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**UNITED STATES OLYMPIC COMMITTEE
ATHLETES' ADVISORY COUNCIL BYLAWS**

As Amended on December 8-9, 2007

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I. MISSION STATEMENT

To communicate the interests and protect the rights of athletes, in cooperative support of the USOC achieving its mission.

II. ELECTION TO THE USOC ATHLETES' ADVISORY COUNCIL

A. The Athletes' Advisory Council ("AAC") is composed of one representative from each Olympic and Pan American sport elected from the National Governing Body ("NGB") of each sport ("Representative"), or the Representative's alternate ("Alternate"); two (2) Paralympic representatives (each a "Representative") elected by procedures established by U.S. Paralympics ("USP"); and the six (6) At-Large members elected by the AAC. An athlete from the IOC Athletes' Commission and an athlete from the IPC Athletes' Commission shall be *ex officio* members of the AAC, entitled to voice but not vote.

B. There shall be one Chair and two Vice-Chairs of the AAC, who are elected from the AAC Representatives and At-Large Members pursuant to the procedure defined in Section V of these Bylaws. The Chair and Vice Chairs shall be referred to collectively as the "AAC Officers."

C. Athletes must meet the following requirements to be eligible for election to the AAC as a Representative or Alternate:

1. An athlete must have represented the United States in Olympic, Paralympic, Pan American or other major international competition, within the preceding ten years as measured from the first AAC meeting of the quadrennium. The term "other major international competition" as used herein means only a competition designated by the USOC as an Operation Gold competition. Requests for extensions in this requirement may only be granted by the AAC and must be in writing.

2. An athlete may not have served two previous terms on the AAC as a Representative. Status as an Alternate does not constitute serving a term. If an Alternate replaces a Representative and has the opportunity to attend over half of the meetings as the Representative in a quadrennium, the Alternate shall be deemed to have served one (1) term.

3. AAC Representatives and Alternates are seated for four-year terms, or until replaced, whichever is later. Once seated, no AAC Representative or Alternate shall lose his or her position on the AAC, except for cause and

1 after a two-thirds (2/3) vote of the AAC at a properly called meeting, or
2 except as stated elsewhere in these Bylaws.

- 3
- 4 4. Athletes may not be paid employees of the USOC, any NGB, USP or any
5 city's domestic bid committee for an Olympic Games and simultaneously
6 serve as a Representative or Alternate to the AAC. The term "paid
7 employee" shall mean anyone who is employed on a regular basis. This
8 provision shall not apply to 1) individuals who are engaged on an
9 occasional or temporary basis, which shall include, but not be limited to
10 coaching at a clinic or training camp, making a paid appearance for a
11 sponsor, or working on a finite or discrete project, and 2) athletes who are
12 still competing and receiving benefits from the USOC, the USP or any
13 NGB in his/her capacity as a competing athlete.
- 14
- 15 5. All AAC Representatives and Alternates are required to disclose in writing
16 to the Chair of the AAC and the USOC Ethics and Compliance officer any
17 employment with the USOC, an NGB, USP, or a domestic bid committee.
- 18
- 19 6. An AAC Representative's or Alternate's failure to satisfy additional NGB
20 or USP requirements for qualification as an AAC Representative or
21 Alternate may not be used by the NGB or the USP as cause to remove
22 such individual their AAC Representative or Alternate position.

23

24 D. The procedures for the election of Representatives and Alternates to the AAC
25 shall be defined by each NGB for Olympic and Pan American sports, and by the
26 USP for Paralympic sports. These voting procedures must be submitted to and
27 approved by the AAC. If an NGB's or the USP's election procedure is not
28 approved by the AAC, the results of the NGB's or the USP's election may be
29 nullified and the individuals elected may not be seated as Representatives and/or
30 Alternates on the AAC.

