

Noteworthy Revisions

2022 SafeSport Code for the U.S. Olympic and Paralympic Movement

The U.S. Center for SafeSport (the Center) drafted revisions to the SafeSport Code for the U.S. Olympic and Paralympic Movement (the Code). Below is an overview of the noteworthy revisions and reasoning behind such. The 2022 Code will go into effect on April 1, 2022.

Topic: Interference in Center Investigations.

Changes: Addition of language from the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 prohibiting NGBs and the USOPC from interfering in, attempting to interfere in, or influencing the outcome of the Center's investigations. See 36 USC § 220541(f)(4). Pg. 1.

Rationale: This section was added to make clear the statutory obligations of NGBs and the USOPC and require, through the Code, that NGBs and the USOPC do not violate federal law on this accord.

Topic: Jurisdiction of the Center.

Changes: Exclusive and discretionary jurisdiction categories amended for clarity regarding aiding and abetting, abuse of process, and retaliation. Pgs. 1-2.

Rationale: This section was updated to help facilitate better understanding of the Center's jurisdiction over these categories of Prohibited Conduct and to assist in making reporting obligations clearer.

Topic: Jurisdiction of the USOPC, NGBs, and LAOs.

Changes: Requiring NGBs to provide the Center with details of any temporary measures or safety plans within 72 hours of imposition. Pg. 2.

Rationale: This will assist the Center in knowing, in a timely fashion, about any temporary measures implemented prior to the Center's exercise of jurisdiction and any safety plans implemented after the Center's exercise of jurisdiction. This also comports with the Center's 2023 Response & Resolution Compliance Standards.

Topic: Misconduct Related to the Center's Process.

Changes: Abuse of process provision amended to include having another complete any part or all of Center required training. Pg. 17.

Rationale: This section was updated to make it clear that a Participant abuses the Center's processes by having another individual complete any part or all of that Participant's Center required training.

Topic: Retaliation.

Changes: Makes retaliation a standalone form of Prohibited Conduct and clarifies what constitutes retaliation. Pg. 17.

Rationale: This section was updated to make retaliation a standalone form of Prohibited Conduct and further amendments to the section were done for the sake of ease of understanding and clarity.

Topic: Reporting.

Changes: Entire reporting section revised. Pgs. 19-21.

Rationale: This section was updated to help facilitate better understanding of reporting and to assist in making reporting obligations clearer.

Topic: Advisors.

Changes: In addition to parties or witnesses involved in an investigation or hearing, employees of, board members of, or legal counsel for the USOPC, NGBs, LAOs or the Center, are precluded from serving as an advisor in the resolution process. Pg. 24.

Rationale: The Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 prohibits NGBs and the USOPC from interfering in, attempting to interfere in, or influencing the outcome of the Center's investigations. Further, the Center must report any violation to Congress. Given such, changes to the Advisor section were necessary to comport with the law and assist with avoiding any conflicts of interest, appearance of such conflicts, or improper interference in Center investigations. See 36 USC § 220541(f)(4). Notably, however, this provision does not intend to interfere with the USOPC's Office of Athlete Ombuds' performance of its statutorily mandated functions, nor does it contemplate the Center's Resource & Process Advisor.
