

# **SCRC Rowing Safety Policy**

## **TRAINING AND EDUCATION**

Our policies and procedures require staff members and/or volunteers to report abuse, misconduct and violations of its Participant Safety Handbook. To do so, staff members (coaches, riggers, admin, support staff at boathouses) and/or volunteers (volunteer coaches, parent chaperones, referees, other volunteers) should have a basic understanding of sexual abusers, as well as “grooming,” the most common strategy offenders use to seduce their victims. Using a combination of attention, affection and gifts, offenders select a child, win the child’s trust (and the trust of the child’s parent or guardian), manipulate the child into sexual activity, and keep the child from disclosing abuse.

Accordingly, staff members and/or volunteers complete an awareness training concerning misconduct in sport before performing services for ORGANIZATION.

Misconduct in sport includes:

- Bullying
- Harassment
- Hazing
- Emotional misconduct
- Physical misconduct, and
- Sexual misconduct, including child sexual abuse

Staff members and/or volunteers must successfully complete the training and the quiz after the test.

Those staff members and/or volunteers who are required to take awareness training will take athlete awareness training every two (2) years, or no more than 30 day(s) before they have contact with athletes.

## **APPLICANT SCREENING**

Staff members, contractors and/or volunteers must consent to, and pass, a formal applicant screening process before performing services for CLUB.

Elements of our screening process include, as applicable, successful completion of an application, interview, reference check and criminal background check.

### **EDUCATION ABOUT CLUB’S PROTECTION POLICIES**

To deter applicants who may be at risk of abusing athletes or participants from applying for positions, CLUB educates its applicants about its protection policies and offers applicants an early opt-out by:

- Requiring awareness training before placement and/or before working with athletes and participants
- Informing applicants about our policies and procedures relevant to prevention
- Asking applicants to review and agree to our policies and procedures  
Requiring applicants to sign a document acknowledging review of our policies and procedures

### **WRITTEN APPLICATIONS**

Each applicant for a position will complete an application form consisting of personal, identifying information and a general release with applicant's signature.

The written application will:

- Ask about previous work and volunteer experiences
- Ask questions intended to illicit information concerning high-risk behaviors
- Provide a written release for contacting personal references and performing a criminal background check, including an indemnification clause
- Ask open-ended questions that encourage broad answers
- Use disclosure statements to ask applicants about previous criminal arrests or convictions for sexual offenses, violence against youth and other violent criminal offenses or felonies

#### **PERSONAL INTERVIEW**

Appropriate staff will interview applicants whose experience and credentials are considered a fit for available positions. During this interview, CLUB will ask questions to encourage discussion, clarify responses and expand on the applicant's answers to questions from the written application.

#### **REFERENCES**

References of applicants will be contacted (either by phone or in writing) and asked specific questions regarding the applicant's professional experiences, demeanor and appropriateness for involvement with minor athletes and participants.

#### **RELEASE**

Each applicant will also provide a signed release, consistent with federal, state and local laws regulating employment practices, that allows references to speak freely about the applicant's qualifications without fear of reprisal and authorizing CLUB to obtain information concerning an applicant's past employment, volunteer experience and information provided by the applicant during the screening process (i.e., written application and personal interview).

See Part 2, Sample Forms and Documents, and the Appendix for additional Applicant Screening Resources.

### **CRIMINAL BACKGROUND CHECK POLICY**

All applicants will be asked to undergo a criminal background check that complies with the Fair Credit Reporting Act **before** providing services for CLUB. Through this criminal background check, CLUB will utilize reasonable efforts to ascertain past criminal history of an applicant.

#### **PROCESS**

The Criminal Background Check Consent and Waiver Release form must be submitted and the applicant cleared before he or she may perform services for CLUB.

On receipt of the Criminal Background Check Consent and Waiver Release form, the CLUB will request that its vendor perform the criminal background check. As part of its criminal background check, CLUB will, at a minimum and without limitation, (1) perform a national search of state criminal repositories; (2) perform a search of state sexual offender registries; and (3) verify a person's identification against his or her social security number or other personal identifier.

## **POTENTIALLY DISQUALIFYING FACTORS**

### **Criminal History**

CLUB will use a criminal background check to gather information about an applicant's prior criminal history. The information revealed by the criminal background check may disqualify an applicant from serving as a staff member, contractor and/or volunteer.

Information that could disqualify an applicant includes, but is not limited to, arrests, pleas of no contest and criminal convictions—especially if the underlying criminal behavior involved sex or violence.

### **Pending Court Cases**

No decision will be made on an individual's eligibility for work as a new staff member, contractor and/or volunteer if they have a pending court case for any of the potentially disqualifying offenses until the pending case concludes. If, however, during the case's pendency, the organization undertakes an independent investigation and conducts a hearing, any determination may be used to disqualify the individual.

### **Full Disclosure**

Each applicant has the affirmative duty to disclose his or her criminal history. Failing to disclose or intentionally misrepresenting an arrest plea or conviction history in an application or any other information provided by an applicant during the screening process is grounds for employment, volunteer and/or membership revocation or restriction, regardless of when the offense is discovered.

- If an applicant (1) is arrested, (2) pleas or (3) is convicted of a crime other than a traffic offense during the screening process, the applicant is required to disclose such information immediately.
- In the event a person is serving as a staff member, contractor or volunteer and (1) is

#### **Part 1: Strategy 2: Screening and Selecting Staff Members and/or Volunteers**

arrested, (2) pleas or (3) is convicted after the completion of the screening process, he or she has an affirmative duty to disclose such information immediately to his or her supervisor or CLUB administrator.

**• Any applicant who has been banned by another sport organization, as temporarily or permanently ineligible, must self-disclose this information. A failure to disclose is a basis for disqualification for potential applicants.**

## **FINDINGS**

Notice of findings will be provided to:

- (1) The designated contact of [TITLE/CLUB] that submitted the application;
- (2) [OTHER DESIGNATED AUTHORITY/CLUB, WHERE RELEVANT];
- (3) [OTHER DESIGNATED INDIVIDUALS, WHERE NECESSARY TO PROTECT THE SAFETY OF MINORS]

ORGANIZATION'S criminal background check report will return a "red light" or "green light" score. A green light score means that the background check vendor located no records that would disqualify the applicant. A green light score, however, is not a certification of safety or permission to bypass/ignore other screening efforts. Other disqualifying factors may exist, and can be revealed through an interview, reference checks and a completed application.

A **red light** finding means the criminal background check revealed criminal records which suggest the applicant "does not meet the criteria" and is not suitable for organization employment or volunteer assignment.

Individuals who are subject to disqualification under a "red light" finding may challenge the accuracy of the reported information reported by the criminal background check vendor.

#### **OPTION ONE: Appeal to Organization**

##### **APPEAL TO ORGANIZATION**

If an individual receives a red light finding and wants to contest the CLUB'S decision not to accept his or her application based on the red light finding, the individual may request a hearing before CLUB'S Review Panel. The Review Panel will consist of:  
TITLE OF EACH OFFICIAL.

The Review Panel will communicate its finding to the individual and TITLES. If the individual disagrees with the finding of the Review Panel, he or she may request an appeal with APPEAL BODY. A decision rendered by the APPEAL BODY shall be final and binding on all parties.

##### **DISCRETION**

If any discretion is exercised in the application of this policy, it shall be exercised in a uniform manner so that substantially similar convictions and circumstances result in substantially similar treatment of applicants.

**--END OPTION ONE--**

#### **OPTION TWO: Appeal to Criminal Background Check Vendor APPEAL TO CRIMINAL BACKGROUND CHECK VENDOR**

Any disqualified individual has the right to dispute the findings of the criminal background check directly with the CLUB'S approved Criminal Background Check Vendor. A disqualified individual may not appeal the automatic disqualification or the results of the findings of the criminal background check vendor to the LOCAL/REGIONAL/NATIONAL CLUB. Each LOCAL/REGIONAL CLUB is required by the policy to accept the findings of the approved criminal background check vendor. Individuals automatically disqualified are excluded from participation in any CLUB sanctioned events and/or activities.

**--END OPTION TWO--**

#### **FREQUENCY OF CRIMINAL BACKGROUND CHECKS**

Criminal background checks will be refreshed every X years or as otherwise required by law, for staff members and/or volunteers who are 18 years of age or older and perform services for CLUB.

