



SafeSport Policy

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OVERVIEW

Bair Island Aquatic Center is committed to creating a safe and positive environment for athletes' physical, emotional and social development and to ensure that it promotes an environment free of misconduct. In the event that any staff member or volunteer observes inappropriate behaviors (i.e. policy violations), suspected physical or sexual abuse, or misconduct, it is the personal responsibility of each staff member and volunteer to immediately report his/her observations to an immediate supervisor or board member.

This policy applies to Bair Island Aquatic Center staff members, Board and volunteers, parent chaperones, boosters, and Bair Island Aquatic Center athletes and participants.

By monitoring the interactions among staff, volunteers, and athletes, Bair Island Aquatic Center strives to prevent, recognize and respond to inappropriate and harmful behaviors while reinforcing appropriate behaviors.

While Bair Island Aquatic Center has a formal reporting policy, staff members and volunteers should be prepared to respond immediately to inappropriate or harmful behavior, potential risk situations and potential boundary violations. Staff members and volunteers will redirect inappropriate behaviors to promote positive behaviors, confront inappropriate or harmful behaviors, and report behaviors if necessary.

Staff members and volunteers are required to report policy violations, misconduct and physical and sexual abuse consistent with Bair Island Aquatic Center's Reporting Policy. **Bair Island Aquatic Center 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.**

PURPOSE OF POLICY

It is the policy of Bair Island Aquatic Center to provide an educational environment free of misconduct. This policy is designed to avert, identify, and address at the earliest level misconduct and to achieve an appropriate resolution to any allegation of misconduct.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

INTRODUCTION

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

Unfortunately, sport can also be a high-risk environment for misconduct, including child physical and sexual abuse. Here, we identify six primary types of misconduct:

- Bullying
- Harassment
- Hazing
- Emotional Misconduct
- Physical Misconduct

- Sexual Misconduct, including Child Sexual Abuse

Misconduct may damage an athlete's psychological well-being; athletes who have been mistreated experience social embarrassment, emotional turmoil, psychological scars, loss of self-esteem and negative impacts on family, friends and the sport. Misconduct often hurts an athlete's competitive performance and may cause him or her to drop out of sport entirely.

TRAINING AND EDUCATION

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

Accordingly, staff members and/or volunteers complete an awareness training concerning misconduct in sport before performing services for Bair Island Aquatic Center. Misconduct in sport includes:

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

Those staff members and/or volunteers who are required to successfully complete the training and the quiz annually.

SAFESPORT TRAINING

Bair Island Aquatic Center Staff, whether paid or volunteer, with athlete contact. *REQUIRED*

To complete SafeSport go [here](#):

1. When you see this page, enter your USRowing membership number.

Add Membership

Select an Organization...
U.S. Rowing x

Membership Number *

Not in the list? Go to the [contact form](#) and submit a request to add your organization.

Cancel Continue

2. Click "register" and create a new account

- Be aware that you will have to complete all three modules of the SafeSport program.
- The training course length is approximately 90 minutes, you can pause at any point in a module and return to it later.

Sharp observation by athletes, parents and coaches, and open communication between parents and children can help identify when language or a behavior has crossed a painful boundary for a specific child and requires swift, compassionate intervention.

SCREENING STAFF MEMBERS AND VOLUNTEERS

APPLICANT SCREENING

Staff members, paid or volunteer, must consent to, and pass, a formal applicant screening process before performing services for Bair Island Aquatic Center.

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

Education about Bair Island Aquatic Center's Protection Policies

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

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

Personal Interview

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

References

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

CRIMINAL BACKGROUND CHECK POLICY

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

Process

Bair Island Aquatic Center shall provide the applicant the instructions to sign up for the background check from its vendor. The applicant shall provide the necessary information so that the vendor can perform the criminal background check. As part of its criminal background check, Bair Island Aquatic Center will, at a minimum and without limitation,

1. Perform a national search of state criminal repositories;
2. Perform a search of state sexual offender registries; and
3. Verify a person’s identification against his or her social security number or other personal identifier.

Potentially Disqualifying Factors

Criminal History

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

Pending Court Cases

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

Full Disclosure

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

- If an applicant (1) is arrested, (2) pleas or (3) is convicted of a crime other than a traffic offense during the screening process, the applicant is required to disclose such information immediately.
- In the event a person is serving as a staff member, contractor or volunteer and (1) is arrested, (2) pleas or (3) is convicted after the completion of the screening process, he or she has an affirmative duty to disclose such information immediately to his or her supervisor or Bair Island Aquatic Center administrator.
- **Any applicant who has been banned by another sport organization, as temporarily or permanently ineligible, must self-disclose this information. A failure to disclose is a basis for disqualification for potential applicants.**

Findings

Notice of findings will be provided to Bair Island Aquatic Center’s Executive Director or Board President and can be provided to the applicant upon request.

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

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

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

Option One: Appeal to Organization

If an individual receives a red light finding and wants to contest Bair Island Aquatic Center’s decision not to accept his or her application based on the red light finding, the individual may request a hearing before Bair Island Aquatic Center’s Board of Directors.

