

Safe Softball Table of Contents

| | |
|-----------------------------------------------------------------------|----|
| INTRODUCTION | 2 |
| Purpose..... | 2 |
| How to use this Handbook..... | 2 |
| Definitions | 3 |
| The U.S. Center for SafeSport..... | 3 |
| Code of Conduct | 4 |
| COMPLIANCE REQUIREMENTS..... | 7 |
| Education & Training Policy..... | 8 |
| Adult Participants | 9 |
| Background Check Policy..... | 10 |
| ATHLETE PROTECTION POLICIES | 13 |
| One-On-One Interactions | 13 |
| Meetings and Training Sessions Policy | 13 |
| Athletic Training and Modalities, Massages, and Rubdowns Policy | 14 |
| Locker Rooms and Changing Areas | 15 |
| Electronic Communication | 16 |
| Transportation Policy..... | 17 |
| Lodging Policy | 18 |
| Other Applicable Policies..... | 19 |
| REPORTING CONCERNS | 19 |
| How to Report Concerns | 19 |
| Mandatory Reporting..... | 20 |
| Reporting Sexual Misconduct..... | 20 |
| Reporting other Safe Softball Violations | 20 |
| Bad-Faith Allegations | 21 |
| Whistleblower Protection and Anti-Retaliation Policy..... | 21 |
| Grievances | 23 |
| Response and Resolution of Reported Allegations..... | 27 |
| LOCAL ASSOCIATION SUPERVISION..... | 30 |
| Athlete Safety Policy..... | 30 |
| MAAPP Communication | 34 |
| KNOW YOUR ROLE..... | 36 |
| APPENDIX..... | 37 |

INTRODUCTION

As the National Governing Body of softball in the United States, USA Softball (USAS) is committed to creating and upholding traditions of excellence in softball by building and maintaining a supportive and nurturing environment in which youth may grow, develop, and prosper. We join with the U.S. Center for SafeSport (the Center) and the United States Olympic Paralympic Committee (USOPC) in its commitment to building a sport community where participants can work and learn together in an atmosphere free of emotional, physical, and sexual misconduct. Simply put – USA Softball will not tolerate ANY abuse whether it is physical, mental, emotional, or sexual.

Purpose

As part of this commitment, USA Softball developed Safe Softball as a foundation from which all participants in the softball community, be they athletes, coaches, umpires, administrators, or volunteers, play an active role in creating an environment free from emotional, physical, or sexual abuse. Safe Softball is a comprehensive program of policies and process, screening, education and training, reporting, monitoring, and enforcement designed to help participants detect and report abuse, respond to it, and prevent future occurrences.

This handbook explores each of these elements in detail and documents USA Softball’s policies and processes designed to implement Public Law 115-126 Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act of 2017 (the “SafeSport Act”) as incorporated into the Ted Stevens Olympic and Amateur Sports Act (the “Ted Stevens Act”), as well as the mandate issued by the U.S. Center for SafeSport in its Minor Athlete Abuse Prevention Policies dated January 1, 2022.

Although immediately applicable to all USA Softball Local Associations, sanctioned events, and programs, USA Softball recognizes that social norms continue to develop, as does the legal framework under which we operate. Accordingly, the Safe Softball Handbook will always be subject to modification, amendment, and further development by USA Softball, in its discretion.

The purpose of this Handbook is to clearly communicate the key principles of USA Softball’s Safe Softball program and USA Softball’s commitment to athlete safety. The Safe Softball rules and policies set forth in this Handbook, and as set forth in the Code of the U.S. Center for SafeSport, apply to all USA Softball Participants, as defined below. A violation of the Safe Softball policies as found in this Handbook may be considered a violation of the USA Softball bylaws.

How to use this Handbook

The Minor Athlete Abuse Prevention Policies (MAAPP) were developed by the Center to provide a collection of proactive measures to help guide those entities that have an obligation to uphold the above noted Federal law(s). Entities with this obligation include the U.S. Olympic & Paralympic Committee (USOPC), National Governing Bodies (NGB), Local Affiliated Organizations (LAO), and Paralympic Sport Organizations (PSO) within the Olympic & Paralympic Movement (each an “Organization”).

The policies set forth below are adopted by USAS and approved by the Center. Where the policy is indicated as “Mandatory,” the policy must be followed. Where the policy is indicated as “Recommended”, the policy is recommended by the Center and is considered optional for USAS and local associations and may be followed or required when it is appropriate for the situation. There may be occasions from time to time when USAS changes a policy from “Recommended” to “Mandatory.”

USAS requires these policies be adopted and followed by its local associations. Unless specifically addressed, it is implied that where USA Softball is mentioned and concerned, the policy or recommendation extends to its local associations. USAS requires employees, contractors, athletes, and members to follow the policies set forth below.

Definitions

- » Respondent: a participant who is alleged to have violated the Code.
- » Claimant: the person who is alleged to have experienced conduct that constitutes a Code violation.
- » Third-Party Reporter: reports brought by individuals other than the claimant are referred to as “third-party reports” and those bringing them are “third-party reporters.”
- » Event Personnel: volunteers, media, vendors, medical personnel, athlete assistants, coaches, and umpires with pre-authorized event access
- » Registered Participants: The Code applies to all individuals who participate in USA Softball. This includes a wide range of individuals who participate in softball in various capacities, including members, license holders, or employees of USA Softball or its local associations, as well as volunteers, trainers, coaches, athletes, or contracted individuals who have been “authorized, approved, or appointed by USA Softball, its local associations, or the USOPC to have regular contact with or authority over Minor Athletes. Participants also include those who are otherwise considered to be “within the governance or disciplinary jurisdiction of USA Softball, its local associations, or the USOPC.”
- » Exclusion List: list of individuals who are unable to participate in any event, program, activity, or competition authorized by, organized by, or under the auspices of USA Softball.
- » MAAPP: Minor Athlete Abuse Prevention Policies. The USAS MAAPP is derived from the U.S. Center for SafeSport’s MAAPP.
- » Event: includes travel, lodging, practice, competition, and health or medical treatment.
- » Regular Contact: ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete(s)
- » Authority: When one person’s position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person.
- » Adult Participant: Any adult (18 years of age or older) who is:
 - A member or license holder of an NGB, PSO, LAO, or USOPC;
 - An employee or board member of an NGB, PSO, LAO, or USOPC;
 - Within the governance or disciplinary jurisdiction of an NGB, PSO, LAO, or USOPC;
 - Authorized, approved, or appointed by an NGB, PSO, LAO, or USOPC to have Regular Contact with or Authority over Minor Athletes.
- » Minor Athlete: An amateur athlete under 18 years of age who participates in, or participated within the previous 12 months in, an event, program, activity, or competition that is part of, or partially or fully under the jurisdiction of, an NGB, PSO, USOPC, or LAO.
- » LAO: Local Affiliated Organization, also known as local association.

The U.S. Center for SafeSport

The Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 authorizes the Center to develop training and policies to prevent abuse—including physical, emotional, and sexual abuse—within the U.S. Olympic & Paralympic Movement. 36 U.S.C. § 220542(a)(1). Federal law requires that, at a minimum, national governing bodies and Paralympic sports organizations must offer and give consistent training related to the prevention

of child abuse: (1) to all adult members who are in regular contact with amateur athletes who are minors and (2) subject to parental consent, to members who are minors. 36 U.S.C. § 220542(a)(2)(E). Federal law requires that these policies contain reasonable procedures to limit unobservable and uninterrupted one-on-one interactions between an amateur athlete, who is a minor, and an adult, who is not the minor's legal guardian, at facilities under the jurisdiction of organizations within the U.S. Olympic & Paralympic Movement. 36 U.S.C. § 220542(a)(2)(C).

Code of Conduct

1. Purpose

This policy constitutes the Code of Conduct of USA Softball. This Code of Conduct is intended to protect the safety and well-being of individuals who associate with USA Softball, and to ensure that all individuals who associate with USA Softball conduct themselves with integrity, maintain a high standard of ethical conduct, and promote the Olympic & Paralympic values, spirit, and ideals.

2. Applicability of Policy

This Policy applies to all USA Softball members, board members, officers, directors, committee members, task force members, employees, coaches, independent contractors, officials, and volunteers, and anyone participating in USA Softball events and activities (collectively, "Affiliated Individuals"). All such Affiliated Individuals should become familiar with the rules and standards of this Code of Conduct.

3. Legal Compliance

USA Softball requires that Affiliated Individuals follow the Code of Conduct and abide by all applicable USA Softball policies and procedures; United States federal, state and local law as applicable, including the Ted Stevens Olympic and Amateur Sports Act; and foreign law as applicable. If an Affiliated Individual should ever encounter a conflict of law, such as a conflict between United States and foreign law, or have any questions about the legality of any action, contact USA Softball's Chief Operating Officer for further information and guidance.

4. The Code of Conduct

All Affiliated Individuals must:

- Adhere to the anti-doping rules and policies of the International Olympic Committee, International Paralympic Committee, USOPC, World Anti-Doping Agency, U.S. Anti-Doping Agency, and World Baseball Softball Confederation (WBSC).
- Adhere to the rules and policies of the U.S. Center for SafeSport, including, but not limited to, the SafeSport Code and the USA Softball athlete safety policy.
- Comply with the Olympic Movement Code on the Prevention of the Manipulation of Competitions and/or the IPC Code of Ethics, as applicable, and commit to promote sport free from manipulation, corrupt conduct, or using or disclosing inside information for any purpose.
- In competition, compete to the best of his or her ability while being safe and sportsmanlike.
- Respect and comply with the laws of the state and/or country in which I am training, traveling, or competing, including, but not limited to, laws governing the possession and use of drugs and alcohol, and providing of drugs to any person and of alcohol to minors.
- Be responsible for his or her own behavior and for reading, understanding, and abiding by all applicable policies, including those of USA Softball, as well as the competitions and events in which he or she participates.
- Respect and abide by all other rules, policies, and procedures of USA Softball, and of the facilities and accommodations in which he or she trains and lives at and/or uses.
- Never engage in discrimination of any kind on whatever grounds, be it race, color, sex, sexual orientation, language, religion, national origin, or other status.

- Demonstrate good sportsmanship by showing respect toward teammates, coaches, competitors, officials, and audience members at all events and competitions.
- Refrain from foul language, violence, and behavior that could reasonably be deemed dishonest, offensive, intentionally malicious, or illegal.
- Respect the property of others and not vandalize, damage, or steal any such property.
- Agree to refrain from authorizing the use of photographs, films, or videos of a member in USA Softball apparel or equipment or the use of the USA Softball logo for the purpose of trade, without the prior written consent of USA Softball.
- Understand that any act, conduct, or personal appearance, even if not expressly enumerated above, that violates the spirit and intent of this Code of Conduct, or brings disrespect or dishonor to myself, my fellow athletes, USA Softball, or the United States, is a Code of Conduct violation.
- Understand that, if under the age of 18, his or her parents or legal guardians may be notified of all written reports of counseling or misconduct.
- Understand that any dispute or action arising from this Code of Conduct will be resolved through USA Softball's Complaint Procedures.

Specifically, all Board/Committee Members and USA Softball staff must:

- Function primarily on behalf of USA Softball and not on behalf of any one constituency or group.
- Respect confidentiality appropriate to issues of a sensitive nature.
- Maintain a thorough knowledge of USA Softball governance documents, policies and procedures.
- Be independent and impartial and not influenced by self-interest, outside pressure, expectation of reward or fear of criticism.

Specifically, coaches, and those functioning as coaches, must:

- Treat all athletes with respect at all times.
- Be aware of the health and safety of all athletes at all times in regard to our sport. If the conditions are unsafe, follow best practices and not allow the health and safety of the athletes to be compromised.
- Recognize the signs of injury, physical and psychological stress in themselves and in athletes, take these indicators seriously, and refer or seek out appropriate and qualified support.
- Be prepared with an executable emergency plan for their primary use facilities that has been shared and practiced.
- Assist the athlete in forming goals and expectations that are realistic and practical with consideration of the age, resources and experience of the athlete.
- Consistently give the athletes the opportunity to develop their sport and non-sport skills translating into other facets of their lives (e.g. time management, goal setting) at a minimum of once per season.

Specifically, umpires, and those functioning as officials must:

- Maintain a current and thorough knowledge of the rules and officiating procedures of our sport and officiating procedures.
- Conduct themselves impartially, professionally and in good faith.
- Assist with the development of lesser-experienced officials as needed.
- Take ownership of actions and decisions made while [officiating].

Specifically, parents, fans, and spectators must:

- Encourage athletes to compete within the rules and to resolve conflicts positively.
- Never ridicule a participant for making a mistake during a competition, practice or training

session.

- Respect the decisions of officials and encourage participants' continued effort.
- Respect and show appreciation to all competitors, officials, and volunteers.

5. Reporting Obligations

No code of conduct can address every situation, nor can it take the place of good judgment and integrity. USA Softball maintains an "open door" for anyone who has questions or concerns. USA Softball will support all efforts to comply with this Code of Conduct.

If Affiliated Individuals need advice or assistance concerning the application of any aspect of these standards, consult your supervisor or manager, or USA Softball's Chief Operating Officer. Affiliated Individuals are expected to seek advice and clarification promptly when they are uncertain about proper actions or practices. Affiliated Individuals should be alert and sensitive to situations that could result in unethical, illegal, or improper actions. Affiliated Individuals have an obligation to report potential or actual violations of this Code of Conduct to the online Incident Reporting Form.

USA Softball has zero tolerance for retaliatory conduct by any Affiliated Individual against any person who comes forward with a good faith complaint or issue. Retaliation for reporting in good faith an alleged violation of this Code of Conduct will itself constitute a violation of this Code of Conduct.

For more information about the definition of retaliation and USA Softball's zero tolerance approach to retaliation, please see the USA Softball Safe Softball Handbook.

6. Investigation of Potential Violations

USA Softball takes its obligation to investigate potential violations of the Code seriously. All properly filed complaints regarding the violation of the Code will be investigated and resolved in accordance with the USA Softball complaint procedures as outlined in the Bylaws as published and available on USA Softball's website.

In no event shall USA Softball deny or threaten to deny an athlete, coach, official, or administrator the opportunity to participate in protected or amateur athletic competition without fair notice and an opportunity to a hearing in accordance with the requirements of the Ted Stevens Olympic and Amateur Sports Act, the USOPC Bylaws and the USA Softball Complaint Procedures.

7. Resources

Affiliated Individuals may contact USA Softball's Chief Operating Officer with questions or complaints. Athlete members also may contact the athlete representative(s) to the Board of Directors as well as the Athletes Advisory Council.

Specific to the Olympic and Paralympic Movement:

Team USA athletes may contact the Athlete Ombuds for independent and confidential advice on a variety of sport related matters, including their rights, applicable rules, policies or processes, and questions related to resolving disputes and grievances. The Athlete Ombuds can also help Team USA athletes connect with legal counsel or mental health resources if needed. All other NGB athletes (i.e., athletes competing domestically at the masters or youth level, recreational athletes, foreign athletes), are welcome to visit the Athlete Ombuds website to review informational resources and should work directly with their NGB to understand additional resources and options available to them.

EMAIL: ombudsman@usathlete.org
WEBSITE: www.usathlete.org

Individuals who wish to report concerns related to this Code of Conduct as it relates to involvement in the Olympic and Paralympic Movement may also submit a report using the [USOPC Integrity Portal](#). The Integrity Portal allows individuals to submit concerns to the USOPC confidentially and/or anonymously. Reports may be made online or by telephone.

Website: usopc.ethicspoint.com
Hotline: 877-404-9935

COMPLIANCE REQUIREMENTS

Organizational Requirements for Education & Training and Prevention Policies

USAS/LAOs must implement proactive policies designed to prevent abuse. These organizational requirements are described below.

- A. Organizational Requirements for Education & Training
 1. USAS must track whether Adult Participants under its jurisdiction complete the required training.
 2. USAS must, on an annual basis, offer and, subject to parental consent, give training to Minor Athletes on the prevention and reporting of child abuse.
 - a. For training to Minor Athletes, USAS must track a description of the training and how the training was offered and provided to Minor Athletes.
 - b. USAS is not required to track individual course completions of Minor Athletes.
 3. USAS must, on an annual basis, offer training to parents on the prevention and reporting of child abuse.
- B. Required Prevention Policies and Implementation
 1. USAS must develop minor athlete abuse prevention policies that contain the mandatory components of the Center's model policies in Part III. These model policies cover:
 - a. One-on-one interactions
 - b. Meetings and training sessions
 - c. Athletic training modalities, massages, and rubdowns
 - d. Locker rooms and changing areas
 - e. Electronic communications
 - f. Transportation
 - g. Lodging
 2. The policies must be approved by the Center as described in subsection (C) below. The policies may include the recommended components in Part III and the recommended policies in Part IV. Given the uniqueness of each sport, however, some recommended components or policies may not be feasible or appropriate. USAS may choose to implement stricter standards than the model policies.
 3. USAS must also require that its LAOs implement these policies within each LAO.
 4. USAS/LAO must implement these policies for all In-Program Contact.
 - a. At sanctioned events and facilities partially or fully under its jurisdiction, USAS/LAO must take steps to ensure the policies are implemented and followed.
 - b. For In-Program Contact that occurs outside a USAS sanctioned event or facilities, implementing these policies means:
 - i. Communicating the policies to individuals under its jurisdiction;
 - ii. Establishing a reporting mechanism for violations of the policies;
 - iii. Investigating and enforcing violations of the policies.

5. USAS/LAO must have a reporting mechanism to accept reports that an Adult Participant is violating USAS minor athlete abuse prevention policies. USAS must appropriately investigate and resolve any reports received, unless the violation is reported to the Center and it exercises jurisdiction over the report. This requirement is in addition to requirements to report abuse under the SafeSport Code.

C. Policy Approval and Submission Process

1. USAS may adopt the MAAPP as-is or adapt it to fit their needs. Regardless, USAS must submit their policies to the Center at compliance@safesport.org for review and approval by January 31, 2021. The Center will approve, approve with modifications, or deny the policies. If the Center denies the proposed policy, the mandatory components of Part III become the default policy until the Center approves the policy.
2. USAS must require their LAOs to incorporate the mandatory components of Part III. USAS may require that their LAOs implement the USAS policies, which may be more stringent than the policies in Part III.
3. USAS may, in its discretion, require its National Member Organizations (NMO) to implement these policies.
 - If USAS chooses to require its NMOs to implement the Education & Training Policy, USAS must obtain advanced, written approval from the Center to expand the training access to additional persons. Requests must be submitted to ngbservices@safesport.org.
4. The mandatory components of Part III will serve as the default policy for any organization that fails to develop its own policy as required by this section.

Education & Training Policy

A. Mandatory Child Abuse Prevention Training for Adult Participants

1. Adult Participants Required to Complete Training
 - a. The following Adult Participants must complete the *SafeSport Trained Core* either through the Center's online training or the Center's approved, in-person training:
 - i. Adult Participants who have regular contact with any amateur athlete(s) who is a minor;
 - ii. Adult Participants who have authority over any amateur athlete(s) who is a minor;
 - iii. Adult Participants who are an employee or board member of USAS /LAO
 - b. Adult Participants who are medical providers (Medical Staff/Trainers [all levels and statuses] that medically assists any person in youth play or in affiliation with the USAS National Teams Programs [this excludes emergency/ambulatory professionals]) required to take training under Section (a) can take the Health Professionals Course in lieu of the *SafeSport Trained Core*.
2. Timing of Training

Adult Participants must complete this training:

 - a. Before regular contact with an amateur athlete who is a minor begins; **and**
 - b. Within the first 45 days of either initial membership or upon beginning a new role subjecting the adult to this policy.
3. Refresher Training

The above listed Adult Participants must complete a refresher course on an annual basis, beginning the calendar year after completing the *SafeSport Trained Core*. Every four years, Adult Participants will complete the *SafeSport Trained Core* training. Medical providers can take the Health Professionals Course in lieu of the *SafeSport Trained Core* and are required to take the refresher courses on an annual basis if they meet the criteria for A(1).

- B. Minor Athlete Training Must Be Offered
1. USAS and LAOs, on an annual basis, must offer and, subject to parental consent, give training to Minor Athletes on the prevention and reporting of child abuse.
 2. The Center offers youth courses, located at www.safesporttrained.org, that meet this requirement.
- C. Parent Training Must Be Offered
1. USAS and LAOs, on an annual basis, must offer training to parents on the prevention and reporting of child abuse.
 2. The Center offers a parent course, located at www.safesporttrained.org, that meets this requirement.
- D. Optional Training
1. Adult Participants serving in a volunteer capacity, who will not have regular contact with or authority over Minor Athletes, should take the Center’s brief Volunteer Course (or *SafeSport Trained Core*) before engaging or interacting with any Minor Athlete(s).
 2. USAS may provide training *in addition to* the *SafeSport Trained Core*, although they cannot refer to this training as “SafeSport” training. **Training other than the SafeSport Trained Core or Refresher does not satisfy this policy.**
 3. Parents of Minor Athletes are provided free online access to the Center’s parent course and are encouraged to take the training.
- E. Exemptions and Accommodations
1. Exemptions from this Education & Training Policy may be made on a case-by-case basis for victims/survivors. Requests may be made directly to the U.S. Center for SafeSport at exemptions@safesport.org or to USA Softball at sbrown@usasoftball.com.
 2. The Center will work with the USAS/LAOs on appropriate accommodations for persons with disabilities and individuals with limited English proficiency to satisfy these training requirements. USAS/LAOs must provide reasonable accommodations and track any exemptions for individuals with disabilities and individuals with limited English proficiency.

Adult Participants

| Adult Participant | Regular Contact | Authority |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------|
| USAS & USAS LAO Appointed Staff (full or part-time & inclusive of interns) | | X |
| USAS & USAS LAO Board Members | | X |
| USAS National Teams (Players, Coaches, & Staff) | X | X |
| USAS Local Association Coaches & Team Staff (inclusive to any other non-coach adult member of a youth team that will engage in regular contact with minor athletes) | X | X |
| USAS & USAS LAO Designated Council Members (Commissioners, Junior Olympic Commissioners, At-Large Athlete Representatives, Regional Player Representatives, Athlete Representatives, Regional Umpire-in-Chief) | | X |

| | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| Officials (Umpires that officiate youth play or that are appointed by the NGB to national championship events or international events) | X | X |
| Adult Athletes (on a team with minor athletes) | X | |
| Adult Athletes | | |
| Team Authorized Volunteers (parents or other individuals over the age of 18 that will be assisting on the field or in the dugout in youth play, monitoring, lodging with, transporting minor athletes that are not solely their own biological or legally designated child[ren]) | X | X |
| Grounds Crew & Field Maintenance Staff | | |
| Facility Management & Support/Volunteer Staff (inclusive of park administrators, announcers, concession/apparel/novelty workers, security personnel [public or private], third-party vendors, ticket sales/gate monitors, sponsors, scoreboard operators, and other volunteers that do not have regular contact as defined by the USAS MAAPP.) | | |
| Media Members | | |
| Tournament (Event)/Clinic Directors | | X |
| Event Medical Staff/Athletic Trainers (includes emergency/ambulatory professionals as well as on-site medical personnel or athletic trainers that are retained by event management as support staff.) | | |
| Team Authorized Medical Staff/Athletic Trainers (includes any medical personnel or athletic trainers that are retained by a team or league for routine use and travel or in affiliation with the USAS National Teams Programs.) | X | |

Any individual who was previously terminated from a youth sports organization for an offense covered by the Ted Stevens Act is prohibited from registering with USA Softball and must file an appeal to participate.

Background Check Policy

USA Softball, Inc. ("USA Softball") and/or USA Softball's state/metro associations reserve the right to screen any volunteer, contractor and/or employee who has access to minors in USA Softball programs. The screening may consist of (1) a Staff and Volunteer Application Form, (2) an interview, (3) consent to reference and fingerprint for a background check report, and/or (4) approval by staff and/or committee members.

Please note that the 50 states of the United States adopt different laws and categorize the offenses differently. The USA Softball list of offenses below is not intended to be an exhaustive list of offenses but a list of commonly used terms to define the offenses. Other convictions, accusations, charges or facts should be considered on a case-by-case basis.

If a reportable record or disclosure that contains a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty,¹ or the existence of pending charges, for any of the below criminal offenses, USA Softball, its National Background Check Committee, and/or its state/metro associations shall undertake a review of such individual's application to determine whether such person should be permitted to participate in USA Softball programs:

1. Any felony;² and
2. Any misdemeanor involving:
 - a. ** All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;³
 - b. Any drug related offenses;
 - c. ** Harm to a minor or vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
 - d. ** Violence against a person, force, or threat of force (including crimes involving deadly weapons and domestic violence);
 - e. Stalking, harassment, blackmail, violation of a protection order, and/or threats;
 - f. Destruction of property, including arson, vandalism, and criminal mischief; and
 - g. Animal abuse, cruelty, or neglect.

If a background check is performed and reveals a conviction of any of aforementioned offenses, then the application shall be reviewed by a member of the National Background Check Committee (or such person's designee) for a determination of eligibility. A denial of eligibility may be appealed by the applicant to the entire National Background Check Committee.

In addition, if the background check reveals that the applicant is listed on a sex offender registry **, then the applicant shall be ineligible for participation in USA Softball programs.

Appeal Process:

USA Softball recognizes that no policy can encompass every situation, so USA Softball has formed its National Background Check Committee to evaluate applications and decide appeals variance requests on a case-by-case basis in certain situations where good cause exists.

An applicant may appeal a denial of eligibility to the entire National Background Check Committee, so long as the appeal is timely filed within fourteen (14) days of the date stated on the denial correspondence. The appeal process shall provide the applicant with an opportunity to present his/her side of the story. An appeal may advise the Committee of incorrect information appearing in a background check report, a mistaken identity with another individual, or extenuating circumstances as to why the person should be permitted to participate despite a conviction of one of the aforementioned offenses.

Any person whose application for participation in USA Softball's program has been denied may appeal the denial within fourteen (14) days to USA Softball's National Background Check Committee by filing his/her appeal with his/her USA Softball State/Metro Local Association Commissioner. All appeals shall be in writing and sent first to the Commissioner of the State/Metro association. The written appeal submission must contain a statement of the specific grounds why the prior determination should be reversed and must be accompanied by all evidence supporting the request for reversal. With the written appeal

submission, the person filing the appeal may also file any other information or evidence in support of the appeal. The USA Softball State/Metro Local Association Commissioner will review the information and make a recommendation to the National Background Check Committee in Oklahoma City, Oklahoma. The National Background Check Committee shall review the appeal and decide whether the applicant's appeal should be granted or denied.

Subject to the **Mandatory Ineligibility** requirements below, in extenuating circumstances and for good cause shown, USA Softball's National Background Check Committee shall have the authority to, but not be required to, grant an appeal and permit an individual to participate in USA Softball's program even though that person has been convicted of one of the above non-mandatory offenses (or its equivalent).

Mandatory Ineligibility for Certain Offenses and Applicants listed on a Sex Offender Registry:

Any of the following shall constitute an applicant's mandatory ineligibility from participation in USA Softball programs: (a) an applicant's current listing on any sex offender registry; or (b) for any offense(s) marked with an "***". For all such applications, the National Background Check Committee may consider appeals based upon incorrectly reported information and/or mistaken identity but the Committee shall not have the authority to grant an appeal for extenuating circumstances or good cause shown in instances where the applicant is currently listed on a sex offender registry or has been convicted of the type of offense marked with a "***" above.

Notwithstanding the foregoing, to the extent this Policy directly conflicts with any terms or conditions of any policy of the USOPC or U.S. Center for SafeSport concerning a person's ineligibility to participate, then the USOPC or U.S. Center for SafeSport's ineligibility determination or policy shall be controlling and shall apply.

Individuals presently subject to USA Softball's Background Check Requirements

- Any volunteer, contractor and/or employee who has regular access to minors in USA Softball programs; and
- Any additional person(s) required by applicable law to undergo a background check, including persons required pursuant to the laws of the State of Pennsylvania; and
- Any additional person(s) required by rules or requirements of USA Softball's local association members to undergo a background check as a condition of participation in that local association member's programs and activities; and
- Any members of the media who are provided media credentials and/or access to minor athletes or members of a National Team at USA Softball events.
- Any persons ages 17 and older that are participating or assisting with the USA Softball National Team Programs. Those age 17 will need a signed parental consent.
- All adults (ages 18 and older) assisting on the field/dugout during Junior Olympic (youth) play.
- Any umpire age 18 years or older that is appointed by the NGB to national championship events or international events
- All voting members of the USA Softball General Council (inclusive to appointed/approved proxies).
- Local Association Softball Officials, including:
 - Board of Directors
 - Commissioners appointed by USA Softball
 - JO Commissioners appointed by the USA Softball Commissioners

- Player Representatives appointed by USA Softball Commissioners
- Umpires-In-Chief appointed by USA Softball Commissioners
- National Championship Tournament Directors appointed by USA Softball or USA Softball Commissioners

ATHLETE PROTECTION POLICIES

The U.S. Center for SafeSport recognizes that youth-adult relationships can be healthy and valuable for development. Policies on one-on-one interactions protect children while allowing for these beneficial relationships. As child sexual abuse is often perpetrated in isolated, one-on-one situations, it is critical that organizations limit such interactions between youth and adults and implement programs that reduce the risk of sexual abuse.

One-On-One Interactions

Mandatory Components: Observable and Interruptible

1. All one-on-one In-Program Contact between an Adult Participant and a Minor Athlete must be observable and interruptible, except in emergency circumstances.
2. The exceptions below may apply to specific policies, and if the exceptions apply, they are listed in the policy. These exceptions also apply to all one-on-one In-Program Contact not specifically addressed in other policies:
 - a. When a Dual Relationship exists; or
 - b. When the Close-in-Age Exception applies; or
 - c. If a Minor Athlete needs a Personal Care Assistant, and:
 - i. the Minor Athlete's parent/guardian has provided written consent to USAS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - ii. the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - iii. the Adult Participant Personal Care Assistant has complied with the USAS screening policy (Background screening and checks are not covered by this policy; please see the separate policy, required by the USOPC, regarding individuals who must be background screened.); or
 - d. In other circumstances specifically addressed in this policy that allow for certain one-on-one interactions if the USAS/LAO receives parent/ guardian consent.