#### **AFFIRMATIVE DUTY TO DISCLOSE**

If, during the course of employment or participation in CLUB's program, a staff member or volunteer is accused, arrested, indicted or convicted of a criminal offense against a child, it is the duty and responsibility of the staff member or volunteer to notify an immediate supervisor, a CLUB administrator or a member of the CLUB's Participant Safety Committee.

#### **OTHER POTENTIALLY DISQUALIFYING FACTORS**

### **ATHLETE PROTECTION POLICY**

#### **COMMITMENT TO SAFETY**

##### **Overview**

In the event that any staff member or volunteer observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or misconduct, it is the personal responsibility of each staff member and volunteer to immediately report his or her observations to an immediate supervisor, an ORGANIZATION administrator or a member of ORGANIZATION'S Participant Safety Committee. CLUB is committed to creating a safe and positive environment for athletes' physical, emotional and social development and to ensuring that it promotes an environment free of misconduct.

**Staff members and volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for reporting to appropriate law enforcement authorities.** Instead, it is the responsibility of each staff member and volunteer to immediately report suspicions or allegations of child physical or sexual abuse to an immediate supervisor, ORGANIZATION administrator or a member of CLUB'S Participant Safety Committee. Complaints and allegations will be addressed under ORGANIZATION'S Disciplinary Rules and Procedure.

CLUB recognizes that the process for training and motivating athletes will vary with each coach and athlete, but it is nevertheless important for everyone involved in sport to support the use of motivational and training methods that avoid misconduct.

##### **Application**

This Policy applies to

- Staff members and volunteers (parent as chaperone? Booster?)
- CLUB'S athletes and participants Parents, separate USR from Parent-mandatory reporting regardless of abuse source. Parents. Staff members, volunteers, athletes and participants shall refrain from all forms of misconduct, which include:
  - Bullying

- Harassment
- Hazing
- Emotional misconduct
- Physical misconduct
- Sexual misconduct, including child sexual abuse.

disqualify an applicant. An individual may be disqualified and prohibited from providing services for CLUB if the individual has:

- Been held liable for civil penalties or damages involving sexual or physical abuse of a minor

**Part 1: Strategy 2: Screening and Selecting Staff Members and/or Volunteers**

## **PROHIBITED CONDUCT**

### **Child Sexual Abuse**

(1) Any sexual activity with a child where consent is not or cannot be given. This includes sexual contact with a child 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 child, regardless of whether there is deception or the child understands the sexual nature of the activity.

**Note concerning peer-to-peer child sexual abuse:** Sexual contact between minors also can be abusive. Whether or not a sexual interaction between children constitutes child sexual abuse turns on the existence of an aggressor, the age difference between the children, and/or whether there is an imbalance of power and/or intellectual capabilities.

(2) Any act or conduct described as child sexual abuse under federal or state law.

### **Exception**

None

### **Examples**

Sexually abusive acts may include sexual penetration, sexual touching or non-contact sexual acts such as verbal acts, sexually suggestive electronic or written communications, exposure or voyeurism.

### **Emotional Misconduct**

(1) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete. Non-contact behaviors include:

1. verbal acts
2. physical acts
3. acts that deny attention or support

(2) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

### **Exception**

Emotional misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, discipline or improving athletic performance.

- Been subject to any court order involving any sexual or physical abuse of a minor, including but not limited to domestic order or protection

- A history with another organization (employment, volunteer, etc.) of complaints of sexual or physical abuse of minors
- Resigned, been terminated or been asked to resign from a position - paid or unpaid - due to complaint(s) of sexual or physical abuse of minors
- A history of other behavior that indicates they may be a danger to participants in CLUB; or
- Not met the job requirements **REVIEW OF DISQUALIFIERS**  
CLUB will review its disqualifiers every two years or as otherwise required or modified by law.

### **RECORDS**

Records are secured onsite for a period indicated by applicable law or until the applicant is no longer affiliated with CLUB, whichever date is later.

### ***Examples***

Examples of emotional misconduct prohibited by this policy include, without limitation:

(1) **Verbal Acts.** A pattern of verbal behaviors that (a) attack an athlete personally (e.g., calling them worthless, fat or disgusting) or (b) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.

(2) **Physical Acts.** A pattern of physically aggressive behaviors, such as (a) throwing sport equipment, water bottles or chairs at, or in the presence of, participants; or (b) punching walls, windows or other objects.

(3) **Acts that Deny Attention and Support.** A pattern of (a) ignoring an athlete for extended periods of time or (b) routinely or arbitrarily excluding participants from practice.

***Note: Bullying, harassment, and hazing, defined below, often involve some form of emotional misconduct.***

### **Physical Misconduct**

(1) Contact or non-contact conduct that results in, or reasonably threaten to, cause physical harm to an athlete or other sport participants; or

(2) Any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault).

### ***Exceptions***

Physical misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athlete performance. For example, hitting, punching, and kicking are well-regulated forms of contact in combat sports, but have no place in swimming.

### ***Examples***

Examples of physical misconduct prohibited by this Policy include, without limitation:

(1) **Contact offenses.** Behaviors that include:

(a) punching, beating, biting, striking, choking or slapping an athlete;

(b) intentionally hitting an athlete with objects or sporting equipment;

(c) providing alcohol to an athlete under the legal drinking age (under U.S. law); (d) providing illegal drugs or non-prescribed medications to any athlete; (e) encouraging or permitting an athlete to return to play pre-maturely following a serious injury (e.g., a concussion) and without the clearance of a medical professional;

**Part 1: Strategy 3: Establishing Boundaries: Athlete Protection Policy**

(f) prescribing dieting or other weight-control methods (e.g., weigh-ins, caliper tests) without regard for the nutritional well-being and health of athlete.

(2) **Non-contact offenses.** Behaviors that include:

- (a) isolating an athlete in a confined space (e.g., locking an athlete in a small space);
- (b) forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface);
- (c) withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.

**Note: Bullying, harassment and hazing, defined below, often involve some form of physical misconduct.**

**Sexual Misconduct**

- 1. (1) Any touching or non-touching sexual interaction that is (a) nonconsensual or forced, (b) coerced or manipulated, or (c) perpetrated in an aggressive, harassing, exploitative or threatening manner;
- 2. (2) Any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative; or
- 3. (3) Any act or conduct described as sexual abuse or misconduct under federal or state law (e.g. sexual abuse, sexual exploitation, rape)

**Note: An imbalance of power is always assumed between a coach and an athlete.**

**Types of Sexual Misconduct**

Types of sexual misconduct include:

- (1) sexual assault,
- (2) sexual harassment,
- (3) sexual abuse, or
- (4) any other sexual intimacies that exploit an athlete. **Minors cannot consent to sexual activity**

**with an adult**, and all sexual interaction between an adult and a minor is strictly prohibited.

**Exceptions**

None

**Examples**

Examples of sexual misconduct prohibited under this Policy include, without limitation:

- (1) **Touching offenses.** Behaviors that include:
  - 1. (a) fondling an athlete's breasts or buttocks

2. (b) exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favors
3. (c) genital contact
4. (d) sexual relations or intimacies between persons in a position of trust, authority and/or evaluative and supervisory control over athletes or other sport participants.

(2) **Non-touching offenses.** Behaviors that include:

- (a) a coach discussing his or her sex life with an athlete
  2. (b) a coach asking an athlete about his or her sex life
  3. (c) coach requesting or sending a nude or partial-dress photo to athlete
  4. (d) exposing athletes to pornographic material
  5. (e) sending athletes sexually explicit or suggestive electronic or written messages or photos (e.g. "sexting")
  6. (f) deliberately exposing an athlete to sexual acts
  7. (g) deliberately exposing an athlete to nudity (except in situations where locker rooms and

**Comment**

**(1) Authority and Trust.** Once the unique coach-athlete relationship is established, the authority and trust on the part of the coach over the athlete shall be assumed, regardless of age. Accordingly, sexual interaction or intimacies between a coach and an athlete or other participant are prohibited, regardless of age, both during coaching and during that period following coaching if an imbalance in power could jeopardize effective decision-making.

**Imbalance of Power.** Factors relevant to determining whether there is an imbalance of power include, but are not limited to: (a) the nature and extent of the coach's supervisory, evaluative or other authority over the athlete being coached; (b) the actual relationship between the parties; (c) the parties' respective roles; (d) the nature and duration of the sexual relations or intimacies; (e) the age of the coach; (f) the age of the athlete or participant; (g) and whether the coach has engaged in a pattern of sexual interaction with other athletes or participants.