- 31
- 32 1. Sports in which separate men's and women's teams are represented by a
33 single NGB, the Representative and the Alternate must be of opposite
34 sexes. This provision only applies to those sports with a men's and
35 women's team wherein each team would qualify the NGB as an Olympic
36 and Pan American Sport Organization.
- 37 2. The procedures for the election of Representatives and Alternates to the
38 AAC shall include the following provisions:
- 39 a. A statement that only athletes eligible to run for the AAC position
40 are eligible to vote for the AAC position;
- 41 b. A requirement that elections shall be concluded by the end of the
42 quadrennium;
- 43 c. A clear, concise explanation of the process by which athletes are
44 placed on the ballots. This information must published to the pool
45 of eligible athletes at least sixty (60) days prior to the deadline set
46 by the NGB for nominations;

- d. An explanation of the manner by which elections are to be conducted, including but not limited to the manner of voting, identification of the voting pool, identification of the NGB representative responsible for the administration of the election, and a specific delineation of the time frame between nominations and elections;
 - e. A grievance process;
 - f. Procedures to follow to replace either an AAC member or the AAC alternate during the quadrennium; and
 - g. No election procedures shall require that an otherwise eligible athlete be a member of the NGB to be elected as or to vote for the Representative or Alternate to the AAC.
3. Violation of these election procedures and requirements by an NGB or the USP may result in a refusal by the AAC to recognize the Representative or Alternate if two-thirds (2/3) of the properly elected AAC present at any duly called meeting agree. However, deference is given to an elected Representative or Alternate in situations in which no material violation has occurred.

III. AAC RULES of CONDUCT

- A. If an AAC Representative is unable to attend an AAC meeting or other official function, the Alternate from that sport must be informed by the AAC Representative as promptly as possible. The Alternate may take the Representative's place at the USOC's expense. If neither the Representative nor the Alternate is able to attend an AAC meeting, the Representative, in consultation with the AAC Officers, shall make an effort to insure that the sport is represented by another athlete from that sport.
- B. Attendance at an AAC meeting shall be defined as being physically present at the meeting.
 - 1. Physically present shall be defined as attendance to all scheduled meeting times at the AAC Meeting. In the event a member cannot attend the Meeting in its entirety, that individual may request an exception. Exceptions may only be granted by the AAC Chair and must be submitted in writing. Acceptable exceptions include but are not limited to competition, NGB meetings, or personal emergency.
 - 2. A Representative who does not meet the definition of "physically present" for a particular meeting shall be considered "absent" from that meeting unless he or she is granted an exception by the AAC Chair.
- C. If any AAC Representative is absent from three (3) consecutive AAC meetings for any reason, that Representative shall be removed from the AAC. The

1 Alternate shall be notified of the Representative's removal and shall then be
2 designated as that sport's Representative to the AAC.
3

4 D. If any AAC Representative does not attend at least one-half of the AAC Meetings
5 in any two-year period during the quadrennium for any reason, that
6 Representative shall be removed from the AAC. The Alternate shall be notified
7 of the Representative's removal and shall then be designated that sport's
8 Representative to the AAC.
9

10 E. When an Alternate replaces a Representative, the NGB or USP shall be required
11 to conduct an election of a new Alternate, after notice from the AAC Officers. If
12 the NGB or the USP fails to initiate this election process within 30 days of
13 notification by the AAC, the AAC may then conduct an election itself in
14 accordance with that NGB's or the USP's election procedures, as approved by the
15 AAC. If a new Alternate has not been elected in time for the forthcoming AAC
16 meeting, the AAC may select an interim Alternate. In no case shall the AAC
17 select or conduct an election for a Representative if a valid Alternate exists to
18 replace the Representative.
19

20 F. Representatives and Alternates shall not take stands on issues or represent
21 themselves as members of the AAC in areas of personal interest having no
22 connection with official AAC responsibilities. Representatives and Alternates
23 shall not falsely speak on behalf of the entire AAC membership. Also, AAC
24 representative and Alternates shall not reveal matters designated confidential by
25 two-thirds vote of the AAC. USOC Staff are bound by this confidentiality
26 requirement
27

28 G. AAC meetings are open to the public unless closed by a two-thirds (2/3) vote.
29

30 H. A quorum is always present at any duly called AAC meeting.
31

32 I. In matters requiring immediate action, a majority of the AAC Officers (Chair &
33 two (2) Vice-Chairs) is empowered to act on behalf of the AAC, subject to
34 ratification at the next AAC meeting.
35
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37 **IV. CONDUCT OF AAC MEETINGS.** 38

39 A. Meetings shall follow, in general, the traditional rules of Parliamentary Procedure
40 as to (1) motions, (2) seconds, (3) discussions, and (4) calls to vote.
41

42 B. The Officers shall accept items to be officially placed on the agenda from any
43 interested party so long as they are received at least two weeks prior to the
44 scheduled meeting; otherwise matters may be brought up as new business. The
45 Officers may place matters of urgency on the agenda at any time or in any
46 position.