Meetings and Training Sessions Policy

Mandatory Components

1. Observable and Interruptible: Adult Participants must follow the one-on-one interaction policy in all meetings and training sessions where Minor Athlete(s) are present.
2. Individual Training Sessions
 - a. One-on-one, In-Program, individual training sessions must be observable and interruptible except if:
 - i. A Dual Relationship exists; or
 - ii. The Close-in-Age Exception applies; or
 - iii. A Minor Athlete needs a Personal Care Assistant, and:
 - a) the Minor Athlete's parent/guardian has provided written consent to USAS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - b) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - c) the Adult Participant Personal Care Assistant has complied with the USAS screening policy (Background screening and checks are not covered by this policy; please see the separate policy,

required by the USOPC, regarding individuals who must be background screened.).

- b. The Adult Participant providing the individual training session must receive advance, written consent from the Minor Athlete's parent/guardian at least annually, which can be withdrawn at any time; and
 - c. Parents/guardians must be allowed to observe the individual training session.
3. Meetings with licensed mental health care professionals and health care providers (other than athletic trainers²): If a licensed mental health care professional or licensed health care provider meets one-on-one with a Minor Athlete at a sanctioned event or a facility, which is partially or fully under USAS/LAO's jurisdiction, the meeting must be observable and interruptible except:
- a. If the door remains unlocked; and
 - b. Another adult is present at the facility and notified that a meeting is occurring, although the Minor Athlete's identity needs not be disclosed; and
 - c. USAS/LAO is notified that the provider will be meeting with a Minor Athlete; and
 - d. The provider obtains consent consistent with applicable laws and ethical standards, which can be withdrawn at any time.

Recommended Components

1. Monitoring: If a permitted meeting or training session takes place between an Adult Participant(s) and a Minor Athlete(s) at a facility partially or fully under USAS/LAO's jurisdiction, another Adult Participant will monitor each meeting or training session. Monitoring includes reviewing the parent/guardian consent form, knowing that the meeting or training session is occurring, knowing the approximate planned duration of the meeting or training session, and dropping in on the meeting or training session.
2. Parent Training: Parents/guardians receive the U.S. Center for SafeSport's education and training on child abuse prevention before providing consent for their Minor Athlete to have a meeting or training session with an Adult Participant subject to these policies.

Athletic Training and Modalities, Massages, and Rubdowns Policy

Mandatory Components

1. Athletic training modality, massage, or rubdown
All In-Program athletic training modalities, massages, or rubdowns of a Minor Athlete must:
 - a. Be observable and interruptible; and
 - b. Have another Adult Participant physically present for the athletic training modality, massage, or rubdown; and
 - c. Have documented consent as explained in subsection (2) below; and
 - d. Be performed with the Minor Athlete fully or partially clothed, ensuring that the breasts, buttocks, groin, or genitals are always covered; and
 - e. Allow parents/guardians in the room as an observer, except for competition or training venues that limit credentialing.
2. Consent
 - a. Providers of athletic training modalities, massages, and rubdowns or USAS/LAO, when applicable, must obtain consent at least annually from Minor Athletes' parents/guardians before providing any athletic training modalities, massages, or rubdowns.
 - b. Minor Athletes or their parents/guardians can withdraw consent at any time.

Recommended Components

1. Parent Training: Parents/guardians receive the U.S. Center for SafeSport education and training on child abuse prevention before providing consent for their Minor Athlete to receive an athletic training modality, massage, or rubdown.

2. The provider should narrate the steps in the massage, rubdown, or athletic training modality before taking them, seeking assent of the Minor Athlete throughout the process.
3. When possible, techniques should be used to reduce physical touch of Minor Athletes.
4. Only licensed providers should administer a massage, rubdown, or athletic training modality.

Coaches, regardless of whether they are licensed massage therapists, should not massage Minor Athletes.

Locker Rooms and Changing Areas

Mandatory Components

1. Observable and Interruptible

Adult Participants must ensure that all one-on-one In-Program Contact with Minor Athlete(s) in a locker room, changing area, or similar space where Minor Athlete(s) are present is observable and interruptible, except if:

- a. A Dual Relationship exists; or
 - b. The Close-in-Age Exception applies; or
 - c. A Minor Athlete needs a Personal Care Assistant and:
 - i. the Minor Athlete's parent/guardian has provided written consent to USAS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - ii. the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - iii. the Adult Participant Personal Care Assistant has complied with the USAS screening policy (Background screening and checks are not covered by this policy; please see the separate policy, required by the USOPC, regarding individuals who must be background screened.).
2. Conduct in Locker Rooms, Changing Areas, and Similar Spaces
- a. No Adult Participant or Minor Athlete can use the photographic or recording capabilities of any device in locker rooms, changing areas, or any other area designated as a place for changing clothes or undressing.
 - b. Adult Participants must not change clothes or behave in a manner that intentionally or recklessly exposes their breasts, buttocks, groin, or genitals to a Minor Athlete.
 - c. Adult Participants must not shower with Minor Athletes unless:
 - i. The Adult Participant meets the Close-in-Age Exception; or
 - ii. The shower is part of a pre- or post-activity rinse while wearing swimwear.
 - d. Parents/guardians may request in writing that their Minor Athlete(s) not change or shower with Adult Participant(s) during In-Program Contact. USAS/LAO and the Adult Participant(s) must abide by this request.

3. Media and Championship Celebrations in Locker Rooms

USAS/LAO may permit recording or photography in locker rooms for the purpose of highlighting a sport or athletic accomplishment if:

- i. Parent/legal guardian consent has been obtained; and
- ii. USAS/LAO approves the specific instance of recording or photography; and
- iii. Two or more Adult Participants are present; and

- iv. Everyone is fully clothed.
- 4. Personal Care Assistants: Adult Participant Personal Care Assistants are permitted to be with and assist Minor Athlete(s) in locker rooms, changing areas, and similar spaces where other Minor Athletes are present, if they meet the requirements in subsection (1)(c) above.
- 5. Availability and Monitoring of Locker Rooms, Changing Areas, and Similar Spaces
 - a. USAS/LAO must provide a private or semi-private place for Minor Athletes that need to change clothes or undress at sanctioned events or facilities partially or fully under USAS/LAO jurisdiction.
 - b. USAS/LAO must monitor the use of locker rooms, changing areas, and similar spaces to ensure compliance with these policies at sanctioned events or facilities partially or fully under USAS/LAO jurisdiction.

Recommended Components

USAS or a Local Association may include any of the following Components:

1. To minimize the risk of bullying and hazing, USAS/LAO uses locker room monitors to ensure that minor athletes are not left unsupervised in locker rooms and changing areas, including, when appropriate, Adult Participants listening-in from nearby to locker room interactions among minors.
2. Adult Participants make every effort to recognize when a minor athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, will check on the minor athlete's whereabouts.

We discourage parents from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent when other minor athletes are changing in the same locker room or changing area. If this is necessary, parents should let a coach or administrator know about this in advance.

Electronic Communication

Mandatory Components

1. Open and Transparent
 - a. All one-on-one electronic communications between an Adult Participant and a Minor Athlete must be Open and Transparent except:
 - i. When a Dual Relationship exists; or
 - ii. When the Close-in-Age Exception applies; or
 - iii. If a Minor Athlete needs a Personal Care Assistant and:
 - (1) the Minor Athlete's parent/guardian has provided written consent to USAS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - (3) the Adult Participant Personal Care Assistant has complied with the USAS screening policy (Background screening and checks are not covered by this policy; please see the separate policy, required by the USOPC, regarding individuals who must be background screened.).
 - b. Open and Transparent means that the Adult Participant copies or includes the Minor Athlete's parent/guardian, another adult family member of the Minor Athlete, or another Adult Participant.
 - If a Minor Athlete communicates with the Adult Participant first, the Adult Participant must follow this policy if the Adult Participant responds.

- c. Only platforms that allow for Open and Transparent communication may be used to communicate with Minor Athletes.
2. Team Communication: When an Adult Participant communicates electronically to the entire team or any number of Minor Athletes on the team, the Adult Participant must copy or include another Adult Participant or the Minor Athletes' parents/guardians.
3. Content: All electronic communication originating from an Adult Participant(s) to a Minor Athlete(s) must be professional in nature unless an exception in (1)(a) exists.
4. Requests to discontinue: Parents/guardians may request in writing that USAS/LAO or an Adult Participant subject to this policy not contact their Minor Athlete through any form of electronic communication. USAS/LAO and the Adult Participant must abide by any request to discontinue, absent emergency circumstances.

Recommended Components

1. Hours: Electronic communications should generally be sent only between the hours of 8:00 a.m. and 8:00 p.m. local time for the location of the Minor Athlete.
2. Social Media Connections: Adult Participants, except those with a Dual Relationship or who meet the Close-in-Age Exception, are not permitted to maintain private social media connections with Minor Athletes and should discontinue existing social media connections with Minor Athletes.

Transportation Policy

Mandatory Components

1. Transportation
 - a. An Adult Participant cannot transport a Minor Athlete one-on-one during In-Program travel, except if:
 - i. A Dual Relationship exists; or
 - ii. The Close-in-Age Exception applies; or
 - iii. A Minor Athlete needs a Personal Care Assistant and:
 - (1) the Minor Athlete's parent/guardian has provided written consent to USAS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - (3) the Adult Participant Personal Care Assistant has complied with the USAS screening policy (Background screening and checks are not covered by this policy; please see the separate policy, required by the USOPC, regarding individuals who must be background screened.);
 or
 - iv. The Adult Participant has advance, written consent to transport the Minor Athlete one-on-one obtained at least annually from the Minor Athlete's parent/guardian.
 - b. Minor Athlete(s) or their parent/guardian can withdraw consent at any time.
 - c. An Adult Participant meets the In-Program transportation requirements if the Adult Participant is accompanied by another Adult Participant or at least two minors.
 - d. Written consent from a Minor Athlete's parent/guardian is required for all transportation sanctioned by an USAS/LAO at least annually.

Recommended Components

1. Shared or Carpool Travel Arrangement: USAS/LAO encourages parents/guardians to pick up their Minor Athlete first and drop off their Minor Athlete last in any shared or carpool travel arrangement.
2. Parent Training: Parents/guardians receive the U.S. Center for SafeSport education and training on child abuse prevention before providing consent for their Minor Athlete to travel one-on-one with an Adult Participant.

Lodging Policy

Mandatory Components

1. Hotel Rooms and Other Sleeping Arrangements
 - a. All In-Program Contact at a hotel or lodging site between an Adult Participant and a Minor Athlete must be observable and interruptible, and an Adult Participant cannot share a hotel room or otherwise sleep in the same room with a Minor Athlete(s), except if:
 - i. A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USAS/LAO with advance, written consent for the lodging arrangement;
 - ii. The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USAS/LAO with advance, written consent for the lodging arrangement; or
 - iii. The Minor Athlete needs a Personal Care Assistant, and:
 - (1) The Minor Athlete's parent/guardian has provided advance, written consent to USAS/LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement;
 - (2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - (3) The Adult Participant Personal Care Assistant has complied with the USAS screening policy (Background screening and checks are not covered by this policy; please see the separate policy, required by the USOPC, regarding individuals who must be background screened.)
 - b. Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.

2. Monitoring or Room Checks During In-Program Travel

If USAS/LAO or team performs room checks during In-Program lodging, the one-on-one interaction policy must be followed and at least two adults must be present for the room checks.

3. Additional Requirements for Lodging Authorized or Funded by USAS

- a. Adult Participants traveling with USAS National Teams must agree to and sign USAS lodging policy at least annually.
- b. Adult Participants that travel overnight with Minor Athlete(s) are assumed to have Authority over Minor Athlete(s) and thus must comply with the USAS' Education & Training Policy.

Recommended Components

1. Adult Participants who travel with USAS must successfully pass a criminal background check and other screening requirements consistent with USAS policies.
2. During team travel, when doing room checks, attending team meetings and/or other activities, two-deep leadership (two Adult Participants should be present) and observable and interruptible environments should be maintained.

3. Meetings should not be conducted in a hotel room.
4. Parent Training: Parents/legal Parents/guardians receive the Center's education and training on child abuse prevention before providing consent for lodging arrangements under this policy.

Other Applicable Policies

- A. Out-of-Program Contact: Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not have out-of-program contact with Minor Athlete(s) without legal/parent guardian consent, even if the out-of-program contact is not one-on-one.
- B. Gifting
 1. Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not give personal gifts to Minor Athlete(s).
 2. Gifts that are equally distributed to all athletes and serve a motivational or education purpose are permitted.
- C. Photography/Video
 1. Photographs or videos of athletes may only be taken in public view and must observe generally accepted standards of decency.
 2. Adult Participants should not publicly share or post photos or videos of Minor Athlete(s) if the Adult Participant has not obtained the Parent/Guardian and Minor Athlete's consent.

REPORTING CONCERNS

How to Report Concerns

USAS provides three ways for individuals to report violations, abuse, misconduct, and concerns within the sport:

1. The Online Incident Reporting Form
 - The online Incident Reporting Form can be found on the [Safe Softball](#) page of USA Softball.com and is available for the public to use with no associated costs, fees, or other financial barriers attached to submitting a report.
 - Individuals can report anonymously.
2. Contacting the following USAS staff directly via phone or email:
 - Stephanie Brown, Athlete Safety Coordinator
sbrown@usasoftball.com | 405.425.3459
 - Allison Flaig, Chief Operating Officer
aflaig@usasoftball.com | 405.425.3430
3. Incident reports can also be made to the Center's reporting portal (<http://www.uscenterforsafesport.org/report-a-concern>)

Referral of Report to the Center: Any report received directly by USAS that falls within the Center's exclusive jurisdiction over Adult or Minor Participants of USAS (as defined by the Center) must be referred by USAS directly to the Center immediately and no later than within 24 hours.

Jurisdiction Notification: Upon receipt of complete information related to a report, USAS must promptly inform an identified reporting party of its jurisdictional determination regarding their report, communicating that the matter either is being referred to the Center, being addressed by

USAS directly, or being referred to the organization that has jurisdiction over the incident.

Mandatory Reporting

All Adult Participants, regardless of membership with USA Softball, are required to report suspected Safe Softball violations to USA Softball. Participants are required to report suspected child abuse and/or sexual misconduct to the U.S. Center for SafeSport and local law enforcement. All other suspected Safe Softball violations, including violations of the Athlete Protection Policies, must be reported to USA Softball (or the U.S. Center for SafeSport). There are no fees for filing a SafeSport report with the U.S. Center for SafeSport or a Safe Softball report with USA Softball.

USAS and Adult Participants of USAS follow a mandatory reporting policy requiring the following:

1. Allegations or reasonable suspicion of child abuse, including but not limited to child sexual abuse, must be reported to law enforcement immediately, and no later than within 24 hours
2. Allegations or reasonable suspicion of child abuse, including child sexual abuse, and sexual misconduct, must also be reported to the Center and USAS (after the report to law enforcement) immediately, and no later than within 24 hours.
3. Allegations of sexual misconduct, emotional abuse and/or other conduct prohibited by the Center by an Adult Participant, or by a Minor Participant against a minor, must be reported by USAS to the Center within 24 hours.

Reporting Sexual Misconduct

The U.S. Center for SafeSport handles all reports of sexual misconduct. Make a report to the Center if you have suspicions or have heard allegations of sexual misconduct, such as child sex abuse, non-consensual sexual conduct, sexual harassment or intimate relationships involving an imbalance of power (i.e., an inappropriate relationship between a Coach and an Athlete, regardless of age).

- Go to [uscenterforsafesport.org](https://www.uscenterforsafesport.org) to make a report involving sexual abuse and misconduct to the U.S. Center for SafeSport.
- You may also call the U.S. Center for SafeSport at: 833.587.7233.
- Reports to the U.S. Center for SafeSport may be made anonymously.

Reporting other Safe Softball Violations

All questions or concerns regarding possible Safe Softball violations other than sexual misconduct, such as failure to comply with the policies set forth in this Handbook and other misconduct such as emotional or physical misconduct, bullying, hazing or harassment should be made directly to USA Softball.

Go to the [Safe Softball](#) page on USASoftball.com to make a report that does not involve sexual misconduct or abuse.

Reports to USA Softball's Safe Softball may also be made anonymously, but please keep in mind that at times a reporter may need to be contacted for additional information. If a report is filed anonymously, this may not be possible. USA Softball will use reasonable efforts to maintain anonymity but cannot guarantee that a report will remain anonymous. Anonymous reporting may make it more challenging for USA Softball to investigate or properly address misconduct or abuse, but USA Softball recognizes that it may be difficult for a Claimant to report an allegation otherwise. USA Softball strives to remove barriers to reporting.

Reports not under the jurisdiction of the U.S. Center for SafeSport will first be reviewed by the USA Softball Athlete Safety Coordinator. The Athlete Safety Coordinator will determine if a

Letter of Concern is appropriate. A Letter of Concern will identify the alleged infraction and will be sent to the Respondent and Local Association Commissioner with any potential imposed safety measures. The Respondent will have an opportunity to file a written response addressed to the Local Association Commissioner and National Office.

Bad-Faith Allegations

A report of abuse, misconduct or policy violation that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of the USA Softball Safe Softball Program 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.

Whistleblower Protection and Anti-Retaliation Policy

Purpose

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

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

Violations Covered by this Policy

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

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

If an Affiliated Individual is unsure about whether a matter might be a policy violation or is unsure about their reporting responsibility for a particular type of matter, please start by reviewing the particular policy involved. USA Softball staff should refer to the Employee Handbook or reach out to the Chief Operating Officer for more information.

Also, keep in mind that some violations **must** be reported. Specifically, please be familiar with the requirements in the Safe Softball Handbook. And of course, if an Affiliated Individual suspects any criminal activity against a person or property, they should report this directly to law enforcement immediately.

Nothing in this Policy changes or replaces any mandatory reporting obligations under the SafeSport Code for the Olympic and Paralympic Movements – talk to USA Softball’s Chief Operating Officer if you have any questions about those obligations.

Reporting

No Retaliation

USA Softball has an open-door policy and encourages Affiliated Individuals to share questions, concerns, suggestions or complaints in the way and to the people with which they are most

comfortable. This means Affiliated Individuals have options for how to report any concern about a potential ethical, policy, financial or legal violation.

USA Softball has zero tolerance for retaliation against people who make good faith reports of potential ethical, policy, financial or legal violations, or who cooperate with investigations of those reports. That means no Affiliated Individual may threaten, harass, discriminate against, or take any negative employment (where applicable) or participation related action (e.g., discharge, demotion, suspension, non-assignment, negative review) on that basis before, during and after the process of resolving an abuse or misconduct allegation whether led by USA Softball or the U.S Center for SafeSport.

Any such retaliation can be reported as described above in the same way as any other policy violation. It will be treated as a violation of this Policy and USA Softball's Code of Conduct, and may lead to serious consequences including termination of employment or participation for anyone involved in retaliation.

How to Report

Affiliated Individuals may always report to an USA Softball staff member or their supervisor (if applicable). Or, the Affiliated Individual can make a report to the Chief Operating Officer. This person can also discuss the concern and help make sure it is addressed. Affiliated Individuals can also make reports to the Chair of Ethics Committee, Board member or other governance lead as designated by USA Softball.

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

Acting in Good Faith

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

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

Investigation

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

The Chief Operating Officer is responsible for coordinating among these people so that reporters can be confident that reported concerns get to the people best positioned to act on them. The Chief Operating Officer will report regularly to the USA Softball Ethics Committee.

Confidentiality

In many cases, a reported matter will need investigation in order to reach the right resolution. Cooperation as a reporter or otherwise may be very helpful and much appreciated. Reports will

be treated as confidentially as possible; some information may have to be disclosed to certain parties in order to conduct a thorough investigation, to comply with the law, and to provide accused individuals access to due process.

If a matter is reported anonymously and the reporter chooses to remain anonymous as it is investigated, USA Softball will respect that.

Follow Up

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

For additional applicable policies, refer to the Safe Softball Handbook and/or Bylaws to review how follow ups to complaints will be handled under the auspices of the appropriate policy (Conflicts of Interest, Code of Conduct, etc.) and those policies have appropriate investigation procedures and appropriate checks to ensure that conflicted individuals are not involved in the decision-making process.

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

Grievances

The following complaint procedures are delineated in Section 16 of the Bylaws and should not be used to file complaints which should be brought, in the first instance, with a Local Association Judicial Committee or Tournament Protest Committee according to Section 15 of the Bylaws. A failure to adhere to the Bylaws and complaint procedures shall constitute independent grounds for denial of a complaint.

Designation of Complaints

The following kinds of complaints may be filed with USAS's National Office:

- A. Administrative Grievance: USAS, any member of USAS, or any member of any USAS Local Association may file a complaint pertaining to any matter within the jurisdiction of USAS, including but not limited to any alleged violation of or grievance concerning:
 - i. any USAS rule or regulation,
 - ii. any USAS program or service,
 - iii. any provision of USAS's Bylaws,
 - iv. any covered individuals defined in the Athlete Safety Policy, or
 - v. any provision of the Ted Stevens Olympic and Amateur Sports Act relating to USAS's recognition as a National Governing Body.
- B. Disciplinary Proceeding: USAS, any member of USAS, or any member of any USAS Local Association may file a complaint against another member of USAS, or former member of USAS if the action occurred while the individual was a member, regarding any alleged violation of USAS's Code of Conduct, USAS's Safe Softball Handbook, or any other rule or regulation relating to conduct.
- C. Right to Participate: Any athlete, coach, trainer, manager, administrator or official may file a complaint pertaining to any alleged denial, or alleged threat to deny, of that individual's opportunity to participate in a USAS competition or protected competition. Any such aggrieved athlete or coach may file a protest or complaint pertaining to any such denial of that individual's opportunity to participate in a USAS National Team program.
- D. Membership: USAS may file a complaint against any member seeking to revoke such member's membership in USAS or such member's membership in any USAS' Local

Associations.

- E. Appeals: Any individual subject to a decision of a hearing panel of a Local Association or the Local Association may file an appeal to the USAS Judicial Committee subject to the requirements of Bylaws Section 15.17.

Agreement to Be Bound

Any member of USAS and/or any member of an applicable USAS Local Association, by reason of such membership, agrees to be subject to these complaint procedures and agrees to be bound by any decision rendered pursuant to these complaint procedures, including its mandatory arbitration provisions.

Resolution Prior to Bringing Complaint.

Prior to the filing of a complaint, USAS may, as appropriate, offer the respondent a proposal to resolve the matter. The respondent may accept or reject such proposal. If rejected, the respondent shall be entitled to a hearing on the merits.

Manner of Filing

The complainant shall file the complaint with the Judicial Committee. The complaint shall set forth in clear and concise language, preferably in numbered paragraphs: (i) the alleged violation, grievance, denial or threat to deny, and (ii) the remedy requested. The complainant shall sign the complaint; with the exception for reports of athlete safety violations, those can be filed anonymously.

Filing Fee

Complaints involving reports of athlete safety violations do not require a filing fee. All other complaints filed by an individual shall be accompanied with a \$300.00 filing fee. Complaints filed by an organization shall be accompanied with a \$500.00 filing fee. The complainant may request that the filing fee be reduced or waived for reasons of significant financial hardship. If such request is made, the hearing panel appointed by the Chair of the Judicial Committee, or his/her designee, shall determine whether or not to reduce or waive the filing fee. If USAS brings a complaint, it is not required to pay a filing fee.

Statute of Limitations

A complaint filed under this Section shall be filed within one hundred and eighty (180) days (i) of the occurrence of the alleged violation, grievance, denial or threat to deny of opportunity to participate or (ii) of date the injured party first learns, or by which such person reasonably should have learned, of the facts and circumstances giving rise to the cause of action. There shall be no time bar for actions regarding athlete safety or SafeSport proceedings.

Doping Decisions

A decision concerning a doping violation adjudicated by the independent anti-doping organization designated by the USOPC to serve as the U.S. National Anti-Doping Organization (currently the United States Anti-Doping Agency) shall not be reviewable through, or the subject of, these complaint procedures.

SafeSport Decisions

A decision concerning a SafeSport violation adjudicated by the independent safe-sport organization designated by the USOPC (currently the United States Center for SafeSport) shall not be reviewable through, or the subject of, these complaint procedures.

Field of Play Decisions

The final decision of an umpire or referee during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the umpire or

official) shall not be reviewable through, or the subject of these complaint procedures unless the decision is: (i) outside the authority of the umpire or official to make, or (ii) the product of fraud, corruption, partiality or other misconduct of the referee. For purposes of this Section, the terms “umpire and official” shall include any individual with discretion to make field of play decisions.

Administration

The Judicial Committee shall generally administer and oversee all administrative grievances and right to participate matters filed with USAS. The Judicial Committee shall be responsible to ensure that all complaints are heard in a timely, fair and impartial manner. Respondents shall be afforded basic due process protections, which includes respondent(s) in a grievance proceeding are provided a notice of the charges and the requested remedy. The Judicial Committee may promulgate procedures in addition to those set forth in these Bylaws for the effective administration of complaints filed with USAS. All complaint procedures shall comply with the Ted Stevens Olympic and Amateur Sports Act.

Hearing Panel

Upon the filing of a complaint, the chair of the Judicial Committee Chair, or his/her designee, shall appoint a hearing panel consisting of three (3) disinterested individuals to hear the complaint. The chair of the Judicial Committee, or his/her designee, shall also appoint a chair of the hearing panel from the three disinterested individuals selected. Judicial Committee members may be appointed to and serve on the hearing panel. Other disinterested individuals identified by the Judicial Committee may also be appointed to and serve on the hearing panel. At least one (1) member of the hearing panel shall be an athlete. Members of the panel need not be members of USAS or involved in the sport of softball. If the chair of the Judicial Committee is not able to fulfill his or her responsibility, he or she shall appoint a member of the Judicial Committee as designee.

Conduct of the Proceeding

The hearing panel shall rule on all motions and other matters raised in the proceeding. If the complaint is not dismissed, the hearing panel shall hold a hearing on the complaint. The hearing panel shall set such timelines and other rules regarding the proceeding and the conduct of the hearing as it deems necessary. The hearing shall be informal, except that testimony shall be taken under oath.

The hearing may be conducted by teleconference as determined by the hearing panel. The hearing panel shall take into consideration the convenience of the parties, timing considerations and how best to receive evidence. Each party shall have the right to appear personally or through a legal representative. All parties shall be given a reasonable opportunity to present and examine evidence, cross-examine witnesses and to present argument. Members of the hearing panel shall have the right to question witnesses or the parties at any time.

Any party may have a record made of the hearing. A court reporter may be present at the hearing at the request of a party. However, a hearing held on an expedited basis shall not be delayed on account of the unavailability of a court reporter. The court reporter shall be paid for by the party requesting the court reporter, or if mutually agreed, the cost may be equally divided. Any transcript shall be paid for by the party requesting the transcript. Transcripts shall be made available to the hearing panel at no cost to the hearing panel.

Expedited Procedures

Upon the request of a party, and provided that it is necessary to expedite the proceeding in order to resolve a matter relating to a competition that is so scheduled that compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the chair of the Judicial Committee, or his/her designee, is authorized to order

that the complaint be heard and decided within forty-eight (48) hours of the filing of the complaint. In such a case, the hearing panel is authorized to hear and decide the complaint pursuant to such procedures as are necessary, but fair to the parties involved.

Complaints Involving Selection to Participate in a Competition

Where a complaint is filed involving selection of an individual or team to participate in a competition, or the participation of an individual or team in a competition, the complainant shall include with the complaint a list of all other individuals or teams, together with their contact information, that may be adversely affected by a decision rendered on the complaint. The adverse party to the complaint shall also submit a list of individuals or teams, together with their contact information, that may be adversely affected by a decision rendered on the complaint. The hearing panel shall determine those individuals or teams who must receive notice of the complaint. USAS shall then be responsible for providing appropriate notice to these individuals or teams. Any individual or team so notified shall have the option to participate in the proceeding as a party. If an individual or team is notified of the complaint, then that individual or team shall be bound by the decision of the hearing panel even though the individual or team chose not to participate as a party.

Interim Measures

In disciplinary, athlete safety or SafeSport matters, prior to the matter being heard on the merits, it may be necessary to implement interim measures against the respondent in the following circumstances: (i) to ensure the safety or well-being of others, or (ii) where an allegation is sufficiently serious. Where either such circumstance exists, the Chief Executive Officer of USAS, or his or her officer's designee, may immediately implement interim measures to protect others, provided the respondent is afforded an opportunity for a provisional hearing within three (3) business days of implementation of the interim measure except in right to participate matters in which expedited procedures pursuant to Section 16.13 are requested. The provisional hearing is not a full hearing on the merits. The sole issue before the hearing panel is whether there is probable cause to impose an interim measure. Interim measures may include, but are not limited to altering training schedules, providing chaperones, limiting contact, removal from the venue and suspensions.

Decision

A decision shall be determined by a majority of the hearing panel. The hearing panel's decision shall be in writing and distributed to the parties.

Arbitration

Subject to the requirements herein, any party may appeal to the American Arbitration Association (AAA) a decision of a hearing panel of the USAS Judicial Committee to initiate the appeal, the appealing party shall file a claim with the AAA with notice to USAS. The arbitrator(s) appointed by the AAA shall have the authority to decide the matter in accordance with the Commercial Rules of the AAA, as provided for by the Ted Stevens Olympic and Amateur Sports Act, as amended from time to time (36 U.S.C. §§ 220501 et seq.). The person commencing the arbitration shall be responsible for any filing fees of the American Arbitration Association, but the fees may be apportioned by the arbitrator(s) pursuant to the Commercial Rules of the AAA. To the extent arbitration hearings or proceedings are conducted, all such arbitration hearings or proceedings shall be conducted in Oklahoma City, Oklahoma. However, a party may petition the arbitrator(s) to conduct the hearing or proceedings in a different location, provided adequate reasons are given for doing so. The arbitrator(s) shall have authority to render a ruling on the location of the hearing or proceeding. Hearings and proceedings may also be conducted telephonically if permitted by the arbitrator(s). The award of the arbitrator(s) shall be final, binding and conclusive on all parties. The arbitrator(s) shall issue a reasoned decision explaining the award.

Response and Resolution of Reported Allegations

Allegations within USAS's (and/or its LAO's) Jurisdiction

Reported allegations of abuse and misconduct that fall within USAS's jurisdiction where the Center declines jurisdiction will be addressed and resolved as follows:

1. If the incident is reported via direct communication to USAS staff, the staff must immediately report the incident to USAS's Athlete Safety Coordinator and Chief Operating Officer. The Athlete Safety Coordinator will document the report via USAS's online Incident Reporting Form.
2. If the incident is reported via USAS's Incident Reporting Form, or once the Athlete Safety Coordinator documents the report via USAS's Incident Reporting Form, USAS will then determine if individuals involved are Adult Participants or Minor Participants as defined by the Center.
3. If the individuals involved are not affiliated with USAS, the Athlete Safety Coordinator will then report the incident and provide Athlete Safety Resources to the organization with whom the individuals involved are affiliated. USAS will also notify the claimant that USAS is referring the reported allegations to the affiliated organization, if applicable.
4. If the individuals involved are affiliated with USAS, USAS will assume jurisdiction and will investigate the incident. USAS will also notify the claimant that USAS is accepting jurisdiction of the incident.
5. While the investigation is on-going, USAS may impose temporary disciplinary measures to parties involved. The decision whether to impose temporary disciplinary measures will be in USAS's sole discretion.
6. Upon receipt of an investigative report, USAS will make a final disciplinary decision and provide all parties with a notice of final decision and any sanctions that may be imposed. Sanctions may include, but are not limited to training and education requirements, temporary or permanent suspension from USAS events and programming, and/or placement of the individual(s) on USAS's Ineligible List.