**(2) Exception.** This section does not apply to a pre-existing relationship between two spouses or life partners.

(2) **Non-touching offenses.** Behaviors that include:

- (a) a coach discussing his or her sex life with an athlete
  2. (b) a coach asking an athlete about his or her sex life
  3. (c) coach requesting or sending a nude or partial-dress photo to athlete
  4. (d) exposing athletes to pornographic material
  5. (e) sending athletes sexually explicit or suggestive electronic or written messages or photos (e.g. "sexting")
  6. (f) deliberately exposing an athlete to sexual acts
  7. (g) deliberately exposing an athlete to nudity (except in situations where locker rooms and

changing areas are shared)

(h) sexual harassment; specifically, the sexual solicitation, physical advances, or verbal or

nonverbal conduct that is sexual in nature, and

1. is unwelcome, offensive or creates a hostile environment, and the offending individual knows or is told this
2. is sufficiently severe or intense to be harassing to a reasonable person in the context.

### **Bullying**

(1) An intentional, persistent and repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended, or have the reasonable potential, to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership

(2) Any act or conduct described as bullying under federal or state law

### **Exceptions**

Bullying does not include group or team behaviors that (a) are meant to establish normative team behaviors, or (b) promote team cohesion.

For example, bullying does not include verbal admonitions to encourage team members to train harder and to push through a difficult training regimen.

### **Examples**

Examples of bullying prohibited by this Policy include, without limitation:

(1) **Physical behaviors.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking, or slapping an athlete; (b) throwing at, or hitting an athlete with, objects such as sporting equipment.

(2) **Verbal and emotional behaviors.** Behaviors that include (a) teasing, ridiculing, intimidating; (b) spreading rumors or making false statements; or (c) using electronic communications, social media, or other technology to harass, frighten, intimidate or humiliate (“cyber bullying”).

### **Harassment**

(1) A repeated pattern of physical and/or non-physical behaviors that (a) are intended to cause fear, humiliation or annoyance, (b) offend or degrade, (c) create a hostile environment or (d) reflect discriminatory bias in an attempt to establish dominance, superiority or power over an individual athlete or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression or mental or physical disability; or

(2) Any act or conduct described as harassment under federal or state law

### **Exceptions**

None

### **Examples**

Examples of harassment prohibited by this Policy include, without limitation:

(1) **Physical offenses.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking or slapping an athlete or participant; (b) throwing at or hitting an athlete with objects including sporting equipment.

(2) **Non-physical offenses.** Behaviors that include (a) making negative or disparaging comments about an athlete's sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; (b) displaying offensive materials, gestures, or symbols; (c) withholding or reducing playing time to an athlete based on his or her sexual orientation.

### **Hazing**

(1) Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group's members; or

(2) Any act or conduct described as hazing under federal or state law

#### **Exception**

Hazing does not include group or team activities that (a) are meant to establish normative team behaviors or (b) promote team cohesion.

#### **Examples**

Examples of hazing prohibited by this Policy include, without limitation:

1. (1) requiring, forcing or otherwise requiring the consumption of alcohol or illegal drugs
2. (2) tying, taping or otherwise physically restraining an athlete
3. (3) sexual simulations or sexual acts of any nature
4. (4) sleep deprivation, otherwise unnecessary schedule disruption or the withholding of water and/or food
5. (5) social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule
6. (6) beating, paddling or other forms of physical assault
7. (7) excessive training requirements focused on individuals on a team

**Comment:** Activities that fit the definition of hazing are considered to be hazing regardless of an athlete's willingness to cooperate or participate.

### **WILLFULLY TOLERATING MISCONDUCT**

It is a violation of this Athlete Protection Policy if a staff member and/or volunteer knows of misconduct, but takes no action to intervene on behalf of the athlete(s), participant(s), staff member, and/or volunteer.

### **REPORTING**

Although these policies are designed to reduce child sexual abuse and other misconduct, it can still occur. Staff members, volunteers and participants of CLUB shall follow the reporting procedures set forth in CLUB'S Reporting Policy. **CLUB does not investigate suspicions or allegations of child physical or sexual**

**abuse, or attempt to evaluate the credibility or validity of such allegations, as a condition of reporting suspicions or allegations to the appropriate law enforcement authorities.**

## **VIOLATIONS**

Violations of the Athlete Protection Policy shall be reported pursuant to our Reporting Policy and will be addressed under our Disciplinary Rules and Procedure.

## **SUPERVISION OF ATHLETES AND PARTICIPANTS**

During training and competition, CLUB strives to create two-deep leadership and minimize one-to-one interactions to create a safe training environment and to protect athletes and participants.

### **APPROPRIATE ONE-ON-ONE INTERACTIONS**

#### **Individual Meetings**

An individual meeting may be necessary to address an athlete's concerns, training program, or competition schedule. Under these circumstances, coaches, staff members and/or volunteers are to observe the following guidelines:

- Any individual meeting should occur when others are present and where interactions can be easily observed
- Where possible, an individual meeting should take place in a publicly visible and open area, such as the corner of a gym or pool deck
- If an individual meeting is to take place in an office, the door should remain unlocked and open
- If a closed-door meeting is necessary, the coach, staff member and/or volunteer must inform another coach, staff member and/or volunteer and ensure the door remains unlocked

#### **Individual Training Sessions**

An individual training session(s) with an athlete or participant may also be desired or necessary. Under these circumstances, written permission of a minor athlete's parents or guardians is required in advance of the individual training session(s), and CLUB encourages parents and guardians to attend the training session.

### **PROHIBITED ONE-ON-ONE INTERACTIONS**

Except as set forth above, minor athletes and participants will not be left unattended or unsupervised during CLUB activities and CLUB coaches, staff members and/or volunteers are prohibited from being alone with an individual athlete or participant in any room or building.

## **PHYSICAL CONTACT WITH ATHLETES**

### **What**

Policy describes the purpose and limits of appropriate physical contact between athletes and other relevant participants and identifies the person and/or entity to whom unacceptable forms of physical contact should be reported.

## **Why**

In almost all sports, coaching an athlete requires some amount and type of physical contact. Such contact may be with parts of the body that, in a non-sport context, may be inappropriate (e.g., positioning an athlete's leg or torso, or spotting an athlete to ensure they will not be injured by a fall). Physical contact is also natural and appropriate when celebrating victories and achievement or consoling athletes after a loss or injury.

Physical contact policies provide all organization members with clarity and guidance for contact with athletes. These policies provide athletes with safer training conditions to perform and to receive the benefits of sport.

## **Elements**

- Encourages appropriate physical contact with athletes
- Describes when it may be appropriate to make physical contact with athletes, including examples
- Lists criteria for appropriate/inappropriate physical contact
- Lists prohibited physical contact
- Lists reportable forms of prohibited physical contact with athletes
- States that some prohibited physical contact may require a report to the appropriate law enforcement authorities
- Identifies person and/or entity to whom unacceptable forms of physical contact should be reported
- States that all members will honor an expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in the relevant training and competition environment

## **PHYSICAL CONTACT WITH ATHLETES**

Appropriate physical contact between athletes and coaches, staff members, contractors or volunteers is a productive and inevitable part of sport. Athletes are more likely to acquire advanced physical skills and enjoy their sport participation through appropriate physical contact. However, guidelines for appropriate physical contact reduce the potential for misconduct in sport.

