

# UNITED STATES CURLING ASSOCIATION



## POLICIES AND PROCEDURES MANUAL

OCTOBER 2023



## Table of Contents

<b>Policy Name</b>	<b>Adoption Date</b>	<b>Page</b>
<b>10-01 – Sex Change Operation Eligibility</b>	<b>Fall 2010</b>	<b>4</b>
<b>12-01 – Privacy Policy</b>	<b>August 2012</b>	<b>5</b>
<b>13-01 – Recognition of SafeSport</b>	<b>April 2013, Reaffirmed January 2018</b>	<b>11</b>
<b>15-01 – List Rental Policy</b>	<b>Revised October 2015</b>	<b>12</b>
<b>19-01 – Conflict of Interest and Code of Ethics Policy</b>	<b>May 2019</b>	<b>13</b>
<b>19-02 – Conflict of Interest Policy Disclosure Statement and Questionnaire</b>	<b>May 2019</b>	<b>16</b>
<b>19-03 – Code of Ethics and Fiduciary Responsibilities</b>	<b>May 2019</b>	<b>19</b>
<b>20-01 – Donations Policy</b>	<b>April 2020</b>	<b>20</b>
<b>20-02 – Athlete Stipend Policy</b>	<b>April 2020</b>	<b>21</b>
<b>21-01 – Whistle-Blower Policy</b>	<b>February 2021</b>	<b>21</b>
<b>21-02 – Board of Directors Policy</b>	<b>October 2021</b>	<b>25</b>
<b>21-03 – Non-Discrimination Policy</b>	<b>October 2021</b>	<b>33</b>
<b>21-04 - Gifts and Entertainment Policy</b>	<b>October 2021</b>	<b>33</b>
<b>21-05 - Complaint Procedures</b>	<b>October 2021</b>	<b>38</b>
<b>21-06 - External Representation Policy</b>	<b>October 2021, Updated May 2022</b>	<b>43</b>
<b>21-07 – By-laws Amendment Notification Procedures</b>	<b>October 2021</b>	<b>44</b>
<b>21-08 – Individual Members, Member Clubs, and Affiliated Organizations Policies and Procedures</b>	<b>October 2021</b>	<b>45</b>
<b>21-09 – Recognized Regional Association Directors</b>	<b>October 2021</b>	<b>48</b>
<b>21-10 - Members’ Meeting Policies and Procedures</b>	<b>October 2021 Amended October 2023</b>	<b>49</b>



<b>21-11 – Standing Committees Policies and Procedures</b>	<b>October 2021</b>	<b>52</b>
<b>21-12 - Athlete Ombuds Policy</b>	<b>October 2021</b>	<b>53</b>
<b>21-13 - Code of Conduct</b>	<b>October 2021, Revised December 2021</b>	<b>55</b>
<b>21-14 - Transgender Participation Policy and Guidance</b>	<b>October 2021</b>	<b>60</b>
<b>21-15 – Member Club Reinstatement Following Suspension, Termination, or Resignation</b>	<b>December 2021 Updated October 2023</b>	<b>66</b>
<b>23-01 Recognized Regional Association Reinstatement Following Suspension, Termination, or Resignation</b>	<b>October 2023</b>	<b>68</b>
<b>21-01 ADDENDA - Addendum to Policy 21-01 Whistle-Blower Investigation Guidelines</b>	<b>Presented February 2021</b>	<b>74</b>



**Policy 10-01**  
**Sex Change Operation Eligibility**  
**Adopted Fall 2010**

**USA Curling adopts the “Stockholm Consensus” on sex reassignments in sports as accepted by the IOC.**



## **Policy 12-01 Privacy Policy**

Adopted August 2012

The United States Curling Association ("USA CURLING") has created this Privacy Policy to disclose our online information practices and the choices you can make about the way your personal information is collected and used at the Site. This Privacy Policy is incorporated into, and a part of, the Terms of Use Agreement for the Site (the "Agreement"). Capitalized terms used herein without definition shall have the meanings assigned to such terms in the Agreement.

### **CHANGES TO THIS POLICY**

USA Curling reserves the right, at our discretion, to change, modify, add or remove portions of this Privacy Policy at any time. Such changes, revisions or modifications will be effective immediately upon notice to you, which may be given by any means including, without limitation, via posting on the Site. If the changes are significant, we will provide more prominent notice. Each version has an effective date listed at the top of the policy. Your continued use of the Site after such notice will be deemed to constitute acceptance of such changes, revisions or modifications. Please check this Privacy Policy periodically for changes.

As is explained in the Scope of Use section of the Agreement, the Site and the materials contained in the Site are presented solely for the use of users located in the United States of America and its territories and possessions, excluding Puerto Rico, American Samoa, Guam and the Virgin Islands. Guests who choose to visit the Site from outside of the United States of America are advised that this Privacy Policy does not necessarily comply with the privacy laws and regulations of the country from which you are accessing the Site. We therefore request that you do NOT provide personal information to us if you are accessing the Site from outside of the United States of America.

### **WE COLLECT CERTAIN PERSONAL INFORMATION**

For purposes of this Privacy Policy, "personal information" means any individually identifiable information about a user of our Site including, but not limited to, your name, contact information (such as your mailing address and e-mail address), demographic information (such as your date of birth and income level), lifestyle-related information (such as your hobbies and interests), and financial information (such as your credit card number).

You may visit the Site as a guest, without providing any personal information to us. However, you may be required to provide personal information to us in order to take advantage of certain services and promotions offered via the Site. We may collect any personal



information that you voluntarily provide to us in connection with your use of the Site, including but not limited to in connection with your:

- participation in any online contest, sweepstakes or other promotions we might offer;
- making purchases from our online store;
- submission of questions or comments to us via the Site;
- use of the Site to transmit any User Content, including but not limited to participation in any email services, message boards or chat rooms we may establish;
- inclusion in our online newsletter program; registration as a registered user of the Site; and donations.

## **OUR USE AND DISCLOSURE OF YOUR PERSONAL INFORMATION**

We use the personal information that you voluntarily provide to us in order to fulfill the purpose for which you provided the information to us (e.g., in order to respond to your questions, to fulfill orders for products purchased via the Site, to award prizes pursuant to contests entered via the Site, etc.). We also use your contact information to send you information, advertising and promotional materials about USA Curling, its member organizations, and their respective products, services and upcoming events. We may also call persons who provide their telephone numbers to us via the Site in order to provide you with information about USA Curling member organizations, and their respective products, services and upcoming events, if you request.

We may use demographic and lifestyle-related information that you voluntarily provide to us in order to improve the content of the Site. We may also use this information to tailor your experience at the Site, showing you content, and to send you information, advertising and promotional materials about USA Curling, its members organizations, and their respective products, services and upcoming events that we think might be of interest to you.

We use the financial information that you voluntarily provide to us solely to bill you for products you have ordered via the Site and donations to USA Curling you have made via the Site.

As is explained in the Agreement, the term "Site" refers to several web sites owned by USA Curling. We may disclose personal information that you provide to us via any one of the Sites with our other Sites. We may also disclose any personal information that you provide to us to any of our member organizations, who may use such personal information solely in accordance with the terms of this Privacy Policy.

We will not disclose any personal information that you provide to us to any unaffiliated third party, except in accordance with this Privacy Policy or with your consent. We may disclose any personal information that you provide to us to our service providers with respect to the Site, provided that such service providers have agreed to only use such personal information to the extent necessary to perform services on behalf of USA Curling. While our policy is not to share



this information with unaffiliated third parties, we do share aggregate information with other companies that are partners, sponsors or otherwise affiliated with The U.S. Curling Association.

We may disclose aggregate non-personally identifiable information about users of our Site to advertisers, sponsors, and other third parties. For example, we may disclose to any third party that X% of Site users are male, Y% of Site users reside in Wisconsin, etc. Our disclosure of aggregate information does not permit the recipient of such data to identify or contact any individual user of the Site.

Finally, we may use and disclose your personal information:(a) as is required by law;(b) to comply with legal process; (c) to investigate claims with respect to use of the Site; (d) as is reasonably necessary to enforce the terms of the Agreement; and (e) as is reasonably necessary to protect the interests, rights or property of USA Curling, its member organizations or others.

We understand that some of your personal information may change over time, or that you may later desire that we no longer use or disclose personal information that you previously provided to us. You can either: (x) edit your personal information on the Site; (y) follow the instructions in our e-mail newsletter to make changes or remove yourself from our mailing list; or (z) contact us pursuant to the procedures specified in the CONTACTING US section of this Privacy Policy.

## **POLICIES WITH RESPECT TO CHILDREN UNDER THE AGE OF 13**

### **Our Collection of Personal Information from Children Under the Age of 13**

USA Curling does not knowingly collect any personal information from children under the age of 13

(referred to herein as "children"). As is further explained in the USE OF IP ADDRESSES section of this Privacy Policy, we do not link the IP addresses of Site users to personal information other than in specified circumstances. As is further explained in the USE OF COOKIES section of this Privacy Policy, we do use cookies on our Site, but such cookies are not linked to personal information unless such personal information is voluntarily provided to us via the Site.

We encourage parents and guardians to spend time online with their children, and to take an active role to protect the privacy of their children, including but not limited to instructing their children not to disclose any personal information over the Internet without their prior permission.

Once we have received verifiable parental consent, we may actively collect personal information from a child so that the child may participate in the following services and activities in connection with his or her use of the Site:



- contests and promotions the rules of which permit entry by children;
- inclusion in our online newsletter program; and
- registration as a registered user of the Site.

We may collect the following types of personal information from children in connection with such services and activities:

- name and member name;
- age and birth date;
- e-mail address and mailing address;
- e-mail address of a parent or guardian; and
- favorite sports, hobbies, interests and extracurricular activities.
- 

USA Curling will not condition a child's participation in any game, the offering of a prize, or a child's participation in any other activity on the child's disclosing more personal information than is reasonably necessary for the child to participate in such activity.

We note that, in the course of a child's use of our Site, the child may voluntarily provide further personal information about himself or herself to us - for example, by including personal information in messages submitted to us via the Site. We also note that we may collect personal information about a child from the child's parent or guardian - for example, if the parent or guardian requests that we send our newsletter to the child.

### **Our Use and Disclosure of Personal Information Collected from Children Under the Age of 13**

USA Curling does not knowingly use any personal information about children unless we have first received verifiable parental consent to do so.

Once we have received verifiable parental consent, we may use personal information about children for the following purposes:

- fulfilling the purpose for which the child, parent or guardian provided that personal information (e.g., contacting the child in response to a question submitted by the child; sending newsletters for which the child signed up to the child, etc.); and
- record-keeping.
- 

Except as specified herein, USA Curling does not knowingly disclose any personal information about children unless it has received specific verifiable parental consent to disclose such personal information for a particular purpose (e.g., publishing the name and image of a child who has won a contest). For purposes of this Privacy Policy, the "disclosure" of personal information about children refers to both: (a) USA Curling disclosure of the personal information in identifiable form to a third party (other than a service provider with respect to our Site that





has agreed not to use or disclose the personal information other than to the extent necessary to perform services on behalf of USA Curling); making any such personal information publicly available in identifiable form by any means, including but not limited to, by public posting on the Site, or through an e-mail service, message board or chat room.

USA Curling may use and/or disclose personal information about children, without parental consent, to the extent reasonably necessary to:

- protect the security or integrity of our Site and online services;
- take precautions against liability;
- respond to judicial process; or
- provide information to law enforcement agencies or for an investigation on a matter related to public safety, to the extent permitted by law.

### **Confidentiality, Security and Integrity of Personal Information Collected from Children Under the Age of 13**

We use industry-standard security techniques to provide secure transmission of personal information from users' computers to our servers, and to protect against the loss, misuse or alteration of personal information we have collected at the Site. Please refer to the SECURITY AND INTEGRITY OF PERSONAL INFORMATION section of this Privacy Policy.

### **USE OF IP ADDRESSES**

An IP address is a number that is automatically assigned to your computer whenever you're surfing the web. Web servers, the big computers that "serve up" web pages, automatically identify your computer by its IP address.

When a user accesses web pages on our Site, our servers automatically log the user's IP address. USA Curling uses IP addresses for the purposes of system administration, auditing the use of the Site, and reporting aggregate information with respect to Site users to third parties. We do not normally link IP addresses to any information that personally identifies the user, meaning that the user remains anonymous to us. However, we will use IP addresses to determine the identity of a specific user: (a) as is required by law; (b) to comply with legal process; (c) to investigate claims with respect to use of the Site; (d) as is reasonably necessary to enforce the terms of the Agreement; and (d) as is reasonably necessary to protect the interests, rights or property of the USA Curling's member organizations or others.

Notwithstanding the foregoing, some services within the Site, such as message boards, may display a user's IP address along with his or her username and message. If you choose to take advantage of such services, you acknowledge and agree that you have voluntarily provided to us information that causes your IP address to link to personally identifying



information, and that our obligations with respect to use and disclosure shall be the same as those that apply to any other personal information that you have voluntarily provided to us.

## **USE OF COOKIES**

To enhance your experience with the Site, USA Curling may use “cookies” on many of our web pages. Cookies are text files we place in your computer’s browser to save information. We may use cookies to understand Site usage and to improve the content and offerings on the Site. For example, we may use cookies to personalize your experience at the Site (e.g., to recognize you by name when you return to the Site), save your password in password-protected areas, and enable you to use shopping carts on the Site. We never save your financial information in cookies. By showing how and when users use the Site, cookies help us see which areas are popular and which are not.

Cookies, by themselves, do not tell us your e-mail address or other personally identifiable information. However, if you choose to provide personally identifiable information about yourself to us via the Site, for example, by registering as a registered user of the Site, this personal information may be linked to the data stored in a cookie.

Most browsers are initially set up to accept cookies. You can reset your browser to refuse all cookies or to indicate when a cookie is being sent to you. However, please be aware that some parts of the Site will not function properly or may be considerably slower if you refuse to accept cookies. For example, without cookies, you will not be able to set personalized news preferences, or you may have difficulty completing shopping transactions, entering contests or playing games.

As you will see, third parties such as our sponsors display logos and advertisements on the Site. These advertisements may contain cookies. The use of advertising cookies sent by third party servers is standard in the Internet industry. USA Curling does not control, or have any responsibility with respect to, these third-party cookies.

## **SECURITY AND INTEGRITY OF PERSONAL INFORMATION**

We use industry-standard security techniques to provide secure transmission of your personal information from your computer to our servers, and to protect against the loss, misuse or alteration of personal information we have collected on the Site. When you transmit any financial information via the Site, we use industry-standard SSL (secure socket layer) encryption. Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure.

As is explained in the Registration and Passwords section of the Agreement, you are responsible for maintaining the confidentiality of your registration information and password, and for all uses of your password. You should remember to sign out of your USA CURLING



account and close your browser window when you have finished using the Site, in order to protect against others' use of the Site under your password. For your protection, we will never ask you to divulge your password in an unsolicited phone call or e-mail.

## **OPT-OUT/OPT-IN PROCEDURES**

Site users who are 13 years of age or older may OPT-OUT of:

- receiving mail, e-mail and/or phone calls from USA Curling and its affiliated member organizations with respect to the USA Curling member organizations, and their respective products, services and upcoming events;
- receiving information, advertising and promotional materials from third parties via mail.

You may OPT-OUT of any such use of your personal information by:

- using one of the methods described in the CONTACTING US section of this Privacy Policy; or
- With respect to personal information, you have provided in connection with a purchase from our online store, following the OPT-OUT procedures identified in, or linked to, your order form.

Site users who are 13 years of age or older may OPT-IN to receiving information, advertising and promotional materials from third parties via e-mail by using one of the methods described in the CONTACTING US section of this Privacy Policy.

## **CONTACTING US**

If you have any questions or complaints about this Privacy Policy, including but not limited to, exercising parental rights, opting-out of receiving third party mailings, submitting questions with respect to our privacy practices, or requesting that we correct, update or delete personal information that you have previously provided to us by; please feel free to contact us via our website at [info@usacurling.org](mailto:info@usacurling.org) or write us at:

U.S. Curling Association, 2685 Vikings Circle, Suite 210, Eagan, MN 55121.

*This Privacy Policy was last updated Aug. 15, 2012*

**Policy 13-01**  
**Recognition of SafeSport**  
Adopted April 2013  
Reaffirmed January 2018



The United States Curling Association (USA CURLING) is committed to encouraging participation and the pursuit of excellence at all levels of the sport. To create a safe and positive environment in which curlers can excel, USA Curling promotes good sportsmanship and encourages qualities of mutual respect, courtesy, and tolerance. Abuse or harassment of any kind will not be tolerated. The

*USA Curling SafeSport Handbook* has been developed to protect athletes, volunteers, and staff while participating in events conducted under the auspices of USA Curling Championships, curling camps, and educational clinics. It also applies to individuals who have been certified by the USA Curling, as a coach, instructor, official, or ice maker and are functioning in that capacity either within their club or at a bonspiel or other event. All Member Clubs are encouraged to use this program as a foundation for club-specific abuse and harassment policies and procedures, as the entire curling community must work cooperatively to promote an environment that is free from such behaviors.

The *USA Curling SafeSport Handbook* was developed based on resources from the United States Olympic Committee. Abuse prevention policies and procedures from USA Gymnastics, USA Swimming, and USA Hockey were also used as reference guides. This document replaced the USA CURLING Assessment Guidelines (2004).

