



# Index of Athletes' Rights & Rules

USOC Athlete Ombudsman

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## Act, Bylaws and Charter

- ❖ Ted Stevens Olympic and Amateur Sports Act (TSOASA)  
[http://assets.teamusa.org/assets/documents/attached\\_file/filename/37887/TedStevens.pdf](http://assets.teamusa.org/assets/documents/attached_file/filename/37887/TedStevens.pdf)
- ❖ United States Olympic Committee (USOC) Bylaws  
[http://assets.teamusa.org/assets/documents/attached\\_file/filename1/50638/2011\\_Bylaws\\_Approved\\_9.24.11.pdf](http://assets.teamusa.org/assets/documents/attached_file/filename1/50638/2011_Bylaws_Approved_9.24.11.pdf)
- ❖ International Olympic Committee (IOC) Charter  
[http://www.olympic.org/Documents/olympic\\_charter\\_en.pdf](http://www.olympic.org/Documents/olympic_charter_en.pdf)
- ❖ USOC Athletes' Advisory Council (AAC) Bylaws  
[http://assets.usoc.org/assets/documents/attached\\_file/filename/5645/Updated AAC Bylaws 12 3 07 Attachment approved.pdf](http://assets.usoc.org/assets/documents/attached_file/filename/5645/Updated_AAC_Bylaws_12_3_07_Attachment_approved.pdf)

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## World Anti-Doping Agency (WADA)

- ❖ WADA World Anti-Doping Code  
<http://www.wada-ama.org/en/World-Anti-Doping-Program/Sports-and-Anti-Doping-Organizations/The-Code/>
- ❖ WADA Prohibited List  
<http://www.wada-ama.org/en/World-Anti-Doping-Program/Sports-and-Anti-Doping-Organizations/International-Standards/Prohibited-List/>

- ❖ WADA Therapeutic Use Exception (TUE)  
<http://www.wada-ama.org/en/Science-Medicine/TUE/>
- ❖ WADA International Standards  
<http://www.wada-ama.org/en/World-Anti-Doping-Program/Sports-and-Anti-Doping-Organizations/International-Standards/>
- ❖ WADA Whereabouts  
<http://www.wada-ama.org/en/World-Anti-Doping-Program/Sports-and-Anti-Doping-Organizations/International-Standards/Testing/QA-on-Whereabouts/>

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#### United States Anti-Doping Agency (USADA)

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- ❖ USADA Protocol for Olympic & Paralympic Movement Testing  
[http://www.usada.org/files/active/policies\\_procedures/USADA%20Protocol-%202009-%20FINAL.pdf](http://www.usada.org/files/active/policies_procedures/USADA%20Protocol-%202009-%20FINAL.pdf)
- ❖ USADA Policy for TUEs  
[http://www.usada.org/files/active/policies\\_procedures/tue-policy.pdf](http://www.usada.org/files/active/policies_procedures/tue-policy.pdf)
- ❖ USADA Whereabouts Policy  
[http://www.usada.org/uploads/testing/2011\\_whereabouts\\_policy.pdf](http://www.usada.org/uploads/testing/2011_whereabouts_policy.pdf)

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#### United States Olympic Committee (USOC) Policies

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- ❖ USOC Anti-Doping Policies  
[http://assets.usoc.org/assets/documents/attached\\_file/filename/6694/USOC\\_NADP\\_approved\\_10.12.2008\\_for\\_2009.pdf](http://assets.usoc.org/assets/documents/attached_file/filename/6694/USOC_NADP_approved_10.12.2008_for_2009.pdf)
- ❖ Athlete Commercial Rights re: National Governing Bodies (NGB)  
[http://assets.usoc.org/assets/documents/attached\\_file/filename/5866/Clarification\\_of\\_NGB\\_Commercial\\_Policies.pdf](http://assets.usoc.org/assets/documents/attached_file/filename/5866/Clarification_of_NGB_Commercial_Policies.pdf)
- ❖ Approved Personal Performance Gear – Summer Sports  
[http://assets.teamusa.org/assets/documents/attached\\_file/filename/40859/Approved\\_Summer\\_Sports\\_Gear.pdf](http://assets.teamusa.org/assets/documents/attached_file/filename/40859/Approved_Summer_Sports_Gear.pdf)
- ❖ Approved Personal Performance Gear – Winter Sports  
[http://assets.usoc.org/assets/documents/attached\\_file/filename/5830/Approved\\_Personal\\_Performance\\_Gear\\_List\\_-\\_Winter\\_Sports.pdf](http://assets.usoc.org/assets/documents/attached_file/filename/5830/Approved_Personal_Performance_Gear_List_-_Winter_Sports.pdf)

