



United States Twirling Association

YOUTH PROTECTION POLICY HANDBOOK

CREATING A SAFE AND POSITIVE ENVIRONMENT

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INTRODUCTION

The United States Twirling Association is committed to providing a safe and healthy environment for every person who participates in our association. We are equally committed to improving the development, and welfare of all athletes and participants involved in this great sport.

USTA takes misconduct very seriously and we have been working for several years to compile “best practices” to guarantee the well-being and safety of everyone in our organization. We have adopted policies aimed at reducing the risk of misconduct and abuse.

There are a lot of reasons to play sport – at any level. People often play sport to have fun and spend time with friends. Sport also encourages a healthy lifestyle and builds self-confidence. Athletes also do better off the field. They learn goal setting, teamwork, and time management skills. Athletes are less likely to use cigarettes, drugs, and alcohol; they have higher graduation rates and are more likely to attend college.

Here, we identify six types of misconduct: emotional, physical, sexual, bullying, harassment, and hazing. All forms of misconduct are intolerable and in direct conflict with the USTA Youth Protection Handbook.

The United States Twirling Association publishes this handbook as a resource to guide the development, implementation and internal review of effective athlete welfare and misconduct prevention strategies for USTA leadership and its members.

The USTA has an appendix titled “ Child Abuse and Other Misconduct Risk Management Plan” for our professional and adult members. There are many people of various backgrounds and

ages and we continue to work on and clearly communicate behavior that is and is not acceptable.

The USTA believes that this “Youth Protection Handbook” and all appendixes contain valuable information for everyone in the organization. Our plan it to have these contents fully implemented including background checks as part of all non-athlete adult memberships. Adult members, particularly our professionals, will be required to sign and agree to these policies before they will be permitted to interact with the USTA in any significant way.

The contents of this handbook and appendixes have been taken from the Amateur Athletics Union, USA’s Youth Protection Handbook and Sadler Insurance’s Child Abuse and Other Misconduct Risk Management Plan. The U.S. Twirling Association thanks them for their good work on behalf of the youth of America.

The terms Club, Organization and Coach can at times be interchangeable. The use of the terms is meant to be all inclusive.

SECTION 1: SCREENING STAFF MEMBERS AND/OR VOLUNTEERS

APPLICANT MEMBERSHIP SCREENING

USTA members (coaches, event organizers, volunteers, and staff) must consent to, and pass, a formal applicant screening process before becoming a member of the USTA.

AFFIRMATIVE DUTY TO DISCLOSE

If, during the course of employment or membership in the USTA, a USTA member (coach, event organizer, volunteer, or staff) is accused, arrested, indicted, or convicted of a criminal offense against a child, it is the duty and responsibility of the USTA member to notify the USTA National Office.

SECTION 2: ATHLETE PROTECTION GUIDELINES

COMMITMENT TO SAFETY

Overview

In the event that any USTA member (coach, event organizer, volunteer, or staff) observes inappropriate behaviors, suspected physical or sexual abuse, or sexual misconduct, it is the personal responsibility of each person to immediately report (same day) his or her observations to local law enforcement and the USTA National Office.

The USTA is committed to creating a safe and positive environment for athletes' physical, emotional, and social development and to ensuring that it promotes an environment free of misconduct.

USTA members (coaches, event organizers, volunteers, and staff) should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for reporting to appropriate law enforcement authorities. Instead, it is the responsibility of each person to immediately report suspicions or allegations of child physical or sexual abuse to local law enforcement authorities and the USTA National Office.

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

Application

These Guidelines apply to

- USTA members (coaches, event organizers, volunteers, and staff)
- USTA athletes and participants

Coaches, event organizers, volunteers, staff members, athletes and participants shall **refrain from child physical or sexual abuse; bullying, harassment, and hazing; and emotional, physical, and sexual misconduct.**

PROHIBITED CONDUCT

Sexual Abuse

Child sexual abuse includes sexual contact with a child that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity. Child sexual abuse involves any sexual activity with a child where consent is not or cannot be given.

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

Peer-to-Peer Child Sexual Abuse

Sexual contact between minors also can be abusive. Approximately 1/3 of all child sexual abuse occurs at the hands of other children, and thus the obligation to report extends to peer-to-peer child sexual abuse. Whether or not a sexual interaction between children constitutes child sexual abuse turns on the existence of an aggressor, the age difference between the children, and/or whether there is an imbalance of power and/or intellectual capabilities.

MISCONDUCT

Misconduct refers to conduct and behaviors that are considered harmful to the psychological and physical health of athletes and other participants, regardless of age. The six individual forms of misconduct described below – emotional misconduct, physical misconduct, sexual misconduct, bullying, harassment, and hazing – are considered misconduct regardless of intent.

Emotional Misconduct

- (1) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete. Non-contact behaviors include:
 - a. verbal acts
 - b. physical intimidation
 - c. acts that deny attention or support
- (2) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

Exception

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

Examples

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

- (1) **Verbal Acts.** A pattern of verbal behaviors that (a) attack an athlete personally (e.g., calling them worthless, fat, or disgusting) or (b) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.
- (2) **Physical Intimidation.** A pattern of physically aggressive behaviors, such as (a) throwing sport equipment, (for example, water bottles or chairs) at, or in the presence of, participants; or (b) punching walls, windows, or other objects.
- (3) **Acts that Deny Attention and Support.** A pattern of (a) ignoring an athlete for extended periods of time or (b) routinely or arbitrarily excluding participants from practice.

Physical Misconduct

- (1) Contact or non-contact behaviors that result in, have the potential to, or threaten to cause physical harm to an athlete or other sport participants; or
- (2) Any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault).

Examples

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

- (1) **Contact offenses.** Behaviors that include: (a) punching, beating, biting, striking, choking or slapping an athlete; (b) intentionally hitting an athlete with objects or sporting equipment; (c) providing alcohol to an athlete under the legal drinking age (under U.S. law); (d) providing illegal drugs or non-prescribed medications to any athlete; (e) encouraging or permitting an athlete to return to play pre-maturely following a serious injury, such as a concussion, and without the clearance of a medical professional; (f) prescribed dieting or other weight-control methods (e.g., weigh-ins, caliper tests) without regard for the nutritional well-being and health of athlete.
- (2) **Non-contact offenses.** Behaviors that include: (a) isolating an athlete in a confined space (e.g., locking an athlete in a small space); (b) forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface); (c) withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.

Exceptions

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

Sexual Misconduct

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

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

Sexual misconduct includes sexual assault, sexual harassment, sexual abuse, and any other sexual intimacies that exploit an athlete. **Minors cannot consent to sexual activity with an adult**, and all sexual interaction between an adult and a minor is strictly prohibited.

Examples

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

- (1) **Touching offenses.** Behaviors that include:
 - (a) fondling an athlete's breasts or buttocks
 - (b) exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favors
 - (c) genital contact
 - (d) sexual relations or intimacies between participants in a position of trust, authority and/or evaluative and supervisory control over athletes or other sport participants
 - i. **Authority and Trust.** Once the unique coach-athlete relationship is established, the authority and trust on the part of the coach over the athlete shall be assumed, regardless of age. Accordingly, sexual interaction or intimacies between a coach and an athlete or other participant are prohibited, regardless of age, both during coaching and during the period following coaching when the imbalance in power could jeopardize effective decision-making.
 - ii. **Imbalance of Power.** Factors relevant to determining whether there is an imbalance of power include, but are not limited to: (a) the nature and extent of the coach's supervisory, evaluative or other authority over the athlete being coached; (b) the actual relationship between the parties; (c) the parties' respective roles; (d) the nature and duration of the sexual relations or intimacies; (e) the age of the coach; (f) the age of the athlete or participant; (g) and whether the coach has engaged in a pattern of sexual interaction with other athletes or participants.
- (e) sexually oriented comments, jokes, or sexual innuendos made to or about an athlete, or other sexually harassing behaviors
- (f) a coach discussing his or her sex life with an athlete
- (g) a coach asking an athlete about his or her sex life
- (h) coach requesting from or sending a nude or partial-dress photo to athlete
- (i) exposing athletes to pornographic material
- (j) sending athletes sexually explicit or suggestive electronic or written messages or photos (e.g. "sexting")
- (k) deliberately exposing an athlete to sexual acts
- (l) deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)
- (m) sexual harassment: specifically, the sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, and

- i. is unwelcome, offensive, or creates a hostile environment, and the offending individual knows, should know, or is told this
- ii. is sufficiently severe or intense to be harassing to a reasonable person in the context.

