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# SAFESPORT PROGRAM HANDBOOK

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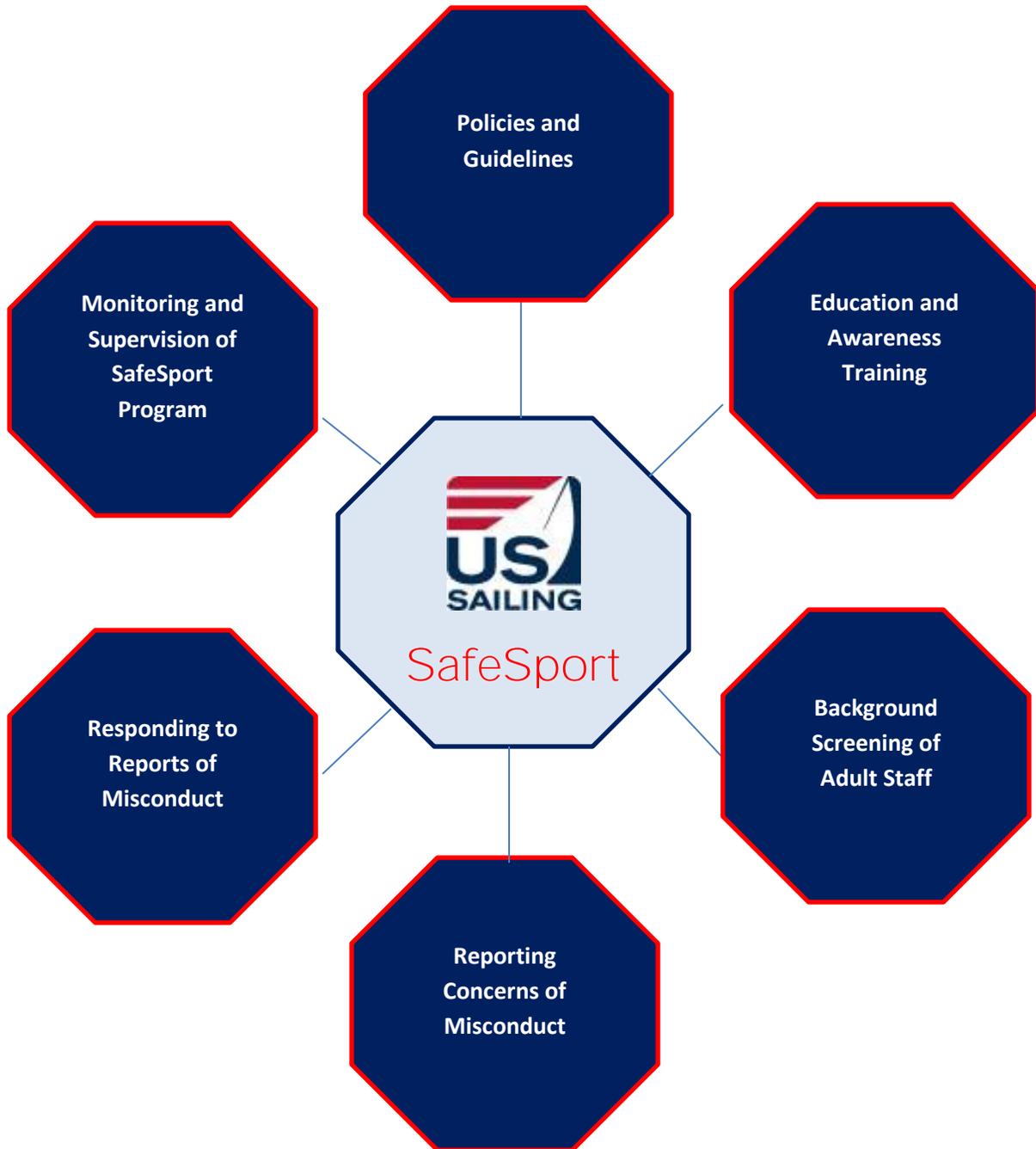
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# COMPONENTS OF THE SAFESPORT PROGRAM

US Sailing's SafeSport Program involves several components.





## INTRODUCTION

US Sailing's mission is to provide leadership, integrity and advancement for the sport of sailing in the United States. The organization works to achieve this mission through a wide range of programs and events geared towards providing a level playing field for all sailors while, at the same time, providing a safe environment in which to play. At US Sailing, we envision a future where everyone has an opportunity to sail and enjoy a lifetime of rewarding experiences both on and off the water. US Sailing has a ZERO tolerance policy for misconduct.

