

# 2015 USS Congress

## Minneapolis, MN, May 15<sup>th</sup> through 17<sup>th</sup>

### Proposal

#### Proposed by:

Rob Plum, Direct, Former Club Officer, Masters Steering Committee, USS Member # 20062620  
Carl Cepuran, Glen Ellyn Speed Skating Club – Amateur Skating Association of Illinois, Head Coach, Level II Coach, USS Member # 200000273

Martin Haire, Saratoga Winter Club Member and Treasurer, USS Member #200200769

Glenn Corso, Flushing Meadows Speed Skating Club – Middle Atlantic Skating Association, Masters Steering Committee, Coach, USS member 200512145

Mary Wong, Co-Founder and Head Coach – Northern California Speedskating Association, USS Member # 200302325

Gregory Wong, Co-Founder – Northern California Speedskating Association, USS Coaching Committee, USS Coaching Task Force and ASU Foundation Committee, USS Member # 200302326

#### **We propose to the following**

US Speedskating Board of Directors

#### **Changes Regarding**

Other

#### Proposal:

We propose that the US Speedskating (“USS”) Board of Directors (“Board”) revoke Mr. Andrew Gabel’s USS lifetime membership based on his 2013 admissions of an inappropriate relationship while a member of USS. The purpose of this proposal is to protect the USS membership and make USS an attractive candidate for sponsorship and participation.

Any member of the Board that has a close relationship with Mr. Gabel must recuse herself/himself from both discussing this proposal with other Board members and voting on this proposal.<sup>1</sup>

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<sup>1</sup> On July 2, 2014, a grievance hearing that included the Gabel issues took place and USS President Mike Plant presented USS’s opening statement. In that statement, Mr. Plant made demeaning remarks about the Claimants. Two of the grievance Claimants are sponsoring this proposal as well. Mr. Plant’s prejudicial remarks are grounds for his recusal from participating in the discussion with other Board members and deciding the outcome of this proposal. The Claimants included a broad demographic of the USS family including club officers, USS committee members, parents, race officials and volunteers, an equipment vendor, competitors, coaches, national team members, an Olympian and Hall of Famer. Collectively the claimants have over a hundred years of USS membership. An audio transcript of the hearing is available from USOC’s Ombudsman Office.

## I. Background

An almost identical proposal was submitted to the Board last year. That proposal was not brought up for vote by the Board. The proposal, at various stages of its life, has either been kicked down the road or summarily rejected by USS management based on a flawed interpretation of the decision rendered in a related grievance (see Attachments 1 and 2).

The salient facts remain unchanged:

1. Mr. Gabel has been accused of molesting two minors when both they and he were members of USS. Mr. Gabel was in his early 30's at the time of these activities. The alleged molestation took place in the environs of either USS facilities or USS related activities.

2. Mr. Gabel admitted to an inappropriate relationship with one or both of his accusers (see Attachments 3, 4 and 5).

3. Mr. Gabel has had ample opportunity to tell his side of the story. One of these opportunities was the USS commissioned investigation conducted by the law firm Sidley Austin LLP. Mr. Gabel declined to cooperate with that investigation. Mr. Gabel was also aware of a grievance that requested his lifetime membership be revoked. Mr. Gabel made the decision to not directly confront one of his accusers during the grievance hearing.

4. There is nothing stopping Mr. Gabel from participating in any USS activity including either coaching or holding either elected or appointed positions at USS and member clubs.

5. Mr. Gabel's unwillingness to cooperate does not constitute innocence and, for the safety of the membership, Mr. Gabel's membership should be revoked or, at a minimum, be suspended as directed by Sections 14.4, 14.5 and 14.6 (Disciplinary Matters) of the USS Bylaws (see Attachment 6). Section 14.4 specifically requires the Executive Director to take action if he has knowledge that a member has:

*(i) violated one or more of US Speedskating's rules, policies, procedures, and/or these Bylaws, or (ii) committed any acts or omissions involving malfeasance and/or conduct detrimental to the best interests of US Speedskating or the sport of speedskating, then the Executive Director (or his or her designee) shall gather such information as may be relevant. Such information gathering may include, without limitation, interviews with those individuals involved in the matter.*

Regarding section [ii], Executive Director Morris has admitted in correspondence with Mr. Plum that adverse publicity generated by the Gabel incident is hurting USS:

*"We wholeheartedly agree that the continued publicity concerning this matter brings negative attention to U.S. Speedskating and it hurts our ability to raise the funds necessary to support our elite athletes and development programs." (see Attachment 7)*

## II. Chronology of events since the 2014 USS Congress proposal submission:

1. May 22, 2014 - A grievance was filed by six (6) USS members covering a number of issues including the revocation of Mr. Gabel's lifetime USS membership and his membership in the USS Hall of Fame ("HOF") (see Attachment 1). The six (6) claimants ("Claimants") were all USS members in good standing including club officials, USS committee members, coaches, race officials and volunteers, parents, an equipment vendor, elite skaters and an Olympian/USS Hall of Famer. These are the type of people that are crucial to USS's continued existence.

2. May 30, 2014 – USS President Mike Plant and Executive Director Ted Morris received a strong-arm letter from Mr. Gabel's attorney threatening legal action if anything came out of the aforementioned grievance (see Attachment 8). Complainants were cc'd on the email. It is important to note that the Complainants did not name Mr. Gabel as an "affected party" and a logical conclusion is that someone at USS informed Mr. Gabel of the grievance and may have been conducting a covert campaign to protect Mr. Gabel.

3. June 11, 2014 - USS issued the *2014 USS CONGRESS PROPOSALS SUMMARY* document (See attachment 9). The USS membership revocation proposal was absent from this document but a proposal for the removal of Mr. Gabel from the HOF was tabled pending a decision in the aforementioned grievance. It is possible that the Board members never saw the *lifetime membership revocation* proposal.

4. July 2, 2014 – The grievance hearing took place via teleconference. During the hearing the hearing panel ("Panel") heard the graphic testimony of one of Mr. Gabel's accusers. USS's testimony was limited to a nonsensical four word sentence from Mr. Plant: "Read between the lines." When Mr. Plant was asked to elaborate, he offered an equally nonsensical five word response: "Just read between the lines." A full audio transcript of the hearing is available from the USOC Ombudsman Office.

5. July 22, 2014 – A decision was rendered in the Members' grievance. Section IV. 1.10.1 of the grievance directly addresses the revocation of Mr. Gabel's lifetime membership (see Attachment 2). In its decision, the Panel did not decide on the substantive issue of Mr. Gabel's membership revocation but rather decided that the claim is not subject for adjudication by the Panel and cited to USS Bylaw 14.3(B). This section reads:

***14.3 Items Not Subject to this Policy.*** *The following matters shall not be subject to adjudication under this Policy, and no claims or actions may be brought involving the following:*

***[B]*** *Claims involving specific action(s) or inaction(s) by the Board of Directors or the Executive Director involving corporate actions, or the direction and/or management of US Speedskating.*

In citing to this bylaw, the Panel is simply stating that it is not within its power to force USS to revoke Mr. Gabel's membership. It is up to the executive director and/or the Board to take action. "Action", in this case, would follow the procedures outlined in Bylaws 14.4, 14.5 and 14.6. This is a de facto remand to the Board and/or Executive Director to do their/his job.

During this interim period, USS has also been forced to respond to various published stories and queries from the press concerning its handling of Mr. Gabel's indiscretions. Without

exception, USS plays its SafeSport card, on one hand considering itself excused from taking any action against Mr. Gabel because his offenses took place prior to the existence of SafeSport, and on the other hand insisting that past events don't need to be addressed because SafeSport will now protect athletes, going forward. This is a shameful abuse of a good program and a complete red herring. To our knowledge, the SafeSport program is not intended to be used as a get out of jail free card for offenses committed prior to institution of the program. We consider Mr. Gabel to be a present problem, not a past problem, for USS, because not only is his continued access to the sport a risk to athletes, but it is also a problem that USS has shown no sign of contrition or reform. Furthermore, it is clear that even without taking SafeSport into account, USS has the authority to revoke Mr. Gabel's membership, according to the Rationale outlined below.

So here we are another year past and no action has been taken. A rational and unbiased observer could conclude a number of things from this chronology:

1. Mr. Gabel has well connected friends in powerful positions at USS who would rather see him have full access to the USS membership rather than protect the membership from him.
2. The USS Board and management have been delinquent in enforcing the USS Bylaws (with specific reference to Bylaws 14.4, 14.5 and 14.6).
3. USS will never secure sponsorship with the Gabel black cloud hanging over its head and parents will choose a different sport for their children.

Revision:

N/A

Rationale:

Mr. Gabel has violated USS Code of Conduct Sections 2-D and 2-P. Section 2-D states that a violation occurs when: "Any sexual contact or advance or other inappropriate sexually oriented behavior or action directed toward an athlete by a coach, official, trainer or other person who, in the context of speedskating, is in a position of authority over that athlete;" (See [Attachment 10](#) USS Code of Conduct Section 2-D rev.8/10/2007). Mr. Gabel has publicly acknowledged that he acted in an inappropriate manner in response to sexual contact accusations made by several fellow USS members (see [Attachment 3](#): March 2, 2013 Article from Chicago Tribune and [Attachment 4](#): March 8, 2013 AP/Yahoo News article). These members were minors at the time of the contact. Mr. Gabel was an adult at the time of the contact.

