



# USRowing

MEMBER ORGANIZATION SAFESPORT POLICY MANUAL

FOR



Long Beach Junior Crew

Est. 1986

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## INTRODUCTION AND USE OF THIS POLICY

Long Beach Junior Crew is committed to creating and supporting an environment and a culture free from misconduct. The welfare of all individuals involved with our organization is paramount. Behavior and actions that constitute misconduct will not be tolerated.

The six primary types of misconduct are as follows:

1. Bullying
2. Harassment
3. Hazing
4. Emotional Misconduct
5. Physical Misconduct
6. Sexual Misconduct, including Child Sexual Abuse

All forms of misconduct are intolerable and in direct conflict with the values of Long Beach Junior Crew.

In the event that one observes inappropriate behaviors (i.e. policy violations), suspected physical or sexual abuse, or misconduct, it is the personal responsibility of each individual to immediately report their observations to a coach or board member. Where possible and appropriate, everyone should be prepared to respond immediately to inappropriate or harmful behavior, potential risk situations and potential boundary violations by redirecting inappropriate behaviors to promote positive behaviors, confront inappropriate or harmful behaviors, and report behaviors when necessary.

This policy applies to Long Beach Junior Crew employees, individual athletes, Board members, volunteers, parent chaperones, and anyone in regular contact with athletes. Policy violations, misconduct and physical and sexual abuse must be reported consistent with the Reporting Policy as described herein. **Long Beach Junior Crew does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations as a condition for reporting to appropriate law enforcement authorities and the U.S. Center for SafeSport.**

As a USRowing member organization, Long Beach Junior Crew is in alignment with USRowing as the national governing body of rowing under the U.S. Olympic and Paralympic Committee (“USOPC”). This policy is based on the template provided by USRowing in support of USRowing’s policies and best practices.

The Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (Public Law 115-126) took effect in February 2018 (“**SafeSport Act**”). The SafeSport Act designated the United States Center for SafeSport (the “**Center**”) as the official safe sport organization for all Olympic, Paralympic, Pan American, and Para Pan American sports in the United States. In an effort to prevent the emotional, physical and sexual abuse of amateur athletes, the SafeSport Act requires national governing bodies and Paralympic sports organizations to implement both prevention training and prevention policies.

As a member organization of the U.S. Olympic & Paralympic Committee (“**USOPC**”), USRowing, its employees, contractors, volunteers, officials, board members, committee members and other designees, members and organizational members (collectively, “**Participants**”) are required to comply with the U.S. Center for SafeSport Code of the U.S. and Paralympic Movement (the “**Code**”), including its reporting requirements, available here: <https://uscenterforsafesport.org/wp-content/uploads/2020/03/2020-SafeSport-Code-04.01.20.pdf>

The Code serves as benchmark by which the Center or USRowing evaluates whether a Code violation has occurred. For violations that fall within the Center’s jurisdiction, the Center will determine resolutions and sanctions in connection with the violation. USRowing will process Code violations that occur outside the Center’s jurisdiction pursuant to the procedures outlined in the sections below.

The Code outlines prohibited conduct relating to the following categories for all Participants (hereinafter defined):

1. Criminal Charges or Dispositions
2. Child Abuse
3. Bullying
4. Harassment
5. Hazing
6. Sexual Misconduct
7. Emotional Misconduct
8. Physical Misconduct
9. Aiding and Abetting
10. Misconduct Related to Reporting
11. Misconduct Related to the Center's Process
12. Other Inappropriate Conduct
13. Violation of the Minor Athlete Abuse Prevention Policies (“**MAAPP**”)

Participants in regular contact with Minor Athletes (hereinafter defined) must abide by USRowing's MAAPP contained below.

Pursuant to the SafeSport Act as implemented by the Code, and USRowing's Bylaws, the Center has exclusive jurisdiction over all issues involving Sexual Misconduct and Child Abuse (hereinafter defined). Such issues are to be reported directly to the Center *and* appropriate local authorities. Such reports to the Center should be made through the reporting form found here: <https://uscenterforsafesport.org/report-a-concern/>

While non-sexual misconduct issues may be reported directly to the Center, USRowing encourages initial reporting of such matters to Long Beach Junior Crew using the internal reporting processes. If, following review by the Long Beach Junior Crew, the issue remains unresolved or is not susceptible to resolution at the Member Organization level, it may be reported to USRowing using the USRowing reporting form found here: [https://usrowing.org/sports/2018/4/13/18827\\_132107104230772015.aspx](https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx)

## I. DEFINITIONS

The definitions below apply to all sections of this Policy. Where definitions are not included herein, but are contained in the SafeSport Code, the SafeSport Code definitions are adopted as if they are fully set forth herein:

- **Adult or adult** – Any individual 18 years of age or older.
- **Adult Participant** – Any adult (18 years or older) who is:
  - A member or license holder of USRowing or its Member Organizations
  - An employee or board member of USRowing or its Member Organizations
  - Within the governance or disciplinary jurisdiction of USRowing or its Member Organizations
  - Authorized, approved, or appointed by USRowing or its Member Organizations to have regular contact with or authority over Minor Athletes. This may include volunteers, medical staff, trainers, chaperones, monitors, contract personnel, bus/van drivers, officials, adult athletes, staff, board members, and any other individual who meets the Adult Participant definition.
  - An adult athlete
- **Adult Participant Personal Care Assistant (PCA)**– An Adult Participant who assists an athlete requiring help with activities of daily living (ADL) and preparation for athletic participation. This support can be provided by a Guide for Blind or visually impaired athletes or can include assistance with transfer, dressing, showering, medication administration, and toileting. Personal Care Assistants are different for every athlete and should be individualized to fit their specific needs. When assisting a Minor Athlete, Adult Participant PCAs must be authorized by the athlete’s parent/guardian.
- **Amateur Athlete:** An athlete who meets the eligibility standards established by the National Governing Body or paralympic sports organization for the sport in which the athlete competes.
- **Athlete** – Any rower who participates in any USRowing licensed competition or USRowing sanctioned event.
- **Authority** – When one person’s position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person.
- **Center** – The U.S. Center for Safe Sport.
- **Close-In-Age-Exception** – An exception applicable to certain policies when an Adult Participant does not have authority over a Minor Athlete and is not more than four years older than the Minor Athlete (e.g., a 19-year-old and a 16-year-old). Note: this exception only applies within the prevention policies and not regarding conduct defined in the SafeSport Code.
- **Child, Children, Minor, and Youth** – An individual who is, or is believed by the Respondent to be, under the age of 18. The terms child, children, minor and youth are used interchangeably throughout this policy.
- **Child Abuse** – The term “child abuse” has the meaning set forth in Section 203 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341) or any applicable state law.
- **Claimant** – The person who is alleged to have experienced conduct that constitutes a Code violation, or a violation of this Policy.
- **Coach** – Any adult who has or shares the responsibility for instructing, teaching, training, or advising an athlete in the context of rowing.
- **Code** – The policies and procedures adopted by the Center for the U.S. Olympic and Paralympic Movement’s National Governing bodies, which can be found at <https://www.uscenterforsafesport.org>.