USAS National Office will be responsible for requesting the data quarterly, tracking reported allegations within USAS's jurisdiction, reflecting how allegations were responded to, and their respective outcomes for purposes of reporting to the Center. USAS may receive anonymized or aggregated data to evaluate trends and allocation of resources.

Allegations within the Center's Jurisdiction

1. The Center has the exclusive jurisdiction to investigate and resolve allegations that an Adult Participant engaged in one or more of the following:
 - a. Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct;
 - b. Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct;
 - c. Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
 - d. Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the Center's process;
 - e. Other Inappropriate Conduct
2. The Center has discretionary jurisdiction to investigate and resolve allegations that an Adult Participant engaged in one or more of the following:
 - a. Non-sexual Child Abuse;
 - b. Emotional and physical misconduct, including stalking, bullying behaviors, hazing, and harassment;
 - c. Criminal Charges or Dispositions not involving Child Abuse or Sexual Misconduct;

- d. Minor Athlete Abuse Prevention Policy or other similar Proactive Policy violations;
- e. Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the processes of the USOPC, USAS or any other organization under the Center's jurisdiction.

Reported allegations of abuse and misconduct that fall within the Center's jurisdiction will be addressed and resolved as follows:

1. If an incident is reported to USAS and the individuals involved are Adult Participants as defined by the Center, USAS will report the incident to the Center and must allow the Center to handle the investigation and make any decision on sanctions.
2. USAS will assist the Center in their investigation as requested by the Center.
3. For cases for which the Center accepts jurisdiction, USAS shall not interfere in, or attempt to influence the outcome of, the investigation.
4. USAS will also notify the claimant that USAS is referring the reported allegations to the Center.
5. If the Center receives a report and requests that USAS provide guidance on whether or not the individuals involved are Adult Participants of USAS, USAS's Athlete Safety Coordinator will respond to the Center within 72 hours. The Center's requests may include:
 - a. Whether the individual is an Adult Participant or Minor Participant (as defined by the Center) of USAS.
 - b. The eligibility status of an Adult Participant
 - c. The existence of any USAS-imposed temporary measures or safety plans
 - d. Any other information the Center deems necessary

Should a report of minor athlete sexual abuse be reported to anyone within the USAS (staff, contracted staff, Board of Directors, or volunteers) either through in-person communication, phone, text, email or any other electronic communication the following protocol should be enacted:

1. USAS's Chief Operating Officer and Athlete Safety Coordinator must immediately be notified and will ensure that local authorities have been contacted. If it cannot be confirmed that local authorities have been contacted, or if local authorities have not been contacted, USAS's Athlete Safety Coordinator will contact local authorities immediately provided there is enough information given to do so.
2. If not enough information is known to report to local authorities, USAS will provide available information to local authorities. USAS will always report to local authorities and keep all correspondence from law enforcement, even if a report cannot be accepted. If more information becomes available, USAS will update law enforcement.
3. USAS's Athlete Safety Coordinator will report the incident to the Center via the phone number provided by the Center's website (833-587-7233). USAS will also notify the claimant that USAS is referring the reported allegations to the Center.
4. If the report involves an individual who is affiliated with USAS but is not an Adult Participant or Minor Participant of USAS, USAS will accept jurisdiction and will investigate the incident. USAS will also notify the claimant that USAS is accepting jurisdiction of the incident.
 - a. While the investigation is on-going, USAS may impose temporary disciplinary measures to parties involved.
 - b. Upon receipt of the final report, USAS will make a disciplinary decision and provide all parties with a notice of decision and any sanctions that may be imposed. Sanctions may include training and education requirements, temporary or permanent suspension from USAS events and programming, and/or placement of the individual(s) on USAS's Ineligible List.
5. In the event the reported incident does not involve an Adult Participant or a Minor Participant of USAS, or an individual affiliated with USAS, or a USAS minor athlete, and the softball organization with which either the participating adult or the minor athlete is

associated is known, USAS's Athlete Safety Coordinator will notify said organization both via phone and via email of the reported incident.

- a. USAS's Athlete Safety Coordinator will contact local authorities immediately provided there is enough information given to do so.
- b. The report to the organization with which the individual(s) are involved should include as much known information as possible.
- c. USAS will also notify the claimant that USAS is referring the reported allegation to said organization.

Allegations within other Organizations' Jurisdiction

Reported allegations of abuse and misconduct that do not fall within USAS's or the Center's jurisdiction will be addressed and resolved as follows:

1. If an incident is reported to USAS and the individuals involved are not affiliated with USAS, the report will be disseminated to the relevant organization with which the respondent is affiliated, and a list of all available resources will be provided to the relevant organization.
2. USAS is not responsible for these investigations and it is up to individual organization on how they will or will not proceed with the information provided.
3. USAS will notify the claimant that the USAS is not accepting jurisdiction of the incident.

USAS's Chief Operating Officer and Athlete Safety Coordinator are required to ensure the Response and Resolution Policy is being followed.

Formal Notice of Interim or Final Resolution by USAS

If, through USAS's response and resolution process, USAS suspends, temporarily suspends, or otherwise renders an individual ineligible, USAS must notify the Center within 72 hours of the affected individual, sanction, and term of sanction. The information will be entered into the Center's Centralized Disciplinary Database (CDD).

Policy to Enforce Sanctions, Temporary Measures, and Administrative Holds Issued by the Center

For any notice of imposed Sanctions, Temporary Measures, or Administrative Holds (a case resolution by the Center when a Respondent is not currently participating in sport, but was an active Participant at some point previously) issued by the Center, USAS:

1. Notifies all affected individuals or organizations within 72 hours
2. Has and follows a U.S. Center for SafeSport Quality Control System that prohibits those individuals with sanctions, temporary measures, or administrative holds from participating in any event, program, activity, or competition authorized by, organized by, or under the auspices of USAS
3. Reports to the Center immediately and no later than within 24 hours any known or suspected incident of an Adult Participant violating existing Sanctions, Temporary Measures, or Administrative Holds and takes prompt and effective action to ensure enforcement
4. Reports to the Center immediately and no later than within 24 hours any instance of "Aiding and Abetting" (as defined in the SafeSport Code) by any third parties, of any individuals under Sanctions, Temporary Measures or Administrative Holds issued by the Center.
5. USAS tracks reported allegations and outcomes involving Adult Participants and/or Minor Participants where the Center has taken jurisdiction and within USAS's jurisdiction through the Center's database, and for Adult Participants and/or Minor Participants where the Center has declined jurisdiction but is within USAS's jurisdiction through a third-party database that is connected to the Reporting Form found on USAS's website.

Interference/Restrictions/Enforcement

USAS shall not interfere or attempt to influence the outcome of any Prohibited Conduct investigation regardless of jurisdiction.

USAS must prohibit any individual who is an employee, agent, or contractor, from assisting a member or former member in obtaining a new job (except the routine transmission of administrative and personnel files) if the individual knows that such member or former member violated the policies or procedures of the Center related to sexual misconduct or was convicted of a crime involving sexual misconduct with a minor.

If a USAS Participant is sanctioned or subject to Temporary Measures under the USOPC Athlete Safety Policy, that sanction(s) or Temporary Measure(s) must be reciprocally enforced by and between all NGBs and LAOs within the Olympic and Paralympic Movement.

Policy to submit to the Center “Data of Matters Addressed by USAS”

USAS must annually submit to the Center, using a Center-provided template, the following data:

1. For reports of emotional or physical misconduct made to USAS:
 - a. Total reported incidents of alleged emotional misconduct
 - b. Total reported incidents of alleged physical misconduct
 - c. Total number of investigations of alleged emotional and physical misconduct
 - d. Total number of violations for emotional and physical misconduct
 - e. Total number of violations for emotional and physical misconduct adjudicated by USAS’s Local Affiliated Organizations (“LAO(s)”).
2. For reports to USAS that an Adult Participant violated the Minor Athlete Abuse Prevention Policies (MAAPPs):
 - a. Total reported incidents of alleged violations of the MAAPPs, by policy type
 - b. Total number of investigations of alleged violations of the MAAPPs
 - c. Total number of violations of the MAAPPs
 - d. Total number of violations of the MAAPPs adjudicated by USAS’s LAO(s)
3. For reports to the Organization that a Participant engaged in retaliation:
 - a. Total reported incidents of alleged retaliation
 - b. Total number of investigations of alleged retaliation
 - c. Total number of violations of retaliation policy
 - d. Total number of violations of retaliation policy adjudicated by USAS’s LAO(s)

USAS National Office will be responsible for requesting the data quarterly, tracking reported allegations within USAS’s jurisdiction, reflecting how allegations were responded to, and their respective outcomes for purposes of reporting to the Center. USAS may receive anonymized or aggregated data to evaluate trends and allocation of resources.

LOCAL ASSOCIATION SUPERVISION

Athlete Safety Policy

Events are sanctioned by local associations. Commissioners will provide a copy of this Athlete Safety Procedure to tournament director or event coordinator at the time an event is sanctioned.

Overview

The Athlete Safety Procedures for USA Softball Event Organizers outline what steps event organizers must take to pre-authorize event access for all volunteers, media, vendors, medical personnel, athlete assistants, coaches and umpires, etc. (hereafter, “Event Personnel”) and registered participants. Event organizers are encouraged to plan ahead to make sure all “Event

Personnel” whose role requires them to have Regular Contact¹ or authority over athletes at a USA Softball sanctioned event, have completed the proper requirements related to USA Softball Background Screening, U.S. Center for SafeSport Training and USA Softball Membership. Additionally, Event Organizers will need to confirm all registered participants and Event Personnel are not listed on the USA Softball Exclusion List (the exclusion list includes individuals who have been banned, suspended or placed on an administrative hold). USA Softball and/or the U.S. Center for SafeSport may audit any USA Softball sanctioned event at any time to verify compliance either in person or through a request for compliance information.

It is the responsibility of each USA Softball event organizer and local association to monitor and enforce the requirements set forth in these procedures, which includes provisions for adhering to the USA Softball Background Screen Policy, [SafeSport Code](#) and [Minor Athlete Abuse Prevention Policy](#) (includes U.S. Center for SafeSport training requirements), is also included in the USA Softball Event Agreement, member terms and conditions, and local association member agreements terms and conditions.

The following requirements should be adhered to at all sanctioned USA Softball events to include local, state, regional, national, and international events. Event Organizers should determine which requirements Event Personnel and registered participants will need to complete prior to the event, depending on the structure of their event and that individual’s role at the event. Event Organizers should ask themselves the following questions in determining which requirements are necessary for which Event Personnel:

1. Does my USA Softball Sanctioned Event have minors (under age 18) competing?
2. Do Event Personnel have Regular Contact or authority over athletes, or will their contact be incidental and observable?

Section 1: Event Access Requirements for an Event with Minors Competing

Requirement: If the USA Softball Sanctioned Event **will** have minors competing, registered participants and Event Personnel, depending on their role, may be subject to the following requirements. These requirements must be completed **prior** to start date of the event:

1. [USA Softball Background Check Screening Policy](#)
2. [U.S. Center for SafeSport Training](#)
3. USA Softball Membership

Implementation: Event organizers will implement requirements based on Event Personnel roles as outlined below:

The following individuals are required to complete a USA Softball Background Screening, U.S. Center for SafeSport Training and must have a current USA Softball Membership prior to serving as Event Personnel:

- Officials – USA Softball Umpire
- Staff – USA Softball Staff, Local Association Staff, Tournament Directors, or Contractual Staff
- Coaches – Any individual with a coach credential or whose purpose at the event is to coach an athlete or athletes
- Athletic Trainers – Medical staff that provide massages or athletic modalities that are not in response to an injury

Adult athletes over age 18 who are registered participants and have regular contact with amateur athletes who are minors (e.g., on the same team with, practice with) at an Event where

minors will be competing do not need a background check screening but do need to complete SafeSport Training and be USA Softball Members.

The following individuals are not required to complete a USA Softball Background Screening, U.S. Center for SafeSport Training (as long as contact with athletes is incidental and observable).:

- Scorekeepers – Responsible for scoring management and results
- Media – Photographers, videographers and/or reporters
- Field Crew – Responsible for field set-up, maintenance and tear down
- Vendors – Businesses, sponsors or partners with an event booth
- Water Station Volunteers – Provides water bottles to event participants/staff
- Registration Volunteers – Processes athlete/event personnel check-in
- EMTs/Volunteer Medical – Provides emergency response medical support to event participants/staff

For all Event Personnel and registered participants, event organizers should:

1. Check individual names against the USA Softball Exclusion list, this is a list of all individuals in USA Softball who have been banned, suspended, or placed on an Administrative Hold. A list of all individuals in USA Softball who have been banned or suspended can be found on the [U.S. Center for SafeSport Centralized Disciplinary Database](#). A list of all Administrative Holds will be provided by USA Softball.
2. Provide a copy of the Minor Athlete Abuse Prevention Policies email to all registered participants and Event Personnel upon check-in. At check-in the Event Organizer should read this information to all Event Personnel. (see Section 2)
3. For any registered participant and Event Personnel listed above not required to complete U.S Center for SafeSport Training, Event Organizer should distribute a copy of the MAAPP At-A-Glance Document (See Appendix E) and Reporting Protocols (See Appendix B) to each individual upon check-in.
4. Event Organizers must prohibit any registered participant and Event Personnel who have not completed the Center's training but is required to do so, from having regular contact and/or authority over minor athletes at all USAS sanctioned events or competitions.
5. Event Organizers must prohibit any last minute substitutions/day-of participants who have not completed the Center's training but are required to do so, from participation or placed in a role where they do not have regular contact and/or authority over minor athletes.

Section 2: Communication of the Minor Athlete Abuse and Prevention Policy (MAAPP) and Reporting Protocols

Requirement: Prior to each event, through the registration process or some other form of communication, all registered competitors and "Event Personnel" noted in Section 1, must receive a copy of the [USA Softball MAAPP](#) and Reporting Protocols for alleged or suspected emotional misconduct, physical misconduct, sexual misconduct, and violations of the MAAPP.

Implementation:

- A. Event organizers must communicate to all registered participants and "Event Personnel" that they will be required to adhere to the [MAAPP](#) for the duration of the event. **This information must be communicated no earlier than 30 days prior to the event.** Event Organizers can send emails to registered teams (managers only) in the Tourney Machine by following these steps:
 1. Log in to your Tourney Machine account
 2. In the tiled menu, click "Manage" underneath the appropriate tournament
 3. Click on the "Send Message" tab

4. Complete the fillable sections and click “Send Message”

- B. Please utilize the example MAAPP Communication in the subsequent section for this communication.
- C. Event Organizers are also highly encouraged to post the MAAPP Communication in published event information.
- D. Event organizers will be required to provide proof of MAAPP and Reporting Protocols communication to registered participants **and** “Event Personnel” upon request from USA Softball. Event organizers may send a separate email to Event Personnel using the same text noted above. Event organizers should keep a record of the email to Event Personnel.
- E. Event Organizers should also post information on How to Report a MAAPP violation on any door that leads to an area that is not observable and interruptible (example restrooms/locker rooms etc.). Event organizers should also conduct random checks in these areas throughout the event to ensure areas remain safe.
- F. Provide a copy of the Minor Athlete Abuse Prevention Policies email and MAAPP-At-A-Glance and Reporting Protocols to all Event Personnel and registered participants upon check-in if they did not receive it prior to the start of the event. At check-in the Event Organizer should read this information to all Event Personnel, including any last minute substitutions or day-of registrations.

Section 3: USA Softball Organization Exclusion List – Verification

Requirement: Event organizers will be required to ensure any “Event Personnel” noted in Section 1 and 5, and/or competitors, are not currently listed USA Softball Exclusion list, this is a list of all individuals in USA Softball who have been banned, suspended or placed on an Administrative Hold. A list of all individuals in USA Softball who have been banned or suspended can be found on the [U.S. Center for SafeSport Centralized Disciplinary Database](#). A list of all Administrative Holds will be provided by USA Softball.

Implementation: Event organizers will need to manually check the final participant registration list against the USA Softball Organization Exclusion list. Any person on this list should be prohibited from participating at the event and from serving in an “Event Personnel” role.

Section 4: Adherence to the MAAPP

Requirement: Event organizers should proactively complete a risk assessment related to the [MAAPP](#) criteria and eliminate all vulnerabilities that may exist as related to the MAAPP when the event has minors registered as competitors.

Implementation: Per the MAAPP, event organizers should actively complete a risk assessment prior to each event to mitigate and/or eliminate applicable risks for:

- One on One Interactions
- Massage and Athletic Training Modalities
- Locker Rooms/Changing Areas
- Social Media/Messaging (Includes Texts and Emails)
 - No event communication should be sent to an individual minor athlete, but rather use group communications only and copy other adults, including the minor’s parents.
- Local and Team Travel

Section 5: Event Access Requirements for an Event without Minors Competing

Requirement: If the USA Softball Sanctioned Event **will not** have minors competing, Event Personnel will be checked against the USA Softball's Exclusion list and, depending on their role, may be subject to the following requirements (these requirements must be completed **prior** to start date of the event):

1. [USA Softball Background Screening](#)
2. USA Softball Membership

Implementation: Event organizers will implement requirements based on Event Personnel roles as outlined below:

The following individuals will be required to complete USA Softball Background Screening, and have a USA Softball Membership:

- Staff – USA Softball Staff, Local Association Staff, Tournament Directors, or Contractual Staff

The following individuals are not required to complete USA Softball Background Screening (as long as contact with athletes is incidental and observable):

- Officials – USA Softball Umpire
- Coaches – Any individual with a coach credential or whose purpose at the event is to coach an athlete or athletes
- Scorekeepers – Responsible for scoring management and results
- Media – Photographers, videographers and/or reporters
- Field Crew – Responsible for field set-up, maintenance and tear down
- Vendors – Businesses, sponsors or partners with an event booth
- Water Station Volunteers – Provides water bottles to event participants/staff
- Registration Volunteers – Processes athlete/event personnel check-in
- EMTs/Volunteer Medical – Provides medical support to event participants/staff

In all instances event organizers should make sure adult participants and “Event Personnel” are not listed on the [U.S. Center for SafeSport Centralized Disciplinary Database](#).

Section 6: Event Personnel List

All event organizers should maintain a roster of Event Personnel and registered participants for each sanctioned event, to include their role and verification that they have each completed the necessary requirements set forth above, prior to the start date of the event. USA Softball Event Organizers must submit an Event Personnel list to USA Softball for every sanctioned event and retain the Event Personnel list for a minimum of 5 years for purposes of USA Softball audit, upon request.

For more information on these procedures please contact SafeSoftball@usasoftball.com.

MAAPP Communication

Dear (Athlete or Event Personnel),

USA Softball, in conjunction with policies formulated by the [U.S. Center for SafeSport](#), is committed to building a sport community where participants can work and learn together in an atmosphere free of emotional, physical, and sexual misconduct. Through education, resources, and training, the U.S. Center for SafeSport helps members of the sport community recognize, reduce, and respond to misconduct in sport.

Education about child abuse, athlete abuse and bullying, helps everyone become more aware of unsafe situations and encourages discussions about methods to provide a safe and nourishing environment for all athletes. USA Softball encourages all members and all parents to participate in the SafeSport training. More information can be found on USASoftball.com.

The policies set forth in the [USA Softball Minor Athlete Abuse Prevention Policy \(MAAPP\)](#) are adopted by USA Softball and approved by the U.S. Center for SafeSport.

Who should report?

All individuals, regardless of membership with USA Softball, are encouraged to report suspected violations of the SafeSport Code. Adult Participants who are over the age of 18 are required to report suspected SafeSport Code violations related to or accompanying sexual misconduct. Adult Participants who fail to report SafeSport Code violations may be subject to disciplinary action.

USA Softball's designated 'Adult Participants' for SafeSport purposes include:

- National Office Staff
- National Teams, including:
 - o Staff, Coaches, Players, Athletic Trainers, Medical Personnel, and Umpires appointed by the NGB to international events
- Local Association Softball Officials, including:
 - o Board of Directors, Commissioners appointed by USA Softball, JO Commissioners appointed by the USA Softball Commissioners, Player Representatives appointed by USA Softball Commissioners, Umpires-In-Chief appointed by USA Softball Commissioners, National Championship Tournament Directors appointed by USA Softball or USA Softball Commissioners, and Umpires appointed by USA Softball to national championship events
- USA Softball's Local Association Members, including:
 - o Coaches and players over the age of 18

Pursuant to federal law, all adults authorized to interact with minor or amateur athletes who learn of facts that give reason to suspect that a child has suffered an incident of child abuse, including but not limited to sexual abuse, shall make a report of the suspected abuse to law enforcement and/or your state's designated agency within 24 hours. Reports of abuse not involving a minor may and should also be reported to local authorities.

To report emotional or physical misconduct or abuse, including bullying, harassment, and hazing, including MAAPP Violations

Contact: Stephanie Brown, Athlete Safety Coordinator

Phone: 405-425-3444

Email: SafeSoftball@USASoftball.com

To Report Sexual Misconduct

Contact: [U.S. Center for SafeSport](#)

Phone: 720-531-0340

[Online Form](#)

[Crisis Support](#)

Kind Regards,

KNOW YOUR ROLE

WHAT IS KNOW YOUR ROLE™?

Over the past decade or so, the steady decline of officials and participants involved in youth sports has increased at a staggering rate. The problem has gotten so bad, that several areas and sports have had to limit the number of teams, games, and sporting events they are able to offer. In 2016, the Southern Oregon Sports Commission decided to take a stand against the problem. With the help of local commissioners, including Matt Sayers (Athletic Director of Southern Oregon University), the phrase Know Your Role™ was coined, and development began on a marketing and media campaign that not only draws attention to the problem of poor participant behavior around athletics, but that also aims to change that culture for the better.

WHY KNOW YOUR ROLE™ WAS DEVELOPED

The Know Your Role™ campaign is a marketing campaign created and developed by the Southern Oregon Sports Commission. The campaign addresses the epidemic of poor behavior toward sports officials and aims to correct said problem through a series of positive messages and continued reminders that participant safety, enjoyment, growth, and development are the most important aspects of sports.

KNOW YOUR ROLE™ ROOTS IN SOUTHERN OREGON

After developing much of the Know Your Role™ campaign, SOSOC felt it was only appropriate to launch the campaign first in our own back yard. School districts, parks and recreation facilities and several other local entities throughout the Rogue Valley and Southern Oregon began to implement the program. With the help of local news and media stations, SOSOC was able to not only spread the message of KYR, but also see the message be openly and widely accepted by the communities in the region.

GROWTH OF KNOW YOUR ROLE™

Since 2022, SOSOC has shifted its attention and efforts to spreading the message of Know Your Role™ across the nation. In the first 6 months of pushing the message outside of the state of Oregon, SOSOC has presented the campaign to several state and national governing bodies. These entities, including USA Softball, have shown great interest in partnering with SOSOC to spread the message. Interest was so great, that SOSOC has created a licensing package that allows organizations and entities, like USA Softball, to use Know Your Role™ to drastically improve the behavioral landscape around youth sports across the nation.

KYR LICENSING INFO

The Southern Oregon Sports Commission offers the campaign as part of a three-year licensing agreement, which comes with all of the electronic media files, templates, videos and all other digital assets an organization or group might need to spread this message to its members. In addition, the Know Your Role™ campaign comes with a step-by-step “Game Plan” instructing organizations how to best implement the campaign, how to take advantage of their local assets, leverage local partnerships, and even how often to post the provided content to their social media platforms.

KYR VIDEO LIBRARY AND ASSETS

As mentioned previously, SOSOC has developed a wide assortment of various videos, templates and other media assets for those who license the program and join us in our efforts. These assets are protected by copyright infringement laws, and thus are not available to the general public to view.

SOSOC has developed several tools to help get this message out in our community. We have supplied outdoor and indoor banners to every school, organization, and club along with posters

and flyers. We also created a series of videos and PSAs that have aired on television, radio and social media platforms.

If you would like more information on how you can implement the Know Your Role message in your school, club or organization, contact USA Softball's Marketing team at marketing@usasoftball.com.

APPENDIX

- A. SafeSport Code
- B. Reporting Protocols
- C. Event Signage
- D. Safety Planning Toolkit
- E. Sample Consent Forms
- F. MAAPP At-A-Glance

APPENDIX A:
SAFESPORT CODE



SAFESPORT CODE FOR THE U.S. OLYMPIC AND PARALYMPIC MOVEMENT

EFFECTIVE APRIL 1, 2022

**SAFESPORT CODE FOR THE U.S. OLYMPIC AND
PARALYMPIC MOVEMENT**

TABLE OF CONTENTS

| | | | |
|----------------------------------------------------------------------------------|---|---------------------------------------------------------------------------------|----|
| I. AUTHORITY | 1 | 3. Incapacitation | 5 |
| II. ADMINISTRATION AND COMPLIANCE | 1 | E. Days | 5 |
| III. APPLICATION | 1 | F. Event | 5 |
| IV. JURISDICTION OF THE CENTER | 1 | G. Local Affiliated Organization (LAO) | 5 |
| A. Exclusive Jurisdiction | 1 | H. Minor or Child | 6 |
| B. Discretionary Jurisdiction | 2 | I. National Governing Body (NGB) | 6 |
| C. Jurisdictional Reassessment | 2 | J. Participant | 6 |
| V. JURISDICTION OF THE USOPC, NGBs, and LAOs | 2 | K. Power Imbalance | 6 |
| VI. APPLICABLE PROCEDURES | 2 | L. Respondent | 7 |
| VII. ENFORCEMENT AUTHORITY | 3 | M. Third-Party Reporter | 7 |
| A. Enforcement Responsibility | 3 | IX. PROHIBITED CONDUCT | 7 |
| B. Reciprocal Enforcement | 3 | A. Criminal Charge or Disposition | 7 |
| C. Reviewing Temporary Measures and Sanctions | 3 | 1. Definitions | 8 |
| D. Communications to Stakeholders | 3 | a. Criminal Disposition | 8 |
| E. Requirements to Register or Affiliate with a National Governing Body | 3 | b. Criminal Charge, including Warrant for Arrest | 8 |
| VIII. DEFINITIONS | 3 | 2. Sex Offender Registry | 8 |
| A. Athlete | 3 | 3. Hearing Related to Criminal Charge or Disposition | 8 |
| B. Child Abuse | 3 | B. Child Abuse | 9 |
| C. Claimant | 4 | C. Sexual Misconduct | 9 |
| D. Consent | 4 | 1. Sexual or Gender-related Harassment | 9 |
| 1. Force | 4 | 2. Nonconsensual Sexual Contact | 10 |
| 2. Legal Capacity | 5 | 3. Nonconsensual Sexual Intercourse | 10 |
| | | 4. Sexual Exploitation | 10 |
| | | 5. Bullying, Hazing, or Other Inappropriate Conduct of a Sexual Nature | 11 |

| | | | |
|-------------------------------------------|----|--------------------------------------------------------|----|
| D. Emotional and Physical Misconduct..... | 11 | 5. Harassment | 15 |
| 1. Emotional Misconduct..... | 11 | E. Aiding and Abetting | 15 |
| a. Verbal Acts..... | 11 | F. Misconduct Related to Reporting | 16 |
| b. Physical Acts..... | 11 | 1. Failure to Report..... | 16 |
| c. Acts that Deny Attention or Support... | 11 | 2. Intentionally Filing a False Allegation | 16 |
| d. Criminal Conduct..... | 12 | G. Misconduct Related to the Center’s Process..... | 16 |
| e. Stalking..... | 12 | 1. Abuse of Process | 17 |
| f. Exclusion | 12 | H. Retaliation | 17 |
| 2. Physical Misconduct..... | 12 | I. Other Inappropriate Conduct | 18 |
| a. Contact violations..... | 12 | 1. Intimate Relationship..... | 18 |
| b. Non-contact violations | 12 | 2. Exposing a Minor to Sexual Content / Imagery | 18 |
| c. Criminal Conduct | 13 | | 18 |
| d. Exclusion..... | 13 | 3. Intentional Exposure of Private Areas..... | 18 |
| 3. Bullying Behavior | 13 | 4. Inappropriate Physical Contact..... | 18 |
| a. Physical | 13 | 5. Willful Tolerance | 18 |
| b. Verbal..... | 13 | J. Minor Athlete Abuse Prevention Policies / Proactive | 18 |
| c. Social, including cyberbullying..... | 13 | Policies | 18 |
| d. Sexual..... | 13 | X. REPORTING..... | 19 |
| e. Criminal Conduct | 13 | A. General Requirements..... | 19 |
| f. Exclusion | 13 | B. Reporting Requirements related to Child Abuse, | 19 |
| 4. Hazing..... | 14 | including Child Sexual Abuse | 19 |
| a. Contact acts | 14 | C. Reporting Requirements Relating to Sexual | 20 |
| b. Non-contact acts..... | 14 | Misconduct | 20 |
| c. Sexualized acts | 14 | D. Additional Misconduct that Adult Participants must | 20 |
| d. Criminal acts | 14 | report to the Center..... | 20 |
| e. Exclusion..... | 14 | E. Emotional & Physical Misconduct and Proactive | 20 |
| | | Policies | 20 |