Unfortunately, sports can be a high-risk environment for misconduct, including physical, emotional and sexual abuse. All forms of misconduct are intolerable and in direct conflict with the values of US Sailing. Our SafeSport policy identifies six primary types of misconduct:

- Bullying
- Harassment
- Hazing
- Emotional Misconduct
- Physical Misconduct
- Sexual Misconduct, including Child Sexual Abuse

Misconduct may damage **a participant's** psychological well-being. Participants who have been mistreated may experience social embarrassment, emotional turmoil, psychological scars, loss of self-esteem and negative impacts on their relationships with family, friends and the sport. Misconduct often hurts **a participant's** competitive performance and may cause enough harm for them to drop out of our sport entirely.

US Sailing is committed to fostering a fun, healthy and safe environment for all its members, particularly its youth sailors. We must recognize that the safety of minors lies with all those involved in the sport and is not the sole responsibility of any one person at the local club, regional or national level.

Conduct that is prohibited or regulated by **The Racing Rules of Sailing** (e.g., conduct that is unsportsmanlike: a breach of good manners; unethical behavior; conduct bringing the sport into disrepute) is not intended to be covered by the SafeSport Program policies but is instead to be addressed and/or penalized under **The Racing Rules of Sailing**.

## HOW TO USE THIS HANDBOOK

**US Sailing's SafeSport Program raises awareness about possible misconduct in our sport,** promotes open dialogue and provides training and resources. US Sailing encourages its members to use the policies, guidelines, best practices, strategies and tools included in this handbook to implement SafeSport practices at the local level. Together we can provide a safe environment for all sailors to enjoy our incredible sport.

The following terms and phrases shall have the meaning ascribed to them below wherever used in this SafeSport Handbook:

**"Participant"** refers to and includes any person that is a member of US Sailing or a Member Program of US Sailing, and further includes, even if not so registered, any person that has regular, routine or frequent access to sailing activities.

**"Member Organizations"** refers to and includes (individually and collectively, as the context requires) all sailing organizations with active US sailing membership such as yacht clubs, sailing clubs, community sailing organizations, affiliated organizations and regional sailing associations.

**"Member Programs"** refers to any US Sailing properties/regattas for which US Sailing is the Organizing Authority including Championships, clinics, training programs, and courses.

**"Knows or should know"** is used in certain sections of this Handbook with reference to a responsible adult that has knowledge of certain prohibited activities or conduct or, had that adult been properly performing their responsibilities, would have had knowledge of the prohibited activities or conduct.

**"Responsible adult"** refers to a person within a Member Organization who has either been assigned or has assumed certain duties within a local program or for a particular team.

**All references to a "parent"** refers to a parent and/or guardian, as appropriate.

## SECTION I

### SafeSport Program Information

#### Mission Statement and Guiding Principles

*Mission Statement:* **Provide leadership, integrity and advancement for the sport of sailing.**

US Sailing promotes participation and excellence in sailing and racing thus ensuring that the principles of good sportsmanship, safety, fair play, equal opportunity and fun in sailing for all ages and abilities are upheld. We are committed to creating a safe and positive environment that is free from abuse and misconduct. US Sailing considers it a part of our responsibility to provide educational materials and resources for our member organizations, coaches, parents and athletes.

*Guiding Principles:*

1. US Sailing believes in an environment free from abuse and misconduct;
2. US Sailing believes that all members share a collective responsibility to protect our sailors;
3. US Sailing will provide training to all members in order to increase awareness and understanding of participant protection policies and best practices;
4. US Sailing will provide a process for members to recognize, respond to and report any SafeSport issues that arise;
5. US Sailing will treat all allegations of abuse or concerns regarding athlete safety seriously and will respond appropriately as prescribed by US Sailing policies, Bylaws and Regulations

## SECTION II

### US Sailing SafeSport Policies

US Sailing **is committed to providing a safe and positive environment for its participants'** physical, emotional and social development and promoting an environment free from abuse and misconduct. As part of this program, US Sailing has implemented policies addressing various types of abuse and misconduct. Certain policies intend to reduce, monitor and govern the areas where potential abuse and misconduct might occur.

These policies address the following types of abuse and misconduct and set forth some of the boundaries for appropriate and inappropriate conduct:

- Sexual misconduct
- Physical misconduct
- Emotional misconduct
- Bullying, threats and harassment
- Hazing

These policies are designed to reduce the risks of potential abuse:

1. Social Media and Electronic Communications Policy
2. Travel Policy

All US Sailing participants and member organizations shall familiarize themselves with each form of misconduct and shall refrain from engaging in misconduct and/or violating any of these policies. Ignorance is not an excuse.