- **Criminal Charge or Disposition** – Means that a Participant (a) is or has been subject to any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, including, but not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an “Alford” or “Kennedy” plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement; (b) is subject to a pending criminal charge(s) or warrant(s) for arrest. Criminal Charges may be evaluated by USRowing upon the original charges, amended charges, or those to which a plea was entered.
- **Dual Relationship** – An exception applicable to certain policies when an Adult Participant has a dual role or relationship with a Minor Athlete and the Minor Athlete’s parent/guardian has provided written consent at least annually authorizing the exception.
- **Event** – USRowing sanctioned or organized travel, lodging, practice, competition, health or medical treatment, and the meaning set forth in the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).
- **Facility** – Any facility (including docks, gyms, or other locations used by a team or rowing organization), when at such time the Facility is either owned or being leased, rented or used by USRowing or Member Organization.
- **Interaction with Athletes** – Contact in association with any USRowing licensed or sanctioned activity or Event.
- **In-Program-Contact** – Any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete(s) related to participation in sport. Examples of In-Program Contact include, but are not limited to:
  - Competition
  - Practices
  - Camps/clinics
  - Training/instructional sessions
  - Pre/post game meals or outings
  - Team travel
  - Review of game film
  - Team- or sport-related relationship building activities
  - Celebrations
  - Award ceremonies
  - Banquets
  - Team or sport-related fundraising or community service
  - Sport education
  - Competition site visits
- **Local Affiliated Organization (LAO)** - A regional, state, or local club or organization that is directly affiliated with an NGB or that is affiliated with an NGB by its direct affiliation with a regional or state affiliate of said NGB. LAO does not include a regional, state, or local club or organization that is only a member of a National Member Organization of an NGB (see Member Organization definition below).
- **Member Organization** – A rowing organization with active USRowing organizational membership. This also includes any organization that hosts a property or event that USRowing sanctions, including competitions, training programs, clinics and courses.
- **Minor Athlete** – is an amateur athlete under 18 years of age who participates in, or participated within the previous 12 months in, an event, program, activity, or competition that is part of, or partially or fully under the jurisdiction of USRowing or its Member Organizations.
- **National Governing Body (NGB)** – A U.S. Olympic National Governing Body, Pan American Sport Organization, or Paralympic Sport Organization recognized by the U.S. Olympic &

Paralympic Committee pursuant to the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. §§ 220501, et seq. This definition shall also apply to the USOPC, or other sports entity approved by the USOPC, when they have assumed responsibility for the management or governance of a sport included on the program of the Olympic, Paralympic, or Pan-American Games.

- **Paralympic Sport Organization (PSO)** – An amateur sports organization recognized and certified as an NGB by the USOPC.
- **Partial or Full Jurisdiction** – Includes any sanctioned Event (including all travel and lodging in connection with the event) by the NGB, PSO, USOPC, or LAO, or any facility that the NGB, PSO, USOPC, or LAO owns, leases, or rents for practice, training or competition.
- **Participant** – Any individual who: (a) currently is, or was at the time of a possible SafeSport violation, within the governance or disciplinary jurisdiction of USRowing, (b) is an Athlete or USRowing Designee, (c) a participant or attendee of a USRowing licensed competition or sanctioned event, including team staff, medical or paramedical personnel, administrator, official, or other athlete support personnel, employee, or volunteer, or (d) USRowing employees, contractors, volunteers, officials, board and committee members and other designees, members and organizational members.
- **Power Imbalance** – A Power Imbalance may exist where, based on the totality of the circumstances one person has supervisory, evaluative, or other authority over another. Whether there is a Power Imbalance depends on several factors, including but not limited to: the nature and extent of the supervisory, evaluative or other authority over the person; the actual relationship between the parties; the parties’ respective roles; the nature and duration of the relationship; the age of the parties involved; where there is an aggressor; whether there is a significant disparity in age, size, strength, or mental capacity. Once a Coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the Coach-Athlete relationship (regardless of age) and is presumed to continue for Minor Athletes after the Coach-Athlete relationship terminates until the Athlete reaches 20 years of age. A Power Imbalance may exist, but it is not presumed, where an Intimate Relationship existed before the sport relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship).
- **Regular Contact** – Ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete(s). NOTE: NGBs, PSOs, and the USOPC must submit/include categories of members/individuals that fall under the definition including specific volunteer designations.
- **Respondent** – A Participant who is alleged to have violated the Code or this Policy.
- **Sexual Misconduct** – Offenses (further described in Section IV of this Policy including, but not limited to:
  1. Sexual or gender-related harassment
  2. Non-consensual sexual contact (or attempts to commit the same)
  3. Non-consensual sexual intercourse (or attempts to commit the same)
  4. Sexual exploitation
  5. Bullying or hazing, or other inappropriate conduct of a sexual nature
- **Third-Party Reporter** – Individual other than the Claimant bringing reports (“third-party report”) under this Policy.
- **U.S. Olympic & Paralympic Committee (USOPC)** – A federally chartered nonprofit corporation that serves as the National Olympic Committee and National Paralympic Committee for the United States.
- **USRowing Designee** – USRowing Staff, USRowing Licensed Officials, USRowing Board members, USRowing National Team Coaches and Technical Advisors, USRowing Trainers, Athletes selected by USRowing to represent the United States, or any other individual that USRowing formally authorizes, approves, or appoints to (a) serve in a position of authority over, or (b) have regular contact with any Athlete.



## II. MINOR ATHLETE ABUSE PREVENTION POLICIES (MAAPP)

The MAAPP focuses on two important aspects of an abuse prevention strategy. These policies address training requirements and limiting one-on-one interactions between adults and minor athletes. These policies are intended to be enforceable and reasonable, acknowledging, for example, that when a 17-year-old athlete turns 18, they become an adult athlete, and a complete prohibition of one-on-one interactions may not be necessary or practical. Additionally, there may be other instances when one-on-one interactions could occur, and in those cases, these policies provide strategies so parents/guardians can provide informed consent if they choose to allow a permitted interaction. **Long Beach Junior Crew recommends that parents first complete training on abuse prevention to be informed about potential boundary violations and concerns before consenting to the interaction. The Center offers a free Parent Course at [www.athletesafety.org](http://www.athletesafety.org).**

### A. SCOPE

The MAAPP applies to “In-Program Contact”.

### B. REPORTING VIOLATIONS

Violations of these MAAPP policies can be reported to USRowing by submitting a USRowing Incident Report Form, which can be found at [https://usrowing.org/sports/2018/4/13/18827\\_132107104230772015.aspx](https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx), or by contacting the members of the SafeSport Protection Team at: [USRowingSafeSport@usrowing.org](mailto:USRowingSafeSport@usrowing.org), (609) 751-0713.

## **C. MAAPP PROVISIONS**

### **PART ONE: EDUCATION AND TRAINING POLICY**

#### **A. Mandatory Child Abuse Prevention Training for Adult Participants**

##### **1. Adult Participants Required to Complete Training**

The following Adult Participants must complete the SafeSport Trained Core either through the Center's online training or the Center's approved, in-person training:

- a. Adult Participants at Long Beach Junior Crew who have regular contact with athletes who are minors
- b. Adult athletes (18 years and older)
- c. An adult authorized by Long Beach Junior Crew to have regular contact with or authority over an athlete who is a minor
- d. Adult staff, interns, and board members of Long Beach Junior Crew (Collectively "Required Adults")

##### **2. Timing of Training**

Adult Participants must complete this training:

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

##### **3. Refresher Training**

The above listed Adult Participants must complete a refresher course on an annual basis, beginning the calendar year after completing the SafeSport Trained Core. Every four years, Adult Participants will complete the SafeSport Trained Core training.