## **Policy 15-01**

### **List Rental Policy**

Revised October 2015

- USA Curling physical address mailing list for individual members will not be provided to anyone.
- The USA Curling Member Club and regional association (not individuals) physical address list will be provided free of charge as a member benefit to USA Curling Member Clubs and regional associations that are utilizing the list for curling-related projects/programs, such as fundraising efforts, bonspiel invitations, etc. While this information is also available publicly on the USA Curling website (via Find a Club), the more convenient list compiled by USA Curling will be provided to members as described here.
- USA Curling sponsors and advertisers may rent the USA Curling physical address mailing list for Member Clubs and regional associations on a one-time-per-use basis.
- The USA Curling email address list will not be provided to anyone. However, USA Curling will provide a passthrough service for USA Curling sponsors (may be included as sponsor benefits), both for the digital address and physical address lists. USA Curling may also include ads or other sponsor recognitions in our digital communications.



- USA Curling Member Clubs, Recognized Regional Associations (not individuals) may purchase available advertising in USA Curling digital and print communications at a discounted member price.
- The list of USA Curling members (as in Individual Memberships reported by Member Clubs or purchased directly from USA Curling) is proprietary to USA Curling. When this list is provided to anyone as stated above, or utilized for any purposes stated above, those members who have opted out of receiving such communications will be removed from the related mailing lists. [OBJ]

## **Policy 19-01**

### **Conflict of Interest and Code of Ethics Policy**

Adopted May 11, 2019

The United States Curling Association (“USA Curling”) has had, and will continue to have, the policy to require its directors, officers, volunteers and employees to maintain the highest standards of ethics and propriety in activities and relations with all parties.

Pursuant to Section 18.1 of its by-laws, USA CURLING wishes to adopt a formal Ethics and Conflict of Interest Policy for the guidance of its directors, officers, volunteers and employees to promote adherence to its ethical standards and to avoid conflicts of interest. USA Curling expects that its directors, officers, volunteers and employees be aware of and comply with the USA Curling Code of Ethics and Fiduciary Responsibilities.

The following principles govern this Ethics and Conflict of Interest Policy.

- The business of USA Curling and its members is to be conducted in observance of both the spirit and the letter of applicable federal and state laws.
- No set of guidelines can guarantee acceptable behavior. The guidelines set out below are not a precise map to acceptable conduct. They are signposts. Each individual must find his or her own way.
- Those who serve USA Curling, or its members, must avoid any real conflict of interest as well as avoid the appearance of any conflict of interest.
- All conduct is founded on the individual’s own sense of integrity. Those who accept the honor of serving USA Curling and its members must also accept the burdens of public disclosure and public scrutiny. Properties, services, opportunities, authority and influence of USA Curling and its members are not to be used for private benefit.
- Each individual is expected to exhibit honesty, loyalty, candor and professional competence in relationships with other individuals, be they inside USA Curling or outsiders.
- Other volunteer work, business interests, government activity and/or family relationships may create potentially conflicting interests. What is required of those who serve is the



disclosure of conflicting interests when they arise, as well as physical absence from and strict nonparticipation in any evaluation process relating to the matter in question.

- All who vote on USA Curling issues must use these guidelines to help assess whether a conflict of interest, or the appearance of a conflict of interest, may exist. If there is a conflict of interest, or the appearance of a conflict of interest, it must be disclosed. It is understood that some real or potential conflicts of interest do not become evident until some new issue comes before a board or committee for evaluation and possible action. These situations cannot always be covered in advance by completing the conflict of interest and disclosure form.

- If there is any doubt as to the presence of a real or perceived conflict, any connection one may have with the issue at hand must be disclosed.

- After reading this Ethics and Conflict of Interest Policy, the initial assessment of whether to vote or to abstain from discussing and voting on the issue at hand is up to the individual. In considering your decision, remember that USA Curling values your judgment, your discussion input, and your vote. However, you always have the obligation to raise any known or potential perceived conflict to the Ethics Committee. As discussed in this document, the Ethics Committee, your Committee Chair or the Board Chair may choose to excuse you from discussing and voting on a given issue based upon an actual or perceived conflict of interest.

- Here are two illustrative examples of when one probably should abstain from a vote:

- Where you are related to, a member of, or a coach of a team or athlete that would clearly and directly gain or lose from the decision. Examples: funding, athlete of the year, or other benefit.

- You are related to, the coach of, or a team member of an athlete or team involved in a discipline issue.

- Gifts, cash, travel, hotel accommodations, entertainment, or favors are neither to be given nor received, except those of nominal value exchanged in the normal course of business. The trading of pins and mementos is acceptable conduct. Sports, media, entertainment and other organizations may routinely invite USA Curling personnel to attend sports and social events of more than nominal value. Such invitations may be accepted if they are part of open and generally accepted practice, serve to promote the best interests of USA Curling would not embarrass the individual or USA Curling if publicly disclosed, and does not compromise the objectivity and integrity of the recipient or donor. Gifts and favors of more than one hundred dollars should not ordinarily be accepted. If circumstances render it awkward to refuse such a gift, the donor should be thanked and told that the gift is being accepted on behalf of USA Curling and will be delivered to the USA Curling office. Each individual has the responsibility to maintain the confidentiality of USA Curling, as to both USA Curling proprietary and sensitive information.

In view of these principles, USA Curling adopts the following Ethics and Conflict of Interest Policy:

1. Directors, officers, committee members (collectively referred to as “Leaders”) and employees of USA Curling (“Employees”) shall adhere to the highest standards of honesty, good faith, and fair dealing in all activities relating to USA Curling.



2. No Leader or Employee, or any member of their respective immediate family or household, shall knowingly accept gifts, gratuities, or favors of any kind from any person, firm, or corporation doing business or seeking to do business with USA Curling that could reasonably be expected to influence, or create the appearance of influencing, the Leader's or Employee's actions relating to USA Curling. This prohibition is not intended to preclude business meals or other nominal gifts, gratuities, or favors.

3. Without full and complete disclosure to and approval by the Ethics Committee, no Leader or Employee or any member of his or her respective immediate family or households shall have any position of influence with, or a material financial interest in, any corporation or other entity that conflicts, or could reasonably be expected to conflict, with the proper performance of the Leader's/Employee's duties or responsibilities to USA Curling, or which could reasonably be expected to affect the Leader's or Employee's independent judgment and action with respect to transactions between USA Curling and such other entity.

4. Annually, the Secretary shall send, or cause to be sent, a copy of this Conflict of Interest Policy and a copy of a disclosure statement, to each Leader and Employee in which they will fully disclose the nature and extent of any actual or potential conflict of interest. This disclosure statement shall be completed, signed and returned to the Board Secretary or his or her designee. Each new Leader and Employee shall participate in a similar procedure upon assumption of his or her responsibilities.

5. In addition to the annual reporting referred to above, upon learning of a conflict, potential conflict or appearance of a conflict of interest, a Leader or Employee shall provide the Chair of the Ethics Committee (or his or her designee) with a full and complete written disclosure of all facts of the position, interest, transaction or situation.

6. All Leaders, when considering an issue for which an actual or potential conflict of interest exists, will avoid evaluating, or in any other way influencing, directly or indirectly, or voting on the matter involved. At the discretion of their Committee chair (or the Ethics Committee) with regard to Committee matters or, for Board meetings, USA Curling chair (or the Ethics Committee), a Leader may be asked to be physically absent during any evaluation and/or vote. Issues affected include, but are not limited to, the award of contracts, the purchase of goods and services, and the allocation of USA Curling resources. USA Curling Member Clubs will be encouraged to complete a conflict of interest and disclosure form.

7. After due consideration of an issue of conflict of interest or perceived conflict of interest with respect to a Leader, the Ethics Committee shall submit a confidential report to the Board of Directors and the Chief Executive Officer (if the issue at hand involves said Chief Executive Officer, the confidential report shall be submitted to the Board of Directors) concerning any action, position or interest of a Leader that may present a potential conflict, actual conflict, or appearance of conflict of interest, together with the Committee's recommendations concerning the same. The Board of Directors shall take such action as it believes is appropriate based on the information provided by the Ethics Committee.

8. In the event that USA Curling wishes to enter into a transaction that creates a conflict of interest, or an appearance of a conflict of interest, involving a Leader or Employee, the details of such a proposed transaction shall be reported to the Board of Directors, which shall



thereafter approve or reject the proposed transaction by resolution (with the affected person(s) abstaining if applicable).

9. The Ethics Committee shall administer this Policy with respect to a Leader, and any disputed action of the Ethics Committee with respect to this Policy shall be resolved by the Board of Directors.

10. USA Curling shall post a copy of this Ethics and Conflict of Interest Policy in a central place where it may be reviewed by employees, Leaders and members of USA Curling.

**Policy 19-02**  
**USA CURLING Conflict of Interest Policy Disclosure**  
**Statement/Questionnaire**

Adopted May 11, 2019

PRELIMINARY NOTE: For purposes of this statement, the term "Related Parties" shall include the following:

- a. any immediate family member or member of your household;
- b. any corporation or organization of which you are an officer or a partner or are, directly or indirectly, the beneficial owner of 5 percent or more of any class of equity securities, or by whom you are employed on a commission or other basis by which you would be in a position, directly or indirectly, to benefit financially from a transaction between USA Curling and such corporation or organization; or
- c. any trust or other estate in which you have a substantial beneficial interest or as to which you serve as a trustee or in a similar capacity.

1. NAME (Please print):

---

2. CAPACITY:

3.  Board of Directors

4.  Committee Chair

Employee

Other, specify: \_\_\_\_\_

3. Have you or any of your Related Parties provided services or property to USA Curling in the past year, other than in the normal course of your leadership or employment duties?

YES

NO





If yes, please describe the nature of the services or property, and if a Related Party, the nature of your relationship to the Related Party:

---

---

---

---

---

---

4. Have you or any of your Related Parties purchased services or property from USA Curling in the past year (other than as a member of USA Curling and other than items that may be sold in the ordinary course of USA Curling offerings to its members and the public?)

YES  
 NO

If yes, please describe the purchased services or property, and if a Related Party, the nature of your relationship to the Related Party:

---

---

---

---

---

---

5. Please indicate whether you or any of your Related Parties had, have, or will have any direct or indirect interest in any business transaction(s) to which USA Curling was or is a party?

YES  
 NO

If yes, describe the transaction(s), and if a Related Party, the nature of your relationship to the Related Party:

---

---



---

---

---

---

6. In the past year did you or any of your Related Parties receive, or are entitled to receive, directly or indirectly, any personal benefits from, or as a result of your relationship with, USA Curling that in the aggregate could be valued in excess of \$200 that were not or will not be compensation directly related to your duties on behalf of USA Curling or from being a member of USA Curling ?

YES  
 NO

If yes, please describe the benefit, and if a Related Party, the nature of your relationship to the Related Party:

---

---

---

---

---

7. Are you or any of your Related Parties a party to or have an interest in any pending legal proceedings involving USA Curling?

YES  
 NO

If yes, please describe the proceeding(s), and if a Related Party, the nature of your relationship to the Related Party:

---

---

---

---

---



8. If there is any relationship or matter not disclosed above which might be perceived to compromise your obligations to USA Curling under the USA Curling Ethics and Conflict of Interest Policy, or which may raise questions of a conflict between your duty and loyalty to USA Curling and your economic self-interest, please describe that relationship or matter. If none, state, None.

---

---

---

---

---

---

In signing this Disclosure Statement, I acknowledge receiving and understanding of the USA Curling Ethics and Conflict of Interest Policy, and I pledge my full support for the principles and guidelines contained therein. I have completed this Conflict of Interest Disclosure Statement completely and to the best of my knowledge.

---

SIGNATURE

---

DATE

**Policy 19-03**  
**Code of Ethics and Fiduciary Responsibilities**  
Adopted May 11, 2019

Pursuant to Section 18.1 of its by-laws, the USA Curling Code of Ethics and Fiduciary Responsibilities (Code) applies to its Board of Directors, officers, committee members, volunteers, and employees.

As the National Governing Body for curling in the United States, and because USA Curling operates in the public spotlight, USA Curling is expected to conform to the highest ethical principles. For these reasons, USA Curling requires its Board of Directors, committee



members, volunteers and employees to conduct business with integrity, to maintain a standard of ethical conduct consistent with the regulations of the State of Wisconsin in which USA Curling is incorporated, and to be guided by the knowledge that we are guardians of the Spirit of Curling. Furthermore, because the appearance of a conflict of interest or impropriety can be just as damaging as an actual conflict of interest or impropriety, conduct, which appears to be improper, is also unacceptable.

Accordingly, all USA Curling Board of Directors, officers, committee members, volunteers, and employees must agree to the following:

1. Conduct all dealings with honesty and fairness.
2. Respect the rights of all employees, athletes, and volunteers to fair treatment and equal opportunity, free from discrimination or harassment of any type.
3. Know, understand, and comply with the laws, regulations, and codes of conduct governing the conduct of USA Curling business, both domestic and foreign.
4. Ensure that all transactions are handled honestly and recorded accurately.
5. Protect information that belongs to USA Curling, its members, individual curlers, sponsors, suppliers, and fellow workers.
6. At all times act and vote in the best interests of curling and USA Curling, subordinating other interests.
7. Agree to be bound to USA Curling's Ethics, and Conflict of Interest Policy promulgated pursuant to Section 18.1 of the by-laws. Further, all directors, officers, committee chairs, and employees will be required to complete a conflict of interest (COI) disclosure form annually or prior to assumption of responsibilities.

Additionally, all USA Curling Board, officers, committee members, and volunteers must agree to the following:

1. Avoid conflicts of interest, both real and perceived.
2. Never use USA Curling assets or information for personal gain.
3. Recognize that even the appearance of misconduct or impropriety can be very damaging to the reputation of USA Curling and act accordingly.
4. Honor the confidentiality of Board and USA Curling matters.

As adopted by the USA Curling Board of Directors on the 15<sup>th</sup> day of October 2023 in Eagan, Minnesota. 

## **Policy 20-01 Donations**

Adopted April 25, 2020

As a 501(c)3 organization, contributions to USA Curling are tax deductible if they meet Section 170 of the code. Contributions with restrictions will be reviewed by the CEO prior to acceptance.



## **Policy 20-02**

### **USA CURLING Athlete Stipend Policy**

Adopted April 2020

Revised October 15, 2023

USA Curling provides stipends to select athletes in the National Team program, based on performance during the most recent season. USA Curling will adopt a tiered structure of payments based on performance factors during the most recent season, including but not limited to competition results, and will publish it annually.

Stipends are paid monthly. Stipend amounts are established by the Sporting Director, in consultation with coaches and staff, and approved by the Board of USA Curling.

In 2023-24, USA Curling will use the following Athlete Tier System to determine player stipends:

Member of the Men's or Women's National Team, and:

#### **Tier 1**

- Competing on a team ranked in the Top 15 on the World Curling Federation Team Ranking System.

#### **Tier 2**

- Competing on a team ranked in the Top 30 on the World Curling Federation Team Ranking System.

#### **Tier 3**

- Competing on a team ranked in the Top 40 on the World Curling Federation Team Ranking System.

## **Policy 21-01**

### **Whistle-Blower Policy**

Adopted February 23, 2021

#### **1. PURPOSE**

This Whistle-Blower Policy (the "Policy") is intended to support a strong culture of integrity and ethical conduct at USA Curling by encouraging, valuing, and protecting good faith reporting by athletes, coaches, directors, officers, employees, members, committee members, task force members, hearing panel members, and volunteers ("Affiliated Individuals") of USA Curling of any alleged violation of any applicable law or policy or any potential ethics issue.



The freedom to speak up means being able to raise concerns in whatever way is most comfortable and effective and feeling free to cooperate in investigations that follow. It also means that USA Curling has zero tolerance for retaliation of any kind against people who speak up in good faith.

## 2. VIOLATIONS COVERED BY THIS POLICY

This Policy is for use where there may be a violation of:

- any applicable law, rule or regulation
- any USA Curling policy
- principles of ethics
- accounting or financial practices (e.g., fraud)

If an Affiliated Individual is unsure about whether a matter might be a policy violation or is unsure about their reporting responsibility for a particular type of matter, please start by reviewing the particular policy involved. USA Curling staff should refer to [www.usacurling.org](http://www.usacurling.org) or reach out to the Chair of the Ethics Committee for more information.

Also, keep in mind that some violations **must** be reported. Specifically, please be familiar with the requirements in the Conflict of Interest and Code of Ethics Policy, the Code of Ethics and Fiduciary Responsibility, and the Code of Conduct. And of course, if an Affiliated Individual suspects any criminal activity against a person or property, they should report this directly to law enforcement immediately.

**Nothing in this Policy changes or replaces any mandatory reporting obligations under the SafeSport Code for the Olympic and Paralympic Movements – talk to the Director of Growth & Development if you have any questions about those obligations.**

## 3. REPORTING

### No Retaliation

USA Curling has an open-door policy and encourages Affiliated Individuals to share questions, concerns, suggestions or complaints in the way and to the people with which they are most comfortable. This means Affiliated Individuals have options for how to report any concern about a potential ethical, policy, financial or legal violation.

USA Curling has zero tolerance for retaliation against people who make good faith reports of potential ethical, policy, financial or legal violations, or who cooperate with investigations of those reports. That means no Affiliated Individual may threaten, harass, discriminate against, or take any negative employment (where applicable) or participation related action (e.g., discharge, demotion, suspension, non-assignment, negative review) on that basis.