In the event that any of US **Sailing's** employees, contractors, team members or event volunteers observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or any other type of abuse or misconduct in its programs, it is the personal responsibility of each such person to immediately report their observations to the appropriate person as described in Section IV of this Handbook concerning **Reporting**.

In addition to reporting within US Sailing, such persons also must report suspected child physical or sexual abuse to appropriate local or state law enforcement authorities when required under this Policy and/or under applicable law. Employees 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.

**US Sailing has *ZERO TOLERANCE* for abuse and misconduct. Responding to an allegation of abuse or misconduct is described in Section VI of this handbook.**

## SEXUAL MISCONDUCT

It is the policy of US Sailing that there shall be no sexual misconduct (abuse) of any participant involved in any of its programs, whether such participant is an adult or a minor, an employee, volunteer, independent contractor or another participant.

Sexual abuse of a minor occurs when an adult employee, volunteer, independent contractor or other participant touches a minor for the purpose of causing the sexual arousal or gratification of either the minor or the employee, volunteer, independent contractor or other participant. Sexual abuse of a minor also occurs when the minor touches an employee, volunteer, independent contractor or other participant for the sexual arousal or sexual gratification of either the minor or the employee, volunteer, independent contractor or other participant, if the touching occurs at the request or with the consent of the employee, volunteer, independent contractor or other participant.

Sexual contact between or among children also can be abusive if there is a significant disparity in age, development or size, if there is the existence of an aggressor, or where there exists an imbalance of power and/or intellectual capabilities. The sexually abusive acts may include sexual penetration, sexual touching, or non-contact sexual acts such as exposure or voyeurism.

Minors cannot consent to sexual activity with an adult, and all sexual interaction between an adult and a minor is strictly prohibited. Neither purported consent by the minor to the sexual contact, mistake as to the **participant's age, nor the fact that the sexual contact did not take place at a sailing function** are defenses to a complaint of sexual abuse. Child sexual abuse includes all sexual interaction between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity.

Sexual abuse may also include non-touching offenses, such as: sexually harassing behaviors; an adult discussing his/her sex life with a minor or subordinate; an adult asking a minor or subordinate about his/her sex life; an adult requesting or sending nude or partial dress photos to a minor; exposing minors to pornographic material; sending minors sexually explicit electronic messages or photos (e.g., **"sexting"**); **deliberately exposing a minor to sexual acts**; or deliberately exposing a minor to inappropriate nudity.

Sexual abuse or misconduct may also occur between adults or to an adult. Sexual abuse includes sexual interactions that are nonconsensual or accomplished by force or threat of force, or coerced or manipulated, regardless of the age of the participants.

Without limiting the above, any act or conduct described as sexual abuse, sexual misconduct or child sexual abuse under applicable federal or state law constitutes sexual abuse under this Policy.

## PHYSICAL MISCONDUCT

It is the policy of US Sailing that there shall be no physical misconduct (abuse) of any participant involved in any of its programs by any employee, volunteer, independent contract, support staff or other participant.

Physical misconduct occurs when physical contact with a participant intentionally causes or has the potential to cause the participant to sustain bodily harm or personal injury. Physical misconduct also includes physical contact with a participant that intentionally creates a perceived or actual threat of immediate bodily harm or personal injury. Physical misconduct may also include intentionally hitting or threatening to hit a participant with objects or equipment.

In addition to physical contact or the threat of physical contact with a participant, physical misconduct also includes the provision of alcohol to a participant under the age of consent and the provision of illegal drugs or non-prescribed medications to any participant.

Without limiting the above, any act or conduct described as physical misconduct under applicable federal or state law constitutes physical misconduct under this Policy.

Physical misconduct does not include physical contact that is reasonably designed to coach, teach, demonstrate or improve a sailing skill, including physical conditioning, team building and appropriate discipline. Permitted physical conduct may include communicating with or directing participants during the course of a race or practice by touching or moving them in a non-threatening, non-sexual manner.

It is the policy of US Sailing that there shall be no emotional misconduct (abuse) of any participant involved in any of its programs by an employee, volunteer, independent contractor or other participant.

Emotional misconduct involves *a pattern* of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to a participant. These behaviors may include verbal acts, physical acts or acts that deny attention or support.

Examples of emotional misconduct prohibited by this policy include, but are not limited to: *a pattern of* verbal behaviors that attack a participant (e.g., calling them worthless, fat or disgusting); repeated and excessive yelling at a participant or participants in a manner that serves no productive motivational purpose; physically aggressive behavior (e.g., throwing equipment, water bottles or chairs at participants, punching walls, windows or other objects) and acts that deny attention and support, such as ignoring a participant for extended periods of time or routinely or arbitrarily excluding participants from practice or training.