Bullying

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

Exceptions

Bullying does not include group or team behaviors that (a) are meant to establish normal team behaviors, or (b) promote a team environment. Bullying also does not include verbal admonitions to encourage team members to train harder and to push through a difficult training regimen.

Examples

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

- (1) **Physical behaviors.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking, or slapping an athlete; (b) throwing at, or hitting an athlete with, objects such as sporting equipment.
- (2) **Non-Physical behaviors.** Behaviors that include (a) teasing, ridiculing, intimidating; (b) spreading rumors or making false statements; or (c) using electronic communications, social media, or other technology to harass, frighten, intimidate, or humiliate (“cyber bullying”).

Harassment

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

Examples

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

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

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

Hazing

- (1) Coercing, requiring, forcing, or willfully tolerating any humiliating, unwelcome, or dangerous activity that serves as a condition for (a) joining a group, or (b) being socially accepted by a group's members
- (2) Any act or conduct described as hazing under federal or state law

Exception

Hazing does not include group or team activities that (a) are meant to establish normative team behaviors, or (b) promote team cohesion. Examples include, giving senior athletes first preference in team assignments, responsibilities, accommodations, facilities, or equipment.

Examples

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

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

WILLFULLY TOLERATING MISCONDUCT

Failure to report forms of misconduct may result in a violation of State law.

REPORTING

Although these guidelines are designed to reduce child sexual abuse and other misconduct, it can still occur. USTA members (coaches, event organizers, volunteers, and staff), and participants of the USTA shall follow the reporting procedures set forth in the USTA's Youth Protection Handbook. **The USTA does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations, as a condition of reporting suspicions or allegations to the appropriate law enforcement authorities and the USTA National Office.**

SECTION 3: MANAGING TRAINING AND COMPETITION

COACHES IMPROVEMENT

All registered non-athletes should continue their training and education with programs such as the Positive Coaching Alliance educational course, to name one.

SUPERVISION OF ATHLETES

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

One-to-One Interactions

Appropriate one-on-one interactions with athletes

Individual Meetings

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

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

Individual Training Sessions

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

Prohibited one-to-one interactions with athletes

Except as set forth above, minor athletes and participants should not be left unattended or unsupervised during USTA activities. Coaches, event organizers, volunteers, and staff members are prohibited from being alone with an individual athlete or participant in any room or building. Social activities and fundraising events shall not be conducted on a one-on-one basis. These activities should include the entire team.

PHYSICAL CONTACT WITH ATHLETES

Appropriate physical contact between athletes and coaches, event organizers, volunteers, or staff members is a productive and inevitable part of sport. Athletes are more likely to acquire advanced

physical skills and enjoy their sport participation through appropriate physical contact. However, guidelines for physical contact must be set to reduce the potential for misconduct in sport.

APPROPRIATE PHYSICAL CONTACT

The USTA adheres to the following guidelines in regard to physical contact with our athletes:

Common Criteria for Appropriate Physical Contact

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

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

Safety

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

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

Celebration

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

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

Consolation

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

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

PROHIBITED PHYSICAL CONTACT

Prohibited forms of physical contact:

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

ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA GUIDELINES

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

As with any communication, the content of any electronic communication should be readily available to share with the athlete’s family. If the athlete is under the age of 21, any email, electronic text, social media, or similar communication must copy or include the athlete’s parents or guardians.

FACEBOOK, MYSPACE, BLOGS AND SIMILAR SITES

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

TWITTER, INSTANT MESSAGING AND SIMILAR MEDIA

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

EMAIL AND SIMILAR ELECTRONIC COMMUNICATIONS

Athletes and coaches may use email to communicate. All email content between coach and athlete must be professional in nature and for the purpose of communicating information about team activities. Where the coach is a staff member and/or volunteer, email from a coach to any athlete

should come from the club website email center (the coach's return email address will contain "@CLUB.com").

TEXTING AND SIMILAR ELECTRONIC COMMUNICATIONS

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

ELECTRONIC IMAGERY

From time to time, digital photos, videos of practice or competition, and other publicly obtainable images of the athlete – individually or in groups – may be taken. These photos and/or videos may be submitted to local, state, or national publications, used in club videos, posted on club or club associated websites, or offered to the club families seasonally on disc or other electronic form. It is the default guideline of the USTA to allow such practices as long as the athlete or athletes are in public view and such imagery is both appropriate and in the best interest of the athlete and the club.

REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS OR IMAGERY

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

MISCONDUCT

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

LOCKER ROOMS AND CHANGING AREAS

The United States Twirling Association is concerned with locker room activities between minors, minors and adults, adults being alone with individual minors in locker rooms and changing areas, with non-official or non-related adults having unsupervised access to minor participants, and with inappropriate behavior among adults in locker rooms.

As part of the USTA's commitment to safety, the USTA recommends its clubs to publish practices for locker rooms and changing areas. Clubs should include the following information in their Locker Rooms and Changing Areas Guidelines:

- **Supervision.** CLUB must have and describe its practices for supervising and monitoring locker rooms and changing areas
- **Prohibited Conduct.** CLUB's guidelines must prohibit hazing, bullying, harassment, and other forms of misconduct, as set forth in the USTA's Youth Protection Handbook
- **User of Recording Devices.** CLUB's guidelines must prohibit the use of a device's recording capabilities, including voice recording, still cameras and video cameras

- **Meetings.** For individual meetings with a minor participant and a coach in a locker room, the USTA recommends that at least one additional responsible adult be with the coach.

See Sample Guidelines in Appendix.

TRAVEL

As part of the USTA's commitment to athlete safety, the USTA recommends its clubs to have published practices for team travel. Team Travel is defined as overnight travel to a team activity that is planned and supervised by the CLUB. CLUB travel policies should be signed and agreed to by all athletes, parents, coaches, and other adults traveling with the club.

Clubs should include the following in their Travel Guidelines:

- Club travel policies must be signed and agreed to by all athletes, parents, coaches, and other adults traveling with the club.
- Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with an athlete(s) (unless the coach is the parent, guardian, sibling, or spouse of that particular athlete).
- When only one athlete and one coach travel to a competition, the athlete must have his or her parents' (or legal guardian's) written permission in advance to travel alone with the coach.

See Sample Guidelines in Appendix.

SECTION 4: RESPONDING TO ABUSE, MISCONDUCT AND GUIDELINE VIOLATIONS

REPORTING GUIDELINES

USTA strongly encourages individuals who suspect or believe that a child or athlete has suffered sexual and/or physical abuse during an event or activity organized or sanctioned by USTA to report that information to our organization. Disclosing information about suspected sexual or physical abuse is necessary to ensure the safety of our members and our members' families, and also to protect the integrity of USTA activities. Without such disclosure, USTA is limited in its ability to protect individuals participating in our programs and activities.

Any report of misconduct or suspicions of child physical or sexual abuse will be taken seriously and handled appropriately. Every USTA member (coach, event organizer, volunteer, and staff) must report suspicions or allegations of child physical or sexual abuse to both (a) the appropriate law enforcement authorities, and (b) USTA using the Reporting Form contained in Appendix A at pages 29-31.

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

CONFIDENTIALITY

USTA will make every reasonable effort to keep the matters involved in the allegation as confidential as possible while still allowing for a prompt and thorough investigation. All information concerning an athlete's status as an alleged victim or perpetrator of sexual violence, assault, or harassment shall be retained in the strictest confidence by USTA, except to the extent that disclosure is requested or consented to in writing by the athlete (or the athlete's family, if the athlete is a minor) or is required by applicable federal or state laws.

