official during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the official) shall not be reviewable through these procedures for, or the subject of, an Administrative Complaint or a Right to Compete Complaint unless the decision is: (i) outside the authority of the official to make, or (ii) the product of fraud, corruption, partiality or other misconduct of the official. For purposes of this Section, the term "official" shall include any judge or other individual with discretion to make field of play decisions.

#### **1.7 Complaints Involving an Opportunity to Participate in a Competition.**

With respect to a Right to Compete Complaint, the Complainant shall include with the Complaint a list of all other individuals, together with their contact information, that may be adversely affected by a decision rendered upon the Complaint. The Chair of the Board of Justice shall determine which additional individuals should receive notice of the Complaint and shall provide appropriate notice to these individuals. Any individual so notified then shall have the right to participate in the proceeding as a party. If an individual is notified of the Complaint, then that individual shall be bound by the decision of the Hearing Panel even though the individual chose not to participate as a party.

#### **1.8 Temporary Measures issued by USAA.**

Temporary measures issued by USAA that do not materially affect the Respondent's opportunity to participate (e.g. suspension) are not subject to review and may not be appealed.

Any temporary measures recommended by USAA that materially affect the Respondent's opportunity to participate (e.g. suspension), must first be reviewed by the USAA Board of Justice pursuant to Section 1.5(c).

Upon issuance of a decision that materially affects the Respondent's opportunity to participate (e.g. suspension), the Respondent has ten (10) days to request a hearing. If the Respondent does not make such a request within ten (10) days, the decision is no longer subject to review.

The hearing will follow the same procedures as outlined in Section 1.5(c), The decision shall be sent to the parties, including a notice for the opportunity to appeal as set forth in Section 1.15. Subject only to any right to arbitration as is specified in Section 1.15, the decision of the Hearing Panel shall



be final and binding upon all parties. Decisions shall be provided to the parties within 30 calendar days of the hearing date.

### **1.9 Pre-Hearing Process, Submissions, and Decisions.**

- (a) The chair of the Hearing Panel will select the time and place for the hearing so as to have the hearing occur at the earliest convenient date for all parties not to exceed 90 business days (unless expressly waived in writing by both parties) after the last filing with USAA, without just cause for delay. The chair may choose to conduct the hearing by conference call or other similar electronic means.
- (b) Not less than fourteen (14) business days prior to the hearing, the chair of the Hearing Panel shall cause to be sent to the parties a written copy of the procedures to be followed at the hearing. Those procedures shall include those set forth on Exhibit A, attached hereto.
- (c) The chair will communicate the information about the hearing schedule along with the identity of the other members of the Hearing Panel to the parties to all parties no more than two (2) business days before the hearing is scheduled.
- (d) Decisions about the merits of the Complaint and the form of any sanction shall be made by majority vote of the Hearing Panel. The Hearing Panel shall report its decision on the merits in the form of written findings of fact and conclusions. The decision shall be sent to the parties, including a notice for the opportunity to appeal as set forth in Section 1.15. Subject only to any right to arbitration as is specified in Section 1.15, the decision of the Hearing Panel shall be final and binding upon all parties. Decisions shall be provided to the parties within 30 calendar days of the hearing date.

### **1.10 Resolutions and Holds.**

#### **Formal Resolution**

The Hearing Panel may impose a formal resolution, including but not limited to the following:

- (a) Reprimand. A communication, either public or private, of USAA's decision to impose a reprimand regarding the Complaint. Any reprimand may be combined with probation or suspension.
- (b) Probation. A ruling that, for a specified time, the subject's continued participation in USAA's activities, sanctioned competitions, etc. are subject to some additional requirements. The Hearing Panel may order that notice of probation be given to appropriate authorities, such as event directors.
- (c) Conditional Membership. A ruling that, for a specified time, the Respondent's membership is conditioned upon the satisfaction of certain conditions. These conditions shall be described specifically, as shall the consequences of failing to meet them. The Hearing Panel may order that notice of certain conditions be given to appropriate authorities, such as event directors.

(d) Suspension or Expulsion. A ruling that (i) either permanently or for a specified period of time or subject to certain conditions, the Respondent is prohibited from participating in sanctioned competitions or other of USAA's activities, or (ii) in the case where the subject has applied for membership, membership is not allowed, and the Respondent is placed on the permanently ineligible list. The Hearing Panel may limit the effect of a suspension to certain activities or competitions, and may establish conditions that, if satisfied, will result in the lifting of a suspension. The Hearing Panel may order that notice of suspension, expulsion, or permanent ineligibility be given to appropriate authorities, such as event directors.