| | | | |
|-----------------------------------------------------|----|----------------------------------------------------|----|
| F. Anonymous Reports..... | 21 | M. Relevance | 26 |
| G. Confidentiality for Third-Party Reporters..... | 21 | N. Investigation Report..... | 26 |
| H. Reporting Options for Claimants | 21 | O. Decision | 26 |
| XI. RESOLUTION PROCEDURES..... | 21 | P. Requesting a Stay of the Sanction(s) | 26 |
| A. Initiating Proceedings | 21 | Q. Requesting Arbitration Hearing | 26 |
| B. Substantive Standards and Procedural Rules | 21 | R. Reopening a Matter | 27 |
| C. Standard of Proof..... | 22 | S. Confidentiality – Release/Use of Materials..... | 27 |
| D. Consolidation | 22 | XII. TEMPORARY MEASURES | 27 |
| E. Related Proceedings | 22 | A. By the Center | 27 |
| 1. Effect of Criminal or Civil Proceedings..... | 22 | 1. Timing | 27 |
| 2. No Waiver of Other Legal Remedies | 22 | 2. Standard..... | 27 |
| F. Coordinating with Law Enforcement..... | 22 | 3. Remedies | 28 |
| G. Statute of Limitations or Other Time Bars..... | 22 | 4. Review by Arbitrator..... | 28 |
| H. Methods of Resolution | 23 | 5. Modifiable | 28 |
| 1. Administrative Closures | 23 | 6. Failure to Comply with Temporary Measures | 28 |
| 2. Informal Resolution..... | 23 | B. By the USOPC, NGB, or LAO | 28 |
| 3. Formal Resolution | 23 | XIII. SANCTIONS..... | 28 |
| I. Participation..... | 23 | A. Sanctions | 29 |
| 1. Parties | 23 | B. Considerations..... | 29 |
| 2. Advisors..... | 24 | C. Publication..... | 30 |
| 3. Witnesses | 24 | XIV. Arbitration Rules | 30 |
| 4. Claimant’s Request for Anonymity..... | 24 | 1. Application..... | 30 |
| 5. Privacy..... | 25 | 2. Scope..... | 30 |
| J. Procedural Rights of Respondents | 25 | 3. Arbitrator Qualifications..... | 30 |
| K. Recordings | 25 | 4. Parties..... | 30 |
| L. Prior or Subsequent Conduct..... | 25 | | |

| | | | |
|------------------------------------------------------|----|---------------------------------------------------------|----|
| 5. Advisor..... | 30 | 21. Oaths | 35 |
| 6. Confidentiality | 31 | 22. Interpreters | 35 |
| 7. Initiating Arbitration | 31 | 23. Continuance | 36 |
| 8. Number of arbitrators..... | 31 | 24. Arbitration in the Absence of a Party or Advisor .. | 36 |
| 9. Arbitrator appointment – Merits Arbitration | 31 | 25. Standard of Proof | 36 |
| 10. Notice to Arbitrator of Appointment | 32 | 26. Rules of Evidence | 36 |
| 11. Jurisdiction and conflicts of Interest | 32 | 27. Evidence by Affidavit | 36 |
| a. Jurisdiction..... | 32 | 28. Hearing..... | 37 |
| b. Conflicts of interest | 32 | a. Arbitrator to manage proceedings | |
| c. Replacing a conflicted arbitrator..... | 32 | expeditiously | 37 |
| 12. Vacancies | 32 | b. Opening Statements..... | 37 |
| 13. Submissions to and Communication with Arbitrator | | c. Presenting evidence | 37 |
| | 33 | d. Examining witnesses | 37 |
| 14. Hearing Concerning Sanctions and Criminal | | e. Role of the Claimant..... | 39 |
| Charges or Dispositions..... | 33 | f. Closing statements | 39 |
| a. Scope..... | 33 | g. Hearing closed to the public | 39 |
| b. Standard of review..... | 33 | h. Closing of Hearing | 39 |
| c. Briefing..... | 33 | 29. Waiver of Rules | 39 |
| d. Oral argument..... | 33 | 30. Extensions of Time | 39 |
| e. Decision | 33 | 31. Notice and Receipt..... | 40 |
| 15. Procedural Due Process | 33 | 32. Decisions..... | 40 |
| 16. Pre-Hearing Conference..... | 34 | a. Time..... | 40 |
| 17. Discovery | 35 | b. Form | 40 |
| 18. Date and Time of Hearing..... | 35 | c. Scope | 40 |
| 19. Place of Hearing..... | 35 | d. Delivery to parties | 40 |
| 20. Attendance | 35 | 33. Modifying Decision | 40 |

| | |
|-------------------------------------------------|----|
| 34. No Appeal | 41 |
| 35. Filing Fees and Expenses | 41 |
| 36. Other Fees and Expenses | 41 |
| 37. Arbitrator’s Compensation..... | 41 |
| 38. Allocating Fees and Expenses..... | 41 |
| 39. Interpreting and Applying These Rules | 42 |
| 40. Temporary Measures | 42 |
| a. Timing..... | 42 |
| b. Arbitrator | 42 |
| c. Filing fees and expenses | 42 |
| d. Procedures | 42 |
| i. Expedited proceedings | 42 |
| ii. Pre-hearing Conference | 43 |
| iii. Position Statements..... | 43 |
| iv. Length of Hearing | 43 |
| e. Standard of review | 43 |
| f. Decision..... | 43 |
| g. No appeal..... | 43 |
| Exhibit 1 | 45 |
| Exhibit 2 | 46 |

SAFESPORT CODE FOR THE U.S. OLYMPIC AND PARALYMPIC MOVEMENT

Effective April 1, 2022

I. AUTHORITY

The U.S. Center for SafeSport (Center) is recognized by the United States Congress, the United States Olympic & Paralympic Committee (USOPC), and the National Governing Bodies (NGBs) as the official safe sport organization for all Olympic, Paralympic, Pan American and Para Pan American sports in the United States.

II. ADMINISTRATION AND COMPLIANCE

The Code is administered by the Center. The USOPC, NGBs, and Local Affiliated Organizations (LAOs) must comply, in all respects, with these policies and procedures and shall be deemed to have incorporated the provisions into their relevant policies as if they had set them out in full therein.

NGBs and the USOPC are prohibited from interfering in, attempting to interfere in, or influencing the outcome of the Center's investigations. *See* 36 USC § 220541(f)(4).

Participants are responsible for knowing the information outlined herein and, by virtue of being a Participant, have expressly agreed to the jurisdiction of the Center and this Code's policies and procedures, including those governing arbitration. The Center reserves the right to make changes to the Code as necessary. Once posted online, notice has been provided and changes are effective immediately unless otherwise noted.

III. APPLICATION

The Code applies to Participants, as defined below. To effectuate its mandate to protect those involved in amateur athletics from sexual or other forms of abuse, the Center assesses a Participant's fitness and eligibility to be involved with amateur athletics. Participation in the private associations making up the Olympic & Paralympic Movement is a privilege, not a right.

IV. JURISDICTION OF THE CENTER

A. Exclusive Jurisdiction

The Center has the exclusive jurisdiction to investigate and resolve allegations that a Participant engaged in one or more of the following:

1. Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct;
2. Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct;
3. Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
4. Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the Center's process;
5. Other Inappropriate Conduct, as defined herein.

B. Discretionary Jurisdiction

The Center has discretionary jurisdiction to investigate and resolve allegations that a Participant engaged in one or more of the following:

1. Non-sexual Child Abuse;
2. Emotional and physical misconduct, including stalking, bullying behaviors, hazing, and harassment;
3. Criminal Charges or Dispositions not involving Child Abuse or Sexual Misconduct;
4. Minor Athlete Abuse Prevention Policy or other similar Proactive Policy violations;
5. Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the processes of the USOPC, an NGB, an LAO, or any other organization under the Center’s jurisdiction.

If the Center accepts discretionary jurisdiction, it will use the resolution procedures set forth herein.

C. Jurisdictional Reassessment

The Center may reassess its jurisdictional decision at any time.

V. JURISDICTION OF THE USOPC, NGBs, and LAOs

- A.** Before the Center expressly exercises jurisdiction over particular allegations regarding a particular Participant, the relevant organization (the USOPC, NGB, or LAO)

has the authority to implement necessary and appropriate measures, up to and including a suspension, to address any allegations of misconduct.

- B.** When the relevant organization has reason to believe that the allegations presented fall within the Center’s exclusive jurisdiction, the organization—while able to impose measures—may not investigate or resolve those allegations.
- C.** When the allegations presented fall within the Center’s discretionary jurisdiction, the organization may investigate and resolve the matter, unless and until such time as the Center expressly exercises jurisdiction over the particular allegations.
- D.** The Center will issue a Notice of Exercise of Jurisdiction to the USOPC, NGB, or LAO when the Center determines it has jurisdiction over an allegation of Prohibited Conduct. When the Center expressly exercises jurisdiction over particular allegations regarding a particular Participant, the relevant organization(s) cannot issue—in response to those allegations—a suspension or other restriction that may deny or threaten to deny a Respondent’s opportunity to participate in sport. The relevant organization may implement any necessary safety plan(s) or temporary measure(s). The NGB shall inform the Center of any safety plan(s) or temporary measures(s) it or its LAO imposes within 72 hours of imposition.

VI. APPLICABLE PROCEDURES

The applicable procedures for reporting, investigating, and

resolving alleged misconduct depends on the nature of the misconduct, as set forth in the Code. The procedures set forth herein will be applied to any matter over which the Center accepts jurisdiction. The procedures set forth by the adjudicating body (USOPC, NGB, or LAO) will be applied to any matter over which the Center does not accept jurisdiction.

VII. ENFORCEMENT AUTHORITY

A. Enforcement Responsibility

The USOPC, NGB, and LAO are responsible for enforcing eligibility determinations, sanctions and Temporary Measures imposed by the Center, as set forth below. 36 USC § 220505(d)(1)(C). All eligibility determinations, sanctions, and Temporary Measures imposed by the Center shall be in effect immediately upon issuance.

B. Reciprocal Enforcement

Center issued eligibility determination(s) or sanction(s) shall be reciprocally enforced by and between all NGBs, LAOs, and the USOPC.

C. Reviewing Temporary Measures and Sanctions

NGBs and the USOPC shall immediately review communications from the Center concerning Temporary Measures and sanctions for implementation. If the NGB or the USOPC determines an error or omission in such communication has been made, it shall notify the Center as soon as practicable, but no later than three Days after

receipt.

D. Communications to Stakeholders

The Center shall provide a Summary of Decision, which the USOPC, NGBs, or LAOs may provide to parties to assist with enforcement of sanctions. The USOPC, the NGBs, and LAOs shall establish a method to communicate Temporary Measures and sanctions to their relevant stakeholders.

E. Requirements to Register or Affiliate with a National Governing Body

To ensure enforcement, NGBs shall require any organization that wishes to register as an LAO, a member club, or otherwise affiliate with the organization (e.g., using the rules or procedures of an NGB), to agree to and comply with the Code, the requirements set forth in the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017, and to enforce any sanction(s) or Temporary Measure(s) imposed by the Center.

VIII. DEFINITIONS

A. Athlete

An athlete who meets the eligibility standards established by the NGB or Paralympic sports organization for the sport in which the athlete competes.

B. Child Abuse

The term “child abuse” has the meaning set forth in

Section 203 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341) or any applicable state law.

C. Claimant

The person who is alleged to have experienced conduct that constitutes a Code violation.

D. Consent

Consent is (a) informed (knowing), (b) voluntary (freely given), and (c) active (not passive). Consent must be demonstrated by clear words or actions, indicating that a person who is legally and functionally competent has indicated permission to engage in mutually agreed-upon sexual activity.

Consent to any one form of sexual activity does not automatically imply Consent for any other forms of sexual activity. Previous relationships or prior Consent does not imply Consent to future sexual activity. Once given, Consent can be withdrawn through clear words or actions.

Consent cannot be obtained: (a) by force, (b) by taking advantage of the Incapacitation of another, when the person initiating sexual activity knew or reasonably should have known that the other was Incapacitated, (c) from someone who lacks legal capacity, (d) when a Power Imbalance exists.

1. Force includes (a) the use of physical violence, (b) threats, (c) intimidation, and (d) coercion.

- a. Physical violence means that a person is exerting control over another person using physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon.
- b. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to deny a person's ability to participate in sport.
- c. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
- d. Coercion is the use of an unreasonable amount of pressure to gain intimate or sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear their decision not to participate in a form of Sexual Contact or Sexual Intercourse, their decision to stop, or their decision not to go beyond a certain sexual interaction, continued pressure can be coercive.

Whether conduct is coercive depends on: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of

isolation of the person being pressured, and (iv) the duration of the pressure.

2. Legal Capacity

Minors cannot Consent to conduct of a sexual nature. While the legal age of Consent varies under state and federal law, the age of capacity under the Code is 18.

A close-in-age exception will be applied to any policy violation between an adult and a Minor, or between two Minors, when there is no Power Imbalance and when the age difference is no more than three years.

When the assessment of whether a Participant's conduct violates the Code depends upon another individual being below a certain specified age, ignorance of their actual age is no defense. Neither shall misrepresentation of age by such person, nor a Participant's bona fide belief that such person is over the specified age, be a defense.

3. Incapacitation

Incapacitation means that a person lacks the ability to make informed, rational judgments about whether to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated because of consuming

alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely because of drinking or using drugs. The impact of alcohol and other drugs varies from person to person and is evaluated under the specific circumstances of a matter.

A Respondent's being impaired by alcohol or other drugs is not a defense to any violation of the Code.

The Consent construct can also be applied to other forms of non-sexual conduct, such as hazing or other forms of Physical or Emotional Misconduct.

E. Days

Unless expressly provided otherwise, the term "days" shall mean business days, which excludes weekends and national holidays.

F. Event

The term "Event" shall have the meaning set forth in the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341). As of the effective date of these policies and procedures, "event" includes "travel, lodging, practice, competition, and health or medical treatment."

G. Local Affiliated Organization (LAO)

A regional, state or local club or organization that is

directly affiliated with an NGB or that is affiliated with an NGB by its direct affiliation with a regional or state affiliate of said NGB. LAO does not include a regional, state, or local club or organization that is only a member of a National Member Organization of an NGB.

H. Minor or Child

An individual who is, or is believed by the Respondent to be, under the age of 18.

I. National Governing Body (NGB)

An amateur sports organization, a high-performance management organization, or a Paralympic sports organization that is certified by the United States Olympic & Paralympic Committee under 36 USC § 220521. This definition shall also apply to the USOPC, or other sports entity approved by the USOPC, when they have assumed responsibility for the management or governance of a sport included on the program of the Olympic, Paralympic, Pan-American, or Parapan American Games. This would include any organization, member of that organization, or Participant that has subjected itself to the jurisdiction of the Center.

J. Participant

1. Any individual who is seeking to be, currently is,¹

¹For the purpose of evaluating whether an individual is considered a Participant per this provision, the phrase “currently is” includes the date on which the alleged misconduct was reported to the Center, through resolution, and

or was at the time of an alleged Code violation:

- a. A member or license holder of an NGB, LAO, or the USOPC;
- b. An employee or board member of an NGB, LAO, or the USOPC;
- c. Within the governance or disciplinary jurisdiction of an NGB, LAO, or the USOPC;
- d. Authorized, approved, or appointed by an NGB, LAO, or the USOPC to have regular contact with or authority over Minor Athletes.

K. Power Imbalance

A Power Imbalance may exist where, based on the totality of the circumstances, one person has supervisory, evaluative, or other authority over another. Whether there is a Power Imbalance depends on several factors, including but not limited to: the nature and extent of the supervisory, evaluative or other authority over the person; the actual relationship between the parties; the parties’ respective roles; the nature and duration of the relationship; the age of the parties involved; whether there is an aggressor; whether there is a significant disparity in age, size, strength, or mental capacity.

Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the

including the period(s) of any sanctions imposed.

coach-Athlete relationship (regardless of age) and is presumed to continue for Minor Athletes after the coach-Athlete relationship terminates until the Athlete reaches 20 years of age.

A Power Imbalance may exist, but is not presumed, when an Intimate Relationship existed before the sport relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship).

L. Respondent

A Participant who is alleged to have violated the Code.

M. Third-Party Reporter

Reports brought by individuals other than the Claimant are referred to as “third-party reports” and those bringing them are “third-party reporters.”

IX. PROHIBITED CONDUCT

This section of the Code sets forth expectations for Participants related to emotional, physical, and sexual misconduct in sport, including bullying, hazing, and harassment.

The privilege of participation in the Olympic & Paralympic Movement may be limited, conditioned, suspended, terminated, or denied if a Participant’s conduct is or was inconsistent with this Code or the best interest of sport and those who participate in it.

² The focus of this provision is on community standards in place at the time of the alleged conduct. The question is: Would a reasonable person at the time the alleged conduct occurred have had notice that the alleged conduct would have violated community standards and norms as those

It is a violation of the Code for a Participant to engage in or tolerate: (1) Prohibited Conduct, as outlined in the Code; (2) any conduct that would violate any current or previous standards promulgated by the U.S. Center for SafeSport, an NGB, an LAO, or the USOPC that are analogous to Prohibited Conduct and that existed at the time of the alleged conduct; or (3) any conduct that would violate community standards analogous to Prohibited Conduct that existed at the time of the alleged conduct, including then applicable criminal or civil laws².

Prohibited Conduct includes:

- A. Criminal Charges or Dispositions
- B. Child Abuse
- C. Sexual Misconduct
- D. Emotional and Physical Misconduct, including Stalking, Bullying, Hazing, and Harassment
- E. Aiding and Abetting
- F. Misconduct Related to Reporting
- G. Misconduct Related to the Center’s Process
- H. Retaliation
- I. Other Inappropriate Conduct
- J. Violation of Minor Athlete Abuse Prevention Policies / Proactive Policies

A. Criminal Charge or Disposition

It is a violation of the Code for a Participant to have a Criminal Charge or Disposition.

standards were generally expressed in then applicable criminal or civil statutes, or other applicable community standards? The Center need not establish every element of a crime, nor must it apply any evidentiary standards or burdens of proof other than those provided in this Code.

Criminal Conduct is relevant to an individual's fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of the Code occurred, but may be considered for sanctioning purposes. The Center reviews Criminal Charges or Dispositions involving sexual misconduct or child abuse *de novo*; any prior consideration or finding by an NGB, LAO, or the USOPC regarding a Criminal Disposition involving sexual misconduct or child abuse is not relevant to the Center's determination.

1. Definitions

a. Criminal Disposition

It is a violation of the Code for a Participant to be or have been subject to any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, including, but not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an Alford or Kennedy plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement.

b. Criminal Charge, including Warrant for Arrest

It is a violation of the Code for a Participant to have any pending criminal charge(s) or warrant(s) for arrest.

When assessing whether conduct constitutes a Criminal Charge or Disposition, the Center may assess and rely upon the original charges, amended charges, or those to which a plea was entered.

2. Sex Offender Registry

A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to participate.

3. Hearing Related to Criminal Charge or Disposition

A Participant who wishes to challenge the Center's decision related to a Criminal Charge or Disposition may request a hearing concerning the sanction only pursuant to Rule-14.

If the Center renders a Decision regarding a Participant's Criminal Charge or Disposition, and that Charge or Disposition is subsequently modified by a criminal court, the Participant may request that the matter be reopened by the Center, pursuant to Section XI(R). In instances where a pending criminal charge(s) resolves, in that the charge(s) is eventually dismissed, results in an acquittal, or results in a Criminal Disposition as defined above, a Respondent's request to reopen will always be granted and a new Decision issued.

B. Child Abuse

It is a violation of the Code for a Participant to engage in Child Abuse.

C. Sexual Misconduct

It is a violation of the Code for a Participant to engage in Sexual Misconduct. Sexual Misconduct offenses include, but are not limited to:

1. Sexual or Gender-related Harassment
2. Nonconsensual Sexual Contact (or attempts to commit the same)
3. Nonconsensual Sexual Intercourse (or attempts to commit the same)
4. Sexual Exploitation
5. Bullying or hazing, or other inappropriate conduct of a sexual nature.

1. Sexual or Gender-related Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (a) or (b) below are present:

Sexual harassment includes harassment related to gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the

acts do not involve conduct of a sexual nature, when the conditions outlined in (a) or (b), below, are present.

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of any person's employment, standing in sport, or participation in Events, sports programs or activities; or when submission to or rejection of such conduct is used as the basis for sporting decisions affecting the individual (often referred to as "quid pro quo" harassment); or
- b. Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, or pervasive such that it interferes with, limits, or deprives any individual of the opportunity to participate in any program or activity. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective.

Whether a hostile environment exists depends on the totality of known circumstances, including, but not limited to:

- i. The frequency, nature, and severity of the conduct;
- ii. Whether the conduct was physically threatening;
- iii. The effect of the conduct on the Claimant's mental or emotional state;
- iv. Whether the conduct was directed at more than one person;
- v. Whether the conduct arose in the context

- of other discriminatory conduct;
- vi. Whether the conduct unreasonably interfered with any person's educational or work performance or sport programs or activities; and
- vii. Whether the conduct implicates concerns related to protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident that is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual contact without Consent, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

2. Nonconsensual Sexual Contact

It is a violation of the Code for a Participant to engage in Sexual Contact without Consent.

Sexual Contact is any intentional touching of a sexual nature, however slight, with any object or body part (as described below), by a person upon another person.

Sexual Contact includes but is not limited to: (a) kissing, (b) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or

unclothed, or intentionally touching of another with any of these body parts; and (c) making another touch themselves, the Participant, or someone else with or on any of these body parts.

3. Nonconsensual Sexual Intercourse

It is a violation of the Code for a Participant to engage in Sexual Intercourse without Consent.

Sexual intercourse is any penetration, however slight, with any object or body part (as described below), by a person upon another person.

Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

4. Sexual Exploitation

It is a violation of the Code for a Participant to engage in Sexual Exploitation. Sexual Exploitation occurs when a Participant purposely or knowingly:

- a. Allows third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images) without Consent of all parties involved in the sexual activity.
- b. Records or photographs private sexual activity

or a person's intimate parts (including genitalia, groin, breasts or buttocks) without Consent of all parties in the recording or photo.

- c. Engages in voyeurism (e.g., watching private sexual activity or viewing another person's intimate parts when that person would have a reasonable expectation of privacy), without Consent of all parties being viewed.
- d. Disseminates, shows or posts images of private sexual activity or a person's intimate parts (including genitalia, groin, breasts or buttocks) without prior Consent of the person depicted in the images.
- e. Intentionally exposes another person to a sexually transmitted infection or virus without that person's knowledge.
- f. Engages in solicitation of prostitution, or prostituting or trafficking another person.

5. Bullying, Hazing, or Other Inappropriate Conduct of a Sexual Nature

It is a violation of the Code for a Participant to engage in bullying, hazing, and other inappropriate conduct of a sexual nature, as further defined in the corresponding sections below.

D. Emotional and Physical Misconduct

It is a Code violation for a Participant to engage in

emotional or physical misconduct, when that misconduct occurs within a context that is reasonably related to sport, which includes, without limitation:

1. Emotional Misconduct
2. Physical Misconduct
3. Bullying Behaviors
4. Hazing
5. Harassment.

1. Emotional Misconduct

Emotional Misconduct includes (a) Verbal Acts, (b) Physical Acts, (c) Acts that Deny Attention or Support, (d) Criminal Conduct, or (e) Stalking. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

- a. Verbal Acts
Repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.
- b. Physical Acts
Repeated or severe physically aggressive behaviors, including but not limited to, throwing sport equipment, water bottles or chairs at or in the presence of others, punching walls, windows or other objects.
- c. Acts that Deny Attention or Support
Ignoring or isolating a person for extended

periods of time, including routinely or arbitrarily excluding a Participant from practice.

d. Criminal Conduct

Emotional Misconduct includes any act or conduct described as emotional abuse or misconduct under federal or state law (e.g., child abuse, child neglect).

e. Stalking

Stalking occurs when a person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) to experience substantial emotional distress.

“Course of conduct” means at least two or more acts, in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property. “Substantial emotional distress” means significant mental suffering or anguish.

Stalking also includes “cyber-stalking,” wherein a person stalks another using electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

f. Exclusion

Emotional Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improved Athlete performance. Emotional Misconduct also does not include conduct reasonably accepted as part of sport or conduct reasonably accepted as part of Participant’s participation.

2. Physical Misconduct

Physical Misconduct is any intentional contact or non-contact behavior that causes, or reasonably threatens to cause, physical harm to another person.

Examples of physical misconduct may include, without limitation:

a. Contact violations

Punching, beating, biting, striking, strangling or slapping another; intentionally hitting another with objects, such as sporting equipment; encouraging or knowingly permitting an Athlete to return to play prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional.

b. Non-contact violations

Isolating a person in a confined space, such as locking an Athlete in a small space; 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); withholding, recommending against, or denying adequate

hydration, nutrition, medical attention or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another.

c. Criminal Conduct

Physical Misconduct includes any act or conduct described as physical abuse or misconduct under federal or state law (e.g., child abuse, child neglect, assault).

d. Exclusion

Physical Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance. For example, hitting, punching and kicking are well-regulated forms of contact in combat sports, but have no place in swimming. Physical Misconduct also does not include conduct reasonably accepted as part of sport or conduct reasonably accepted as part of Participant's participation.

3. Bullying Behavior

Repeated or severe behavior(s) that are (a) aggressive (b) directed at a Minor, and (c) intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually. Bullying-like behaviors directed at adults are addressed under other forms of misconduct, such as Hazing or Harassment. Examples of bullying behavior may include, without limitation, repeated or severe:

a. Physical

Hitting, pushing, punching, beating, biting, striking, kicking, strangling, slapping, spitting at, or throwing objects (such as sporting equipment) at another person.

b. Verbal

Ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.

c. Social, including cyberbullying

Use of rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and asking others to do the same.

d. Sexual

Ridiculing or taunting that is sexual in nature or based on gender or sexual orientation (real or perceived), gender traits or behavior, or teasing someone about their looks or behavior as it relates to sexual attractiveness.

e. Criminal Conduct

Bullying Behavior includes any conduct described as bullying under federal or state law.

f. Exclusion

Conduct may not rise to the level of Bullying

Behavior if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

4. Hazing

Any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, humiliate, degrade or intimidate the person as a condition of joining or being socially accepted by a group, team, or organization. Purported Consent by the person subjected to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

Examples of Hazing include:

- a. Contact acts
Tying, taping, or otherwise physically restraining another person; beating, paddling or other forms of physical assault.
- b. Non-contact acts
Requiring or forcing the consumption of alcohol, illegal drugs or other substances, including participation in binge drinking and

drinking games; personal servitude; requiring social actions (e.g., wearing inappropriate or provocative clothing) or public displays (e.g., public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water or food; restrictions on personal hygiene.

- c. Sexualized acts
Actual or simulated conduct of a sexual nature.
- d. Criminal acts
Any act or conduct that constitutes hazing under applicable federal or state law.
- e. Exclusion
Conduct may not rise to the level of Hazing if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Hazing does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

5. Harassment

Repeated or severe conduct that (a) causes fear, humiliation or annoyance, (b) offends or degrades, (c) creates a hostile environment (as defined above), or (d) reflects discriminatory bias in an attempt to establish dominance, superiority or power over an individual or group based on age, race, ethnicity, culture, religion, national origin, or mental or physical disability; or (e) any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

Conduct may not rise to the level of Harassment if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Harassment does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

E. Aiding and Abetting

Aiding and Abetting occurs when one knowingly:

1. Aids, assists, facilitates, promotes, or encourages the commission of Prohibited Conduct by a Participant;

2. Allows any person who has been identified as suspended or otherwise ineligible by the Center to be in any way associated with or employed by an organization affiliated with or holding itself out as affiliated with an NGB, LAO, the USOPC, or the Olympic & Paralympic Movement;
3. Allows any person who has been identified as suspended or otherwise ineligible by the Center to coach or instruct Participants;
4. Allows any person who has been identified as ineligible by the Center to have ownership interest in a facility, an organization, or its related entities, if that facility/organization/related entity is affiliated with or holds itself out as affiliated with an NGB, LAO, the USOPC, or the Olympic & Paralympic Movement;
5. Provides any coaching-related advice or service to an Athlete who has been identified as suspended or otherwise ineligible by the Center;
6. Allows any person to violate the terms of their suspension or any other sanctions imposed by the Center.

In addition, a Participant also violates the Code if someone acts on behalf of the Participant to engage in Aiding or Abetting, or if the guardian, family member, or Advisor of a Participant, including Minor Participants, engages in Aiding or Abetting.

F. Misconduct Related to Reporting

1. Failure to Report

An Adult Participant who fails to report actual or suspected Sexual Misconduct or Child Abuse to the Center and, when appropriate, to law enforcement may be subject to disciplinary action under the Center's resolution procedures and may also be subject to federal or state penalties.

- a. The obligation to report is broader than reporting a pending charge or criminal arrest of a Participant; it requires reporting to the Center any conduct which, if true, would constitute Sexual Misconduct or Child Abuse. The obligation to report to the Center is an ongoing one and is not satisfied simply by making an initial report. The obligation includes reporting, on a timely basis, all information of which an Adult Participant becomes aware, including the names of witnesses, third-party reporters, and Claimants.
- b. The obligation to report includes personally identifying information of a potential Claimant to the extent known at the time of the report, as well as a duty to reasonably supplement the report as to identifying information learned at a later time.
- c. Participants should not investigate or attempt to evaluate the credibility or validity of allegations involving Sexual Misconduct or Child Abuse. Participants making a good faith report are not required to prove the reports are true before

reporting.

2. Intentionally Filing a False Allegation

In addition to constituting misconduct, filing a knowingly false allegation that a Participant engaged in Prohibited Conduct may violate state criminal law and civil defamation laws. Any Participant making a knowingly false allegation in a matter over which the Center exercises jurisdiction shall be subject to disciplinary action by the Center.

- a. An allegation is false if the events reported did not occur, and the person making the report knows the events did not occur.
- b. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a Code violation.

G. Misconduct Related to the Center's Process

The behaviors identified below constitute Prohibited Conduct and may give rise to a sanction. In addition, a Participant also violates the Code if someone acts on behalf of the Participant and engages in any of the following Prohibited Conduct, including a Participant's Advisor, or the guardian, or family member of a Minor Participant. In such a case, the Participant and, if the party acting on behalf of the Participant is also a

Participant, that person, may be sanctioned.

1. Abuse of Process

A Participant, or someone acting on behalf of a Participant, violates this Code by directly or indirectly abusing or interfering with the Center's process by: (a) falsifying, distorting, or misrepresenting information, the resolution process, or an outcome; (b) destroying or concealing information; (c) attempting to discourage an individual's proper participation in, or use of, the Center's processes; (d) harassing or intimidating (verbally or physically) any person involved in the Center's processes before, during, or following proceedings (including up to, through, and after any review by an arbitrator); (e) publicly disclosing a Claimant's identifying information³; (f) failing to comply with a temporary measure or other sanction; (g) distributing or otherwise publicizing materials created or produced during an investigation or Arbitration as a part of these policies or procedures, except as required by law or as expressly permitted by the Center; (h) influencing or attempting to influence another person to commit abuse of process; or (i) having another individual take any part of or complete any Center-required training for them.