### **APPROPRIATE PHYSICAL CONTACT**

CLUB adheres to the following principles and guidelines in regards to physical contact with our athletes:

#### **Common Criteria for Appropriate Physical Contact**

Physical contact with athletes – for safety, consolation and celebration – has multiple criteria in common which make them both safe and appropriate. These include:

- the physical contact takes place in public

- there is no potential for, or actual, physical or sexual intimacies during the physical contact
- the physical contact is for the benefit of the athlete, not to meet an emotional or other need of an adult

### **Safety**

The safety of our athletes is paramount and in many instances we make the athletic space safer through appropriate physical contact. Examples include:

- spotting an athlete so that they will not be injured by a fall or piece of equipment
- positioning an athlete's body so that they more quickly acquire an athletic skill, get a better sense of where their body is in space, or improve their balance and coordination
- making athletes aware that they might be in harm's way because of other athletes practicing around them or because of equipment in use
- releasing muscle cramps

### **Celebration**

Sports are physical by definition and we recognize participants often express their joy of participation, competition, achievement and victory through physical acts. We encourage these public expressions of celebration, which include:

- greeting gestures such as high-fives, fist bumps, and brief hugs
- congratulatory gestures such as celebratory hugs, "jump-arounds" and pats on the back for any form of athletic or personal accomplishment

29

## **Part 1: Strategy 4: Managing Training and Competition**

### **Consolation**

It may be appropriate to console an emotionally distressed athlete (e.g., an athlete who has been injured or has just lost a competition). Appropriate consolation includes publicly:

- embracing a crying athlete
- putting an arm around an athlete while verbally engaging them in an effort to calm them down ("side hugs")
- lifting a fallen athlete off the playing surface and "dusting them off" to encourage them to continue competition

### **PROHIBITED PHYSICAL CONTACT**

Prohibited forms of physical contact, which shall be reported immediately under our Reporting Policy include, without limitation:

- asking or having an athlete sit in the lap of a coach, administrator, staff member or volunteer

- lingering or repeated embraces of athletes that go beyond the criteria set forth for acceptable physical contact
- slapping, hitting, punching, kicking or any other physical contact meant to discipline, punish or achieve compliance from an athlete
- “cuddling” or maintaining prolonged physical contact during any aspect of training, travel or overnight stay
- playful, yet inappropriate contact that is not a part of regular training, (e.g., tickling or “horseplay” wrestling)
- continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not
- any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment.

#### **VIOLATIONS**

Violations of this policy must be reported to a supervisor, CLUB administrator, or member of the Participant Safety Committee and violations will be addressed under our Disciplinary Rules and Procedure. Some forms of physical contact may constitute child physical or sexual abuse that **must be reported to appropriate law enforcement authorities.**

30

#### **Part 1: Strategy 4: Managing Training and Competition**

### **ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY**

#### **What**

Policy describes acceptable uses of mobile and electronic devices and social media and emphasizes transparent communication, separate from and in addition to any general policies an organization may already have in place.

#### **Why**

Effective communication concerning travel, training schedules and administrative issues among administrators, staff, coaches, athletes and their families is critical. However, the use of mobile devices, web-based applications, social media and other forms of electronic communications increases the possibility for improprieties and misunderstandings, and also provides would-be offenders with unsupervised access to an athlete. The improper use of mobile and electronic communications can result in misconduct and adherence to a policy for mobile and electronic communication reduces these risks.

#### **Elements**

- States appropriate criteria for mobile and electronic communications between athletes and administrators, coaches, staff and/or volunteers

- □ States appropriate criteria for use of social media between athletes and administrators, coach, staff, and/or volunteers

## **PHYSICAL CONTACT WITH ATHLETES**

Appropriate physical contact between athletes and coaches, staff members, contractors or volunteers is a productive and inevitable part of sport. Athletes are more likely to acquire advanced physical skills and enjoy their sport participation through appropriate physical contact. However, guidelines for appropriate physical contact reduce the potential for misconduct in sport.

### **APPROPRIATE PHYSICAL CONTACT**

CLUB adheres to the following principles and guidelines in regards to physical contact with our athletes:

#### **Common Criteria for Appropriate Physical Contact**

Physical contact with athletes – for safety, consolation and celebration – has multiple criteria in common which make them both safe and appropriate. These include:

- the physical contact takes place in public
- there is no potential for, or actual, physical or sexual intimacies during the physical contact
- the physical contact is for the benefit of the athlete, not to meet an emotional or other need of an adult

#### **Safety**

The safety of our athletes is paramount and in many instances we make the athletic space safer through appropriate physical contact. Examples include:

- spotting an athlete so that they will not be injured by a fall or piece of equipment
- positioning an athlete's body so that they more quickly acquire an athletic skill, get a better sense of where their body is in space, or improve their balance and coordination
- making athletes aware that they might be in harm's way because of other athletes practicing around them or because of equipment in use
- releasing muscle cramps

#### **Celebration**

Sports are physical by definition and we recognize participants often express their joy of participation, competition, achievement and victory through physical acts. We encourage these public expressions of celebration, which include:

- greeting gestures such as high-fives, fist bumps, and brief hugs
- congratulatory gestures such as celebratory hugs, "jump-arounds" and pats on the back for any form of athletic or personal accomplishment

## Part 1: Strategy 4: Managing Training and Competition

### **Consolation**

It may be appropriate to console an emotionally distressed athlete (e.g., an athlete who has been injured or has just lost a competition). Appropriate consolation includes publicly:

- embracing a crying athlete
- putting an arm around an athlete while verbally engaging them in an effort to calm them down (“side hugs”)
- lifting a fallen athlete off the playing surface and “dusting them off” to encourage them to continue competition

### **PROHIBITED PHYSICAL CONTACT**

Prohibited forms of physical contact, which shall be reported immediately under our Reporting Policy include, without limitation:

- asking or having an athlete sit in the lap of a coach, administrator, staff member or volunteer
- lingering or repeated embraces of athletes that go beyond the criteria set forth for acceptable physical contact
- slapping, hitting, punching, kicking or any other physical contact meant to discipline, punish or achieve compliance from an athlete
- “cuddling” or maintaining prolonged physical contact during any aspect of training, travel or overnight stay
- playful, yet inappropriate contact that is not a part of regular training, (e.g., tickling or “horseplay” wrestling)
- continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not
- any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment.

### **VIOLATIONS**

Violations of this policy must be reported to a supervisor, CLUB administrator, or member of the Participant Safety Committee and violations will be addressed under our Disciplinary Rules and Procedure. Some forms of physical contact may constitute child physical or sexual abuse that **must be reported to appropriate law enforcement authorities.**

30

## Part 1: Strategy 4: Managing Training and Competition

### **ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY**

**What**

Policy describes acceptable uses of mobile and electronic devices and social media and emphasizes transparent communication, separate from and in addition to any general policies an organization may already have in place.

### **Why**

Effective communication concerning travel, training schedules and administrative issues among administrators, staff, coaches, athletes and their families is critical. However, the use of mobile devices, web-based applications, social media and other forms of electronic communications increases the possibility for improprieties and misunderstandings, and also provides would-be offenders with unsupervised access to an athlete. The improper use of mobile and electronic communications can result in misconduct and adherence to a policy for mobile and electronic communication reduces these risks.

### **Elements**

- States appropriate criteria for mobile and electronic communications between athletes and administrators, coaches, staff and/or volunteers
- States appropriate criteria for use of social media between athletes and administrators, coach, staff, and/or volunteers

## **ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY**

As part of CLUB's emphasis on athlete safety, all electronic communications between a coach and athlete must be professional in nature and for the purpose of communicating information about team activities.

**As with any communication, the content of any electronic communication should be readily available to share with the athlete's family. At the request of a parent or guardian, any email, electronic text, social media or similar communication will copy or include the athlete's parents or guardians.**

### **FACEBOOK, MYSPACE, BLOGS AND SIMILAR SITES**

Coaches may not have athletes of CLUB's Team join a personal social media page. Athlete members and parents can friend the official CLUB's Team page and coaches can communicate to athlete members through the site. All posts, messages, text, or media of any kind between coach and athlete must be professional in nature and for the purpose of communicating information about team activities or for team-oriented motivational purposes.

### **TWITTER, INSTANT MESSAGING AND SIMILAR MEDIA**

Coaches and athletes may "follow" each other. Coaches cannot "re-tweet" athlete message posts. All posts between coach and athlete must be for the purpose of communicating information about team activities.

### **EMAIL AND SIMILAR ELECTRONIC COMMUNICATIONS**

Athletes and coaches may use email to communicate. All email content between coach and athlete must be professional in nature and for the purpose of communicating information about team activities. Where the coach is a staff member and/or volunteer, email from a coach to any athlete should come from the club website email center (the coach's return email address will contain "@CLUB.com").

### **TEXTING AND SIMILAR ELECTRONIC COMMUNICATIONS**

Texting is allowed between coaches and athletes. All texts between coach and athlete must be professional and for the purpose of communicating information about team activities.