Speedskating is an Olympic sport where many of our athletes are minors, and they often have prolonged contact with coaches and other adults. We feel that USS is not only within its rights under bylaw 5.6 (see [Attachment 11](#)) in taking this action but has a moral and sworn obligation to do so. It is critical that we take a moral and ethical stand against sexual abuse and "inappropriate contact" between minors and adults.

The admitted conduct by Mr. Gabel further violates USS Code of Conduct Section (See [Attachment 10](#): USS Code of Conduct Sections 2-P rev. 8/10/2007). Section 2-P states: "Any

other act, conduct or omission not provided for above which is detrimental to the image or reputation of U.S. Speedskating or the sport of speedskating.” It is our belief that these violations and the poor image they set forth should act as a catalyst for revoking Mr. Gabel’s lifetime membership.

Mr. Gabel's public admission of inappropriate behavior is grounds for removing him from membership in USS. Mr. Gabel abused his power as a teammate and a mentor. In this situation, power vested to him by USS or implied by his stature in the speedskating community hold equal weight.

Under Mr. Gabel’s lifetime membership, he holds all of the privileges of members in good standing. USS should not allow anyone with a history of sexual predator behavior (admitted) to hold membership. His continued membership perpetuates the indignities placed upon the victims and sends a signal that US Speedskating not only tolerates but ignores immoral and unethical behaviors. Inaction by USS will be publicly perceived as a passive acceptance of said behavior and will only serve to undermine USS’s ability to attract membership, sponsorship and funding.

*Conclusions* – (see the highlighted yellow and red sections in the Attachments below for supporting information):

- It is clear Mr. Gabel acted in a way that violates legal, organizational, ethical and moral codes on more than one occasion and has admitted to such behavior.
- It is clear USS has the authorization to act to remove Mr. Gabel from membership.
- It is clear USS has the obligation to punish Mr. Gabel’s behavior and protect future generations of members from Mr. Gabel as well as others who may act in the same way against other minor athletes.
- It is clear if USS does not act it opens itself up to additional negative consequences ranging from loss of trust, image, prestige, and inability to carry out its responsibilities which will cause further harm in terms of harm to the well-being of members, lost membership, lost sponsorship, and potentially loss of USOC funding and even certification as an NGB (see [Attachment 12](#)).
- It is no secret that USS is being tried in a very public fashion. In the past year, articles have appeared in nationally circulated Marie Claire and Outside magazines (see [Attachment 13](#)). Both of these articles have a common conclusion: USS acknowledges a serious problem but refuses to take care of it. USS can expect more of the same type of press unless it takes action to rectify the situation.

Therefore, USS should act to remove Mr. Gabel from the membership rolls of USS.

#### Financial Impact:

While there is no direct financial impact incurred by approving this proposal, inaction may inhibit

USS's ability to maintain or increase future corporate sponsorship and/or funding. Protecting a sexual abuser will have devastating financial impacts for US Speedskating. Sponsors seek to align themselves with organizations that provide squeaky-clean platforms. To put a cost on sexual abuse that was safeguarded by an institution, consider that Sandusky cost Pennsylvania State University nearly \$160 million. Provisions in the USOC's own rules and USS' Athlete Welfare Policy (see Attachment 14) make it clear that USOC funding (USS' main source of funding) can be jeopardized if an NGB does not meet minimum standards in an athlete safety program (Athlete Welfare Policy Appendix C, Section 6, Item c.).

## **Attachments** (in order of first appearance)

### **Attachment 1**

# ***BEFORE THE US SPEEDSKATING JUDICIAL COMMITTEE***

## **MEMBERS' AMENDED GRIEVANCE PURSUANT TO USS BYLAWS ARTICLE 14**

### **I. THE PARTIES TO THIS GRIEVANCE:**

#### **CLAIMANTS:**

Ms. Eva Rodansky

Mr. Glenn Corso

Mr. Mario DeBartolo

Mr. Robert Plum

Mrs. Patricia A. Rodowsky

Mrs. Nancy Swider-Peltz Sr.

#### **RESPONDENT: US SPEEDSKATING**

5662 Cougar Lane

Kearns, UT 84118

Tele: (801) 417-5360

Fax: (801) 417-5361

Attn: Mr. Ted Morris, CEO/Executive Director

#### **AFFECTED PARTIES:**

Mr. Thomas Di Nardo

Cascade Speedskates

3840 W 5400 S  
Taylorsville, UT 84118

## II. JURISDICTION

The Judicial Committee has jurisdiction to consider and rule on this grievance (“Grievance”) brought by the above named Claimants, each a member of US Speedskating (hereinafter “USS”), pursuant to Article 14, Section 14.8 of the Bylaws of USS. Accompanying this Grievance is a check made payable to USS in the amount of \$250.00 for the filing fee required pursuant to Section 14.8 (iii) of the USS Bylaws.

## III. SUMMARY OF ALLEGATIONS

As set forth in more detail below, Claimants respectfully allege:

- (1) Violations by USS of the membership requirements of the Ted Stevens Olympic and Amateur Sports Act, Title 36 United States Code, Section 220501, *et seq.* (the “Sports Act”) for sports organizations seeking continued recognition as a National Governing Body (“NGB”) by the United States Olympic Committee (“USOC”).
- (2) Violations by USS of the USOC Bylaws applicable to NGBs.
- (3) Violations by USS of the USOC Governance Guidelines for NGBs.
- (4) Violations by USS of its own Bylaws.
- (5) Violations by USS of the USOC’s minimum guidelines for NGB athlete safety programs.

## IV. INTRODUCTION

Although USS is presently recognized by the USOC as the NGB for the sport of speedskating in the United States, USS is failing to meet its obligations as an NGB. USS has for some years not fulfilled (if ever), the obligations for recognition of a sports organization as an NGB as enumerated in (and required by) the Sports Act. In addition, USS does not fulfill the requirements (and is in violation of) the Bylaws of the USOC applicable to NGBs; its own Bylaws; and the USOC’s SafeSport Guidelines in very material respects.

**1.1** USS fails to be financially and operationally transparent and accountable to its members and to the corporation, and thus is in violation of USOC NGB Governance Guidelines and USOC Bylaws section 8.7 m.

**1.2** USS has not met its obligations with respect to USS Bylaws section 14.3 (B), concerning the direction and/or management of USS. USS has not been transparent with respect to the relationship between USS and the “USS Foundation.”

**1.3** As specified by Section 15.1 of the USS Bylaws, USS must adopt a Code of Ethics "applicable to all US Speedskating employees, Directors of the Board, Officers, and Standing Committee, other Committee, Task Force and/or Commission members, Officials, Coaches and volunteers." Upon information and belief, currently the policies that should be consolidated within such a Code are spread over various documents and it is unclear which individuals are subject to these policies.

**1.4** Upon information and belief, USS does not have a Whistleblower provision in its bylaws.

**1.5** The USS Nominating and Governance Committee failed to follow procedures for consultation with the Ethics Committee to properly vet candidates for conflicts of interest. Tom Di Nardo was nominated for a Board of Directors seat (Club Director) with disabling conflict(s) of interest that are not listed in his Nominee Bio. In violation of USS Bylaws section 16.3.2, Mr. Di Nardo's conflict(s) of interest have not been disclosed in his Board candidate bio.

**1.6** Mr. Di Nardo's conflicts of interest include, but are not limited to, the following:

**1.6.1** Dinar LLC, of which Mr. Di Nardo is President, lists both the US Speedskating Team and USOC as "clients."

**1.6.2** Upon information and belief, Mr. Di Nardo or his company has a sponsorship arrangement with USS.

**1.6.3** Upon information and belief, Mr. Di Nardo or his company has an exclusive (four [4] year) vendor arrangement with USS.

**1.6.4** Upon information and belief, Mr. Di Nardo is the president of the USS Foundation which is a fund raising arm of USS.

**1.6.5** Upon information and belief, Mr. Di Nardo or his company is the official photographer of USS.

**1.6.6** Upon information and belief, Mr. Di Nardo or his company is the official Team USS Equipment technician which is understood to be a contractual position arrangement with USS.

**1.7** It is respectfully submitted that the exclusive vendor arrangement between USS and Tom Di Nardo's company, Dinar, llc (Cascade Speedskates), creates conflict of interest and is contrary to the requirements of a 501(3)c corporation. It represents an inappropriate and excessive interference with free commerce on the part of USS; it creates a market monopoly; it impedes grassroots development of the sport of speedskating in the US. The limiting and restricting of sport growth and development is counter to USS "mission & purpose statements," and to USOC Bylaws section 8.7 c, which requires NGBs to be dedicated to the growth of their sport.