³ The Protecting Young Victims from Abuse and Safe Sport Authorization Act of 2017 requires that the Center "protect the privacy and safety of the [Claimant]." However, a Claimant may waive this

H. Retaliation

Retaliation or attempt to do the same by a Participant, someone acting on behalf of a Participant, an NGB, LAO, the USOPC, or any organization under the Center's jurisdiction is prohibited.

Retaliation is any adverse action or threat to take any adverse action against any person related to allegations of Prohibited Conduct.

Adverse actions include, but are not limited to: threatening, intimidating, harassing, coercing, or any other action or conduct with the potential effect of dissuading any reasonable person from reporting Prohibited Conduct or engaging in activity related to any reporting or investigative processes.

Retaliation may take place at any time, including before, during, or after an individual's reporting or engagement in the processes of the Center or other relevant organization under the Center's jurisdiction.

Retaliation may be present even where there is a finding that no violation occurred. Retaliation does not include good-faith actions lawfully pursued in response to a report of a Code violation.

provision by choosing to publicly disclose his/her own identifying information at any time.

I. Other Inappropriate Conduct

1. Intimate Relationship

An Adult Participant violates this Code by engaging in an intimate or romantic relationship where a Power Imbalance exists.

An Intimate or Romantic relationship is a close personal relationship—other than a familial relationship—that exists independently and outside of the sport relationship. Whether a relationship is intimate is based on the totality of the circumstances, including: regular contact or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties' emotional connectedness, the exchange of gifts, ongoing physical or intimate contact or sexual activity, identity as a couple, the sharing of sensitive personal information, or intimate knowledge about each other's lives outside the sport relationship.

2. Exposing a Minor to Sexual Content / Imagery

An Adult Participant violates this Code by intentionally exposing a Minor to content or imagery of a sexual nature, including but not limited to, pornography, sexual comment(s), sexual gestures, or sexual situation(s).

This provision does not exclude the possibility that similar behavior between Adults could constitute Sexual Harassment, as defined in the Code.

3. Intentional Exposure of Private Areas

An Adult Participant violates this Code by intentionally exposing breasts, buttocks, groin, or genitals, or induces another to do so, to an Adult when there is a Power Imbalance, or to a Minor.

4. Inappropriate Physical Contact

An Adult Participant violates this Code by engaging in inappropriate physical contact with a Participant when there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally:

- i. touching, slapping, or otherwise contacting the buttocks or genitals of a Participant;
- ii. excessively touching or hugging a Participant;
- iii. kissing a Participant.

5. Willful Tolerance

A Participant violates this Code by willfully tolerating any form of Prohibited Misconduct, when there is a Power Imbalance between that Participant and the individual(s) who are being subjected to the Prohibited Conduct.

J. Minor Athlete Abuse Prevention Policies / Proactive Policies

It is a violation of the Code for a Participant to violate any provision of the Minor Athlete Abuse Prevention

Policies or other proactive policies adopted by the NGBs, LAOs, or the USOPC. Proactive policies set standards for professional boundaries, minimize the appearance of impropriety, and have the effect of preventing boundary violations and prohibiting grooming tactics.⁴ Tailored to a specific sport, context, legal structure or constituency, such policies may address overnight travel rules (e.g., preventing unrelated Adult Participants and Minors from sharing rooms under specified circumstances), massages and rubdowns, social media and electronic communications, photography, locker rooms, one-on-one meetings and gifting.

X. REPORTING

A. General Requirements

1. Adult Participants must know their reporting requirements under this Code, state law, and federal law. Lack of knowledge about a reporting obligation is not a defense.
2. Nothing in this Code shall be construed to require a victim of child abuse or other misconduct to self-report.
3. No one should investigate suspicions or allegations of child abuse or other Prohibited Conduct, or attempt to evaluate the credibility or validity of allegations as a

⁴ “Grooming” describes the process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct. Grooming is initiated when a person seeks out a vulnerable minor. Once selected, offenders will then earn the minor’s trust, and potentially the trust of the

condition of reporting to the Center or to appropriate authorities.

4. The reporting requirements under this section are an individual obligation of each Adult Participant. Reporting to a supervisor or administrator does not relieve an Adult Participant of the obligations to report as specified under this section. Adult Participants must report even if they believe someone else has already reported.
5. Adult Participants must follow any other reporting requirements imposed by their organization.
6. Reports to the Center can be made:
 - a. Through the U.S. Center for SafeSport’s online reporting form, www.uscenterforsafesport.org/report-a-concern.
 - b. By Phone at 720-531-0340, during regular business hours (Monday-Friday, 9:00 AM MT – 5:00 PM MT.) or toll-free at 1-833- 5US-SAFE (24-hours per day, 7-days per week).

B. Reporting Requirements related to Child Abuse, including Child Sexual Abuse

1. An Adult Participant who learns of information or reasonably suspects that a child has suffered an

minor’s family. After the offender has engaged the minor in sexually inappropriate behavior, the offender seeks to maintain control over him/her. Grooming occurs through direct, in-person or online contact.

incident of child abuse, including sexual abuse, must immediately:

- a. Make a report to law enforcement⁵ **AND**
 - b. Make a report to the U.S. Center for SafeSport **AND**
 - c. Comply with any other applicable reporting requirements under state law.⁶
2. Reporting to the Center alone is not sufficient. You must report to both the Center and to law enforcement, and comply with any other applicable state or federal laws.
 3. Child Abuse includes incidents that involved a victim who is a minor at the time of the alleged incident, even if the victim is now an adult.

C. Reporting Requirements Relating to Sexual Misconduct

1. An Adult Participant who learns of information or reasonably suspects that an incident(s) of Sexual Misconduct has occurred, must immediately report the incident(s) directly to the Center.
2. This reporting requirement applies regardless of whether the suspected victim is an adult or minor.
3. If the Sexual Misconduct involves a minor, it must be reported as child abuse pursuant to Section X.B above.

⁵ The agency designated by the Attorney General, consistent with federal requirements set forth in section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).

D. Additional Misconduct that Adult Participants must report to the Center:

1. Criminal Charge(s) or Disposition(s) involving sexual misconduct or misconduct involving Minors.
2. Misconduct related to the Center's process, including suspected incident(s) of:
 - a. Aiding and Abetting
 - b. Abuse of Process
3. Retaliation.

E. Emotional & Physical Misconduct and Proactive Policies

1. An Adult Participant who learns of information or reasonably suspects that an incident(s) of emotional or physical misconduct (including bullying, stalking, hazing, and harassment) prohibited under the Code has occurred must report it to the organization (USOPC, NGB, or LAO) with which the Participant is affiliated.
2. An Adult Participant who learns of information or reasonably suspects a violation of the Minor Athlete Abuse Prevention Policies or other proactive policies must report it to the organization (USOPC, NGB, or LAO) with which the Participant is affiliated.

⁶ Information about state reporting requirements is available at <https://www.childwelfare.gov/topics/responding/reporting>

3. In lieu of reporting to the USOPC, NGB, or LAO, an Adult Participant can satisfy the reporting requirements in Section X.E by reporting to the Center.

F. Anonymous Reports

Reports may be made anonymously to the Center. Anonymity means the Center will not know the personally identifying information of the reporter. It does not mean that the underlying information will be protected.

However, an anonymous report may limit the Center's ability to investigate and respond to a report, and if an Adult Participant reports anonymously, it may not be possible for the Center to verify that mandatory reporting obligations have been satisfied.

Consequently, the Center strongly encourages Adult Participants to provide their name and contact information when reporting.

G. Confidentiality for Third-Party Reporters

Unless necessary to the Center's investigation or resolution of a matter, the Center does not disclose a Third-Party Reporter's personally identifying information.

H. Reporting Options for Claimants

A Claimant may choose to make a report to the Center to pursue resolution under these procedures and may also choose to make a report to law enforcement or pursue

available civil or administrative remedies. A Claimant may pursue one, some, or all of these options at the same time.

A Claimant who wishes to pursue criminal action in addition to, or instead of, making a report under these procedures should contact law enforcement or legal counsel directly.

XI. RESOLUTION PROCEDURES

A. Initiating Proceedings

When the Center receives a report of allegations that fall within its exclusive authority, or accepts jurisdiction over allegations within its discretionary authority, it will notify the relevant NGB, or the USOPC, conduct a preliminary inquiry, and, if appropriate, undertake an investigation to determine whether a Participant violated the Code.

B. Substantive Standards and Procedural Rules

When the alleged conduct by a Participant occurred prior to the effective date of the Code, the Center may apply other substantive standards in effect at the time of the conduct that are analogous to Prohibited Conduct, including then effective criminal laws or previous standards promulgated by the U.S. Center for SafeSport, NGB, LAO, or USOPC. However, in all cases, these resolution procedures will be used to investigate and resolve matters, regardless of when the incident of Prohibited Conduct occurred.

C. Standard of Proof

The Center bears the burden of gathering sufficient evidence to reach a determination, based on the preponderance of the evidence, that a Participant violated the Code. A “preponderance of the evidence” means “more likely than not.”

D. Consolidation

Matters involving more than one Claimant or more than one Respondent may, in the Center’s discretion, be consolidated into a single matter.

E. Related Proceedings

1. Effect of Criminal or Civil Proceedings

Because the standards for finding a violation of criminal law are different from the standards for finding a violation of the Code, the resolution of a criminal proceeding without a Criminal Disposition is not determinative of (but may be relevant to) whether a violation of the Code has occurred. Conduct may violate the Code even if the Respondent is not charged, prosecuted or convicted for the behavior that could constitute a potential violation of the Code, is acquitted of a criminal charge, or legal authorities decline to prosecute.

Apart from the application of the Code as it relates to Criminal Charge(s) and Disposition(s), the Center’s resolution will not be precluded merely because (a) a civil case or criminal charges involving the same incident or conduct have been filed, (b) criminal

charges have been dismissed or reduced; or (c) a civil lawsuit has been settled or dismissed.

2. No Waiver of Other Legal Remedies

Participating in the Center’s process does not extend or restrict a person’s right to file charges or claims regarding the underlying allegations with any other agency, law enforcement, or court. This is not intended to create or grant a right of action against the Center or in any way waive the Center’s, the USOPC’s, an NGB’s, or any other applicable party or entity’s immunity, if any, under the Protecting Young Victims from Abuse and Safe Sport Authorization Act of 2017 or any other legal theory.

F. Coordinating with Law Enforcement

The Center may contact any law enforcement agency that is conducting its own investigation to inform that agency that the Center is also investigating, to ascertain the status of the criminal investigation, and to determine the extent to which any evidence collected by law enforcement may be available to the Center in its investigation. At the request of law enforcement, the Center may delay its investigation temporarily while an external law enforcement agency is gathering evidence. The Center will resume its investigation when notified that law enforcement has completed the evidence-gathering stage of its criminal investigation. The Center may also provide some or all of its case information, documentation, or evidence to law enforcement.

G. Statute of Limitations or Other Time Bars

The Center assesses a Participant's fitness to participate in sport. As past conduct informs current fitness, no criminal, civil, or rules-based statutes of limitations or time bars of any kind prevent the Center from investigating, assessing, considering and adjudicating any relevant conduct regardless of when it occurred.

H. Methods of Resolution

1. Administrative Closures

The Center, in its discretion, may administratively close a matter. This may be done as a result of insufficient evidence, a Claimant(s) who elects not to participate in the resolution process, or other factors as determined by the Center. The Center may, upon receipt of new information or evidence, or a change in circumstances, reopen the matter for further investigation.

2. Informal Resolution

A Respondent may, at any time before a matter is final, elect to resolve allegations of Prohibited Conduct by accepting responsibility for a policy violation. A Participant's doing so provides for the opportunity to informally resolve the matter, and the Center will determine the appropriate sanction. An informal resolution is not a settlement, but does constitute a final and binding disposition of the matter. The outcome and sanctions of an informal resolution may be published by the Center.

3. Formal Resolution

A Formal Resolution occurs after the Center has completed an investigation and issues its Decision. A Respondent may request a hearing of the Center's Decision if a violation is found.

I. Participation

1. Parties

The parties to an investigation and arbitration are the Center and the Respondent. During the investigation, the Claimant and Respondent will have an opportunity to submit information and relevant evidence, to identify witnesses who may have relevant information, and to submit questions that they believe should be directed by the investigator to each other or to any witness.

Neither the Claimant nor Respondent are required to participate in the investigation nor any form of resolution under these procedures. However, full cooperation and participation in the resolution process is important to ensure that all relevant information and evidence are presented so the Center can determine whether a Code violation occurred. If a Claimant or Respondent declines to cooperate or participate in an investigation, the Center will make its decision based on the available evidence; alternatively, the Center may, in its discretion, choose not to proceed.

a. Where a Claimant declines or is otherwise unable

to participate in an investigation or hearing, the Center's ability to resolve the allegations may be limited. In such cases, the Center may pursue the report if it is possible to do so without the Claimant's participation in the investigation or resolution (e.g., where there is other relevant evidence of the Prohibited Conduct, such as recordings, corroborating reports from other witnesses, or physical evidence). Even with such evidence, however, the Center may only be able to respond to the report in limited and general ways.

- b. If during the investigative process (i.e., prior to the Decision being issued), information or evidence that is available to the Respondent, including testimonial evidence, is not provided to the investigator, such information or evidence will not be considered in determining whether a violation of the Code occurred.

2. Advisors

Throughout the resolution process, Claimant(s) and Respondent(s) each have the right to choose and consult with an advisor. The advisor may be any person, including an attorney. However, a party or witness involved in the investigation or hearing, or an employee of, board member of, or legal counsel for the USOPC, an NGB, an LAO or the Center, cannot serve as an advisor.⁷ The Claimant and Respondent may be accompanied by their respective

advisors at any meeting or proceeding related to the investigation, hearing and resolution of a report under these procedures. While the advisors may provide support and advice to the parties at any meeting or proceeding, they may not speak on behalf of the Claimant or Respondent, or otherwise participate in such meetings or proceedings except as provided herein.

3. Witnesses

Witnesses who are Participants are expected to participate and cooperate in the Center's investigation and any associated proceedings. Any witness likely to provide testimonial evidence in an Arbitration, whether in person or by affidavit or declaration, must, if requested, consent to be interviewed by the Center within a reasonable time prior to any hearing.

4. Claimant's Request for Anonymity

A Claimant may request that personally-identifying information not be shared with a Respondent. The Center will seek to honor the Claimant's request(s) if it is possible to do so while also protecting the health and safety of the Claimant and the sporting community. However, the Center may not be able to proceed with an investigation or resolution of a matter if a Claimant requests anonymity.

⁷ This provision does not intend to interfere with the USOPC's Office of Athlete Ombuds' performance of statutorily mandated functions, nor does it contemplate the

Center's Resource & Process Advisor.

5. Privacy

The Center is committed to protecting the privacy of all individuals involved in the investigation and resolution of reported allegations. With respect to any report under these procedures, the Center, in its discretion, will make reasonable efforts to protect the privacy of individuals involved in the Center's process, while balancing the need to gather information to assess a report and to take steps to eliminate Prohibited Conduct.

Information will be shared as necessary with Center staff and counsel, witnesses, and the parties. It may also be necessary for the Center to notify the NGB or the USOPC (a) of an allegation involving a Participant from that organization; (b) if the Center implements a temporary measure; (c) of procedural status updates; and (d) of any sanctions.

Parental/Guardian Notification

The Center reserves the right to notify guardians of Claimants regarding any health or safety risk.

J. Procedural Rights of Respondents

Federal law provides Respondents with certain procedural rights. 36 USC § 220541(a)(1)(H). For any action taken against a Respondent, including an investigation, the imposition of sanctions, or any other disciplinary action, the Center must provide procedural due process to the Respondent, which includes:

1. The provision of written notice of allegations against the Respondent;
2. The right to be represented by counsel or other advisor;
3. An opportunity to be heard during the investigation;
4. A reasoned written decision from the Center if a violation is found;
5. The ability to challenge through arbitration any temporary measures or sanctions imposed by the Center.

Federal law permits the Center to impose temporary measures or sanctions before providing an opportunity to arbitrate. 36 USC § 220541(a)(2)(A).

K. Recordings

No audio or video recording of any kind is permitted during interviews or meetings, except as authorized and conducted by the Center.

L. Prior or Subsequent Conduct

Prior or subsequent conduct of the Respondent may be considered for any purpose, including in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Code violation, may be deemed relevant to determining responsibility for the conduct under investigation. Determining the relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was

substantially like the conduct under investigation or indicates a pattern of similar Prohibited Conduct.

Evidence relating to other sexual behavior or the sexual predisposition of the Claimant cannot be considered in any decision, nor admitted as evidence in any arbitration, unless the probative value of the use or admission of such evidence, as determined by the Center or the arbitrator, as applicable, substantially outweighs the danger of—

- (i) any harm to the alleged victim; and
- (ii) unfair prejudice to any party.

M. Relevance

The Center has the discretion to determine the relevance of any proffered evidence. In general, statements of opinion as to any person’s general reputation for any character trait, rather than direct observations or reasonable inferences from the facts, will not be considered.

N. Investigation Report

A final Investigation Report will be prepared that sets forth the investigator’s findings of fact. This report will be shared with the Claimant(s) and Respondent(s) upon issuance of the Decision. The Investigation Report and any attachments are considered confidential.

O. Decision

The Center will determine whether there is sufficient

information, by a preponderance of the evidence, to support a finding that Respondent violated the Code. If there is a finding that the Respondent violated the Code, the Decision will note the violation and identify an appropriate sanction(s). The Claimant and Respondent will be notified of the Decision. Such Notice of Decision will set forth any violation(s) of the Code, as supported by the rationale set forth in the Decision and Investigation Report; the sanction(s) imposed against the Respondent (if applicable); and the rationale for any sanction(s) imposed. The Notice of Decision is considered confidential; however, the outcome reflected in the Decision—including whether a violation was found, the nature of the underlying misconduct, and any sanctions imposed—is not.

P. Requesting a Stay of the Sanction(s)

At any time, the Center—on its own or at the request of a Respondent—may stay a sanction(s). Whether to stay a sanction(s) is within the Center’s sole discretion and is not reviewable.

Q. Requesting Arbitration Hearing

Upon issuance of a Decision, a Respondent has ten Days to request a hearing before an arbitrator. If Respondent does not make such a request within ten Days, the Decision is no longer subject to review, except as permitted herein. If a Respondent timely requests that the Center grant an extension of time to request an Arbitration, the Center may, in its discretion, grant such

request.

R. Reopening a Matter

At any time, the Center—on its own or at the request of a Claimant or Respondent—may reopen a matter based upon new evidence that was previously unavailable or a change in circumstances that could substantially impact the original finding or sanction. Whether to reopen a case is within the Center’s sole discretion and is not reviewable.

S. Confidentiality – Release/Use of Materials

The Center’s decisions, investigation reports, and other work product are confidential under 36 USC § 220541(f)(4)(C). The following documents or evidence related to the response and resolution process must remain confidential, in that they may not be disclosed outside of the proceedings, except as may be required by law or authorized by the Center: the Notice of Decision; the Investigation Report and any documents or evidence attached thereto, including interview statements of a Claimant, Respondent, or other witnesses; any audio recordings or transcripts of those recordings created as part of the investigative process; all documents or evidence submitted to or prepared by the arbitrator, including any hearing transcripts. Violation of this provision, including by an advisor for an involved party, may constitute an Abuse of Process.

While the physical documentation must remain

confidential, the relevant NGB or the USOPC, or its affiliates may disclose the outcome of the matter, including the Summary of Decision, to those parties or organizations with a need to know so that the outcome can be properly effectuated or understood.

Additionally, subject to the Abuse of Process provision (including the prohibition on identifying a Claimant), the Center does not impose any restrictions on a Claimant’s or Respondent’s ability to discuss the incident, their participation in the Center’s process, or the outcome of that process.

If any person or entity misrepresents the process, the underlying facts, or the outcome of a matter, the Center reserves the right to publicly correct the record.

XII. TEMPORARY MEASURES

A. By the Center

1. Timing

The Center may implement Temporary Measures at any time. A Temporary Measure shall be effective immediately upon notice, unless stated otherwise. Temporary Measure(s) will remain in effect until the Center expressly removes the Temporary Measure(s).

2. Standard

When implementing a temporary measure, the

Center evaluates whether (i) the measure is reasonably appropriate based on the seriousness of the allegations and the facts and circumstances of the case; (ii) the measure is reasonably appropriate to maintain the safety or well-being of the Claimant, other Athletes, or the sport community; or (iii) the allegations against the Respondent are sufficiently serious that the Respondent's continued participation in the sport could be detrimental to the best interest of sport and those who participate in it.

When the allegations involve child sexual abuse, the age of those allegations is not relevant to this determination.

3. Remedies

Temporary measures may include, but are not limited to, altering training schedules, providing or requiring chaperones, implementing contact limitations, implementing measures prohibiting one-on-one interactions, and suspensions from participation in some or all aspects of sport activity. If measures require monitoring or chaperoning, the Respondent may be required to locate, arrange and pay for some or all of those services as a condition of continued participation pending completion of the investigation.

4. Review by Arbitrator

In all instances when a Temporary Measure materially affects the opportunity to participate (e.g., suspension), the Participant may challenge the

measure by requesting an Arbitration, in accordance with Arbitration Rule 40.

5. Modifiable

The Center may modify a Temporary Measure at any time.

6. Failure to Comply with Temporary Measures

Failure to comply with a Temporary Measure constitutes an independent violation of the Code.

B. By the USOPC, NGB, or LAO

Upon the Center's issuance of a Notice of Exercise of Jurisdiction, any temporary measures previously imposed by the USOPC, NGB, or LAO will be automatically and immediately adopted by the Center as its own, and will be applicable throughout all Olympic, Paralympic, Pan American and Para Pan sports in the United States, and will remain in effect unless and until the Center modifies those measures.

XIII. SANCTIONS

Where there is sufficient evidence through the resolution procedure to support a finding that a Participant violated the Code, the Center will determine whether or the extent to which a Participant may participate in sport and may impose one or more sanctions. Different incidents constituting a violation of the same policy may arise out of markedly different circumstances, including various case-specific aggravating or mitigating factors.

A. Sanctions

One or more of the following sanctions may be imposed singularly or in combination:

- *Written warning*
An official, written notice and formal admonition that a Participant has violated the Code and that more severe sanctions will result should the Participant be involved in other violations.
- *Probation*
A specified period of time during which, should any further violations of the Code occur during the probationary period, it will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements.
- *Suspension or other eligibility restrictions*
Suspension for a specified period of time from participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of the USOPC, any NGB, or any LAO, or at a facility under the jurisdiction of the same. In the Center's discretion, a suspension may include restrictions or prohibitions from some types of participation but allowing participation in other capacities.

A suspended Participant is eligible to return to sport after the suspension lapses, but reinstatement may be subject to certain restrictions or contingent

upon the Participant satisfying specific conditions noted at the time of suspension.

- *Ineligibility*
Ineligibility to participate until further notice, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of the USOPC, any NGB, or any LAO, or at a facility under the jurisdiction of the same. Ineligibility is typically imposed when a Respondent has pending charges, in violation of the Criminal Charges or Disposition provision.
- *Permanent Ineligibility*
Permanent ineligibility to participate, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of the USOPC, any NGB, or any LAO or at a facility under the jurisdiction of the same.
- *Other discretionary sanctions*
The Center may, in its discretion, impose other sanctions for Prohibited Conduct, including, but not limited to, other loss of privileges, no contact directives, requirement to complete educational or other programs, or other restrictions or conditions as deemed necessary or appropriate.

B. Considerations

Factors relevant to determining appropriate sanctions include, without limitation:

1. The Respondent's prior history;

2. A pattern of inappropriate behavior or misconduct;
3. The ages of individuals involved;
4. Whether the Respondent poses an ongoing or potential threat to the safety of others;
5. Respondent's voluntary disclosure of the offense(s), acceptance of responsibility for the misconduct, and cooperation in the Center's process;
6. Real or perceived impact of the incident on the Claimant, the USOPC, NGB(s), LAO(s), or the sporting community;
7. Whether given the facts and circumstances that have been established, continued participation in the Olympic & Paralympic Movement is appropriate; or
8. Other mitigating and aggravating circumstances.

Any single factor, if severe enough, may be sufficient to justify the sanction(s) imposed.

C. Publication

The Center is required under 36 USC § 220541(a)(1)(G) to maintain a publicly-available searchable database of Participants whose eligibility has in some way been restricted by the Center, the USOPC, an NGB, or an LAO.

XIV. Arbitration Rules

1. Application

These Rules shall apply to arbitrations arising out of the Code. No other arbitration rules shall be applicable. Each

Participant, by virtue of membership, affiliation, or participation or other activity making them subject to the jurisdiction of the Center, agrees to abide by and be subject to these Arbitration Rules as the sole and exclusive method of resolving any challenge to the Center's eligibility decision(s) or the Center's processes.

2. Scope

Arbitration shall resolve whether a Respondent violated the Code and the appropriate sanction.

3. Arbitrator Qualifications

The pool of arbitrators for the Center's cases shall consist of individuals who are U.S. citizens and meet the SafeSport Arbitrator Qualifications (Exhibit 2), as determined by the arbitration body. All arbitrators in the Center's arbitrator pool will receive specialized training.

4. Parties

The parties to the Arbitration will be the Center and the Respondent. A reference to the parties, the Center, the Respondent or the Claimant will include any parent or guardian of a Minor, unless otherwise stated herein.

5. Advisor

A Claimant or Respondent may have a single advisor, at that party's own expense. The advisor may but need not be an attorney.

The Respondent's advisor, if any, may participate in the pre-hearing conference, confer with the Respondent during the hearing, clarify procedural questions, present opening and closing arguments on behalf of the Respondent, suggest questions to the Respondent and the arbitrator during witness examinations, or to the extent direct examination by the parties is permitted, question witnesses on behalf of the Respondent.

A Claimant or Respondent intending to have an advisor shall notify the Center and the arbitration body of the name and address of the advisor a minimum of 24 hours before the date set for the hearing or other proceeding at which the advisor is first to appear. The parties are responsible for keeping the arbitration body informed of any changes in advisors. Notice given to a designated advisor shall be deemed notice to the advisee.

6. Confidentiality

The arbitration, including all pre-hearing matters, shall be subject to the confidentiality provisions set forth in the Code and other confidentiality policies adopted by the Center.

7. Initiating Arbitration

After receiving a request for an Arbitration hearing, the Center will send a notice to the Respondent and the Arbitration administrator informing them that an Arbitration has been initiated and requesting confirmation of an email address to which notice will be deemed received upon mailing to such address. The notice shall set forth (i) the alleged violation; (ii) the

sanction determined by the Center; (iii) the recipient's confidentiality obligations; and (iv) that any recipient who violates confidentiality obligations shall be subject to the jurisdiction of the Center and may be held, after proper process, to have violated the Code. The Arbitration will be deemed initiated upon receipt by the administrator of the necessary fees.

8. Number of Arbitrators

There shall be one arbitrator.

9. Arbitrator Appointment – Merits Arbitration

- a. Promptly after Arbitration is initiated, the Arbitration body will send simultaneously to Respondent and the Center an identical list of nine arbitrators, all of whom shall be attorneys or retired judges. The parties are encouraged to agree to an arbitrator from the submitted list and to advise the Arbitration body of their agreement.
- b. Within 48 hours after receiving the arbitrator list, the Center and the Respondent each may strike the names of up to two arbitrators from the list and return the list to the Arbitration body. If a party does not return a strike list within the time specified, all persons named in the list shall be deemed acceptable to that party. The names stricken by a party will not be disclosed to the other party.
- c. From among the persons not stricken by the parties, the Arbitration body shall invite an arbitrator to serve. If, for any reason, an arbitrator cannot be appointed from the submitted lists, the Arbitration

body shall have the power to make the appointment from among the other attorneys or retired judges of the pool, not to include any arbitrator previously stricken by a party.

10. Notice to Arbitrator of Appointment

Notice of the appointment of the arbitrator, whether appointed by the parties or by the Arbitration body, shall be sent to the arbitrator by the Arbitration body, together with a copy of these Rules. A signed acceptance by the arbitrator shall be filed with the Arbitration body.

11. Jurisdiction and Conflicts of Interest

a. Jurisdiction

The arbitrator shall have the power to rule on the arbitration body's jurisdiction, including any objections with respect to the existence, scope or validity of the Arbitration agreement. Any challenges to the arbitrator's jurisdiction must be made in the position statement and shall be decided at or before the commencement of the hearing.

b. Conflicts of interest

Any person appointed as an arbitrator shall disclose to the arbitration body any circumstance that could affect impartiality or independence, including any bias, any financial or personal interest in the result of the Arbitration, or any past or present relationship with the parties or witnesses.

The arbitration body shall communicate any information concerning a potential conflict of

interest to the relevant parties and, as appropriate, to the arbitrator.

A party may file an objection with the Arbitration body contesting an arbitrator's continued service due to a conflict of interest. Upon receiving an objection, the arbitration body shall determine whether the arbitrator should be disqualified and shall inform the parties of its decision, which shall be conclusive. The parties may agree in writing that an appointed arbitrator subject to disqualification will not be disqualified.

c. Replacing a conflicted arbitrator

If the arbitration body determines that a selected arbitrator has a conflict of interest with one of the parties and the parties do not agree to waive the conflict, then the arbitration body shall select a substitute arbitrator from the remaining attorneys or retired judges not stricken by the parties. If the appointment cannot be made from the list, the arbitration body shall have the power to make the appointment from among other attorneys or retired judges in the arbitrator pool without the submission of additional lists, not to include any arbitrator previously stricken by a party.

12. Vacancies

If an arbitrator is no longer able to hear a case for which the arbitrator has been appointed, the arbitration body shall select a substitute arbitrator from the remaining attorneys or retired judges not stricken by the parties. If the appointment cannot be made from the list, the

arbitration body shall have the power to make the appointment from among the other attorneys or retired judges of the full arbitrator pool without the submission of additional lists, not to include any arbitrator previously stricken by a party.

13. Submissions to and Communication with Arbitrator

Except as provided herein, no party shall communicate unilaterally concerning the arbitration with an arbitrator or a candidate for an arbitrator position. Any documents submitted by any party to the arbitration body or to the arbitrator (with the exception of arbitrator strike lists and, when appropriate, *ex parte* submission of witness questions) shall simultaneously be provided to the other party or parties to the arbitration.