Any such retaliation can be reported as described above in the same way as any other policy violation. It will be treated as a violation of this Policy and the USA Curling Code of Conduct and may lead to serious consequences including, and not limited to, the termination of employment or participation for anyone involved in retaliation.

### How to Report

Affiliated Individuals may always report to an USA Curling staff member or their supervisor (if applicable). Or, the Affiliated Individual can make a report to the Chief Operating Officer (“COO”). These are people who can also discuss the concern and help make sure it is addressed. Affiliated Individuals can also make reports directly to the Chair of Ethics Committee.

Please remember that as a reporter, Affiliated Individuals do not need to (and should not) investigate the matter of concern or determine fault or how to fix it. The Affiliated Individual does his or her part by making it known so the right people can take action. Investigations of reports are discussed below.

### Acting in Good Faith

Just as we need to make sure that no one in our community is fearful of speaking up, we also need to make sure that no one in our community is fearful about false reports that might harm them.

With that in mind, anyone reporting a perceived ethical, policy, financial, or legal violation must be acting in good faith and have some basis for believing there may be a violation. Anyone that makes a false report knowing that it is false or that it has no basis is violating this Policy and the USA Curling Code of Conduct in the same way as someone retaliating against a good faith reporter. Such a violation may itself be reported under this Policy and it may lead to serious consequences, including termination of employment or participation.

## **4. INVESTIGATION**

Once a report is made in one of the ways described above, the person receiving the report is responsible for getting it to the person who can best address the concern, based on the matter reported and in keeping with other appropriate policies. In all cases, it is committed to ensuring that no good faith report goes unheard or ignored.

Guidance on how to conduct an investigation, forms to use, and interview those involved are included in the Appendix of this document.



The COO is responsible for coordinating among these people so that reporters can be confident that reported concerns get to the people best positioned to act on them. The COO will report regularly to the USA Curling Ethics Committee on the existence and resolution of all reports made under this Policy.

## 5. CONFIDENTIALITY

In many cases, a reported matter will need investigation in order to reach the right resolution. Cooperation as a reporter or otherwise may be very helpful and much appreciated. Reports will be treated as confidentially as possible; some information may have to be disclosed to certain parties in order to conduct a thorough investigation, to comply with the law, and to provide accused individuals with access to due process.

If a matter is reported anonymously and the reporter chooses to remain anonymous as it is investigated, USA Curling will respect that to the best of its ability.

## 6. FOLLOW UP

If an Affiliated Individual reports an alleged violation of ethics, USA Curling policy, or applicable laws, USA Curling will respond to the Affiliated Individual on the progress and investigation results as appropriate. And of course, the Affiliated Individual is always free to follow up to learn more from the person they reported to. Confidentiality and legal obligations may affect the details available.

If the investigation of a report that was made in good faith is not to the satisfaction of the reporter, then the reporter may report that, too.

Thank you for helping to ensure that USA Curling is a safe zone for speaking up in good faith on important matters.

As adopted by the USA Curling Board of Directors on the 23<sup>rd</sup> day of February 2021 via teleconference.

A. [NGB Policy should refer to the applicable other NGB policies and/or Bylaws to note that follow ups to Speak Up complaints will be handled under the auspices of the appropriate policy (Conflicts of Interest, Code of Conduct, etc.) and that those policies have appropriate investigative procedures and appropriate checks to ensure that conflicted individuals are not involved in the decision-making process.]





## **Policy 21-02**

### **Board of Directors Policy**

Adopted October 1, 2021

#### **1. Purpose**

2. This policy nullifies and replaces Policy 19-04 (Expectations of USA Curling Directors, adopted May 2019.) This policy outlines the core responsibilities and the mode of operation for the USA Curling Board of Directors. This policy supplements the duties of the Board as outlined in Article 7 of USA Curling By-Laws and shall not be interpreted to contradict any of the USA Curling Bylaws.**Applicability of Policy**

This policy applies to the members of the Board, Board committees, and any person or organization who may participate in Board activities from time to time.

#### **3. Definitions**

None

#### **4. Board and Board Committee Meetings**

All references in this section to the Board shall apply equally to Board Committee Meetings. In the case of Board Committee meetings, the Chair and the CEO would be to the Committee Chair and the staff liaison, respectively.

##### *Calling a Board Meeting*

The Chair shall be primarily responsible for calling Board meetings, both those scheduled, and any called on an as-needed basis.

As per Bylaws, meetings may be called if requested by a majority of Board members. If Board members request a meeting, the Chair shall ensure, on a best-efforts basis, that all meeting preparation steps (outlined below) are properly executed.

##### *Meeting Agendas*

All meeting agendas shall include all items to be discussed or reviewed. Board members wishing to add to the agenda may request an addition at a meeting but shall endeavor to notify the Chair in advance of the meeting when possible.

##### *Agenda Preparation*

The Chair shall work with the CEO to prepare and promulgate the meeting agenda. Agendas and background information for regular meetings shall be made available to the Board at least seven (7) days before the meeting.

Exigent circumstances may result in information going out to the Board later than this date. In these cases, the Board shall be provided with information when it becomes available.



The Chair shall solicit Board members for agenda items on a regular basis and shall be prepared to consider suggestions from Board members at any time.

The CEO shall ensure that the agenda is distributed to the members of the Board in a timely manner and with all appropriate documentation. Agenda items shall be classified as one of the following:

- a. Item for Board Action;
- b. Item for Board Information;
- c. Item for Board Discussion; or
- d. Other

#### Consent Agenda

The Board shall use the Consent Agenda to structure its meetings. The Consent Agenda items shall include, but not be limited to:

- a. Approval of Minutes;
- b. All routine reports from management and/or committees; and
- c. Information items not needing further discussion.

#### Adoption of the Consent Agenda

The Consent Agenda and associated background information shall be presented as part of the advance materials for all meetings. The Consent Agenda shall be presented as a single agenda item for adoption by the Board. If any Board member wishes to discuss any Consent Agenda item further, they may request that that item be removed from the Consent Agenda and placed on the regular agenda of the meeting. The Chair shall ask the Board to approve the Consent Agenda as presented, thus adopting the reports and approving any motions therein.

#### Minutes and Keeping Record of Meetings

Minutes shall be kept for all meetings of the Board and of Board Committees. Minutes shall be kept for legal purposes and to ensure a corporate record and as a transparent record for members and stakeholders. The specific format of the minutes shall be determined by the Secretary, in conjunction with the CEO. At a minimum, minutes shall include:

- a. All action items and motions;
- b. Records of discussion that capture all salient points and all non-confidential preparatory documents; and
- c. Notations of when a meeting participant recused themselves from a portion of the meeting (or a vote) due to a real, perceived, or potential conflict of interest.

#### Recording of Motions

All motions shall be recorded to capture the person making the motion and seconding the motion. The result of the motion shall capture if the motion was carried or not and shall capture the names of any members wishing to have their dissenting vote noted in the minutes. All motions shall be indexed or numbered for tracking purposes.



### Conduct of Meetings

In the course of all meetings, the Board shall strive to be:

- a. Collegial;
- b. Honest;
- c. Focused on the mission, vision, values, and strategy of the organization; and
- d. Comprehensive.

Board meetings shall be developed to engender meetings that are:

- a. Focused on matters of strategic importance;
- b. Structured to ensure contributions from all Board members;
- c. Well informed via advance materials;
- d. An engaging, challenging, and enjoyable experience for all participants in the meeting.

### Declaration of Conflicts at or During Meetings

In keeping with the Conflict-of-Interest Policy, the Board shall be asked to declare any Conflicts of Interest as part of the agenda presentation at every Board meeting. Board members shall always be forthcoming about any conflict or potential conflict of interest.

Should a Board member realize there is potential conflict at any point after the declaration, they shall declare said conflict at that time.

Annual declarations of Conflict of Interest are essential and are supplemented, not replaced, by the request for declarations at every meeting.

Should a Board member declare a conflict at a meeting, the Board can consider the potential conflict and advise the Board member as to the permissibility of their participation on the topic.

- a. If the Board member volunteers to recuse, the Board need not consider the issue further.
- b. If the Board member disagrees with the Board's direction, the issue shall be referred to the Ethics Committee for a ruling on the matter.

Should a Board member feel that another Board member has a conflict, they shall ask the Chair to consider the conflict as a point of order. The Chair shall then prompt the process outlined above.

### Consensus-Based Decision Making

The Board, led by the Chair, shall strive for consensus in its decision making. Contested votes are sometimes necessary, and expression of contrary opinion is healthy, but the Board shall work together to arrive at a consensus position whenever it can, while respectfully disagreeing whenever it must.

### Athlete Voice



The Board shall work collaboratively to ensure that the voice of USA Curling athletes is considered in all decisions. Athletes on the Board of Directors bring a unique perspective that the Board shall solicit and seek to understand in the course of decision making.

Athletes on the Board shall not be expected to "speak for all athletes" in meetings but rather to bring their individual perspective as an athlete. When the Board wishes to solicit athletes for their collective opinions, it shall do so in keeping with stakeholder consultation principles outlined below.

#### Executive Session

At times, the Board shall use Executive Session to discuss proprietary or private matters.

An Executive Session shall be used by exception only and shall only be used to discuss:

- a. Matters where the personal privacy of a person or persons may be compromised;
- b. Matters where proprietary commercial information may be discussed;
- c. Matters where in-progress negotiations or litigation may be compromised by public discussion; and
- d. The performance of the CEO or other personnel issues.

The CEO shall be included in all sessions, including Executive Sessions, with the sole exception of discussing the CEO's performance.

No decisions or motions shall be formalized in the Executive Session. While items may be discussed, all motions and action items shall be made in an open session with minutes taken.

#### In-Person Meetings

In-person meetings shall be scheduled such that there is time for Board members to socialize with each other and that there is adequate time for rest, fellowship, recreation, and exercise for those who want it.

#### Relationship and Communication with Staff

The CEO is charged with the supervision and management of USA Curling staff.

Board members shall use the CEO as their primary conduit for information on the management of the organization. From time to time, the Board may ask that a senior staff member present to the Board on a specific topic about which they have subject matter expertise. Any such request for information shall not be construed as the creation of a reporting relationship.

### **5. Board Committees and Task Forces**

Standing Board Committees shall exist in keeping with the Bylaws.

Other Board Committees may be introduced from time to time at the discretion of the Board. The Board may introduce task forces from time to time.



### Standing Committees

The Board's standing committees shall be constituted and comprised of individuals as is outlined by the Bylaws. There are two types of Standing Committees for the purpose of this policy: Standing Board Committees and Standing Independent Committees.

### Standing Board Committees

Board Committees exist to provide insight, expertise, and recommendations to the Board. These committees shall be delegated no decision-making authority.

Board Committees may review information provided by management, external information sources and/or, upon approval of the Board, from outside consultants or experts. Board committees shall provide the Board information on subjects in their respective terms of reference and on specific issues as requested by the Board.

### Standing Independent Committees

Independent Committees have the authority to make decisions in relation to their respective terms of reference. Independent Committees may be requested to make a ruling on a specific question put before them as requested by the Board or as prompted via other processes outlined in policy or the Bylaws. Independent Committees may make recommendations to the Board in relation to Policy development based on their terms of reference or in areas that arise during their activities.

### Staff Liaisons to Board Committees

The CEO shall designate a staff liaison for all Board Committees. The staff liaison to Board Committees shall serve as ex-officio members of those committees, providing administrative and procedural support as well as serving as a contributing member of the committee.

The CEO shall not designate him or herself as the staff liaison to Independent Committees. The CEO may appoint a staff liaison to Independent Committees on a case-by-case basis to minimize any potential real or perceived conflict of interest. Staff liaisons to independent committees shall provide administrative support to the committee and provide expertise on procedural matters as requested by the Committee.

### Independent Committee Meetings

Hearing panels conducted by Independent Committees shall be conducted in keeping with the Bylaws. Non-hearing meetings of the committees shall be conducted in keeping with this policy.

### Task Forces

Task Forces shall conduct themselves in keeping with the guidelines outlined above in relation to Standing Board Committees. The Board, in striking a Task Force shall provide the following guidance as a minimum:

- a. The deliverable for the task force;



- b. The composition of the task force;
- c. A specific sunset time for the task force after which time it shall be dissolved unless specifically extended by the Board; and
- d. The means for the task force to report to the Board.
- e. The Board may direct staff to allocate appropriate resourcing to the task force's work.

#### **6. Board Relationship with Staff**

The Board has one employee, the CEO. The CEO is charged with the organization's management and with the supervision, hiring, and termination of USA Curling staff. The Board may, through the CEO, request information directly from members of the staff so as to have a direct view of strategic areas of operation. Such information shall be provided via a formal channel and shall never involve a direct line of communication between a Director and a staff member.

Staff may be consulted directly by the Human Resources Committee as an element of the performance evaluation of the CEO. Staff shall be encouraged to bring specific concerns, complaints, or performance issues about the CEO to the Human Resources Committee. The Human Resources Committee may consider those issues as part of the evaluation of the CEO or may escalate to the Board if the Committee sees fit. As applicable, staff may also submit complaints, questions, or comments through other channels authorized in other policies and/or the Bylaws.

#### **7. Board Relationship with Stakeholders and Partners**

The Board shall ensure there are ongoing means of communication with stakeholders of the organization. These communications shall help inform the Board's work and, formally, may inform the evaluation of the CEO.

Some Board members shall have existing and important relationships with partners and stakeholders. Board members shall use discretion in maintaining those relationships, hearing, and appreciating perspectives, and ensuring that no one stakeholder has extraordinary influence due to that relationship. If the Board wishes to solicit stakeholders' opinions in relation to a specific issue or question, the Board shall charge staff to conduct or coordinate formal consultation processes (surveys, focus groups, etc.). The Board shall designate staff, a Committee, or a task force to aggregate that feedback and provide a summary report to the Board.

Any such relationship that may give rise to a real or perceived Conflict of Interest shall be noted by the Board member in keeping with the Conflict-of-Interest Policy.

#### **8. Board Annual Work Plans**

Working in conjunction with the CEO, the Board Chair shall lead on developing an annual work plan for the Board. This plan shall be created in conjunction with the organizational



operating plan and budget for the same year. The Board Work Plan is subject to the approval of the full Board. The Board Work Plan shall include at least the following elements:

- a. Annual Meeting Schedule, Including major topics or themes of meetings (e.g., policy review, budget approval) as appropriate;
- b. Governance and Policy Work Plan;
- c. Evaluation Plan for CEO and Board Self Evaluation; and
- d. Plan for Stakeholder Consultations.

## 9. Board Evaluation

The Board shall undertake an evaluation of its activities and their effectiveness on an ongoing basis. All evaluations shall be anchored on the organization's values, mission, and vision, along with the work plan of the Board. No less than bi-annually, the Board shall conduct a self-evaluation process to provide feedback on the Board's function and effectiveness and its members. No less than bi-annually, the Board shall ensure that Board Committees conduct self-evaluations to provide feedback on the function and effectiveness of the Board and its members.

As part of every Board meeting, the Chair shall solicit feedback from the Board members on the conduct of that meeting.

The Board may allocate resources to evaluation projects and may use outside consultants or providers to lead in the evaluation process as it sees fit.

## 10. Board Individual Responsibilities

Every Board member has responsibilities to contribute to the Board. The points below outline the key areas in which each Board member is expected to perform all these functions:

- a. Understand and execute Board responsibilities while respecting the authority and responsibility of the CEO;
- b. Lead strategically with a forward focus; collaboratively with the chief executive, set strategic direction and high-level priorities.
- c. Do not micromanage by getting caught up in day-to-day details; respect the chief executive's authority to lead and manage USA Curling.
- d. Commit to the best interests of USA Curling.
- e. Support Board decisions once they are made.
- f. Honor confidentiality requirements and commitments.
- g. Behave ethically, taking care to disclose and act appropriately on any conflicts of interest.
- h. Behave courteously; communicate succinctly and respectfully; listen attentively to others; proactively encourage and seek to understand diverse viewpoints.
- i. Regularly attend and prepare for Board meetings and activities.
- j. Serve as a USA Curling advocate, speak well of USA Curling, and USA Curling Board members.

## 11. Board Collective Responsibilities



Working as a group, the Board shall focus its time and energy on the following:

- a. Determine mission and purposes. The Board must create and periodically review a statement of mission and purpose that is relevant in the current environment and appropriately serves its primary stakeholders.
- b. Select the chief executive. The Board must reach consensus on the chief executive's responsibilities and undertake a careful search to find the most qualified individual for the position.
- c. Support and evaluate the chief executive. The Board must ensure that the chief executive has the moral and professional support they need to the goals of USA Curling.
- d. Ensure effective planning. The Board must actively participate in an overall planning process and assist in implementing and monitoring plan goals.
- e. Monitor and strengthen programs and services. The Boards must determine which programs are consistent with the organization's mission and monitor their effectiveness.
- f. Ensure adequate financial resources. The Board makes sure USA Curling has the resources needed to fulfill its mission.
- g. Protect assets and provide financial oversight. The Board assists in developing an annual budget and ensuring that proper financial controls are in place.
- h. Build a competent Board. The Board must articulate prerequisites for Board candidates, orient new members, and periodically and comprehensively evaluate their own performance.
- i. Ensure legal and ethical integrity. The Board is ultimately responsible for adherence to legal standards and ethical norms.
- j. Enhance the organization's public standing. The Board must clearly articulate the organization's mission, accomplishments, and goals to the public and garner support from the community.

**12. Limitations on Action**

Unless specifically and clearly delegated by the Board, no Board member has the authority to bind the organization to a contract, financial commitment, action, or policy.