**1.8** USS has still not complied with Paragraph 3 (a) of the July 2013 Settlement Agreement with the Section 10 Complainants, which reads as follows: "USS agrees to create a separate fund for its own athlete support program, which fund will receive funds designated for athlete support, and will be used for direct financial stipends for qualified athletes. The terms and conditions for funding and the eligibility criteria will be developed by USS by September 30, 2013."

**1.9** USS has failed to establish and implement a plan for successfully training Olympic athletes,

and thus is in violation of its own Bylaws sections 8.7 c and 8.7 j. At the 2014 Olympics in Sochi, USS's long track team did not win any medals, and the short track team came home with one silver medal in the mens relay. This was a vast under-performance in relation to predictions that the team would win 8-12 medals in Sochi. The major issues thought to be contributing to this failure were:

**1.9.1** Non-responsiveness to concerns (stated in written and vocal requests) of independent coaches and athletes.

**1.9.2** Interference with the training plans and best efforts of Olympic-level independent coaches.

**1.9.3** Misguided reliance on high-altitude training.

**1.9.4** Refusal to consider the possible validity of dissenting opinions, based on education and experience, of the High Performance Team's training and competition plans.

**1.9.5** Implementing last minute changes to USS Team Equipment Technician, who introduced unproven equipment changes (blade polishing systems) a few short weeks before the games.

**1.9.6** Implementing other last-minute "secret" changes to enhance performance (suits, rock taping on legs) without the scientific protocol of a control to ensure proper analysis.

**1.9.7** Failing to protect a schedule conducive to the rest necessary for proper Olympic preparation.

**1.9.8** Failing to properly analyze the needs of the athletes during USS's two pre-trips to Sochi (necessary bike transportation).

**1.9.9** Maintaining a misguided direction that the Milwaukee skaters would need the same pre-Olympic preparation as the Salt Lake City skaters.

**1.10** USS is failing to maintain a safe environment for athletes, putting itself in violation of section 6 (a) of the USOC's guidelines for NGB safety programs, which were required to be adopted by each NGB by December 31, 2013. This section states that in implementing an athlete safety program, the NGB must be guided by the principle that supporting the health and safety of the athletes is a key element of its managerial capabilities. There are two examples that point to USS's failures in this regard.

**1.10.1** USS has allowed Andy Gabel to remain in the Speed Skating national Hall of Fame despite his admissions, as quoted in a March 2, 2013 article in the Chicago Tribune, that "Almost two decades ago I displayed poor judgment in a brief, inappropriate relationship with a female teammate." And, upon information and belief, USS has not revoked Gabel's lifetime membership in USS, which is granted to every USS Olympian. Upon information and belief, nothing is prohibiting Gabel from having contact with athletes in

a coaching capacity, running for and serving on the USS board, or becoming an official of any capacity within USS.

**1.10.2** Mark Greenwald is a member of USS's SafeSport committee, after he, in his former position as CEO of USS, faced a Code of Conduct violation for threatening to grab an athlete and "rip his f---ing head off." In a typical example of the way USS handles complaints against its insiders, this Code of Conduct was thrown out without a hearing or even interviewing the witnessing coach and the athlete only learned about this by reading about it in the newspaper article provided here: [http://articles.chicagotribune.com/2013-05-17/sports/chi-us-speedskating-panel-dismisses-complaint-20130517\\_1\\_conductcomplaint-panel-athlete](http://articles.chicagotribune.com/2013-05-17/sports/chi-us-speedskating-panel-dismisses-complaint-20130517_1_conductcomplaint-panel-athlete). The mishandling of this complaint represents a violation of the USOC's "Due Process Checklist." The threat itself was a violation of Section 1 (Prohibited Conduct) of the USOC's minimum guidelines for an NGB athlete safety program.

## **RELIEF REQUESTED**

**WHEREFORE**, by reason of the foregoing, Claimants respectfully request the following relief:

- (a) That USS develop a Code of Ethics, as specified by Section 15.1 of the USS Bylaws, "applicable to all USS employees, Directors of the Board, Officers, and Standing Committee, other Committee, Task Force and/or Commission members, Officials, Coaches and volunteers," and consolidate it into a single document that is readily accessible;
- (b) That USS write into its Code of Ethics a whistleblower protection statute to prevent retaliation against members who complain against USS, and that the same whistleblower protection granted to USS staff also be applied to athletes;
- (c) That USS follow USOC Governance Guidelines that an NGB "must be financially and operationally transparent and accountable to its members;"
- (d) That USS immediately disclose details pertaining to the "USS Foundation," including, but not limited to: Federal tax ID number, names of current and any former officers and directors or trustees, and amounts received by USS from the USS Foundation;
- (e) That USS immediately comply with Paragraph 3 (a) of the July 2013 Settlement Agreement with the Section 10 Complainants;
- (f) That USS's nomination of Tom Di Nardo is invalid for lack of full disclosure of his various relationships with USS, and that his election is a nullity. Claimants request a "do over" with respect to the election of the club director, AFTER the Nominating & Governance Committee does a proper job and eliminates all those with conflicts of interest. Any individual with a conflict of interest should not be permitted to run,

unless and until he or she gets rid of the conflict of interest before being listed as a candidate;

(g) That USS end its “exclusive vendor arrangement” with Dinar, LLC (Cascade Speedskates);

(h) That USS agree to stop inappropriate and excessive interference with the work, training plans, and decisions of independent coaches, such as the excessive control over private coaches exercised by the High Performance Division this past season, which may have cost USS at least two medals;

(i) That USS institute appropriate disciplinary action against athlete abusers, including removal of Andy Gabel from the National Speedskating Hall of Fame;

(j) That USS revoke Andy Gabel's lifetime membership in USS based on violations of USS Code Of Conduct and specifically that he brings negative attention to the sport and Federation which continues to harm the NGB; and

(k) That USS refund the \$250 filing fee paid to USS in connection with the filing of this Grievance.



## Attachment 2

# MEMORANDUM

**Date:** July 22, 2014  
**From:** US Speedskating Hearing Panel  
**To:** The Claimants, Respondents, John Ruger  
**Re:** Rodansky Grievance Hearing Panel Decision

## Background

On May 22 2014, Eva Rodansky, Glen Corso, Mario DeBartolo, Robert Plum, Patricia A. Rodowsky, and Mrs. Nancy SwiderPeltz Sr (Claimants) submitted a grievance to the U.S. Speedskating Judicial Committee regarding Article 14 of U.S. Speedskating's Bylaws (Grievance). U.S. Speedskating (USS) subsequently formed a hearing panel comprised of Paul Dyrud, Jason Hedstrand, and Tommy O'Hare (Panel).

On June 6, 2014, the Panel, dismissed claims 1.1, 1.2, and 1.4 of the Grievance, and subsequently allowed 1.1 to move to oral argument. On July 2, 2014 the Panel held a conference call amongst the Claimants and Ted Morris (Executive Director) and Mike Plant (collectively the Respondents) for each side to present oral arguments.

As all former speedskaters, the Panel sincerely appreciates the passion all the parties have exhibited for the sport of speedskating. With our shared passion for the sport of speedskating and after reviewing the Grievance, evidence, and oral arguments the following is the final decision of the Panel:

1. **Per Section VI 1.1 of the Grievance**, the Panel holds USS has not violated U.S. Olympic Committee (USOC) Bylaw Section 8.7(m). The Panel found U.S. Speedskating financially and operationally transparent because of the USS submitted audited financial statements and public posting of USS's International Revenue Service Form 990 and audited financial statements. These documents can be found here:  
<http://www.teamusa.org/USSpeedskating/Governance/USSFinancials>.

The Panel found the Claimants evidence of USS's failure to create a separate foundation, potentially restricting communications from the USS membership to the USS Board (Board), and Ms. Rodansky's belief that her previous recommended changes to the USS Bylaws were not considered, does not amount to a violation of USOC Bylaw Section 8.7(m). While the USOC National Governing Body Guidelines (NGB Guidelines) appear to be a helpful governance and management resource, they are not a USS rule, policy, procedure; nor Bylaw, USOC Bylaw, nor a part of the Ted

Stevens Olympic and Amateur Sports Act. Therefore, U.S. Speedskating cannot be held to a violation of the NGB Guidelines.

**2. Per Section IV 1.3 of the Grievance,** the Panel holds USS has not violated USS Bylaw 15.1 because the Panel found USS does have a code of ethics and a conflicts of interests policy (Code), which can be found at the following two websites: <http://www.teamusa.org/USSpeedskating/About/SafeSport>; and <http://www.teamusa.org/USSpeedskating/MembersandClubs/Coaches/DocumentsandForms>.

Per USS statements, the Panel also found the Code is applicable to all USS employees, directors of the Board, officers, and standing committees, other committees, task forces and/or commission members, officials, coaches and volunteers (Individuals Subject to the Code); the Individuals Subject to the Code annually certify compliance with the Code, and execute disclosure statements within a timeframe determined by USS.