In the event that an investigation of potential retaliation finds that an employee of USAA has retaliated against an individual in response to any communication, including a formal complaint, from that individual (or their parent / legal guardian) related to an allegation of physical abuse, sexual harassment, or emotional abuse, USAA shall immediately suspend that employee without pay or terminate the employee as required by §220509(c)(2) of the Act.

(e) Other. The Hearing Panel may order such other relief as it deems appropriate (e.g., letter of apology or restitution, including, for example, the payment for damaging equipment or the recovery of any financial benefit improperly derived by a Respondent or additional trainings).

### **Informal Resolution**

Informal Resolutions can be issued at any time during a case. Conditions dependent on how both parties agree on how to proceed, but both parties must be in agreement.

### **Administrative Closure**

Administrative Closures include the following:

- (a) No Applicable Policy: The alleged violation, even if true, would not rise to the level of a policy violation.
- (b) Previously Adjudicated: The specific allegations reported to USAA are confirmed to have been appropriately adjudicated and/or formally resolved by the USOPC, the U.S. Center for SafeSport, or USAA, and no new information that materially changes the determination and outcome of the previous adjudication has been presented.
- (c) Admonishment: USAA determines the alleged misconduct may presently or, if the conduct continues, in the future violate any policy and is best addressed with a Respondent via an educational conversation, followed by a Letter of Admonishment. The Letter of Admonishment may be used as an aggravator in any subsequent case(s) involving conduct of a similar nature. An Admonishment does not constitute a finding or admission by the Respondent of a policy violation. An Admonishment constitutes a final and binding disposition of the matter.
- (d) Letter of Concern (Minor Respondents only): USAA determines that alleged misconduct may presently or, if the conduct continues, in the future violate any policy 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 policy violation. A Letter of Concern constitutes a final and binding disposition of the matter.

- (e) Deceased Respondent: USAA confirms the Respondent is deceased.
- (f) Unsupported Allegations: The reported Claimant(s) deny that they have experienced misconduct, and there is no corroborative evidence to support the allegation(s).

### **Administrative Holds**

An Administrative Hold is USAA's recognition that there is currently insufficient information to proceed with an investigation; however, USAA holds these matters thereby retaining jurisdiction and may re-open them at any time when sufficient information is made available. Administrative Holds may occur for any one or more of the following reasons:

- (a) Insufficient Information: There is insufficient information to proceed with or continue a formal investigation regarding an alleged policy violation. 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) or policy application.
- (b) Claimant Declined: USAA has made the requisite attempts to contact the Claimant and the Claimant has reported that they do not want to or are unable to participate in USAA's process at this time, and their participation is deemed necessary for USAA to proceed with an investigation.
- (c) Non-Responsive Claimant: USAA has made the requisite attempts to contact the Claimant and the Claimant has been non-responsive, and their participation is deemed necessary for USAA to proceed with an investigation.
- (d) Unidentified Claimant: USAA has received a report of misconduct which does not identify the Claimant. USAA has made the requisite attempts to contact the Third-Party Reporter/witnesses and USAA has been unable to identify a Claimant, and their participation is deemed necessary for USAA to proceed with an investigation.

#### **1.11 Expedited Procedure.**

With respect to a Right to Compete Complaint ONLY, every effort will be made to expedite the proceedings, including, but not limited to, modifications made by the chair of the Hearing Panel to the procedures set forth above to resolve the Complaint prior to the start of the event.

#### **1.12 Hearing Panel Administration.**

The Board of Justice shall be responsible to ensure that all Complaints proceeding to a Hearing Panel are heard in a timely, fair, and impartial manner and may promulgate procedures in addition

to those set forth in USAA's Bylaws and Exhibit A for the effective administration of Complaints filed with USAA.

### **1.13 General.**

All notices, reports and decisions under this Policy shall be made in writing and delivered in electronic mail creating a record of receipt. Participation in these procedures shall be deemed to constitute agreement to be bound by the provisions of this Policy. If, in the course of a hearing conducted pursuant to this Policy, the Hearing Panel discovers that a Respondent has engaged in a USAA Safe Sport Policy and/or U.S. Center for SafeSport Code violation, those issues will be resolved as set forth in Article XVI of the USAA Bylaws.