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2 C. Other procedural rules for the conduct of the meeting may be announced by the
3 Officers unless the AAC, by majority, objects.
4

5 **V. VOTING PROCEDURES FOR ELECTIONS WITHIN THE AAC**
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7 The AAC Officers and At-Large Members shall be elected pursuant to the following procedures:
8

9 A. Definitions

10
11 New AAC: Those athletes elected to the AAC for the upcoming
12 quadrennium. The New AAC includes: (1) Newly
13 Elected, (2) Re-Elected and (3) At-Large Members.
14

15 Old AAC: Those athletes who were members of the AAC
16 during the preceding quadrennium.
17

18 Newly elected: Those athletes elected pursuant to NGB or USP
19 election procedures and serving their first terms as
20 Representatives.
21

22 Re-elected: Those athletes who have served one as a
23 Representative and have been reelected pursuant to
24 NGB or USP procedures for a second term.
25

26 At-Large: Six (6) athletes elected by the AAC for the
27 upcoming quadrennium, who are independent of
28 any NGB or the USP's procedures, for the general
29 purpose of maintaining continuity within the AAC.

30 B. Nomination Procedures

31 1. Nomination of At-Large Members

32 a. The Chair of the AAC, or a member of the AAC selected by the
33 Chair, shall send a request for nominations to the entire AAC,
34 including alternates, no fewer than forty-five (45) days prior to the
35 first day of the final AAC meeting of the quadrennium.

36 b. Any member of the AAC may self-nominate, or nominate another
37 individual for an At-Large Member position. All nominations must
38 include a written statement of intent (as described in section B.1.i)
39 accompanied by a statement of the nominee's acceptance of the
40 nomination and willingness to serve. In the case of self-
41 nominations, only the written statement of intent is required.

- 1 i. Composition of statements of intent: A one-page, double-
2 spaced, typed statement shall include the nominee’s
3 qualifications and reasons for pursuing an AAC At-Large
4 position. A one-page resume may be submitted with the
5 statement of intent.
- 6 ii. Submission of statements of intent: All statements of intent
7 must be submitted to the Chair of the AAC no less than twenty-
8 one (21) days prior to the final regular AAC meeting of the
9 quadrennium.
- 10 iii. Dissemination of statements of intent: Seven (7) days prior to
11 the final AAC meeting, all submitted statements of intent shall
12 be forwarded to all AAC members and alternates.

13 2. Nomination of AAC Officers

- 14 a. Any newly elected At-Large Member interested in an AAC Officer
15 position may self-nominate for an AAC Officer position. All
16 nominations must include a written statement of intent (as
17 described in section B.2.a.i) for the desired position.
- 18 i. Composition of statements of intent: A one-page, double-
19 spaced, typed statement shall include the nominee’s
20 qualifications and reasons for pursuing an AAC Officer
21 position. In the case of an At-Large Member interested in the
22 Chair position and Vice-Chair position, if not elected Chair, the
23 statement of intent shall indicate the candidates desire to run
24 for both positions. A one-page resume may be submitted with
25 the statement of intent
- 26 ii. Submission of statements of intent: All statements of intent
27 must be submitted to the Chair of the AAC no less than twenty-
28 one (21) days prior to the first AAC meeting of the
29 quadrennium.
- 30 iii. Dissemination of statements of intent: Seven (7) days prior to
31 the first AAC meeting of the quadrennium, all submitted
32 statements of intent shall be forwarded to all Old and New
33 AAC members and alternates.