ANTI-RETALIATION

USTA prohibits retaliation against any person who reports a good faith report of sexual assault or who participates in any related investigation. That said, making false accusations of sexual assault can have serious consequences for those who are wrongly accused. USTA prohibits making false and/or malicious sexual assault allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action, including being banned from all USTA-sanctioned events and activities.

HOW REPORTS ARE HANDLED

Suspicious or Allegations of Child Physical or Sexual Abuse

Reporting to Law Enforcement and/or Child Protective Services

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

Immediate Notification

When an allegation of child physical or sexual abuse is made against a staff member, youth and/or volunteer, the USTA may immediately notify the member that he or she is ineligible to participate in any USTA activities. As necessary, the USTA may suspend or change the assignment of a staff member and/or volunteer.

EVERY STATE HAS DIFFERENT LEGAL REQUIREMENTS AND PROCEDURES. Please check with your local law enforcement agencies for appropriate laws/procedures.

All USTA members (coaches, event organizers, volunteers, and staff) are mandatory reporters. Failure to report to local law enforcement and USTA using the form in Appendix A at pages 29-31 will subject the individual(s) to disciplinary procedures under the USTA Code.

VIOLATIONS

Upon receiving notification of a violation of the misconduct provisions of the USTA Youth Protection Handbook, the Department of Compliance(National Office) may refer the matter to the attention of the Chair of the National Board. The President may:

- a) When there is uncontroverted evidence of a violation, or pending charges, void or block the offender's membership.
- b) Initiate a National Board inquiry or complaint.



APPENDIX A

Definitions, FAQ's, and Sample Guidelines

APPENDIX A: Definitions, FAQ's, and Sample Guidelines

DEFINITIONS

Child, children, minor and youth

Anyone under the age of 21. Here, “child,” “children,” “minor” and “youth” are used interchangeably.

Child physical abuse

- Non-accidental trauma or physical injury caused by contact behaviors, such as punching, beating, kicking, biting, burning or otherwise harming a child. Child physical abuse may also include non-contact physical misconduct as described in the Youth Protection Manual.
- Legal definitions vary by state. To find guidelines concerning your state, visit the Child Welfare Information Gateway (www.childwelfare.gov).

Child sexual abuse

- Child sexual abuse involves any sexual activity with a child where consent is not or cannot be given. This includes sexual contact with a minor that is accomplished by deception, manipulation, force, or threat of force regardless of whether there is deception, or the child understands the sexual nature of the activity. Sexual contact between minors can also be abusive if there is a significant imbalance of power or disparity in age, development, or size, such that one child is the aggressor. The sexually abusive acts may include sexual penetration, sexual touching, or non-contact sexual acts such as verbal acts, sexually suggestive written or electronic communications, exposure, or voyeurism.
- Legal definitions vary by state. To find guidelines concerning your state, visit the Child Welfare Information Gateway (www.childwelfare.gov).

Misconduct

Conduct which results in harm, the potential for harm or the imminent threat of harm. Age is irrelevant to misconduct. There are six primary types of misconduct in sport: emotional, physical, and sexual misconduct, bullying, harassment, and hazing.

Participants

Participants are those who participate in a sport activity through a particular club or organization. Participants may include athletes, coaches, officials, or referees. Participants include (or may be) minors.

FAQ's

1. Do I purchase my membership first?

Yes, you can purchase your membership first or you can purchase your membership and the club membership at the same time. NOTE: The membership and club will be pending until the membership screening process is complete.

2. Do I have to pay extra for the background check?

There is no extra fee. Your background screening is included in your membership fee.

3. Will I be background screened yearly?

Yes. It is part of the membership application.

4. I have a background check done through my Job, club, or governing body every year. Can you use that information?

No. Federal law does not allow organizations to share background screening information. We cannot use any other source or data for our background screening process. You must go through our screening process. The same process must be used for all our adult members.

5. I am an adult athlete and I do not participate with youth athletes; do I still have to have the background screening done?

Yes. All adult members must be screened. No exceptions. The USTA seeks to provide a safe environment for all members.

6. If I purchase a multi-year membership, what will happen then?

If any adult purchases a multi-year membership, they will be contacted with instructions on how to electronically sign the Disclosure and Authorization form (a web page). You would need to do this by August 15th of every year or your membership status will be moved to pending until this process is completed.

7. If my membership is not approved, what happens?

You can contact the USTA National Office at 321-206-3242 for further instructions.

SAMPLE GUIDELINES

LOCKER ROOMS AND CHANGING AREAS

The following guidelines are designed to maintain personal privacy as well as to reduce the risk of misconduct in locker rooms and changing areas.

FACILITIES

The following is a description of our practice and competition facilities to allow athletes and their families to plan their use:

We practice at:

LOCATION ADDRESS

This location has: DESCRIPTION SELECTION

Sample locker room descriptions:

- (a) No locker room or changing facilities. Athletes will be expected to come dressed for practice and to change and shower at home.
- (b) A changing area that is shared with the general public. As such, there are likely to be people who are not associated with ORGANIZATION in the changing area around the time of practice.
- (c) A changing area and locker room dedicated to our athletes and teams.

Our home competitions will be held at: LOCATION ADDRESS(ES). The location(s) has (have): SAME DESCRIPTION SELECTION AS ABOVE.

When we travel for competition, the facilities may differ from location to location. We will work with the host to provide as much information about the locker room and changing areas as early as possible and post that information as soon as it is available.

MONITORING

CLUB has predictable and limited use of locker rooms and changing areas (e.g., immediately before and following practices and competitions). This allows for direct and regular monitoring of locker room areas. While constant monitoring inside of locker rooms and changing areas might be the most effective way to prevent problems, we understand that this would likely make athletes uncomfortable and may even place our staff at risk for unwarranted suspicion.

We conduct a sweep of the locker rooms and changing areas before athletes arrive, post staff members directly outside of the locker rooms and changing areas during periods of use, and leave the doors open only when adequate privacy is still possible. Staff members conduct regular sweeps inside these areas as well, with women checking on female-designated areas, and men checking on male-designated areas.

-OR-

CLUB has staggered practices, with different groups arriving and departing throughout the day. It is therefore not practical to constantly monitor locker rooms and changing areas over this extended course of time. While we do not post staff members inside or at the doors of the locker rooms and changing areas, we do make occasional sweeps of these areas. Staff members conduct these sweeps, with women checking on female-designated areas, and men checking on male-designated areas.

Coaches and staff make every effort to recognize when an athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, we will check on the athlete's whereabouts.

Given the potential discomfort of having non-coaches and non-athletes in the locker rooms and changing areas, we discourage parents from entering those areas unless it is absolutely necessary. Under such circumstances, only a same-sex parent should go into a locker room and changing area.

If an athlete needs assistance with his or her uniform or gear (for example, a child under the age of eight), or an athlete's disability warrants assistance, then we ask that parents let the coach or an administrator know beforehand that he or she will be helping the athlete.

MIXED-GENDER TEAMS

If the team consists of both male and female athletes, both female and male privacy rights must be given consideration and appropriate arrangements made. Where possible, CLUB has the male and female players dress/undress in separate locker rooms and then convene in a single dressing room before the game or team meeting. Once the event is finished, the athletes may come to one locker room and then the male and female athletes proceed to their separate dressing rooms to undress and shower (separately), if available. If separate locker rooms are not available, then the athletes will take turns using the locker room to change.

USE OF CELL PHONES AND OTHER MOBILE RECORDING DEVICES

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras increase the risk for different forms of misconduct in locker rooms and changing areas. As a result, **THERE WILL BE NO USE OF A DEVICE'S RECORDING CAPABILITIES IN THE LOCKER ROOMS OR CHANGING AREAS.**

SAMPLE GUIDELINES

TRAVEL

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

LOCAL AND TEAM TRAVEL

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

Local Travel

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

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

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

Team Travel

Team travel is overnight travel that occurs when CLUB sponsors, coordinates or arranges for travel so that our teams can compete locally, regionally, or nationally. Because of the greater distances, coaches, staff, volunteers, and chaperones will often travel with the athletes. However, no coach, staff member, or volunteer will engage in team travel without the proper safety requirements in place, including valid drivers’ licenses, proper insurance, well-maintained vehicles, and compliance with all state laws. Drivers of vehicle should be age 21 or older.