Constructive criticism about **a participant's** performance is not emotional abuse or misconduct. Furthermore, emotional abuse does not include generally accepted and age-

appropriate coaching methods of skill enhancement, physical conditioning, motivation, team building, appropriate discipline, or improving athletic performance.

Emotional abuse also does not include conduct between opponents or officials that occurs during or in connection with a practice/race that is covered by **The Racing Rules of Sailing**. Such conduct should be addressed under **The Racing Rules of Sailing**.

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

## BULLYING, THREATS AND HARASSMENT

US Sailing supports an environment for participation in sailing that is free from threats, harassment and any type of bullying behavior. The purpose of this Policy is to promote consistency of approach and to help create a climate in which all types of bullying, harassing or threatening behavior are regarded as unacceptable.

*Bullying is the use of coercion to obtain control over another person or to be habitually cruel to another person.*

Bullying involves an intentional, persistent or repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate another person. Bullying can occur through written, verbal or electronically-transmitted expression or by means of a physical act or gesture. Bullying is prohibited in any manner in connection with all US Sailing sanctioned activities or events.

Examples of bullying prohibited under this Policy include, without limitation: physical behaviors, punching, kicking or choking; and verbal and emotional behaviors, the use of electronic communications (i.e., **“cyber bullying”**) to **harass, frighten, degrade, intimidate or humiliate**.

While other team members are often the perpetrators of bullying, it is a violation of this Policy if a coach or other responsible adult knows or should know of the bullying behavior but takes no action to intervene on behalf of the targeted participant(s).

COACHES MUST NOT USE BULLYING BEHAVIOR TOWARDS THEIR ATHLETES.

*A threat to harm others is defined as any written, verbal, physical or electronically-transmitted expression of intent to physically injure or harm someone else.*

A threat may be communicated directly to the intended victim or communicated to a third party. Threatening behavior is prohibited in any manner in connection with all US Sailing sanctioned activities or events.

*Harassment includes any 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 participant or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression or mental or physical disability.*

Examples of harassment prohibited by this Policy include, without limitation such non-physical offenses as: (a) making negative or disparaging comments about a **participant's** gender, sexual orientation, gender expression, mental or physical disability, race, religion, skin color, ethnic traits or other legally protected grounds; (b) displaying offensive materials, gestures or symbols; and (c) withholding or reducing practice or sailing time to a participant based on his/her sexual orientation, gender expression (not to include prohibitions on participation when eligibility is based on gender), disability, religion, skin color, ethnic traits or any legally protected grounds.

*Sexual harassment is a form of harassment prohibited by this policy.*

Unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature may constitute sexual harassment, even if the harasser and the participant being harassed are the same sex, and whether or not the participant resists or submits to the harasser, when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of a participants in any activity; or
2. Submission to or rejection of such conduct by a participant is used as the basis for decisions affecting the participant; or
3. Such conduct is sufficiently severe, persistent or pervasive that it limits a **participant's ability to** partake in or benefit from a sailing-related program or activity, or it creates a hostile or abusive environment.

Any conduct of a sexual nature directed by a minor toward an adult or by an adult to a minor is presumed to be unwelcomed and shall constitute sexual harassment.

Acts of verbal or physical aggression, intimidation or hostility based on sex, but not involving conduct of a sexual nature, may also constitute sexual harassment.

While other team members may be the perpetrators of harassment or sexual harassment, it is a violation of this Policy if any coach or other responsible adult knows or should know of the harassment or sexual harassment but takes no action to intervene on behalf of the targeted participant(s).

It shall be a violation for any employee, volunteer, independent contractor or other participant to harass a participant(s) through conduct or communications of a sexual nature, or to retaliate against anyone that reports sexual harassment or participates in a

harassment investigation. US Sailing shall investigate all indications, informal reports and formal grievances of harassment or sexual harassment by any employee, volunteer, independent contractor or other participant and appropriate corrective action shall be taken. Corrective action includes taking all reasonable steps to end the harassment, to prevent harassment from recurring and to prevent retaliation against anyone who reports harassment or sexual harassment or participates in a harassment investigation.

## HAZING

It is the policy of US Sailing that there shall be no hazing of any participant involved in any of its programs by any employee, volunteer, independent contractor, support staff or other participant.