### **1.14 Publication of Permanently Ineligible Members.**

Where a final decision has been rendered in a matter where the discipline imposed is permanent expulsion, or permanent ineligibility for membership USAA shall publish the following information in one or more of its publications and on USAA's website:

- (a) The name of the individual;
- (b) The state of residence of the individual where the violation occurred and/or where the individual resides at the time the discipline is imposed; and
- (c) With respect to decisions rendered after the adoption of this Section 1.13, which of USAA's Bylaws, rules, regulations, or policies were violated.

### **1.15 Arbitration.**

USAA agrees to submit to binding arbitration conducted under the commercial rules as established by a major national provider of arbitration and mediation services based in the US and designated by the ISOPC with the concurrence of the Team USA Athletes' Commission and the National Governing Bodies' Council, as required by §220522(4)(B) of the Sports Act, to include any controversy involving: (i) a Right to Compete Complaint or (ii) its recognition as a National Governing Body, as is provided in the Sports Act.

Such controversy may include the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition, upon the demand of the USOPC or any aggrieved amateur athlete, coach, trainer, manager, administrator, or official using an established major national provider of arbitration and mediation services based in the US and designated by the USOPC with the concurrence of the Team USA Athletes' Commission and the National Governing Bodies' Council, as required by §220522(4)(B) of the Sports Act.

USAA does not require an individual to exhaust other remedies before demanding arbitration.

### **1.16 Confidentiality.**

The Board of Justice may take into consideration previous complaints, regardless of the outcome, involving either the Claimant or Respondent to establish a pattern of misconduct or abuse of process, such as retaliation.

If previous complaints exist, are applicable and/or relevant, or may contribute to a pattern of related behavior, the Safe Sport and Compliance Administrator may provide a summary of such complaints to the Board.

Previous complaints that have been administratively closed are not subject to disclosure nor distribution of evidence and are to be maintained confidential by the Board.

Previous complaints with a finding that resulted in disciplinary action are not subject to disclosure nor distribution of evidence, but, at the discretion of the Board, may be discussed verbally during a hearing.

If previous complaints factor into the Board's decision, the Board will issue separate written resolutions to both the Claimant/ Complainant and the Respondent as to maintain confidentiality.

#### **1.17 The Office of the Athlete Ombuds.**

The Office of the Athlete Ombuds and its staff (the Athlete Ombuds) offers independent, confidential advice to athletes regarding their rights and responsibilities in the Olympic and Paralympic Movement, and assists athletes with a broad range of questions, disputes, complaints and concerns. The Athlete Ombuds' focus is to serve athletes who represent the U.S. in international competition. The Athlete Ombuds operates on the core principles of confidentiality and privacy, independence, and impartiality.

#### **Duties of the Athlete Ombuds**

1. Provide independent, confidential advice and assistance at no cost to athletes.
2. Assist in the resolution of athlete concerns and disputes through fact-finding, facilitated communication, and mediation.
3. Advocate for fair, transparent, timely and equitably administered policies and processes within the U.S. Olympic and Paralympic Committee (USOPC) and its member organizations.

#### **Contact:**

Phone: [\(719\) 866-5000](tel:(719)866-5000) or [888-ATHLETE](tel:888-ATHLETE)

Email: [ombudsman@usathlete.org](mailto:ombudsman@usathlete.org)

[To review the Athlete Ombuds Confidentiality and Privacy Policy please visit: www.teamusa.org/athlete-ombudsman.](http://www.teamusa.org/athlete-ombudsman)

**Exhibit A**  
**Hearing Rules**

1. The hearing shall be closed to the public except for the Hearing Panel, the parties and their counsel (if applicable).
2. Except in the case of expedited procedures, the Hearing Panel shall rule on all motions and other matters raised in the proceeding.
3. The Hearing Panel shall set such timelines and other rules, not inconsistent with these rules, regarding the proceeding, witness lists, and the conduct of the hearing as it deems necessary.
4. All parties will receive notice of the identity of any witnesses that will appear at the hearing and a distribution of evidence such that the evidence may be inspected within a reasonable time to prepare one's position in the matter.
5. Each party shall have the right to appear personally or through a legal representative. All parties shall be given a reasonable opportunity to present and examine evidence, cross-examine witnesses and to present argument. Members of the Hearing Panel shall have the right to question witnesses or the parties to the proceeding at any time.
  - a. Claimants or Respondents that are Minors (under age 18) have the option to be represented by their Parent/Legal Guardian.
6. Conformity to legal rules of evidence will not be necessary.
7. The hearing shall be informal, except that testimony shall be taken under oath. The hearing panel Chair does not have to be of the legal profession to issue an oath.
8. Any party may have a record made of the hearing. A court reporter may be present at the hearing at the request of a party. The court reporter shall be paid for by the party requesting the court reporter, or if mutually agreed, the cost may be equally divided. Any transcript shall be paid for by the party requesting the transcript.
9. The hearing will occur in real-time at a time and place that all parties are able to attend.
10. Order of Hearing:
  - a. Disposition of any Motions