### **ELECTRONIC IMAGERY**

From time to time, digital photos, videos of practice or competition, and other publicly obtainable images of the athlete – individually or in groups – may be taken. These photos and/or videos may be submitted to local, state or national publications, used in club videos, posted on club or club associated websites, or offered to the club families seasonally on disc or other electronic form. It is the default policy of CLUB to allow such practices as long as the athlete or athletes are in public view and such imagery is both appropriate and in the best interest of the athlete and the club. Imagery must not be contrary to any rules as outlined in CLUB’s Participant Safety Handbook.

### **REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS OR IMAGERY**

32

#### **Part 1: Strategy 4: Managing Training and Competition**

The parents or guardians of an athlete may request in writing that their child not be contacted by any form of electronic communication by coaches (photography or videography).

### **MISCONDUCT**

Social media and electronic communications can also be used to commit misconduct (e.g., emotional, sexual, bullying, harassment, and hazing). Such communications by coaches, staff, volunteers, administrators, officials, parents or athletes will not be tolerated and are considered violations of our Participant Safety Handbook.

### **VIOLATIONS**

Violations of CLUB’s Electronic Communications and Social Media Policy should be reported to your immediate supervisor, a CLUB administrator or a member of CLUB’s Participant Safety Committee for evaluation. Complaints and allegations will be addressed under CLUB’s Disciplinary Rules and Procedure.

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## **LOCKER ROOMS AND CHANGING AREAS**

### **What**

Policy describes how locker rooms and changing areas are structured (e.g., limited to athletes or open to the general public) and states limits on the use of electronic media devices in such areas.

### **Why**

*Athletes (especially minors) are particularly vulnerable in locker rooms and changing areas due to various stages of dress/undress and because athletes are less supervised than at many other times.* Athlete-to-athlete problems, such as child sexual abuse and bullying, harassment, and hazing, often occur when coaches or staff members are not monitoring athletes. This is especially true in locker rooms. Adherence to a locker room and changing areas policy enhances privacy and reduces the likelihood of misconduct.

### **Elements**

- Describes appropriate physical facilities for training and home competition
- Describes locker room and changing area monitoring procedures
- Identifies accepted uses of cell phone or other mobile devices in locker rooms or changing areas
- Identifies any prohibited conduct in the locker room or changing areas (may refer to any activities that violate the Athlete Protection Policy)

## **TRAVEL**

### **What**

A travel policy directs how minor athletes will be supervised during travel to and from practice and competitions and, where practical for the sport, provides two-deep leadership and minimizes one-to-one interactions. For those sports where an individual competes on an individual basis, two-deep leadership may not always be practical.

### **Why**

Athletes are most vulnerable to misconduct during travel, particularly overnight stays. This includes a high risk of athlete-to-athlete misconduct. During travel, athletes are often away from their families and support networks, and the setting – new changing areas, locker rooms, workout facilities, automobiles and hotel rooms – is less structured and less familiar.

Travel policies guide travel practices for training and competition. Adherence to travel policies helps to reduce the opportunities for misconduct.

### **Elements**

- Identifies the responsibilities of coaches, staff, chaperones, parents and athletes for local and team travel
- Identifies methods to minimize one-on-one time during individual travel
- Sets standards for:
  - Mixed-gender travel

- Mixed-age travel
- Local travel (travel that the organization does not plan or supervise)
- Team travel (travel the organizations plans and supervises, including overnight travel)
- Individual travel (travel where an individual athlete, or a small group of athletes, travels together)
- □ Describes notification process for team travel
- □ For travel that an organization does not supervise or plan, states that
  - staff member and/or volunteer should not drive alone with unrelated athlete; and
  - the organization is not responsible for designating travel arrangements

### \ **TRAVEL—*for* LOCAL CLUBS**

Travel will be a standard aspect of our competitive season and CLUB has established policies to guide our travel, minimize one-on-one interactions and reduce the risk of misconduct. Adherence to these travel guidelines will increase athlete safety and improve the competitive experience while keeping travel a fun and enjoyable experience.

#### **LOCAL AND TEAM TRAVEL**

We distinguish between travel to training, practice and local competition (“local travel”), and team travel involving a coordinated overnight stay (“team travel”).

#### **Local Travel**

Local travel occurs when CLUB does not sponsor, coordinate, or arrange for travel.

For local travel, athletes or their parents/guardians (for minor athletes) are responsible for making all travel arrangements. In these instances it is the responsibility of the athlete or their parents/guardians (for minor athletes) to ensure the person transporting the athlete maintains all safety and legal requirements, including, but not limited to, a valid driver’s license, proper insurance, well maintained vehicle, and compliance with all state laws.

In an effort to minimize one-on-one interactions, CLUB staff members, coaches and/or volunteers, who are not also acting as a parent, should not drive alone with an unrelated athlete and should only drive with at least two other athletes or another adult at all times, unless otherwise agreed to in writing by the athlete’s parent or guardian in advance of travel. In any case where a staff member and/or volunteer is involved in the athlete’s local travel, a parental release is required in advance. Efforts must be made to ensure that staff and/or volunteers are not alone with an athlete or participant, by, e.g., picking the athletes up in groups.

Coaches, staff members and volunteers who are also an athlete’s guardian may provide shared transportation for any athlete(s). We encourage guardians to pick up their athlete first and drop off their athlete last in any shared or carpool travel arrangement. We also recommend completing a shared travel declaration form signed by the parents/guardians of any minor athlete who is being transported as part of such a carpool arrangement.

#### **Team Travel**

Team travel is overnight travel that occurs when CLUB sponsors, coordinates or arranges for travel so that our teams can compete locally, regionally, nationally or internationally. Because of the greater distances, coaches, staff, volunteers and chaperones will often travel with the athletes. However, no coach, staff member, or volunteer will engage in team travel without the proper safety requirements in place, including valid drivers' licenses, proper insurance, well-maintained vehicles and compliance with

**Part 1: Strategy 4: Managing Training and Competition**

all state laws.

CLUB makes efforts to provide adequate supervision through coaches and other adult chaperones.

For team travel, hotels and air travel will be booked in advance by CLUB. Athletes will share rooms, with 2-4 athletes assigned per room depending on accommodations. CLUB will also notify hotel management should any special arrangements be warranted. For instance, we will ask hotels to block pay per view channels and we will request an additional large room or suite so that our members and athletes may socialize as a group. Meetings do not occur in hotel rooms, and we will reserve a separate space for adults and athletes to socialize.

We encourage family members who wish to stay in the team hotel to do so. If family members do not stay in the team hotel, we encourage all athletes to call parents and guardians regularly and allow for any unscheduled calls by either the athlete or parent/guardian.

**INDIVIDUAL TRAVEL [for SPORT INVOLVING INDIVIDUAL COMPETITION AND TRAVEL]**

The nature of our sport and competition structure means that individual athletes may sometimes need to travel overnight without other athletes. Under these circumstances, we encourage minimizing one-on-one time between a coach and athlete by:

1. Traveling with an additional coach or chaperone
2. Inviting parents/guardians to travel with their athlete (for athletes under age 18)

For individual travel, we attempt to provide alternative guidelines. Depending on the nature of the travel and competition, these guidelines may include:

1. Compressing the travel schedule to reduce the number of nights athletes are away from home
2. Providing regular organizational check-in phone calls to the traveling athlete and coach
3. Encouraging more frequent and unscheduled check-in phone calls initiated by parents/guardians (for minor athletes)
4. Complying with reasonable parental requests when a child is a way from home without a guardian

When only one athlete and one coach travel to a competition, *the athlete must have his or her parents' or*

*legal guardian's written permission in advance to travel alone with the coach.*

## **TRAVEL NOTIFICATION**

Appropriate adult-to-athlete ratios will depend on the age of your athletes and other participants. Evaluate your program to determine your supervisory needs.

### **Part 1: Strategy 4: Managing Training and Competition**

When possible, CLUB will provide reasonable advance notice before team travel. Notice will include the dates, location and duration of competition. Travel notice will also include designated team hotels for overnight stays as well as a contact person within ORGANIZATION. This individual will be the point of contact to confirm your intention to travel and to help with travel details.

CLUB will post specific travel itineraries when they become available. These will include a more detailed, hour-by-hour itinerary as well as contact information for team travel chaperones.

## **MIXED-GENDER AND MIXED-AGE TRAVEL**

CLUB is made up of male and female athletes across various ages. Athletes will only share a room with other athletes of the same sex and age group. Athletes will also be grouped by age and sex for the purposes of assigning an appropriate chaperone. We will make every effort to provide these groups at least one chaperone of the same sex. However, we rely on parents to serve as chaperones and may be limited in providing this match.

Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with an athlete (unless the coach is the parent, guardian, sibling or spouse of that particular athlete). Where an adult is registered both as a coach and an athlete member of CLUB, and is functioning primarily as a coach, he or she may share sleeping arrangements with another registered coach.

## **COACH AND STAFF RESPONSIBILITIES**

During team travel, coaches and staff members will help athletes, fellow coaches and staff members adhere to policy guidelines, including, without limitation, the Travel Policy, Locker Rooms and Changing Areas Policy and Reporting Policy.

If a coach or staff member transports an athlete or other organization member in their private car for team travel, a copy of the coach's or staff member's valid driver's license is required.

When not practicing, training, competing, or preparing for competition, coaches and staff will monitor the activities of athletes, fellow coaches and staff during team travel. Coaches and staff will:

1. prepare athletes for team travel and make athletes aware of all expectations. Supplemental information will be given to parents/guardians of athletes who are considered inexperienced travelers, new or relatively new to team travel, or who are under the age of 14
2. familiarize themselves with all travel itineraries and schedules before the initiation of team travel
3. conform to, and monitor for others' adherence, the Athlete Protection Policy and all policies during team travel
4. encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians

### **Part 1: Strategy 4: Managing Training and Competition**

5. help athletes be on time for all team commitments (as possible)
6. assist with team travel logistical needs (as possible)
7. support chaperones and/or participate in the monitoring of athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
8. ensure athletes are complying with hotel room restrictions based on gender or age bracket requirements
9. make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones
10. not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their coaching duties
11. immediately report any concerns about physical or sexual abuse, misconduct, or policy violations
12. notify parents before taking any disciplinary action against a minor athlete if the athlete is traveling without his or her parents.

#### **CHAPERONE RESPONSIBILITIES**

Chaperones accompany team travel to ensure that the athletes, coaches, staff, and volunteers adhere to the CLUB's policy guidelines. While these include the travel policy, it also includes all other relevant policies contained in CLUB's Participant Safety Handbook.

If a chaperone has not undergone a criminal background check and CLUB's awareness training, the chaperone will not be permitted to have any one-on-one interactions with athletes or other youth participants. If a chaperone has undergone a criminal background check and awareness training, he or she may have appropriate one-on-one interactions as outlined in CLUB's Participant Safety Handbook.

If a chaperone will be operating a private car for team travel, a copy of the chaperone's valid driver's license is required.

Chaperones will monitor the activities of all coaches, staff members, volunteers and athletes during team travel. Specifically, chaperones will:

1. familiarize themselves with all travel itineraries and schedules before team travel
2. monitor for adherences to club policies during team travel
3. encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
4. help athletes be on time for all team commitments (as possible)
5. assist coaches, staff and other volunteers with team travel logistical needs (as possible)

6. monitor athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
7. ensure athletes comply with hotel room restrictions based on gender or age bracket

**Part 1: Strategy 4: Managing Training and Competition**

**requirements**

8. not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their chaperone duties
9. make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones
10. immediately report any concerns about sexual and physical abuse, misconduct or policy violations to a CLUB administrator or a member of CLUB's Participant Safety Committee.

**REPORTING POLICY**

Every CLUB staff member and/or volunteer must report:

- (1) violations of the Participant Safety Handbook,
- (2) misconduct as defined in CLUB's Athlete Protection Policy, and (3) suspicions or allegations of child physical or sexual abuse.

**As a matter of policy, CLUB does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations as a condition for reporting to the appropriate law enforcement authorities.**

**Reporting Child Physical or Sexual Abuse**

***Child Physical or Sexual Abuse***

Staff members and/or volunteers at CLUB are required to report suspicions or allegations of child sexual abuse by a colleague or co-worker, to:

- (1) their immediate supervisor,
- (2) a CLUB administrator,
- (3) a member of CLUB's Participant Safety Committee and,
- (4) where applicable, **appropriate law enforcement authorities.**

***Grooming***

Because sexual abusers "groom" children for abuse – the process used by offenders to select a child, to win the child's trust (and the trust of the child's parent or guardian), to manipulate the child into sexual activity and to keep the child from disclosing abuse – it is possible that a staff member and/or volunteer may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected grooming behavior should be directed to an immediate supervisor, a CLUB administrator or a member of the CLUB Participant Safety Committee.

Consult with legal counsel when developing a reporting policy to determine what law(s) govern your reporting responsibilities and to ensure that your reporting policy complies with state and federal law.

47

## Part 1: Strategy 5: Responding to Abuse, Misconduct and Policy Violations

### ***Peer-to-Peer Sexual Abuse***

Approximately 1/3 of all child sexual abuse occurs at the hands of other children and the obligation to report extends to peer-to-peer child sexual abuse. Whether or not a sexual interaction between children constitutes child sexual abuse turns on the existence of an aggressor, the age difference between the children, and/or whether there is an imbalance of power or intellectual capabilities. **If you have any concerns that an interaction between children may constitute sexual abuse, report it to the appropriate law enforcement authorities and a CLUB supervisor, a CLUB administrator or a member of CLUB's Participant Safety Committee immediately.**

### **Reporting Misconduct and Policy Violations**

If any staff member and/or volunteer receives an allegation or observes misconduct or other inappropriate behavior, such as grooming, that is not reportable to the appropriate law enforcement authorities, it is the responsibility of each staff member and/or volunteer to report their observations to:

- (1) their immediate supervisor,
- (2) a CLUB administrator or
- (3) a member of CLUB's Participant Safety Committee.

CLUB also encourages member parents, athletes and other sport participants to communicate violations of CLUB's Participant Safety Handbook and/or allegations and suspicions of child physical and sexual abuse to a CLUB administrator or member of CLUB's Participant Safety Committee. Where applicable, parents may also report to the appropriate law enforcement authorities.

### **REPORTING PROCEDURE**

#### **To Whom to Report**

Staff members and volunteers may report to any supervisor or CLUB administrator with whom they are comfortable sharing their concerns. You may also report to any member of its Participant Safety Committee, which includes the following three designated Incident Review Officials (IROs):

- NAME/TITLE/CONTACT INFORMATION
- NAME/TITLE/CONTACT INFORMATION
- NAME/TITLE/CONTACT INFORMATION

A staff member and/or volunteer may, and in many cases must, report any allegation of child physical or sexual abuse to relevant law enforcement authorities.

#### **How to Report**

CLUB will take a report in the way that is most comfortable for the person initiating a report including an anonymous, in-person, verbal or written report. Regardless of how you choose to report, it is helpful to CLUB for individuals to provide, at a minimum, (1) the name of the complainant(s); (2)

the type of misconduct alleged and the name(s) of the individual(s) alleged to have committed the misconduct.

48

#### Part 1: Strategy 5: Responding to Abuse, Misconduct and Policy Violations

##### **Reporting Form**

Individuals reporting child physical or sexual abuse or other misconduct may complete an Incident Report Form. Information on this form will include:

1. 1) the name(s) of the complainant(s)
2. 2) the type of misconduct alleged
3. 3) the name(s) of the individual(s) alleged to have committed the misconduct
4. 4) the approximate dates the misconduct was committed
5. 5) the names of other individuals who might have information regarding the alleged misconduct
6. 6) a summary statement of the reasons to believe that misconduct has occurred

CLUB will withhold the complainant's name on request, to the extent permitted by law. A copy of CLUB'S Reporting Form can be found at: [LOCATION(S)].

See Part 2, Sample Forms and Documents for a Sample Reporting Form

#### **CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS**

##### **Confidentiality**

To the extent permitted by law, and as appropriate, CLUB will keep confidential the complainant's name on request, not make public the names of potential victims, the accused perpetrator or the people who made a report of child physical and sexual abuse to the authorities.

##### **Anonymous Reporting**

CLUB recognizes it can be difficult for an athlete, teammate, friend or family member to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. **Anonymous reports may be made without the formality of completing an Incident Report Form:**

- by completing the Reporting Form without including their name
- by expressing concerns verbally to a CLUB administrator or a member of CLUB's Participant Safety Committee
- through email, texts or notes left for a CLUB administrator or a member of CLUB's Participant Safety Committee.

**However, anonymous reporting may make it difficult for CLUB to investigate or properly address allegations.**

Work with legal counsel to ensure that your organization's confidentiality policy is consistent with relevant state and federal statutes.