34 C. Timing of Elections

- 35 1. At-Large Member Elections: The At-Large members shall be elected at
36 the final AAC Meeting of the Quadrennium. The Newly Elected At-Large
37 members’ term shall commence January 1st of the new quadrennium.
38
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- 1 a. USOC staff members shall calculate the number of AAC
2 Representatives eligible to vote. All AAC members present at the
3 final meeting are eligible to vote. If an AAC member is not
4 present, the AAC Alternate or a designated representative is
5 eligible to vote.
6
- 7 b. An AAC member interested in running for an At-Large position
8 need not be physically present at the last meeting of the
9 quadrennium to run so long as a written statement was submitted
10 to the Chair of the AAC in a timely manner.
11
- 12 c. Each candidate shall be allowed to speak for a period of time to be
13 determined by the Officers.
14
- 15 d. Voting shall be conducted by secret ballot.
16
- 17 e. A ballot shall be deemed invalid if the instructions are not
18 appropriately followed.
19
- 20 2. AAC Officer Elections: The AAC officers shall be elected from the newly
21 elected At-Large members at the first AAC meeting of the Quadrennium.
22 The USOC shall pay for Representatives from both the New AAC and Old
23 AAC to attend the AAC Quadrennial Meeting. If a new AAC member is
24 also an old member because he or she was re-elected, the old or new
25 Alternate cannot attend and the new member is allowed only one vote at
26 the meeting as a new member.
- 27 a. USOC staff members shall calculate the number of AAC
28 Representatives eligible to vote. All AAC members present at the
29 first meeting of the Quadrennium are eligible to vote. If an AAC
30 member is not present, the AAC Alternate or designated
31 representative is eligible to vote
- 32 b. An AAC At-Large member interested in running for an AAC
33 Officer position need not be physically present at the last meeting
34 of the quadrennium to run so long as a written statement was
35 submitted to the Chair of the AAC in a timely manner.
- 36 c. Each candidate shall be allowed to speak for a period of time to be
37 determined by the Old AAC Officers.
- 38 d. Voting shall be conducted by secret ballot.
- 39 e. A ballot shall be deemed invalid if the instructions are not
40 appropriately followed.

1 D. Voting Procedures

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3 Both At-Large Member Elections and AAC Officer Elections shall be held using
4 the Weighted Voting Method, which allows for a decision to be made with a
5 single cast ballot.
6

7 1. USOC Staff shall compile a list of all candidates on a single ballot sheet in
8 alphabetical order. The ballot sheet shall include instructions on the
9 appropriate voting procedure.
10

11 a. AAC members eligible to vote will be provided written
12 instructions that will instruct voters, "to rank any number of
13 candidates in order of preference." All candidates must be ranked
14 for the ballot to be valid.
15

16 b. Six (6) At-Large members shall be elected
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18 c. Any individual who satisfies the AAC Eligibility Requirements
19 may be nominated.
20

21 d. Only Old AAC members are permitted to vote for At-Large
22 Members.
23

24 E. Counting Procedures

25 1. At-Large Elections

26 a. The counting of the ballots shall be conducted by USOC staff and
27 reviewed by an AAC At-Large member. The six (6) highest vote
28 getters remaining on the ballot are elected as AAC At-Large
29 Members.
30

31 b. USOC staff shall determine the number of candidates on the ballot.
The number of candidates on the ballot is to be called C.

32 c. For each properly cast ballot with preferences indicated by ranking
33 the candidates as first through last choice, USOC staff shall assign
34 points to each candidate as follows:

35 i. 1st choice = C minus 1 point, 2nd choice = C minus 2 points, 3rd
36 choice = C minus 3 points, and so forth until the last choice =
37 C minus C (0 points).

38 d. The six (6) candidates with the highest point totals are elected. If a
39 tied vote interferes with the final selection, the tie is broken by
40 counting the number of first place votes for each of the tied

1 candidates-the winner of the tie-breaker is the candidate with the
2 highest number of first-place votes. If a tied vote continues,
3 second place votes are counted and so forth until the tie is broken.

4 2. AAC Chair Election

5 a. The counting of the ballots shall be conducted by USOC staff and
6 reviewed by an AAC At-Large member. The highest vote getter
7 on the ballot is elected Chair of the AAC.

8 b. If a tied vote interferes with the final selection, the tie is broken by
9 counting the number of first place votes for each of the tied
10 candidates – the winner of the tie-breakers if the candidate with the
11 highest number of the first-place votes. If a tied vote continues,
12 second place votes are counted and so forth until the tie is broken.