Discretion

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

Option Two: Appeal to Criminal Background Check Vendor

Any disqualified individual has the right to dispute the findings of the criminal background check directly with the Bair Island Aquatic Center’s approved Criminal Background Check Vendor. Bair Island Aquatic Center is required by the policy to accept the findings of the approved criminal background check vendor. Individuals automatically disqualified are excluded from participation in any Bair Island Aquatic Center sanctioned events and/or activities.

FREQUENCY OF CRIMINAL BACKGROUND CHECKS

Criminal background checks will be refreshed every 2 years or as otherwise required by law, for staff members and/or volunteers who are 18 years of age or older and perform services for Bair Island Aquatic Center. Bair Island Aquatic Center reserves the right to request additional background checks for staff members and/or volunteers at their discretion.

AFFIRMATIVE DUTY TO DISCLOSE

If, during the course of employment or participation in Bair Island Aquatic Center’s program, a staff member or volunteer is accused, arrested, indicted or convicted of a criminal offense against a child, it is the duty and responsibility of the staff member or volunteer to notify an immediate supervisor, Bair Island Aquatic Center’s President of the Bair Island Aquatic Center’s Board of Directors.

OTHER POTENTIALLY DISQUALIFYING FACTORS

Even if an applicant passes a criminal background check, other factors may disqualify an applicant. An individual may be disqualified and prohibited from providing services for Bair Island Aquatic Center’s 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 or been asked to resign from a position - paid or unpaid - due to complaint(s) of sexual or physical abuse of minors
- A history of other behavior that indicates they may be a danger to participants in Bair Island Aquatic Center;
or

- Not met the job requirements

REVIEW OF DISQUALIFIERS

Bair Island Aquatic Center will review its disqualifiers every two years or as otherwise required or modified by law.

RECORDS

Records are secured on a Bair Island Aquatic Center server for a period indicated by applicable law or until the applicant is no longer affiliated with Bair Island Aquatic Center, whichever date is later.

ATHLETE PROTECTION POLICY

COMMITMENT TO SAFETY

Overview

In the event that any staff member or volunteer observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or misconduct, it is the personal responsibility of each staff member and volunteer to immediately report his or her observations to the President of Bair Island Aquatic Center Board of Directors.

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

Staff members and volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for reporting to appropriate law enforcement authorities. Instead, it is the responsibility of each staff member and volunteer to immediately report suspicions or allegations of child physical or sexual abuse to President of Bair Island Aquatic Center Board of Directors. Complaints and allegations will be addressed under Bair Island Aquatic Center's Disciplinary Rules and Procedure outlined later in this document.

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

Application

This Policy applies to

- Staff members, paid and volunteer
- Board of Directors

Staff members, Board of Directors, volunteers, athletes and participants shall refrain from all forms of misconduct, which include:

- Bullying
- Harassment
- Hazing

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

PROHIBITED CONDUCT

Child Sexual Abuse

- 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.

- Any act or conduct described as child sexual abuse under federal or state law.

Exception

None

Examples

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

Emotional Misconduct

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

Exception

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

Examples

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

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

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

Physical Misconduct

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

Exceptions

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

Examples

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

- **Contact offenses.** Behaviors that include:
 - Punching, beating, biting, striking, choking or slapping an athlete;
 - Intentionally hitting an athlete with objects or sporting equipment;
 - Providing alcohol to an athlete under the legal drinking age (under U.S. law);
 - Providing illegal drugs or non-prescribed medications to any athlete;
 - 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;
 - Prescribing dieting or other weight-control methods (e.g., weigh-ins, caliper tests) without regard for the nutritional well-being and health of the athlete.
- **Non-contact offenses.** Behaviors that include:
 - Isolating an athlete in a confined space (e.g., 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.

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

Sexual Misconduct

- Any touching or non-touching sexual interaction that is (a) non consensual or forced, (b) coerced or manipulated, or (c) perpetrated in an aggressive, harassing, exploitative or threatening manner;
- Any act or conduct described as sexual abuse or misconduct under federal or state law (e.g. sexual abuse, sexual exploitation, rape);
- Any sexual interaction between an adult and a minor is misconduct and strictly prohibited;
- Any sexual interaction between a consenting adult athlete and adult coach with evaluative, direct or indirect authority may involve an imbalance of power and is likely to impair judgment or be exploitative; such exploitation is misconduct, and because of this we **strongly discourage relationships between adult athletes and coaches**

Types of Sexual Misconduct

Types of sexual misconduct include:

- Sexual assault,
- Sexual harassment,
- 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.

Exceptions

None

Examples

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

- **Touching offenses.** Behaviors that include:
 - Fondling an athlete's breasts or buttocks
 - Exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favors
 - Genital contact
 - Sexual relations or intimacies between persons in a position of trust, authority and/or evaluative and supervisory control over athletes or other sport participants.
- **Non-touching offenses.** Behaviors that include:
 - A coach discussing his or her sex life with an athlete
 - A coach asking an athlete about his or her sex life
 - Coach requesting or sending a nude or partial-dress photo to athlete
 - Exposing athletes to pornographic material
 - Sending athletes sexually explicit or suggestive electronic or written messages or photos (e.g. "sexting")
 - Deliberately exposing an athlete to sexual acts
 - Deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)
 - Sexual harassment; specifically, the sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, and
 - Is unwelcome, offensive or creates a hostile environment, and the offending individual knows or is told this
 - Is sufficiently severe or intense to be harassing to a reasonable person in the context.