49

#### Part 1: Strategy 5: Responding to Abuse, Misconduct and Policy Violations

All suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities.

##### **"Whistleblower" Protection**

Regardless of outcome, CLUB will support the complainant(s) and his or her right to express concerns in good faith. CLUB will not encourage, allow or tolerate attempts from any individual to retaliate, punish, allow or in any way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of our Participant Safety Handbook and grounds for disciplinary action.

### **Bad-Faith Allegations**

A report of abuse, misconduct or policy violations that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of our Participant Safety Handbook and grounds for disciplinary action. Depending on the nature of the allegation, a person making a malicious, frivolous or bad-faith report may also be subject to civil or criminal proceedings.

### **HOW REPORTS ARE HANDLED**

#### **Suspensions or Allegations of Child Physical or Sexual Abuse**

##### ***Reporting to Law Enforcement and/or Child Protective Services***

An independent investigation can harm youth and/or interfere with the legal investigative process. CLUB, its staff members and/or volunteers **do not attempt to evaluate the credibility or validity of child physical or sexual abuse as a condition for reporting to appropriate law enforcement authorities.** As necessary, however, CLUB may ask a few clarifying questions of the minor or person making the report to adequately report the suspicion or allegation to law enforcement authorities.

For mandatory reporting laws, visit [www.childwelfare.gov](http://www.childwelfare.gov).

##### ***Immediate Suspension or Termination***

When an allegation of child physical or sexual abuse is made against a staff member, youth and/or volunteer, CLUB may immediately remove that individual from contact with any children in the program until the allegation has been investigated by an official agency. As necessary, CLUB may suspend or change the assignment of a staff member and/or volunteer.

In those cases where the Ted Stevens Act may apply, the accused individual will be offered a hearing. A hearing under the Ted Stevens Act will not necessarily affect CLUB's ability to immediately suspend or terminate the accused individual from employment or performing services for organization.

A staff member or volunteer's failure to report to a supervisor, a CLUB administrator or member of the Participant Safety Committee is a violation of this policy and grounds for termination of a staff member and/or dismissal of a volunteer.

50

#### **Part 1: Strategy 5: Responding to Abuse, Misconduct and Policy Violations**

Consult an attorney to be certain that your employment actions are consistent with relevant law.

#### **Misconduct and Policy Violations**

CLUB addresses internally alleged policy violations and misconduct – bullying, harassment, hazing, emotional, physical and sexual – that are not reportable under relevant state or federal law. Staff members and/or volunteer must report policy

violations and misconduct to an immediate supervisor, CLUB administrator or member of CLUB's Participant Safety Committee.

CLUB may also investigate allegations of child physical or sexual abuse that are reportable, if such investigation does not interfere with any ongoing criminal investigation or prosecution for abuse. Such allegations may include:

- Emotional abuse
- Abuse reported outside the relevant statutes of limitation
- Allegations of abuse that were reported to authorities, but: (a) legal authorities did not press criminal charges; (b) criminal charges were filed, but not pursued to trial; or (c) the alleged offender was acquitted at trial

#### **NOTIFICATION**

Following CLUB's notice of a credible allegation that results in the removal of an employee, coach or other volunteer, CLUB may consider the circumstances in which it will notify other parents of athletes with whom the accused individual may have had contact. In CLUB's discretion, as appropriate, and after consultation with counsel, CLUB may notify its staff members, contractors, volunteers, parents, and/or athletes of any allegation of child physical or sexual abuse or other criminal behavior that (1) law enforcement authorities are actively investigating; or (2) that CLUB is investigating internally. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.

51

Part 1: Strategy 5: Responding to Abuse, Misconduct and Policy Violations

## **DISCIPLINARY RULES AND PROCEDURE**

### **What**

Establishes an organization's plan for responding to alleged violations of child physical or sexual abuse and other misconduct and sets forth the organization's commitment to a fair and transparent process.

### **Elements**

- Describes procedure for investigating allegations, where appropriate
- Sets forth procedures for resolving allegations
- Identifies procedural safeguards
- Identifies possible sanctions for violations of the athlete protection policy

While CLUB endeavors to provide support and guidance to participants on a day-to-day basis, it is also important for CLUB to have a formal procedure for disciplinary action to address alleged violations of its policies and other inappropriate behaviors, which is consistent with CLUB's Bylaws and Constitution.

### **APPLICATION**

This Policy is used to address the following allegations against staff members, athletes, participants and/or volunteers:

- Violations of CLUB's policies; and/or

- Child abuse (emotional, physical or sexual) that does not involve an ongoing legal investigation or criminal prosecution.

**CLUB will not investigate an allegation of child physical or sexual abuse if it undermines or interferes with a pending legal investigation or criminal prosecution.**

#### **DISCIPLINARY RULES**

CLUB recognizes that there are varying levels of misconduct. For example, physical and sexual misconduct are serious violations that may result in immediate dismissal. In contrast, a youth participant who tells a single sexually risqué joke constitutes less serious misconduct and depending on the circumstances, might be dealt with more appropriately through dialogue and a verbal warning. In all cases, CLUB's disciplinary procedures and actions will be proportionate, reasonable and applied fairly and equally.

#### **DISCIPLINARY PROCEDURE**

On receipt of an allegation, CLUB will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused and (iii) the nature, scope, and extent of the allegations.

CLUB will address allegations against a staff member and/or volunteer under its Employment Policies and Procedures, Bylaws and Constitution.

CLUB's disciplinary response will depend on the nature and seriousness of the incident and in extreme cases, misconduct will result in immediate summary dismissal, provided that the accused individual shall be advised of their right to a hearing. If the accused individual is a minor, CLUB will contact his or her parents or guardians.

#### **DISCIPLINARY ACTION**

Sanctions for violations of the Participant Safety Handbook will be proportionate and reasonable under the circumstances. In addition to day-to-day guidance, the CLUB may take the following disciplinary actions, without limitation:

- Inform the individual's direct-line supervisor or, in the case of a youth participant, the youth's parent or guardian
- Provide the individual with guidance, redirection and instruction
- Temporary suspension from competition
- File a formal incident report
- Issue a verbal warning
- Issue a written and/or final written warning
- Implement a limited access agreement (e.g., limiting an individual's access to certain buildings or to youth)
- Provide informed supervision, where at least one staff member is informed of the allegation and

is instructed to vigilantly supervise the accused participant or stakeholder in his or her interactions with the program and/or organization

- Engage in restorative practices, i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred
- Suspend or terminate employment or membership

#### **ONGOING EMPLOYMENT AND/OR PARTICIPATION**

On receipt of a credible and specific allegation of child abuse or other serious misconduct (e.g., physical and sexual abuse as defined in our Athlete Protection Policy), CLUB may immediately suspend or terminate the accused individual to ensure participant safety.

#### **COMPLAINANT PROTECTION**

Regardless of outcome, CLUB will support the complainant(s) and his or her right to express concerns in good faith. CLUB will not encourage or tolerate attempts to retaliate, punish or in any way harm any individual(s) who report(s) a concern in good faith. Such actions will be grounds for disciplinary action.

#### **BAD-FAITH ALLEGATIONS**

Any individual who alleges misconduct under the Participant Safety Handbook that, upon review, is determined to be malicious, frivolous or made in bad faith will be a violation of our Participant Safety Handbook. Bad-faith allegations may also be subject to criminal or civil proceedings.

### **INVESTIGATION AND ADJUDICATION—*for* RESOLVING ALLEGATIONS UNDER THE TED STEVENS ACT**

CLUB utilizes this Investigation and Adjudication procedure to resolve those allegations that are governed by the Ted Stevens Act. A hearing under the Ted Stevens Act will not necessarily affect CLUB'S ability to immediately suspend or terminate an accused individual.