13 3. AAC Vice-Chair Elections

14 a. The counting of the ballots shall be conducted by USOC staff and
15 reviewed by an AAC At-Large member. The two (2) highest vote
16 getters on the ballot are elected Vice-Chair of the AAC.

17 b. USOC staff shall determine the number of candidates on the ballot.
18 The number of candidates on the ballot is to be called C.

19 c. For each properly cast ballot with preferences indicated by ranking
20 the candidates as first through last choice, USOC staff shall assign
21 points to each candidate as follows:

22 i. 1st choice = C minus 1 point, 2nd choice = C minus 2 points, 3rd
23 choice = C minus 3 points, and so forth until the last choice =
24 C minus C (0 points).

25 d. The two (2) candidates with the highest point totals are elected. If
26 a tied vote interferes with the final selection, the tie is broken by
27 counting the number of first place votes for each of the tied
28 candidates – the winner of the tie-breaker is the candidate with the
29 highest number of first-place votes. If a tied vote continues,
30 second place votes are counted and so forth until the tie is broken.

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33 **VI. ELECTIONS DURING AAC TERM; COMMITTEE ASSIGNMENTS**

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35 A. Election of Athletes to Athlete Service Coordinator Positions

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37 1. Competitions which require Athlete Service Coordinators (“ASC(s)”) are
38 as follows: Olympic Summer Games, Paralympic Summer Games,
39 Olympic Winter Games, Paralympic Winter Games, Pan American

1 Games, Winter World University Games and World University Summer
2 Games (“Games”).

- 3
- 4 2. The ASC selection process and position descriptions shall be announced to
5 the AAC, USP, Olympic Alumni, NGB Presidents and Executive
6 Directors, at least six (6) months prior to the opening ceremonies of
7 Games listed (see VI.A.1)
- 8
- 9 3. An ASC is not required to be a member of the AAC, but must meet AAC
10 Representative requirements defined as follows: An athlete must have
11 represented the United States in Olympic, Paralympic, Pan American or
12 other major international competition, within the preceding ten years as
13 measured from the date of opening ceremonies for the Games in which
14 they are serving as ASC’s. The term “other major international
15 competition” as used herein means only a competition designated by the
16 USOC as an Operation Gold competition. Requests for extensions in this
17 requirement may only be granted by the AAC and must be in writing.
- 18
- 19 4. Athletes interested in an ASC position will be evaluated on their
20 familiarity with AAC bylaws and athletes’ rights. To be considered for an
21 ASC position and athlete must exhibit strong interpersonal skills.
- 22
- 23 5. An athlete may not serve simultaneously as an ASC and any other position
24 (i.e. coach, team leader) on the same team. The athlete must be available
25 for preparatory meetings and during the entire competition period,
26 including processing and delegation departure.
- 27
- 28 6. The AAC Chair shall appoint the ASC Selection Task Force. The ASC
29 Selection Task Force will manage the nomination process. The process
30 shall include an issuance of a formal announcement and job description
31 (see VI.A.2), evaluation of submitted letters of interest and resumes, and
32 interviews of candidates. The ASC Selection Task Force shall then
33 present a slate of candidates to the AAC for election by a majority vote.
- 34
- 35 7. Once elected, the ASC shall be under management of each Games’ Chef
36 de Mission throughout the duration of the Games.

37
38 B. Election of Athletes to the USOC Foundation

- 39
- 40 1. The AAC shall elect two athletes each quadrennium to serve on the US
41 Olympic Foundation (“USOF”). Each athlete shall serve a four-year term
42 with staggered elections every two years.
- 43
- 44 2. The USOF position description shall be announced to the AAC, USP,
45 Olympic Alumni, NGB Presidents and Executive Directors at least one
46 month prior to the commencement of the selection process.