**3. Per Section IV 1.5 of the Grievance,** the Panel holds USS has not violated USS Bylaw 16.3.2 because the Panel found Mr. Di Nardo in his Club Director position on the Board has not entered into or is about to enter into any transaction or has made or is about to make any decision involving a conflict of interest. The transactions outlined in Section IV 1.6 of the Grievance between Mr. Di Nardo and USS all happened prior to his election to the Board. However, the Panel found Mr. Di Nardo to have potential conflicts of interest between his personal businesses and his role as a Club Director on the Board, which were not vetted by the USS Ethics Committee, as required by USS Bylaw 8.6.1. Therefore, the Hearing Panel orders USS to submit Mr. Di Nardo to the USS Ethics Committee for review.

**4. Per Section IV 1.6 of the Grievance,** does not allege any specific violation and was only allowed to move past dismissal because it provided facts supportive of the claim in Section IV 1.5 of the Grievance.

**5. Per Section IV 1.7 of the Grievance,** the Panel found that action stated as the primary source of this claim (i.e., the vendor agreement between USS and Dinar, LLC.) is a decision by the Board and Executive Director concerning the management of USS. Therefore, per USS Bylaw 14.3(B), Section IV 1.7 of the Grievance is not capable of adjudication by the Panel. The Panel also found there is only limited interference with speedskating commerce, as the only restriction appears to be Dinar, LLC (d/b/a Cascade Speedskates) is the only allowed vendor of speedskating equipment at USS competitions; there does not appear to be a monopoly, as there are many other vendors of speedskating equipment; and no evidence of imposition of grassroots development on the sport of speedskating. Therefore, even if the Panel were to adjudicate this claim, the Panel believes U.S. Speedskating would not be in violation of USOC Bylaw 8.7(c).

**6. Per Section IV 1.8 of the Grievance,** the Panel holds USS is not in compliance

with Paragraph 3(a) of the July 2013 Settlement Agreement because the Panel found USS has not created a separate fund for its own athlete support program, which fund receives funds designated for athlete support, and are used for direct financial stipends for qualified athletes (Fund). The Hearing Panel orders USS to immediately begin preparations to comply with Paragraph 3(a) of the Settlement Agreement and as soon as practically possible implement the Fund.

**7. Per Section IV 1.9 of the Grievance,** the Panel holds there has not been a violation of USOC Bylaws sections 8.7(c) and (j). These Bylaws require USS to merely:

- a. develop a strategic plan that is capable of supporting athletes in achieving sustained competitive excellence, and in growing the sport; and
- b. establish and implement a plan for successfully training Olympic, Paralympic and Pan American Games athletes;

The Panel found that both of the above requirements were met by USS having a USOC approved High Performance Plan for the 2013/2014 speedskating season.

**8. Per Section IV 1.10 of the Grievance,** the Panel holds USS has not violated USOC Bylaw 8.7(c) because the Panel found USS to be in compliance with the USOC Mandated Minimum Standards Policy for Athlete Safety Programs (Minimum Standards Policy) by completing, signing, and submitting a certificate of compliance to the USOC by December 31, 2013. **The Panel also found the Claimants evidence in Section IV 1.10.1 and 1.10.2 to be claims involving specific action(s) or inaction(s) by the Board or the Executive Director involving the direction and/or management of USS, which per USS Bylaw 14.3(B) are not a subject for adjudication by the Panel.** The Panel assumes the Claimants citation of 6(a) of the Minimum Standards is meant to instead cite 6(b), as this is the applicable text quoted.

## Attachment 3

# Chicago Tribune

## Olympic speedskater Gabel apologizes for alleged sexual misconduct

March 02, 2013|By Philip Hersh and Jared S. Hopkins | Tribune reporters

Three-time Olympic speedskater Andy Gabel apologized Friday for alleged sexual misconduct more than a decade ago with a 15-year-old female teammate when he was in his 30s.

"Almost two decades ago I displayed poor judgment in a brief, inappropriate relationship with a female teammate," Gabel told the Tribune. "It did not include sex, however I know what happened was wrong, and I make no excuses for my behavior. I apologize to her, and I am sorry for bringing negative attention to the sport that I love."

Meanwhile, the head of the U.S. Olympic Committee said Friday that he supported speedskater Bridie Farrell's decision to publicly disclose allegations that Gabel engaged in sexual misconduct with her in the late 1990s.

"In sport, as in life, we have a duty to do everything we can to protect our children from abuse at the hands of adults," USOC chief executive Scott Blackmun said in a statement to the Tribune. "We are glad that Ms. Farrell chose to tell her story, because it will make others who have been abused aware that they are not alone and hopefully shine a light on the resources that are available to administrators, coaches, parents and athletes to help protect our young athletes."

US Speedskating released a statement that it had begun investigating the allegations from the 31-year-old Farrell -- first made public Thursday on WUWM-FM 89.7 in Milwaukee.

"Our current understanding is that it was not reported to anyone at US Speedskating or the authorities at that time," the Utah-based organization said in its statement. "We intend to look into this matter immediately to determine what action should be taken."

Gabel, who grew up in the Chicago suburbs, is the International Skating Union's short-track committee chairman, won a silver medal in the 1994 Games and was president of the board for US Speedskating.

Messages sent to the ISU seeking comment Friday and Saturday were not returned.

Farrell told the radio station and, subsequently, other media outlets that Gabel engaged in improper sexual contact with her multiple times in New York and Michigan in 1997 and 1998. In an interview with the Tribune, she said she spoke out to raise awareness about sexual misconduct.

"I couldn't talk about it at the time," she said. "If you look at the players involved, I'm a kid and he's a god in speedskating. My purpose is to change the culture of sport."

No charges have been filed and allegations were not reported in the '90s to US Speedskating or the U.S. Olympic Committee, according to Farrell. But a source familiar with the situation told the Tribune the USOC first learned about the alleged misconduct from Farrell on Monday and then encouraged her to speak out.

In his statement to the Tribune, Blackmun directed people to the USOC program safesport.org as a resource.

Farrell told the radio station that as a young girl she was in awe of Gabel, who helped her with equipment and allowed her to drive his car. But she said she knew the relationship was inappropriate because he urged her to keep the contact secret. She told the station she suffered through depression and eating disorders in the years following the relationship.

She said on the air that Gabel was a trusted friend of her family. When asked by the Tribune to elaborate on the relationship, she described it as inappropriate and physical.

She also said: "I was not raped. We did not have sex."

She added she didn't tell her family about the relationship until 2009.

Farrell began skating as a child in Saratoga Springs, N.Y. She tried unsuccessfully to make Olympic teams in 1998, 2002 and 2006, after which she stopped skating. The 2008 graduate of Cornell now is a registered representative for New York Life Insurance Company, according to her website. She returned to training last December, hoping to compete in the Sochi Games in 2014.

The accusations are the latest controversy in speedskating.

Last year, the U.S. short-track national team coach resigned after skaters accused him of physical and verbal abuse. A law firm US Speedskating hired later cleared him of the charges.

On Sunday, the Tribune published an investigation that showed for years the federation has been plagued by financial and organizational problems, spinning the sport into chaos as skaters' performance has declined.

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#### Attachment 4

<http://news.yahoo.com/ex-skater-accuses-gabel-rape-she-15-215718834--spt.html>

## Ex-skater accuses Gabel of rape when she was 15

By PAUL NEWBERRY March 8, 2013 8:03 PM

FILE - In this Feb. 22, 1994 file photo, American short track speedskating bronze medalists Nikki Ziegelmeyer, left, Karen Cashman, second from left left, Cathy Turner and Amy Peterson, right, celebrate on the podium after receiving their medals for the 3,000-meter relay in Hamar, Norway. A second former U.S. speedskater has made sexual abuse accusations against Olympic medalist and former U.S. Speedskating president Andy Gabel, saying he raped her when she was 15. Nikki Meyer spoke Friday, March 8, 2013, in an interview with The Associated Press. She was known as Nikki Ziegelmeyer when she skated short track for the U.S. in the 1992 and '94 Olympics. (AP Photo/Doug Mills, File)

A second former speedskater came forward Friday with allegations against Andy Gabel, telling The Associated Press she was raped at age 15 by the one-time leader of the U.S. short track program, then manipulated into an illicit three-year relationship that ended at the 1994 Lillehammer Olympics.

Nikki Meyer, who was known by her maiden name of Nikki Ziegelmeyer when she won short track relay medals for the U.S. at the Albertville and Lillehammer Games, delivered the most recent accusations against Gabel, a medalist himself who competed in four Olympics, was a former president of U.S. Speedskating and, until last week, held a prominent position at the International Skating Union.

"He wasn't a hero. He wasn't the god of speedskating," Meyer, now 37, told the AP in an hour-long telephone interview from her hometown in suburban St. Louis. "He's a child molester. He's a rapist. He's a sexual abuser. He's a pedophile. By no means should anybody think he is anything more than that."

Gabel, now 48, issued a statement to the AP acknowledging he made mistakes during his skating career, but strongly denied forcing himself on anyone.

"I want to emphasize there was no incident of any abuse ever," Gabel said. "I never forced myself on any individual, and any allegations of that nature are absolutely false. Any relationship I had was consensual."