#### **B. Minor Athlete Training Offered**

Long Beach Junior Crew, on an annual basis shall offer and, subject to parental consent, give training to Minor Athletes on the prevention and reporting of child abuse. The Center offers a youth course, located at [www.athletesafety.org](http://www.athletesafety.org) that meets this training requirement.

#### **C. Parent Training Offered**

Long Beach Junior Crew, on an annual basis shall offer training to parents on the prevention and reporting of child abuse. The Center offers a free parent course located at [www.athletesafety.org](http://www.athletesafety.org) that meets this training requirement.

#### **D. Optional Training**

Adult Participants serving in a volunteer capacity and who are not athletes, and who will not have regular contact with or authority over Minor Athletes, should take the Center's brief Volunteer Course (or SafeSport Trained Core) before engaging or interacting with any Minor Athlete(s).

## **E. Exemptions and Accommodations**

Exemptions from this Education & Training Policy may be made on a case-by-case basis for victims/survivors. Requests may be made directly to the U.S. Center for SafeSport at [exemptions@safesport.org](mailto:exemptions@safesport.org).

The Center will work with Long Beach Junior Crew on appropriate accommodations for persons with disabilities and individuals with limited English proficiency to satisfy these training requirements. Long Beach Junior Crew will provide reasonable accommodations and track any exemptions for individuals with disabilities and individuals with limited English proficiency.

## **PART TWO: PREVENTION POLICIES**

The following athlete abuse prevention policies go into effect January 1, 2022:

- One-on-one interactions (USRowing is required to establish reasonable procedures to limit on-on-one interactions, as set forth in federal law.)
- Meetings and training sessions
- Massages and rubdowns/athletic training modalities
- Areas where athletes change clothes.
- Social media and electronic communications
- Transportation
- Lodging

## **PART THREE: POLICIES FOR ONE-ON-ONE INTERACTIONS**

The majority of child sexual abuse is perpetuated in isolated, one-on-one situations. By reducing such interactions between children and adults, programs reduce the risk of child sexual abuse. However, one-on-one time with trusted adults is also healthy and valuable for a child. Policies concerning one-on-one interactions must protect children while allowing for these beneficial relationships.

### **A. ONE-ON-ONE INTERACTIONS**

#### **1. Observable and Interruptible**

- All one-on-one In-Program Contact between an Adult Participant and a Minor Athlete must be observable and interruptible, except in emergency circumstances.
- The exceptions below may apply to specific policies, and if the exceptions apply, they are listed in the policy. These exceptions also apply to all one-on-one In-Program Contact not specifically addressed in other policies:
  - i. When a Dual Relationship exists; or
  - ii. When the Close-in-Age Exception applies; or
  - iii. If a Minor Athlete needs a Personal Care Assistant, and:
    - (1) the Minor Athlete's parent/guardian has provided written consent to USRowing or the Member Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and

- (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
- (3) the Adult Participant Personal Care Assistant has complied with the USRowing's background screening policy; or
- iv. In other circumstances specifically addressed in this policy that allow for certain one-on-one interactions if Long Beach Junior Crew receives parent/ guardian consent.

**B. MEETINGS AND TRAINING SESSIONS**

1. Observable and Interruptible

Adult Participants shall follow the one-on-one interaction policy in all meetings and training sessions where Minor Athlete(s) are present.

2. Individual Training Sessions

a. One-on-one, In-Program, individual training sessions shall be observable and interruptible except if:

- i. A Dual Relationship exists; or
- ii. The Close-in-Age Exception applies; or
- iii. A Minor Athlete needs a Personal Care Assistant, and:

- (1) the Minor Athlete's parent/guardian has provided written consent to Long Beach Junior Crew for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
- (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
- (3) the Adult Participant Personal Care Assistant has complied with USRowing's background screening policy.

b. The Adult Participant providing the individual training session must receive advance, written consent from the Minor Athlete's parent/guardian at least annually, which can be withdrawn at any time; and

c. Parents/guardians will be allowed to observe the individual training session.

3. In-Program meetings between a Minor Athlete and a Licensed Mental Health Care Professional or Health Care Provider

In-Program one-on-one meetings between a Minor Athlete and a licensed mental health care professional or health care provider are prohibited.

4. Recommended Best Practices

a. Monitoring: If a permitted meeting or training session takes place between an Adult Participant(s) and a Minor Athlete(s) at a facility partially or fully under USRowing or Long Beach Junior Crew's jurisdiction, another Adult Participant will monitor each meeting or training session. Monitoring includes reviewing the parent/guardian consent form, knowing that the meeting or training session is occurring, knowing the approximate planned duration of the meeting or training session, and dropping in on the meeting or training session.

b. **Parent Training:** Parents/guardians receive the Center’s education and training on child abuse prevention before providing consent for their Minor Athlete to have a meeting or training session with an Adult Participant subject to these policies.

**C. MESSAGES AND RUBDOWNS/ATHLETIC TRAINING MODALITIES (ALL HEALTHCARE PROVISION)**

Long Beach Junior Crew shall not offer nor provide athletic training modalities, massages, or rubdowns of Minor Athletes.

**D. AREAS WHERE ATHLETES CHANGE (may include, but are not limited to, locker rooms, the boathouse, and restrooms)**

1. Observable and Interruptible

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

- a. A Dual Relationship exists; or
- b. The Close-in-Age Exception applies; or
- c. A Minor Athlete needs a Personal Care Assistant and:
  - i. the Minor Athlete’s parent/guardian has provided written consent to Long Beach Junior Crew for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
  - ii. the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
  - iii. the Adult Participant Personal Care Assistant has complied with the USRowing’s background screening policy.

2. Conduct in Locker Rooms, Changing Areas, and Similar Spaces

- a. No Adult Participant or Minor Athlete can use the photographic or recording capabilities of any device in locker rooms, changing areas, or any other area designated as a place for changing clothes or undressing.
- b. Adult Participants must not change clothes or behave in a manner that intentionally or recklessly exposes their breasts, buttocks, groins, or genitals to a Minor Athlete.
- c. Adult Participants must not shower with Minor Athletes unless:
  - i. The Adult Participant meets the Close-in-Age Exception; or
  - ii. The shower is part of a pre- or post-activity rinse while wearing swimwear.
- d. Parents/guardians may request in writing that their Minor Athlete(s) not change or shower with Adult Participant(s) during In-Program Contact. USRowing, Member Organizations, and the Adult Participant(s) must abide by this request.

3. Media and Championship Celebrations in Locker Rooms

Long Beach Junior Crew may permit recording or photography in locker rooms for the purpose of highlighting a sport or athletic accomplishment if:

- a. Parent/legal guardian consent has been obtained; and
- b. Long Beach Junior Crew approves the specific instance of recording or photography; and
- c. Two or more Adult Participants are present; and

- d. Everyone is fully clothed.
4. Personal Care Assistants  
Adult Participant Personal Care Assistants are permitted to be with and assist Minor Athlete(s) in locker rooms, changing areas, and similar spaces where other Minor Athletes are present, if they meet the requirements in subsection (1)(c) above.
  5. Availability and Monitoring of Locker Rooms, Changing Areas, and Similar Spaces
    - a. Long Beach Junior Crew shall provide a private or semi-private place for Minor Athletes that need to change clothes or undress at sanctioned events or facilities partially or fully under the USRowing or Long Beach Junior Crew’s jurisdiction.
    - b. Long Beach Junior Crew shall monitor the use of locker rooms, changing areas, and similar spaces to ensure compliance with these policies at sanctioned events or facilities partially or fully under the USRowing or Long Beach Junior Crew’s jurisdiction.
  6. Recommended Best Practices
    - a. Adult Participants should make every effort to recognize when a minor athlete goes to a locker room or changing area during practice and competition and, if they do not return in a timely fashion, check on the minor athlete’s whereabouts.
    - b. Parents should not enter locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent when other minor athletes are changing in the same locker room or changing area. If this is necessary, parents should let a coach or administrator know about this in advance.