*Hazing includes any conduct which is intimidating, humiliating, offensive or physically harmful that serves as a condition for joining a group or being socially **accepted by a group's members.***

Examples of hazing prohibited by this policy include, but are not limited to: requiring or forcing (including through peer pressure) the consumption of alcohol or illegal drugs; tying, taping or physically restraining a participant; sexual simulations or sexual acts of any nature; sleep deprivation 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 mean to draw ridicule, eating, paddling or other forms of physical assault.

Activities that fit the definition of hazing are considered to be hazing regardless of a **person's willingness to cooperate or participate.**

Hazing does not include club or team activities that are meant to establish normative team behaviors or promote team cohesion so long as such activities do not have reasonable potential to cause emotional or physical distress to any participant. Examples of activities that do not constitute hazing include directing or allowing a younger participant to pick up or fill water bottles or giving older sailors first preference to team assignments, responsibilities, accommodations, facilities or equipment.

While other team members are often the perpetrators of hazing towards their teammates, it is a violation of this Policy if a coach or other responsible adult participates, knows or should know of the hazing but takes no action to intervene on behalf of the targeted participant(s).

Hazing includes any act or conduct described as hazing under federal or state law.

# SOCIAL MEDIA AND ELECTRONIC COMMUNICATION POLICY

*Communication involving minor participants should be appropriate, productive and transparent, as part of US Sailing's **emphasis on participant safety**.*

Communication concerning travel, practice or competition schedules and administrative issues among coaches, administrators and sailors and their families is critical. However, the use of mobile devices, web-based applications, social media and other forms of electronic communication increases the possibility for improprieties and misunderstandings, and also provides potential offenders with unsupervised and potentially inappropriate access to participants. The improper use of mobile devices and electronic communication can result in misconduct.

Below are US **Sailing's** Social Media and Electronic Communication Policy requirements.

## Policy

- US Sailing strongly recommends that member organizations implement a Social Media and Electronic Communications Policy. A model policy with additional suggested items is included in the Appendix to this handbook.
- All electronic communication between adults and participants must be for the purpose of communicating information about team activities.
- Adults, participants and all team personnel must follow appropriate guidelines regarding the volume and time of day of any allowed electronic communication.
- All content between adults and participants should be readily available to share with the public or families of the adults and participants
- If the participant is under the age of 18, any email, text, social media or similar communication must also copy or include the **participant's** parents.

## Request To Discontinue All Electronic Communications

Following receipt of a written request by the parents of a minor participant that their child not be contacted through any form of electronic communication by coaches or other adults in the program, the local program, team, coaches and administrators shall immediately comply with such request without any repercussions for such request.

Participants are most vulnerable to misconduct during travel, particularly overnight stays. This includes a high risk of participant-to-participant misconduct. During travel, participants are often away from their families and support networks.

## US Sailing Travel Policy Guidelines:

US Sailing member organizations are strongly encouraged to implement a Travel Policy. A model Travel Policy with additional suggested items is included in the Appendix to this handbook. A travel policy provides guidelines so that care is taken to minimize one-on-one interaction between minors and adults while traveling. Further, the policy directs how minor participants will be supervised between and during travel to and from practice and competitions. Adherence to travel policies helps to reduce the opportunities for misconduct.

Some travel involves only local travel to and from local practices and events while other travel involves overnight stays. Different policies should apply to these types of travel.

### Local Travel

- It is the responsibility of the parents to ensure the person transporting the minor participant maintains the proper safety and legal requirements including, but not **limited to: a valid driver's license**; automobile liability insurance; a vehicle in safe working order; and compliance with applicable state laws.
- The employees, coaches and/or adults who are not acting as a parent should not drive alone with an unrelated minor.
- **It is recognized that in some limited instances it will be unavoidable for an employee, coach or volunteer to drive alone with an unrelated minor participant. However, efforts should be made to minimize these occurrences and to mitigate any circumstances that could lead to allegations of abuse or misconduct.**

### Team Travel

- Regardless of gender, a coach shall not share a hotel room or other sleeping arrangements with a minor sailor (unless the coach is the parent or relative of the sailor).
- Participants should share rooms with other participants of the same gender, with the appropriate number of participants assigned per room depending on accommodations.
- **In all cases involving travel, parents have the right to transport their minor participant(s) and have the minor participant(s) stay in their hotel room.**
- At no time should only one adult be present in a room with minor participants, regardless of gender.
- Individual meetings between a coach and a participant may not occur in hotel sleeping rooms and should be held in public settings.
- The team will make every effort to accommodate reasonable parental requests when a child is away from home without a parent.
- No coach or staff member shall, at any time, be under the influence of drugs or alcohol while performing their coaching and/or staff duties.
- If disciplinary action against a participant is required while the participant is traveling without his/her parents, then, except where immediate action is necessary, parents will be notified before any action is taken or immediately after.

