

Bay City Rowing Club Safe Sport Policy (January 1, 2017)

TRAINING AND EDUCATION

Our policies and procedures require paid coaches and board members to report abuse, misconduct and violations of its Safe Sport Policy. To do so, paid coaches and board members should have a basic understanding of sexual abusers, as well as “grooming,” the most common strategy offenders use to seduce their victims. Using a combination of attention, affection and gifts, offenders select a child, win the child’s trust (and the trust of the child’s parent or guardian), manipulate the child into sexual activity, and keep the child from disclosing abuse.

Accordingly, paid coaches and board members must complete an awareness training on US Rowing website every two (2) years concerning misconduct in sport before performing services for BCRC. Misconduct in sport includes:

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

Paid coaches and board members must successfully complete the training and the quiz after the test.

APPLICANT SCREENING

Paid coaches must consent to, and pass, a formal applicant screening process before performing services for the CLUB. Elements of our screening process include, as applicable, successful completion of an application, interview, reference check and criminal background check. Paid coaches must complete Safety Awareness training prior to beginning coaching. Paid coaches are required to sign a document acknowledging review of our policies and procedures.

POTENTIALLY DISQUALIFYING FACTORS

Criminal History

CLUB will use a criminal background check to gather information about an applicant’s prior criminal history. The information revealed by the criminal background check may disqualify an applicant from serving as a paid coach. Individuals automatically disqualified are excluded from participation in any CLUB sanctioned events and/or activities.

ATHLETE PROTECTION POLICY

COMMITMENT TO SAFETY

In the event that any CLUB member observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or misconduct, it is the personal responsibility of each CLUB member to immediately report his or her observations to a Board Member.

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

Paid coaches, volunteers, CLUB members shall refrain from all forms of misconduct, which include:

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

PROHIBITED CONDUCT

Child Sexual Abuse

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

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

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

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 acts
- 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).

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

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

Physical Misconduct

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

Examples

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

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

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; or
- (3) Any act or conduct described as sexual abuse or misconduct under federal or state law (e.g. sexual abuse, sexual exploitation, rape)

Types of Sexual Misconduct

Types of sexual misconduct include:

- (1) sexual assault,
- (2) sexual harassment,
- (3) sexual abuse, or

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.

SUPERVISION OF ATHLETES AND PARTICIPANTS

PROHIBITED ONE-ON-ONE INTERACTIONS

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

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

PHYSICAL CONTACT WITH ATHLETES

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

APPROPRIATE PHYSICAL CONTACT

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

Common Criteria for Appropriate Physical Contact

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

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

Safety

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

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

Celebration

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

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

Consolation

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

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

PROHIBITED PHYSICAL CONTACT

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

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

VIOLATIONS

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

WILLFULLY TOLERATING MISCONDUCT

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

REPORTING

Although these policies are designed to reduce child sexual abuse and other misconduct, it can still occur. CLUB members shall follow the reporting procedures set forth in CLUB’S Reporting Policy. **CLUB does not investigate suspicions or allegations of child physical or sexual abuse, or attempt to evaluate the credibility or validity of such allegations, as a condition of reporting suspicions or allegations to the appropriate law enforcement authorities.**

REPORTING POLICY

Every CLUB member must report:

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

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

Reporting Child Physical or Sexual Abuse

Child Physical or Sexual Abuse

CLUB members are required to report suspicions or allegations of child sexual abuse to:

- (1) BCBC Board Member
- (2) where applicable, **appropriate law enforcement authorities.**

Peer-to-Peer Sexual Abuse

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

Reporting Misconduct and Policy Violations

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

- (1) CLUB Board Member

CLUB also encourages member parents, athletes and other sport participants to communicate violations of CLUB's Safe Sport Policy and/or allegations and suspicions of child physical and sexual abuse to a CLUB Board Member. Where applicable, parents may also report to the appropriate law enforcement authorities.

REPORTING PROCEDURE

To Whom to Report

Please report to any Club Board Member.

How to Report

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

“Whistleblower” Protection

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

Bad-Faith Allegations

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

HOW REPORTS ARE HANDLED

Suspensions or Allegations of Child Physical or Sexual Abuse

Reporting to Law Enforcement and/or Child Protective Services

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

For mandatory reporting laws, visit www.childwelfare.gov.

Immediate Suspension or Termination

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

Misconduct and Policy Violations

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

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

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

DISCIPLINARY RULES AND PROCEDURE

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

APPLICATION

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

- Violations of CLUB's policies; and/or
- Child abuse (emotional, physical or sexual) that does not involve an ongoing legal investigation or criminal prosecution.

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

DISCIPLINARY RULES

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

DISCIPLINARY PROCEDURE

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

CLUB's disciplinary response will depend on the nature and seriousness of the incident and in extreme cases, misconduct will result in immediate summary dismissal of paid coach and revoking of CLUB membership. If the accused individual is a minor, CLUB will contact his or her parents or guardians.

DISCIPLINARY ACTION

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

- Inform the individual's direct-line supervisor or, in the case of a youth participant, the youth's parent or guardian
- Provide the individual with guidance, redirection and instruction
- Temporary suspension from competition
- File a formal incident report
- Issue a verbal warning
- Issue a written and/or final written warning
- Implement a limited access agreement (e.g., limiting an individual's access to certain buildings or to youth)
- Provide informed supervision, where at least one staff member is informed of the allegation and is instructed to vigilantly supervise the accused participant or stakeholder in his or her interactions with the program and/or organization
- Engage in restorative practices, i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred
- Suspend or terminate employment or membership

ONGOING EMPLOYMENT AND/OR PARTICIPATION

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

COMPLAINANT PROTECTION

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

BAD-FAITH ALLEGATIONS

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