CLUB makes efforts to provide adequate supervision through coaches and other adult chaperones. **Appropriate adult-to-athlete ratios will depend on the age of your athletes and other participants. Evaluate your program to determine your supervisory needs.**

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

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

INDIVIDUAL TRAVEL

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

1. Traveling with an additional coach or chaperone
2. Inviting parents/guardians to travel with their athlete (for athletes under age 20)

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

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

When only one athlete and one coach travel to a competition, *the athlete must have his or her parents' or legal guardian's written permission in advance to travel alone with the coach.*

TRAVEL NOTIFICATION

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

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

MIXED-GENDER AND MIXED-AGE TRAVEL

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

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

COACH AND STAFF RESPONSIBILITIES

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

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

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

- a. prepare athletes for team travel and make athletes aware of all expectations. Supplemental information will be given to parents/guardians of athletes who are considered inexperienced travelers, new or relatively new to team travel, or who are under the age of 14
- b. familiarize themselves with all travel itineraries and schedules before the initiation of team travel
- c. conform to, and monitor for others' adherence, the Youth Protection Handbook, and all guidelines during team travel
- d. encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- e. help athletes be on time for all team commitments (as possible)
- f. assist with team travel logistical needs (as possible)
- g. support chaperones and/or participate in the monitoring of athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
- h. ensure athletes are complying with hotel room restrictions based on gender or age bracket requirements

- i. make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff, and chaperones
- j. not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their coaching duties
- k. immediately report any concerns about physical or sexual abuse, misconduct, or guideline violations
- l. notify parents before taking any disciplinary action against a minor athlete if the athlete is traveling without his or her parents.

CHAPERONE RESPONSIBILITIES

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

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

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

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

- a. familiarize themselves with all travel itineraries and schedules before team travel
- b. monitor for adherences to club guidelines during team travel
- c. encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- d. help athletes be on time for all team commitments (as possible)
- e. assist coaches, staff and other volunteers with team travel logistical needs (as possible)
- f. monitor athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
- g. ensure athletes comply with hotel room restrictions based on gender or age bracket requirements
- h. not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their chaperone duties
- i. make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff, and chaperones
- j. immediately report any concerns about sexual and physical abuse, misconduct, or guideline violations to local law enforcement.

USTA Coach Agreement

You are the most important person in our organization. You determine the kind of experience our athletes have with our sport and the U.S. Twirling Association. We are committed to the athletes, their families, and professionals we serve.

1. Honor the Game. Teach the elements of ROOTS – Respect for: Rules, Opponents, Officials, Teammates, and one’s Self.

- Appoint a parent to be “Culture Keeper” for the team.
- Share with your players’ parents your desire for them to Honor the Game.
- Apply Honoring the Game in practice.
- Seize teachable moments to talk with players about Honoring the Game.

2. Help players redefine what it means to be a “Winner” in terms of mastery, not just the scoreboard:

- Teach players the ELM Tree of Mastery (Effort, Learning, and bouncing back from Mistakes).
- Use a “Team Mistake Ritual” (like “Flushing Mistakes”) to help players quickly rebound from mistakes.
- Reward effort, not simply good outcomes. Look to recognize players for unsuccessful effort.
- Encourage players to set “Effort Goals” that are tied to how hard they try.

3. Fill your players’ Emotional Tanks.

- Use encouragement and positive reinforcement as your primary method of motivating.
- Strive to achieve the 5:1 “Magic Ratio” of 5 positive reinforcements to each criticism/correction.
- Schedule “fun activities” for practices, so players will enjoy their sport.
- Use the “Buddy System” to teach players to fill each other’s Emotional Tanks.
- Develop “player coaches” by asking for player input and asking rather than telling them what to do.
- Learn to give “Kid-Friendly Criticism” so players will be able to hear it. Criticize in private, “Ask Permission,” use the Criticism Sandwich, avoid giving criticism in non-teachable moments.

4. Have Conversations during Team Meetings with your players at every practice and every game.

- Review Honoring the Game, the ELM Tree, and the Emotional Tank throughout the season.
- Remind players about these three concepts before and after every game.
- Ask questions and encourage players to speak and contribute during team meetings.
- Use the Winner's Circle after a game to reinforce the positive things players did.

At the end of the season, survey your players and their parents to give you feedback on how you did at implementing these principles during the season. Thank you for all your time and effort!

☐ I agree _____
Coach Signature Date

This Coach Agreement is taken from the Positive Coaching Alliance and their Double-Goal Coach® ideals. For more on the Positive Coaching Alliance visit <https://www.positivecoach.org/>

From their website: PCA programming is research-based and designed to have impact at three levels in a youth sports organization or school. Data indicate that as a result of PCA programming both live and online:

YOUTH experience improved life skills and character development.

COACHES become more positive and increase their focus on using sports to teach life lessons.

YOUTH SPORTS ORGANIZATIONS AND SCHOOLS see their cultures become more positive and everyone involved has more fun.



USTA YOUTH PROTECTION REPORTING FORM

Reporting Abuse

USTA requires reporting of sexual misconduct by any member and strongly encourages reporting of any concerns relating to the protection of youth athletes. USTA appreciates your willingness to report inappropriate behavior. By submitting this form, you are giving permission to USTA staff to contact you.

Person Being Reported

Provide as much information as possible about the person you are reporting.

First Name *

Last Name *

Age or Approximate Age

Gender

Female

Male

Club Affiliation (or None) *

Position(s) this individual holds or held * Head Coach Assistant Coach Athlete Official Other

Alleged Offense Information

Provide as much specific information as you are able.

Type of Offense (select all that apply)* Bullying Inappropriate Communication Inappropriate Touching
Physical Abuse Sexual Abuse Other

Did Incident Occur at an USTA Sanctioned Event? * Yes No Not Sure

If Yes, Enter Event Name & Sanction # if known:

Location that the incident(s) took place *

Enter *Unknown* or City, State, Specific Location

Date(s) of Alleged Offense *

Description of Alleged Offense (include as much detail as possible)

Additional Information

Enter any other information that you feel would be helpful to an investigation of the alleged offense you have reported:

This form can be submitted to the USTA National Office via:

Email: compliance@ustwirling.com

*US Postal Service:
USTA Compliance Department
C/O USTA President
47 Kilburn Avenue
Huntington Station, NY 11746*



APPENDIX B

Child Abuse and Other Misconduct Risk Management Plan

CHILD ABUSE AND OTHER MISCONDUCT RISK MANAGEMENT PLAN

INTRODUCTION

In 2018, Congress enacted a new Federal law, the “Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017” (“Safe Sport Act”), which specifically requires applicable amateur sports organizations which are not part of national governing bodies to:

1. Duty to Report Child Abuse by Covered Individuals – A covered individual is any adult who is authorized by an applicable amateur sports organization to interact with a minor or amateur athlete. Covered individuals must report suspicions of child abuse, including sexual abuse, within 24 hours to law enforcement. Failure to report may be a criminal violation under state and federal law.
2. Limit One-On-One Interaction with Minors – Must establish reasonable procedures to limit one-on-one interactions between an amateur athlete who is a minor and an adult (who is not the minor’s legal guardian) at a facility under the jurisdiction of the applicable amateur sports organization without being in an observable and interruptible distance from another adult, except in emergency circumstances.
3. Training for Adults and Minors – Must offer and provide consistent training to all adult members who are in regular contact with amateur athletes who are minors, and subject to parental consent, to members who are minors, regarding prevention and reporting of child abuse to allow a complainant to report easily an incident of child abuse to appropriate persons.
4. Prohibit Retaliation – Must prohibit retaliation against any individual who makes a report required under the Safe Sport Act.

An applicable amateur sports organization is one that is not part of a national sports governing body, participates in interstate or international amateur athletic competition, and includes any adult who is in regular contact with an amateur athlete who is a minor. However, even if a sports organization does not have a single team that crosses a state line to compete, the Safe Sport Act establishes a new standard of care that will likely be used in future case law.