He went on to say, "Looking back on it now, I understand that my conduct nearly 20 years ago and longer was still inappropriate. I've apologized publicly for that and I'm sorry for crossing that line. I understand that inappropriateness more than ever now."

Last week, speedskater Bridie Farrell told Milwaukee public radio station WUWM that she had an improper relationship with Gabel during the 1990s, starting when she was also 15 and he was 33.

Gabel said he resigned from the International Skating Union and U.S. Speedskating "because I care about the athletes and the sport that I have given so much of my life to, and I did not want this type of story to have any adverse affects on the athletes, the organizations and the progress of this sport."

Meyer said she came forward after reading about Farrell's allegations and discussing them with other former skaters on social media.

"It was almost like a carbon copy of a chapter in my life," Meyer said. "How he pursued her, how he made her feel special, how he made her keep it a secret."

But Meyer's accusations were far more shocking. She said Gabel raped her shortly after she arrived at the national training center in Marquette, Mich., in the summer of 1991, a few months shy of her 16th birthday. It happened, she said, after she went to Gabel's room seeking advice on how to adjust the bend in her skates.

"He said, 'Make yourself comfortable, I'll be back in a minute,'" Meyer said, her voice quivering. "Not even a minute later, the lights turned off and he came around the corner at me. He pushed me on the bed and jumped on top of me. He proceeded to try to kiss me and pull down my shorts.

"He kept saying, 'I know why you came to my room. I know why you came to my room.' I was trying to get him off of me. I was like, 'No, please stop.' At that point, I was trying to talk him out of what was inevitably happening. His reaction was more disappointment and being aggravated at me. It was like, how could I not be enjoying this? Why am I ruining this sexual experience for him?"

Asked if she was raped, Meyer said, "That word has always sort of freaked me out. But, yes, it was intercourse."

Before she left the room, she said Gabel issued a chilling admonition. "This never happened," he said, according to Meyer. "If you try to tell anybody, they will not believe you."

Meyer said she ran across the hall to tell a couple of fellow skaters, but they replied that she was just homesick and looking for attention. She said she didn't want to tell her parents because she believed they would bring her home from the training center, ruining her Olympic chances.

Meyer said she attempted to stay away from Gabel, but he kept pursuing her.

"Originally, I thought that was his way of trying to apologize to me," she said. "In reality, that was actually his manipulative way of gaining control over me. He was making me feel as though he could have any of us girls. He could be with a grown woman, but he wanted me. He made me feel special, as though he really, really liked me. After being pursued for so long, I guess he broke my spirit. He broke me down where I did believe he really liked me and wanted to be with me."

U.S. Speedskating said it was not aware of Farrell's allegations until she made them to the media. The organization said Friday that, through a referral from the U.S. Olympic Committee's Safe Sport program, it has hired the Chicago-based law firm Sidley Austin LLP to investigate all accusations involving Gabel.

"U.S. Speedskating will not tolerate abuse of any kind and we intend to investigate these claims, and any others that arise, thoroughly," the organization said in a statement.

Gabel was chairman of the ISU's short track technical committee at the time of his resignation from the international governing body. He also stepped down from a panel that oversees the National Speedskating Hall of Fame, of which he is a member.

"Nearly two decades ago, I made personal mistakes and looking back on it now, I wish I had been more mature and made better choices," Gabel told the AP.

Meyer said the relationship with Gabel finally ended at the Lillehammer Olympics, where they both won medals.

"I was 18 by then. I wanted to be more open," she said. "I'm like, 'Who cares what people think? I'm old enough to make my own decisions. You're old enough to make your own decision.' But he wasn't willing to take that step. By then, I had matured enough and it was kind of like a light bulb turned on. I was like, 'Oh, my God, I've wasted the last three years of my life waiting for this opportunity to finally arrive when we could be more open with this. But he used me the last three years because he could.' I was disgusted and mortified and really (ticked) off that he didn't want me to come out with it."

Meyer said she's not sure if she will pursue criminal charges against Gabel, or if she even can because of the possible statute of limitations. But she hopes he receives a lifetime ban from U.S. Speedskating and that he's removed from the Milwaukee-based Hall of Fame.

Follow Paul Newberry on Twitter at [www.twitter.com/pnewberry1963](http://www.twitter.com/pnewberry1963)



## Attachment 5

# WUWM

## Speedskating Board to Consider Proposal to Remove Andy Gabel from Hall of Fame

BY [Mitch Teich](#)

Friday, May 17, 2013

The board of directors of US Speedskating is meeting this weekend in Salt Lake City, as [a report](#) has surfaced about another investigation into sexual misconduct by Olympic skater Andy Gabel.

As part of that meeting, the organization's Hall of Fame Committee was to meet Friday afternoon. In front of it is a proposal to have Andy Gabel removed from the sport's [Hall of Fame](#), located at the Pettit National Ice Center in Milwaukee. He was accused by two skaters earlier this year of inappropriate sexual contact when they were both minors, and teammates of Gabel. ***[Updated: The board of US Speedskating tabled the motion at its meeting.]***

[The request for action](#) was made by three members of US Speedskating – Rob Plum of the Leading Edge Shorttrack Club in Rockville, Maryland, Pat Rodowsky, a Level II speedskating official, and Carl Cepuran, head coach at the [Glen Ellyn Speed Skating Club](#) in northern Illinois. Cepuran says the group simply objects to Gabel's continued presence in the Hall. "We just feel that it is incredibly inappropriate and sends the wrong message to everybody in the sport," Cepuran tells WUWM.

Gabel has already stepped down from his roles in the International Skating Union and US Speedskating's Hall of Fame *committee* in the wake of the controversy. But Cepuran says this additional step would carry a powerful message that US Speedskating is trying to put the wrongs of the past behind it.

"You know, the Hall of Fame – it's kind of like a symbol for the whole sport," Cepuran says. "And it also kind of represents kind of like the safety deposit box of memories and positive things. I mean, you only want to put good stuff in there that's going to reflect well.

"Because if future generations are going to look back, and say, you know, look in that Hall of Fame and that museum and look to learn about the past and about the culture and history – it's not like you want to hide your problems, but you also don't want to put the problems on a pedestal and say, 'You know it doesn't matter that he did this, as long as he won'."

Speedskater Bridie Farrell came forward with her story of sexual abuse in February.

*Credit Courtesy of Bridie Farrell*

One person who will be at this weekend's board meeting is skater Bridie Farrell, who first brought [her story of sexual abuse](#) in 1997 and '98 to light on WUWM's Lake Effect in February. Farrell serves on two US Speedskating committees, but has no official role at the meeting in Salt Lake City.

Farrell says she wouldn't shy away from an unofficial role, however.

"I am not afraid to talk to anybody that's there or shy to talk to anyone there about this issue," she says. "And so an offline conversation – yeah. Sure, I'll do that. But if there's an opportunity to speak, I'm happy to step up to speak.

"There's a proposal put forward for Andy to be taken out of the Hall of Fame, and my name and my story brought that to light, so if I need to go into detail about my awful experiences so people get the point of how he has to be out of the Hall of Fame, I'm happy to do that." - Bridie Farrell

Farrell was one of two skaters who came forward publicly with stories of sexual misconduct related to Andy Gabel. The other, [Nikki Meyer, related a similar story](#) that she says happened when she trained with Gabel at the US Olympic Education Center in Marquette, Michigan in 1991. Those two reports sparked US Speedskating to hire a Chicago law firm to investigate the allegations.

Since then, [documents](#) obtained by WUWM through a Freedom of Information Act request show that Gabel was investigated for possible inappropriate sexual contact with another minor skater at the USOEC in 1990. The name of the other skater was redacted from the documents, but WUWM was able to independently confirm that it was neither Bridie Farrell nor Nikki Meyer, and that the skater was a minor at the time. That investigation was eventually dropped for lack of evidence by Northern Michigan University, which operates the facility.

A spokeswoman for US Speedskating did not return a request for comment about the status of the outside investigation, or whether the organization is aware of the 1990 investigation.

Though the proposal to have Gabel's name removed from the Hall of Fame is before the board, the Hall of Fame is administered separately from the sport's governing body, so it is unclear whether the board could take the action unilaterally. Carl Cepuran says he and his colleagues would drop the formal request if the board or the Hall of Fame took the step voluntarily. But Cepuran says he would be troubled if the matter isn't resolved.

"Keeping him up there and in there – I would rather see the whole Hall of Fame move someplace else and leave the Pettit entirely, rather than continue to take my skaters up there and go through training and other events," Cepuran says.

The meeting of US Speedskating's Board of Directors is scheduled to run through Sunday.

## **Attachment 6**

### **DISCIPLINARY MATTERS**

**14.4 Initial Review of Possible Violation(s).** If the Executive Director (or his or her designee) is alerted or determines on his/her own initiative that one or more members, or other individual participating in one or more activities or competitions sanctioned by US Speedskating, may have either (i) violated one or more of US Speedskating's rules, policies, procedures, and/or these Bylaws, or (ii) committed any acts or omissions involving malfeasance and/or conduct detrimental to the best interests of US Speedskating or the sport of speedskating, then the Executive Director (or his or her designee) shall gather such information as may be relevant. Such information gathering may include, without limitation, interviews with those individuals involved in the matter.

