



USOC Due Process Checklist

The Ted Stevens Olympic and Amateur Sports Act (TSOASA) requires that an athlete have a hearing before being declared ineligible [§220522 (a)(8)]. The USOC recommends the following be included in such a hearing:

- Notice of the specific charges or alleged violations in writing, and possible consequences if the charges are found to be true;
- Reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
- The right to have the hearing conducted at such a time and place so as to make it practicable for the person charged to attend;
- A hearing before a disinterested and impartial body of fact finders;
- The right to be assisted in the presentation of one's case at the hearing, including the assistance of legal counsel, if desired;
- The right to call witnesses and present oral and written evidence and argument;
- The right to confront and cross-examine adverse witnesses;
- The right to have a record made of the hearing if desired;
- The burden of proof shall be on the proponent of the charge, which burden shall be at least a "preponderance of the evidence" unless the NGB requires or provides for a higher burden of proof;
- A written decision, with reasons therefore, based solely on the evidence of record, handed down in a timely fashion;
- Written notice of appeal procedures, if the decision is adverse to the person charged, and prompt and fair adjudication of the appeal.