Penalties For Failure To Comply: Any minor who was a victim and who suffers personal injury as a result of a violation of the Safe Sport Act, may sue in U.S. District Court and may recover actual damages or liquidated damages in the amount of \$150,000 and the cost of the action, including reasonable attorney’s fees and other litigation costs. The court may also award punitive damages

PURPOSE

The purpose of this risk management program is to reduce and/or prevent the occurrences of misconduct in sports as well as to reduce the liability potential for the sports organization. Misconduct can negatively impact participants, staff members, family, friends, and the sport.

Specifically, our organization will implement policies in the following areas to address all types of misconduct and to set forth boundaries of appropriate and inappropriate conduct: sexual misconduct, including child abuse; grooming behavior; physical misconduct; emotional misconduct; bullying;

harassment; hazing; social media and electronic communications; locker rooms and changing areas; travel; reporting misconduct; screening staff; and monitoring for compliance.

This plan will serve as awareness education training for all our staff who agree to educate themselves on all forms of misconduct and to refrain from engaging in such misconduct and in violating the policies herein.

DEFINITIONS

Participant: Any athlete or non-athlete participant who participates in any tryouts, practices, drills, instructional sessions, competitions, camps, clinics, tournaments, or non-sport outings including travel, lodging, and health or medical treatment sponsored by the organization.

Child, Children, Minor, and Youth: Anyone under the age of 18. These terms are used interchangeably throughout this program.

Coach: Any adult who has or shares the responsibility for instructing, teaching, schooling, training, or advising athletes of the organization.

Misconduct: Behavior that results in harm, the potential for harm, or the imminent threat of harm. Age is irrelevant to misconduct. There are six primary types of misconduct in sports: sexual (including grooming behavior), physical, emotional, bullying, harassment, and hazing.

Organization: The sports organization that has adopted this misconduct risk management program.

Misconduct Officer (MO) and/or Misconduct Committee (MC): The officer or a committee appointed by the organization that manages any and all allegations of misconduct and policy violations. The MO and MC report to the board of directors.

Staff Member: Any paid or unpaid member providing service to the organization including but not limited to officers, directors, administrators, coaches, assistant coaches, trainers, and team parents.

TYPES OF MISCONDUCT AND EXAMPLES

The following six types of misconduct are prohibited by the organization:

1. Sexual Misconduct, including Child Sexual Abuse

Sexual misconduct is defined as:

- Any sexual interaction, whether non-touching or touching, that is forced or perpetrated in an exploitative, harassing, aggressive, or threatening manner.
- Any sexual interaction between a participant and an individual with direct, indirect, or evaluative authority. Such relationships usually involve power imbalance; disparity in age, development, size, or intellectual capabilities; the existence of an aggressor; and are likely to impair judgment or be exploitative.
- Any conduct or acts defined under state or federal law as sexual abuse or misconduct.

Sexual misconduct can be between adults, between adults and minors, or between minors. Minors do not have the legal capacity to consent to sexual activity with an adult, and as a result, any sexual interaction between a minor and adult is strictly prohibited.

Types of sexual misconduct include:

- Sexual assault
- Sexual harassment

- Sexual abuse
- Any other equal intimacies that exploit an athlete

Touching offenses include:

- Fondling a participant's breasts or buttocks.
- Providing a sports-related reward (ex: playing time, position, lessons, award, praise) in exchange for sexual favors.
- Sexual penetration and sexual touching.
- Genital contact whether or not either party is clothed
- Any intimacies or sexual relations between a staff member and participant when the staff member is in a position of authority, trust, control, or evaluative decision making over the participant.

Permissible Physical Contact

Some level of physical contact between a coach and a participant may be appropriate, such as in instruction, celebration, or consolation of a distraught participant who has been injured or after losing a competition. Appropriate physical contact in training and instruction consists of the following elements:

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

Prohibited forms of physical contact include:

- Lingering or repeated embrace that goes beyond acceptable physical touch.
- Tickling, horseplay, or wrestling.
- Continued physical contact that makes a participant uncomfortable.

Non-touching offenses include:

- Making innuendos, comments, or jokes of a sexual nature about a participant or other behavior that is sexually harassing.
- A staff member referencing his or her sexual activities with a participant.
- Questioning a participant about his or her sexual activities.
- A staff member requesting or sending a revealing or nude photo to a participant.
- Exposing participants to pornographic material.
- Voyeurism
- Sending participants communications or photos, whether electronic (e.g. sexting) or otherwise, of a sexually suggestive or explicit nature.
- Intentionally exposing a participant to sexual acts.
- Intentionally exposing a participant to nudity (exception for shared changing areas or locker rooms).
- Non-verbal or verbal communication of a sexual nature; physical advances; or sexual solicitation.

The following are not defenses under any circumstances to an allegation of sexual misconduct: the consent of a minor, mistaking the age of a participant, or that the interaction did not occur during a sanctioned event of the organization.

Peer-to-Peer Child Sexual Misconduct

Approximately one-third of all cases of sexual abuse are child peer-to-peer. Whether or not sexual

interaction between children constitutes child sexual abuse turns on the existence of an aggressor, the age difference between the children, and/or whether there is an imbalance in power and/or intellectual capabilities. Allegations or suspicions of peer-to-peer child sexual abuse must be reported to the child abuse officer or a board member.

Grooming

Grooming is an intentional and effective strategy that sexual predators use to set up and prepare victims, parents, and staff to gain a position of trust and lower their defenses, which assists in the perpetration of misconduct.

The steps taken in the grooming or seduction process are:

- Identify a child and determine his or her vulnerable areas (ex: being misunderstood, lack of attention from parents, lack of spending money, absent parents, etc.)
- Through careful observation of the target, determine their needs to fill what is missing.
- Fill the needs to create a special bond and to gain their trust. Examples are providing gifts and spending money, helping with homework, providing transportation, special consideration on the team such as more playing time, special attention, sharing secrets, etc.
- Spend a disproportionate amount of time with the family to gain their trust.
- Isolate the victim from their peers to create situations where they are alone.
- Gradually introduce sexual interplay that may start with conversations of a sexual nature (in person, texting, and social media), providing alcohol and drugs to lower inhibitions, watching pornography, sharing nude photos, tickling, horseplay, massages, and other boundary invasions that lead to sexual touching and nudity.
- Maintaining control and silence to continue and keep the sexual abuse hidden.
- Use shame or fear as motivating factors to continue the relationship.

Staff and parents who understand the grooming process and the policies that are meant to prevent it are likely to identify it and should notify the MO or a board member of suspicious behavior.

One-on-One Interactions

Two-Deep Leadership: Two adults (ex: any combination of coach(es)), volunteer(s), parent(s)) should be present at all times so that a minor cannot be isolated one on one with an unrelated adult. This also helps to protect the staff member from false accusations.

Individual Meetings: An individual meeting to address a participant's concerns may be necessary on occasion. During such meetings, the following guidelines should be observed:

- Any individual meeting should occur when others are present and where interactions can be easily observed.
- Where possible, an individual meeting should take place in a publicly visible and open area, such as in the corner of a building.
- If the meeting takes place in an office or a locker room, the door should remain unlocked and open.
- If a closed-door meeting is necessary, the staff member should inform another staff member and ensure the door remains unlocked.
- Individual Training Sessions: When necessary or requested, parent/guardian written consent should be obtained and a parent/guardian encouraged to attend.
- Prohibited One-on-One Interactions: Except as provided above with regard to individual meetings, individual training, or emergency situations, any one-on-one interaction between an adult and a minor participant should be avoided. A possible exception may occur if the minor is stranded and

the adult must be present so that the minor will not be left unattended or unsupervised. In such cases, the adult and minor should remain in the open until another adult arrives.

2. Physical Misconduct

Physical misconduct includes:

- Intentional physical contact or threat of such that causes or has the potential to cause personal injury or bodily harm to the participant.
- Any act or conduct described as physical abuse under state or federal law, such as assault, child neglect, and child abuse.