- ❖ USOC Olympic Training Center Policies  
Contact Ombudsman Office
- ❖ Olympic, Paralympic, Pan Am Games USOC Selection Procedures Manuals  
Contact Ombudsman Office

American Arbitration Association (AAA) &  
Court of Arbitration for Sport (CAS) Jurisprudence

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- ❖ American Arbitration Association (AAA) Awards – Section 9, 10, 11 Cases  
<http://www.teamusa.org/legal/arbitration-hearing-panel-cases>
- ❖ AAA Anti-Doping Awards – USADA Cases  
<http://www.usada.org/arbitration-decisions/>
- ❖ Court of Arbitration (CAS) Awards – International Cases  
<http://www.tas-cas.org/recent-decision>

Resolution of Disputes

- The USOC must provide for the swift resolution of conflicts and disputes involving amateur athletes, national governing bodies, and amateur sports organizations.  
[TSOASA §220503 (8)] pg 93
- The USOC must protect the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition.  
[TSOASA §220503 (8)] pg 93
- The USOC shall establish and maintain provisions in its bylaws for the swift and equitable resolution of disputes involving any of its members and relating to the opportunity of an amateur athlete, coach, trainer, manager, administrator, or official to participate in the Olympic Games, the Paralympic Games, the Pan-American Games, world championship competition, or other protected competition as defined in the bylaws of the USOC.  
[TSOASA §220509 (a)] pg 99
- NGB must provide procedures for the prompt and equitable resolution of the grievances of its members.  
[TSOASA §220522 (a)(13)] pg 104

- No NGB or other member of the USOC may deny or threaten to deny any amateur athlete the opportunity to participate in the Olympic Games, the Pan American Games, the Paralympic Games, a World Championship competition, or other such protected competition.  
[USOC Bylaws, Section 9.1] pg39
- "protected competition" means any amateur athletic competition between any athlete or athletes officially designated by the appropriate NGB as representing the United States, either individually or as part of a team, and any athlete or athletes representing any foreign country...  
[USOC Bylaws, Section 1.3(W)] pg3
- The USOC shall, by all reasonable means, protect the opportunity of an amateur athlete to participate if selected (or to attempt to qualify for selection to participate) as an athlete representing the United States.  
[USOC Bylaws, Section 9.1] pg39
- Fair notice and opportunity for a hearing before being declared ineligible.  
[TSOASA, §220522, (a)(8)] pg 103
- Athlete may seek to protect his or her opportunity to participate by filing a complaint with the USOC Chief Executive Officer (CEO).  
[USOC Bylaws, Section 9.2] pg 39
- When a complaint is filed, the USOC legal division shall promptly notify the Athlete Ombudsman and the Chair of the AAC of the complaint.  
[USOC Bylaws, Section 9.5] pg 39
- The USOC CEO, or his or her designee, and the Athlete Ombudsman shall review the complaint, seek information from the parties as to the merits of the complaint, and determine whether the complaint can be resolved to the satisfaction of the parties.  
[USOC Bylaws, Section 9.6] pg 40
- The parties shall cooperate with the CEO, or his or her designee, in providing information regarding the complaint and in exploring resolution of the complaint.  
[USOC Bylaws, Section 9.6] pg 40
- Athlete is entitled to file a claim with the AAA ([www.adr.org](http://www.adr.org) or Jen Nilmeier at [nilmeierj@adr.org](mailto:nilmeierj@adr.org)) against an NGB for final and binding arbitration.  
[USOC Bylaws, Section 9.7] pg 40  
[TSOASA §220522 (a)(4)(B)] pg 103

- If an impending competition requires immediate resolution of the complaint, an athlete may file a claim with the AAA simultaneously with the filing of the complaint with the USOC CEO. [USOC Bylaws, Section 9.7] pg 40
- If an expedited hearing is necessary, the AAA shall hear and decide the claim within forty-eight (48) hours of the filing of the claim under procedures that are fair to all parties. [USOC Bylaws, Section 9.9] pg 40
- Athlete is entitled to a reasoned award after a AAA hearing [USOC Bylaws, Section 9.7] pg 40
- If you are an athlete who is potentially adversely affected by a AAA hearing of the complaint of another athlete, you are entitled to participate in the AAA hearing as an affected party. [USOC Bylaws, Section 9.7] pg 40
- No claim previously adjudicated by an anti-doping agency may be brought by the athlete under Section 9. [USOC Bylaws, Section 9.11] pg 41
- Field of play decisions generally are not subject to Section 9 complaints. [USOC Bylaws, Section 9.12] pg 41
- Action under Section 9 does not bar an athlete from bringing a claim under Section 10. [USOC Bylaws, Section 9.13] pg 41
- Any reference to athlete in Section 9 of the USOC Bylaws shall also equally apply to any coach, trainer, manager, administrator or other official. [USOC Bylaws, Section 9.1] pg 39
- A claim must be filed with the AAA within at six (6) months of the alleged date of denial [USOC Bylaws, Section 9.10] pg 40

