

# WHEN USA GYMNASTICS RECEIVES A REPORT

USA Gymnastics Safe Sport uses a [5-Tier System](#) to assess each report to identify those reports that need immediate attention, allocate investigative resources, and determine an appropriate resolution. It is important to review Safe Sport Intake Process and Safe Sport Investigation & Resolution Procedures for information related to reports.

## Respondent

### **When will I be made aware that a report has been made about me?**

Incoming reports are tiered upon intake in accordance with the published [Safe Sport Intake Process](#). Notification to respondents will be determined by the intake process and intake tier assigned to the case. The respondent and club owner will immediately be made aware of a report when it is tiered a Tier 1 or Tier 2. Reports tiered at Tier 3 or higher, will be assigned to an investigator where the formal investigative process will determine when each person involved in the case is contacted for a formal statement.

### **I heard that I had a Safe Sport report on me but haven't been formally notified. What comes next? What can I do?**

Should you hear that a report has been made and USA Gymnastics is inquiring into the matter, it is important that you reach out directly to our Safe Sport department. Attempting to find out who made the report or investigate the matter may constitute an Abuse of Process which is a separate violation of the SafeSport Code and USA Gymnastics Safe Sport Policy. You may contact USA Gymnastics Safe Sport at [safesportpolicy@usagym.org](mailto:safesportpolicy@usagym.org). If the matter was reported to the U.S. Center for SafeSport, please contact the Center directly at either Resource [Advisor@safesport.org](mailto:Advisor@safesport.org) or 720.531.9024.

### **Who receives information when a report is made about me?**

After a report is submitted based on factors such as the [Tier assigned](#) to the report and severity of the allegations, USA Gymnastics will inform a person on an as needed basis. USA Gymnastics and the U.S. Center for SafeSport have the authority to institute restrictive measures that are public facing during the course of the investigation for the safety of the athletes. If no

restrictive measure has been applied, all information related to the case will remain confidential between the parties involved. USA Gymnastics will not release the nature of the allegations, names of the complainant and witnesses, or the subject of the investigation to third parties such as the press, parents not involved in the case, or other USA Gymnastics Members. Club owners and anyone listed as potential witnesses to a report will be contacted at a time determined by the investigator. Third-party reporters may be contacted for clarifying information regarding their report and are not privy to the resolution or case status.

To ensure athlete safety, USA Gymnastics provides notice of measures or sanctions issued by USA Gymnastics or the U.S. Center for SafeSport to individuals on a need-to-know basis. We notify the owner of the club or organization for which the respondent is employed and/or was employed at the time of the allegations, USA Gymnastics Chief Programs Officer, USA Gymnastics program leadership, as well as the respondent's regional and state chair. USA Gymnastics reserves the right to copy or notify any parent, administrator, professional member, or adult in the respondent's club should we deem it necessary to ensure athlete safety for reasons including, but not limited to, administrative inaccuracies or ongoing matters with USA Gymnastics Safe Sport or the U.S. Center for SafeSport.

### **What rights do I have during the investigation process?**

Neither the Claimant nor Respondent are required to participate in the investigation, nor any form of the resolution. However, full cooperation and participation in the investigative process is important to ensure that all relevant information and evidence are presented to determine whether a Code or Policy violation occurred. If a Claimant or Respondent declines to participate in the process, USA Gymnastics will make its decision based on the available evidence.

Throughout this process, you have the right to choose and consult with an advisor. This advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation or hearing. You may be accompanied by your advisor at any meeting or proceeding related to the investigation, hearing and/or resolution process.

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As a Respondent, federal law provides you with the following procedure due process rights:

1. The provision of written notice of allegations against you;
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 USA Gymnastics or the Center if a violation is found;
5. The ability to challenge through arbitration any temporary measures or sanctions imposed by USA Gymnastics or the Center.

USA Gymnastics is committed to protecting the privacy of all parties in a matter. We make reasonable efforts to protect the privacy of individuals while balancing the need to investigate the matter thoroughly and taking any necessary steps to protect athlete safety. Information will be shared as necessary with USA Gymnastics, the U.S. Center for SafeSport, counsel, and any party in the matter.

USA Gymnastics reserves the right to notify guardians of Claimants regarding any health or safety risk.

Attempting to find out who made the report or investigate the matter may constitute an Abuse of Process which is a separate violation of the SafeSport Code and USA Gymnastics Safe Sport Policy.

## **What should I do if the allegations made against me are false?**

It is a violation of both the SafeSport Code and the USA Gymnastics Safe Sport Policy to knowingly file a false report. A report is false if the events reported did not occur and the individual made the report knowing the reported events did not occur. A “false report” is not a report where supporting evidence is insufficient to determine if the reported events are true or false. Absent demonstrable misconduct, an unsubstantiated report alone is not grounds for a SafeSport Code violation.

Please see the USA Gymnastics [Safe Sport Policy](#) and the [SafeSport Code](#) for a detailed explanation of misconduct related to reporting.

## **Club Owner**

### **Will I be notified if one of my employees receives a Safe Sport complaint?**

Due to confidentiality requirements, we are unable to provide notice of a Safe Sport report to an individual who is not a party to the matter unless a restrictive measure is issued. However, a USA Gymnastics investigator may contact you during the inquiry or investigative phase as needed to gather statements and information necessary to make an assessment.