Examples of prohibited physical misconduct:

Contact offenses

- Punching, beating, biting, striking, choking, or slapping an athlete
- Intentionally hitting an athlete with objects or sporting equipment
- Providing alcohol to a participant who is under the legal drinking age
- Providing non-prescription or illegal drugs to any participant
- Encouraging or permitting an athlete to return to play after an injury (e.g. concussion) or sickness prematurely or without clearance from a medical professional
- Prescribing diet or other weight control methods for humiliation purposes and without regard for the health of the athlete (e.g. public weigh-ins or caliper tests)

Non-contact offenses

- Isolating an athlete in a confined space (e.g. locking an athlete in a confined space)
- Forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring the athlete to kneel on a hard surface)
- Withholding, recommending against, or denying adequate hydration, nutrition, medical attention, or sleep

Physical misconduct does not include physical contact that is a professionally accepted coaching method for teaching skill enhancement, physical conditioning, team building or appropriate discipline.

3. Emotional Misconduct

Emotional misconduct involves a pattern of intentional, noncontact behavior that causes or has the potential to cause psychological or emotional harm to a participant. Physical acts, verbal acts, or acts that deny support or attention are included in these behaviors.

Examples of prohibited emotional misconduct:

- Verbal Acts: A pattern of verbal behaviors that personally attack a participant (e.g. calling them disgusting, worthless, or fat) or repeatedly screaming at participants in a way that does not serve a legitimate motivational or training purpose.
- Physical Acts: A pattern of physically aggressive behaviors, such as throwing or punching sports equipment or other objects in the presence of participants.
- Acts that Deny Support or Attention: A pattern of ignoring or excluding a participant during practice or team discussions for an extended period of time.

Emotional misconduct does not include generally accepted and age-appropriate coaching methods of skill enhancement, physical conditioning, motivation, team building, appropriate discipline, or improving athletic performance. Note that a single incident such as a verbal outburst may be inappropriate but does not constitute emotional misconduct, which requires a pattern of harmful behaviors over time.

4. Bullying

Bullying involves an intentional and repeated pattern of committing, or intentionally allowing or not preventing, behaviors that are intended to cause physical harm, fear, or humiliation in an effort to socially isolate, diminish, or exclude another participant physically, emotionally, or sexually.

Bullying can occur through verbal, written or electronic communications or by means of a physical gesture or act.

Examples of prohibited bullying behavior:

Physical: Hitting, pushing, punching, beating, biting, striking, kicking, choking, spitting, or slapping; throwing objects such as sports equipment at another participant.

Verbal: Teasing, ridiculing, taunting, name-calling, or intimidating, or threatening to cause someone harm.

Social, including Cyberbullying: Using electronic communication, social media or similar to harass, frighten, intimidate, or humiliate someone; using rumors or false statements about someone to diminish that person's reputation; socially excluding someone and asking others to do the same.

Sexual: Teasing, ridiculing, or taunting based on gender or sexual orientation (real or implied), gender traits or behavior (e.g., taunting someone for being too effeminate or too masculine), or teasing someone about their looks or behavior as it relates to sexual attractiveness.

It is often not the staff, but other participants who perpetrate bullying. However, it is a violation if a staff member knows or should have known of bullying behavior but takes no action to intervene on behalf of the targeted participant(s).

A participant or parent/guardian who participates in any act of bullying is subject to appropriate disciplinary action including but not limited to suspension, permanent ban, and referral to law enforcement authorities.

Difference between Mean, Rude, and Bullying Behavior

Mean is defined as purposefully saying or doing something to hurt someone very infrequently. Rude is defined as inadvertently saying or doing something that hurts someone else. Bullying is defined as intentionally aggressive behavior repeated over time that involves an imbalance of power. Mean or rude conduct does not typically rise to the level of bullying absent the imbalance of power but may otherwise be a code of conduct violations and treated as such.

Bullying does not include group or team behaviors to encourage a culture of team unity and/or harder training effort.

5. Harassment

Harassment is a pattern of physical or nonphysical behaviors that cause annoyance, fear or humiliation;

degrade or offend; reflect a discriminatory bias; or create a hostile environment for the purpose of creating superiority, dominance, or power over an individual participant or participants based on gender, gender identity, gender expression, sexual orientation, ethnicity, race, culture, national origin, race, or physical or mental disability. It also includes any conduct or acts defined as harassment under state or federal law.

Examples of prohibited harassment:

Name-calling, taunts, threats, belittling, stalking, unwelcome advances and requests for sexual acts, as well as undue threats to perform or succeed.

Sexual harassment is conduct towards a participant that includes sexual advances, requests for sexual favors, or other verbal or physical behaviors of a sexual nature and is sufficiently severe, persistent or pervasive and objectively offensive that it negatively affects an individual's performance.

6. Hazing

Hazing includes any behavior that is physically harmful, humiliating, intimidating, or offensive. Hazing typically is an initiation activity that serves as a precondition for being socially accepted or joining a team. It also includes any act that is described as hazing under federal or state law.

Examples of hazing include:

- Using force or peer pressure to require the consumption of alcoholic beverages or illegal drugs
- Restraining a person through tying or taping
- Requiring simulations of acts of a sexual nature.
- Depriving one of sleep
- Withholding water and/or food
- Requiring public actions that are illegal, embarrassing, or socially unacceptable (e.g. public nudity)
- Paddling, branding, beating or other forms of physical assault
- Requiring excessive training

Hazing occurs even when the participant agrees to cooperate.

Willfully Tolerating Misconduct

It is a violation when a staff member knows of prohibited misconduct but takes no action to intervene to protect participants or other staff members. It is also a violation to observe illegal and prohibited misconduct and not report it in a timely manner to the appropriate entity or law enforcement authorities.

Social Media and Electronic Communications

Electronic communications and social media interactions between staff and participants and their parents/guardians is essential with regard to activities, schedules, and administrative issues. Furthermore, social media touting the positive aspects of competition and club promotion should be encouraged. However, the potential for misconduct exists including sexual abuse, emotional abuse, bullying, harassment, and hazing.

Social Media, including, Facebook, Twitter, Instagram, Snapchat, etc.

The organization may create an official social media account, which may connect with other staff, participants, and parents/guardians for the purpose of official organization communications about activities, motivation, team building, and answering posts from staff, participants, and parents/guardians. Staff and minor participants should not connect on social media outside of the organization's official social media account.

Email, Texts, and Instant Messaging

A staff member and minor participant may communicate via email, text, or instant message if the communication is about official organization activities. A parent/guardian of minor participants or another staff member should be copied on all such communications sent by a staff member.

Digital Photos and Videos

Organizations frequently publish photos and videos of activities on their website and social media accounts and transmit via email to various media outlets. Before publishing a photo or video of any participant, the organization should obtain an image release agreement signed by the parent/guardian. Also, all photos and videos should be taken in public view and should be appropriate and in the best interest of the participant and the organization.

Staff should immediately honor any request from parent/guardian to discontinue digital communications or imagery with a minor participant without any repercussions.

Violations of the organization's electronic communications and social media policy should be reported to the MO or a board member for appropriate disciplinary action, including but not limited to suspension, permanent suspension and/or referral to law enforcement.

Locker Rooms and Changing Areas

Participants are particularly vulnerable to misconduct including bullying, harassment, and hazing in locker rooms/changing areas due to various stages of undress and less direct supervision. The organization should implement the following guidelines:

- Sufficient staff supervision that is not overbearing. Staff should always be located just outside of the room to be on call if a problem arises and should make periodic sweeps inside. The sweeps should be conducted by staff who are the same sex as the minor participants.
- Prohibit parents/guardians from entering unless it is absolutely necessary. In such cases, the parent/guardian should inform staff in advance and should be the same sex as the minor participants.
- Prohibit the use of all recording devices including smartphones.
- Comply with all misconduct rules.
- If a minor participant enters a bathroom/locker/changing during a competition, staff should be aware and check to that such minor participant returns within a reasonable time.

In the special case of co-ed locker rooms, male and female athletes should use separate changing areas. When separate areas are not available, the male and female participants should take turns using the areas.