#### Participation in the NGB and its Governance

- NGB with membership open to any individual who is an amateur athlete, coach, trainer, manager, administrator, or official active in the sport for which recognition is sought. [TSOASA, §220522, (a)(7)] pg 103
- No eligibility criteria related to amateur status or to participation in the Olympic Games, the Paralympic Games, or the Pan-American Games that are more restrictive than those of the

appropriate international sports federation.

[TSOASA, §220522, (a)(14)] pg 104

- Athlete may seek to compel the NGB to comply with certain requirements of the TSOASA.  
[TSOASA, §220527, (a)(1)] pg 108
- 20% athlete representation on an NGB's board of directors.  
[TSOASA, §220522, (a)(10)] pg 104
- 10 year rule for representation  
[TSOASA, §220522, (a)(10)] pg 104
- 20% athlete representation on an NGB's board of directors, executive boards and other governing boards as well as committees.  
[USOC Bylaws, Section 8.8.1] pg 33
- Standards for athlete representation at NGB, definition of athlete  
[USOC Bylaws, Section 8.8.2 & Section 8.8.3] pg 33
- NGB may set higher standards for athlete representation  
[USOC Bylaws, Section 8.8.4] pg 35
- Athletes elect athletes  
[USOC Bylaws, Section 8.8.5] pg 35
- Athletes eligible to run are eligible to vote  
[USOC Bylaws, Section 8.8.5] pg 35
- Athlete approval of NGB selected athletes to certain committees  
[USOC Bylaws, Section 8.8.5] pg 35
- Age-restricted representation  
[USOC Bylaws, Sections 8.8.2 & 8.8.3] pg 33

#### Participation in USOC Governance

- 10 year rule for athlete representation at the USOC  
[TSOASA §220504 (b)(2)] pg 94
- Establish and maintain an Athletes' Advisory Council (AAC) to ensure communication between the USOC and athletes

[TSOASA §220504 (b)(2)(A)] pg 94  
[USOC Bylaws, Section 14] pg 56

- 20% rule for membership and voting power held in the board of directors of the USOC and in the committees and entities of the USOC.  
[TSOASA §220504 (b)(2)(B)] pg 94  
[USOC Bylaws, Section 14.4] pg 56
- AAC composition  
[USOC Bylaws, Section 14.1] pg 56
- AAC operations  
[USOC Bylaws, Section 14.2] pg 56
- AAC terms  
[USOC Bylaws, Section 14.3] pg 56
- AAC qualifications  
[USOC Bylaws, Section 14.5] pg 56
- AAC election procedures  
[USOC Bylaws, Section 14.6] pg 57
- Right to nominate athlete members of the USOC BOD  
[USOC Bylaws, Section 5.6.3] pg 25
- Attend the Olympic and Paralympic Assembly  
[USOC Bylaws, Sections 7.1 & 7.5] pg 28/29
- Development of Assembly content and format  
[USOC Bylaws, Section 7.2] pg 28
- Sit on panels that hear Section 10 complaints  
[USOC Bylaws, Section 10.6] pg 42
- Sit on panels that hear Section 11 complaints  
[USOC Bylaws, Section 11.8] pg 48
- Chair of the AAC sits on Games Administrative Board  
[USOC Bylaws, Section 19.2]

## Commercial Terms

- Athlete right to choose specialized equipment  
[Bye-law 2.3 to IOC Charter Rules 27 & 28] pg 60  
[USOC Policy, Legal, Other Documents]
- Athlete owns rights to his/her image  
[USOC Policy C.1]
- Cannot condition participation on signing a commercial terms agreement  
[USOC Policy C.2]

## USOC Programs

- Foster the development of amateur athletic facilities for use by amateur athletes.  
[TSOASA §220503 (9)] pg 93
- assist in making existing amateur athletic facilities available for use by amateur athletes.  
[TSOASA §220503 (9)] pg 93
- Provide and coordinate technical information on physical training, equipment design, coaching, and performance analysis.  
[TSOASA §220503 (10)] pg 93
- Encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety.  
[TSOASA §220503 (11)] pg 93
- Encourage and provide assistance to amateur athletic activities for women.  
[TSOASA §220503 (12)] pg 93
- Encourage and provide assistance to amateur athletic programs and competition for amateur athletes with disabilities.  
[TSOASA §220503 (13)] pg 94
- encourage and provide assistance to amateur athletes of racial and ethnic minorities  
[TSOASA §220503 (14)] pg 94
- Form US Olympians  
[USOC Bylaws, Section 19.4]