No Board member has direct operational authority in the organization.

All Directors shall abide by the decisions of the Board.

Signature:

Date:

Printed Name:





## **Policy 21-03**

### **Non-Discrimination Policy**

Adopted October 1, 2021

#### **1. Purpose**

To affirm that USA Curling, its affiliates, and all members shall not discriminate on the stated basis in membership or opportunity. No element of this policy shall be interpreted to contradict any of the USA Curling bylaws.

#### **2. Applicability of Policy**

All aspects of the organization.

#### **3. Definitions**

##### Member Clubs

As defined in USA Curling Bylaws: (Preface – Definitions)

##### Individual Members

As defined in USA Curling Bylaws: (Preface – Definitions)

##### Recognized Regional Association

As defined in USA Curling ByLaws (Preface – Definitions)

#### **4. Non-Discrimination Policy**

USA Curling, Member Clubs, and Recognized Regional Associations shall:

- a. select and admit its Individual Members,
  - b. select and admit its affiliates and member organizations,
  - c. require a statement from applicants that they shall select and admit Individual Members,
- and
- d. provide an equal opportunity to amateur athletes, coaches, trainers, managers, administrators, and officials to participate in curling competitions,

without discrimination on the basis of race, sex, creed, sexual orientation, gender identity, age, national origin, mental or physical disability, or any other basis proscribed by law.

## **Policy 21-04**

### **Gifts and Entertainment Policy**

Adopted October 1, 2021

#### **1. Purpose**

USA Curling is committed to sustaining an ethical workplace free of conflicts of interest and perceived conflicts of interest. USA Curling has adopted this Gifts and Entertainment Policy to



provide instruction to USA Curling employees, board members, officers, committee members, task force members, hearing panel members, and volunteers regarding how to handle offers of gifts or other forms of entertainment from individuals or companies that do business with, or are interested in doing business with, USA Curling. Additionally, it provides instruction on the NGB extending gifts to third parties.

This policy should not be considered in any way as an encouragement to make, solicit or receive any type of gift or entertainment. Indeed, USA Curling employees, board members, officers, committee members, task force members, hearing panel members, and volunteers may not, under any circumstances, actively solicit any type of gift or entertainment. Further, USA Curling will not, under any circumstances, permit or authorize participation in any business gifts or entertainment that might be considered lavish, inappropriate, or illegal.

No element of this policy shall be interpreted to contradict any of USA Curling Bylaws.

## **2. Applicability of Policy**

This Gifts and Entertainment Policy is applicable to all USA Curling employees, board members, officers, committee members, task force members, hearing panel members, contractors, and volunteers, as well as their spouses and immediate family members (“Affiliated Individuals”).

## **3. Receiving Business Courtesies**

### **a. Current Business Partners**

- i. Affiliated Individuals may accept gifts from individuals and companies that currently do business with, or make donations to USA Curling as follows:
  - ii. Partner/sponsor/supplier products and partner/sponsor/supplier-branded products (e.g., logoed jackets) with a value of up to \$1,000 per Affiliated Individual, per year, per individual/company;
  - iii. Other gifts with a value of no more than \$100 per Affiliated Individual, per year, per individual/company;
  - iv. Invitations for the Affiliated Individual to attend sporting events with an individual/company representative including travel to and from such events only to the extent approved in advance by the USA Curling Ethics Committee.
  - v. On an infrequent basis, invitations for a spouse or family member to join the Affiliated Individual at sporting events with an individual/company representative;
  - vi. Invitations to attend fundraising events with an individual/company representative at no cost to the Affiliated Individual;
  - vii. Invitations to attend other social, educational, or entertainment events intended to enhance the business relationship, provided that the cost of the event does not exceed \$100 per Affiliated Individual per event and \$400 total per individual/company per year; and
  - viii. Perishable or consumable gifts provided that the gift is reasonable and not unduly lavish.

### **b. Prospective Business Partners**



- i. Affiliated Individuals may accept gifts from individuals and companies that are not current business partners of USA Curling but that may or may not be seeking to engage in a business relationship with USA Curling as follows:
  - ii. Gifts with a value of not more than \$100 per Affiliated Individual, per year, per individual/per company;
  - iii. Invitations for the Affiliated Individual to attend sporting events with an individual/company representative (but not travel to and from such events);
  - iv. Invitations to attend fundraising events with an individual/company representative;
  - v. Invitations to attend other social, educational or entertainment events intended to promote the business relationship provided that the cost of the event does not exceed \$100 per Affiliated Individual, per event and \$200 total per Affiliated Individual, per individual/company, per year.
- c. Limitations
 

Affiliated Individuals may never accept cash or financial instruments, such as checks or stocks. Under the guidelines set forth herein, Affiliated Individuals may accept gift certificates or gift cards.

#### 4. Disclosure and Approval

All gifts or invitations falling under Section 3.a.i, Section 3a.iii, and Section 3.b.ii above, and all invitations that involve the third party paying for the Affiliated Individual's travel and/or overnight accommodations, must be promptly reported to the Ethics Committee and CEO. Where the gift or invitation is made to the CEO, the requisite disclosure must be made to the Board Chair and the Ethics Committee. Prior to accepting invitations or gifts that include travel and/or overnight accommodation during business hours, written approval must be received from the CEO. In the case of the General Counsel's or CEO's request for approval, such approval must be received from the Ethics Committee.

Any potential gifts or invitations extended that exceed the limits and/or parameters noted above must be disclosed to and approved in advance and in writing by the Ethics Committee or CEO, as appropriate, before they may be accepted.

In addition, the Ethics Committee and CEO may, in consultation with the Affiliated Individual, to require that any gift(s) be returned, donated to USA Curling, or donated to another agreed-upon charity if the Ethics Committee or CEO believes that such gift(s) is not proper and/or creates an appearance of impropriety.

The Gift Disclosure form is attached.

#### 5. Extending Business Courtesies

There may be times when an Affiliated Individual wishes, as a business matter, to extend to a current or potential USA Curling business associate (i.e., an individual or company) a gift or an invitation to attend a social event (e.g., reception, meal, sporting event, or theatrical event) to further or develop a business relationship. In such instances, gifts may not exceed \$100 in



value per person per year, without the prior written approval of the CEO and/or the Ethics Committee.

Invitations to events must be reasonable and appropriate. Topics of a business nature must be discussed at the event, and USA Curling employee or Board Member must be present. The cost associated with such an event should not exceed \$100 per person/company per year, except with regard to sporting events and fundraising functions, without the prior written approval of the CEO. Moreover, such business entertainment with respect to any particular individual must be infrequent, which, as a general rule, means not more than four (4) times per year. Frequency beyond the foregoing must be pre-approved in writing by the CEO. To the extent the USA Curling employee or Board Member has knowledge of applicable restrictions by a recipient's organization on gifts and entertainment, the USA Curling employee or Board Member must undertake best efforts for all business entertainment and gifts to comport with the restrictions imposed by the recipient's organization.

USA Curling employees or Board members may give gift certificates within the limits set forth in this policy, but may never give cash or financial instruments, such as checks or stocks.

a. Staff

USA Curling recognizes that the limits set forth in Section 5 may hamper the ability of the staff to perform their job functions. In light of this, the foregoing limits will not apply to the staff if the invitation or event is part of normal and reasonable job duties, and the event is not lavish or unreasonable. For the staff only, the cost of gifts and events for which no prior written approval is required is \$600 per person per year. To the extent any gift or invitation exceeds that limitation, USA Curling staff must obtain prior written approval from the CEO.

b. Government Employees

The giving of gifts to federal, state, and local government employees is governed by a complex set of rules that is typically agency specific. Generally, the giving of gifts to government employees is very limited or prohibited. Before offering a gift to a government employee, of any value, you must receive the approval of the CEO in advance and in writing.

c. Disclosure And Approval

All gifts or invitations offered by an Affiliated Individual must be covered by the appropriate USA Curling budget and must be approved in advance by the appropriate USA Curling supervisor. All gifts or invitations extended that exceed the limits and/or parameters noted above must be disclosed to, and approved in advance and in writing by, the CEO before they may be offered.

d. USA Curling Point of Contact

Affiliated persons in need of further information or guidance in relation to this policy should contact the Ethics Committee Chair.

### USA Curling GIFT DISCLOSURE FORM

Please complete this form immediately upon receipt of personal gifts received in your capacity as an employee or representative of USA Curling.

Name: \_\_\_\_\_

USA Curling Employee



USA Curling Board Member  
 USA Curling Volunteer USA Curling Committee Member  
 USA Curling Hearing Panel Member  
 USA Curling Task Force Member  
 Athlete Representative  
 Contractor  
 Other (please specify): \_\_\_\_\_  
 Describe the gift(s) received:

- The value of the gift is estimated at \$ \_\_\_\_\_. Note: This is a good faith estimate based on retail value. If the value cannot reasonably be estimated or determined, so state.

- Please describe the source of the gift (name and relationship to USA Curling) and under what circumstances it was received:

Current business partner: \_\_\_\_\_  
 Prospective business partner: \_\_\_\_\_  
 Other: \_\_\_\_\_

---



---



---

- Indicate below any matters pending or likely to arise in the future that might involve the donor: \_\_\_\_\_

---



---



---

Certification:  
 I certify that this gift was not solicited.

SIGNATURE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

Send this completed form to:  
 Amy Wolf, **USA Curling National Office**, 2685 Vikings Circle, Suite 200, Eagan, MN 55121

**Policy 21-05**



## Complaint Procedures

Adopted October 1, 2021

### 1. Purpose

Outlines actions that must be followed in any Administrative or Opportunity to Participate grievances.

No element of this policy shall be interpreted to contradict any of USA Curling Bylaws.

### 2. Applicability of Policy

This policy applies to USA Curling, its affiliated and individual members, athletes, and Judicial Committee.

### 3. Definitions

#### Individual Member

Any person who is a dues-paying member of USA Curling at any membership level.

#### Member Club

A Curling Club that submits Member Club fees to USA Curling and remains in good standing.

#### Recognized Regional Association

An association of Curling Clubs conducting programs that are regional in scope and is recognized with representation on the USA Curling Board of Directors.

#### USOPC

United States Olympic and Paralympic Committee.

### 4. The following kinds of complaints may be filed with USA Curling:

a. Administrative Grievance. USA Curling or any Member of USA Curling who alleges there has been a violation in the administration or the interpretation of USA Curling Rules, Regulations, or bylaws or by an action of USA Curling Board of Directors or USA Curling committee, or officer or paid staff, or any provision of the Ted Stevens Olympic and Amateur Sports Act relating to USA Curling's recognition as a National Governing Body, or the USOPC Bylaws, except with respect to matters set forth in Section 4.b of this policy; or

b. Opportunity to Participate, a/k/a Opportunity to Compete. Any individual who is an athlete involved in the sport of curling, or any coach, trainer, manager, administrator or official active in the sport of curling, who believes that they have been denied by USA Curling the opportunity to participate, a/k/a opportunity to compete in the Olympic Games, the Pan-American Games, the Paralympic Games, or a World Championship competition, or such other protected competition that is defined by the bylaws of the USOPC, Section 1.3, as amended from time to time, may seek to protect their opportunity to participate by filing a complaint.



**5. Complaints filed under this Policy shall be administered by the Judicial Committee and its delegates.**

**6. Any decision concerning an anti-doping rule violation adjudicated by an independent anti-doping organization designated by the USOPC and/or USA Curling to conduct drug testing shall not be reviewable through or the subject of the complaint procedures in this Policy.**

#### **7. Manner of Filing and Contents**

a. The complainant shall file the complaint, in writing, with the Judicial Committee and the CEO. The complaint shall set forth in clear and concise language in numbered paragraphs:

- i. the name and addresses of the parties;
- ii. alleged violation, grievance, denial, or threat to deny,
- iii. the facts which support the allegations,
- iv. the legal basis which supports the relief requested,
- v. the relief requested, and

vi. the competition that is the subject of the complaint, as applicable. The complainant shall sign the complaint, attesting to its good faith validity.

b. A complaint that is not filed in accordance with Section 7 of this policy, shall render the filing ineffective and the complaint shall not be considered to have been filed.

c. All complainants shall be free from fear of retaliation as per the USA Curling Code of Conduct.

#### **8. Filing Fee**

Any complaint filed shall be accompanied by a \$250.00 filing fee, except USA Curling is not required to pay a filing fee. The complainant may request that the filing fee be reduced or waived for reasons of significant financial hardship. If such a request is made, the Judicial Committee shall determine whether or not to reduce or waive the filing fee. The determination by the Judicial Committee regarding the fee shall be final.

#### **9. Statute of Limitations**

A complaint filed under this Policy shall be filed, without exception, within six (6) months of the occurrence of the alleged violation, grievance, denial, or threat to deny. Failure to timely file the complaint shall be a basis to dismiss the complaint with prejudice.

#### **10. Administration**

The Judicial Committee shall be responsible for ensuring that all complaints are heard in a timely, fair, and impartial manner. The Judicial Committee may promulgate procedures in addition to those set forth in this Policy for the effective administration of complaints filed with USA Curling.



## 11. Hearing Panel

Upon the filing of a complaint pursuant to Section 7 of this policy, the chair of the Judicial Committee, after consultation with the other Judicial Committee members, shall appoint a Hearing Panel consisting of three (3) disinterested individuals to hear the complaint. The chair of the Judicial Committee shall also appoint a chair of the Hearing Panel. Judicial Committee members may be appointed to serve on the Hearing Panel. Other disinterested individuals identified by the Judicial Committee may also be appointed to serve on the Hearing Panel. At least one (1) member of the Hearing Panel shall be an athlete representative. Members of the Hearing Panel need not be members of USA Curling or involved in the sport of curling. It is recommended that at least one (1) member of the Hearing Panel have a legal background.

## 12. Notice of Charges

a. Within ten (10) days of the appointment of the Hearing Panel, the CEO (or their designee) shall provide to the Chair of the Hearing Panel a copy of each of the following documents: (i) the complaint; (ii) all materials filed with the complaint, if any; and (iii) any relevant documents in the possession of USA Curling.

b. The Hearing Panel shall ensure that any affected parties are provided with the relevant materials described above. The Hearing Panel may also determine that individuals not listed by either the complainant or USA Curling as an affected party shall be given notice. Any party named as an affected party shall be eligible to participate fully in the grievance, including the hearing. Any party notified of the complaint as a potentially affected party shall be bound by the decision of the Hearing Panel, even if they choose not to participate.

## 13. Conduct of the Proceeding

a. The Hearing Panel shall not investigate the facts independently from those presented at the hearing. The Hearing Panel may direct the CEO or their designated representative to investigate the facts and present the same at the hearing. All parties shall cooperate with the CEO or their designated representative in providing information regarding the complaint.

b. The Hearing Panel shall rule on all motions and other matters raised in the proceedings. If the complaint is not dismissed, the Hearing Panel shall hold a hearing on the complaint. The Hearing Panel shall set such timelines and other rules regarding the proceeding and the conduct of the hearing as it deems necessary. The hearing shall be informal, except that testimony shall be taken under oath. Rules of evidence shall not be strictly enforced; instead, the rules of evidence generally accepted in administrative proceedings shall be applicable. The Hearing Panel shall determine the admissibility, relevance and materiality of the evidence offered and may exclude evidence deemed by the Hearing Panel to be accumulative or irrelevant.

c. The hearing shall be conducted in real time at a time and place that allows all parties to attend. The hearing may be conducted by teleconference or other electronic means, if necessary or convenient to the parties. Each party shall have the right to appear personally or through a legal representative. As determined by the chair of the Hearing Panel, 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 during the hearing.

d. 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 person participating in said hearing, including without limitation the Hearing Panel, shall be entitled to obtain a transcript at the cost of the transcript, at their own cost. If a party intends to make a record of the hearing, the party must notify, in writing, the Hearing Panel of the same at least three (3) business days prior to the hearing.

e. The Hearing Panel, either on its own directive or at the request of a party, may direct the production of documents or other information. Further, the Hearing Panel may require that the parties prior to the hearing:

- i. identify any witnesses the parties intend to call at the hearing, and a summary of their expected testimony, and
- ii. exchange copies of all exhibits the parties intend to submit at the hearing.

f. The Hearing Panel shall set due dates for the exchange of said information. The Hearing Panel is authorized to resolve any disputes concerning the exchange of information, including prohibiting the production of and/or limiting the examination of witnesses or the production of exhibits not timely exchanged.

g. At the request of a party, the Hearing Panel may adjourn the hearing to allow for mediation of the complaint. The Hearing Panel shall set a deadline for completion of the mediation. After consultation with the parties, the Hearing Panel shall appoint a mediator and determine how the cost of the same shall be paid. The mediator shall not be a member of the Hearing Panel.

h. In computing any period of time, the last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not one of the aforementioned days. The parties may modify any period of time by mutual agreement and further subject to the consent of the Hearing Panel. The Hearing Panel may extend any period of time as it deems necessary to fairly and completely adjudicate the matter.

i. The burden of proof at the hearing shall be upon the complainant who shall also initially have the burden of going forward with the evidence. The respondent shall then have the burden of going forward with evidence in opposition to the complaint and in support of respondent's position.

j. The complaint must establish by a preponderance of the evidence that a violation has occurred for which the relief requested is available.

k. A party or anyone acting on behalf of any party shall have no ex-parte communications with any Hearing Panel member concerning the merits of the complaint before the Hearing Panel.