- Additional policies surrounding safety, behavior, financial guidelines are also recommended, as is the development of a Travel Code of Conduct. An example is included in the Appendix of this handbook.

## SECTION III

### Education and Awareness Training

Education is a key component of any abuse and misconduct prevention strategy. Awareness training provides relevant individuals with information necessary to more effectively monitor their organization, minimize the opportunities for physical and sexual abuse and other types of misconduct, and respond to concerns. It is also a strong public statement that the organization places a priority on the safety of its participants.

US Sailing’s policies and procedures require employees, contractors and/or event volunteers to report abuse, misconduct, and violations of its safety policies (see Section IV, **Reporting of Concerns of Abuse**). Employees, contractors and/or event volunteers should have a basic understanding of sexual abuse and the strategies that offenders use to seduce their victims. Using a combination of attention, affection and gifts, offenders select a victim, win their trust (and the trust of **child’s caregiver or “gatekeeper”**), **manipulate the victim into sexual activity**, and keep the child from disclosing abuse.

It is the policy of US Sailing that those individuals who: (1) have regular, routine or frequent access to or supervision over minor participants (e.g., staff, coaches, team managers, regatta officials, etc.); (2) are responsible for enforcing child abuse and misconduct policies; (3) are in managerial or supervisory roles of a US Sailing member organization; and (4) are new and current employees and/or volunteers of a US Sailing member organization should complete appropriate training about child physical and sexual abuse and other types of misconduct as set forth below.

Appropriate training shall be designed to:

- Provide definitions for, and effects of, child physical and sexual abuse
- **Provide definitions for, and effects of, all forms of abuse and misconduct (emotional, physical, sexual bullying, harassment and hazing)**
- **Identify risk opportunities for child physical and sexual abuse**
- **Address common myths about offenders**
- **Outline patterns, behaviors and methods of operation of sexual predators**
- **Identify risk opportunities for abuse and misconduct in sport**
- **Identify policies, practices and procedures to recognize, reduce and report misconduct**

US Sailing **has adopted the United States Olympic Committee’s SafeSport training materials**, which include a series of online training videos, totaling approximately 90 minutes and made available at no cost to the participant (**a “refresher” course may be taken by any person that has previously completed the initial course which only takes approximately 30 minutes**): <https://safesport.org/education-outreach/index>

- Lesson 1: The Coach-Athlete Relationship
- Lesson 2: Bullying & Harassment
- Lesson 3: Hazing
- Lesson 4: Emotional Misconduct
- Lesson 5: Physical Misconduct
- Lesson 6: Sexual Misconduct
- Lesson 7: Sexual Abuse
- Lesson 8: Grooming
- Lesson 9: Minimizing High-Risk Opportunities
- Lesson 10: Local Travel
- Lesson 11: Overnight Travel
- Lesson 12: Signs & Symptoms of Abuse
- Lesson 13: The Barriers to Reporting Abuse
- Lesson 14: Reporting and Responding to Misconduct & Abuse

The extent and content of the required training may vary for different types of individuals, and US Sailing's policy is that the following training shall be required (note that US Sailing may modify these requirements from time to time as it deems appropriate):

A. US Sailing Program Administrators: US Sailing program leaders, administrators, board members, etc., are the representatives who are primarily and directly responsible for administering and supervising US Sailing programs at the national level. As such, these representatives must be fully versed in US Sailing's **SafeSport Program** and possess the information necessary to more effectively monitor the organization, minimize the opportunities for child physical and sexual abuse and other types of misconduct, and respond to concerns.

B. Coaches: Coaches are the adults who typically have the most contact with youth sailors. All coaches employed by US Sailing, either staff or contractor, for youth training clinics, camps or events shall complete the SafeSport Training program prior **to that person's** participation in a US Sailing program. All coaches shall be required to complete the proper SafeSport training program every two years.

Upon completion of the initial training course, a coach may satisfy the training requirement by completing the SafeSport **"refresher" course**.