- US Olympians membership in USOC Multi-sport Organization  
[USOC Bylaws, Section 8.14] pg 36
- US Olympians attendance at the Olympic Assembly  
[USOC Bylaws, Section 8.16] pg 36

#### IOC Rules re: Entry into the Games

- The practice of sport is a human right.  
[Fundamental Principals of Olympism] pg 10
- Any entry is subject to acceptance by the IOC, which may at its discretion, at any time, refuse any entry, without indication of grounds. Nobody is entitled as of right to participate in the Olympic Games.  
[Rule 44, 3.] pg 77
- The USOC must investigate the validity of the entries proposed by NGBs and ensure that no one has been excluded for racial, religious or political reasons or by reason of other forms of discrimination.  
[Rule 44, 4.] pg 78
- The USOC shall send to the Olympic Games only those competitors adequately prepared for high level international competition.  
[Rule 44, 5.] pg 78
- All participants in the Olympic Games in whatever capacity must sign an entry form as prescribed by the IOC Executive Board.  
[Bye-law 6 to Rule 44] pg 79

#### IOC Rules re: Eligibility, Advertising & Demonstrations

- The IOC opposes any political or commercial abuse of sport and athletes.  
[Rule 2, 10.] pg 15
  - Eligibility for participation in the Olympic Games:
    - Comply with the Charter
    - Entered into Olympic Games by the USOC
    - Respect the spirit of fair play and non violence
    - Respect and comply with the World Anti-Doping Code
- [Rule 40] pg 75

- Athlete etc may not allow person, name, picture or sports performances to be used for advertising purposes during the Olympic Games.  
[Bye-law 3 to Rule 40] pg 75
- The entry or participation of a competitor in the Olympic Games shall not be conditional on any financial consideration.  
[Bye-law 4 to Rule 40] pg 75
- Under no circumstances, throughout the duration of the Olympic Games, may any athlete, coach, official, press attaché or any other accredited participant act as a journalist or in any other media capacity  
[Bye-law 3 to Rule 48] pg 90
- No kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas.  
[Rule 50, 3.] pg 91
- No advertising on clothing worn during the Games  
[Bye-law 1 to Rule 50] pg.92

#### IOC Rules re: Anti-Doping

- The World Anti-Doping Code is mandatory for the whole Olympic Movement.  
[Rule 43] pg 77

#### IOC Rules re: Hearings

- Any individual has the right to be heard by the IOC body competent to apply a measure or sanction to such individual. The right to be heard in the sense of this provision includes the right to be acquainted with the charges and the right to appear personally or to submit a defense in writing.  
[Bye-law 3 to Rule 59] pg 102
- Three year statute of limitations to challenge an IOC decision.  
[Rule 60] pg 102
- Any dispute arising on the occasion of, or in connection with, the Olympic Games shall be submitted exclusively to the Court of Arbitration for Sport (CAS).  
[Rule 61, 2.] pg 103

### IOC Rules re: Nationality of Competitors

- Competitor must be a national of the country of the NOC which is entering such competitor  
[Rule 41, 1.] pg 76
- Any matters related to nationality are resolved by the IOC Executive Board  
[Rule 41, 2.] pg 76  
[Bye-law 4 to Rule 41] pg 77
- Dual citizens  
[Bye-law 1 to Rule 41] pg 76
- Changing citizenship, three year wait or waiver  
[Bye-law 2 to Rule 41] pg 76
- New country or merger of countries  
[Bye-law 3 to Rule 41] pg 76

### Anti-Doping Rules

- The USOC adopts the WADA Code and all athlete must follow it  
[USOC National Anti-Doping Policies, 1.] pg 1
- Retirement  
[USOC National Anti-Doping Policies, 2.] pg 1
- Illegibility  
[USOC National Anti-Doping Policies, 3 & 5.] pg 1
- In testing pool 12 months prior to Games  
[USOC National Anti-Doping Policies, 4.] pg 1
- Comply with IF rules as well  
[USOC National Anti-Doping Policies, 6.] pg 2
- Opportunity for a hearing  
[USOC National Anti-Doping Policies, 7.] pg 2
- Pre-Games testing within 150 days of Games  
[USOC National Anti-Doping Policies, 8.] pg 3

- Complete on-line education program  
[USOC National Anti-Doping Policies, 9.] pg 3
- Public disclosure of anti-doping rule violation  
[USOC National Anti-Doping Policies, 10.] pg 4
- Agreement to be bound  
[USOC National Anti-Doping Policies, 11.] pg 4