Travel

Travel to and from practices and competitions subjects participants to risk not only from car accidents, but also makes them more vulnerable to misconduct, particularly during overnight stays. During overnight stays, participants are away from their families and support networks and find themselves in unfamiliar and less structured settings, such as locker/changing rooms, sports facilities, cars, and hotel rooms.

Local travel is travel not planned or supervised by the organization, but where the parent/guardian for each participant is responsible for making travel arrangements. Local travel occurs when minor participants are driven to and from practices and local competitions, usually by parents/guardians in a carpool setting.

The guidelines for local travel are as follows:

- Drivers should have a valid driver's license, meet state insurance requirements, and operate a well-maintained vehicle in accordance with state laws.
- Staff drivers providing local transportation should not ride alone with an unrelated minor participant. There should be either at least two other participants or another adult in the vehicle at all times unless otherwise agreed to in writing by the parent/guardian of the participant.
- Staff drivers who are also the parents/guardians of a minor participant may provide shared transportation but should always pick up their own child first and drop him/her off last.
- Staff drivers should have the parent/guardian of participants sign a parental authorization and release form.

Team travel usually requires overnight stays and occurs when the team plans and supervises transportation for local, regional, national, or international competitions. For greater travel distances, staff and chaperones will often travel with the participants in order to provide adequate supervision. To follow are guidelines on team travel:

- All drivers should have a valid driver's license, meet state insurance requirements, and operate a well-maintained vehicle in accordance with state laws.
- Be sure to maintain appropriate adult-to-minor ratios, which will vary with the age of the participants.
- Hotels and air travel should be booked in advance with schedules published for all staff and parents/guardians.
- Participants should share rooms with 2 to 4 participants per room depending on room size. Participants should be grouped according to sex and age group.
- Attempts should be made to have one chaperone of the same sex for each group.
- No chaperone or other staff members should spend the night in the same room with any unrelated minor participants.
- Chaperones must be cleared by a criminal background check and undergo awareness training before having any appropriate one-on-one interactions with a minor participant.
- The organization should ask the hotel to block pay-per-view channels in the rooms of each participant.
- Meetings should not occur in rooms and a large room or suite should be rented so that staff can meet and socialize as a group with minor participants.
- Family members attending the event should be encouraged to stay in the same hotel as participants.

Staff and Chaperone Responsibilities

- Brief participants and parents/guardians prior to travel on policy guidelines, expectations, and travel and competition schedules.
- Follow all policies on preventing misconduct including travel, locker/changing rooms, and two-deep leadership.
- Assist participants in preparing for competitions.
- Encourage minor participants to engage in daily communications with parent/guardian.
- Set curfews based on age and competition schedule.
- No use of alcohol or drugs by chaperones in the presence of minors and they should not be under the influence while performing duties.
- Chaperones should make sure that staff complies with all travel and other misconduct policies.
- Immediately report any violation of travel or misconduct policy to MO or a board member.

- Notify parent/guardian not traveling with the minor participant of any injuries, discipline problems, or any other concerns.

REPORTING MISCONDUCT

Reporting Child Sexual and Child Physical Abuse

Any staff member who has a reasonable suspicion of child sexual abuse or child physical abuse committed by another staff member or participant, must within 24 hours:

- 1) notify law enforcement authorities as required by state and federal law; and
- 2) notify the MO or a board member.

Under the Safe Sport Act, covered individuals must report suspicions of child abuse, including sexual abuse, within 24 hours to law enforcement. Failure to report may be a criminal violation under state and federal law. A covered individual is any adult who is authorized by an applicable amateur sports organization with a minor or amateur athlete.

The MO or a board member should separately report such allegations to the appropriate law enforcement authorities as required by state and federal law. Failure to report such misconduct may be a violation under state and/or federal law. Those making such reports may have civil and criminal immunity as long as the report was made in good faith. An attorney should be consulted prior to reporting for advice on currently applicable state and federal law.

Participants and parents are also encouraged to report any reasonable suspicions of child sexual and child physical abuse to the MO or a board member.

Resources for assistance with state and federal reporting requirements:

- Child Welfare Information Gateway: www.childwelfare.gov
- [Mandatory Reporters of Child Abuse and Neglect](http://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm) http://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm
- State Statute Search: http://www.childwelfare.gov/systemwide/laws_policies/state/

After Reporting to Law Enforcement

After a report of reasonable suspicion of misconduct to law enforcement has been made, whether for reasons of child sexual abuse, child physical abuse, or other illegal reportable misconduct, the MO and/or MC should take the following actions:

- Do not engage in any internal investigations or attempt to investigate the credibility of any such allegation. An independent investigation may interfere with the investigation of law enforcement. Allow law enforcement to conduct its own investigation. However, the MO or MC member may ask a few clarifying questions of the complainant or minor(s) involved to adequately report the suspicion to law enforcement.
- To the extent permitted by law and appropriate, the MO, MC, and/or a board member should protect the names and confidentiality of the complainant (if requested), the accused, and the victims.
- Immediately remove the accused staff member from his/her duties. No hearing is required, and the accused has no right to defend himself/herself at this point because the safety and wellbeing of the participant is of utmost importance. The MO may simply notify the accused staff member that he/she is no longer eligible to participate in the organization's activities.
- After consulting with legal counsel, the MO or MC may decide at their discretion to inform other staff members, parents, and participants of any child sexual abuse or child physical abuse

allegations that law enforcement is actively investigating, in an effort to find out if there may be other cases of child abuse that should also be reported to law enforcement.

- Once the investigation by law enforcement has concluded, the MC may reconvene to determine whether or not the accused can be reinstated or reassigned. Even if the investigation is inconclusive, the MC may use its discretion in deciding on reinstatement or reassignment.

Reporting Other Misconduct, including Emotional Abuse, Bullying, Harassment, Hazing, or Grooming Behavior

Any staff member, participant, or parent who has a reasonable suspicion of emotional abuse, bullying, harassment, hazing, or grooming behavior should report within 24 hours such misconduct to the MO or a board member. Depending on the severity and nature of the allegations, the MO and/or MC should determine whether to immediately report such allegation within 24 hours to the appropriate law enforcement authorities as required by state or federal law.

How to Report All Misconduct to the Organization

Reports of all misconduct made to MO or to any board member may be made orally or in writing. The information required is the name of complainant(s) making the report, the type of misconduct alleged, the name(s) of the accused staff members who allegedly engaged in the misconduct, the approximate dates of misconduct, and any other relevant information.

Responding to Misconduct and Policy Violations

Upon receiving a report of emotional abuse, bullying, harassment, hazing, or grooming behavior that is not reportable to law enforcement under state or federal law, the MO and/or MC should investigate and take appropriate action.

Factors to be considered in an investigation include the age of the alleged victim, the age of the alleged perpetrator, and the extent, nature, and scope of the allegations. Before taking any disciplinary action, the accused should have an opportunity to present his/her defense. If the accused is a staff member such as a coach, the board should be notified of the pending investigation. If the accused is a minor, his or her coach and parents should be notified in advance.

The confidentiality of the complaint, complainant, victim, and accused should be protected by the organization until the outcome of the proceedings is finalized. Notice should be given about any sanction. The investigator should not discuss the ongoing investigation with anyone other than for the purposes of gathering information related to the investigation unless requested otherwise by law enforcement or child protective services. Likewise, participants in the hearing should be requested to keep all information confidential unless requested by law enforcement or child protective services.

Sanctions applied should be appropriate and reasonable under the circumstances.

Sanctions that may be applied against a staff member:

- Referral to law enforcement authorities if a crime is believed to have been committed
- Dismissal in the event of extreme cases
- Temporary suspension.
- Reassignment of duties.
- Formal warning.
- Placement under the supervision of another staff member.

Sanctions that may be applied against a participant:

- Revocation of membership or participation in competitions

- Suspension of membership or participation in competitions
- Verbal/written warning
- Provision of additional education and guidance

Whistleblower Protection and Bad Faith Allegation

Whistleblowers who report misconduct suspicions in good faith should be protected against any retaliation, punishment, and other harm regardless of the outcome of any investigation. To allow otherwise would defeat the purpose of the child abuse and misconduct risk management plan. Anyone who retaliates is subject to disciplinary action.