C. Officials: Officials at Championships and other events for which US Sailing is the Organizing Authority or US Sailing sanctioned events also have regular contact with youth sailors. All officials eighteen (18) years and older shall complete the SafeSport Training program as a condition of completing their certification requirements. All officials eighteen (18) years and older shall be required to complete the proper SafeSport training program every two seasons. New officials eighteen (18) and over shall take the training during their first year of registration and every other season thereafter. Upon completion of the initial training course, an official may satisfy the training requirement by completing the SafeSport **"refresher" course**. Existing officials will be required to complete SafeSport training upon the renewal of their certification OR before officiating at a US Sailing Championship or US Sailing sanctioned event. This SafeSport Training is valid for two years. Upon completion of

the initial training course, an official may satisfy the training requirement by completing the **SafeSport “refresher” course.**

D. Other Volunteers/Employees: All volunteers and employees involved with US Sailing programs who have regular, routine or frequent access to or supervision over minor participants shall be required to complete the SafeSport Training Program as a condition of being appointed to such position. Volunteers and employees who have less regular, non-routine or infrequent access to minor participants are strongly encouraged to complete the SafeSport Training.

E. Member Organizations: All member organizations are encouraged to implement SafeSport policies and are encouraged to assess which categories of volunteers and employees within their programs who will have regular, routine or frequent access to or supervision over minor participants and who, consequently, should be required to complete the SafeSport Training Program as a condition of being appointed to such position. Programs should plan early so that volunteers have adequate time to complete the training before assuming duties.

Any volunteer or employee required or desiring to take the SafeSport Training may, as a member of US Sailing, complete (at no charge) the training online via the SafeSport webpage.

E. Parents/Participants: Parent education is one of the keys to keeping a program safe from abuse and misconduct. Parents can assist by helping avoid situations in which misconduct can occur, by being aware of the signs and symptoms of abuse, and by reporting suspected abuse. Parents and participants will be made aware of US Sailing’s SafeSport Program through the US Sailing website, emails and other social media and electronic channels, and other suitable means. SafeSport online training for parents is available at the SafeSport website. **Please note that the parent training course does not satisfy the training requirement for coaches, officials or other volunteers or administrators.**

Certain jurisdictions in the United States have mandatory training and testing that may apply to those who work or volunteer with youth participants. If state-mandated training and testing is in place, then the training and testing shall be consistent with relevant standards of care and legislation.

## SECTION IV

### US Sailing’s Background Screening Policy

In 2005, the US Sailing Training Department implemented a background screening policy for Instructor Trainers and Master Trainers. The Olympic Department began a formal background screening program in 2007 for staff and coaches who worked with elite teams at Olympics, Paralympic, and Pan American Games competitions. SafeSport training was also included for this group around this same time period as required by USOC for the coaches, managers and support staff of these international travel teams.

In 2010, US Sailing began requiring background checks for any coach that was hired by US Sailing to work at one of our National Championships for youth sailors. US Sailing will not authorize or accept any staff or coach who has routine access to minors unless that person consents to be screened and passes a comprehensive screen by US Sailing's **approved** background screen vendor. This policy was followed by a requirement for SafeSport training by coaches at our National Championships for youth sailors in 2013. US Sailing strongly encourages each member organization to have a background screening policy in place to provide a safe environment for its sailors, especially for youth.

#### Purposes of a Screening Policy:

- Protect US Sailing national and development teams from known offenders
- Deter offenders who have not been caught from joining US Sailing programs because the program has a known policy against abuse
- Help protect US Sailing, its member organizations, and their respective employees and subcontractors from liability that could arise from allowing a previous offender to have access to minor participants
- **Background screenings are a "risk management tool" to help reduce potential sexual abuse/molestation claims by identifying and eliminating individuals who might pose a threat from the group to whom the insurance company is providing coverage.**
- Help protect US Sailing and member organizations from state and federal precedents that associations can be held generally liable for sexual misconduct or abuse that can, in some way, be connected to their sanctioned events.

#### Current US Sailing Screening and Education Policies:

Currently, US Sailing conducts screening and requires education of its employees, Board of Directors, Olympic Sailing Committee, select volunteers, coaches and independent contractors as follows (All non-USA citizens will require an international criminal background screening when applying for any position stated below):

- All members of the US Sailing Board of Directors upon appointment, and then every 2 years;
- All members of the Olympic Sailing Committee upon appointment, and then every 2 years;
- All US Sailing employees shall be screened as a condition of their employment and then shall be rescreened every two (2) years;
- All coaches, instructors and other staff for any US Sailing national or development team, select team camps or Championship events and clinics shall be screened as a condition of being selected for such position or shall have been screened by US Sailing within the past two (2) years.
- Coaches hired by US Sailing for youth specific events and teams.
- All US Sailing Instructor Trainers, Master Trainers shall be screened and complete SafeSport Training for recertification.
- New Instructors and those recertifying will be required to have SafeSport Training.
- Race Officials will be required to complete SafeSport at a prerequisite for recertification.