- 1
2 3. The USOF athlete representative is not required to be a member of the
3 AAC, but must meet AAC Representative requirements defined as
4 follows: An athlete must have represented the United States in Olympic,
5 Paralympics, Pan American or other major international competition,
6 within the preceding ten years as measured from the date of election to the
7 USOF. The term “other major international competition” as used herein
8 means only a competition designated by the USOC as an Operation Gold
9 competition.
- 10
11 4. The AAC Chair shall appoint the USOF Selection Task Force. The USOF
12 Selection Task Force will manage the nomination process. The process
13 shall include an issuance of a formal announcement and job description
14 (see V.A.2), evaluation of submitted letters of interest and resumes, and
15 interviews of candidates. The USOF Selection Task Force shall then
16 recommend a candidate to the AAC for approval by majority vote.
17 Approval of the candidate may be conducted electronically, at the
18 discretion of the AAC Chair.
- 19
20 5. In the event that the USOF athlete representative is unable to complete his
21 or her four year term, the AAC Chair shall implement the nomination
22 process as set forth herein and the USOF Selection Task Force shall
23 recommend a replacement athlete representative to be approved by the
24 majority of the AAC. The AAC vote to approve the replacement
25 candidate may be conducted electronically, at the discretion of the AAC
26 Chair.

27 28 **VII. FUNCTIONS AND SUPERVISION OF ATHLETE OMBUDSMAN**

29
30 Pursuant to the Ted Stevens Olympic and Amateur Sports Act (“Act”) the job functions
31 and reporting requirements of the Athlete Ombudsman shall be as provided in this
32 Article.

- 33
34 A. The Athlete Ombudsman’s reporting requirements to the AAC shall be as
35 follows:
36
37 1. The Athlete Ombudsman shall report directly to the Chair of the AAC (or
38 replacement as provided below). The Athlete Ombudsman shall also
39 report to the AAC on a regular basis. The Chair of the AAC shall have the
40 sole and exclusive right to direct and control the day-to-day activities of
41 the Athlete Ombudsman and shall be responsible for preparing an annual
42 evaluation of the Athlete Ombudsman’s job performance. The USOC
43 shall provide this annual evaluation to the board of directors and shall base
44 all compensation consideration on this annual evaluation.

1 2. The Chair of the AAC may delegate this supervisory authority to any other
2 AAC officer.

3
4 B. Function of the Athlete Ombudsman

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6 1. As stated in the Act §220509(b)(1)(A), the function of the Athlete
7 Ombudsman is to provide independent advice to athletes at no cost about
8 the applicable provision of the Act and the bylaws of the USOC, IF, IOC,
9 PASO, and with respect to the resolution of any dispute involving an
10 opportunity of an amateur athlete to participate in the Olympic Games, the
11 Paralympic Games, the Pan-American Games, World Championship
12 Competition, or any other protected competition as defined in the bylaws
13 of the USOC.

14
15 2. All communications the Athlete Ombudsman has with athletes, or anyone
16 representing the interest of athletes, in providing the advice and counsel
17 provided for in the Act and communications in mediation shall be held as
18 strictly confidential. No individual, or entity, including, but not limited to,
19 the USOC, its board of directors, officers or employees; any NGB, its
20 board of directors, officers or employees; the IOC, its board of directors,
21 officers, or employees; any IF, its board of directors, officers, or
22 employees; WADA, its board of directors, officers, or employees; CAS; or
23 any governmental authority shall force the disclosure of any confidential
24 communications under this provision. The AAC shall direct that all
25 USOC documents inform athletes that their communications to the Athlete
26 Ombudsman shall be treated as strictly confidential by the USOC.

27
28 3. The following individuals shall have standing to assert the confidentiality
29 of the Athlete Ombudsman’s communication to the athletes, or anyone
30 representing the interest of athletes, in any type of legal proceeding
31 (arbitrations or court cases)(1) athletes or anyone representing the interest
32 of the athlete; (2) the Athlete Ombudsman; (3) any present or former
33 member of the AAC; (4) the USOC its board of directors, officers, or
34 employees (4) any arbitration panel or court, *sua sponte*. It is the intent of
35 this provision that no confidential communication be allowed to be
36 disclosed without the agreement of both the athlete, or individual
37 representing the interest of the athlete, and the Athlete Ombudsman. The
38 term “anyone representing the interest of athletes” shall be given the
39 broadest interpretation possible.

40
41 **VIII. AMENDMENTS TO THE BYLAWS**

42
43 These Bylaws may be amended by a majority vote at any duly called AAC
44 meeting. Such amendments will not be effective until the call to order of the next
45 duly-called AAC meeting.