Authority and Trust

Once the unique coach-athlete relationship is established, the authority and trust on the part of the coach over the athlete shall be assumed, regardless of age. Accordingly, sexual interaction or intimacies between a coach and an athlete or other participant are prohibited, regardless of age, both during coaching and during that period following coaching.

Imbalance of Power

Factors relevant to determining whether there is an imbalance of power include, but are not limited to:

- The nature and extent of the coach's supervisory, evaluative or other authority over the athlete being coached

- The actual relationship between the parties
- The parties' respective roles
- The nature and duration of the sexual relations or intimacies
- The age of the coach
- The age of the athlete or participant
- And whether the coach has engaged in a pattern of sexual interaction with other athletes or participants

Exception

This section does not apply to a pre-existing relationship between two spouses or life partners.

Bullying

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

Exceptions

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

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

Examples

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

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

Comment

A further discussion and policies relating to bullying can be found in Bair Island Aquatic Center's Anti-Bullying Policy.

Harassment

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

Exceptions

None

Examples

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

- **Physical offenses.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking or slapping an athlete or participant; (b) throwing at or hitting an athlete with objects including sporting equipment.
- **Non-physical offenses.** Behaviors that include (a) making negative or disparaging comments about an athlete’s sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; (b) displaying offensive materials, gestures, or symbols; (c) withholding or reducing playing time to an athlete based on his or her sexual orientation.

Hazing

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

Exception

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

Examples

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

- Requiring, forcing or otherwise requiring the consumption of alcohol or illegal drugs
- Tying, taping or otherwise physically restraining an athlete
- Sexual simulations or sexual acts of any nature
- Sleep deprivation, otherwise unnecessary schedule disruption or the withholding of water and/or food
- Social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule
- Beating, paddling or other forms of physical assault
- Excessive training requirements focused on individuals on a team

Comment

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

WILLFULLY TOLERATING MISCONDUCT

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

REPORTING

Although these policies are designed to reduce child sexual abuse and other misconduct, it can still occur. Staff members, Board of Directors, volunteers and participants of Bair Island Aquatic Center shall follow the reporting

procedures set forth in Bair Island Aquatic Center's Reporting Policy. **Bair Island Aquatic Center does not investigate suspicions or allegations of child physical or sexual abuse, or attempt to evaluate the credibility or validity of such allegations, as a condition of reporting suspicions or allegations to the appropriate law enforcement authorities.**

VIOLATIONS

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

SUPERVISION OF ATHLETES AND PARTICIPANTS

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

APPROPRIATE ONE-ON-ONE INTERACTIONS

Individual Meetings

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

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

Individual Training Sessions

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

PROHIBITED ONE-ON-ONE INTERACTIONS

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

PHYSICAL CONTACT WITH ATHLETES

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

reduce the potential for misconduct in sport.

APPROPRIATE PHYSICAL CONTACT

Bair Island Aquatic Center 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 the President of Bair Island Aquatic Center Board of Directors and violations will be addressed under our Disciplinary Rules and Procedure. Some forms of physical contact may constitute child physical or sexual abuse that **must be reported to appropriate law enforcement authorities.**

ELECTRONIC COMMUNICATIONS with a MINOR

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

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

FACEBOOK, SNAPCHAT, BLOGS AND SIMILAR SITES

Coaches may not have minor athletes of Bair Island Aquatic Center join a personal social media page. Athlete members and parents can friend the official Bair Island Aquatic Center page and coaches can communicate to athlete members through the site. If a coach or administrator sets up a squad based site to provide communications between coaches and athletes, a minimum of two coaches and/or administrators should be members. All posts, messages, text, or media of any kind between coach and athlete must be professional in nature and for the purpose of communicating information about team activities or for team-oriented motivational purposes.

TWITTER, INSTANT MESSAGING AND SIMILAR MEDIA

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

EMAIL AND SIMILAR ELECTRONIC COMMUNICATIONS

Athletes and coaches may use email to communicate. All email content between coach and minor athlete must be professional in nature and for the purpose of communicating information about team activities.

TEXTING AND SIMILAR ELECTRONIC COMMUNICATIONS

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

ELECTRONIC IMAGERY

From time to time, digital photos, videos of practice or competition, and other publicly obtainable images of the athlete – individually or in groups – may be taken. These photos and/or videos may be submitted to local, state or national publications, used in Bair Island Aquatic Center's videos, posted on Bair Island Aquatic Center or Bair Island Aquatic Center associated websites. It is the default policy of Bair Island Aquatic Center to allow such practices as long as the athlete or athletes are in public view and such imagery is both appropriate and in the best interest of the athlete and Bair Island Aquatic Center.

REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS OR IMAGERY

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

MISCONDUCT

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

VIOLATIONS

Violations of Bair Island Aquatic Center's Electronic Communications and Social Media Policy should be reported to your immediate supervisor, Bair Island Aquatic Center's Executive Director, President, or a member of the Board of Directors for evaluation. Complaints and allegations will be addressed under Bair Island Aquatic Center's Disciplinary Rules and Procedure.