#### 14. **Expedited Procedures**

Upon the request of a party, and provided that it is necessary to expedite the proceeding in order to resolve a matter relating to a competition that is so scheduled that compliance with



regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the Judicial Committee is authorized to order that the complaint be heard and decided within forty-eight (48) hours of the filing of the complaint. In such a case, the Hearing Panel is authorized to hear and decide the complaint pursuant to such procedures as are necessary, but fair and impartial to the parties involved as is reasonable under the circumstances.

#### 15. **Complaints Involving Selection to Participate in a Competition**

When a complaint is filed involving selection of an individual or team to participate in a competition, the complainant shall include with the complaint a list of all other individuals, together with their contact information, that may be affected by a decision rendered on the complaint. The Hearing Panel shall determine which additional individuals must receive notice of the complaint. The complainant shall then be responsible for providing appropriate notice to these individuals. Any individual so notified then shall have the option 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.

#### 16. **Decision**

The deliberation of the Hearing Panel shall be closed to the parties and the other persons. A decision shall be determined by a majority of the Hearing Panel. The Hearing Panel's decision shall be in writing and distributed to the parties.

#### 17. **USOPC**

Any party may appeal a decision of the Hearing Panel on a complaint identified pursuant to Section 4.b of this policy to the USOPC pursuant to the bylaws of the USOPC. Said appeal shall be de novo in nature.

#### 18. **Field of Play Decisions**

The final decision of an umpire 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 umpire) shall not be reviewable through the procedures for, or the subject of, Administrative Grievances or Opportunity to Participate Complaints unless the decision is:

- a. outside the authority of the umpire to make, or
- b. the product of fraud, corruption, partiality, or other misconduct of the umpire. For purposes of this Section, the term "umpire" shall include any individual with discretion to make field of play decisions.

## **Policy 21-06**

### **External Representation Policy**

Adopted October 1, 2021; Updated May 7, 2022



### 1. Purpose

Allows for the nomination and election, by USA Curling Board of Directors, of all external representation of USA Curling, including but not limited to the World Curling Federation. No element of this policy shall be interpreted to contradict any of the USA Curling bylaws.

### 2. Applicability of Policy

This policy applies to USA Curling Board and any external representation of USA Curling.

### 3. Definitions

#### WCF

The World Curling Federation

### 4. World Curling Federation representation

The Board of Directors shall elect representatives to the WCF in such number as the USA is entitled under the Constitution and Bylaws of the WCF Federation. A director on the Board of Directors may concurrently be a USA WCF representative.

The WCF representatives shall have the following responsibilities:

- a. Report to the Board on all WCF activities;
- b. Represent the best interests of USA Curling as a Member of the WCF;
- c. Deliver information from the WCF to USA Curling staff, Board, and the AAC (interested parties);
- d. Receive feedback from interested parties, analyze, and make decisions as a group;
- e. In making decisions that lead to votes with other Members of the WCF, representatives should collect information from all interested parties and act as a group. All representatives shall vote as a block or as agreed; and,
- f. Perform such other duties as assigned by the Board.

A representative may be elected by USA Curling to a maximum of three (3) three-year terms.

Any current WCF representative when this policy amendment is adopted, who has served more than two (2) three-year terms, may be elected to serve one more three-year term.

### 5. Other external representation

The Board of Directors shall elect representatives to other external organizations not already covered by the duties and responsibilities of the Board Chair, or the CEO acting as Secretary-General of USA Curling, to terms of office and re-election eligibility as the Board determines.

## Policy 21-07

## By-laws Amendment Notification Procedures



Adopted October 1, 2021

### 1. Purpose

Outlines actions that must be followed for proper notification of any By-Laws amendment to be made by either the Board of Directors or the Members' Meeting. No element of this policy shall be interpreted to contradict any of USA Curling Bylaws.

### 2. Applicability of Policy

This policy applies to the Members' Assembly, its delegates, USA Curling Board, and the USA Curling Secretary and Treasurer.

### 3. Definitions

Individual Member (as defined in Policies – Definitions)

An Individual Member of USA Curling, as defined in Section 5.1 of USA Curling Bylaws.

Member Club

A member Club of USA Curling (as defined in Policies – Definitions)

### 4. Notice Procedures for Amending or Repeal of Bylaws by Members Meetings

a. No proposed amendment or repeal of USA Curling Bylaws shall be adopted unless Member Clubs are notified, in writing, by electronic mail sent at least thirty (30) days, prior to the date of the meeting at which the same are intended to be considered; or unless each of the Member Clubs not so timely notified execute a waiver of such notice.

b. Notice shall be given to the Member Clubs which shall include the fact of the amendment or repeal to be considered at said meeting, the content of said amendment or repeal and an explanation of the general nature and purpose for said amendment or repeal.

c. All proposed amendments or repeal, in whole or in part, to these By-Laws to be considered must be posted on the website or other electronic means of communication maintained by USA Curling, at least thirty (30) days prior to the meeting at which said amendment or repeal is to be considered. Material posted shall include the facts of the amendment or repeal to be considered at said meeting, the content of said amendment or repeal and an explanation of the general nature and purpose for said amendment or repeal.

d. Said notice shall be communicated to the delegates of the Member Clubs which delegates are identified pursuant to USA Curling's Members' Meeting Policies and Procedures.

e. Notice of the right to vote must be given to each of said Athlete Representatives together with the notice to be provided to the Members.

### 5. Notice Procedures for Amending or Repeal of Bylaws by Directors

a. No proposed amendment or repeal of these by-laws by the Director shall be adopted unless the Directors are notified, in writing, by regular electronic mail sent at least thirty (30) days prior to the date of the meeting at which the same is intended to be considered; or unless each of the Directors not so timely notified execute a waiver of such notice.

b. All proposed amendments or repeal, in whole or in part, to these By-Laws to be voted on the by Directors shall be posted on the website or other electronic means of communication



maintained by USA Curling at least thirty (30) days prior to the meeting at which said amendment or repeal is to be considered. The material posted shall include the fact of the amendment or repeal to be considered at said meeting, the content of said amendment or repeal and explanation of the general nature and purpose for said amendment or repeal.

c. Upon adoption of any amendment by the Board of Directors, written notice of the language of each Amendment shall be promptly posted on USA Curling website and be sent by email within five (5) business days to the Presidents of each Member Club and the Chair of the AAC. Each amendment passed by the Directors shall be effective thirty (30) days after the notice is emailed, unless within that time period any combination of Individual Members and AAC directors representing at least fifty percent (50%) of all the total votes of the Members, as certified pursuant to USA Curling Members' Assembly Policies and Procedures, request that the effective date of any specific amendment be delayed. In that case, the proposed Amendment shall not be effective until voted on and passed by the Members at a regular or special meeting of the Members' Assembly.

## **Policy 21-08**

### **Individual Members, Member Clubs, and Affiliated Organizations**

### **Policies and Procedures**

Adopted October 1, 2021

Revised November 3, 2023

#### **1. Purpose**

To facilitate a multi-layer organizational structure, this set of procedures and policies detail how to become a member organization, the duties, and responsibilities of membership, penalties for failure to meet those responsibilities, and reinstatement. No element of this policy shall be interpreted to contradict any of USA Curling Bylaws.

#### **2. Applicability of Policy**

This policy applies to all Curling Clubs, and Individual Members, Member Clubs, and Affiliated Organizations of USA Curling.

#### **3. Definitions**

##### Member Club

As defined in USA Curling By-Laws (Preface – Definitions)

##### Fiscal Year

Established by USA Curling By-Laws Section 20.1

##### Good Standing

As defined in USA Curling By-Laws (Preface – Definitions)

##### Individual Members

As defined in USA Curling By-Laws (Preface – Definitions)

#### **4. Application for Membership in USA Curling**



- a. New Member Club.
  - i. Written application containing the following information (at minimum) shall be made to the Secretary of USA Curling via email or form on the USA Curling website.
    - 1. Name of the Applicant;
    - 2. Names, e-mail, and mailing addresses of all of the Individual Curlers who are members of the Applicant (applicants without members/Individual Curlers at the time of application may be afforded the opportunity to provide such lists at a later date);
    - 3. A copy of the Applicant's Articles of Incorporation/Charter and bylaws, as applicable;
    - 4. A request for membership and a statement that the Applicant shall abide by the rules and regulations of USA Curling;
    - 5. A statement that the Applicant shall select/admit its Individual Curlers in accordance with the USA Curling Non-Discrimination Policy;
  - ii. Applications must be executed by the Secretary or other appropriate officer of the organization from which the application is made.
  - iii. The procedure for applying for membership in USA Curling for those entities identified under USA Curling Bylaws Section 5.1.a.iv shall be as determined by the Board of Directors.

- b. Reinstatement of Membership.

A USA Curling Member Club whose membership has lapsed through their own resignation may apply for reinstatement with the Secretary of USA Curling via email or form available on the USA Curling website. Such reinstatement may require sending Articles of Incorporation/Charter and By-Laws if new Articles of Incorporation/Charter have been adopted by the Club since initial Membership with USA Curling (from which the Member Club resigned).

- 5. Provisional Approval for Membership

Provisional USA Curling Member Club membership may be granted at the sole discretion of the Chief Executive Officer, subject to ratification at the next Members' Meeting. Provisional membership grants full rights and obligations to the applicant.

- c. Election to Membership

The election to membership shall be by affirmative vote of the majority of the Members at a Members' Meeting. The Members' Meeting shall consider all applications, which are deemed sufficient for Provisional approval, that are submitted at least 60 days before each annual Members' Meeting.

## 5. Member Dues

- a. For Individual Members and Member Clubs of USA Curling, the membership year is December 1 to November 30.

- b. Member Club fees. Annual fee is determined by staff in consultation with the Board of Directors. The specific fee will take into account the type of Club, the number of sheets, the facility in which curling activities are conducted, and any other circumstances that may be specific to the Member Club.

- c. Individual Member dues. Annual dues shall be fixed from time to time by staff in consultation with the Board of Directors. The specific fee will correlate with the type of Individual Membership chosen by the USA Curling member. Individual Membership benefits and privileges may be adjusted or changed from time-to-time by staff.



d. Any Member Club in arrears in its annual Member Club fees at the end of the fiscal year of USA Curling in which the obligation was due shall be placed on probationary status. Notice from USA Curling to the Member Club must be given in writing and delivered by either regular first-class mail, or electronic mail to the designated representative of said Member Club.

i. Before imposing the penalties of probationary status, USA Curling must send the above notice no later than February 28 of the year when the arrearages were incurred, in order to give the Member Club an opportunity to timely cure the arrearage before the end of the fiscal year, and prevent the process of revoking the membership of the Member Club under Section 5.d.vi of this policy.

ii. All cases of arrearage shall be handled on a case-by-case basis by USA Curling, and the Member Club.

e. While on probationary status, a Member Club that has failed to pay its dues on time, after notice, shall suffer the following consequences:

i. The Member Club shall have no authority to carry votes in any Member's Meeting. Individual Curlers of this Member Club may not change their "primary" club indication to another Member Club for the purposes of voting or competition, but an Individual Member may purchase a membership directly from USA Curling to retain the rights and privileges of USA Curling membership.

ii. A Member Club that remains in arrears at the end of the USA Curling fiscal year (June 30) in which the annual dues were owed shall be ineligible to host a USA Curling event and shall not be eligible for the benefits of USA Curling membership.

iii. Individual Members who list the club as their "primary" shall not be eligible to register for any championship event that requires membership in a USA Curling Member Club. An Individual Member will be considered in good standing with USA Curling if they purchase an Individual Membership directly from USA Curling before the end of the fiscal year (June 30) that immediately precedes the Members' Meeting.

iv. If said Member Club continues in arrears for one year from the due date of its annual dues, then the membership of the Member Club shall be revoked, effective upon thirty (30) day written notice to said Member Club, notwithstanding the USA Curling Suspension, Termination, and Reinstatement Process Policy.

## **Policy 21-09**

### **Recognized Regional Association Directors**

Adopted October 1, 2021



Revised November 3, 2023

### 1. Purpose

Details the process for developing a slate of Recognized Regional Association Directors for election to the Board at the Members' Meeting and the requirements those candidates must meet. No element of this policy shall be interpreted to contradict any of USA Curling Bylaws.

### 2. Applicability of Policy

This policy applies to USA Curling Recognized Regional Association Director seats and the Nominating and Governance Committee.

### 3. Definitions

#### Recognized Regional Association

An association of curling clubs conducting programs that are statewide or regional in scope and recognized in USA Curling bylaws.

### 4. Candidate Commitment Requirements

No candidate shall be eligible for election unless they have signed a written commitment to adhere to the USA Curling Code of Ethics and Fiduciary Responsibilities, read and signed the USA Curling Director's Policy, and submitted a completed USA Curling Conflict of Interest Policy Disclosure Statement/Questionnaire.

### 5. Process

- a. The Nominating/Governance Committee shall issue a Call for Nominations to the Recognized Regional Associations by March 1st of the election year.
- b. The Board of Directors of each Recognized Regional Association shall be responsible for the review, vetting, and nomination of its allocated candidates and shall transmit the nomination of the qualified candidate to the Nominating/Governance Committee no less than sixty (60) days prior to the Members' Meeting.
- c. A biography/candidate statement of no more than two (2) pages in length shall accompany the nomination and be distributed with the meeting agenda as described in USA Curling Bylaws Section 10.3.a no less than thirty (30) days prior to the Members' Meeting.

### 6. Vacancy

Should one of the positions described in USA Curling Bylaws Section 7.6 become vacant, the Board may appoint someone to serve until the next Members' Meeting from among nominees submitted by the affected director seat. Any replacements filled by the Board shall have term and tenure limits imposed on their position in accordance with USA Curling Bylaws Section 7.10.

### 7. Seat Reallocation





Director seats shall be reallocated to the various Recognized Regional Associations, in accordance with USA Curling Bylaws Section 7.6, by the Secretary and approved by the Board in every odd-numbered year.

a. Said reallocation shall be based on the number of dues-paying Individual Members of USA Curling Member Clubs in the Regional Associations as of a date to be determined by the Board from time to time, but no earlier than January 31<sup>st</sup> of the calendar year in which the reallocation is done.

b. To the extent possible, the director seat groups shall strive to be geographically contiguous while maintaining as close to equal numbers of individual curling members in each group.

c. The maximum number of Recognized Regional Association directors shall be a total of six (6).

d. To the extent that a new Regional Association (New Association) is created from an existing Recognized Regional Association, the New Association would be considered to be part of an existing Regional Association for purposes of director allocation until the next scheduled reallocation. Creation of any new Regional Association shall not cause an additional director to be added.

e. Member Clubs unaffiliated with a Recognized Regional Association will be grouped together and have Board representation through one of the current RRA Directors.

## **Policy 21-10**

### **Members' Meeting Policies and Procedures**

Adopted October 1, 2021

Revised November 3, 2023

#### **1. Purpose**

This policy establishes the procedures required to call an assembly at either the required Annual Members' Meeting or when a Special Members' Meeting is petitioned. This policy also details the vote allocation for any Members' Meeting and procedures for assigning delegates to the Members' Meeting. No element of this policy shall be interpreted to contradict any of USA Curling Bylaws.

#### **2. Applicability of Policy**

This policy is directed to those tasked with setting the time and date and member notification for any Members' Meeting.

#### **3. Definitions**

Good Standing



As defined in USA Curling bylaws, good standing includes, without limitation, being current in the payment of all dues, assessments, and other charges owed to USA Curling in the relevant fiscal year and for all prior fiscal years.

#### Member Clubs

As defined in USA Curling Bylaws (Definitions – Preface)Individual Member

As defined in USA Curling Bylaws (Definitions – Preface)

#### Primary Club

USA Curling Individual Members declare their “primary” Member Club when registering with USA Curling. All votes of Individual Members are counted only by their primary Member Club.

### **4. Annual Meeting**

Notice and agenda of the annual Members’ Meeting shall state the place, date, and time of the meeting and shall be posted on the website of USA Curling thirty (30) days before the meeting date. Said notice and agenda shall also be emailed to the last known email address of the President or other designated representative of each Member Club. Individual Members may request notification of the Annual Meeting with the Secretary of USA Curling via email. At any annual Members’ Meeting, the Members may act on any proposal included in the agenda of the meeting and in addition thereto any other proposal properly added to the agenda except for those proposals for which special notice is required by statute or these bylaws.

### **5. Special Meeting**

Notice and agenda of special meetings of the Members shall state the place, date, and time of the meeting and shall be posted on the website of USA Curling ten (10) days before the date of the special meeting. Said notice and agenda shall also be emailed to the last known address of the President or other designated representative of each Member Club. At said special meetings of the Members, the Members may not act on any proposal not included in the notice and agenda of the meeting.

### **6. Member in Good Standing Requirement to Vote**

To be entitled to vote at a Members’ Meeting, the Member Club and/or Individual Member must be a member in good standing of USA Curling.

#### **Member Notification**

The President of Member Clubs must give notification of their Club’s intent to attend the Members’ Meeting to the Secretary of USA Curling via electronic means (email or form on the USA Curling website) no less than thirty (30) days prior to the Members’ Meeting. Such notification should include the name and email address of the voting delegate of the Member Club who will attend.

### **7. Vote Allocation**

a. At any Members’ Meeting, each Member Club that is in attendance shall be entitled to one vote for each Individual Member of USA Curling who indicates said Club as their primary



b. Member Club total votes will be calculated by Member Club member counts as of the end of the fiscal year prior to the Members' Meeting

c. Individual Members are entitled to vote as an individual and not be represented by their Member Club with notification to the Secretary of USA Curling no less than fifteen (15) days prior to the Members' Meeting. Individual Members votes will be deducted from their Member Club vote totals.

d. An Individual Member's vote may only be counted once, either by their primary Member Club, or as an individual voter at the Members' Meeting.