The respondent may make a motion to dismiss and/or the Hearing Panel may on its own dismiss the matter on the grounds including, but not limited to jurisdiction, statute of limitations, failure to state a case and/or compliance with USAA's Bylaws. If the complaint is not dismissed, the Hearing Panel shall hold a hearing on the complaint.

b. Opening Statements (time limit established by Chair of Hearing Panel):

- Complainant
- Respondent

c. Presentation of Evidence:

Complainant's Case:

- Presentation of evidence, accounts and witness testimony
- Cross examination by Respondent
- Questions by Hearing Panel

Respondent's Case:

- Presentation of evidence, accounts and witness testimony
- Cross examination by Complainant
- Questions by Hearing Panel

Closing Statements (time limit established by Chair of Hearing Panel):

- Complainant
- Respondent
- Complainant's rebuttal

d. Evidence:

Witness Testimony

- i. Complainant and Respondent will exchange witness lists in advance of the hearing, and their respective representatives or counsel, will have the right to call and/or question witnesses.
- ii. The Hearing Panel will also have the right to question witnesses.
- iii. The Hearing Panel may limit the number of witnesses if to do so is believed necessary to maintain an orderly and timely hearing yet affords a fair opportunity of the parties to be heard.
- iv. Documentary evidence will be exchanged by the parties in advance of the hearing, if and to the extent practicable, with copies of all documents provided to the Hearing Panel.
- v. The Hearing Panel shall set due dates for the exchange of such information. The Hearing Panel is authorized to resolve any dispute concerning the exchange of information.
- vi. No party and no one acting on behalf of any party shall communicate ex parte with a Hearing Panel member.

e. Burden of Proof:

Burden of proof rests with the Complainant and the standard to be used by the Hearing Panel is preponderance of the evidence.



**Exhibit B**  
**Pre-Hearing Checklist (To Be Complete By USA Archery)**

**Date of Hearing:** \_\_\_\_\_

**The hearing panel must include a minimum of 33.33% Eligible Athlete or Eligible Para Athlete representation. Please complete the form below to verify compliance with this requirement.**

**Number of Non-Athlete Hearing Panel Members:**

**Number of Eligible Athlete or Eligible Para Athlete Panel Members:**

**Percentage of Eligible Athlete or Eligible Para Athlete Representation on the Hearing Panel:**

**Names of Hearing Panel Members**

**Hearing Panel Member (1):** \_\_\_\_\_

Is the panel member a BOJ Committee Member:      Yes      No

Is the panel member an Eligible Athlete/ Eligible Para Athlete Representative:      Yes      No

Other:

If not a BOJ Committee member, are they an Eligible Athlete/ Eligible Para Athlete Representative selected by the AAC/Para AAC:      Yes      No

If none of the above apply, please explain:

**Hearing Panel Member (2):** \_\_\_\_\_

Is the panel member a BOJ Committee Member:      Yes      No

Is the panel member an Eligible Athlete/ Eligible Para Athlete Representative:      Yes      No

Other:

If not a BOJ Committee member, are they an Eligible Athlete/ Eligible Para Athlete Representative selected by the AAC/Para AAC:      Yes      No

If none of the above apply, please explain:

**Hearing Panel Member (3):** \_\_\_\_\_

Is the panel member a BOJ Committee Member:      Yes      No

Is the panel member an Eligible Athlete/ Eligible Para Athlete Representative:      Yes      No

Other:

If not a BOJ Committee member, are they an Eligible Athlete/ Eligible Para Athlete Representative selected by the AAC/Para AAC:      Yes      No

If none of the above apply, please explain:

**Hearing Panel Member (4):** \_\_\_\_\_

Is the panel member a BOJ Committee Member:      Yes      No

Is the panel member an Eligible Athlete/ Eligible Para Athlete Representative:      Yes      No

Other:

If not a BOJ Committee member, are they an Eligible Athlete/ Eligible Para Athlete Representative selected by the AAC/Para AAC:      Yes      No

If none of the above apply, please explain:

**Hearing Panel Member (5):** \_\_\_\_\_

Is the panel member a BOJ Committee Member:      Yes      No

Is the panel member an Eligible Athlete/ Eligible Para Athlete Representative:      Yes      No