LOCKER ROOMS AND SHOWER

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

FACILITIES

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

Bair Island Aquatic Center has a changing area/locker room and shower that is shared with other members. Adult members are asked not to be in the changing rooms when minors are practicing/using the space. The shower has a separate entrance and changing room that can be locked by the user.

MONITORING

Coaches and staff make every effort to recognize when a minor athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, we will check on the athlete's whereabouts. Additionally, BIAC has video monitoring outside of the locker rooms that can be accessed if needed.

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

USE OF CELL PHONES AND OTHER MOBILE RECORDING DEVICES

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

Violations of this policy will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary suspension from competition.

TRAVEL

Travel is a standard aspect of our competitive season at Bair Island Aquatic Center; we have established policies to guide our travel, minimize one-on-one interactions with a minor and reduce the risk of misconduct. Adherence to these travel guidelines will increase athlete safety and improve the competitive experience while keeping travel a fun and enjoyable experience.

LOCAL AND TEAM TRAVEL

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

Local Travel

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

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

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

Team Travel with a Minor

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

Bair Island Aquatic Center makes efforts to provide adequate supervision through coaches and other adult chaperones.

Team Travel with Adults

Team travel may be coordinated by the individuals, by a volunteer for the team, or by a coach.

INDIVIDUAL TRAVEL WITH A MINOR

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

- Traveling with an additional coach or chaperone
- Inviting parents/guardians to travel with their athlete

When only one athlete and one coach travel to a competition, the athlete must have his or her parents' or legal guardian's written permission in advance to travel alone with the coach. Wherever possible, we strongly encourage a parent or legal guardian to travel with their athlete.

COACH AND STAFF RESPONSIBILITIES

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

- Prepare athletes for team travel and make athletes aware of all expectations. Supplemental information will be given to parents/guardians of athletes who are considered inexperienced travelers, new or relatively new to team travel, or who are under the age of 14
- Familiarize themselves with all travel itineraries and schedules before the initiation of team travel
- Conform to, and monitor for others' adherence, the Athlete Protection Policy and all policies during team travel
- Encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- Help athletes be on time for all team commitments (as possible)
- Assist with team travel logistical needs (as possible)
- Support chaperones and/or participate in the monitoring of athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
- Ensure athletes are complying with hotel room restrictions based on gender or age bracket requirements
- Make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones
- Not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their coaching duties
- Immediately report any concerns about physical or sexual abuse, misconduct, or policy violations
- Notify parents before taking any disciplinary action against a minor athlete if the athlete is traveling without his or her parents.

CHAPERONE RESPONSIBILITIES

Chaperones accompany team travel to ensure that the athletes, coaches, staff, and volunteers adhere to the Bair Island Aquatic Center's policy guidelines. While these include the travel policy, it also includes all other relevant policies contained in Bair Island Aquatic Center's SafeSport Policy.

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

- Familiarize themselves with all travel itineraries and schedules before team travel
- Monitor for adherences to club policies during team travel
- Assist coaches, staff and other volunteers with team travel logistical needs (as possible)
- Monitor athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
- Ensure athletes comply with hotel room restrictions based on gender or age bracket requirements
- Not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while

- performing their chaperone duties
- Make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones
- Immediately report any concerns about sexual and physical abuse, misconduct or policy violations to Bair Island Aquatic Center’s Executive Director or President of the Board.

REPORTING POLICY

REPORTING POLICY

Every Bair Island Aquatic Center staff member and/or volunteer must report:

- Violations of the SafeSport Policy,
- Misconduct as defined in Bair Island Aquatic Center’s Athlete Protection Policy, and
- Suspicions or allegations of child physical or sexual abuse.

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

REPORTING CHILD PHYSICAL OR SEXUAL ABUSE

Child Physical or Sexual Abuse

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

- Bair Island Aquatic Center’s Executive Director; or
- President of Bair Island Aquatic Center Board of Directors.
- Where applicable, appropriate law enforcement authorities.
 - San Mateo County Child Protective Services – Child Abuse and Neglect Hotline at 650-802-7922
 - Redwood City Police at 650-780-7118

Grooming

Because sexual abusers “groom” children for abuse – the process used by offenders to select a child, to win the child’s trust (and the trust of the child’s parent or guardian), to manipulate the child into sexual activity and to keep the child from disclosing abuse – it is possible that a staff member and/or volunteer may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected grooming behavior should be directed to an immediate supervisor, Bair Island Aquatic Center’s Executive Director or President of Bair Island Aquatic Center’s Board of Directors.

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 Bair Island Aquatic Center’s Executive Director or a member of Bair Island Aquatic Center’s Board of Directors immediately.**

Reporting Misconduct and Policy Violations

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

- Bair Island Aquatic Center's Executive Director,
- President of Bair Island Aquatic Center Board of Directors.

Bair Island Aquatic Center also encourages member parents, athletes and other sport participants to communicate violations of Bair Island Aquatic Center's SafeSport Policy and/or allegations and suspicions of child physical and sexual abuse to Bair Island Aquatic Center's Executive Director or President of the Board of Directors. Where applicable, parents may also report to the appropriate law enforcement authorities.