To ensure athlete safety, we provide notice of restrictive measures issued by USA Gymnastics or the U.S. Center for SafeSport to club owners. On interim measure notices, we copy the owner of the club or organization for which the respondent is employed and/or was employed at the time of the allegations, USA Gymnastics Chief Programs Officer, USA Gymnastics program leadership, as well as the appropriate regional and state chair. USA Gymnastics reserves the right to copy or notify any parent, administrator, professional member, or adult in the club should we deem it necessary to ensure athlete safety for reasons including, but not limited to, administrative inaccuracies or ongoing matters with USA Gymnastics Safe Sport or the U.S. Center for SafeSport.

### **Can I find out if a prospective employee has a Safe Sport history?**

Yes. As a Club Owner, you can request membership, club affiliation, educational and USA Gymnastics Safe Sport history. You can find the USA Gymnastics Safe Sport history request form [here](#).

### **What is my responsibility as a club owner after I'm made aware that one of my employees is under a Safe Sport investigation?**

If you have been made aware that your employee is under a Safe Sport investigation, it's important to follow any restrictive measure or public suspension put in place by either USA Gymnastics or the U.S. Center for SafeSport.

Do not attempt to investigate or interfere in any way with a Safe Sport matter as it may slow the process or impede the investigation. Any attempt to interfere with the process may constitute an Abuse of Process which is a separate violation of the SafeSport Code and USA Gymnastics Safe Sport Policy.

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A club owner has the right to place their own limits on an employee under investigation such as temporary suspension from club activities, no unsupervised interactions with athletes/parents or dismissal. You are encouraged to consult your attorney for advice on the correct decision.

## **Should I speak with the parents of my club when I'm made aware of a Safe Sport investigation under the jurisdiction of USA Gymnastics or the U.S. Center for SafeSport?**

If restrictive measures have been issued by either the U.S. Center for SafeSport or USA Gymnastics, the gym owner is expected to honor those measures and exclude or limit the employee's interaction with athletes as required by the restrictive measure. If no restrictive measures have been issued, the gym owner may determine whether or not they wish to limit the employee's access to Minor Athletes while the investigation is ongoing. This decision is a business decision made by the gym owner in the best interests of the gym and the athletes.

A gym owner may also wish to speak with an attorney to gain advice on the most appropriate decision. If the gym owner makes the decision to implement limits on an employee's access where no restrictive measures have been issued, they should not discuss the reasons with athletes, parents or any person who is not the respondent.

## **Parent**

### **I've heard my child's coach is under investigation for a Safe Sport matter. What information am I allowed to have?**

USA Gymnastics will not release the nature of the allegations, names of the complainant and witnesses, or the subject of the investigation to third parties such as the press, parents not involved in the case, or other USA Gymnastics Members. Parents are encouraged to speak with the management of their club and let them work with USA Gymnastics on necessary steps. Information that can be shared can be located at the websites listed below.

Parents are encouraged to not attempt to investigate any matter on their own or interfere in any Safe Sport matter as it could cause a delay in the resolution of the case or jeopardize the investigation.

The U.S. Center for SafeSport and USA Gymnastics publish restrictive measures, as well as suspension and ineligibility sanctions. In all other instances, USA Gymnastics will not release information on a report. USA Gymnastics will

protect the privacy of the person making the report and must determine that reports are reliable before taking any public action. You can find suspension and permanently ineligible members through the following sites:

- [U.S. Center for SafeSport's Centralized Disciplinary Database](#)
- [USA Gymnastics Permanently Ineligible Member list](#)
- [USA Gymnastics Suspended Members/Members with Restrictions](#)

### **I've made a report on an employee at my child's gym, what happens next?**

Once a report is made to USA Gymnastics, it will be evaluated for criteria within the SafeSport Code and USA Gymnastics Policy. USA Gymnastics Safe Sport uses a [5 Tier System](#) to assess each report to identify those reports that need immediate attention, allocate investigative resources and determine an appropriate resolution.

Based on the tier assigned, a report could be returned to the Member Club for follow-up, assigned to a USA Gymnastics Investigator, or submitted to law enforcement and the U.S. Center for SafeSport.

If assigned an investigator, you will be contacted to make a statement and asked follow-up questions. You may also be asked to testify at a resolution panel hearing if one occurs.

### **I was contacted as a witness for a Safe Sport matter, what information will I receive on the case?**

A witness will be contacted by an investigator to make a statement based on the facts of the case. Witnesses will only be told necessary information for the purposes of the interview. You may be asked to testify at a resolution panel hearing if one occurs. Most witnesses will not be told the outcome of the investigation or resolution.

### **What are the possible outcomes of a SafeSport report?**

Safe Sport reports can be administratively closed due to failure to meet Safe Sport criteria or for a lack of corroborating evidence.

Reports with a finding of a violation of policy or misconduct can be sent back to the club for follow-up, mandated training for the respondent, or auditing of club policies. More serious findings can result in a restrictive measure that is published, probation, or a person being deemed permanently ineligible.