On receipt of:

(1) an allegation of misconduct, as defined in CLUB'S Athlete Protection Policy, that does not involve child physical or sexual abuse

(2) an adverse employment determination by a local club for emotional, physical or sexual misconduct as set forth in ORGANIZATION'S Athlete Protection Policy

CLUB shall determine the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused and (iii) the nature, scope and extent of the allegations. Such steps may include, without limitation:

- The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual
- Formal investigation and hearing

- Retention of legal counsel or investigation services to investigate and/or make a recommendation as to whether a violation of the relevant policy has occurred and/or a recommendation as to the appropriate sanction. Where serious allegations of misconduct are at issue (e.g., physical and sexual misconduct as defined in our Athlete Protection Policy), CLUB may elect in its discretion to undertake a full investigation and hearing before determining the appropriate disciplinary action. **This investigation and/or hearing will in no way interfere with an ongoing criminal investigation or prosecution.**

#### **SUSPENSION BEFORE FINAL RESOLUTION**

If the reported complaint or employment/membership decision by a local member club indicates that an individual's continued employment, membership or participation poses a risk of ongoing physical or emotional harm, CLUB may wish to suspend the accused individual pending final resolution of the complaint to eliminate any danger to an athlete, sport participant or other individual. In such instances, CLUB will provide the individual with notice and offer her/him an opportunity to contest the suspension.

CLUB may suspend the accused individual where there is a reasonable belief that the individual has committed emotional, physical or sexual misconduct. Evidence which may be found sufficient to support a reasonable belief includes, at a minimum:

57

- the suspension or termination of employment or membership by one of organization's member clubs
- an Incident Report Form with specific and credible information
- other legal documentation or report supporting a reasonable belief that the individual has committed emotional, physical or sexual misconduct, including abuse of a child (e.g., a criminal indictment).

For the purposes of this Policy, a suspension from sport involvement shall mean that for the duration of the period of suspension, the accused individual may not participate in any capacity or in any role in the business, events, or activities of the CLUB.

Any suspension before final resolution may be appealed to APPEAL BODY at the written request of the accused individual within XX days of the suspension.

#### **INVESTIGATION**

As appropriate, and at its discretion, CLUB may institute a formal investigation and hearing procedure to address serious allegations of misconduct (e.g., physical and sexual misconduct). However, CLUB anticipates that an investigation and hearing will be undertaken to address only the most serious allegations and patterns of behavior that warrant significant sanctions. **Accordingly, CLUB anticipates that this disciplinary procedure will be used rarely.**

If an investigation is conducted, the complainant, victim and accused individual shall have the right to:

1. a) Receive written notice of the report or complaint, including a statement of allegations
2. b) Present relevant information to the investigator(s)
3. c) Legal counsel, at his or her own expense

## **HEARING**

### **Procedural Safeguards**

In every case where a hearing is warranted pursuant to this Policy, an adjudication shall be conducted that shall in all cases comply with CLUB'S bylaws. The adjudication shall further conform to the provisions and principles set out hereafter. However, deviations in one or more of the procedural safeguards are permitted, provided the following conditions are satisfied:

1. a) The individual is informed of the allegations and evidence brought against him or her
2. b) The individual is given a reasonable opportunity to respond to the allegations brought forward
3. c) The individual may be represented by legal counsel at his or her expense
4. d) The panel member(s) who make the determination are free of conflicts of interests and render an unbiased decision
5. e) There is a right to appeal the panel's decision

Work with counsel to ensure your employment practices comply with state and federal laws, your bylaws and the Ted Stevens Act as applicable.

### **Preliminary Determination**

On receipt of a disclosure and/or additional information made pursuant to this Policy, if the Incident Review Official is satisfied, in the exercise of his or her discretion, that there is a sufficient reasonable, reliable and persuasive evidence to support the complaint alleging emotional, physical or sexual misconduct, he or she shall notify the Review Panel.

### **Notice**

The accused individual will be notified of a specific date and time to ensure that he or she is available for the hearing. Unless the Review Panel requires the individual to attend the hearing in person, the individual may appear by telephone conference call. The individual has the right to be represented by legal counsel at the hearing, provided that the counsel's participation may be subject to the reasonable hearing rules related to the conduct of the hearing.

### **Timing**

The Review Panel shall have the authority to set timelines and other rules regarding the proceeding and the conduct of the hearing, as it deems necessary.

On request of the accused individual, and provided that it is necessary to expedite the proceeding to resolve a matter relating to scheduled training or competition, the Review Panel may render an expedited determination.

### **Evidence**

At the hearing, the accused individual will be allowed to present any reasonable evidence or argument that he or she wishes the Panel to consider. The Panel may

require or permit documentary evidence, such as the written report of any investigator or other fact-finder, before the hearing and that the names of any witnesses be disclosed before the hearing. The Panel may also consider a local club's employment determination as evidence to be considered.

If the complainant/alleged victim(s) is a minor, the investigator's or other fact-finder's report may substitute for the minor witness's direct testimony, provided that the accused had an opportunity to present and respond to relevant information collected during the investigation and before the report was transmitted to the Review Panel.

The Review Panel may proceed in the accused individual's absence if it cannot locate the individual or if the individual declines to attend the hearing.

### **Findings and Sanctions**

The Panel has the discretion to impose sanctions on the individual if it finds based on a preponderance of the evidence that emotional, physical or sexual misconduct has occurred.

The Panel will communicate its finding to the individual. The Panel may impose sanctions on the individual in its findings.

Any sanctions imposed by the Panel against the individual must be proportionate and reasonable, relative to the content that is found to have occurred. The decision regarding the appropriate sanction shall be up to the panel deciding each complaint.

In imposing a sanction, the Review Panel shall consider:

1. a) The legitimate interest of ORGANIZATION in providing a safe environment for its participants
2. b) The seriousness of the offense or act
3. c) The age of the accused individual and alleged victim when the offense or act occurred
4. d) Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct
5. e) The effect on the ORGANIZATION'S reputation
6. f) Whether the individual poses an ongoing concern for the safety of ORGANIZATION's athletes and participants
7. g) Any other information, which in the determination of the Panel, bears on the appropriate sanction

Sanctions may range from a warning and a reprimand to suspension from sport involvement with the CLUB for a period of time. Suspensions from sport involvement with CLUB may be temporary or permanent. The most severe sanction possible to impose will be permanent suspension from sport involvement and expulsion from the CLUB.

For the purposes of this Policy, a suspension from sport involvement shall mean that the individual may not participate in any capacity or in any role in the business, events or activities of the relevant organization or its affiliated members for the duration of the period of suspension.

## **Confidentiality**

The conduct of the hearing WILL/WILL NOT be private. If the Panel determines that the individual has violated policy, it may publish its decision or a brief summary of its decision, unless the accused is a minor. However, if the individual appeals, the summary of the panel's decision will not be disclosed until an appellate decision has been made.

If the Panel determines the accused individual did not violate the relevant policy, the panel will publish a summary only at the individual's written request.

**Consult with counsel before making any such report public.**

## **APPEAL**

If the individual disagrees with the finding or sanction of the panel and wishes to appeal, he or she may file an appeal with APPEAL BODY within XX days of the ORGANIZATION'S finding. On appeal, the APPEAL BODY will address the merits of the ORGANIZATION'S decision *de novo*, and not the process that was utilized. A decision rendered by the APPEAL BODY shall be final and binding on all parties.

## **MONITORING YOUR STRATEGY**

By monitoring the interactions among staff, volunteers, athletes, and other, CLUB works to prevent, recognize and respond to inappropriate and harmful behaviors as set forth in our Participant Safety Handbook, while reinforcing appropriate behaviors.

## **MONITORING COMPLIANCE WITH POLICIES AND PROCEDURES**

CLUB monitors for compliance with its policies and procedures, including without limitation its Awareness Training, Travel, Locker Room and Changing Areas, and Physical Contact Policies.

## **MONITORING METHODS**

CLUB utilizes multiple monitoring methods to observe how individuals are interacting, including without limitation (1) formal supervision, including regular evaluations; and (2) informal supervision, including regular and random observation (e.g., roving and checking interactions throughout practices), and (3) maintaining frequent contact with staff members, volunteer and athletes who interact off-site.

## **RESPONDING TO INTERACTIONS**

While CLUB has a formal reporting policy, staff members and volunteers should be prepared to respond immediately to inappropriate or harmful behavior, potential risk situations and potential boundary violations.

Staff members and volunteers will redirect inappropriate behaviors to promote positive behaviors, confront inappropriate or harmful behaviors, and report behaviors if necessary.

## **REPORTING**

Staff members and volunteers are required to report policy violations, misconduct and physical and sexual abuse consistent with CLUB's Reporting Policy. **CLUB does not investigate suspicions or allegations of child physical or sexual abuse or**

**attempt to evaluate the credibility or validity of such allegations as a condition for reporting to appropriate law enforcement authorities.**