REPORTING PROCEDURE

To Whom to Report

Staff members and volunteers may report to Bair Island Aquatic Center's Executive Director or to the President of Bair Island Aquatic Center Board of Directors with whom they are comfortable sharing their concerns.

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

How to Report

Bair Island Aquatic Center 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 Bair Island Aquatic Center 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.

Reporting Form

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

- The name(s) of the complainant(s)
- The type of misconduct alleged
- The name(s) of the individual(s) alleged to have committed the misconduct
- The approximate dates 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

Bair Island Aquatic Center will withhold the complainant's name on request, to the extent permitted by law.

A copy of Bair Island Aquatic Center's Reporting Form can be found in Appendix A of this document and on our website.

CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS

Confidentiality

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

Anonymous Reporting

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

- By completing the Reporting Form without including their name
- By expressing concerns verbally to Bair Island Aquatic Center's Executive Director or President of Bair Island Aquatic Center's Board of Directors
- Through email, texts or notes left for Bair Island Aquatic Center's Executive Director or President of Bair Island Aquatic Center's Board of Directors

However, anonymous reporting may make it difficult for Bair Island Aquatic Center to investigate or properly address allegations.

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

"Whistleblower" Protection

Regardless of outcome, Bair Island Aquatic Center will support the complainant(s) and his or her right to express concerns in good faith. Bair Island Aquatic Center 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 SafeSport Policy 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 SafeSport Policy 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

Suspicious or Allegations of Child Physical or Sexual Abuse

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

An independent investigation can harm youth and/or interfere with the legal investigative process. Bair Island Aquatic Center, its staff members and/or volunteers **do not attempt to evaluate the credibility or validity of child physical or sexual abuse as a condition for reporting to appropriate law enforcement authorities.** As necessary, however, Bair Island Aquatic Center 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 staff member, youth and/or volunteer, Bair Island Aquatic Center 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, Bair Island Aquatic Center may suspend or change the assignment of a staff member and/or volunteer.

A staff member or volunteer's failure to report to a supervisor, Bair Island Aquatic Center's Executive Director or President of Bair Island Aquatic Center's Board of Directors is a violation of this policy and grounds for termination of a staff member and/or dismissal of a volunteer.

Misconduct and Policy Violations

Bair Island Aquatic Center addresses internally alleged policy violations and misconduct – bullying, harassment, hazing, emotional, physical and sexual – that are not reportable under relevant state or federal law. Staff members and/or volunteers must report policy violations and misconduct to an immediate supervisor, Bair Island Aquatic Center's Executive Director or President of Bair Island Aquatic Center's Board of Directors.

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

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

NOTIFICATION

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

DISCIPLINARY RULES AND PROCEDURE

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

APPLICATION

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

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

Bair Island Aquatic Center 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

Bair Island Aquatic Center 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, Bair Island Aquatic Center's disciplinary procedures and actions will be proportionate, reasonable and applied fairly and equally.

DISCIPLINARY PROCEDURE

On receipt of an allegation, Bair Island Aquatic Center 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.

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

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

DISCIPLINARY ACTION

Sanctions for violations of the SafeSport Policy will be proportionate and reasonable under the circumstances. In addition to day-to-day guidance, the Bair Island Aquatic Center 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 SafeSport Policy), Bair Island Aquatic Center may immediately suspend or terminate the accused individual to ensure participant safety.

COMPLAINANT PROTECTION

Regardless of outcome, Bair Island Aquatic Center will support the complainant(s) and his or her right to express concerns in good faith. Bair Island Aquatic Center 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 SafeSport Policy that, upon review, is determined to be malicious, frivolous or made in bad faith will be a violation of our SafeSport Policy. Bad-faith allegations may also be subject to criminal or civil proceedings.

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

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

On receipt of:

- An allegation of misconduct, as defined in Bair Island Aquatic Center's SafeSport Policy, that does not involve child physical or sexual abuse
- An adverse employment determination by a local club for emotional, physical or sexual misconduct as set forth in Bair Island Aquatic Center's SafeSport Policy

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

- The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual
- Formal investigation and hearing
- Retention of legal counsel or investigation services to investigate and/or make a recommendation as to whether a violation of the relevant policy has occurred and/or a recommendation as to the appropriate sanction

Where serious allegations of misconduct are at issue (e.g., physical and sexual misconduct as defined in our Athlete Protection Policy), Bair Island Aquatic Center may elect in its discretion to undertake a full investigation and hearing before determining the appropriate disciplinary action. **This investigation and/or hearing will in no way interfere with an ongoing criminal investigation or prosecution.**

SUSPENSION BEFORE FINAL RESOLUTION

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

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

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

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

Any suspension before final resolution may be appealed to Bair Island Aquatic Center's Board of Directors at the written request of the accused individual within 10 days of the suspension.

INVESTIGATION

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

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

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

HEARING

Procedural Safeguards

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

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

Preliminary Determination

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

Notice

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

Timing

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

On request of the accused individual, and provided that it is necessary to expedite the proceeding to resolve a

matter relating to scheduled training or competition, the Review Panel may render an expedited determination.