14. Hearing Concerning Sanctions and Criminal Charges or Dispositions

If a Respondent requests a hearing concerning only the Center's sanctions, or regarding a Criminal Charge or Disposition, the following Rules apply:

a. Scope

The violation and the underlying facts will be deemed established and irrebuttable. The arbitrator will determine whether the Center's sanctions are appropriate given the facts and circumstances, as established.

b. Standard of review

The arbitrator is authorized to modify the sanction only upon finding that the Center abused its discretion.

c. Briefing

Within ten Days of the arbitrator's appointment, the Respondent shall file a position statement setting forth the basis for the challenge to the sanction. Within seven Days of the Respondent's filing, the Center shall file its position statement.

d. Oral argument

The decision shall be based on the parties' briefs and the Decision. However, the arbitrator may in the arbitrator's discretion allow for oral argument.

e. Decision

The arbitrator will render a final and binding written decision to all parties within five Days from briefing, or if oral argument is allowed, within five Days of oral argument.

15. Procedural Due Process

The SafeSport Code and 36 USC § 220541(a)(1)(H) provide a Respondent with certain procedural due process protections. A Respondent who alleges violations of these rights can raise the claim before the arbitrator only if the Respondent has previously informed the Center of the alleged violation and given the Center an opportunity to cure the violation. An arbitrator can

order a party to take any reasonable steps necessary to cure the violation, except for dismissal of the action.

16. Pre-Hearing Conference

- a. The arbitrator shall schedule as soon as practicable a preliminary pre-hearing conference with the parties by telephone or video conference, but no sooner than four Days and no later than 10 Days after the arbitrator is appointed.
- b. At least two Days before the pre-hearing conference, the Respondent shall provide the Center and arbitration body with a written answer to the Center's Decision against him/her (to include a written statement containing Respondent's summary of the factual rebuttal to the violation and the defenses the Respondent intends to raise at the arbitration) and the documentary evidence and witnesses that the Respondent intends to present at the hearing, including a short summary of the expected testimony of such witnesses.
 - i. If the Respondent fails to submit the required information and then later attempts to call a witness or introduce documentary evidence, including affidavits or declarations, at the hearing not provided in the answer, the Arbitrator, upon request of the Center, must either (i) preclude the witness or documentary evidence from admission at the hearing, or (ii) postpone the hearing at Respondent's expense so that the Center can interview

the witness or review the evidence.

- ii. If a proposed witness refuses to be interviewed by the Center, the Arbitrator shall preclude the witness from testifying or otherwise providing evidence at the hearing.
- c. The pre-hearing conference will be directed by the arbitrator and shall be the exclusive opportunity of the parties to address issues that need to be resolved before the hearing, including, but not limited to:
 - i. The timeline for the exchange of position statements, list of evidence, and list of witnesses. The position statement shall address any expected evidentiary issues, challenges to jurisdiction, and any other disputed issues.
 - ii. The scheduling and logistics of the hearing, to include without limitation the amount of time each side will have to present its evidence. Absent exceptional circumstances, the arbitrator will schedule the hearing to be completed within a single, eight-hour day. The arbitrator may schedule more than one pre-hearing conference only if the arbitrator determines that an additional conference is necessary.
 - iii. The arbitrator shall issue a written decision that memorializes decisions made and agreements reached during or following the pre-hearing conference.

17. Discovery

Respondents will receive from the Center a Notice of Decision, Investigation Report, and any exhibits to the Investigation Report, redacted for any personally identifying information. There shall be no additional discovery.

18. Date and Time of Hearing

The arbitrator shall use best efforts to ensure that the hearing is completed and the decision rendered within 15 Days of the pre-hearing conference.

Although the arbitrator shall make reasonable accommodations to the parties and their advisors with regard to scheduling, the parties and their advisors have a duty to be reasonably available to ensure the ability of the arbitration process to render a reasonably prompt result. The arbitrator, in the arbitrator's sole discretion, may rule that the unavailability of a party's advisor is not grounds for postponing the hearing.

Failure by the arbitrator or the Center to adhere to the timelines set forth herein shall not be grounds for overturning the arbitrator's decision.

19. Place of Hearing

The hearing will be conducted telephonically or by videoconference except as authorized by the arbitrator in extraordinary circumstances, in which case the hearing may be held in person at a location in the United States determined by the arbitrator. If a hearing is held in

person, the arbitrator may nonetheless permit Claimant(s) or witness(es) to appear behind screens, by telephone or via videoconference. For all hearings, whether in person, telephonically, or by videoconference, the seat of the arbitration shall be Denver, Colorado.

20. Attendance

Unless the arbitrator and the parties agree otherwise, only the following individuals shall be present at the hearing: (1) the Center's representatives; (2) the Respondent; (3) the Claimant(s); (4) the Claimant(s) and Respondent's respective advisors; and (5) witnesses during their own testimony.

21. Oaths

Before proceeding with the hearing, each arbitrator will take an oath of office if required by law. The arbitrator will require witnesses to testify under oath if it is required by law.

22. Interpreters

All arbitration proceedings shall be conducted in English. Any party who would like an interpreter is responsible for coordinating directly with the interpreter and is responsible for the costs of the interpreter service. The interpreter must be free of conflicts of interest and approved by the Center.

23. Continuance

The arbitrator may continue any hearing upon agreement of the parties, upon request of a party or upon the arbitrator's own initiative. Unless agreed, postponements shall be discouraged and only granted in compelling circumstances. A party or parties causing a postponement of a hearing will be charged a postponement fee, as set forth in the arbitration fee schedule.

24. Arbitration in the Absence of a Party or Advisor

Subject to Section XI(J), the arbitration may proceed in the absence of any party or advisor who, after notice, fails to be present or to obtain a postponement. The arbitrator shall require the party who is present to submit evidence that the arbitrator may require for the making of a decision.

25. Standard of Proof

The Arbitration shall use a preponderance of the evidence standard to determine if a Participant has violated the Code.

26. Rules of Evidence

- a. Strict conformity to legal rules of evidence shall not be necessary, and hearsay evidence may be considered.
- b. The Center's Decision and Investigative Report with Appendices shall be admitted into evidence and the

arbitrator shall give them appropriate weight.

- c. The arbitrator shall determine the admissibility, relevance and materiality of the evidence offered and may exclude evidence deemed by the arbitrator to be cumulative, irrelevant or unreliable.
- d. The arbitrator shall take into account applicable principles of privilege, including without limitation those involving the confidentiality of communications between an attorney and client and between a physician and patient.
- e. Any statement from a Minor, be it written, recorded or live, and whether direct or hearsay, shall be admissible.
- f. Evidence relating to other sexual behavior or the sexual predisposition of the Claimant cannot be admitted as evidence in any arbitration unless the probative value of the use or admission of such evidence, as determined by the arbitrator, substantially outweighs the danger of—
 - (i) any harm to the alleged victim; and
 - (ii) unfair prejudice to any party.

27. Evidence by Affidavit

The arbitrator may receive and consider the evidence of witnesses by declaration or affidavit and shall give it such weight as the arbitrator deems appropriate after considering any objection made to its admission.

28. Hearing

Unless the parties agree that the arbitrator can determine the case without an oral hearing and on written briefing alone (which the parties may do whether the matter relates to liability and sanctions or sanctions only), the arbitrator will hold an oral hearing.

a. Arbitrator to manage proceedings expeditiously

The arbitrator, exercising discretion, shall conduct the proceedings expeditiously and may direct the order of proof, bifurcate the hearing between the violation and sanction portions of the hearing, and direct the parties to focus their presentations on issues the decision of which could dispose of all or part of the case.

b. Opening Statements

Each party shall be entitled to present a concise opening statement prior to the presentation of evidence. The Center or its advisor shall present its opening statement first, followed by the Respondent.

c. Presenting evidence

Both the Center and the Respondent shall be entitled to an equitable amount of time to present evidence in support of or in opposition to the alleged violations, as determined by the arbitrator at the pre-hearing conference. Absent exceptional circumstances, the parties will be expected to complete the hearing in a single, eight-hour business day. The arbitrator will

track the time used by each party during the course of proceedings and enforce the time limits to ensure equitable time to both parties. The parties will be permitted, subject to any pre-hearing orders, to present documentary evidence through the submission of exhibits and to present testimony through affidavit or in-person testimony of witnesses.

The Center will present its evidence first. The Respondent will present its evidence second. The Center may then present any rebuttal evidence.

d. Examining witnesses

1. The Claimant shall be subject to questioning by only the arbitrator unless the Claimant agrees to direct examination and cross-examination by the opposing party.

2. Unless the Claimant elects to be questioned directly by the parties, no later than five Days before the hearing, the Center and the Respondent each may submit, *ex parte* to the arbitrator, proposed questions and lines of inquiry for the questioning of the Claimant. The arbitrator will review the submitted questions and lines of inquiry and will, in the arbitrator's discretion, determine which are appropriate and relevant based on the understanding of the matter and to ensure the arbitrator's ability to render a decision in the matter. The arbitrator also may ask such other questions which the arbitrator deems appropriate.

3. If the arbitrator has been the sole questioner of the Claimant, then after the arbitrator's direct questioning of the Claimant is completed, the witness will be temporarily excluded from the hearing so that the arbitrator can discuss with each of the parties separately appropriate follow-up questions or supplemental lines of inquiry for the arbitrator to consider. The arbitrator will ask follow-up questions of the witness that the arbitrator deems appropriate.
4. The parties may question all other witnesses directly, provided that the arbitrator shall have the authority to limit questioning of witnesses or lines of inquiry based on, without limitation, relevance, that the questioning is cumulative, the age or mental capacity of the witness, or that the questioning has become harassing or abusive.
5. Examining Minors – the presumption is that a Minor will not testify live at a hearing; however, with the permission of the Minor's parents or guardians (or in extraordinary circumstances, without such permission), the Minor may testify if so desired.

The arbitrator shall determine the manner in which Minor's evidence shall be given, including whether any or all questioning of the Minor (live or via video) will be completed outside the presence of their parent(s) or guardian(s), bearing in mind (a) the objective of achieving a fair hearing, (b) the possible damage

to a Minor's welfare from giving evidence, and (c) the possible advantages that the Minor's evidence will bring to determining the facts.

A Minor may only be asked to testify in exceptional circumstances as determined by the arbitrator. In making this decision, the arbitrator shall consider:

- a. the Minor's wishes and feelings, in particular, the Minor's willingness to give evidence (an unwilling Minor should rarely, if ever, be obligated to give evidence);
- b. the Minor's particular needs and abilities;
- c. whether the case depends on the Minor's allegations alone;
- d. corroborative evidence;
- e. the age of the Minor;
- f. the maturity, vulnerability, understanding, capacity and competence of the Minor;
- g. whether a matter can be properly adjudicated without further questioning of the Minor;
- h. the wishes and views of any parent, person with parental responsibility for the Minor, or any guardian, if appropriate; and
- i. whether the Minor has given evidence to another tribunal or court related to the subject matter of the proceeding, the way in which such evidence was given, and the availability of that evidence.

e. Role of the Claimant

The Claimant is not a party, but has the right to be present during the hearing and to give testimony as a witness if called, but shall not otherwise participate in the hearing.

f. Closing statements

Each party will be entitled to present a concise closing statement after the close of evidence and before the hearing is concluded. The Center will present its closing statement first, followed by the Respondent, and the Center will be allowed time for a reply.

g. Hearing closed to the public

The hearing shall be closed to the public.

i. No disclosure of information

All documentary information obtained by the Center, Respondent, or the Claimant exclusively through the arbitration, including the arbitral decision, shall be deemed confidential not to be disclosed outside of the Center's process except as expressly provided herein.

ii. Recording

At the request of any party or the arbitrator, hearings shall be recorded by the arbitration body and retained by the Center in its confidential files, but shall not be made available to any party or third party except as

determined by the Center or any lawful order of a Court. The requesting party is responsible for arranging and paying for the recording.

h. Closing of Hearing

i. After all evidence has been submitted at the hearing, the arbitrator shall specifically inquire of each party whether it has any further evidence to offer or witnesses to be heard. Unless the arbitrator determines that additional evidence or witness(es) are required to resolve the controversy, the arbitrator will declare the hearing closed.

ii. There shall be no post-hearing briefing ordered except in exceptional circumstances. If documents or responses are to be filed as directed by the arbitrator, or if briefs are to be filed, the hearing shall be declared closed as of the final date set by the arbitrator for the receipt of briefs.

29. Waiver of Rules

Any party who proceeds with the arbitration after knowledge that any provision or requirement of these Rules has not been complied with and who fails to promptly state an objection in writing shall be deemed to have waived the right to object to such noncompliance.

30. Extensions of Time

For good cause shown, the arbitrator may extend any period of time established by these Rules, except the time

for making the decision, keeping in mind the need to resolve these disputes expeditiously; the unavailability of an advisor—after an arbitrator’s efforts to reasonably accommodate the advisor’s schedule—shall not be considered good cause except in exceptional circumstances. The arbitrator shall notify the parties of any extension.

31. Notice and Receipt

The parties each must provide an email address to the arbitration body and opposing parties/advisors upon initiation of an arbitration under the Rules. Notice sent to that email address shall be considered actual notice to the party effective upon delivery.

32. Decisions

a. Time

The reasoned decision shall be made promptly by the arbitrator after the close of evidence, and, unless otherwise agreed by the parties or specified by law, no later than seven Days from the date of close of the evidence or any briefing ordered by the arbitrator. To allow the Center sufficient time to arrange to share the outcome with the Claimant(s), the arbitration body will initially transmit the decision to the Center. Four hours later, the Center shall share the outcome with the Claimant(s) and the arbitration body shall transmit the decision to the Respondent(s).

b. Form

In all cases, the arbitrator shall render a written, reasoned final decision, which shall be signed by the arbitrator. All identifying information of the Claimant (including name), and witnesses (other than the Respondent) shall be redacted. If the arbitrator determines that there has been no violation, then the Respondent may request that the arbitrator redact their name or identifying information in the final decision.

c. Scope

The arbitrator may grant such remedy or relief the arbitrator deems just and equitable and within the scope of the Code and the Sanctioning Guidelines.

d. Delivery to parties

The final decision shall be deemed delivered to the parties if transmitted as provided in these Rules.

33. Modifying Decision

Within three Days after the transmittal of the arbitrator’s final decision, any party, upon notice to the other parties, may request the arbitrator, through the arbitration body, only to correct any clerical, typographical, or computational errors in the decision. The arbitrator is not empowered to re-determine the merits of any matter already decided. The other parties shall be given two Days to respond to the request. The arbitrator shall dispose of the request within two Days after transmittal by the arbitration body to the arbitrator of the request and any response thereto.

34. No Appeal

The arbitration decision shall be considered final and binding. The parties waive, to the fullest extent permissible by law, any right to challenge in court the arbitrator's decision.

35. Filing Fees and Expenses

- a. The arbitration body shall prescribe filing and other administrative fees and expenses to compensate it for the cost of providing services. The fees in effect when the fee or charge is incurred shall be applicable.
- b. Initiating arbitration
 - i. Arbitration fees and expenses

The Respondent shall pay a full deposit for all fees and expenses associated with the arbitration as set forth in Exhibit 1. If, within 30 calendar days of the request for arbitration, the Respondent fails to provide the deposit, the Center or the arbitration body will issue a notice of failure to pay. If payment is not made within five Days after the notice of failure to pay is issued, or an extension is not granted, then the opportunity to request arbitration lapses and the Decision is final.

- ii. Hardship exemption

Respondents may, at the discretion of the Center, obtain a hardship exemption from payment of some of these fees through written certification

that they have insufficient funds to cover arbitration.

36. Other Fees and Expenses

The expenses of witnesses for any party shall be paid by the party producing such witnesses. Parties shall be responsible for their own advisor's fees and costs, and all other expenses not expressly assumed by the Center. A party who successfully seeks a continuance shall pay a continuance fee as set forth in Exhibit 1.

37. Arbitrator's Compensation

Arbitrators shall be compensated at the rates set forth in the arbitration fee schedule (Exhibit 1).

If there is disagreement concerning the terms of compensation, an appropriate rate shall be established with the arbitrator and the arbitration body, and confirmed to the parties. Any arrangement for the compensation of an arbitrator shall be made through the arbitration body and not directly between the parties and the arbitrator.

38. Allocating Fees and Expenses

The arbitrator shall, in the final reasoned decision, allocate fees and expenses as follows:

- a. If a violation is not found, the Center shall reimburse the Respondent for all arbitration fees and expenses paid to the arbitration body, pursuant to Exhibit 1, below.

- b. If the case involves multiple violations, and the arbitrator modifies some violations but not all, the arbitrator has the discretion to allocate the fees and expenses paid to the arbitration body.
- c. If, in a sanctions-only hearing, the sanction is reduced the arbitrator may reapportion responsibility for all arbitration fees and expenses paid to the arbitration body between the Center and the Respondent.

39. Interpreting and Applying These Rules

The arbitrator shall interpret and apply these Rules insofar as they relate to the arbitrator's powers and duties.

40. Temporary Measures

The following Rules govern Temporary Measures hearings.

a. Timing

At any time after Notice of a Temporary Measure, when those temporary measures materially affect the opportunity to participate (e.g., suspension), Respondent may request a hearing which shall take place no later than 72 hours after the Respondent submits the required fees or at such time as the parties otherwise agree.

b. Arbitrator

If the Center imposes or seeks to impose Temporary Measures before the appointment of a merits arbitrator on a Decision, then a special arbitrator will be appointed by the arbitration body solely to conduct the Temporary Measures hearing. This special arbitrator shall not be considered for appointment to review a final Decision. If the Center imposes or seeks to impose Temporary Measures after the appointment of an arbitrator for review of a Decision, then the appointed arbitrator shall conduct the Temporary Measures hearing.

c. Filing fees and expenses

The arbitration body shall prescribe filing and other administrative fees and expenses to compensate it for the cost of providing services. The fees in effect when the fee or charge is incurred shall be applicable. The Center shall pay a deposit for 2/3 of the fees and expenses and the Respondent shall pay 1/3 of the fees and expenses associated with a Temporary Measures arbitration as set forth in Exhibit 1. The Respondent shall not be responsible for filing fees if qualifying for a Hardship Exemption.

d. Procedures

i. Expedited proceedings

The Temporary Measures hearing is an expedited proceeding to quickly resolve whether sufficient evidence exists to satisfy the arbitrator that the temporary relief requested is appropriate

based on the known facts and circumstances of the case at the time of the hearing. The Temporary Measures hearing is not intended to be the hearing necessary to finally resolve whether the Respondent has committed a violation or what the appropriate sanctions should be if a violation is found to have occurred.

ii. Pre-hearing Conference

The arbitrator shall hold a brief pre-hearing conference solely to address scheduling of the hearing.

iii. Position Statements

The Center and Respondent may each submit a position statement of no more than five pages setting forth the basis for their respective positions. Each party may also present such evidence as it deems necessary. The position statement may also address jurisdictional objections or allegations that the Center failed to follow its procedures. All other issues and objections, if any, are reserved and preserved for a hearing on the final Decision.

iv. Length of Hearing

Except in exceptional circumstances, the Temporary Measures hearing will last no longer than two hours.

e. Standard of review

To affirm Temporary Measures, the arbitrator must

find based on the evidence presented, that: (i) the measure is reasonably appropriate based on the seriousness of the allegations and the facts and circumstances of the case; (ii) the measure is reasonably appropriate to maintain the safety or well-being of the Claimant, other Athletes, or the sport community; or (iii) the allegations against the Respondent are sufficiently serious that the Respondent's continued participation in the sport could be detrimental to the best interest of sport and those who participate in it. In all cases, there shall be a rebuttable presumption that the allegations, as presented, are true. When the allegations involve child sexual abuse, the age of those allegations is not relevant to this determination.

f. Decision

The arbitrator may approve, reject, or modify the Temporary Measures imposed or proposed by the Center. The arbitrator shall issue a decision regarding the Center's request for Temporary Measures either orally at the conclusion of the hearing, with a written reasoned order to follow, or by a written reasoned decision issued within 24 hours of the close of the Temporary Measures hearing. The decision is inadmissible and shall be given no weight in an arbitration on the final Decision, if any.

g. No appeal

Neither the Center nor the Respondent may appeal the arbitrator's decision. The denial of the requested

relief shall not, however, prejudice the Center's right to seek Temporary Measures in the same case in the future based on information or evidence not previously in the Center's possession. In such cases, the Respondent will be offered another hearing.

Exhibit 1

JAMS ARBITRATION FEES

The arbitration body for U.S. Olympic and Paralympic SafeSport Arbitrations is JAMS, www.jamsadr.com. Applicable arbitration fees are as stated, effective March 3, 2018.

\$5,200.00 Single arbitrator

\$1,500.00 Single arbitrator, temporary measures hearing

- A deposit for the full price of JAMS fees and neutral rates is due at the time an Arbitration is requested. An amount of \$1,600 for single arbitrator matters is non-refundable. An amount of \$500 for single arbitrator, temporary measures hearings, is non-refundable.
- Applicable arbitrator travel costs will be charged.
- The above fees exclude usage of facilities. If a JAMS facility is used, a room rental fee not to exceed \$300/day will be charged.

CANCELLATION/CONTINUANCE POLICY

| <i>Cancellation/Continuance period</i> | <i>Fee</i> |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14 or more calendar days prior to hearing | <ul style="list-style-type: none">• Arbitration, single arbitrator, \$3,600 is refundable• Temporary Measures Hearing, non-refundable |

- Hearing fees are non-refundable if time scheduled (or a portion thereof) is cancelled or continued after the cancellation date. The cancellation policy exists because time reserved and later cancelled generally cannot be replaced. In all cases involving non-refundable time, the party requesting the hearing is responsible for the fees of all parties.
- JAMS reserves the right to cancel the hearing if fees are not paid as required by the applicable cancellation date and JAMS confirms the cancellation in writing.

Exhibit 2
SafeSport Arbitrator Qualifications

INDEPENDENCE

Each arbitrator shall be independent. An arbitrator is “independent” if (a) the individual has no current, material affiliation or relationship, directly or indirectly, with the United States Center for SafeSport, the United States Olympic & Paralympic Committee (USOPC), any National Governing Body (NGB), any Paralympic Sports Organization (PSO), the Athletes Advisory Council of the USOPC (AAC), or any other affiliated organization such as an Olympic Training Center or designated partner, and (b) such person is free of any direct or indirect relationships that create an actual or perceived conflict of interest that could reasonably be expected to interfere with the exercise of independent judgment of such person. Before an arbitrator may be selected for the JAMS SafeSport Panel, the individual shall disclose any potential conflicts of interests to JAMS.

KNOWLEDGE

In addition to independence, arbitrators shall have a demonstrated working knowledge of sexual assault, domestic violence, child sexual abuse, grooming, trust dynamics, and trauma-informed questioning/forensic interviewing protocol. Experience involving emotional, physical and sexual misconduct in sport is strongly preferred.

WORKING EXPERIENCE

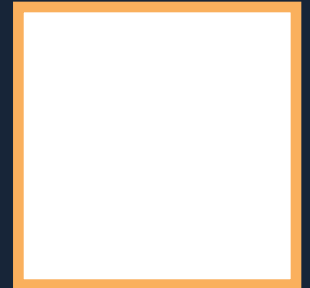
Arbitrators shall have experience working in at least one of the

following areas:

- In criminal law as a judge, district attorney, or defense attorney, with specific experience in sexual misconduct
- Law enforcement, with specific experience in sexual misconduct
- As a social worker
- A Title IX coordinator or investigator
- As a guardian *ad litem*, or
- Other comparable working experience.

**APPENDIX B:
REPORTING
PROTOCOLS**

HOW TO REPORT ABUSE OR MISCONDUCT INCLUDING MAAPP VIOLATIONS



ALWAYS REPORT SEXUAL MISCONDUCT AND ABUSE (INCLUDING CHILD SEXUAL ABUSE) AND RETALIATION TO THE U.S. CENTER FOR SAFESPORT¹

CALL

833-5US-SAFE (587-7233)

REPORT ONLINE

USCENTERFORSAFESPORT.ORG/REPORT-A-CONCERN

Information about, or reasonable suspicion of, child abuse, including child sexual abuse, must be immediately reported to law enforcement and the U.S. Center for SafeSport, and individuals must comply with any other applicable state or federal laws.

**APPENDIX C:
EVENT SIGNAGE**

IN THIS LOCKER ROOM

(MONITORED REGULARLY AT THIS EVENT)

MAAPP
MINOR ATHLETE ABUSE
PREVENTION POLICIES

1

**All one-on-one interactions between
Adult Participants and Minor Athletes must
be Observable and Interruptible**

2

**Use of photographic or recording
capabilities of any device is prohibited.**

3

**Adult Participants must not shower
with Minor Athletes***

**Thank you for helping ensure all athletes are safe,
supported, and strengthened.**

**Exceptions: individuals who meet the MAAPP's Close-in-Age Exception, or if the shower is a part of a pre- or post- activity rinse while wearing swimwear.*

These requirements are a component of the Minor Athlete Abuse Protection Policies (MAAPP), developed by the U.S. Center for SafeSport. To learn about the MAAPP, including legal definitions of terms capitalized here, visit uscenterforsafesport.org/maapp

 U.S. CENTER FOR
SAFESPORT™

ATHLETIC TRAINING NOTICE

MAAPP
MINOR ATHLETE ABUSE
PREVENTION POLICIES

AT THIS EVENT

All athletic training modalities, massages, or rubdowns must be **Observable and Interruptible**.

①

**Another Adult Participant
must be present**

②

**Minor Athletes must remain
fully or partially clothed**

③

**Documented consent from a
parent or legal guardian is
required annually**

Thank you for helping ensure all athletes are
safe, supported, and strengthened.

AT THIS EVENT

All one-on-one interactions between an Adult Participant and a Minor Athlete must be:

1

OBSERVABLE

2

INTERRUPTIBLE

Thank you for helping ensure all athletes are safe, supported, and strengthened.

MAAPP

MINOR ATHLETE ABUSE
PREVENTION POLICIES

These requirements are a component of the Minor Athlete Abuse Protection Policies (MAAPP), developed by the U.S. Center for SafeSport. To learn about the MAAPP, including legal definitions of terms capitalized here, visit uscenterforsafesport.org/maapp

 U.S. CENTER FOR
SAFESPORT™



DOES THE MAAPP APPLY TO YOU?

**IT DOES, IF YOU ARE
DEFINED IN THE
MAAPP AS AN ADULT
PARTICIPANT*.**

Thank you for helping ensure all athletes are
safe, supported, and strengthened.

MAAPP

MINOR ATHLETE ABUSE
PREVENTION POLICIES

**The Minor Athlete Abuse Prevention Policies (MAAPP) is developed and by the U.S. Center for SafeSport, a national organization with authority over this event's athlete safety policies. To learn about the MAAPP, including legal definitions of terms capitalized here, visit uscenterforsafesport.org/maapp*

 U.S. CENTER FOR
SAFESPORT™

APPENDIX C:
SAFETY PLANNING TOOLKIT

TEMPORARY MEASURE AND SAFETY PLANNING TOOLKIT FOR NGBs, LAOs, AND PSOs¹

TABLE OF CONTENTS

- I INTRODUCTION**
- II TEMPORARY MEASURES**
- III SAMPLE LANGUAGE FOR TEMPORARY MEASURES**
- IV SAFETY PLANNING**
- V CASE STUDIES**
- VI EXTERNAL RESOURCES**
- VII TEMPLATES:**
 - > CRISIS SAFETY PLAN**
 - > ORGANIZATIONAL SAFETY PLAN**
 - > INDIVIDUAL SAFETY PLAN**
 - > MINOR RESPONDENT REFLECTION PLAN**

I INTRODUCTION

The U.S. Center for SafeSport (“Center”) is committed to building a sport community where Participants can work and learn together in an atmosphere free of emotional, physical, and sexual abuse and misconduct. Our mission is to make athlete well-being the centerpiece of our nation’s sports culture through abuse prevention, education, and accountability.

The purpose of this toolkit is to provide information and guidance to National Governing Bodies (“NGBs”), Local Affiliated Organizations (“LAOs”), and Paralympic Sport Organizations (“PSOs”), regarding the issuance and enforcement of temporary measures and safety plans with the goal of increasing athlete safety of involved parties during and after investigations.

¹ Nothing in this Implementation Guide should be construed as legal advice or satisfying all obligations on behalf of the USOPC, NGB, LAO, or PSO. The information contained herein is intended to serve only as a guide for implementation of safety planning in order to reduce potential for conflict between parties involved in an investigation of misconduct. Each Covered Organization (USOPC/NGB) is encouraged to review the information contained herein with their respective legal counsel(s) in order to ensure the implementation of any safety plan complies with the requirements of the Center and all other applicable laws and regulations.

II TEMPORARY MEASURES

To protect the safety of parties involved in misconduct investigations and support a fair investigation, temporary measures may be imposed that place conditions and/or restrictions on an individual's ability to participate in sport while an investigation is on-going. The Center may, at any point before a matter is final, impose temporary measures. All temporary measures imposed by the Center shall be in effect immediately upon issuance and enforced by the USOPC, NGBs, LAOs, and PSOs.

WHAT IS A TEMPORARY MEASURE?

Temporary measures are tools that allow the Center, NGBs, LAOs, and PSOs flexibility to mitigate potential risks to the sport community and to protect the well-being of individuals. They are implemented on a case-by-case basis and tailored to the specific needs of a matter, based on the severity of the allegations, the evidentiary support for the allegations, and/or the perceived risk to athletes or the sport community. Temporary measures may include, but are not limited to, altering training schedules, providing or requiring chaperones, implementing contact limitations, implementing measures prohibiting one-on-one interactions, and suspensions from participation in some or all aspects of sport activity.

WHY IMPOSE TEMPORARY MEASURES?

Temporary measures can be implemented, based on the current information and evidence, to protect the sport community or athletes. Generally, measures are implemented based on the perceived risk to athletes or the sport community, the severity of the allegations, and/or the evidentiary support for the allegations. Decisions should err on the side of caution for Claimants' physical and emotional safety.

Temporary measures can:

- > Reduce potential conflict throughout an investigation;
- > Mitigate risk for participants;
- > Lessen the likelihood of intimidation, harassment, or retaliation;
- > Prevent a hostile sporting environment; and/or
- > Ensure a fair and neutral investigation into the matter.

II TEMPORARY MEASURES

WHO CAN ISSUE TEMPORARY MEASURES?

The Center, NGBs, LAOs, and PSOs can all issue temporary measures. Measures can be issued at any time during the Center's process. NGBs, LAOs, and PSOs have the authority to implement any measures, including suspension, prior to the Center exercising jurisdiction over a matter. After the Center exercises jurisdiction, NGBs, LAOs, and PSOs may implement any measure they see fit, short of suspension.²

Any time an NGB, LAO, or PSO implements measures, the organization should notify the Center. Notification of measures should occur during the initial Intake process when membership records are being provided by the NGB. For measures implemented after this time, notifications should be submitted via the online reporting portal.