**14.5 Initial Determination.** After conducting the initial review, the

Executive Director (or his or her designee, or in the event that the Executive Director has a conflict of interest, then the President) shall make an initial determination of whether a violation has occurred (the "Initial Determination"), and shall communicate the decision to the member(s) and/or individuals involved. The communication shall describe the allegations, the decision of the Executive Director (or his or her designee), and the proposed penalty to be imposed; provided, however, if the penalty to be imposed by the Executive Director (or his or her designee) involves suspension from US Speedskating, termination of membership in US Speedskating, or any period of ineligibility, then the matter shall be referred to a Hearing before the Judicial Committee as provided in Sections

14.15 through 14.28 of these Bylaws, unless the member or individual chooses to accept the proposed suspension, ineligibility or termination of membership, or the member/individual and US Speedskating otherwise agree on a penalty to be imposed.

**14.6 Dispute of Initial Determination.** A member or individual who has been found to have committed a violation described in Section 14.4 shall have thirty (30) days from the date of the notice of the Initial Determination in which to dispute the Initial Determination. A dispute must be filed on the appropriate form found on the US Speedskating's website, [www.USSpeedskating.org](http://www.USSpeedskating.org), and must be received by US Speedskating by the applicable deadline. A properly filed dispute shall be referred to the Chair of the Judicial Committee for a Hearing as provided in Sections 14.15 through 14.28 of these Bylaws. If the member or individual fails to file a dispute by the deadline, then the Initial Determination, including any penalties imposed, shall be final and binding, subject to Section 14.28 of these Bylaws.

Amended and Restated Bylaws of US Speedskating, revised November 18, 2013

## Attachment 7

### Email from Ted Morris to Rob Plum 11/04/14

On 11/10/14, Ted Morris <[TMorris@usspeedskating.org](mailto:TMorris@usspeedskating.org)> wrote:

Rob,

Thanks for your concern regarding issues relating to the recent grievance hearing and decision from July of this year.

First and foremost, the safety of our members is of the highest priority to US Speedskating. We are fully committed to the protection of the safety, health and overall wellbeing of our athletes, coaches, officials, staff, and membership.

We have taken and will continue to take proactive steps to prevent against and to avoid any situations that might give rise to the type of allegations made by Bridie Farrell.

The hearing panel did render a decision regarding section IV of the grievance saying "USS has not violated USOC Bylaw 8.7" which was the specific allegation. The hearing panel did not make any recommendations regarding any other claim in section IV.

As to any potential action or rumors concerning Mr. Gabel and his status within our USS membership, we have been advised by counsel not to share any information due to the highly sensitive nature of this matter.

To the extent that you or any of the "claimants" are approached by the media to comment on any potential investigation of Mr. Gabel, we ask that you refer them to me so I can speak on behalf of USS, on the actions that have been taken to date and are ongoing to protect our membership.

We wholeheartedly agree that the continued publicity concerning this matter brings negative attention to U.S. Speedskating and it hurts our ability to raise the funds necessary to support our elite athletes and development programs. This needs to change and it is our sincere desire to do everything possible, while respecting our governance procedures, to ensure that U.S. Speedskating has an excellent reputation, in all aspects of its operations, going forward.

We sincerely appreciate your concerns and hope that you understand our position.

Thanks for your support.

Regards,  
Ted

**TED MORRIS** | Executive Director

**US SPEEDSKATING**

5662 South Cougar Lane  
Kearns, UT 84118

○ 801-417-5377

[teamusa.org/usspeedskating](http://teamusa.org/usspeedskating)

Attachment 8

**Attachment 8**

## Attachment 9

Attachment 9

### 2014 USS CONGRESS PROPOSALS SUMMARY

	REVIEW WORKGROUP:	PROPOSAL FROM:	PROPOSAL:	ACTION:	RATIONAL:
1	Board of Directors	Ed Williams	Amend Bylaw section 6.4 "C" to add that, along with not being a paid employee or consultant to US Speedskating, an individual may not be a Director if he or she is a vendor, supplier or a sponsor of US Speedskating.	The new BOD voted Unanimously to reject the proposal (Tom Di Nardo abstained from discussion and vote).	Many NGB Boards have members who are vendors, suppliers or sponsors of the NGB. As long as these possible conflicts are pre-disclosed, which is the case for USS, the BOD Member will be recused from any discussion and possible vote on any related matter.
2	Board of Directors	Rob Plum	We propose that the US Speedskating Board of Directors act to remove Mr. Andrew Gabel from the Speedskating Hall of Fame based on his 2013 admissions of an inappropriate relationship while a member of USS. Mr. Gable was also investigated for possible inappropriate sexual contact with a minor in 1990.	The new BOD unanimously agreed to table a vote on this proposal until pending the outcome of the grievance filed against USS, which includes allegations concerning the same matter, is resolved.	The BOD determined that a pending grievance filed against USS takes precedent over this proposal and no action should be taken that might influence the decision of the judicial panel appointed to rule on the pending grievance.
3	Board of Directors	Matt Plummer	Proposal to add an amendment for a Special Category of Misconduct for physical/sexual abuse by a member. Eliminating the 180 day reporting window and \$500 filing fee. Specifically, creating a section to allow for a formal complaint in a special category of misconduct to be handled under Safe sport reporting policies and procedures, not to be handled under the USS Judicial Committee process.	The proposal was withdrawn prior to a vote.	N/A
4	Board of Directors	Matt Plummer	Proposal to change Article 7 of the bylaws to identify officers President and Vice President to Chairman and Vice-Chairman	The new BOD voted unanimously to reject the proposal.	Many International Federations, including the ISU, designate the volunteer leader as the President. To be consistent with the ISU and other member federations the proposal was rejected.

5	Board of Directors	Matt Plummer	Include an amendment that allows for the Chair of the U.S. Speedskating Athletes' Advisory Council will hold an ex-officio position on the U.S. Speedskating Board of Directors without voting privileges. Also, identify if the U.S. Speedskating Athletes' Advisory Council Chair should also be an Athlete Director on the Board of Directors they will not lose their voting power.	The new BOD voted unanimously to accept this proposal.	The BOD agreed that having the Chair of the USS AAC hold an ex-officio position on the USS BOD was a good move to foster strong dialogue between athletes and the BOD.
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
6	Coaching Task Force	Paul Dyrud	I propose that athletes within the 10 years, represented the United States in the Olympic Games or an Operation Gold event, or a World Championship recognized by ISU for which a competitive selection process was administered by U.S. Speedskating be eligible to bypass level 1 certification and be grandfathered into level 2 coaching status through an alternate certification process with cost assistance from USS. They must still complete the ASEP sports safety course or ARC sports safety course, in-class CPR Certification, Concussion awareness course, Background check, sign the ethics agreements, and complete USOC Team USA Safe Sport curriculum.	Task Force denied to bypass any level. We agree that there should be some sort of incentive and we agree that we could waive the requirement of attending a competition for former high performance athletes. Ryan Bedford will go back to AAC to see what kind of incentive would be appropriate to involve more former athletes.	There are theoretical aspects of coaching, elite skaters do not know, i.e. child development phases, role of the coach, physiology where the Task Force feels strong that those are important steps of becoming a complete coach. The 25 h of coaching are essential in developing a sense of "being on the other side" as this is way different. We did talk to former skater Derek Parra who became a coach and did support the Task Force as well as AAC rep Maria Garcia who is supportive of the Task Force. Also Heidi Krueger (figure skating coach) gave us insight on figure skating where each athlete will have to complete all levels.
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
7	Competition & Events Task Force	Heidi Krueger	No meet that will select a World or Olympic Team can be held without a boardless system.	Was passed on to Short Track Task Force and Safety Task Force.	N/A
8	Competition & Events Task Force	Heidi Krueger	USS will put in place more stringent requirements for AmCup A meets as related to the safety pad.	Was passed on to Short Track Task Force and Safety Task Force.	N/A