**E. ELECTRONIC COMMUNICATIONS**

1. Open and Transparent
  - a. All one-on-one electronic communications between an Adult Participant and a Minor Athlete must be Open and Transparent except:
    - i. When a Dual Relationship exists; or
    - ii. When the Close-in-Age Exception applies; or
    - iii. If a Minor Athlete needs a Personal Care Assistant and:
      - (1) the Minor Athlete’s parent/guardian has provided written consent to Long Beach Junior Crew for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
      - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
      - (3) the Adult Participant Personal Care Assistant has complied with USRowing’s background screening policy.
  - b. Open and Transparent means that the Adult Participant copies or includes the Minor Athlete’s parent/guardian, another adult family member of the Minor Athlete, or another Adult Participant.
    - If a Minor Athlete communicates with the Adult Participant first, the Adult Participant must follow this policy if the Adult Participant responds.
  - c. Only platforms that allow for Open and Transparent communication may be used to communicate with Minor Athletes.

2. Team Communication

When an Adult Participant communicates electronically to the entire team or any number of Minor Athletes on the team, the Adult Participant shall copy or include another Adult Participant or the Minor Athletes' parents/guardians.

3. Content

All electronic communication originating from an Adult Participant(s) to a Minor Athlete(s) shall be professional in nature unless an exception in (1)(a) exists.

4. Requests to discontinue

Parents/guardians may request in writing that the Organization or an Adult Participant subject to this policy not contact their Minor Athlete through any form of electronic communication. Long Beach Junior Crew and the Adult Participant shall abide by any request to discontinue, absent emergency circumstances.

5. Recommended Best Practices

USRowing recommends the following components:

- a. Hours: Electronic communications should generally only be sent between the hours of 8:00 a.m. and 8:00 p.m., unless emergency circumstances exist, or while traveling internationally or during competition travel.
- b. Social Media Connections: Adult Participants, except those with a Dual Relationship or who meet the Close-in-Age Exception, are not permitted to maintain private social media connections with Minor Athletes and should discontinue existing social media connections with Minor Athletes.

**F. TRANSPORTATION**

1. Transportation

- a. An Adult Participant cannot transport a Minor Athlete one-on-one during In-Program travel, except if:
  - i. A Dual Relationship exists; or
  - ii. The Close-in-Age Exception applies; or
  - iii. A Minor Athlete needs a Personal Care Assistant and:
    - (1) The Minor Athlete's parent/guardian has provided written consent to Long Beach Junior Crew for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
    - (3) the Adult Participant Personal Care Assistant has complied with USRowing's background screening policy; or
  - iv. The Adult Participant has advance, written consent to transport the Minor Athlete one-on-one obtained at least annually from the Minor Athlete's parent/guardian.
- b. Minor Athlete(s) or their parent/guardian can withdraw consent at any time.
- c. An Adult Participant meets the In-Program transportation requirements if the Adult Participant is accompanied by another Adult Participant or at least two minors.

- d. Written consent from a Minor Athlete's parent/guardian is required for all transportation sanctioned by Long Beach Junior Crew at least annually.

## **G. LODGING**

### **1. Hotel Rooms and Other Sleeping Arrangements**

- a. All In-Program Contact at a hotel or lodging site between an Adult Participant and a Minor Athlete must be observable and interruptible, and an Adult Participant cannot share a hotel room or otherwise sleep in the same room with a Minor Athlete(s), except if:
  - i. A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided Long Beach Junior Crew with advance, written consent for the lodging arrangement;
  - ii. The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided Long Beach Junior Crew with advance, written consent for the lodging arrangement; or
  - iii. The Minor Athlete needs a Personal Care Assistant, and:
    - (1) The Minor Athlete's parent/guardian has provided advance, written consent to Long Beach Junior Crew for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement;
    - (2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
    - (3) The Adult Participant Personal Care Assistant has complied with USRowing's background screening policy.
- b. Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.

### **2. Monitoring or Room Checks During In-Program Travel**

When Long Beach Junior Crew performs room checks during In-Program lodging, the one-on-one interaction policy must be followed and at least two adults must be present for the room checks.

### **3. Additional Requirements for Lodging Authorized or Funded by Long Beach Junior Crew**

- a. **Adult Participants** traveling with Long Beach Junior Crew must, at least annually, agree to and **sign the lodging policy** of Long Beach Junior Crew.
- b. Adult Participants that travel overnight with Minor Athlete(s) are deemed to have Authority over Minor Athlete(s) and thus shall comply with the Education & Training requirements herein.

## **H. ADDITIONAL RECOMMENDED POLICIES FOR KEEPING YOUNG ATHLETES SAFE**

- 1. **Out-of-Program Contact:** Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not have out-of-program contact with Minor Athlete(s) without legal/parent guardian consent, even if the out-of-program contact is not one-on-one.
- 2. **Gifting:**
  - a. Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not give personal gifts to Minor Athlete(s).



- b. Gifts that are equally distributed to all athletes and serve a motivational or education purpose are permitted.
3. Photography/Video
- a. Photographs or videos of athletes may only be taken in public view and must observe generally accepted standards of decency.
  - b. Adult Participants should not publicly share or post photos or videos of Minor Athlete(s) if the Adult Participant has not obtained the Parent/Guardian and Minor Athlete's consent.

## **PART FOUR: ORGANIZATIONAL REQUIREMENTS FOR EDUCATION & TRAINING AND PREVENTION POLICIES**

### **F. Organizational Requirements for Education & Training**

- 1. Long Beach Junior Crew shall track whether Adult Participants under its jurisdiction complete the required training listed in Part One.
- 2. For training offered to Minor Athletes, Long Beach Junior Crew shall track a description of the training and how the training was offered and provided to Minor Athletes.
  - a. Long Beach Junior Crew is not required to track individual course completions of Minor Athletes.
- 3. For In-Program Contact that occurs outside USRowing's sanctioned event or facilities, implementing these policies means:
  - a. Communicating the policies to individuals under its jurisdiction;
  - b. Establishing a reporting mechanism for violations of the policies;
  - c. Investigating and enforcing violations of the policies.
- 4. Long Beach Junior Crew shall have a reporting mechanism to accept reports that an Adult Participant is violating USRowing's minor athlete abuse prevention policies. Long Beach Junior Crew shall appropriately investigate and resolve any reports received, unless the violation is reported to the Center and it exercises jurisdiction over the report. This requirement is in addition to requirements to report abuse under the SafeSport Code.