Please note that any measure issued by an NGB, LAO, or PSO prior to the Center's exercise of jurisdiction over a matter shall be adopted and remain in effect as an order of the Center, unless and until withdrawn or modified by the Center.³

² Note: The Center does not handle employment matters or advise on employment decisions. NGBs, LAOs, and PSOs may always take employment action consistent with applicable law and policies, independent of the Center.

³ The Center requests confirmation, in writing, of any temporary measure that has been imposed by an NGB, LAO, or PSO. The Center does not adopt measures where it did not receive a confirmation.

II TEMPORARY MEASURES

WHAT TYPES OF TEMPORARY MEASURES EXIST?

While temporary measures can vary and should be case specific, below are examples of temporary measures most often issued by the Center.

No-Contact Order

No-Contact Orders are designed to prevent parties from interacting with one another and can be drafted in a way to prevent contact through virtually all types and mediums of communication (e.g., in person, by phone, email, social media, through a third party). No Contact Orders can be unilateral (applied to one party) or bilateral (same restrictions for both parties).

Importantly, No-Contact Orders are enforceable outside the context of sport, but they typically do not prevent parties from being in the same place at the same time. No Contact Orders are different from protection/restraining orders that are issued by the court system, and participants are welcome to pursue any and all avenues for protection outside the Center's Response and Resolution process.

Supervision/Chaperone

A measure that involves supervision and/or a chaperone is designed to allow participation while taking additional steps to avoid unnecessary risk. It typically involves the designation of neutral individuals to supervise, monitor, and/or oversee a Respondent's participation in a particular event.

Travel or Lodging Restrictions

Travel or Lodging Restrictions require a Respondent to utilize alternate travel and/or lodging arrangements during travel. Such measures are designed to provide for greater physical separation of the parties during off-hours. Organizations imposing such measures should keep equitable treatment in mind, to the extent possible (e.g., similar cost of lodging, similar distance from sporting facility, feasibility of alternate transportation).

Schedule Modifications

Schedule Modifications include modifying training or event schedules with the goal of avoiding unnecessary contact between parties. They should be designed to avoid overlap in schedules or use of facilities between parties. Again, keep equitable treatment in mind when possible to avoid unnecessarily disadvantaging a party.

Temporary Suspension

Temporary Suspensions are the most restrictive temporary measures available. They consist of a complete prohibition from participating, in any capacity, in any event, activity, or competition that falls under the USOPC, NGBs, LAOs, or PSOs. In instances where the Respondent is a Participant in more than one sport, the Center can modify the suspension to extend to all USOPC events, activities, and competitions. Temporary Suspensions are posted publicly to the Centralized Disciplinary Database.

II TEMPORARY MEASURES

CONSIDERATIONS FOR WHETHER TO IMPOSE TEMPORARY MEASURES

Generally, temporary measures should be implemented based on the severity of the allegations, the evidentiary support for the allegations, and/or the perceived risk to athletes or the sport community.

If a report includes allegations of a Coach-Athlete relationship, athlete-to-athlete misconduct, or adult-to-adult misconduct, the following are examples of what could be considered when assessing the issuance of temporary measures:

- > How long ago did the alleged misconduct occur?
- > Does the Respondent have a prior history of misconduct with the NGB/LAO/PSO?
- > Did the alleged misconduct occur within the context of sport?
- > Is there a power imbalance between parties that was used to effectuate misconduct?
- > How many Claimants are there?
- > Can the risks for this allegation to occur again be changed? If the Respondent is returning to sports, can they be placed into a lower-risk situation?
- > Is potential harm imminent and/or severe, based on threats, physical force, or use of weapons?

If a report includes allegations of child abuse, the NGB/LAO/PSO should assess the need for implementing temporary measures. There does not have to be a Temporary Suspension in every case; however, decisions should err on the side of caution for Claimants' physical and emotional safety. As a reminder, all allegations of child abuse should be reported to law enforcement immediately.

CONSIDERATIONS FOR THE TYPES OF TEMPORARY MEASURES TO IMPOSE

Measures should be implemented on a case-by-case basis and tailored to the specific needs of a matter.

When assessing what types of temporary measures are necessary and appropriate, the following are examples of what could be considered:

- > The type of event (e.g. practice, competition, national championship)
- > If the event is local, regional, national, or international
- > The type of facility and the NGB/LAO/PSO's level of control over the facility
- > Staffing levels at the event, and who can be identified as onsite enforcement officials or neutral individuals assigned to chaperone
- > How the event is structured (i.e., what is occurring, when, and where)
- > Types of interactions that are likely, given the circumstances
- > Specific concerns voiced by the involved parties
- > Whether or not the identity of the Claimant is known (e.g., No Contact Orders and Claimant-specific conditions/restrictions may not be possible, but assigning a Supervision/Chaperone or event-specific conditions/restrictions are possible.)

II TEMPORARY MEASURES

WHAT IF A RESPONDENT VIOLATES A TEMPORARY MEASURE?

Any suspected violations of temporary measures should be immediately reported to the Center for investigation. If substantiated, violations constitute a separate and independent violation of the SafeSport Code. These may be rolled into the current investigation or treated as a separate matter. Temporary measure violations are sanctionable independent from, or in conjunction with, other violations of the SafeSport Code.

Examples of Temporary Measure Violations:

- > Respondent attends an event precluded by a Temporary Suspension, whether blatantly, accidentally, or clandestinely.
- > Party bound by No Contact Order sends another party a message via social media.
- > Respondent under lodging restriction joins teammates for a hotel room party at the hotel where Claimant is staying.

ENFORCEMENT OF TEMPORARY MEASURES

The Center renders determinations regarding membership and eligibility based on reported allegations of misconduct. NGBs, LAOs and PSOs must ensure that eligibility determinations (e.g., temporary measures, sanctions) are enforced across their sport, and to do that, must effectively communicate those decisions to those with a need to know. However, the Center does not have the jurisdiction to prevent Respondents from participating with other sports, organizations, clubs, or events outside the USOPC umbrella.

NOTICES RELATED TO TEMPORARY MEASURES

The Center may issue several different Notices that relate to temporary measures throughout its process. Although Notices are provided only to the NGBs and/or appropriate parties, below is a list of common Notices.

- > Request for Participant Information allows NGBs to share membership records with the Center and includes requests for confirmation of NGB/LAO/PSO measures, as well as confirmation of any conflict of interest concerns.
- > Notice of Exercise of Jurisdiction specifies whether the Center is accepting or declining jurisdiction back to the NGB for resolution of the reported allegations.
- > Notice of Allegations and Temporary Measures is a formal Notice to a Respondent regarding the allegations brought against them and of any temporary measures imposed.
- > Notice of Allegations and Modification of Temporary Measures alerts parties after new information/evidence warrants a modification to the temporary measures.

III SAMPLE LANGUAGE FOR TEMPORARY MEASURES

SAMPLE LANGUAGE FOR A NO CONTACT ORDER:

Respondent is prohibited from communicating in any way with Claimant for **[length of time]**.

Communication includes, but is not limited to, contact by phone, email or text message, via any social media application or other electronic medium, in-person interactions (verbal and non-verbal), or contact facilitated through a third party. Should Respondent and Claimant happen to be in the same place at the same time, in addition to refraining from any form of communication, Respondent should make reasonable efforts to keep their distance and avoid getting too close to Claimant.

SAMPLE LANGUAGE FOR SUPERVISION/CHAPERONE:

A designated **[NGB/LAO/PSO]** staff member will monitor and observe Respondent throughout the **[XXX]** event. This staff member has been apprised of the situation and understands its confidential nature, and may also serve as a resource for Respondent should any concerns related to this matter arise during the event.

SAMPLE LANGUAGE FOR TRAVEL OR LODGING RESTRICTIONS:

[Respondent] will stay at **[hotel/lodging]** and travel to and from **[sporting facility]** via **[type of transportation]**. **[Respondent]** is prohibited from transporting minor athletes on **[date]**.

SAMPLE LANGUAGE FOR SCHEDULE MODIFICATIONS:

[Respondent] will attend practices on **[day of week]** at **[time]** with **[coach/team name]**.

[Respondent] will compete in **[event]** at **[time]** on **[date]** at **[location]**.

SAMPLE LANGUAGE FOR TEMPORARY SUSPENSION:

Respondent is prohibited for **[length of suspension]** from participating, in any capacity, in any event, program, activity, or competition authorized by, organized by, or under the auspices of the United States Olympic & Paralympic Committee (USOPC), the National Governing Bodies recognized by the USOPC, a Local Affiliated Organization as defined by the Code, any Paralympic Sport Organization (PSO), or at a facility under the jurisdiction of the same.

IV SAFETY PLANNING

The Center only imposes temporary measures as part of its Response and Resolution process; however, temporary measures are not the only type of safety plans available. NGBs, LAOs, and PSOs have additional authority to put safety plans in place, even prior to reporting allegations to the Center. Safety plans can increase parties' physical and emotional safety throughout an investigation, support a fair and neutral process, and aid in prevention of retaliatory behaviors. Safety plans may include the same types of limitations as temporary measures, but can extend to include any other action an NGB/LAO/PSO may deem necessary in each unique situation.

WHAT IS A SAFETY PLAN?

A safety plan is a practical plan to reduce the chances of conflict or unsafe environment between participating parties and to put in opportunities for support of an individual in keeping safe. Safety plans are specific to the details of the individual case to address the concerns of the parties. They are often specific to the sport, meaning a plan from one sport likely would not work for those in other sports across the Movement (e.g., team vs. individual sports, whether team travels, types of facilities used).

Safety plans should include clear terms, restrictions, and other requirements for continued participation by Respondents, and they are available in all matters, even those in which the Center will not be conducting a formal investigation (e.g., coach allegedly throwing water bottle at athlete).

Examples of Safety Plans in Other Contexts:

- > Often survivors of domestic violence, sexual assault, or stalking obtain an Order of Protection (civil cases) or Restraining Order (criminal cases) to discourage contact by their aggressor. These are given by and enforced by the court system.
- > Educational institutions are required by law and policy to take measures to address and prevent harassment. Safety plans in this context are composed with input from the reporting party and are enforced by campus administrators and security.

IV SAFETY PLANNING

HOW ARE SAFETY PLANS CREATED?

Safety plans should be implemented on a case-by-case basis and tailored to the specific needs of a matter.

When creating a safety plan, the following should be considered/addressed:

- > Identify specific staff that will create and communicate safety plans to involved parties. This person should be available to discuss the plan over the phone. Many organizations already have SafeSport-specific staff who may do this, or you may consider other internal resources (e.g., Human Resources, Legal Department, Safety Coordinator).
- > Plans should be clearly laid out in writing, listing each involved party (e.g., Respondent, Claimant(s), those overseeing teams/events) and their responsibilities. Ensure all parties in your safety plan are members of your organization whom you have authority over.
- > Reasons for the safety plan should be defined (i.e., What allegation(s) or risk factor(s) were taken into consideration?).
- > The duration of the safety plan should be established (e.g., throughout the investigation, for a specific event, for a specified amount of time).
- > Options for reporting retaliation or violations of the safety plan should be established, along with contact information for the party who will take reports of violations.
- > Clearly state the consequences for retaliation if a violation occurs.
- > The safety plan should establish a schedule of periodic check-in with involved parties to ensure effectiveness.

IV SAFETY PLANNING

WHAT FACTORS SHOULD BE CONSIDERED WHEN ASSESSING RISK FOR SAFETY PLAN CREATION?

The following are examples of factors that should be considered when creating a safety plan:

- > Type of alleged misconduct (e.g., sexual, physical, emotional, or combination)
- > Severity of alleged misconduct (e.g., inappropriate comments vs. physical harm)
- > Ages of parties involved
- > Cognitive development of parties involved
- > Respondent and Claimant's participation status (e.g., coach, athlete, official)
- > Respondent's relationship to Claimant (e.g., coach, peer, imbalance of power)
- > Respondent's access to Claimant
- > When the reported event(s) occurred
- > Respondent's disciplinary history
- > Upcoming events (e.g., practices, competitions, travel) and the likelihood of contact between parties
- > The number of Claimants
- > Input by Claimant(s) and Respondent (e.g., people they feel safe with, how they feel safe sharing violations)
- > Mental health of parties involved
- > Living situations of parties involved
- > Law enforcement perspective (if applicable)

WHAT ABOUT MINOR CLAIMANTS AND RESPONDENTS?

When working with minors, always include a parent or guardian in safety planning conversations. The goal with minors should be to learn and grow from mistakes to prevent future SafeSport Code violations, encourage personal accountability, and allow for safe participation in sport. In non-sexual matters where a minor Respondent admits to alleged misconduct that is less severe in nature (e.g., verbal or social media bullying), safety planning may look different and focus more on their goals in the sport, the misalignment of their behavior and their goals, and making a plan to deal with thoughts and emotions that are problematic to them achieving their goals.

HOW ARE FINALIZED SAFETY PLANS IMPLEMENTED?

After finalizing a safety plan, documentation should be provided to the appropriate NGB and/or the Center, as well as all parties who need to be aware or are responsible for parts of the safety plan. The number of staff with this knowledge should be as limited as possible, in accordance with confidentiality policies, while still ensuring safety of parties.

Acknowledge the safety plan with the applicable parties, and check for understanding and allow for clarifying questions. Document that all parties are fully aware of the conditions set forth in the safety plan (e.g., by an email receipt, signature on the safety plan, documented phone call).

V CASE STUDIES

Below are three case study examples meant for individual or group practice. This will help ensure readiness to create and implement safety plans and/or temporary measures in your organization. It is recommended that all parties in positions of leadership who may be involved in creating and implementing temporary measures/safety plans work through these examples together to allow for discussion on differing perspectives and ensure consistency throughout your organization. To aid in thinking through each scenario, consider the following guiding questions:

- > Do you have the authority to implement temporary measures in this matter? If yes, which measures are you able to consider? (Note: You always have the authority to create or modify a safety plan.)
- > What temporary measures or safety plan, if any, should be implemented in this matter? Why did you decide that? Are all parties' physical and emotional safety being considered?
- > Who will enforce the measures/safety plan? How will you ensure each person is aware of their role and clearly understands what they need to do to follow the plan?
- > Who needs to be notified about the measures/safety plan, and what details do they need to be told? Do they know what to do if they observe violations of the measures/safety plan?
- > Is this response consistent with prior safety planning involving similar situations?
- > What other considerations are there to this situation, if any? How will you deal with them?

Please note there are certainly other questions that could be considered, as each situation is unique. Similarly, the possible responses listed after each case study are meant to facilitate critical thinking and are not the only acceptable responses for these scenarios.

CASE STUDY #1:

On Friday afternoon, a report was made to the Center involving an adult coach and one of their 18-year-old athletes at Club A, alleging a sexual relationship that started about two years ago and lasted about six months. This was already reported to law enforcement.

The Respondent is Pat Baker (40 years old), who coaches 15-to-18-year-old athletes and has no prior disciplinary history or complaints within the organization. Respondent still coaches at Club A.

The Claimant is Sam Fischer (20 years old), an athlete who was 18 years old at the time of the alleged misconduct. Claimant is no longer at Club A, but is an assistant coach in the same city at Club B.

Club A and Club B are slated to participate in an event that begins Saturday morning and lasts all weekend.

POSSIBLE RESPONSE:

You do have authority to implement any temporary measures, as the Center hasn't yet accepted jurisdiction.

Although the relationship allegedly occurred two years ago, and both parties are adults who have been interacting in the sport without known incident since then, there is potential risk of harm. Specifically, the Respondent is accused of engaging in an intimate/sexual relationship with an athlete under his authority ("imbalance of power"), and that individual is still coaching athletes in the 15-to-18-year age range. Because law enforcement has been notified, parties may or may not be aware of the report. Because the event is taking place before the Center resumes working hours, you may determine that a Supervision/Chaperone temporary measure is appropriate to ensure the Respondent is not alone with any of their athletes or the Claimant. Perhaps you discuss this situation with the Board President and assign him the task of discreet supervision, as he will be in attendance at the event. Then you send an email to the Respondent and Board President, letting the Respondent generally know that you received a report about him and that the Board President will be chaperoning him at the weekend event to be on the safe side until the Center opens again on Monday. You then use the Center's online reporting form to let the Center know that you have implemented this temporary measure.

CASE STUDY #2:

The Center received a report alleging harassment and bullying via Snapchat by Respondent Justin Scott toward Claimant Jose Padilla. A screenshot of a Snap was attached to the report, which shows a picture of Jose's head on a unicorn's body with sexist and homophobic slurs written around it. The Center declined jurisdiction to your NGB.

Respondent and Claimant are both 13 years old and have no disciplinary history on the team. Their team has weekly practices, weekly games, and they are scheduled to travel to an out-of-state tournament in two weeks.

Respondent vehemently denies sending the Snap and is calling Claimant a liar on social media platforms, including on team pages. Claimant's parents are demanding that Respondent be immediately removed from the team.

POSSIBLE RESPONSE:

You do have authority to implement any safety plan or measure, as the Center declined jurisdiction.

Due to the screenshot, you have evidence that this photo was sent from Respondent's personal account.

In an effort to use this as a learning moment while also conveying the seriousness of using harmful slurs, you may decide to issue the Respondent a two-week suspension, during which time the Respondent will complete research and write a reflective essay on why those words are unacceptable to use, how they have done harm to others, and how he can better express himself next time he is frustrated by a fellow team member. You may then make a phone call to explain this decision to the Respondent and his caregiver(s). During this phone conversation you are clear about the terms of this suspension, including that Respondent is not to contact any team members regarding practices, games, or these allegations. You may also ask the head coach to monitor team pages and let you know if there's a violation. Because the entire team is aware of the allegations, you may also decide to require SafeSport minor athlete training or create a new team policy to be clear that xenophobic language of any kind is not tolerated on your team. You also call the Claimant and his caregiver(s) to clearly explain the suspension, what Claimant should do if he hears from Respondent, and that you plan to give Respondent a second chance after these two weeks, in which he should have learned and reflected on his negative behavior. You should also alert your NGB to this safety plan.

CASE STUDY #3:

The Center received a report alleging a physical fight between two adult athletes, in which a photo was attached of the Claimant's black eye and facial contusions. The Center exercised jurisdiction and imposed a Temporary Suspension for Respondent Tanya Johnson, who is 24 years old. The Claimant has requested that their identity be withheld from the NGB.

Respondent has requested a stay of her Temporary Suspension, as she has an upcoming Olympic qualifying event in town, in which she is the #1 seed. The Center has granted this stay based on irreparable harm analysis, but has advised you that the Claimant will also be participating in the same Olympic qualifying event.

POSSIBLE RESPONSE:

As a Temporary Suspension is already in place, you have the authority to implement any other type of temporary or safety planning measure.

Because you do not know the identity of the Claimant, your options are limited and will need to be focused on ensuring the Respondent is supervised, completes her event, then promptly leaves the facility. Since both parties will be at the same event, you may plan for the Respondent's coach to accompany Respondent from the time they enter the facility to the time they leave. You may arrange for them to be present only during Respondent's qualifying event, to use a separate door for entry/exit, and to come suited up as to not use the locker rooms. Since the qualifying event is in town, no travel restrictions will be necessary. You would clearly explain these restrictions to both the Respondent and her coach, including that any violations will be immediately reported to the Center. You should also alert the Center to this safety plan so they can relay the plan to the Claimant.

VI EXTERNAL RESOURCES

The following are different types of resources available in most communities that may be useful to you or the participants you work with. In some places these services are provided by nonprofits, and in other places by government agencies. They all are experienced in creating safety plans.

- > Child Advocacy Centers provide multi-disciplinary services for survivors of child abuse, including forensic interviews, mental health services, and community referrals for further support. You can find your local CAC at www.nationalcac.org/find-a-cac.
- > Community Domestic Violence (DV) programs provide services like helplines, crisis intervention, shelter placement, court accompaniment, and resource connection for people who have experienced domestic or dating violence. You can find your local DV program at: www.thehotline.org.
- > Community Sexual Violence (SV) programs provide similar services to DV programs, but specifically for those who have experienced sexual abuse. Find your local SV program at www.centers.rainn.org.
- > For those seeking ongoing therapy or mental health services, you can find listings at www.psychologytoday.com. These listings are easily filterable by location, type of insurance accepted, gender preference, age of client, type of trauma experienced, shared religion/faith, and more. For therapists who specialize in treating sex offenders specifically, visit www.atsa.com/referral.
- > Sexual Assault Nurse Examiners (SANEs) and Forensic Nurse Examiners (FNEs) are specially trained medical professionals who collect medical evidence that can be used in court, following a sexual assault. Learn more at www.forensicnurses.org.
- > There are Crime Victim Compensation Funds available to provide monetary compensation to victims of crimes. Typically, this requires that a law enforcement report has already been made. Locate your local office at www.nacvcb.org.
- > Free or low-cost civil legal advice and services are available to those who qualify based on income. Find your local office at www.lsc.gov.

VI EXTERNAL RESOURCES

There are also national organizations that provide emotional support, crisis intervention, safety planning assistance, and resources. All of them offer 24/7 traditional phone hotlines, and most also offer chat page and text message options. Many are available in Spanish. Their websites are also filled with useful information for educational purposes.

- > SafeSport Helpline (**866-200-0796**) is a collaborative project between the Center and RAINN, specifically for athletes who have experienced sexual misconduct in sport.
- > RAINN is the nation's largest anti-sexual violence organization, and they run the National Sexual Assault Hotline (**800-656-HOPE**).
- > The National Domestic Violence Hotline (**800-799-SAFE**) is for those who have experienced domestic violence.
- > Love Is Respect (**866-331-9474**) is the national dating violence hotline for teens and young adults, and it is part of the National Domestic Violence Hotline.
- > Childhelp runs the national child abuse hotline (**800-422-4453**) and can be used by minors or parents of minors who have experienced any type of abuse.
- > The National Suicide Prevention Lifeline (**800-273-TALK**) provides support for people who are suicidal or in crisis, as well as for people trying to help someone who is suicidal.

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

VII CRISIS SAFETY PLAN

NAME: _____

DATE: _____

In the realm of mental health, **crisis refers to how a person reacts to a traumatic situation or event.** When someone is in crisis, they have the opportunity to either grow or regress. Preparation can aid in overcoming difficult and overwhelming feelings. Keep this document easily accessible and use it during times of crisis.

What warning signs does your body give that alert you that you are going into crisis mode (e.g., thoughts, mood, behavior, sensations, mental images, physical response)?

What can you do to take your mind off the problem (e.g., physical activity, relaxation technique, repeating a mantra, physical relocation)?

Who can you ask for help or distraction (e.g., family member, friend, significant other, professional, mentor)?

VII CRISIS SAFETY PLAN

NAME:

DATE:

How can you make your environment safer for you and others (physically, emotionally, psychologically)?

Who or what in your life brings you joy and is worth living for?

EMERGENCY CRISIS CONTACT OPTIONS:

FOR LIFE-THREATENING EMERGENCIES, CALL **911** OR GO TO YOUR NEAREST EMERGENCY ROOM.

NATIONAL SUICIDE PREVENTION LIFELINE (24/7): **800-273-TALK**
OR CHAT OPTION THROUGH THEIR WEBSITE.

CRISIS TEXT LINE (24/7): TEXT "HOME" TO **741741** TO TEXT WITH A CRISIS COUNSELOR.

RAINN'S SAFESPORT SEXUAL ASSAULT HOTLINE (24/7): **866-200-0796**
OR CHAT OPTION THROUGH THEIR WEBSITE.

MY DOCTOR OR CLINICIAN'S EMERGENCY CONTACT NUMBER:

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

VII CRISIS SAFETY PLAN

NAME:

DATE:

TIPS FOR DEALING WITH A CRISIS

(based on Dr. Russ Harris' *The Happiness Trap*)

S.T.O.P.

SLOW YOUR BREATHING

Take a few deep breaths and mindfully observe the breath flowing in and flowing out. This will help to anchor you in the present.

TAKE NOTE OF YOUR EXPERIENCE IN THIS MOMENT

Notice what you are thinking. Notice what you are feeling. Notice what you are doing. Notice how your thoughts and feelings are swirling around and can easily carry you away if you allow them.

OPEN UP

Breathe into your thoughts and feelings to make room for them, like an imaginary bubble of padding.

PURSUE YOUR VALUES

Determine how best to respond to the crisis by aligning your actions with your values. Ask yourself, "In the face of this crisis, what do I want to be about? What do I want to stand for? How would I like to act so that I can look back and feel proud of my response?"

CHANGEABLE VS. UNCHANGEABLE SITUATIONS

Is there anything you can do to improve the situation in any way? Are there any TINY steps you could take immediately that could be helpful? Perhaps you can create an action plan of the smallest, simplest, easiest steps you could take a) in the next few minutes, b) in the next few hours, and c) in the next few days. Then follow through on those actions.

If there is nothing you can do to improve the situation, the situation is unchangeable. So, instead think about how you can spend your time and energy constructively, rather than worrying or blaming or dwelling. Ask yourself, "Given this is the hand I've been dealt, what's the best way to play with it? What personal strengths can I develop or strengthen as I go through this ordeal? How can I learn and grow from this experience?"

Always remember to be compassionate to yourself. Ask yourself, "If someone I loved was going through this experience, feeling what I am feeling—how would I treat them? What might I say or do?" Then try treating yourself the same way.

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



VII ORGANIZATIONAL SAFETY PLAN

TEAM/CLUB:

DATE:

This document is intended to help guide safety planning conversations. There may be other safety risks to consider, dependent upon your sport, the individuals involved, and the unique aspects of each situation. Feel free to use this as a guide to create a form specific to your organization and replace the logo with your own.

What temporary measures or other safety measures have already been put in place, if any?

What safety concerns have the Claimant and/or Respondent presented, if any?

What upcoming contact will the Claimant and Respondent have? What changes can be made (e.g., schedules, facility use, supervision, travel arrangements) to increase physical and emotional safety?

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

VII ORGANIZATIONAL SAFETY PLAN

TEAM/CLUB:

DATE:

How can digital access between Claimant and Respondent be minimized (e.g., unfollowing on social media, no-contact directive)?

What should parties communicate to others asking about or commenting on the investigation?

If a violation of this agreement occurs, who should be notified? What's the best way to contact them?

If a violation of this agreement occurs, what will the consequence be?

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

VII ORGANIZATIONAL SAFETY PLAN

TEAM/CLUB:

DATE:

List each person involved in this safety plan, their role (e.g., athlete, coach, board member), what responsibility/restriction they have in this agreement, how long it will last, and when/how they were notified of their responsibility/restriction in this matter.

Possible responsibilities/restrictions include, but are not limited to, the following:

- > No contact, even through others, between Claimant and Respondent (in person and online)
- > Supervision/chaperone for Respondent (e.g., arrival check-ins with coach, always accompanied)
- > Event-specific conditions/restrictions (e.g., use a different enter/exit door, no locker room access)
- > Claimant-specific conditions/restrictions (e.g., can't be in same room at same time, 100 ft. distance)
- > Travel/lodging restrictions (e.g., stay at different hotel, drive separately)
- > Schedule modification (e.g., Respondent switches practice night, gym access only in AM)
- > Temporary suspension (only if the Center hasn't exercised jurisdiction)

Does the NGB or Center need to be notified of this plan? If so, who will be responsible for that?

| NAME | ROLE/POSITION IN CLUB | RESPONSIBILITIES/ RESTRICTIONS | DURATION | NOTIFIED |
|------|-----------------------|--------------------------------|----------|----------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



VII INDIVIDUAL SAFETY PLAN

NAME:

DATE:

This document is intended to help guide safety planning conversations. There may be other safety risks to consider, dependent upon your sport, the individuals involved, and the unique aspects of each situation. Feel free to use this as a guide to create a form specific to your organization and replace the logo with your own.

Who do you have safety concerns about (emotional or physical)? What is your relationship to them?

What have they said or done in the past that makes you feel unsafe?

In what places does this person have access to you/your location (digitally and physically)?

How will you minimize their access to you (digitally and physically)?

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

VII INDIVIDUAL SAFETY PLAN

NAME:

DATE:

Who can help keep you safe (in sport and in your personal life)? And how will you ask them to help?

What will you do if you encounter that person unexpectedly in public?

(If needed) How will you document interactions with or communication from that person?

Are you a risk to anyone else's safety? Who? How will you maintain distance (digitally and physically)?

As your athlete safety coordinator, how would you like me to support you?

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

VII INDIVIDUAL SAFETY PLAN

NAME:

DATE:

What do you want your coach/trainer to be aware of?

(If needed) **Additional Safety Considerations:**

> **Cease and Desist Letter/Order**

You can send the letter yourself or reach out to an attorney to help with an order.

> **Restraining/Protection Order**

Contact your local courthouse or law enforcement for guidance.

> **Impose Temporary Measures**

If the Center has exercised jurisdiction, local organizations can issue any temporary measure that doesn't deny or threaten a Respondent's opportunity to participate, such as a suspension.

HELPFUL PHONE NUMBERS:

FOR LIFE-THREATENING EMERGENCIES, CALL **911** OR GO TO YOUR NEAREST EMERGENCY ROOM.

FOR FILING A POLICE REPORT OR GETTING HELP WITH COURT ORDER FORMS, CALL YOUR LOCAL LAW ENFORCEMENT AGENCY.

FOR EMOTIONAL/MENTAL HEALTH SUPPORT, CALL A LOCAL OR NATIONAL HELPLINE (OFTEN HAVE CHAT/TEXT OPTIONS, TOO).

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



VII MINOR RESPONDENT REFLECTION PLAN

NAME:

DATE:

This document is intended to help guide safety planning conversations with minor Respondents who have accepted responsibility for their negative actions. The goal in working with minor athletes is to help them learn from their mistakes and move forward toward their goals in a way that is healthy for everyone involved.

What were the allegations made against you?

Why was this behavior problematic? How did it impact the Claimant and others in your club?

What are your hopes and dreams in this sport/club? How do you plan to reach those goals?

If you could go back in time, how would you handle this differently? Or, if the roles were reversed, how would you want the Claimant to handle the situation?

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

VII MINOR RESPONDENT REFLECTION PLAN

NAME:

DATE:

How can you make better decisions in the future? What rules can you create for yourself to prevent this from happening again?

What will you do if you see others engaging in harmful or inappropriate behaviors?

What will you do when you begin to feel angry/frustrated/upset?

Who in the club brings out the best in you? And who on the team should you avoid when possible?

What changes, if any, should you make to your social media follows/usage to avoid drama?

