

# Safer Sports for Athletes Act of 2024

## Section-by-Section Summary

### Section 1 – Short Title.

- Specifies the Act may be cited as the “Safer Sports for Athletes Act of 2024”

### Section 2 – Other Amateur Sports Organizations

- Requires that certain organizations outside the Olympic movement provide SafeSport-developed training to adults that have regular contact with and authority over minors.

### Section 3 – Grant to Protect Young Athletes from Abuse

- Increases the authorized funding amount for the *Keep Young Athletes Safe Act* from \$2.5 million to \$10 million. This funding, which is subject to appropriations, is used by SafeSport for training and prevention activities.

### Section 4 – Additional Matters Relating to Resolution of Complaints of Abuse

- Ensures that mechanisms for reporting, investigation and resolution provide for fair notice and an opportunity to be heard and protect the privacy and safety of claimants.
- Ensures greater transparency by requiring SafeSport to publish its protocols for investigations and decision-making.
- Requires that specific due process protections must be applied during SafeSport investigations.

### Section 5 – Limitation on Requirements of Victims

- Clarifies that SafeSport can pursue investigations and levy sanctions without testimony from a survivor of sexual misconduct.

### Section 6 – Response and Resolution Process

- Requires SafeSport to assign a case manager to each case to manage and provide regular communication with claimants and respondents.
- Ensures that a claimant be notified they are permitted to have a victim advocate of their choosing accompany them to any proceedings scheduled as part of an investigation and requires SafeSport to provide such victim advocate at no cost if the claimant does not have a victim advocate or refer the victim to an organization that can provide a cost-free advocate upon request.

- Requires SafeSport to assign an investigator to a case within 7 business days of accepting jurisdiction and receiving membership records from the relevant NGB and requires NGBs to provide SafeSport with relevant membership information within 5 business days.
- Requires that investigations must be concluded within 180 days after a report is made to SafeSport unless SafeSport deems it necessary to extend the investigation. In the case of an extension, SafeSport must provide an explanation to the claimant, the respondent, the relevant NGB and USOPC explaining why the extension is necessary and include sufficient information for the NGB to implement a safety plan to protect participants from further abuse. Such communication must be made every 30 days that the case is extended past 180 days.
- Reinforces that the standard for the imposition of sanctions is a preponderance of the evidence.
- Requires SafeSport to establish a grievance reporting system for reporting bad faith use of SafeSport's processes to prolong investigations.
- Establishes a new process that SafeSport must adhere to following an investigation.
  - Under this new process, if SafeSport's investigation does not result in sufficient evidence to determine by a preponderance of evidence that an individual violated the SafeSport code, then SafeSport may dismiss and close the case, but such case shall remain subject to being re-opened in the event additional evidence is presented to SafeSport.
  - If an individual is found to have violated the SafeSport code, but punishment does not include suspension or ineligibility, then sanctions issued by SafeSport are not subject to appeal.
  - If SafeSport concludes that an individual should be suspended or made ineligible, SafeSport must present that sanction to the individual, at which point the individual can accept the sanction or appeal in the form of a hearing.
  - If the case proceeds to an appeal in the form of a hearing, SafeSport shall utilize a panel of three experts with expertise and training in trauma-informed care and/or an understanding of sports dynamics to judge the case.
  - Stipulates that hearings will not provide for discovery and that only information or materials that were provided to SafeSport during the investigation can be considered in the hearing.

## **Section 7 – Training Materials**

- Requires the SafeSport office for Education and Outreach to:
  - Develop training materials for specific audiences, including coaches, trainers, doctors, young children, adolescents, adults, and individuals with disabilities.
  - Develop training materials suitable for all levels of participation, including organizations with adult athletes and organizations with minor athletes.
  - Ensure that all training for adults who interact with youth athletes is interactive and promotes trauma-informed approaches that take into account age, gender, developmentally, culturally, and linguistically appropriate care.
  - Consult with experts in sexual abuse prevention, public health experts and athlete survivors when developing training materials.
  - Adopt a trauma-informed approach when developing training materials.
  - Incorporate lived experiences of survivors of abuse when developing training materials, including more awareness of how and when to report alleged abuse.
  - Include technical assistance on trauma-informed, athlete-centered and athlete survivor-centered policies when developing training materials.
  - Update training materials every three years.
  - Ensure that all SafeSport staff receive at least four hours of training annually, and that SafeSport staff working on response and resolution receives at least 20 hours of training annually, provided via live video or in-person, on trauma-informed care and that each person receives training within 30 days of being hired.

## **Section 8 – Relating to Independence**

- Clarifies that SafeSport may share information with law enforcement, other investigative agencies, an international safeguarding agency or international federation and the USOPC for purposes of carrying out a criminal investigation and with NGBs for the purpose of assisting in promoting a safe environment in sports.
- Clarifies that a NGB can provide information relating to an investigation to the Equal Employment Opportunity Commission (EEOC) or other relevant bodies in instances in which an individual was terminated for a violation in order to defend a claim of wrongful termination.
- Ensures that SafeSport provides applicable NGBs with a detailed description of the allegations of abuse and allows the NGB to impose appropriate measures to protect

participants during the investigation. Also ensures that SafeSport removes identifying information about the claimant in any details it shares with the NGB.

### **Section 9 – Funding Matters**

- Requires that at least 20% of funding made available to SafeSport by in a fiscal year is used for training, oversight practices, policies, and procedures to prevent the abuse.
- Clarifies that SafeSport’s financial reserves shall not exceed ten percent of the organization’s annual revenue.

### **Section 10 – Compliance Audits**

- Requires SafeSport to carry out an audit of the USOPC and each NGB to assess compliance with SafeSport policies and procedures as well as to detail SafeSport’s engagement with the Athlete Survivor Engagement Group and its efforts to improve transparency for survivors.

### **Section 12 – Additional Provisions**

- Requires the SafeSport CEO to appear before the Senate Commerce, Science and Transportation Committee, the House Energy and Commerce Committee, and the House Judiciary Committee at least once per Congress.
- Requires GAO to issue a report every three years on SafeSport’s performance.
- Requires 20% of the SafeSport board of directors to be recommended by amateur athlete survivors.