#### **8. Vote Certification**

The votes per Member Club must be certified by the USA Curling Treasurer as of ten (10) days prior to said meeting. Vote counts for Member Clubs and Individual Members who will attend the Members' Meeting will be published on the USA Curling website five (5) days prior to the Members' Meeting.

#### **9. Member Club delegate(s)**

a. Member Clubs who attend the Members' Meeting will be represented by their Club President

b. If a Member Club wishes to have a representative other than their Club President at the Members' Meeting, the Member Club President must notify the Secretary of USA Curling via email no less than fifteen (15) days prior to the meeting with the name and email of said delegate

c. Member Clubs may have up to three (3) total delegates at the Members' Meeting. If they wish to do so, they must notify the Secretary of USA Curling no less than fifteen (15) days prior to the Members' Meeting

d. Votes for Member Clubs with more than one delegate will be distributed evenly among the delegates unless notification is given of other allocations among the delegates no less than fifteen (15) days prior to the Members' Meeting

e. Delegate(s) representing Member Clubs may not be a delegate of any other Member Club at the meeting.

f. Board Members of USA Curling may not serve as delegates.

g. Situations may warrant delegate notification with less time, and will be considered by the Secretary

#### **10. Majority Vote**

Except as otherwise provided by statute or by these bylaws, a majority of the votes represented at said meeting shall be sufficient to adopt or reject any proposal for which a vote is taken.

#### **11. Notification Conflict**



If there is a conflict between notices given to the USA Curling Secretary pursuant to any aspect of this policy, the notice most recently received prior to the applicable Members' Assembly meeting shall control. If it is not clear to USA Curling which notice was most recently received by USA Curling, the notice received from the Member Club shall be controlling.

## 12. Athlete Delegation

a. As directed by the Ted Stevens Act, the Athlete Advisory Council will be represented by selected delegates. Notification must be given to the Secretary of USA Curling via email no less than fifteen (15) days prior to the Members' Meeting of the delegates' names, and email addresses

b. At the Members' Meeting, the Athlete Advisory Council (AAC) will have a vote equal to one-third (1/3) of the total votes to be cast. The total number of AAC votes is calculated as 1/3 of the total votes to be cast at the Members' Meeting

i. For example: If there are 20,000 Individual Members represented by Member Clubs and Individual Members who will vote, the AAC will be entitled to 10,000 votes, or 1/3 of the total votes to be cast at the Members' Meeting (30,000 in this example).

ii. The AAC share of votes will be calculated once all Member Clubs and Individual Members are accounted for as voting at the Members' Assembly.

c. AAC delegates will be allocated votes evenly among them, unless specified by the Chair of the AAC to the USA Curling Secretary with the specific vote percentages for each delegate of the AAC

d.

## Policy 21-11 Standing Committees Policies and Procedures

Adopted October 1, 2021

### 1. Purpose

This policy details attendance requirements for all standing committee members and the process for the removal or temporary replacement of any standing committee member. No element of this policy shall be interpreted to contradict any of USA Curling Bylaws.

### 2. Applicability of Policy

This policy applies to all USA Curling standing committee members.

### 3. Definitions

#### Standing Committee

All permanent board committees as defined in USA Curling Bylaws Section 9.1

4. **Standing Committee members** are expected to attend in person all regularly scheduled standing committee meetings of which they are a member. Each standing committee member must attend a minimum of at least one-half (½) of the standing committee meetings of which they are a member during any twelve (12) consecutive month period.



**5. If a standing committee member is temporarily unable to fulfill their duties:**

If a standing committee member is temporarily unable to fulfill their duties, as determined by the Board upon two-thirds ( $\frac{2}{3}$ ) vote of the Board or at the standing committee member's written declaration, then an acting standing committee member shall be selected by the Chair per Bylaws Article 9.6.b. The acting standing committee member shall serve until the standing committee member is capable of resuming their duties as determined by the Board upon a two-thirds ( $\frac{2}{3}$ ) vote or the term of said standing committee member ends, whichever occurs first.

**6. Removal of a standing committee member:**

a. Unless able to demonstrate to the directors of the Board that the presence of exigent circumstances caused and excused the absences, standing committee members may be removed by the Board if they fail to attend in person more than one half ( $\frac{1}{2}$ ) of the regular standing committee meetings during any twelve (12) consecutive month period. In such circumstances, the absent standing committee member shall be removed upon the affirmative vote of a majority of the Board (not including the vote of the standing committee member in question, if also a director).

b. A standing committee member may also be removed for cause upon the affirmative vote of at least two-thirds ( $\frac{2}{3}$ ) of the Board (excluding the vote of the standing committee member in question, if also a director).

c. Standing committee members may also be removed not for cause upon the affirmative vote of at least three-fourths ( $\frac{3}{4}$ ) of the Board (excluding the vote of the director in question, if also a director).

## **Policy 21-12**

### **Athlete Ombuds Policy**

Adopted October 1, 2021

**1. Purpose**

Congress directed the Office of the Athlete Ombuds to develop and publish in the Federal Register, not later than 180 days after the date of enactment of the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020, a confidentiality and privacy policy consistent with statutory guidelines. This Notice contains the policy required by the statute. No element of this policy shall be interpreted to contradict any USA Curling Bylaws.

**2. Addresses**

For information about the United States Olympic and Paralympic Committee Office of the Athlete Ombuds, visit [www.teamusa.org/athlete-ombuds](http://www.teamusa.org/athlete-ombuds). You may request written materials about the confidentiality and privacy policy by writing to the Office of the Athlete Ombuds, U.S. Olympic and Paralympic Committee, 1 Olympic Plaza, Colorado Springs, Colorado 80909.



The Office of the Athlete Ombuds offers independent, confidential advice to elite 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.

Phone: 719-866-5000

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

Website: [usathlete.org](http://usathlete.org)

### 3. Background

On October 30, 2020, Congress enacted the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 (Pub. L. 116 -189, 134 Stat. 943 (2020)) (the “Act”), which revised certain duties of the Office of the Athlete Ombuds. Section 6(e) of the Act, codified in 36 U.S.C. 220509(b)(4)(E), requires that no later than 180 days after the date of enactment of the Act, the Office of the Athlete Ombuds develop and publish in the Federal Register a confidentiality and privacy policy consistent with certain statutory guidelines. This Notice contains the confidentiality and privacy policy required by the Act.

### 4. Confidentiality and Privacy Policy

#### a. In general

The Office of the Athlete Ombuds shall maintain as confidential any information communicated or provided to the Office of the Athlete Ombuds in confidence in any matter involving the exercise of the official duties of the Office of the Athlete Ombuds.

#### b. Exceptions

The Office of the Athlete Ombuds may disclose information described in subparagraph (a) as necessary to resolve or mediate a dispute, with the permission of the parties involved.

#### c. Judicial and administrative proceedings.

##### i. In general

The ombudsman and the staff of the Office of the Athlete Ombuds shall not be compelled to testify or produce evidence in any judicial or administrative proceeding with respect to any matter involving the exercise of the duties of the Office of the Athlete Ombuds.

##### ii. Work product

Any memorandum, work product, notes, or case file of the Office of the Athlete Ombuds

- shall be confidential; and
- shall not be subject to discovery, subpoena, or any other means of legal compulsion; or admissible as evidence in a judicial or administrative proceeding.

#### d. Applicability

The confidentiality requirements under this paragraph shall not apply to information relating to:

- i. applicable federally mandated reporting requirements;
- ii. a felony personally witnessed by a member of the Office of the Athlete Ombuds;
- iii. a situation, communicated to the Office of the Athlete Ombuds, in which an individual is at imminent risk of serious harm; or



iv. a congressional subpoena.

## **Policy 21-13**

### **Code of Conduct**

Adopted October 1, 2021

Revised December 16, 2021

#### **1. Introduction**

This Policy nullifies and replaces the existing USA Curling Policy 19-05, adopted October 21, 2021

Every USA Curling member has the power and the responsibility to shape the culture within our sport. By practicing our shared values and staying focused on our highest priority – the safety and well-being of our athletes – we can promote an environment that empowers and supports athletes and makes participation in the sport a positive and rewarding experience for all members.

The USA Curling Code of Ethical Conduct (the “Code”) is our collective commitment to work ethically in all instances. It offers a tangible way to put our values into practice and guidance in situations that have potential or actual ethical implications. Ultimately, the effectiveness of the Code depends on a personal commitment from every member of the curling community.

This Code is divided into three sections: (1) the Athlete Bill of Rights; (2) Ethical Obligations; and (3) Resolution of Ethical Issues. The Code does not address misconduct or abusive behaviors.

Instead, the USA Curling Safe Sport Policy provides the definitions and mandatory reporting requirements for misconduct and abuse.

All members, employees, volunteers, board members, committee and task force members of USA Curling, and contractors (collectively, “members of USA Curling” or “members”) are required to implement and adhere to this Code.

Members of USA Curling are also required to accept the requirements of and comport themselves in accordance with (a) the rules, policies, and procedures of USA Curling and the United States Olympic and Paralympic Committee (“USOPC”); (b) the Olympic Movement Code on the Prevention of the Manipulation of Competitions; and (c) all applicable state and local laws.

No element of this policy shall be interpreted to contradict any USA Curling Bylaws.

#### **Athlete Bill of Rights**



All members of USA Curling are committed to ensuring that athletes have a safe, inclusive, and supportive environment in which to train and compete and that each athlete has the ability to:

a. Participate in Curling

Curling is inclusive and open to everyone. All athletes have the right to participate, regardless of their age, race, ethnicity, gender, sexual orientation, gender identity, mental or physical disability, national origin, religion, or any other basis proscribed by law. Athletes have the right to participate at a level commensurate with their maturity and ability and shall be given an equal opportunity to strive for success.

b. Train and compete safely

Safety is paramount. All athletes have the right to:

- i. Participate in an environment that is free from emotional, sexual, or physical abuse;
- ii. Train and compete in a safe environment, free from inappropriate physical hazards, bullying, hazing, harassment, stalking, violence, or similar threats; and
- iii. Train and compete on equipment that is clean, appropriately fitted, and properly maintained.

c. Have their personal health and wellness prioritized

Athletes have the right to pursue a healthy lifestyle that includes proper nutrition, mental health support, injury prevention and care, and necessary rest and recuperation, especially when healing from injury.

d. To be treated with dignity and respect

Athletes have the right to be treated fairly and with dignity and respect. They have the right to make mistakes and fail without fear. They have the right to be respected, encouraged, and supported appropriately by other athletes, parents, coaches, judges, spectators, event officials, and those in positions of authority.

e. Receive proper instruction

Athletes have the right to:

- i. Be coached by individuals who are knowledgeable and have received appropriate training.
- ii. Be properly prepared for participation by those in positions of authority, including coaches, club owners, and administrators.
- iii. Question or report improper behavior or violations of the Safe Sport Code, including coaches or club owners, without fear that doing so shall negatively impact their participation or success.
- iv. All athletes (particularly minor athletes) are entitled to have their parents observe coach/athlete interactions.

f. Integrity and Transparency

Athletes have the right to fair and transparent procedures and policies within their discipline – including selection procedures – that demonstrate integrity and are free from conflicts of interest, impropriety, and favoritism.

g. Provide input on matters that directly affect them

Athletes have the right to provide input and have their voices respected in matters that directly affect them.





#### h. Voice opinions on issues that affect the curling community

Athletes have the right to respectfully express themselves on issues that impact the curling community, with the confidence that doing so shall not jeopardize their ability to participate and/or negatively impact their success.

The foundational philosophies of this Bill of Rights are separate from but intended to guide the responsibilities of each individual member included in the Ethical Obligations of Members (below), the [SafeSport Policy](#). Ethical Obligations should be interpreted with these principles in mind.

### 3. Ethical Obligations of Members

#### a. Promotion of a Safe, Positive, and Healthy Environment for All

Members have an ongoing obligation and commitment to ensure a safe and healthy environment for all curling participants. Consistent with this obligation, members must:

- i. Make decisions in the best interest of athletes.
- ii. Maintain a safe training and competing environment.
- iii. Promote a culture of trust and empowerment.
- iv. Respect the fundamental rights, dignity, and worth of all participants.
- v. Encourage a healthy lifestyle and support nutritional well-being.
- vi. Promote and respect all Safe Sport principles.

#### b. Commitment to Integrity

Members have a responsibility to uphold the integrity of the sport and to act honestly, openly, fairly, and competently. Members must:

- i. Be knowledgeable of, understand, and follow USA Curling rules and policies, and refrain from knowingly misrepresenting or misinterpreting such.
- ii. Promote fair play.
- iii. Maintain respect on and off the ice and refrain from intimidating, embarrassing, or improperly influencing any individual responsible for participating in or administering a competition.
- iv. Follow the established procedures for challenging a competitive result.
- v. Make honest certifications regarding compliance with USA Curling policies, procedures, or membership requirements.
- vi. Avoid engaging in business practices directed toward another Member that are known to be or are determined by a court or similar adjudicatory body to be unethical, illegal, or a breach of contract.

#### c. Participation and Inclusion

Members have the right to participate in any USA Curling activity or event for which the member is properly qualified under the rules of that activity or event and may participate to the best of their abilities at their own discretion:

- i. Members may not knowingly participate in or cause others to participate in any activity or event where that individual is inadequately prepared or unable to participate safely.



ii. Members must promote positive participation and avoid behavior that is likely to interfere with the orderly conduct of the activity or other members' participation in or enjoyment of an activity or event.

iii. Members must respect the rights and opinions of others.

iv. Members must facilitate cooperation in order to serve athletes and other participants effectively and appropriately.

v. Members must promote inclusion and an environment free of discrimination. Members may not:

- Restrict the ability of a member to qualify for or participate in competition because of the member's association with a particular organization or individual or because of that Member's race, sex, creed, sexual orientation, gender identity, age, national origin, mental or physical disability, or any other basis proscribed by law.

- Discriminate in the allocation of resources or opportunities to any member or prospective member on the basis of race, sex, creed, sexual orientation, age, national origin, mental or physical disability, or any other basis proscribed by law.

d. Communication

Members of USA Curling have a duty to communicate honestly and openly and must:

i. Respect the voice of athletes, particularly in matters that affect them.

ii. Strive to promote the sport and athletes.

iii. Provide all information and resources necessary to enhance a curler's enjoyment of the sport or reduce their risk of injury or illness.

iv. Refrain from unsportsmanlike comments or behavior.

v. Address differences in a calm and respectful manner.

vi. Clearly communicate roles, responsibilities, and expectations.

vii. Avoid making false or misleading claims; or falsify, or omit any information, record or document, or other evidence for any purpose.

viii. Accurately represents competitive achievements, professional qualifications, education, experience, eligibility, criminal record, other misconduct, and/or affiliations.

e. Concern for the Welfare of Others

Members shall seek to contribute to the welfare of curling participants and must:

i. Promote a culture of empowerment with a focus on athlete health and safety.

ii. Comply with mandatory reporting requirements established by federal law, the U.S.

Center for SafeSport, and USA Curling Safe Sport Policy.

iii. Proactively address potentially harmful behavior or an unsafe environment.

iv. Be sensitive to any imbalance of power.

v. Resolve conflicts in a professional manner.

f. Professional Responsibility

Members have the responsibility to aspire to the highest possible standards of conduct and must:

i. Prioritize athlete welfare.

ii. Faithfully complete and comply with USA Curling membership requirements.

iii. Strive to maintain high standards and excellence.



iv. Seek to increase proficiency levels through continuing education and in consultation with other professionals.

v. Participate only at a level of the sport which an individual is qualified and prepared for.

vi. Accept appropriate responsibility for one's own behavior and report any unlawful or other inappropriate conduct of others in accordance with Section II below.

**g. Alcohol and Drug-Free Environment**

Members of USA Curling must ensure that the sport is conducted in an environment free of drug or alcohol abuse. Members may not:

i. Use or provide to a third party any illegal (scheduled) drug pursuant to applicable federal, state, or municipal law.

ii. Assist or condone any competing athlete's use of a drug banned by any applicable governing body, or, in the case of athletes, use such drugs or refuse to submit to properly conducted drug tests administered by any governing body.

iii. Provide alcohol to or condone alcohol use by minors; consume alcohol while engaging in USA Curling activities, including coaching and/or training and/or competing; consume excessive alcohol in the presence of athletes or at USA Curling events, or consume alcoholic beverages while a minor.

**h. Job Reference Limitations**

No individual who is an employee, contractor, or agent of USA Curling may assist a member or former member of USA Curling in obtaining a new job (excluding the routine transmission of administrative or personnel files) if the individual knows that the member or former member: a) violated the policies or procedures of the U.S. Center for SafeSport related to sexual misconduct; and/or b) was convicted of a crime involving sexual misconduct with a minor in violation of applicable law or the policies and procedures of the U.S. Center for SafeSport.

**4. Resolving Ethical Issues**

All members of USA Curling have an obligation to be familiar with the principles outlined within this Code.

Members should be alert and sensitive to situations that could result in unethical, illegal, or improper actions.

The specific methods, requirements, and procedures for reporting and resolving possible ethical violations of the Code are found in the Complaint Procedures (USA Curling Policy 21-05).