Disclaimer: This product was supported in part by grant number 2018-KY-B8-0001, awarded by the SMART Office, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this product are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

APPENDIX D:
SAMPLE CONSENT FORMS

MINOR ATHLETE GENERAL CONSENT FORM¹

INDIVIDUAL TRAINING SESSIONS, ATHLETIC TRAINING MODALITIES, MASSAGES, AND RUBDOWNS, TRANSPORTATION, MEDIA IN LOCKER ROOMS

This consent form is a General Consent form to address several In-Program activities that require parental consent as per the Minor Athlete Abuse Prevention Policies.

Review the consent and only complete the areas of the form necessary by initialing that area and signing the form at the bottom. Not all areas of the form are required to be completed.

Please note depending on the policy, consent could be required:

- 1 | Every instance,
- 2 | On an annual basis, or
- 3 | The parent/guardian can determine if the consent is provided every instance or annually.

If an option is not provided for annual consent, then consent needs to be provided in every instance. Additionally, consent can be withdrawn by a parent/guardian at any time.

The undersigned is the parent/guardian of the Minor Athlete identified below, who is a member or participant of _____, and under the age of 18.

This consent is provided pursuant to _____,
and I acknowledge that _____

contains policies that are intended to prevent abuse and risks of harm. I acknowledge that I have been advised that prior to granting consent, I should complete the training entitled *Parent's Guide to Misconduct in Sport* available at athletesafety.org.

¹ This is a model form designed to help organizations comply with the MAAPP. Each organization is responsible for ensuring the forms meet their specific organizational requirements, and all users of the document are responsible for obtaining appropriate legal advice as it pertains to the usage of this form.

INDIVIDUAL TRAINING SESSIONS

General Annual Consent

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent for said Minor Athlete to receive In-Program individual training sessions from _____, an Adult Participant, for a time period of one year from the date of this consent.

I understand that the following are the guidelines for Individual Training Sessions:

1 | All sessions must follow the One-on-One Interactions Policy as found in _____

2 | A parent/guardian can observe the session.

I can withdrawal my consent for Individual Training Sessions at any time.

Initial _____ Date _____

Training Session Specific

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent for said Minor Athlete to receive In-Program individual training sessions from _____, an Adult Participant, as specified below:

I understand that the following are the guidelines for Individual Training Sessions:

1 | All sessions must follow the One-on-One Interactions Policy as found in _____

2 | A parent/guardian can observe the session.

I can withdrawal my consent for Individual Training Sessions at any time.

| LOCATION OF TRAINING SESSION | FREQUENCY OF TRAINING SESSION (Weekly, Monthly, etc) | TIME PERIOD OF CONSENT (Not to exceed one year) |
|------------------------------|---------------------------------------------------------|----------------------------------------------------|
| | | |

Initial _____ Date _____

ATHLETIC TRAINING MODALITIES, MASSAGES, OR RUBDOWNS

Annually

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent for said Minor Athlete to receive In-Program athletic training modalities, massages or rubdowns for injuries for a time period of one year from the date of this consent.

I understand that the following guidelines apply for Athletic Training Modalities, Massages, and Rubdowns:

- 1 | All sessions must follow the One-on-One Interactions Policy as found in _____
- 2 | All sessions must have a second Adult Participant physically present for the treatment to occur.
- 3 | My Minor Athlete will be fully or partially clothed and their breasts, buttocks, groin, and genitals will always be covered.
- 4 | A parent/guardian must be permitted to observe treatment, except for situations where it occurs in a competition or training venue that limits credentialing.

I understand that my Minor Athlete or I can withdraw consent for In-Program athletic training modalities, massages, or rubdowns at any time.

Initial _____ Date _____

ATHLETIC TRAINING MODALITIES, MESSAGES, OR RUBDOWNS

Specific Dates

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent for said Minor Athlete to receive In-Program athletic training modalities, massages, or rubdowns for injuries under the following parameters:

| LOCATION OF ATHLETIC TRAINING MODALITY, MESSAGE OR RUBDOWN | FREQUENCY OF TREATMENT (Weekly, Monthly, etc.) | TIME PERIOD OF CONSENT (Not to exceed one year) |
|------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------|
| | | |

I understand that the following guidelines apply for Athletic Training Modalities, Messages and Rubdowns:

- 1 | All sessions must follow the One-on-One Interactions Policy as found in _____
- 2 | All sessions must have a second Adult Participant physically present for the treatment to occur.
- 3 | My Minor Athlete will be fully or partially clothed and their breasts, buttocks, groin, and genitals will always be covered.
- 4 | A parent/guardian must be permitted to observe treatment, except for situations where it occurs in a competition or training venue that limits credentialing.

I understand that my Minor Athlete or I can withdraw consent for In-Program athletic training modalities, massages, or rubdowns at any time.

Initial _____ Date _____

TRANSPORTATION BY AN ADULT PARTICIPANT

Annual

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent that _____, an Adult Participant, can travel one-on-one with said Minor Athlete to and from all In-Program sport activities related to _____ for a time period of one year from the date of this consent. I understand that my Minor Athlete or I can withdraw consent at any time.

Initial _____ Date _____

Specific Dates

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent that _____, an Adult Participant, can travel one-on-one with said Minor Athlete to and from in the In-Program sport activities related to _____ for the occasions specified below. I understand that my Minor Athlete or I can withdraw consent at any time.

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

TRANSPORTATION ORGANIZED BY _____

Annual

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent that said Minor Athlete can travel with the named Organization to and from all In-Program activities during a period of one year from the date of this consent. I understand that my Minor Athlete or I can withdraw consent at any time.

Initial _____ Date _____

Specific Dates

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent that said Minor Athlete can travel with the named Organization to and from all the In-Program activities for the occasions specified below. I understand that my Minor Athlete or I can withdraw consent at any time.

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

MEDIA AND CHAMPIONSHIP CELEBRATIONS IN LOCKER ROOMS

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent for my Minor Athlete to be a part of recording and photography in locker rooms for the purpose of celebrating a sport or athletic accomplishment for a period of one year from the date of this consent.

I understand that the following are the guidelines for all media and championship celebrations in locker rooms:

- 1** | The Organization will approve the recording and photography.
- 2** | There will be two or more Adult Participants present.
- 3** | Everyone will be fully clothed.

Initial _____ Date _____

I, _____, as parent/guardian of _____, who is under the age of 18, have read _____ and acknowledge that the above written permission is valid for the dates identified above. If I am signing and submitting this consent electronically, I acknowledge that my electronic signature shall have the same validity, force, and effect as if I signed this consent by hand.

Parent/Legal Guardian Printed Name: _____

Parent/Legal Guardian Signature: _____ Date: _____

MINOR ATHLETE DUAL RELATIONSHIP CONSENT FORM¹

This consent form is for the purposes of the Dual Relationship Exception in the Minor Athlete Abuse Prevention Policies. There are times when a Minor Athlete and an Adult Participant have a relationship that exists outside of a sport relationship. Examples of dual relationships include but are not limited to family members, family friends, and teachers.

Review the consent and only complete the areas of the form that are necessary by initialing that area and signing the form at the bottom. Not all areas of the form are required to be completed.

Please note depending on the policy, consent could be required:

- 1 | Every instance,
- 2 | On an annual basis, or
- 3 | The parent/guardian can determine if the consent is provided every instance or annually.

If an option is not provided for annual consent, then consent needs to be provided in every instance. Additionally, consent can be withdrawn by a parent/guardian at any time.

The undersigned is the parent/guardian of the Minor Athlete identified below, who is a member or participant of _____, and under the age of 18.

This consent is provided pursuant to _____,
and I acknowledge that _____

contains policies that are intended to prevent abuse and risks of harm. I acknowledge that I have been advised that prior to granting consent, I should complete the training entitled Parent's Guide to Misconduct in Sport available at athletesafety.org.

¹ This is a model form designed to help organizations comply with the MAAPP. Each organization is responsible for ensuring the forms meet their specific organizational requirements, and all users of the document are responsible for obtaining appropriate legal advice as it pertains to the usage of this form.

DUAL RELATIONSHIP CONSENT

As the parent/guardian of the Minor Athlete identified below, I am advising _____
_____ that _____,
a Minor Athlete under the age of 18, has a Dual Relationship with the following Adult Participant:
_____. The Dual Relationship is as follows:

With my initials below, I am consenting to the Dual Relationship Exception for each area of
_____, for the time period noted.

If an area does not have my initial, I do not consent to the exception detailed in that area. I am aware that I can withdraw this consent at any time.

DUAL RELATIONSHIP CONSENT: **ONE-ON-ONE INTERACTIONS**

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can have In-Program one-on-one interactions where consent is **allowed** and not otherwise covered by this form with said Minor Athlete at _____ for one year from the date of this consent.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can have In-Program one-on-one interactions where consent is **allowed** and not otherwise covered by this form with said Minor Athlete at _____ for the following occasion:

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

DUAL RELATIONSHIP CONSENT: **TRANSPORTATION**

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can travel one-on-one with said Minor Athlete to and from all In-Program activities related to _____
for one year from the date of this consent.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can travel one-on-one with said Minor Athlete to and from all In-Program activities related to _____
during the following occasions:

| EVENT/PRACTICE/OCCASION NAME | LOCATION | DATES |
|------------------------------|----------|-------|
| | | |

Initial _____ Date _____

| EVENT/PRACTICE/OCCASION NAME | LOCATION | DATES |
|------------------------------|----------|-------|
| | | |

Initial _____ Date _____

DUAL RELATIONSHIP CONSENT: **LODGING - NOT A SHARED ROOM**

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can share a lodging arrangement with said Minor Athlete for all In-Program lodging related to _____ for one year from the date of this consent. I understand that said Adult Participant will **NOT** share a hotel room or otherwise sleep in the same room with said Minor Athlete and all interactions will be observable and interruptible unless additional consent for In-Program one-on-one interactions is also provided.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can share a lodging arrangement with said Minor Athlete for all In-Program lodging related to _____ during the occasions detailed below. I understand that said Adult Participant will **NOT** share a hotel room or otherwise sleep in the same room with said Minor Athlete and all interactions will be observable and interruptible unless additional consent for In-Program one-on-one interactions is also provided.

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

DUAL RELATIONSHIP CONSENT: **LODGING - SHARED ROOM**

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can share a hotel room or otherwise sleep in the same room with said Minor Athlete for In-Program lodging related to _____ during the following occasions:

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

DUAL RELATIONSHIP CONSENT: **LOCKER ROOMS**

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can have one-on-one interactions with said Minor Athlete in the Locker Room during In-Program sport activities related to _____ for one year from the date of this consent. I understand that this consent does **NOT** allow said Adult Participant to shower with said Minor Athlete.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can have one-on-one interactions with said Minor Athlete in the Locker Room during In-Program sport activities related to _____ for the occasions detailed below. I understand that this consent does **NOT** allow said Adult Participant to shower with said Minor Athlete.

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

DUAL RELATIONSHIP CONSENT: **ELECTRONIC COMMUNICATIONS**

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can have one-on-one Electronic Communication with said Minor Athlete for one year from the date of this consent.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant, can have one-on-one Electronic Communications with said Minor Athlete for the following occasions:

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

I, _____, as parent/guardian of _____, who is under the age of 18, have read _____ and acknowledge that the above written permission is valid for the dates identified above. If I am signing and submitting this consent electronically, I acknowledge that my electronic signature shall have the same validity, force, and effect as if I signed this consent by hand.

Parent/Legal Guardian Printed Name: _____

Parent/Legal Guardian Signature: _____ Date: _____

LODGING CONSENT FORM¹

This consent form is for the purposes of In-Program Lodging and Close-in-Age Exceptions related to Lodging. Additional consents for the remaining lodging exceptions can be found in the Personal Care Assistant (PCA) and Dual Relationship Consent Form templates. Review the consent and only complete the areas of the form that are necessary and that you agree to by initialing that area and signing the form at the bottom.

Please note depending on the policy, consent could be required:

- 1 | Every instance,
- 2 | On an annual basis, or
- 3 | The parent/guardian can determine if the consent is provided every instance or annually.

If an option is not provided for annual consent, then consent needs to be provided in every instance. Additionally, consent can be withdrawn by a parent/guardian at any time.

The undersigned is the parent/guardian of the Minor Athlete identified below, who is a member or participant of _____, and under the age of 18.

This consent is provided pursuant to _____,
and I acknowledge that _____

contains policies that are intended to prevent abuse and risks of harm. I acknowledge that I have been advised that prior to granting consent, I should complete the training entitled Parent's Guide to Misconduct in Sport available at athletesafety.org.

¹ This is a model form designed to help organizations comply with the MAAPP. Each organization is responsible for ensuring the forms meet their specific organizational requirements, and all users of the document are responsible for obtaining appropriate legal advice as it pertains to the usage of this form.

IN-PROGRAM LODGING: ADULT PARTICIPANT & MINOR ATHLETE

Annual

I, as the parent/guardian of the Minor Athlete identified below hereby authorize and consent that _____, an Adult Participant, can share lodging arrangements with said Minor Athlete for all In-Program lodging related to _____ for one year from the date of this consent. I understand that said Adult Participant will **NOT** share a hotel room or otherwise sleep in the same room with said Minor Athlete and all interactions will be observable and interruptible.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent that _____, an Adult Participant, can share the lodging arrangement with said Minor Athlete for all In-Program lodging related to _____ during the occasions detailed below. I understand that said Minor Athlete and Adult Participant will **NOT** share a hotel room or otherwise sleep in the same room and all interactions will be observable and interruptible.

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

CLOSE-IN-AGE EXCEPTION: ADULT PARTICIPANT & MINOR ATHLETE

Every Instance

I, as the parent/guardian of the Minor Athlete identified below, hereby authorize and consent to _____, an Adult Participant that is no more than 4 years older than said Minor Athlete; with **NO** authority over said Minor Athlete; **TO** share a hotel room or otherwise sleep in the same room with a Minor Athlete for In-Program lodging related to _____ during the following occasions.

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

I, _____, as parent/guardian of _____, who is under the age of 18, have read _____ and acknowledge that the above written permission is valid for the dates identified above. If I am signing and submitting this consent electronically, I acknowledge that my electronic signature shall have the same validity, force, and effect as if I signed this consent by hand.

Parent/Legal Guardian Printed Name: _____

Parent/Legal Guardian Signature: _____ Date: _____

PERSONAL CARE ASSISTANT CONSENT FORM¹

This consent form is for the purposes of the Personal Care Assistant exception in the Minor Athlete Abuse Prevention Policies.

Review the consent and only complete the areas of the form that are necessary by initialing that area and signing the form at the bottom. Not all areas of the form are required to be completed.

Please note that depending on the policy, consent could be required:

- 1 | Every instance,
- 2 | On an annual basis, or
- 3 | The parent/guardian can determine if the consent is provided every instance or annually.

If an option is not provided for annual consent, then consent needs to be provided in every instance. Additionally, consent can be withdrawn by a parent/guardian at any time.

The undersigned is the parent/guardian of the Minor Athlete identified below, who is a member or participant of _____, and under the age of 18.

This consent is provided pursuant to _____, and I acknowledge that _____

contains policies that are intended to prevent abuse and risks of harm. I acknowledge that I have been advised that prior to granting consent, I should complete the training entitled Parent's Guide to Misconduct in Sport available at athletesafety.org.

¹ This is a model form designed to help organizations comply with the MAAPP. Each organization is responsible for ensuring the forms meet their specific organizational requirements, and all users of the document are responsible for obtaining appropriate legal advice as it pertains to the usage of this form.

PERSONAL CARE ASSISTANT CONSENT

I, as the parent/guardian of _____, a Minor Athlete under the age of 18, have appointed _____ as a Personal Care Assistant (PCA). I understand that the identified Adult Participant Personal Care Assistant must meet the following requirements to act as a PCA for said Minor Athlete during In-Program activities:

- 1 | Comply with the Education and Training Policy of _____
- 2 | Comply with the Screening Policy of _____

I have read and understand _____ and am granting _____ to have the following exceptions when working with my Minor Athlete.

By my initials below I am agreeing to the Personal Care Assistant Exception for each area of _____, for the time period noted.

If an area does not have my initial, I do not consent to the exception detailed in that area. I am aware that I can withdraw this consent at any time.

PERSONAL CARE ASSISTANT CONSENT: **ONE-ON-ONE INTERACTIONS**

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can have In-Program one-on-one interactions where consent is **allowed** and not otherwise covered by this form with said Minor Athlete at _____ for one year from the date of this consent.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can have In-Program one-on-one interactions where consent is **allowed** and not otherwise covered by this form with said Minor Athlete at _____ for the following occasions:

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

PERSONAL CARE ASSISTANT CONSENT: **TRANSPORTATION**

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can travel one-on-one with said Minor Athlete to and from all In-Program activities related to _____ for one year from the date of this consent.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can travel one-on-one with said Minor Athlete to and from the In-Program activities related to _____ during the following occasions:

| EVENT/PRACTICE/OCCASION NAME | LOCATION | DATES |
|------------------------------|----------|-------|
| | | |

Initial _____ Date _____

| EVENT/PRACTICE/OCCASION NAME | LOCATION | DATES |
|------------------------------|----------|-------|
| | | |

Initial _____ Date _____

PERSONAL CARE ASSISTANT CONSENT: LODGING - NOT A SHARED ROOM

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can share lodging arrangements with said Minor Athlete for all In-Program lodging related to _____ for one year from the date of this consent. I understand that said Adult Participant will **NOT** share a hotel room or otherwise sleep in the same room with said Minor Athlete and all interactions will be observable and interruptible unless additional consent for In-Program one-on-one interactions is also provided.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can share lodging arrangements with said Minor Athlete for all In-Program lodging related to _____ during the occasions detailed below. I understand that said Adult Participant will **NOT** share a hotel room or otherwise sleep in the same room with said Minor Athlete and all interactions will be observable and interruptible unless additional consent for In-Program one-on-one interactions is also provided.

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

PERSONAL CARE ASSISTANT CONSENT: LODGING - SHARED ROOM

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can share a hotel room or otherwise sleep in the same room with said Minor Athlete for the In-Program lodging related to _____ during the following occasions:

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

PERSONAL CARE ASSISTANT CONSENT: **LOCKER ROOMS**

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can have one-on-one interactions with said Minor Athlete in the Locker Room during In-Program sport activities related to _____ for one year from the date of this consent. I understand that this consent does **NOT** allow said Adult Participant to shower with said Minor Athlete.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can have one-on-one interactions with said Minor Athlete in the Locker Room during In-Program sport activities related to _____ for the occasions detailed below. I understand that this consent does **NOT** allow said Adult Participant to shower with said Minor Athlete.

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

PERSONAL CARE ASSISTANT CONSENT: ELECTRONIC COMMUNICATIONS

Annual

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can have one-on-one Electronic Communication with said Minor Athlete related to In-Program activities at _____ for one year from the date of this consent.

Initial _____ Date _____

Every Instance

I, as the parent/guardian of the Minor Athlete identified, hereby authorize and consent that the above named Adult Participant PCA can have one-on-one Electronic Communications with said Minor Athlete related to In-Program activities at _____ for the following occasion:

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

| DATE | EVENT/OCCASION NAME | LOCATION |
|------|---------------------|----------|
| | | |

Initial _____ Date _____

I, _____, as parent/guardian of _____, who is under the age of 18, have read _____ and acknowledge that the above written permission is valid for the dates identified above. If I am signing and submitting this consent electronically, I acknowledge that my electronic signature shall have the same validity, force, and effect as if I signed this consent by hand.

Parent/Legal Guardian Printed Name: _____

Parent/Legal Guardian Signature: _____ Date: _____

APPENDIX E:
MAAPP AT-A-GLANCE

AT-A-GLANCE

2022 MINOR ATHLETE ABUSE PREVENTION POLICIES



In September 2020, the U.S. Center for SafeSport (the Center) published the Minor Athlete Abuse Prevention Policies (MAAPP) with Mandatory Components that NGBs, PSOs, and the USOPC were required to adopt.

_____ adopted its _____ on _____.

This document is based on the minimum mandatory components of the Center's Model MAAPP. Every Organization may choose to go beyond these minimum requirements and set standards that are stricter. Additionally, Adult Participants must be familiar with their respective Organization's policies and be aware of all requirements.

EDUCATION AND TRAINING

REMEMBER:

- If you have Regular Contact with or Authority over a Minor Athlete, or if you are an employee or board member of an NGB, PSO, LAO or the USOPC, you are required to complete the *SafeSport Trained Core* and subsequent Refresher Courses.
- Adult Participants who also are medical providers obligated to complete training can take the Health Professionals Course in lieu of the *SafeSport Trained Core*.
- Adult Participants must complete training:
 - » Before Regular Contact with a Minor Athlete begins; and
 - » Within the first 45 days of initial membership or upon beginning a new role subjecting the adult to this policy

IN-PROGRAM CONTACT

As the equation illustrates, all three components (Adult Participant, Minor Athlete, and Related to Participation in Sport) must be present for the MAAPP to apply. If one component is absent, then the interaction or activity would NOT be considered In-Program and thus not covered by the MAAPP.



1 | ADULT PARTICIPANT: Any adult (18 years of age or older) who is:

- A** A member or license holder of an NGB, PSO, LAO, or USOPC;
- B** An employee or board member of an NGB, PSO, LAO, or USOPC;
- C** Within the governance or disciplinary jurisdiction of an NGB, PSO, LAO, or USOPC;
- D** Authorized, approved, or appointed by an NGB, PSO, LAO, or USOPC to have Regular Contact with or Authority over Minor Athletes.

2 | MINOR ATHLETE: An amateur athlete under 18 years of age who participates in, or participated within the previous 12 months in, an event, program, activity, or competition that is part of, or partially or fully under the jurisdiction of, an NGB, PSO, USOPC, or LAO.

Common examples of activities **Related to Participation in Sport:**



REGULAR CONTACT

Ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete(s). Some examples of NGB/PSO/USOPC/LAO members who MAY have Regular Contact with Minor Athletes include:

- Coaches
- Adult Athletes on teams with Minor Athletes
- Volunteers in positions of Regular Contact (e.g., locker room monitors, parent chaperones)
- Athletic Trainers
- Health Professionals
- Officials

****REMEMBER:** NGB/LAO/PSO/USOPC Staff and Board Members are required to complete the *SafeSport Trained Core/Health Professionals Course* and subsequent Refreshers regardless of whether they have Regular Contact with or Authority over Minor Athletes.

AUTHORITY

When one person's position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person.

REQUIRED PREVENTION POLICIES



In addition to the above three exceptions there is an overarching Emergency Exception that applies in all areas of the MAAPP.

MAAPP EXCEPTIONS:

In the MAAPP, there are multiple areas where exceptions have been built into the Required Prevention Policies to address common relationships and situations that occur throughout the U.S. Olympic & Paralympic Movement. If an exception applies to a specific policy, it will be listed as a possible exception, along with any additional requirements. The exceptions found in the MAAPP are:

1 | **AN EMERGENCY.**

2 | CLOSE-IN-AGE: When an Adult Participant does not have Authority over the Minor Athlete and is no more than four years older than the Minor Athlete.

3 | PERSONAL CARE ASSISTANT (PCA): When an Adult Participant is a Personal Care Assistant and has met the following requirements:

- The Minor Athlete's parent/guardian must provide written consent to the Organization for the PCA to provide care/work with their Minor Athlete.
- The PCA must complete the required training as defined in the Education & Training Policy.
- The PCA must meet all screening requirements of the Organization.

4 | DUAL RELATIONSHIPS: When an Adult Participant has a relationship with a Minor Athlete that is outside of the sport program. A parent/guardian must provide written consent to the Organization on an annual basis for this exception to be granted.

ONE-ON-ONE INTERACTIONS POLICY

- Policy Jurisdiction: All In-Program Contact.
- All one-on-one interactions between an Adult Participant and Minor Athlete **MUST** be:
 - » Observable
 - » Interruptible
- Exceptions to the One-on-One Interactions Policy:
 - » Emergency Circumstances
 - » Dual Relationships
 - » Close-In-Age
 - » Personal Care Assistant who meets the requirements

MEETING AND TRAINING SESSIONS

- Must follow One-on-One Interactions Policy when Minor Athletes are present.
- Individual Training Sessions.
 - » Policy Jurisdiction: All In-Program Contact.
 - » Consent required from parent/guardian annually. Can be withdrawn at any time.
 - » Parents/Guardians must be allowed to observe.
- One-on-One Interactions Policy Exceptions are allowed for In-Program meetings and individual training sessions.
- Meetings with licensed mental health care professionals and health care providers.
 - » Policy Jurisdiction: At facilities that are partially or fully under the jurisdiction of the Organization.
 - » Meetings do not need to be observable and interruptible if the following requirements are met:
 - a. Door is unlocked.
 - b. Another adult is present in the facility and is aware of the meeting.
 - c. Organization is aware of the meeting.
 - d. The provider obtains appropriate consent as required by law and ethical standards.

ATHLETIC TRAINING MODALITIES, MESSAGES, AND RUBDOWNS

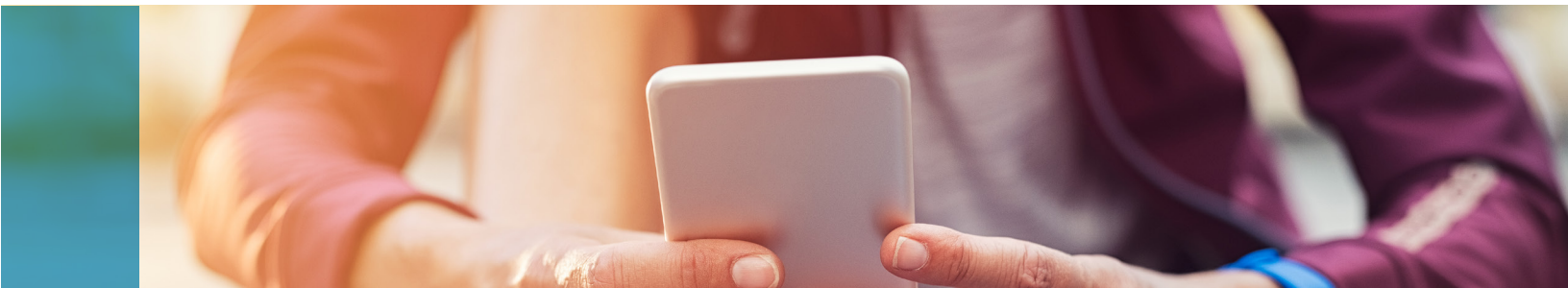
- Must follow One-on-One Interactions Policy.
- Must **ALWAYS** have a second **Adult Participant** in the room during treatment.
- Required consent from parent/guardian that needs to be documented at least annually.
- During treatment Minor Athlete's breast, buttocks, groin, and genitals **MUST** always be covered.
- Parents/Guardians **must** be allowed to attend treatment unless in a restricted area.
- **No** policy exceptions.

LOCKER ROOMS AND CHANGING AREAS

- Must follow One-on-One Interactions Policy.
- The photographic or recording capabilities of any device (cell phones, cameras, tablets) cannot be used by any Participant in locker rooms or changing areas during In-Program activities.
- Adult Participants **MUST NOT** change clothes or behave in a way that exposes their breast, buttocks, groin, or genitals to a Minor Athlete.
- Adult Participants **CANNOT** shower with a Minor Athlete unless:
 - » The Adult Participant is an athlete with no Authority over the Minor Athlete and there is no more than four years age difference (Close-in-Age Exception).
 - » The Adult Participant and Minor Athlete are wearing swimwear and the shower is part of a pre- or post-activity rinse.
- Media and Championship Celebration recordings are allowed if they meet specific requirements.
- Monitoring must occur for all locker rooms and changing areas at sanctioned events and facilities partially or fully under Organization's jurisdiction.
- A semi-private or private area to change must be provided to all Minor Athletes at sanctioned events and facilities partially or fully under the Organization's jurisdiction.

ELECTRONIC COMMUNICATIONS

- Must be Open and Transparent, meaning that:
 - » Communication between an Adult Participant and a Minor Athlete must include a parent/guardian, another adult family member of the Minor Athlete, or another Adult Participant.
 - » This includes all communication started by a Minor Athlete.
- Only electronic platforms that can be Open and Transparent should be used.
- All team communication or communications with multiple Minor Athletes from an Adult Participant must copy or include another Adult Participant, or all the Minor Athletes' parents/guardians.
- All communication must be professional in nature.
- Organizations must honor a parent/guardian's request to discontinue communication with their Minor Athlete unless there is an emergency.
- One-one-One exceptions are allowed.





TRANSPORTATION

- Must follow One-on-One Interactions Policy, unless an exception exists or appropriate consent is obtained.
- In-Program transportation requirements are met if the Adult Participant is accompanied by another Adult Participant or at least two minors.
- One-on-One In-Program travel is permitted between an Adult Participant and a Minor Athlete when advance written consent is obtained from a parent/guardian on an annual basis. Can be withdrawn at any time.
- Written consent must be obtained from a parent/guardian annually for all transportation sanctioned by the Organization.
- One-on-One Exceptions are allowed.

LODGING

- Must follow One-on-One Interactions Policy.
- An Adult Participant **CANNOT** share a hotel room or otherwise sleep in the same room with a Minor Athlete during In-Program lodging except:
 - » When there is a Dual Relationship and written consent is provided by a parent/guardian prior to the lodging arrangement.
 - » When there is a Close-In-Age Exception and written consent is provided by a parent/guardian prior to the lodging arrangement.
 - » When there is a Personal Care Assistant Exception, all PCA requirements have been met, and written consent is provided by a parent/guardian prior to the lodging arrangement.
- Written consent is required for all In-Program lodging at least annually.
- Adult Participants traveling with an Organization overnight:
 - » Must agree to and sign the Organization's lodging policy annually.
 - » Are assumed to have "Authority" and must comply with the Center's Education & Training Policy.

RECOMMENDED POLICIES FOR KEEPING YOUNG ATHLETES SAFE

OUT-OF-PROGRAM CONTACT

- Adult Participants should not have Out-of-Program Contact with Minor Athletes, unless an exception exists, or appropriate consent has been obtained.
- Out-of-Program Contact should be avoided even if the contact is not one-on-one.

GIFTING

- Adult Participants should not give personal gifts to Minor Athletes unless an applicable exception exists (Close-in-Age or Dual Relationship).
- Gifts are permitted if distributed equally for all athletes.
- Gifts that serve a motivational or educational purpose are permitted.

PHOTOGRAPHY/VIDEO

- Photographs or videos of athletes should only be taken in public view.
- Must observe generally accepted standards of decency.
- Adult Participants should not share or post photos or videos of Minor Athletes unless proper consent has been obtained from the Minor Athlete and the Minor Athlete's parent/guardian.