Evidence

At the hearing, the accused individual will be allowed to present any reasonable evidence or argument that he or she wishes the Panel to consider. The Panel may require or permit documentary evidence, such as the written report of any investigator or other fact-finder, before the hearing and that the names of any witnesses be disclosed before the hearing. The Panel may also consider a local club's employment determination as evidence to be considered.

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

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

Findings and Sanctions

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

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

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

- The legitimate interest of Bair Island Aquatic Center in providing a safe environment for its participants
- The seriousness of the offense or act
- The age of the accused individual and alleged victim when the offense or act occurred
- Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct
- The effect on the Bair Island Aquatic Center's reputation
- Whether the individual poses an ongoing concern for the safety of Bair Island Aquatic Center's athletes and participants
- Any other information, which in the determination of the Panel, bears on the appropriate sanction

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

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

Confidentiality

The conduct of the hearing will be private. If the Panel determines that the individual has violated policy, it may publish its decision or a brief summary of its decision, unless the accused is a minor. However, if the individual

appeals, the summary of the panel's decision will not be disclosed until an appellate decision has been made.

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

MONITORING

By monitoring the interactions among staff, volunteers, athletes, and others, Bair Island Aquatic Center works to prevent, recognize and respond to inappropriate and harmful behaviors as set forth in our SafeSport Policy, while reinforcing appropriate behaviors.

MONITORING COMPLIANCE WITH POLICIES AND PROCEDURES

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

MONITORING METHODS

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

RESPONDING TO INTERACTIONS

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

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

REPORTING

Staff members and volunteers are required to report policy violations, misconduct and physical and sexual abuse consistent with Bair Island Aquatic Center's Reporting Policy. **Bair Island Aquatic Center 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.**

APPENDIX A – REPORTING FORM

Bair Island Aquatic Center strongly encourages the reporting of misconduct and appreciates your willingness to report inappropriate behavior.

This section is about the individual you are reporting. Please provide as much information as possible.

1. Name of Individual you are reporting (First & Last):

Comments

2. Age or Approximate Age:

3. Gender:

4. Address (City, State required):

5. Position(s) this individual holds or held:

- Executive Director
- Head Coach
- Assistant Coach
- Affiliate Employee/Volunteer (ie Norcal, CDBA, et)
- Volunteer Official
- Other/Not Sure

Comments

This section asks questions about the incident or incidents you are reporting. Please provide as much specific information as possible.

6. Type of Offense (i.e. what happened?):

7. Where did the incident or incidents take place? (City, State and any other available location information:

Comments:

8. Please describe what happened (including who, what, when, where?):

Comments:

This section is for information about the victim or victims. If you are the victim and wish to remain anonymous, you may do so. In that case, please enter only your age, city, state and Bair Island Aquatic Center affiliation

9. Name:

10. Age (or approximate age):

11. Gender

12. Bair Island Aquatic Center Affiliation (if any):

13. Contact phone number (Note: if this person is under 18, please provide contact information for his/her parent or guardian):

14. Contact email address (Note: if this person is under 18, please provide contact information for his/her parent or guardian):

Your information: You may remain anonymous if you wish. However, providing your information is vastly helpful to a swift and effective investigation. A person reporting alleged misconduct should not fear any retribution and/or consequence when filing a report he/she believes to be true.

15. Name:

16. Phone Number

17. Email address

18. Bair Island Aquatic Center Affiliation (if any):

19. Relationship to victim (if any)

- Self
- Parent/Guardian
- Other family member
- Friend or acquaintance
- Bair Island Aquatic Center athlete, coach or volunteer
- Other/prefer not to say

Other Information

20. If you have any other information that you feel would be helpful to an investigation of the alleged offense you have reported, please enter it here:

APPENDIX B - Definitions, What to Look For, Risk Factors

Misconduct

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

Emotional Abuse

- Emotional abuse, also known as psychological maltreatment, is considered the most common type of maltreatment, but the least reported. Psychological maltreatment is defined as “a repeated pattern or [severe] incident(s)...that thwart the child’s basic psychological needs...and convey that a child is worthless, defective, or damaged goods [whose value is] primarily... meeting another’s needs.” (Adapted from the Investigation and Determination of Suspected Psychological Maltreatment of Children and Adolescents, APSAC 2017.)
- Victims of emotional abuse are left to feel expendable, which is the exact opposite of the message a child needs to develop healthy self-esteem.

What to look for:

- Emotional abuse can be hurting words OR a lack of words. Silence can be just as damaging as a cruel or demeaning statement.
- Abuse is a pattern of behavior. An isolated incident of inappropriate behavior is different than ongoing abuse. Adults under stress might make a reactive comment, but a healthy individual recognizes their mistakes and offers the child a sincere apology. A key factor in the definition of emotional abuse is the ongoing and repeated exposure to these painful and negative behaviors.

The following list describes major categories of emotional abuse, and examples of how they might play out in youth sports:

- Verbal Abuse:
 - Using degrading or shaming nicknames.
 - Telling a child they are not good enough to be on the team.
 - Mocking a child for poor performance.
 - Calling out a child for their differences (e.g. race, ethnicity, disability)
 - Threatening inappropriate or frightening repercussions.
- Acts that deny children attention and support:
 - Acting in a way or using words that reject or degrade a child
 - Excluding a child from playing, even in practice.
 - Singling out a child to have the least favorable position or assignment.
 - Having a child sit alone.
 - Giving a child a chore that removes them from the rest of the team.
- Aiding and Abetting – Facilitating, Promoting or Encouraging Abusive Behavior:
 - Bullying or belittling other team members into performing better.
 - Encouraging a child to break rules, including the use of performance-enhancing drugs.