The Complaint Procedures provide for informal resolution of ethical violations, the reporting of possible ethical violations (including anonymous reporting), and formal dispute resolution procedures for violations of the Code. The Complaint Procedures outline, among other things, who can submit a complaint, the requirements for a complaint, the process for responding to a complaint, the rights and responsibilities of the parties involved in the process, and the formal hearing process for resolution of complaint.



## 5. Anti-Retaliation and Additional Resources

### a. Anti-Retaliation.

Under no circumstances shall an individual be subject to any disciplinary or retaliatory action for filing, in good faith, a report of a violation or potential violation of the Code. However, filing known false or malicious reports will not be tolerated, and anyone filing such reports will be subject to appropriate disciplinary action.

### b. Additional Resources.

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.

Additional information about, and contact information for, the Athlete Ombuds can be found online at <https://www.teamusa.org/athlete-ombuds>.

## Policy 21-14 Transgender Participation Policy and Guidance

Adopted October 2, 2021

### 1. Purpose

a. This Policy nullifies and replaces the existing USA Curling Policy 16-01 "Transgender Participation in Curling," adopted October 2016 and amended February 2017.

b. USA Curling is committed to preventing discrimination against any of its members, including discrimination based on gender identity and expression. USA Curling welcomes participation by all curlers at all levels of competition and supports those who are transgender or non-binary. The purpose of this policy is to establish clear guidelines about the inclusion of transgender and non-binary curlers in USA Curling events. It also provides guidance on how to support transgender and non-binary curlers in club events.

c. This inclusion policy is guided by the following principles:

i. USA Curling seeks to respect all backgrounds, experiences, and identities and assumes from the outset that athletes who compete under these rules are doing so not to gain a competitive advantage, but to participate with their peers and experience the joy and spirit of curling as who they are.

ii. USA Curling recognizes that gender expression and/or gender identity may or may not be the same as a person's assigned sex and that gender identity does not function on a binary system.

iii. Gender affirming surgery is not required for an individual to participate in athletic competition and is not required by USA Curling under any circumstances.



iv. Each person is in control of the ways they present and express their gender identity, and as such, no person should have their identity disclosed without their express consent.

v. An individual's transgender or non-binary identity constitutes protected health information, and disclosure of personal medical information is not required beyond what is required of cisgender athletes.

vi. USA Curling will not require any participant to undergo any testing, of any sort, to verify a gender identity or non-gendered status.

• ***Athletes will be subject to requirements of any other governing bodies when attending events hosted by those governing bodies, such as the World Curling Federation or International Olympic Committee.***

## 2. Definitions

Transgender is an umbrella term to describe people whose gender identity does not match their sex assigned at birth. Transgender people identify as male, female and sometimes as non-binary, meaning that their gender falls outside of the male/female binary categories. Transgender people may take hormones to change their bodies to more closely match their gender, and some undergo gender confirmation surgery as well. However, not all take these steps, and being a transgender person is not contingent upon them. Transgender people do not seek to gain competitive advantage through the transition process; they undergo medically, emotionally, and socially necessary changes to affirm their gender identity.

In this policy, the term male refers to people who identify as men, regardless of sex assigned at birth. The term female refers to people who identify as women, regardless of sex assigned at birth. While non-binary individuals may not identify in either of these categories or may identify with one or the other at different times socially, this document will provide guidance for participation within established binary competition divisions. The term transgender will describe any person whose gender identity does not match their sex assigned gender at birth.

USA Curling recognizes that the below words have complex meanings, and for the purposes of this document we are using general but operational definitions:

a. Non-binary (nb or enby): An umbrella category that describes gender identities that are not exclusively masculine or feminine—gender identities that are outside the gender binary.

b. Transgender (trans): Describes a person whose gender identity differs from the sex they were assigned at birth.

c. Cisgender (cis): Describes a person whose gender identity aligns with the sex they were assigned at birth.

d. Gender: The socially constructed roles, behaviors, and attributes that society associates with one's sex assigned at birth.

e. Gender Expression: The manner in which an individual represents or expresses gender to others through behavior, outward appearance, activities, mannerisms, etc.

f. Gender Identity: An individual's deeply held sense or knowledge of their gender.



g. Sex Assigned at Birth: The sex that is assigned to an infant at birth, usually by a doctor or medical staff, based on the infant's visible sex organs, including genitalia and other physical characteristics. Classifications made are most often male, female, or intersex.

### 3. Participation Guidelines

Guidelines for participation of transgender curlers differ by the level of competition because of the rules of the organizing body. This policy should not be construed to supersede the policy of another organizing body when competing in an event that does not fall under USA Curling rules.

#### a. Olympic, Paralympic, and World Events

All competitions conducted by the International Olympic Committee (IOC) and the World Curling Federation (WCF) must follow the policies established by the IOC with respect to transgender athletes. At the time of enactment of this document, the World Curling Federation (WCF) follows the policies established by the IOC with respect to transgender athletes. The IOC revised its transgender guidelines in November 2015. In brief, IOC guidelines permit athletes who transition from female to male to compete in the male category without restriction. Athletes who transition from male to female are permitted to compete in the female category if she has declared her gender identity as female and if her testosterone level in serum is at an acceptable level for one year prior to her first competition. More details about the IOC guidelines can be found on their website (see references). It is the responsibility of transgender athletes competing in events leading to IOC and WCF competitions to understand and maintain their own eligibility for these competitions.

#### b. U.S. National Championships and Other Competitive Events Hosted by USA Curling

##### Eligibility -

All U.S. championship events must follow USA Curling policy with respect to transgender and non-binary athletes. This includes Men's, Women's, Junior Men's (U18 & U21), Junior Women's (U18 & U21), Mixed, Mixed Doubles, Senior, Club National, Wheelchair Team Trials, and Arena National Championships.

Considering the most up-to-date medical and expert information available at the time of the implementation of this policy, participation in events hosted by USA Curling is open to:

- i. Athletes seeking to participate in the division based on their sex assigned at birth, regardless of their gender identity.
- ii. Athletes seeking to participate in the division based on their gender identity.
  - If the athlete has declared their gender identity is different from their sex assigned at birth, the declaration cannot be changed, for sporting purposes, for the duration of the curling season. The gender identity that is submitted to USA Curling is sufficient to declare gender identity for the season. Otherwise, the gender identity that is submitted at time of registration for competitive events will be considered.
  - A participant may not declare themselves as a member of both genders simultaneously. This is not intended to be discriminatory, but to ensure evenness of treatment, as members who do identify as one gender or the other are only eligible to compete in one gender's events.



iii. It is the policy of USA Curling to be as inclusive as possible in these events, regardless of participants' gender identity.

- Male-identified curlers will not be denied the ability to participate on men's or junior men's (U18 or U21) teams or as a male member of a mixed gender team.
- Female-identified curlers will not be denied the ability to participate on women's or junior women's (U18 or U21) teams or as a female member of a mixed gender team.
- Members who identify themselves as non-binary (or any equivalent genderless status) may declare themselves as eligible to compete in either gender's events, but they can only compete as one gender (of their choosing) for the duration of the curling season. This is not intended to be discriminatory, but to ensure evenness of treatment, as members who do identify as one gender or the other are only eligible to compete in one gender's events.
- Athletes will not be denied the ability to participate on a team that matches their sex assigned at birth providing they have not declared a different gender for sporting purposes during the current curling season.
- Event organizers will not ask participants to prove their gender identity through hormone testing or by submitting legal documents (notwithstanding US Anti-Doping Agency mandated testing for any athlete).

#### Anti-Doping-

iv. Athletes competing in U.S. championship events leading to Olympic or World competition may be subject to USADA anti-doping testing. It is the responsibility of every athlete to know what substances are banned both in and out of competition and to seek therapeutic use exemptions (TUE) wherever necessary. This policy does not exempt any athlete from USADA testing or supersede any restrictions established by USADA.

#### **c. Recognized Regional Association and Member Club Events**

Recognized Regional Association and Member Club events that are part of a USA Curling national championship process, such as playdowns or other qualification events, must adhere to the rules specified for such events. The following is recommended policy for Regions and Member Clubs:

- i. The Transgender policy applies to all leagues, bonspiels, and other events where gender identity is a factor in eligibility to play, or position occupied within a team ("events") hosted by the Club or Region and operated under the Club or Region's rules.
- ii. In all events, all participants will be considered to be the gender they identify themselves as.
  - Registration for a gender-specific event (men's team, women's team, or mixed doubles) is, in and of itself, considered sufficient declaration.
- iii. The Club or Region will not require any participant to undergo any testing, of any sort, to verify a gender identity or non-gendered status.
- iv. A participant will be required to declare their preferred gender identity at the time of registration for any event where gender identity is a qualifying characteristic. This will be done in as unobtrusive a manner as possible. For example, registration for a gender-specific event (e.g., men's event, women's event, or mixed event) is, in and of itself, considered sufficient declaration.



v. A participant may not declare themselves as a member of both genders simultaneously. This is not intended to be discriminatory, but to ensure evenness of treatment, as members who do identify as one gender or the other are only eligible to compete in one gender's events.

vi. If the Club or Region is required to certify a member's eligibility for a gendered event, the Club will use the member's self-identified gender. This should be consistent with any gender-specific leagues the member may be playing in.

vii. All Club members will treat other members' gender status with respect. Bullying, harassment, or physical challenges will not be tolerated, and any incidents which may occur will be investigated and handled in accordance with Club or Region By-Laws.

#### 4. Verification

An athlete's declaration of gender identity through the process of registering for a gendered event is sufficient. Transgender and non-binary individuals may or may not have identification documents that match their gender identity and the names that they generally use. Although some competitions may require participants to provide identification, the name that is provided by transgender and non-binary individuals will be the only name used in any documents, name tags, or other materials. Similarly, when competition requirements state that a curler must have their name (first or last) on their uniform, the preferred name of the individual is the only one that is required to be used. Athletes are not required to have any medical intervention, nor will they be subject to any testing to affirm their declared gender identity.

Should a competitor have a legitimate concern that a curler is misinterpreting this policy, he or she may file a formal complaint as described in USA Curling bylaws; however, such a complaint will be treated confidentially in keeping with the privacy of the competitor(s).

Should an athlete not have adequate legal documentation to support their gender, USA Curling, through the Diversity, Equity and Inclusion Committee, shall automatically confer an athlete's status in the requested division. All discussions, USA Curling documentation, and written support documentation surrounding an athlete's request, when applicable, shall remain confidential in accordance with state and federal laws unless USA Curling receives written permission from the athlete. All information regarding all athletes' gender identity and medical information, including physician's information, shall be confidential per state laws and institutional policies. Any breaches of medical confidentiality will be dealt with accordingly. Should athletes have any questions regarding this policy or participating in sport, they may reach out to the Diversity, Equity and Inclusion Committee for assistance.

#### 5. Facility Use

People shall be permitted to use changing and restroom facilities according to their gender identity. In some instances, transgender and non-binary curlers may request independent or individual facilities to increase privacy. Member clubs and event host locations should be mindful of the needs of transgender and non-binary athletes and make such facilities available when possible.





## 6. Youth Participation

It is USA Curling's position to support youth and junior athletes in the participation and pursuit of competitive excellence in the sport of curling. As an organization, we recognize that medical and social interventions for adults are not always available or appropriate for junior curlers. As such, gender non-conforming juniors should be allowed to compete in the division that provides the best social and emotional support to ensure affirming and ongoing participation in the sport. Athletes participating in events governed by other bodies, such as the WCF or IOC, will abide by those organizations' policies.

The [Transgender Law & Policy Institute's](#) document, *Guidelines for Creating Policies for Transgender Children in Recreational Sports*, includes the following statement:

"All young people should have the opportunity to play recreational sports and have their personal dignity respected. Transgender young people are no different. In fact, because transgender young people often must overcome significant stigma and challenges, it would be particularly harmful to exclude them from the significant physical, mental and social benefits that young people gain by playing recreational sports. The impact of such discrimination can be severe and can cause lifelong harm. In contrast, permitting transgender children and youth to participate in recreational sports in their affirmed gender can provide an enormous boost to their self-confidence and self-esteem and provide them with positive experiences that will help them in all other areas of their lives."

## 7. References

### a. Club Resources –

- i. Potomac Curling Club. "Transgender Policy." Last accessed July 22, 2021.

<https://docs.google.com/document/d/1y-8ipttKW1ZLvlztQS3jem4gAt603eQaaheYnt2nscA/edit>

### b. Policy Guidance –

- i. Canadian Centre for Ethics in Sport. "Creating Inclusive Environments for Trans Participants in Canadian Sport." Last accessed July 22, 2021.

<https://cces.ca/sites/default/files/content/docs/pdf/cces-transinclusionpolicyguidance-e.pdf>

- ii. Canadian Centre for Ethics in Sport. "TRANS INCLUSION IN CANADIAN SPORT – POLICY AND PRACTICE GUIDANCE." Last accessed July 22, 2021.

<https://cces.ca/sites/default/files/content/docs/pdf/developing-and-implementing-trans-inclusion-policy-webinar-march20-2019.pdf>

- iii. International Olympic Committee. "Consensus Meeting on Sex Reassignment and Hyperandrogenism," November 2015. Last accessed July 22, 2021.

[https://stillmed.olympic.org/Documents/Commissions\\_PDFfiles/Medical\\_commission/2015-11\\_ioc\\_consensus\\_meeting\\_on\\_sex\\_reassignment\\_and\\_hyperandrogenism-en.pdf](https://stillmed.olympic.org/Documents/Commissions_PDFfiles/Medical_commission/2015-11_ioc_consensus_meeting_on_sex_reassignment_and_hyperandrogenism-en.pdf)

- iv. Mosier, Chris. "TRANS\*Athlete, Policies by Organization." Last accessed July 22, 2021.

<https://www.transathlete.com/policies-by-organization>

- v. NWHL. "Transgender Player Policy." Last accessed July 22, 2021.

<https://www.nwhl.zone/nwhl-transgender-policy>



- vi. Trans Athlete. “K-12 Policies.” Last accessed July 22, 2021.  
<https://www.transathlete.com/k-12>
- c. Definitions –
  - i. Athlete Ally. “Model Policy: Transgender and Nonbinary Athlete Inclusion.” Last accessed July 22, 2021. <https://www.athleteally.org/model-policy-transgender-inclusion/>
  - ii. GLAAD. “Media Reference Guide - Transgender Issues.” Last accessed July 22, 2021.  
<http://www.glaad.org/reference/transgender>
  - iii. NCAA. “NCAA Inclusion of Transgender Student-Athletes.” Last accessed July 28, 2021.  
[https://ncaaorg.s3.amazonaws.com/inclusion/lgbtq/INC\\_TransgenderHandbook.pdf](https://ncaaorg.s3.amazonaws.com/inclusion/lgbtq/INC_TransgenderHandbook.pdf)
- d. Athlete Resources and Legal Resources –
  - i. American Civil Liberties Union. “Know Your Rights: LGBTQ Rights.” Last accessed July 22, 2021. <https://www.aclu.org/know-your-rights/lgbtq-rights/>
  - ii. Lambda Legal. “Changing Birth Certificate Sex Designations: State-By-State Guidelines.” Last accessed July 22, 2021.  
<http://www.lambdalegal.org/know-your-rights/transgender/changing-birth-certificate-sex-designations>
  - iii. Transgender Law Center. Last accessed July 28, 2021. <https://transgenderlawcenter.org/>
  - iv. US Anti-Doping Agency (USADA). Last accessed July 29, 2021.  
<https://www.usada.org/athletes/testing/tue/>
  - v. US Anti-Doping Agency (USADA). “TUE Application Checklist - Transgender Athlete.” Last accessed July 29, 2021.  
<https://www.usada.org/wp-content/uploads/Transgender-Checklist-USADA.pdf>
  - vi. World Anti-Doping Agency (WADA). “Medical Information to Support the Decisions of TUECs - Transgender Athletes.” Last accessed July 28, 2021.  
<https://www.wada-ama.org/en/resources/therapeutic-use-exemption-tue/medical-information-to-support-the-decisions-of-tuecs-7>

## **Policy 21-15**

### **USA CURLING – Member Club Reinstatement Following Suspension, Termination, or Resignation**

Adopted December 2021

Revised November 3, 2023

#### **1. Purpose**

Procedural guidelines for Member Club suspension, termination, resignation, and reinstatement.

#### **2. Applicability of Policy**

This policy applies to any situation regarding reinstatement of a Member Club following suspension or termination by USA Curling, or Member Club resignation.

#### **3. Definitions**

Member Club As defined in USA Curling Bylaws Preface - Definitions.



#### **4. Member Club Suspension and Termination Process**

a. Member Clubs wishing to rejoin USA Curling after membership was terminated or suspended, must notify the USA Curling Secretary of their request for reinstatement.

b. Between the date of suspension or termination by the Board of Directors and the Members' Meeting, the affected Member Club may request a hearing before the Judicial Committee. A Member Club must file for said hearing within thirty (30) days of the date notice was given to the Member Club of said suspension or termination. Said thirty (30) day period shall commence with the date of notice of suspension or termination by action of the Board of Directors is emailed. Said Member Club shall be entitled to only one hearing. The Member Club shall not have any hearing rights if membership is suspended or terminated by a vote of all Members.