### **III. JURISDICTION**

#### **A. EXCLUSIVE JURISDICTION**

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

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

#### **B. DISCRETIONARY JURISDICTION**

Long Beach Junior Crew has jurisdiction, USRowing and the Center have discretionary jurisdiction, to investigate and resolve allegations that a Participant engaged in one or more of the following:

- Non-sexual Child Abuse
- Emotional and physical misconduct, including stalking, bullying behaviors, hazing and harassment
- Criminal Charges not involving Child Abuse or Sexual Misconduct
- USRowing Minor Athlete Abuse Prevention Policies (MAAPP) or other similar Proactive Policy violations.

USRowing has the authority and jurisdiction to investigate and address any allegations of violations of this Policy and/or the Code that are not within the Center's exclusive jurisdiction, provided that, in the event that the Center does exercise its jurisdiction, USRowing, and/or Long Beach Junior Crew shall no longer exercise jurisdiction over the matter.

### **IV. PROHIBITED CONDUCT**

#### **A. GENERALLY**

All Participants are bound by and must comply with this Policy as well as the Code. Participants are responsible for knowing the information outlined herein, and in the Code, and by virtue of being a Participant, have expressly agreed to this Policy and the Code, including the applicable policies and procedures.

Participation in Long Beach Junior Crew activities is a privilege, not a right. Such participation may be limited, conditioned, suspended, terminated, or denied if a Participant's conduct is or was inconsistent with the Code, this Policy, and/or the best interests of the sport of rowing and those who participate in it.

It is a violation of this Policy for a Participant to engage in or tolerate: (i) Prohibited Conduct; (ii) any conduct that would violate any current or previous standards analogous to Prohibited Conduct that existed at the time of the alleged conduct; or (iii) any conduct that would violate community standards analogous to Prohibited Conduct that existed at the time of the alleged conduct, including then-applicable criminal and/or civil laws.

Long Beach Junior Crew formally adopts the definitions of Prohibited Conduct contained in the Code and set forth below. Any changes to the Code's categories and definitions of misconduct are immediately adopted by USRowing and effective upon the Center's publication of them unless otherwise noted.

Prohibited Conduct includes:

- Criminal Charge or Disposition
- Child Abuse
- Sexual Misconduct
- Emotional and Physical Misconduct, including Stalking, Bullying, Hazing, and Harassment
- Aiding and Abetting
- Misconduct Related to Reporting
- Other Inappropriate Conduct
- Violation of USRowing MAAPP

All Participants shall familiarize themselves with each form of misconduct and the policies herein and in the Code and shall refrain from engaging in misconduct and/or violating any of these policies.

## **B. CRIMINAL CHARGE OR DISPOSITION**

It is a violation of this Policy for a Participant to have a Criminal Charge or Disposition. Criminal Conduct is relevant to an individual's fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of this Policy occurred but may be considered for sanctioning purposes.

**Sex Offender Registry:** A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to be a Participant.

## **C. SEXUAL MISCONDUCT AND CHILD ABUSE**

Long Beach Junior Crew and USRowing apply the same policies prohibiting Sexual Misconduct and Child Abuse as the applicable policies of the Code, which can be found here: <https://www.uscenterforsafesport.org>. All persons within the jurisdiction of Long Beach Junior Crew and USRowing shall comply with the Sexual Misconduct and Child Abuse policies of the Code. Any violation of the Sexual Misconduct or Child Abuse policies of the Code by a Participant shall subject such person to appropriate disciplinary action by the Center and/or USRowing, including, but not limited to, suspension, permanent suspension, and/or referral to law enforcement authorities.

Prohibited Conduct and Jurisdiction: The Center shall have authority and jurisdiction over the investigation and resolution of any allegations of violations by any Participant of the Sexual Misconduct policies set forth in the Code, which prohibit sexual behavior involving minors by any adult Participant and in some cases between minors, including without limitation, (as such terms are defined in the Code):

- Sexual or Gender-related Harassment
- Non-consensual Sexual Contact
- Non-consensual Sexual Intercourse
- Sexual Exploitation
- Bullying or Hazing or Other Inappropriate Conduct of a sexual nature, including:
  - An adult Participant engaging in an intimate or romantic relationship where a Power Imbalance exists.

- An Adult Participant exposing a minor to imagery of a sexual nature
- An Adult Participant intentionally exposing private areas, or inducing another to do so, to an adult where there is a Power Imbalance, or to a minor, or
- An Adult Participant engaging in inappropriate physical contact with a Participant where a Power Imbalance exists.

The Center shall also have exclusive jurisdiction to investigate and resolve allegations that a Participant has a Criminal Charge or Disposition involving Child Abuse or Sexual Misconduct.

The Center shall also have authority and exclusive jurisdiction over any conduct described in the Code as Aiding and Abetting when it relates to the Center’s Process, Misconduct Related to Reporting where the underlying allegation involves Child Abuse or Sexual Misconduct (including failing to report to the Center and intentionally filing a false allegation), and Misconduct Related to the Center’s Process (including an abuse of process and retaliation). The behaviors or conduct prohibited by the Code may be found here: <https://www.uscenterforsafesport.org>.

The Center shall also have authority and jurisdiction over the investigation and resolution of reports or allegations of USRowing SafeSport policies other than Sexual Misconduct (e.g., Physical Misconduct, Bullying, Locker Room Policy, etc.) where such conduct is reasonably related to and accompanies a report or allegations involving Sexual Misconduct.

Notwithstanding the forgoing, prior to the Center expressly exercising such jurisdiction, USRowing and Long Beach Junior Crew retain the authority to address any allegations of sexual abuse or misconduct on a temporary basis, including through issuance of summary suspension over a credibly accused Participant.

Upon the Center’s issuance of a Notice of Exercise of Jurisdiction, any temporary suspension, discipline, or other measures previously imposed by USRowing or Long Beach Junior Crew will be automatically and immediately adopted by the Center as its own, will be applicable throughout the Center’s jurisdiction, and will remain in effect unless and until the Center modifies those measures. Once the Center exercises jurisdiction over particular allegations regarding a particular Participant, neither USRowing nor Long Beach Junior Crew may issue a new suspension in response to those allegations. However, USRowing and Long Beach Junior Crew may put in place any necessary safety plan(s) or interim measure(s) short of those measures that may deny or threaten to deny a Participant’s opportunity to participate.

#### **D. EMOTIONAL AND PHYSICAL MISCONDUCT**

It is a violation of this Policy for a Participant to engage in Emotional or Physical Misconduct, when that misconduct is reasonably related to sport, which includes, without limitation:

- Emotional Misconduct
- Physical Misconduct
- Bullying Behaviors
- Hazing
- Harassment
- Threats

##### **1. Emotional Misconduct**

Emotional Misconduct includes: (i) Verbal Acts, (ii) Physical Acts, (iii) Acts that Deny Attention or Support, (iv) Criminal Conduct, and/or (v) Stalking. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

- a. **Verbal Acts:** Repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.
- b. **Physical Acts:** Repeated and/or severe aggressive behaviors, including but not limited to, throwing sport equipment, water bottles or chairs at or in the presence of others, punching walls, windows or other objects.
- c. **Acts that Deny Attention or Support:** Ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Participant from practice.
- d. **Criminal Conduct:** Emotional Misconduct includes any act or conduct described as emotional abuse or misconduct under federal or state law (e.g., child abuse, child neglect).
- e. **Stalking:** Stalking when a person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) to experience substantial emotional distress.  
 “Course of conduct” means at least two or more acts, in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property.  
 “Substantial emotional distress” means significant mental suffering or anguish.  
 Stalking also includes “cyber-stalking,” wherein a person stalks another using electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.
- f. **Exclusion:** Emotional Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improved Athlete performance. Emotional Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participant’s participation.