9	Competition & Events Task Force	Melissa Koenig	All USS competitions used for ranking must be conflict free from any other USS sponsored competition. These events would include (but not be limited to): All ACRS events (long and short track), US Championships (Junior and Senior; long and short track), and Age Group Nationals (long and short track).	Proposal was denied.	The scheduling of all events (national and international) within one season cannot be guaranteed to be conflict free. We need to be considerate of preparing athletes for international events as well and therefore some of the races need to be scheduled within certain time frames. USS will make the best effort to avoid conflicts as much as possible.
10	Competition & Events Task Force	Melissa Koenig	Allow skaters to swap registrations for overlapping US Speedskating sponsored events without incurring a late fee if the event that they were originally registered for is cancelled or otherwise rescheduled provided that athlete meets all other qualification standards to skater the event.	Proposal was accepted. A Financial Policy should be developed.	If the cancellation or rescheduling was caused by USS, USS will transfer funds to an event occurring at the same time than the original competition. This only applies if the final entry deadline has not passed yet. There will be no late entry fee applied. This year only overlapping events will be US Short Track Championships and LT AmCup 2 where this could occur.
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
11	Hall of Fame Committee	Rob Plum, Carl Cepuran, Patricia Rodowsky, Martin Haire, Glenn Corso, Mary Wong, and Gregory Wong	We propose that the US Speedskating Hall of Fame Committee act to remove Mr. Andrew Gabel from the Speedskating Hall of Fame based on his 2013 admissions of an inappropriate sexual relationship while a member of USS.	The HOF Committee could not vote on the proposal.	The HOF Committee does not have the power within their operation procedures to remove members from the HOF.
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
12	Long Track Task Force	Heidi Krueger	The Complete Elimination of the NTP model.	The Long Track Task Force will not take any action on this item.	The Task Force has agreed that US Speedskating is funded by the USOC to provide our athletes world class programs. Eliminating the NTP model would also eliminate any ability to ensure USS athletes have the option of a program that will get them on an Olympic podium.
13	Long Track Task Force	Heidi Krueger	USS will provide one travel voucher to the parent or legal guardian of a minor skater for all world team type trips. This voucher would cover travel, room, food and any other cost associated with the guardian's ability to oversee said minor.	The Long Track Task Force agreed that this item is a SafeSport issue and not for the Long Track Task Force to decide.	Currently, Long Track makes sure that there are always adults, both male and female on trips where a USS athlete is a minor. There are also other actions that must be taken to ensure the safety of minors that is provided in the SafeSport program.

14	Long Track Task Force	Heidi Krueger	World Team members (Jr and Sr) will be given a travel stipend for their private coaches to attend world meets.	The Long Track Task Force will not take any action on this item.	The USS LT Regulations provide a detailed step by step explanation on how a private coach of any skater who qualifies for an international competition can obtain credentials to coach at that competition.
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
15	Membership Development Task Force	Melissa Koenig	Not require Learn to Skate/Novice B skaters to join USS.	Proposal denied.	USS would like to encourage USS membership to not jeopardize liability insurance for the Club and therefore offers a variety of memberships. "One Dollar One Day", 2- Month- - Membership for \$10, 1st year Membership for \$30. Goal is to engage skaters within the organization and make it cost effective to do so. A 2- Month Membership for \$10 can lead into a first year where the \$10 will be applied towards the 1st year membership fee.
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
16	Officials Commission	Heidi Krueger	To add an additional official to all meets selecting a World Team. This official would be placed on the outside of the rink, looking across the apex at the oncoming skaters.	We will consider for Fall WC Qualifier if funds are available.	This is additional cost to each competition of 2 more referees (air, room, per diem).
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
17	SafeSport Committee	Matt Plummer	Proposal to add an amendment for a Special Category of Misconduct for physical/sexual abuse by a member. Eliminating the 180 day reporting window and \$500 filing fee. Specifically, creating a section to allow for a formal complaint in a special category of misconduct to be handled under Safe sport reporting policies and procedures, not to be handled under the	The proposal was withdrawn prior to a vote.	N/A

			USS Judicial Committee process.		
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
18	Safety Task Force	Heidi Krueger	No meet that will select a World or Olympic Team will be held without a boardless system.	Denied. For those competitions best available pads to the host city will be used.	It will put potential host cities at a disadvantage as there is only one boardless system in the country. It puts a burden on the LOC of hosting such an event every year at the same place. We are aware of the safety issue and will look for best available pads at hosting venue.
19	Safety Task Force	Heidi Krueger	USS will put in place more stringent requirements for AmCup A meets as related to the safety pad.	Tabled. Will need be more closely reviewed by Safety Task Force to make recommendation.	Safety will need to review more research done on pads to come up with a recommendation.
<b>REVIEW WORKGROUP:</b>		<b>PROPOSAL FROM:</b>	<b>PROPOSAL:</b>	<b>ACTION:</b>	<b>RATIONAL:</b>
20	Short Track Task Force	Heidi Krueger	Complete elimination of NTP Model.	Denied.	Centralized Programs have proven to be efficient and are currently used by all top countries in short track.
21	Short Track Task Force	Heidi Krueger	World Team members (Junior & Senior) will be given a travel stipend for their private coaches to attend World meets.	The way the proposal is formulated, the STTF denies as there are financial impacts. We are still open to utilize private coaches on occasion when the need is present.	ST Regulations already have wording in place that allows private coaches to travel when needed.
22	Short Track Task Force	Heidi Krueger	Provide travel voucher to a parent (to act as Chaperon) for all world junior trips.	The way the proposal is formulated, the STTF denies as there are financial impacts.	USS has been following the board recommendation of having a chaperon travel with the team every time a minor was part of the team.
23	Short Track Task Force	Heidi Krueger	Safety pads at Am Cup: more stringent requirements.	This proposal was referred to the Safety Task Force.	Safety issue.
24	Short Track Task Force	Heidi Krueger	No meet that will select a World or Olympic Team will be held without a boardless system.	This proposal was referred to the Safety Task Force. Although we understand the reasoning, there are a lot of implications in supporting this proposal which will affect the development of short track. The STTF will recommend to use the safest pads available understanding that other pads can also be used on occasion as long as they have proven safety specs.	Safety issue.

## Attachment 10

### U.S. SPEEDSKATING CODE OF CONDUCT

Revised August 10, 2007

#### Background

In order to assist all members to better serve the interests of those who participate in speedskating, U.S. Speedskating has adopted this Code of Conduct. The mission of U.S. Speedskating is to encourage participation and the pursuit of excellence in all aspects of speedskating. U.S. Speedskating grants membership to individuals and organizations committed to that mission. Membership may, therefore, be withdrawn or denied by U.S. Speedskating when U.S. Speedskating determines that a member or prospective member's conduct is inconsistent with the mission of the organization, this Code of Conduct, or the best interest of the sport and those who participate in it; provided, however, that any action to withdraw or deny membership in U.S. Speedskating shall be subject to, and shall be done in accordance with, the applicable notice and hearing rights as provided in U.S. Speedskating's Bylaws.

#### Code of Conduct

1. Any member or prospective member of U.S. Speedskating may be denied membership, reprimanded, censured, placed on probation, restricted, suspended for a definite or indefinite period of time (with or without terms or probation), fined or expelled from U.S. Speedskating if such member violates the provisions of the U.S. Speedskating Code of Conduct, or aids, abets or encourages another person to violate any of the provisions of the U.S. Speedskating Code of Conduct.

2. The following shall be considered violations of the U.S. Speedskating Code of Conduct:

(a) Violation of an individual's right to participate in the Olympic Games, the Paralympic Games, a World Championship or other competition that is protected by the Ted

Stevens Olympic and Amateur Sports Act, the U.S. Olympic Committee ("USOC") Bylaws, and the U.S. Speedskating Bylaws;

(b) Violation of the International Olympic Committee ("IOC"), World Anti-Doping Agency ("WADA"), International Skating Union ("ISU"), U.S. Anti-Doping Agency ("USADA") and USOC anti-doping protocols, policies and procedures. This includes participation in out of competition testing as required by the IOC, WADA, ISU, USADA and USOC Rules;

(c) Discrimination in violation of the USOC Bylaws or the U.S. Speedskating Bylaws, or both;

(d) Any sexual contact or advance or other inappropriate sexually oriented behavior or action directed towards an athlete by a coach, official, trainer, or other person who, in the context of speedskating, is in a position of authority over that athlete;

(e) The providing of alcohol to a U.S. Speedskating member, by a coach, official, trainer, manager or any other person when the U.S. Speedskating member is under the age of 21;

(f) The consumption or purchase of alcohol by a U.S. Speedskating member who is under the age of 21;

(g) Physical abuse or harm, mental abuse, intimidation, coercion, or the threat of physical abuse or harm to a U.S. Speedskating member by any person who, in the context of speedskating, is in a position of authority over that U.S. Speedskating member;

(h) Any act of fraud, deception or dishonesty in connection with any U.S. Speedskating-related activity;

(i) Any non-consensual physical contact, obscene language or gesture, or other threatening language or conduct directed towards any meet official and which is related to any decision made by such official in connection with a U.S. Speedskating-sanctioned competition;

(j) Any improper or serious disturbance, obstruction or disruption of the functions of U.S. Speedskating or which infringe upon the rights, orderly conduct or well-being of others.

(k) Any deliberate or reckless misuse, damage or destruction of property of any person, of U.S. Speedskating, of the ISU, the USOC, the IOC or any other governing or sponsoring body or any other entity involved in any way with U.S. Speedskating.

(l) Any unauthorized use of the U.S. Speedskating name, trademarks, logo or other proprietary assets, whether in a commercial or non-commercial context.

(m) Failure or refusal to comply with a reasonable request, rule, directive or order of an authorized U.S. Speedskating representative or any other authorized representative acting in the performance of his/her duties, including officials of any U.S. Olympic Training Center or other training/competition facility at which an athlete, coach or team leader may be present as a representative of U.S. Speedskating.