#### **5. Member Club Reinstatement from Suspension or Termination**

a. Upon written request setting forth reasons for reinstatement signed by the president of a former Member Club, which request must be filed with the Secretary of USA Curling and provided, if applicable, outstanding action, dues, assessments, and other charges or in amounts as determined by the CEO have been fully paid, the Board of Directors may, by an affirmative two-thirds ( $\frac{2}{3}$ ) vote reinstate such former Member Club upon such terms as may be deemed appropriate.

b. If said former Member is reinstated by the Board of Directors, said reinstatement shall be provisional subject to an affirmative two-thirds ( $\frac{2}{3}$ ) vote by all Members. Said two-thirds ( $\frac{2}{3}$ ) vote shall be determined excluding the vote of said petitioning former Member Club.

#### **6. Member Club Resignation Process**

To resign from USA Curling, a Member Club must submit a formal resignation letter to the Secretary of USA Curling.

#### **7. Member Club Reinstatement after Resignation**

Clubs that have previously resigned from USA Curling, and do not owe any applicable fees, dues, or other financial payments to USA Curling, can request reinstatement by completing [the Member Club Application form](#). Provisional membership as a Member Club can be approved by the CEO with notification provided to the Board, with a vote on reinstatement to full Member Club status to occur at the following Members' Meeting. There are no reinstatement fees related to resignation, provided the Member Club applying for reinstatement has no outstanding debts to USA Curling. A Member Club that had formally resigned and did not participate as a Member Club of USA Curling is not required to pay back dues for years in which it was not a Member Club.

#### **8. Reinstatement Fees**

There are no reinstatement fees for a suspended or terminated Member Club.



## **Policy 23-01**

### **Recognized Regional Association Reinstatement Following Suspension, Termination, or Resignation**

Adopted November 3, 2023

#### **9. Purpose**

Procedural guidelines for suspension, termination, resignation, and reinstatement of Recognized Regional Associations (RRA).

#### **10. Applicability of Policy**

This policy applies to any situation regarding reinstatement of a Recognized Regional Association following suspension or termination by USA Curling, or resignation by the RRA.

#### **11. Definitions**

Recognized Regional Association (RRA) As defined in USA Curling Bylaws Preface - Definitions.

#### **12. RRA Suspension and Termination Process**

Between the date of suspension or termination by the Board of Directors and the Members' Meeting, the affected Recognized Regional Association may request a hearing before the Judicial Committee. An RRA must file for said hearing within thirty (30) days of the date notice was given to the RRA of said suspension or termination. Said thirty (30) day period shall commence with the date of notice of suspension or termination by action of the Board of Directors. Said RRA shall be entitled to only one hearing. The RRA shall not have any hearing rights if RRA status is suspended or terminated by a vote of all Members.

#### **13. RRA Resignation Process**

To resign from USA Curling, an RRA must submit a formal resignation letter to the Secretary of USA Curling.

#### **14. RRA Reinstatement from Suspension, Termination or Resignation**

Upon written request setting forth reasons for reinstatement signed by the president of a former RRA, which request must be filed with the Secretary of USA Curling and provided, if applicable, outstanding action, dues, assessments, and other charges or in amounts as determined by the CEO have been fully paid, the Board of Directors may, by an affirmative two-thirds ( $\frac{2}{3}$ ) vote reinstate such former RRA upon such terms as may be deemed appropriate. If said former RRA is reinstated by the Board of Directors, said reinstatement shall be provisional subject to an affirmative two-thirds ( $\frac{2}{3}$ ) vote by all Members. After reinstatement, said RRA will have direct Board representation following the next Director reallocation.

#### **15. Reinstatement Fees**

There are no reinstatement fees for a suspended or terminated RRA.



## ADDENDA

### **Addendum to Policy 21-01 Whistle-Blower Investigation Guidelines**

Presented as an Addendum to the Whistle-Blower Policy February 23, 2021  
Not formally adopted by Board action

Attached below as Addendum XXX is the recommended Purpose, Process, and Principles for investigating a possible violation to this policy, and a sample Investigation Report to provide guidance.

#### **PURPOSE**

USA Curling is committed to supporting a strong culture of integrity and ethical conduct by encouraging, valuing, and protecting good faith reporting by athletes, coaches, directors, officers, employees, members, committee members, task force members, hearing panel members, and volunteers (“Affiliated Individuals”) of any USA Curling alleged violation of any applicable law or policy or any potential ethics issue. The USA Curling Code of Conduct supports the commitment to high standards and compliance with the laws, regulations and policies of USA Curling.

USA Curling Chief Operating Officer (“COO”) is empowered by the USA Curling Board and Whistle-Blower Policy (the “Policy”) to coordinate the investigation of Violations and reports of Retaliation. These Guidelines are intended to provide general guidance to persons who manage or perform investigations of issues arising under the Code and establish USA Curling general principles and recommended procedures but are not intended to address all of the potential questions and issues that may arise during an investigation. Each investigation will require the investigator to exercise discretion and independent judgment, and, in some circumstances, the investigator may need to depart from the principles set forth in these guidelines.

All investigations will be conducted in compliance with applicable laws and regulations under the direction of the COO. As provided in the Policy, USA Curling will not tolerate any Retaliation against an Affiliated Individual who makes a good faith complaint or participates in an investigation or inquiry.

Any complaints of potential criminal activity should be referred to the appropriate law enforcement authority within 48 hours of receipt by the COO and/or the Chair of the Ethics Committee, unless such referral has already been made or initial investigation has determined no merit to the allegations.



All complaints of potential abuse of a minor must be referred to the appropriate law enforcement authority with 24 hours of receipt, and must be reported to the U.S. Center for SafeSport within 24 hours of receipt, unless such referral and/or report has already been made.

## **FIELD OF APPLICATION**

All investigations performed by or at the direction of the COO in response to an issue raised pursuant to the Policy.

### **General Principles**

- A. Investigate all credible allegations that raise potentially legitimate issues or complaints.
- B. Limit, as practical, the number of people who have personal knowledge of the investigation.
- C. Coordinate requests for electronic data with USA Curling staff and obtain required approvals consistent with applicable regulations.
- D. Interview the individual who raised the issues (Reporter), the individual alleged to have engaged in the identified conduct (Subject), and individuals identified as having personal knowledge of the issue or complaint being investigated (Witnesses).
- E. Based on interviews of Witnesses, attempt to establish the facts. Where the facts require you to make an assessment of the credibility of one witness over another, note that situation and the reasons for your assessment.
- F. Do not make any commitments to the Reporter, the Subject, or any Witnesses.
- G. Conduct the investigation in a timely manner, and address and resolve issues promptly.
- H. Maintain appropriate documentation, including documents supporting your conclusion and the investigation report.
- I. Keep the investigation confidential. The existence, documents and the details of the investigation should only be disclosed on a need-to-know basis as directed by the CFO.

### **Investigator Selection**

- A. Investigations will be conducted on behalf of and with direction from the COO.
- B. The COO may investigate the report directly and fully manage and direct the investigation.
- C. Based on the circumstances and issues involved, there may be instances where the COO will appoint an internal investigator, and in some cases an outside investigator may be retained.
- D. The investigator must be able to conduct a timely, thorough, and impartial investigation that will produce findings and recommendations consistent with the facts and circumstances.
- E. The investigator should not have a conflict of interest that would prevent him/her from being impartial (for example, he/she should not be manager, relative, or personal friend of the Reporter or the Subject).
  - a. In the event that the COO is not able to conduct or direct the investigation due to a conflict of interest, it is the responsibility of the Chair of the Ethics Committee to coordinate, direct, and/or conduct the investigation.



F. The investigator should not have personal knowledge of the facts or be a witness to the investigation.

**G. The investigator must not be implicated in the alleged violation.**

### **Interviewing the Reporter**

A. Inform the Reporter that the purpose of the interview is to identify the issues and gather the facts so you can determine how to appropriately deal with the report.

B. Inform the Reporter that you cannot guarantee absolute confidentiality but that you will generally only involve those with a need-to-know.

C. Inform the Reporter that there will be best efforts taken to protect them against retaliation.

D. Obtain all of the key facts in detail:

a. Who engaged in the alleged behavior?

b. What happened?

c. Where did it happen?

d. When did it happen? How often?

e. Obtain names of any Witnesses to the alleged conduct.

E. Ask the Reporter if he/she knows of any other parties with similar complaints about the person(s) engaged in the alleged behavior.

F. Ask the Reporter what he/she would like to see happen. (Important to state that USA Curling cannot promise at that time that the desired remedy will be implemented.)

G. Ask the Reporter if there is any other pertinent information.

H. Conclude the interview by telling the Reporter that you will investigate the matter to ascertain the facts, that USA Curling will take appropriate action depending on the outcome of the investigation, and that you will get back to him or her, as appropriate.

I. Advise the Reporter to immediately advise you if the alleged conduct continues, and reiterate that USA Curling does not condone retaliation.

J. (Optional) Advise the Reporter the meeting will be summarized in writing, and you may ask him/her to review the summary for accuracy.

K. Be sure to retain any documents you get from the Reporter.

### **Interviewing the Subject**

A. Inform the Subject of the alleged misconduct and that the interview is part of the USA Curling investigation of the complaint.

B. Advise the Subject that his/her cooperation is required for USA Curling to ascertain the facts and that if s/he refuses to cooperate with the investigation, USA Curling may take action. However, advise the Subject that she/he has the right to refuse to cooperate and will not be prevented from doing so.

C. (Optional) Ask Subject if s/he has any concern about your ability to be fair and impartial in this investigation. If concerns are raised, it may be appropriate for another person to conduct the interview.



D. Inform the Subject that you cannot guarantee absolute confidentiality, but that you will generally only involve those with a need-to-know. Inform the Subject of the USA Curling policy that prohibits retaliation.

E. Advise the Subject of the complaint, generally.

F. Then, explain each and every allegation to the Subject and ask for the Subject's response to each.

G. If the Subject denies the conduct, ask (1) if he/she recalls any event which may have been misinterpreted and (2) if he/she knows of any reason why the report might have been made.

H. If the Subject denies the conduct, ask if he/she can provide any Witnesses who can support that assertion his/her denial of the allegations.

I. If the Subject admits to any/all of the conduct, review the conduct that is admitted and (optional) obtain a signed statement from the Subject, witnessed by you.

J. Conclude the interview by telling the Subject you will continue to investigate the matter, that USA Curling will take appropriate action depending on the outcome of the investigation, and that you will get back to him or her, as appropriate.

K. Remind the Subject of the USA Curling policy against retaliation.

L. (Optional) Advise the Subject that the meeting will be summarized in writing, and you will ask him/her to review the summary for accuracy.

M. Retain any documents you may get from the Subject.

### **Interviewing other Witnesses**

A. Advise the witness that USA Curling is investigating a complaint, the investigation cannot be absolutely confidential, but will generally be limited to those with a need-to-know and discuss affirm there will be no retaliation against any of the parties involved, including the witness.

B. Discuss the allegations and ask if the witness has personal knowledge of any of them.

C. Ask the witness if he/she ever observed any of the alleged conduct.

D. Ask the witness if there are other witnesses who have information about the allegations and if so, take the names.

E. Ask the witness if he/she is aware of any documents pertinent to the complaint.

F. Ask the witness if he/she has any other information that he/she believes is pertinent to the matter under investigation.

G. (Optional) Advise the witness that the meeting will be summarized in writing, and you may ask him/her to review for accuracy.

H. State the USA Curling policy that there will be no retaliation in connection with the witness's participation in the investigation.

I. As possible, do not identify the Reporter, Subject, or other witnesses.

### **Concluding the Investigation**

A. Once the investigator has talked to the involved parties, including Witnesses, and reviewed relevant documents and information, the investigator should assess the facts and reach a tentative conclusion based on these facts.





B. The conclusion should be one of the following: (i) some or all of the alleged conduct likely occurred; (ii) none of the alleged conduct likely occurred; or (iii) it cannot be determined whether the alleged conduct occurred.

C. The investigator will prepare a draft summary report of the investigation, including conclusions and recommendations regarding appropriate action(s) to be taken. (A sample report is attached as Appendix A). The report should not be finalized until it has been presented to the Ethics Committee and approved. The report may include assessment of root cause. The five whys method is a frequently used method to determine root cause.

D. The Committee will review the results of the investigation, including the report, and discuss next steps, including finalization of the report and presentation to the USA Curling Board of Directors.

E. To preserve confidentiality, the investigator should not discuss the report and recommendations with anyone who is not directly connected with the investigation.

F. The CFO, in consultation with the USA Curling Board of Directors, will determine whether the Reporter, the Subject and any Witness should be informed of the conclusion and general results of the investigation.

G. Normally, the response to the Reporter will consist of a verbal summary of the issues investigated and confirmation that appropriate action has been taken (not specific information on action taken).

H. Documentation should be accurately and carefully created and maintained. The investigation file may include:

- a. Documentation of when and how the report was made.
- b. Interview notes.
- c. Documentation of any and all other communications in connection with the investigation.
- d. Witness statements (if any).
- e. Additional documents related to the investigation.

I. The investigation report and associated documentation will be completed promptly and maintained no more than ten business days after the conclusion of the investigation unless there are extenuating circumstances. The report will be maintained in a confidential manner by USA Curling, and accessible on a need-to-know basis.

### **Interviewing Tips**

- Go in with a plan. Make sure you get through all of the questions you need to. You control the interview.
- Follow up on answers given with appropriate additional questions.
- Develop questions to corroborate or refute information provided by other witnesses or evidence, typically without disclosing the source.
- Use appropriate question formats.
- Typically start with open-ended questions. Move to narrower, focused and even leading questions.
- Do not ask compound questions; ask one question at a time.
- Try to save unfriendly or embarrassing questions until the end; beginning with hostile or tough questions usually causes the interviewee to be defensive.



- Do not conclude the interview without asking the tough questions, even if the interviewee is uncomfortable.
  - Do not give the impression that you disbelieve any witness or express an opinion.
  - Listen to any questions the person may have and answer if appropriate.
  - Let the witness know that if s/he has forgotten and later recalls any information or documents, the witness should call you immediately when additional information comes to mind.
    - Stress the importance of keeping the matter as confidential as possible and of not disclosing what was discussed during the interview.

### **Tips for Recording Interview Information**

- Start a new page for each interview.
- At the top, place the names of those present, the date, time and place of the interview.
- Typically, it is appropriate to take detailed notes during each interview.
- Report matters asked of the witness as well as words spoken, and facts provided by the witness.
  - Do not include your interpretations, beliefs, assumptions, conclusions, etc., about the facts stated.
    - Whenever possible, review and finalize the interview documentation immediately upon completion of the interview or other communication. The notes should be legible and provide enough information to understand, when reviewed later, what was asked and what information was provided. [OOB]

## **APPENDIX A to Policy 21-01 Whistle-Blower Policy** **Sample Investigation Report**

### **DRAFT REPORT/PRELIMINARY FINDINGS**

**Prepared by:** [Investigator's name, title]

**Date:**

**RE:** Report regarding [subject matter, including Reporter's name, title, location (if applicable)]

#### **I.**

#### **General Nature of Complaint or Issue**

[Describe the general nature of the issues raised in the Report. For example, "On [date], Rita Smith, an intern in the office at Stevens Point, complained that her manager, Hector Perez, made potentially racist comments in the office.]

#### **II.**

#### **Persons Interviewed**



[Identify the people who were interviewed. See examples below.]

Ms. Rita Smith [title, location]

Nancy Wong, HR Executive [title, location]

Hector Perez, Ms. Smith's manager [title, location]

### III.

#### **Factual Background**

[Provide an overview of the factual background related to the issues raised in the Report, which can include a chronology, brief summaries of the witness interviews, summaries of documents and other information reviewed, etc. Do not include interpretations, beliefs, assumptions, conclusions, etc., about the facts or information. Some examples are provided below.]

On [date], Rita Smith, an intern in the office at Stevens Point, complained to HR Executive (Nancy Wong) that Ms. Wong's manager, Hector Perez, made potentially racist comments in the office. Ms. Wong immediately referred the issue to the CFO.

On [date], I interviewed Nancy Wong, the HR Executive. Ms. Smith first raised the issues with Ms. Wong and Ms. Wong spoke briefly with Ms. Smith before referring the report to the CFO. Ms. Wong provided me with notes from her conversation with Ms. Smith. In those notes, Ms. Wong noted that Ms. Smith was concerned that her manager, Mr. Perez, made potentially racist statements in the office.

On [date], I also interviewed Ms. Smith. She repeated her concerns that she had raised to Ms. Wong. Ms. Smith explained that Mr. Perez has made such comments more than once, and she is concerned that they are contributing to a hostile work environment for all those who work closely with Mr. Perez. I advised Ms. Smith that I would investigate her concerns and that USA Curling does not tolerate retaliation and she should advise me if she has any concerns in that regard. I also noted that I would follow-up with her as appropriate.

On [date], I interviewed Mr. Perez and discussed with him the concerns that had been raised, without mentioning the name of the reporter. Mr. Perez was cooperative and admitted that he has occasionally made comments in the office that, though they were attempts at humor, could have been construed as an indication of genuine racist beliefs. He advised me that he would stop making such comments immediately.

### IV.

#### **Conclusions and Recommendations**

[Provide a brief summary of conclusions and recommendations. The conclusion should generally be one of the following: (i) some or all of the alleged conduct likely occurred; (ii) none



of the alleged conduct likely occurred; (iii) it cannot be determined whether the alleged conduct occurred.]

Based on my review, the behavior alleged in Ms. Smith's report likely occurred. Mr. Perez admitted to making comments that could have been construed as an indication of genuine racist beliefs.

I recommend that Mr. Perez be issued a [written warning - or other appropriate discipline given USA Curling employee discipline policies] to refrain from making potentially racist comments in the office.