## 2. Physical Misconduct

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

Examples of Physical Misconduct may include, without limitation:

- a. **Contact Violations:** Punching, beating, biting, striking, strangling or slapping another; intentionally hitting another with objects, such as sporting equipment; encouraging or knowingly permitting an Athlete to return to play prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional.
- b. **Non-Contact violations:** Isolating a person in a confined space, such as locking an Athlete in a small space; forcing an Athlete to assume a painful stance or position for no athletic purpose (e.g., requiring an athlete to kneel on a harmful surface); withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another.
- c. **Criminal Conduct:** Physical Misconduct includes any act or conduct described as physical abuse or misconduct under federal or state law (e.g., child abuse, child neglect, assault).
- d. **Exclusion:** Physical Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building appropriate discipline, or improved Athlete performance. For example, hitting, punching, and kicking are well-regulated forms of contact in combat sports but have no place in rowing. Physical Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participants participation.

### 3. Bullying Behavior

Repeated and/or severe behavior(s) that are (i) aggressive, (ii) directed at a Minor, and (iii) intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually. Bullying-like behaviors directed at adults are addressed under forms of misconduct, such as Hazing and/or Harassment.

Examples of Bullying Behavior may include, without limitation, repeated and/or severe:

- a. **Physical:** Hitting, pushing, punching, beating, biting, striking, kicking, strangling, spitting or slapping, or throwing objects (such as sporting equipment) at another person.
- b. **Verbal:** Ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.
- c. **Social Media, Including Cyberbullying:** Use of rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and asking others to do the same.
- d. **Criminal Conduct:** Bullying Behavior includes any conduct described as bullying under federal or state law.
- e. **Exclusion:** Conduct may not rise to the level of Bullying Behavior if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

### 4. Hazing

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

Examples of Hazing include:

- a. **Contact Acts:** Tying, taping, or otherwise physically restraining another person; beating, paddling or other forms of physical assault.
- b. **Non-Contact Acts:** Requiring or forcing the consumption of alcohol, illegal drugs or other substances, including participation in binge drinking and drinking games; personal servitude; requiring social actions (e.g., public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water and/or food; restrictions on personal hygiene.
- c. **Criminal Acts:** Any act or conduct that constitutes hazing under applicable federal or state law.
- d. **Exclusion:** Conduct may not rise to the level of hazing if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as a part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Hazing does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

### 5. Harassment

Repeated and/or severe conduct that (a) causes fear, humiliation or annoyance, (b) offends or degrades, (c) creates a hostile environment (as defined above), or (d) reflects discriminatory bias in an attempt to

establish dominance, superiority or power over an individual or group based on age, race, ethnicity, culture, religion, national origin, or mental or physical disability; or (e) any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

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

## **6. Threats**

A Participant violates this Policy by threatening to harm another Participant. A threat to harm others includes any written, verbal, physical or electronically transmitted expression of intent to physically injure or harm someone else. A threat may be communicated directly to the intended victim or communicated to a third party. Threatening behavior by a Participant is prohibited in any manner in connection with any USRowing-sanctioned activities or events.

## **E. AIDING AND ABETTING**

Aiding and Abetting occurs when one aids, assists, facilitates, promotes, or encourages the commission of Prohibited Conduct by a Participant, including but not limited to, knowingly:

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

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

## **F. INTENTIONALLY FILING A FALSE ALLEGATION**

Any person making a knowingly false allegation in a matter over which USRowing has jurisdiction shall be subject to disciplinary action by USRowing.

1. An allegation is false if the events reported did not occur, and the person making the report knows the events did not occur.

2. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a violation.

## **G. MINOR ATHLETE ABUSE PREVENTION POLICIES/ PROACTIVE POLICIES**

It is a violation of this Policy for a Participant to violate any provision of the MAAPP or other proactive policies adopted by USRowing (hereinafter set forth). Proactive policies set standards for professional boundaries, minimize the appearance of impropriety, and have the effect of preventing boundary violations and prohibiting grooming tactics.<sup>1</sup>

## **H. WILLFUL TOLERANCE**

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

## **V. REPORTING**

This Policy is designed to reduce misconduct and abuse, but it can still occur. Long Beach Junior Crew and USRowing do 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. Participants shall follow the reporting procedures set forth in the reporting policy below.

### **A. RETALIATION**

Retaliation is any adverse action taken by a Participant against a person participating in USRowing proceedings.

Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in USRowing's processes and proceedings when the action is reasonably related to the report or engagement with USRowing. Retaliation may be present even where there is a finding that no violation occurred.

Retaliation does not include good-faith action lawfully pursued in response to report of a USRowing Policy violation.

### **B. REPORTING SEXUAL MISCONDUCT**

All reports of Sexual Misconduct must be reported directly to the Center at [www.uscenterforsafesport.org](http://www.uscenterforsafesport.org) or (720)-531-0340. No statutes of limitation apply to reports of incidents of Sexual Misconduct. All such reports received by Long Beach Junior Crew or USRowing will be forwarded to the Center. Reporting

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<sup>1</sup> "Grooming" describes the process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct. Grooming is initiated when a person seeks out a vulnerable minor. Once selected, offenders will then earn the minor's trust, and potentially the trust of the minor's family. After the offender has engaged the minor in sexually inappropriate behavior, the offender seeks to maintain control over him/her. Grooming occurs through direct, in-person and/or online contact.



such conduct to the Center does not satisfy an Adult Participant's obligation to report to law enforcement or other appropriate authorities consistent with federal law.

### C. REPORTING NON-SEXUAL MISCONDUCT

For reporting any non-sexual misconduct, Long Beach Junior Crew or USRowing will take a report in the way that is most comfortable for the person initiating the report including an anonymous, in-person, verbal, or written report. Regardless of the method of reporting, it is helpful to USRowing to get the following information:

- The name of the Claimant(s)
- The type of misconduct alleged
- The name(s) of the alleged victims(s)
- The name(s) of the individual(s) alleged to have committed the misconduct.

Individuals may report non-sexual misconduct, including violations of the Minor Athletes Abuse Prevention Policies, to Long Beach Junior Crew or USRowing by completing an Incident Report Form. Required information on this form will include:

- The name(s) of the Claimant(s)
- The type of misconduct alleged
- The name(s) of the individual(s) alleged to have committed the misconduct
- The approximate date(s) and location(s) where the misconduct was committed
- The names of other individuals who might have information regarding the alleged misconduct
- A summary statement of the reasons to believe that misconduct has occurred.

Except for mandatory reporting to the authorities and the Center, USRowing will withhold the Claimant's name upon request, to the extent permitted by law. A copy of the USRowing Incident Report form can be found here: [https://usrowing.org/sports/2018/4/13/18827\\_132107104230772015.aspx](https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx).