Other:

If not a BOJ Committee member, are they an Eligible Athlete/ Eligible Para Athlete Representative selected by the AAC/Para AAC:      Yes      No

If none of the above apply, please explain:

**Please list the names of the Witnesses as provided by the Claimant:**

Witness (1): \_\_\_\_\_

Witness (2): \_\_\_\_\_

Witness (3): \_\_\_\_\_

**Please list the names of the Witnesses as provided by the Respondent:**

Witness (1): \_\_\_\_\_

Witness (2): \_\_\_\_\_

Witness (3): \_\_\_\_\_



# Grievance Reporting Form

USA Archery (USAA) is committed to providing prompt and equitable resolution of grievances as outlined in the Ted Stevens Olympic and Amateur Sports Act ("the Sports Act") §220522(14). This policy outlines processes to provide fair notice and an opportunity for a hearing before declaring individuals ineligible to participate as outlined in the Sports Act §220522(8).

---

**This section is for information about the Complainant (the individual filing the complaint).**

Name (First and Last):

Club or State Association Name (If Applicable)

Parent/Guardian Name (If Applicable):

Membership Number:

Membership Type:

Email Address:

Phone Number:

**This section is for information about the Respondent (the person whom the complaint is being filed against). Please select one of the following:**

I am filing this complaint against a USA Archery Member

First Name:

Last Name:

I am filing this complaint against USA Archery

## ***Alleged USA Archery Policy Violation or Non-Compliance***

---

Please use this to provide detailed information on the type of complaint being filed and the USA Archery policy or policies that you believe have been violated. You may also submit your statement as an attachment.

1. Please Select the Type of Complaint You Are Filing:

Administrative Grievance (Time Bar 60 Days)

Right to Compete (Time Bar 6 Months)

2. Date of Alleged Violation:

3. Please select the Policy or Policies you believe were violated:

Code of Conduct

Code of Ethics

Conflicts of Interest Policy

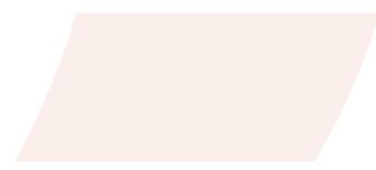
Gifts and Entertainment Policy

Sportspersonlike Conduct Policy

Other Policy (List):

Team Selection Procedures (List):

Summary of Allegations:



## Attachments

---

Please attach your statement and/or any supporting evidence or documentation to support the alleged USA Archery policy violation. Please list the attachments below:

- Attachment 1:
- Attachment 2:
- Attachment 3:
- Other Attachments:

### Anti-Retaliation Statement:

USAA prohibits retaliation against anyone who reports misconduct or provides information about misconduct as more fully detailed in USAA's Whistleblower Policy located at [www.usarchery.org](http://www.usarchery.org). Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the complaint processes when the action is reasonably related to the report or engagement with the process. Retaliation may be present even where there is a finding that no violation occurred.

### Retaliation Definition:

Any adverse or discriminatory action, or the threat of an adverse or discriminatory action, including removal from a training facility, reduced coaching or training, reduced meals or housing, and removal from competition carried out against a Protected Individual as a result of any communication, including the filing of a formal complaint, by the Protected Individual or a parent or legal guardian of the Protected Individual relating to the allegation of physical abuse, sexual harassment, or emotional abuse, with the United States Center for SafeSport; a coach, trainer, manager, administrator, or official associated with the USOPC; the United States Attorney General; a federal or state law enforcement authority; the Equal Opportunity Employment Commission; or Congress.

A Complaint that is not filed in accordance with USAA's Disciplinary Proceedings and Grievance Policy shall render the filing void.

### Filing Fee:

Please select the payment you are submitting:

\$250 - Individual

\$500 - Organization

A Complainant may request a waiver of the filing fee by emailing the Board of Justice at [complaints@usarchery.org](mailto:complaints@usarchery.org).

Name of Complainant (Printed):

Signature:

Date:

Name of Parent/Guardian (If Applicable):

Signature:

Date:

**Please submit your completed Grievance Reporting Form and all supporting attachments to: (i) Chief Executive Officer and (ii) Chair of the Board of Justice at [complaints@usarchery.org](mailto:complaints@usarchery.org).**

**Please also submit your filing fee to USA Archery via check payable to USA Archery and remit payment to:**

USA Archery  
Attention: Athlete Safety  
210 USA Cycling Point, Suite 130  
Colorado Springs, CO 80919