(n) Violation of any written team misconduct rule as established by the USOC, ISU or U.S. Speedskating;

(o) Violation of any other applicable rule of the IOC, USOC, ISU or U.S. Speedskating, but specifically excluding rules and agreements on commercialization of athlete properties (i.e. athlete agreements governing the commercial use of athlete images);

(p) Any other act, conduct or omission not provided for above which is detrimental to the image or reputation of U.S. Speedskating or the sport of speedskating.

3. If US Speedskating receives a fine, is issued any form of penalty or incurs costs for any incident or infraction for an issue caused by an individual and not by US Speedskating, then that individual shall be responsible to reimburse US Speedskating for the entire amount of expense incurred.

4. If an athlete is sanctioned by the IOC, ISU, WADA, USADA, USOC or any other body having jurisdiction above US Speedskating for any infraction, US Speedskating will mirror the sanction imposed by the other organization.

5. By signing this document, a member of U.S. Speedskating warrants that he/she has never been convicted of a felony, nor has a pending felony indictment, or a pending felony charge, except as specifically disclosed in writing to USS along with this Code of Conduct, and the member understands that any such violation, indictment or criminal charge may, at the discretion of USS, be considered a violation of this Code of Conduct.

RELEASE, WAIVER AND ACCEPTANCE OF CODE OF CONDUCT.  
PLEASE READ CAREFULLY.

I, the undersigned (and parent/guardians when applicable), do hereby for myself, my heirs, executors, and administrators, assign, waive and release all rights and claims for damages, injuries or losses I may have against U.S. Speedskating and associated parties of organization, their officers, coaches, members representatives, agents and others acting for or on their behalf and in any way related to my involvement in a U.S. Speedskating activity.

I, the undersigned, acknowledge that, by signing below, I have read and understand the terms of the U.S. Speedskating Code of Conduct and agree to be bound by its terms.

## Attachment 11

### US Speedskating By-Laws

**5.4 Membership Requirements.** Membership in US Speedskating is a privilege and creates within it certain obligations and duties. The Board of Directors may, in its sole discretion, choose not to accept or approve a membership application. The Board of Directors may establish such membership requirements as the Board shall deem necessary and appropriate. No privilege of membership shall be made available until all membership requirements are satisfied.

**5.5 Dues and Fees.** US Speedskating may establish such rules and procedures for the manner and method of payment of fees, the collection of delinquent fees and the proration or refund of fees, as the Board shall deem necessary or appropriate. No privilege of membership shall be available until all fees are paid in full.

**5.6 Suspension and Termination.** The membership of any US Speedskating member may be suspended or terminated at any time by the Board of Directors so long as the procedures involving either the suspension or termination are fair and reasonable. The member shall receive not less than fifteen (15) days' prior written notice of the suspension or termination and the reason(s) therefor. A member shall have the right to a hearing prior to termination so long as the hearing is held not less than five (5) days before the effective date of the suspension or termination.

## Attachment 12

### VI. USS Code of Ethics

US Speedskating is a family inspired by our Olympic legacy, committed to growing our sport, developing character through our shared values, and achieving international competitive success on ice.

US Speedskating is inspired by the pursuit of excellence, and our values guide our behavior:

Unity - through long-standing traditions and trusting relationship

Integrity - through honesty and respect for fair play

Discipline - through assumption of personal responsibility

Determination - through perseverance and dedication

Character - through adherence to ethical standards and principles

Self-efficacy - through display of confidence under adverse conditions

US Speedskating grants the privilege of membership to individuals and organizations committed to our mission. US Speedskating may, therefore, withdraw the privilege of membership or discipline a member when it determines that an individual or organization's conduct is inconsistent with the mission of USS or the best interest of the sport and those who participate in it.

To better serve the interests of those who participate in our sport, US Speedskating has adopted a Code of Ethics. This code is not intended to establish a set of rules that will, by inclusion or exclusion, prescribe the appropriate behavior for members in every aspect of their participation in the sport. Rather, our code offers general principles to guide the conduct, and the judicious appraisal of conduct, of all US Speedskating members (individuals, organizations and clubs/businesses, which are collectively referred to as "Members" and individually as a "Member") in situations that have ethical implications.

This Code cannot alone further ethical conduct in the sport of speedskating; that can only come from the personal commitment of the participants in the sport to behave ethically. This Code is offered instead to guide and to affirm the commitment of all Members to safeguard the best interests of the sport by acting ethically at all times.

US Speedskating has adopted and endorses the following ethics codes for specific member groups:

- 1) USS Standards of Conduct Responsibility and Duty for Directors & Officers, Committee, Commissions & Task Forces (Appendix E)
- 2) USOC Coaching Code of Ethics (Appendix G) – for all USS Certified Coaches
- 3) ISU Code of Ethics (Appendix H) – for all USS athletes and membership.

#### Appendix C

##### 6.

##### **Other**

a. These minimum standards may be amended from time to time by vote of the USOC Board of Directors.

b. In implementing an athlete safety program, NGBs shall be guided by the principle that supporting the health and safety of its athletes is a key element of its managerial capabilities.

c. Failure to meet the minimum standards as set forth in this policy may result in disciplinary action by the USOC including, without limitation, the withdrawal of high performance funding.

**d. Exceptions to these minimum standards based on the organizational structure of the NGB and/or sport may be granted by the USOC on a case-by-case basis where appropriate, provided that such exceptions do not materially endanger athletes.**



## **Attachment 13**

### **Links to Marie Claire and Outside Magazine Articles**

Link to Outside Magazine Article:

<http://www.outsideonline.com/o/outdoor-adventure/water-activities/swimming/The-Sex-Abuse-Scandal-Plaguing-USA-Swimming.html>

Link to Marie Claire Article:

<http://www.marieclaire.com/politics/news/a8481/skating-for-justice/>

## Attachment 14

### USS Participant Welfare Policy

I.

This policy applies to and is in force for all USS **members, participants, athletes, coaches, officials, volunteers and staff within all speedskating disciplines.**

II.

**Child sexual abuse** – All sexual contact between an adult and a child as well as sexual contact that occurs through force or threat of force; a child is any participant under the age of 18.

**Emotional misconduct** – A repeated pattern of behavior by an adult that can inflict psychological or emotional harm.

**Minor Athlete** - An athlete under 18 years of age.

**Misconduct** - Conduct which results in harm, the potential for harm or the imminent threat of harm. Age is irrelevant to misconduct. There are six primary types of misconduct in sport: emotional, physical and sexual misconduct, bullying, harassment and hazing, however misconduct may not be limited to these categories alone.

**Participants** - Participants are USS members including minors who participate in a sport activity through a club, association or team, and athletes 18 years and older. Participants also encompass other USS members that support these groups including coaches, officials, and volunteers involved with various USS governance activities and staff.

**Sexual misconduct** – Sexual misconduct includes child physical or sexual abuse, sexual harassment and rape.

III.

Consistent with the mission, vision and values of US Speedskating (Appendix A) the welfare of speedskating participants, especially minors, is of paramount concern. When any member, participant, coach, athlete, volunteer or staff member is subjected to abuse, it undermines and is incongruent with the mission, vision and values of US Speedskating we expect to be upheld in our sport, and for the athletes US Speedskating serves.

**US Speedskating is committed to promoting a safe environment for its members, participants, athletes, coaches, officials, volunteers and staff within all speedskating disciplines.**

b. Sexual Abuse.

- (i) Rape, incest, fondling, exhibitionism or sexual exploitation;
- (ii) Any form of sexual contact or inappropriate touching, unwanted physical contact, unwelcome advances or requests for sexual favors;
- (iii) Any form of wanton or obscene gesturing, lewd remarks or indecent exposure;
- (iv) Sexual abuse of a minor includes, without limitation:

- (a) Touching a minor participant for the purpose of causing the sexual arousal or gratification of either person; or
  - (b) A minor participant touching any person, if the touching occurs at the request of or with the consent of such other person, for the sexual arousal or gratification of either person;
  - (v) Neither consent of the participant to the sexual abuse or contact, mistake as to the participant's age, nor the fact that the sexual abuse or contact did not take place at or in conjunction with a speedskating function is a defense to a complaint of sexual abuse;
  - (vi) Sexual abuse also includes sexual misconduct described in the Code of Ethics, including, but not limited to: (a) Soliciting or engaging in sexual relations with a minor; (b) Engaging in a sexual relationship where an imbalance of power exists and engaging in any behavior that utilizes the influence of a member's position as coach, official, athlete or administrator to encourage sexual relations with an athlete or participant; or, (c) Engaging in sexual harassment by making unwelcome advances, requests for sexual favors or other verbal or physical conduct of a sexual nature, where such conduct creates an intimidating, hostile or offensive environment; or
  - (vii) Any violation of applicable law directly or indirectly involving or related to sexual misconduct or child abuse, or that is specifically designed to protect minors.
- c. Child Sexual Abuse Definition of Child Sexual Abuse. Any sexual activity with a minor athlete or participant where consent is not or cannot be given. This includes sexual contact with a minor athlete or participant that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a minor athlete or participant, regardless of whether there is deception or the minor athlete or participant understands the sexual nature of the activity.