### D. CONFIDENTIALITY AND ANONYMOUS REPORTING

- 1. Confidentiality** – To the extent permitted by law, and as appropriate, Long Beach Junior Crew will handle any report it receives confidentially and discretely and will not make public the names of the Claimant(s), potential victim(s), or accused person(s); however, Long Beach Junior Crew may disclose such names on a limited basis when conducting an investigation, or reporting to the Center, or reporting to law enforcement authorities.
- 2. Anonymous Reporting** – Long Beach Junior Crew recognizes that it can be difficult to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. Anonymous reports may be made without the formality of completing an Incident Report Form by:
  - a.** Completing (without including a name) an Incident Report Form found here [https://usrowing.org/sports/2018/4/13/18827\\_132107104230772015.aspx](https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx)
  - b.** Expressing concerns of misconduct to USRowing directly
  - c.** Expressing concerns to the Safe Sport Protection Team at [USRowingSafeSport@usrowing.org](mailto:USRowingSafeSport@usrowing.org)

### E. HOW REPORTS ARE HANDLED

- 1. Suspicions or Allegations of Child Physical or Sexual Abuse Reported to Law Enforcement and/or Child Protected Services** – All allegations of child physical or sexual abuse shall be reported

to law enforcement authorities and the Center. Long Beach Junior Crew does 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, Long Beach Junior Crew may ask a few clarifying questions of the person making the report to adequately report the suspicion or allegation to law enforcement authorities.

2. **Misconduct and Policy Violations-** Long Beach Junior Crew shall address all alleged violations of this Policy.
3. **Notification-** Following Long Beach Junior Crew's receipt of an allegation involving SafeSport-related prohibited conduct, Long Beach Junior Crew may consider the circumstances in which it will notify other parents of athletes with whom the accused individual may have had contact. At Long Beach Junior Crew's discretion, and as appropriate or required by the Center, Long Beach Junior Crew may notify relevant persons, i.e., competition managers, staff managers, contractors, volunteers, parents, and/or athletes of any such allegation that (a) law enforcement authorities are actively investigating; or (b) that the Center is investigating. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other prohibited conduct.

## **VI. RESPONDING TO ABUSE OR MISCONDUCT**

Long Beach Junior Crew will not enter into an investigation that undermines a pending legal investigation. This Policy addresses Long Beach Junior Crew's disciplinary role where there is: (i) an allegation of misconduct, as defined in this Policy, that does not involve child abuse or sexual abuse, or (ii) an adverse employment determination by a local club for emotional, physical or sexual misconduct as set forth in this Policy.

### **A. DISCIPLINARY RULES**

On receipt of an allegation, Long Beach Junior Crew will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant, (ii) the age of the respondent, and (iii) the nature, scope and extent of the allegations.

Long Beach Junior Crew will address allegations against a staff member and/or volunteer under relevant organizational policies.

Long Beach Junior Crew's disciplinary response will depend on the nature and seriousness of the incident, and in extreme cases, misconduct will result in summary dismissal. USRowing may undertake a formal investigation and hearing at its discretion. Before taking any disciplinary action, however, Long Beach Junior Crew will offer the respondent an opportunity to be heard. If the respondent is a minor, Long Beach Junior Crew will first contact his or her parents or guardians.

### **B. DISCIPLINARY ACTION**

Sanctions for violations of the Policy will be proportionate and reasonable under the circumstances. USRowing may take the following disciplinary actions, without limitation:

- Inform the Respondent's direct supervisor, or, in the case of a minor, the minor's parent or guardian
- Provide the Respondent with guidance, redirection and instruction
- File a formal incident report
- Issue a verbal warning

- Issue a written warning
- Limit an individual's access to certain buildings, boathouses, competitions or people
- Provide informed supervision, where at least one staff member is informed of the allegation and is instructed to supervise the respondent
- Engage in restorative and educational practices
- Suspend or terminate employment or membership

**C. ONGOING EMPLOYMENT AND/OR PARTICIPATION**

Upon receipt of a credible and specific allegation of child abuse, serious misconduct or any other violation of this Policy, USRowing may immediately suspend or terminate the Respondent's membership or employment as a means to ensure participant safety.

**D. COMPLAINANT PROTECTION**

Regardless of outcome, Long Beach Junior Crew will support the Complainant and his or her right to express concerns. Long Beach Junior Crew will not encourage or tolerate attempts from any individual to retaliate, punish, or in any way harm any individual who reports a concern in good faith. Any action to the contrary will be considered a violation of this Policy and grounds for disciplinary action by Long Beach Junior Crew.

**E. BAD-FAITH ALLEGATIONS**

Any allegation of misconduct under this Policy that is determined to be frivolous, fraudulent or otherwise made in bad faith, will be considered a violation of the Policy itself. Such reports may also be subject to criminal prosecution and/or civil proceedings.

**VII. INVESTIGATION AND ADJUDICATION OF REPORTS OF ABUSE OR MISCONDUCT**

**A. INVESTIGATIONS**

As appropriate, and at its discretion, Long Beach Junior Crew may institute formal investigations and hearings to address serious allegations of misconduct under this Policy. Such investigations will be undertaken to address only the most serious allegations and patterns of behavior that may warrant significant sanctions.

Where an investigation under this Policy is conducted by Long Beach Junior Crew, the Respondent, Claimant, and/or accused shall have the right to:

- Receive written notice of the report or complaint, including a statement of the allegations (reacted as appropriate)
- Present relevant information to the investigator(s)
- Legal counsel, at his or her own expense

**B. HEARINGS**

The accused individual will be offered a hearing. A hearing will not necessarily affect Long Beach Junior Crew's ability to immediately suspend or terminate the accused individual from employment or performing services for the organization.

An employee, or volunteer's failure to report to a coach, or a member of the Long Beach Junior Crew Board is a violation of this policy and grounds for termination of an employee and/or dismissal of the volunteer, and/or revocation of Member Organization membership.

## VIII. BACKGROUND CHECKS

Long Beach Junior Crew use a background check process in its support of its commitment to athlete safety.

Long before there was SafeSport, Long Beach Junior Crew retained the services of a Human Resource professional to generate an Employee Handbook that addressed employee-to-employee and employee-to-athlete codes of conduct and to perform prospective employee background checks, screening interviews, and any required reference checks.

Therefore, employees of Long Beach Junior Crew as of December 31, 2021 are considered in compliance with the background check requirements of this policy and will be subject to a background check refresh on December 30, 2023.

Employees hired after December 31, 2021 will be subject to the background check requirements below.

**Any Adult Participant who is in a position of authority over athletes of any age or any Adult Participant who has regular contact with youth athletes is required to complete a background check every two years and to annually complete the on-line SafeSport training course or SafeSport training refresher course, provided by the Center.** This includes employees, coaches, referees, volunteers, board members, staff, administrators, and any other non-athlete member.

The applicable Adult Participants shall undergo a background check that complies with the Fair Credit Reporting Act. Through this background check, Long Beach Junior Crew will utilize reasonable efforts to ascertain criminal history.

The background check must be completed before regular contact with any Minor, or upon beginning a new role subjecting the adult to this Policy.

Employees, contractors and volunteers that have routine contact with athletes must consent to, and pass, a screening process before performing services for Long Beach Junior Crew.

Elements of our screening process include, as applicable, successful completion of an in-person interview, criminal background check, and training.

#### **A. EDUCATION ABOUT LONG BEACH JUNIOR CREW'S PROTECTION POLICIES**

To deter persons who may be at risk of abusing athletes or participants from taking on positions of employment or volunteering opportunities, Long Beach Junior Crew educates those parties about its protection policies and offers an early opt-out by:

- Requiring awareness training before working with athletes and participants
- Informing individuals about our policies and procedures relevant to prevention.
- Requiring individuals to sign a document acknowledging review of our policies and procedures

#### **B. PERSONAL INTERVIEW**

Appropriate individuals responsible for overseeing Long Beach Junior Crew athletics shall interview applicants whose experience and credentials are considered a fit for available positions (staff and volunteer). During this interview, they will engage in a conversation including open-ended questions to encourage discussion and understanding of previous relevant experiences as well as expectations for the organization.