Technology Facilitated Abuse

- Any form of electronic technology used to harass, harm or intimidate can be considered cyber-bullying.
- Common methods of cyber-bullying include:
 - Sending negative messages over text, email or a social media account
 - Spreading rumors over the Internet
 - Displaying hurtful messages online about another individual
 - Stealing account information to post damaging material as another person
 - Taking or circulating unwanted pictures of an individual

What to Look For:

- A personal text from a coach or trainer asking them to meet alone in their office or another location.
- An offer from a coach or trainer to drive them someplace, separate from other teammates.
- Information from a friend or teammate that they received a private text or photo from a coach or trainer.

Tips:



Physical Abuse

- Physical abuse is considered any non-accidental physical harm inflicted by a person responsible for a child’s care that may or may not cause physical injury to that child.
- Physical abuse can take on many forms, including: hitting, kicking, punching, biting, burning, slapping, shaking, pulling hair or pulling ears. Each state develops its own specific definition of physical abuse, but they must meet certain federal standards; visit the Child Welfare Information Gateway (www.childwelfare.gov).

What to look for:

- Physical abuse in sports might occur when the demands of training and competition go beyond athletes’ developing strength and bodies, or when coaches force a team member to practice or play when injuries require rest and healing.
- Physical abuse also occurs when coaches provide or suggest the use of performance-enhancing drugs.

Risk Factors:

- With no single cause, it is hard to predict who will or will not become an abuser.
- Contributing factors might include characteristics of the youth, the family, the coach or the team. Other risk factors include: a coach with a history of physical abuse to other youngsters, hostility or aggressiveness or a current struggle with depression or substance abuse.

Discipline vs. Abuse:

Coaches have a unique opportunity to serve as positive role models for youth and model positive forms of discipline as opposed to abuse. Coaches need to enforce discipline to make sure their team members adhere to team rules and respect authority, arrive to practice on time with proper uniforms and equipment and pay attention and listen, for example. Not sure if a behavior crosses the line? See below for the differences between discipline and abuse.

Discipline	Abuse
Removing participants from the starting line-up or game with a clear explanation of why. Removal for inappropriate behavior is different from removal for poor performance and coaches need to be able to communicate that distinction clearly to team members	Instructing team members to run excessive laps following poor performance when they are already fatigued, particularly if temperatures are extreme. Over-exertion may cause physical harm to the young athlete’s developing body.
Discipline	Abuse
Requiring athletes to arrive early for the next practice to help set-up equipment. Teaching an athlete to respect the coach’s time and that of others is discipline.	Refusing to allow water breaks. In addition to negatively impacting performance, dehydration causes muscle cramps, forces the heart to work harder, raises the pulse and leads to faster breathing.
	Ordering players to re-enter games when they show signs of injury. Your athlete’s physical health and well-being takes precedence over winning games.

Sexual Harassment

As defined by Education Code section 212.5, "Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under the following conditions:

- Submission to a conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions for the individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Specifically, sexual harassment may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidation and frank threats or sexual demands. Examples of conduct that may constitute sexual harassment include, but are not limited to:

- Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects or pictures, or cartoons;
- Among peers, continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction, among peers, is not considered sexual harassment.);
- Within the educational environment, implying or actually withholding earned or deserved advancement; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied as a condition of receiving sexual favors;
- Within the educational environment, engaging in sexual behavior to control, influence, or affect the educational opportunities, grades, or learning environment of an athlete; and
- Offering favors or education or employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors. Any expression of sexual interest between adults and athletes, regardless of reciprocity, is considered inappropriate and shall be subject to discipline under California Education Code section 44932.

Sexual Abuse

- Sexual abuse encompasses a variety of events or experiences that can lead to a wide range of behavioral and emotional responses. While the legal definition varies from state to state, sexual abuse is commonly defined as sexual exploitation involving anal, genital, oral or breast contact between a child and another person and/or exposing a child to language or images of a sexual nature.
- Sexual exploitation occurs in a relationship where there is inequality of power between the child and the abuser, based on age, physical size and/or the nature of the emotional relationship. Athletic programs provide opportunities for mutual exploitation between youth, and for unscrupulous adults to exploit vulnerable children.
- Situational abuse occurs when a perpetrator, generally an adolescent, finds sexual gratification at the expense of a child victim and acts quickly and thoughtlessly.
- Vulgar name calling with sexual undertones used as a means of intimidation can be experienced as sexual abuse by a child or teen.