Likewise, complainants who act in bad faith in making malicious or frivolous allegations are subject to civil and criminal actions and disciplinary action by the organization.

Dealing with the Media

In the event of media inquiries involving an allegation of misconduct, a single board member or attorney should be appointed as the sole media contact and any comment should be based on the following principles:

- The organization has notified the proper law enforcement authorities.
- The organization is following its internal policies and procedures regarding the allegation(s).
- The privacy of all involved individuals should be respected and protected throughout the proceedings.
- The identity of any accused perpetrator should not be disclosed unless 1) law enforcement is actively investigating and the name is a matter of public record; 2) law enforcement believes that the accusation is likely valid; and 3) the organization has taken action to sanction or remove the alleged perpetrator.

SCREENING VOLUNTEERS

The organization should select a criminal background check vendor that will run background checks and will assist in interpreting results and in compliance with state and federal laws.

The criminal background check vendor should, at a minimum, run records from all 50 states to include the National Criminal Database and the National Sex Offender Registry. In addition, the organization may choose to pay extra to purchase the following enhancements from the vendor: social security number verification, address trace, and manual local county courthouse check based on intelligent choice of counties.

All staff with access to youth, including directors, officers, coaches, assistant coaches, managers, travel chaperones, concession workers, field maintenance, etc., should undergo a background check for acceptability prior to initial assignment of duties. Thereafter, a subsequent background check should be run at least every two year(s).

The MO should be responsible for implementing, monitoring, taking corrective action, disqualifying unfit candidates, and working with third-party background check vendors on all issues related to the criminal background check program. The MO should maintain confidentiality to protect against possible claims of slander or libel. The MO should work with third-party vendors for assistance in interpreting background

check results; sending adverse action notifications required by law; and to protect against possible claims under the Fair Credit Reporting Act, First Offender Act, and all other state and federal laws protecting those who undergo criminal background checks.

ADMINISTRATION OF CRIMINAL BACKGROUND CHECKS

Disqualification Criteria: To make sure that all staff are treated fairly and consistently, the following disqualification criteria generally should be used:

Individual staff members found to be guilty of the following crimes should be disqualified as a staff member as outlined below.

- All sex offenses including child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc.
- All felony violence including murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, etc.
- Found guilty within the past 10 years of a felony offense other than violence or sex, including drug offenses, theft, embezzlement, fraud, child endangerment, etc.
- Found to be guilty within the past 7 years of a misdemeanor violence offense, including simple assault, battery, domestic violence, hit & run, etc.
- Found guilty within the past 5 years of a misdemeanor drug and alcohol offense (or multiple offenses in the past 10 years) including driving under the influence, simple drug possession, drunk and disorderly, public intoxication, possession of drug paraphernalia, etc.
- Any other misdemeanor within the past 5 years that would be considered a potential danger to children or is directly related to the functions of the staff member, including contributing to the delinquency of a minor, providing alcohol to a minor, theft (if the volunteer is handling funds), etc.

Guilty means the applicant was found guilty following a trial, entered a guilty plea, or entered a no contest plea accompanied by the court's finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. This policy does not apply if criminal charges resulted in acquittal, dismissal or in an entry of *nolle prosequi*.

Should any of the pending charges described above be uncovered or should any of the above charges be brought against an applicant during the season, the applicant should be suspended from serving until the charges are cleared or dropped and the MO approves reinstatement.

Staff Applications: Prior to the running of any criminal background check, the applicant should complete a staff application form giving his or her consent to the running of such check. This form should include a question about the existence of any prior criminal convictions and pending investigations. A "yes" answer should require a detailed explanation including the type of offense, locations, and dates.

The information obtained in the staff application/consent form, as well as the results of criminal background checks, should be held in strict confidence to protect the confidentiality of the information. It should be kept in a secure location with access by the MO or MC only. Confidential information should not be disclosed outside of the organization and should only be shared within the organization on a need-to-know basis. However, under certain circumstances, the organization may have a legal duty to disclose certain types of information to government agencies or law enforcement.

Run Criminal Background Check: After collecting the staff application/consent forms, the MO should verify that they are complete and legible. Next, the applications or information therein should be forwarded to the selected criminal background vendor.

Results: The results from the criminal background check vendor should be received by the MO. The MO may need the assistance of the vendor in interpreting the results against the predetermined disqualification criteria. In addition, the MO should ask the vendor about any applicable first-offender acts in a particular state that may disallow the use of the results in making a disqualification decision. All disqualified applicants should be provided with the following documents with the assistance of the background check vendor:

- 1) Fair Credit Reporting Act: Summary of Rights
- 2) Letter of disqualification
- 3) Copy of the criminal background check results.

The vendor should advise if there are any other requirements under state or federal law.

Appeals Process: Staff candidates disqualified due to an unsatisfactory criminal background check should be given a right to appeal if they notify the MO in writing. Such appeals should be heard by a three-person MC. The MC should decide whether to uphold the decision of the MO. As a compromise, the MC may decide to reassign the applicant to a more appropriate position or place the candidate on a probationary period. The results of all criminal background checks and appeals should be kept confidential.

The written appeal should include:

- Full name and address of the appellant
- Full name and address of any person making the request for an appeal on behalf of the appellant
- The grounds for the appeal, providing a detailed explanation of the appellant's objections to the decision, additional facts, or factual errors in the decision
- The relevant particulars to the appeal, providing any background facts relating to the appeal, including how the appellant is affected by the decision and a detailed description of the requested relief (i.e. what appellant wants the MC to do)
- The signature of the appellant or the appellant's representative, and the date of the appeal.

Monitoring and Supervision Compliance

The organization and its MO and MC should monitor and supervise the implementation and compliance of the child abuse and misconduct plan as follows:

- Require all staff to review this risk management plan and agree to abide by its guidelines and requirements.
- Require all staff having repeated access to youth to undergo and pass a criminal background check.
- Promptly address any reports of child abuse or other misconduct and take appropriate action.
- Observe and periodically spot check compliance with interactions at practice and games, locker/changing rooms, travel arrangements, and social media.
- Stay in touch with staff members, participants, and parents to learn of any potential instances of misconduct.

Child Abuse Training for Minors

The Safe Sport Act requires sports organizations to provide minor training on preventing and reporting of child abuse. Our organization will consider distributing a document entitled "Abuse Avoidance Training for Minors" or a similar document from another source to each parent with a strong recommendation that each parent review this document with their minor child.

DISTRIBUTION/ACKNOWLEDGMENT/DOCUMENTATION

A hard or electronic copy of this risk management program should be distributed to each staff member prior to the start of every season. Each staff member should acknowledge in writing (print or electronic signature) that they have received and carefully reviewed the plan and that they will refrain from engaging in misconduct and comply with the policies within this plan. The organization should maintain documentation on an annual basis that the plan was distributed and as staff agreement signatures collected.

Sources:

- U.S. Center for SafeSport; SafeSport Code for the U.S. Olympic and Paralympic Movement; 12-28-2017
 - U.S. Center for SafeSport; Practices and Procedures; 3-3-2017
 - SafeSport Program Handbook; U.S. Figure Skating; 1-1-2018
 - USA Basketball SafeSport Program Handbook; 11-9-2017
 - Model Youth Football Safe Sport Policy; USA Football; 2-20-2015
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YOUTH PROTECTION POLICY ACKNOWLEDGEMENT FORM

I understand as a professional member, employee, board member, department leader, department member, staff member and/or volunteer of the U.S. Twirling Association that I am required to read and agree to all this handbook and policy on youth protection, child abuse and risk management.

Before signing, if I have any questions or I do not understand any portion of this information I will ask the USTA President, Director of Operations and or Member Services Director for clarity.

Upon signing this required form, I will return it to the Member Services office for its inclusion in the organization's personnel file.

I _____ (please print your name)
acknowledge receipt of the U.S. Twirling Association's Youth Protection Handbook and Appendixes. I have read, understand, and agree its contents.

Signature _____ Date _____