#### **C. RELEASE**

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

#### **D. REFERENCES**

Employment applicants have references contacted (either by phone or in writing) and asked specific questions regarding the applicant's professional experiences, demeanor and appropriateness for involvement with athletes and participants.

#### **E. PROCESS**

The Background Check Consent and Waiver Release Form must be submitted to USRowing's third-party background check vendor and the designee must be cleared before he or she may perform services for Long Beach Junior Crew. Upon submission of the Background Check Consent and Waiver Release Form, USRowing will request that its vendor perform the background check. As part of its background check, the vendor will run a full background screen that includes at least the following search components below.

##### **1. Full Background Check**

- Social Security Number validation (or suitable identification verification process as determined by background check vendor)
- Name and address history records
- Two independent multi-jurisdictional criminal database searches covering 50 states plus Washington DC, Guam, and Puerto Rico

- Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable
- County criminal records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched
- National Sex Offender Registry database search of all available states, plus Washington DC, Guam, and Puerto Rico
- Multiple national watch lists
- Comprehensive international records search of U.S. citizens who have lived outside the United States for six consecutive months in any one country, during the past seven years
- Motor vehicle records of at least a 3-year history in the state of licensure; (if driving is required for position)

**2. Supplemental Background Check.** A supplemental off-year background check screen will be conducted using at least the following search components:

- Multi-jurisdictional criminal database covering 50 states plus Washington DC, Guam, and Puerto Rico
- Sex offender registry database searches of all available states, plus Washington DC, Guam, and Puerto Rico; and
- SafeSport disciplinary records.

## **F. CRIMINAL HISTORY**

Any background check that results in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, for any of the below criminal offenses will be subject to USRowing's policies and procedures to determine the individual's level of access and involvement:

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

## **G. FULL DISCLOSURE**

Each Participant and prospective Participant has the affirmative duty to disclose his or her criminal history. Failing to disclose or intentionally misrepresenting an arrest, plea, or conviction is grounds for Participant status revocation or restriction, regardless of when the offense is discovered. Participants have the ongoing duty to disclose criminal history. Participants need not disclose arrest in which charges are not filed, charges are dismissed, or the Participant is acquitted; however, Participants are required to disclose non-convictions involving deferred sentences, deferred adjudications, or other similar

dispositions as well as accusations, arrests, indictments, or convictions of a criminal offense set out above or a criminal offense against a child.

- If a prospective Participant has been or (1) is accused, (2) arrested, (3) charged, (4) indicted, (5) has an adjudication other than not guilty, or (5) is convicted of any offense identified above during the application process, he is required to disclose such information immediately.
- In the event a Participant has been or is (1) is accused, (2) arrested, (3) charged, (4) indicted, (5) has an adjudication other than not guilty, or (5) is convicted of any offense identified above during the application process, he is required to disclose such information immediately to the USRowing Safe Sport Protection Team.
- Any Participant or prospective Participant who has been banned by another NGB, another sport organization, or the Center has an affirmative duty to disclose such information immediately to the USRowing Safe Sport Protection Team.

## **H. FINDINGS**

Notice of findings will be provided to:

1. The designated contact of Long Beach Junior Crew that submitted the application;
2. Club President or Treasurer, when necessary;
3. Other designated individuals, where necessary to protect the safety of minors.

USRowing's criminal background check report will return a "red light" or "green light" finding. A green light finding means that the background check vendor located no records that would disqualify the individual. A green light score, however, is not a certification of safety or permission to bypass/ ignore other screening efforts. Other disqualifying factors may exist and can be revealed through other means. A red light finding means the criminal background check revealed criminal records that suggest the individual does not meet the criteria and is not suitable for Participant status. Individuals who are subject to disqualification under a red light finding may challenge the accuracy of the information reported by the criminal background check vendor.

## **I. APPEALS TO BACKGROUND CHECK VENDOR**

Any disqualified individual has the right to dispute the findings of the criminal background check directly with the criminal background check vendor. A disqualified individual may not appeal the automatic disqualification or the results of the findings of the criminal background check vendor to USRowing. USRowing is required by this Policy to accept the findings of the criminal background check vendor. Individuals disqualified are excluded from participation in any USRowing licensed competition and USRowing sanctioned events and/or activities as a Participant unless an exemption is granted in accordance with the exemption request process below.

## **J. EXEMPTION REQUESTS TO USROWING**

Any disqualified individual has the right to seek an exemption from the USRowing Ethics Committee. The individual shall, within 30 days from the date he or she was notified of disqualification, file a written appeal to the Chief Executive Officer of USRowing to demonstrate that the conviction or charge does not violate the spirit of SafeSport and that he or she poses no risk to the sport.

Within 30 days of the receipt of the appeal being submitted, a hearing panel will be assembled to hear the appeal. The Ethics Committee Chair shall appoint three members of that Committee to serve as the group, which will hear the appeal (the "**Hearing Panel**"). The Chair of the Ethics Committee may appoint himself/herself to the Hearing Panel. The appointment of the three-member Hearing Panel will include

the designation of a Chair of the Panel. An athlete member of the Ethics Committee will be included on the Hearing Panel.

The Hearing Panel shall decide the appeal with majority vote. The Panel may choose to uphold the “red light” determination from the third-party provider, or, if warranted by the circumstances may overturn the decision and render a “green light” for the background check. In the case of an overturned “red light,” the membership record will be noted as such and will be subject to continuous review. Any decision rendered by the Hearing Panel is considered final and binding on all parties.

#### **K. FREQUENCY**

Criminal background checks for Participants will be refreshed every two years or as otherwise required by law.

#### **L. OTHER POTENTIALLY DISQUALIFYING FACTORS**

Even if an individual passes a criminal background check, USRowing may determine that an individual may be disqualified and prohibited from Participant status. Disqualification may occur if the individual has:

- Been held liable for civil penalties or damages involving sexual or physical abuse of a minor
- Been subject to any court order involving any sexual or physical abuse of a minor, including but not limited to, domestic order or protection
- A history with another organization (employment, volunteer, etc.) of complaints of sexual or physical abuse of minors
- Resigned, been terminated, been banned, or been asked to resign from a position- paid or unpaid - due to complaint(s) of sexual or physical abuse of minors
- A history of other behavior that indicates the individual may be a danger to athletes and participants
- Failed to disclose background in accordance with this Policy

#### **M. REVIEW OF DISQUALIFIERS**

USRowing will review its disqualifiers from time to time or as otherwise required or modified by law.

### **IX. ENFORCEMENT**

The enforcement of this Policy falls under the jurisdiction of the USRowing Disciplinary Committee, except:

- Allegations of sexual misconduct, which falls under the exclusive jurisdiction of the Center; and
- Allegations of non-sexual misconduct that the Center takes discretionary jurisdiction over.

USRowing shall recognize and enforce all penalties imposed by the Center, including lifetime bans. Temporary suspensions apply to the suspended person, but not to the suspended person’s business. Final and non-appealable suspensions and bans apply to the person and any rowing-related business the suspended or ban person owns.