What to look for:

- Coaches, parents or other older adults who show unusual interest in certain children, especially if the child is vulnerable or a child seeking attention (especially kids who are less likely to be supervised by an adult). We often think of abusers as strangers, but the reality is that abuse is most often committed by someone known to the victim, including extended family members, teachers, coaches and even other youth.
- Behaviors that raise a red flag include:
 - Predatory behavior disguised as “supportive intervention” from a charming older adult. Individuals with predatory behavior often slowly and carefully develop a relationship with a victim (called grooming), gradually gaining their trust while initiating more intimate contact.
 - Teams that have rites of initiation, forcing new or younger players to endure acts involving their intimate anatomy. Reports of these acts are much more common among male athletes than female, but occur in some form with girls as well.

Risk Factors:

- There is no single cause so it’s hard to predict who will or will not become an abuser. Contributing factors often depend on a mix of characteristics such as:
 - A coach with a history of physical abuse to other youth;
 - A coach currently struggling with depression or substance abuse;
 - Parents of children with a physical or cognitive disability or physical uniqueness should be especially careful of a coach targeting or taking special interest in their child.

APPENDIX C

Supporting and Responding

FOR TEEN VICTIMS OF ABUSE



SEXUAL ASSAULT ISN'T PART OF THE GAME.

GET ANONYMOUS SUPPORT:

PHONE: 866.200.0796

ONLINE CHAT: [HTTPS://HOTLINE.RAINN.ORG/SAFESPORT](https://hotline.rainn.org/safesport)

WEBSITE: [SAFESPORTHEPLINE.ORG](https://safesporthepline.org)

GET LIVE, CONFIDENTIAL, ANONYMOUS ONE-ON-ONE SUPPORT WITH A HIGHLY-TRAINED SPECIALIST, 24-7. YOU CAN EVEN CHAT WITH AN APP ON YOUR PHONE.

REPORTING THE ABUSE:

YOU HAVE THE OPTION TO REPORT THE ABUSE ONLINE AT: [SAFESPORT.ORG](https://safesport.org) OR BY CALLING 720.531.0340.

YOU HAVE THE OPTION TO REPORT ANONYMOUSLY.

NOBODY DESERVES TO BE ABUSED OR ASSAULTED, ON OR OFF THE FIELD.

If you were assaulted by a teammate, classmate, coach or someone else—you are not alone and there is confidential help available. Get anonymous support. Let it out, get support, find out your options.

HOW TO HELP A FRIEND WHO IS THE VICTIM OF ABUSE.



YOUR TEAMMATE DIDN'T SIGN UP TO BE
sexually assaulted or abused, bullied, assaulted, stalked

SHOW THEM YOU HAVE THEIR BACK.

HERE ARE SOME WAYS YOU CAN HELP:

LISTEN. TELL THEM THAT YOU BELIEVE THEM.

LET THEM KNOW IT WASN'T THEIR FAULT.

TELL THEM THAT **NOBODY DESERVES TO BE ASSAULTED.**

OFFER TO **CONNECT THEM WITH RESOURCES.**

Resources might include:

- Information about free, anonymous and confidential support. The **U.S. Center for SafeSport HelpLine** provides crisis intervention, referrals and emotional support specifically designed for athletes, staff and other sport participants affected by sexual assault.
 - **U.S. Center for SafeSport** 24-hour victim services helpline: 866.200.0796
 - Online chat: hotline.rainn.org/safesport
- Information about reporting options. If they want to report the incident(s), they have the option to do so anonymously as well.
 - They can find out more by going to SafeSport.org/report-a-concern

APPENDIX D: Additional Resources

Prevention

- Centers for Disease Control, www.cdc.gov/ViolencePrevention/childmaltreatment/index.html
- U.S. Department of Health and Human Services, Child Welfare Information Gateway, www.childwelfare.gov

Applicant Screening

- “Staff Screening Toolkit: Building a Strong Foundation Through Careful Staffing,” Patterson, John C. (Nonprofit Risk Management Center), www.nonprofitrisk.org

Creating Policies and Procedures

- Saul J, Audage NC. *Preventing Child Sexual Abuse Within Youth-serving Organizations: Getting Started on Policies and Procedures*. Atlanta (GA): Centers for Disease Control and Prevention, National Center for Injury Prevention and Control; 2007.

Risk Management

- Public Entity Risk Institute (PERI), www.riskinstitute.gov
- Nonprofit Risk Management Center, www.nonprofitrisk.org
- Nonprofit Risk Management Center, “The Season of Hope: A Risk Management Guide for Youth-serving Nonprofits.”
- National Resource Center for Community-Based Child Abuse Prevention, Evaluation Toolkit, Logic Model Builder: <http://friendsnrc.org/evaluation-toolkit>

Reporting

- Child Information Gateway, www.childwelfare.gov

Effects of Child Abuse and Neglect

- Child Welfare Information Gateway, “Long-Term Consequences of Child Abuse and Neglect,” www.childwelfare.gov/pubs/factsheets/long_term_consequences.pdf

Counseling

- Childhelp, <http://www.childhelp.org>
- Childhelp National Child Abuse Hotline: 1.800.4.A.CHILD (1.800.422.4453) (staffed 24 hours a day, seven days a week, with professional crisis counselors)
- Child Molestation Prevention, <http://childmolestationprevention.org/pages.diagnosis/html>
- Sexual Behaviors Consultation Unit, Johns Hopkins Hospital, http://hopkinsmedicine.org/psychiatry/specialty_areas/sexual_behaviors/