NOTE: All host clubs/venues for US Sailing Championships or sanctioned events whose staff and volunteers will have regular, routine or frequent access to or supervision over minor participants are encouraged to implement a screening and education policy as a condition of being selected for hosting. All local and state regulations shall be followed.

## SECTION V

### Reporting Concerns of Abuse and Misconduct

An effective reporting policy that results in reports of suspected abuse and misconduct, and does not in any way deter victims or witnesses from reporting abuse and misconduct, is a key element to preventing abuse and misconduct. Potential abusers will avoid involvement in a program where there is a likelihood that suspected abuse will be reported. When sport stakeholders are untrained about how and when to report suspected abuse, they may feel ill-prepared, powerless and lost when it comes to responding to and reporting misconduct. By providing this guidance on when and how to report suspected misconduct, US Sailing seeks to remove barriers to disclosing misconduct, including child physical and sexual abuse.

#### REPORTING POLICY

It is the policy of US Sailing that every employee or volunteer of any US Sailing member organization, must report actual or perceived violations of the US Sailing/USOC SafeSport Program to the appropriate US Sailing representatives; additionally, in all cases involving suspicions or allegations of child physical or sexual misconduct, every employee or volunteer of US Sailing member organization must also report to the appropriate law enforcement authorities. Any report of misconduct or suspicions of child physical and sexual misconduct will be taken seriously and handled appropriately. If US Sailing receives a report of physical or sexual misconduct involving a minor, US Sailing will make a report to the proper authorities.

In some cases an employee or volunteer may be hesitant about reporting suspected misconduct because they are unsure about the credibility of the person making the allegations, are unsure about the credibility of validity of the facts on which the allegations are based, or are concerned about the potential consequences of a false report. It is critical that employees and/or volunteers should not attempt to evaluate the credibility or validity of child physical or sexual misconduct allegations as a condition for or prior to reporting their concerns.

#### REPORTING CHILD PHYSICAL OR SEXUAL ABUSE

**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 an employee, volunteer, parent or participant 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 US Sailing or the US Center for SafeSport.

#### PEER-TO-PEER SEXUAL MISCONDUCT

Some child sexual misconduct occurs at the hands of other children and the obligation to report extends to peer-to-peer child sexual misconduct. Whether or not a sexual interaction between children constitutes child sexual misconduct 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 misconduct, report it to the appropriate law enforcement authorities and to US Sailing or the US Center for SafeSport.

#### REPORTING PROCEDURE

Suspicious or allegations of child physical or sexual misconduct should be made to the appropriate law enforcement authorities. In order to further protect US Sailing programs and participants, such reports should also be made to US Sailing and/or the US Center for SafeSport. A compilation of information when a person must make a report to law enforcement authorities can be found:

[www.childwelfare.gov](http://www.childwelfare.gov)

[www.childwelfare.gov/systemwide/laws\\_policies/statutes/manda.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm)

[www.childwelfare.gov/systemwide/laws\\_policies/state/](http://www.childwelfare.gov/systemwide/laws_policies/state/)

<https://www.childwelfare.gov/pubPDFs/manda.pdf>

All reports of violations of any of the US Sailing SafeSport policies or any violations of this SafeSport Program Handbook shall be made to US Sailing.

In some instances, a victim or complainant may feel more comfortable reporting to their local club administrator. Any reports to a local club administrator shall be forwarded by that administrator to US Sailing. Depending on the circumstances, US Sailing may refer a report to the US Center for SafeSport for initial action, investigation and/or discipline.

#### US SAILING REPORTING CHANNELS:

Email: [safesport@ussailing.org](mailto:safesport@ussailing.org)

Phone: 1-401-366-3111

Online Reporting Form: <http://www.ussailing.org/safety/safesport/report-a-safesport-incident>

#### RESPONDING TO MISCONDUCT

US Sailing recognizes that there are varying levels of misconduct. For example, physical and sexual misconduct are serious violations that may result in immediate suspension or dismissal. In contrast, a youth participant who tells a single risqué joke constitutes less serious misconduct, and depending on the circumstances, might be dealt with more

appropriately through dialogue and a verbal warning. Appropriate action should always consider the necessity of protecting minor participants from further abuse.

Adults have a responsibility as a coach or other non-participant member to protect the children within their care. Children cannot protect themselves. Children rely on the adults around them to keep them safe. If an adult member observes a boundary violation, policy violation or suspicious or inappropriate interactions, the below information will assist you in how to respond:

1. Interrupt the action and speak directly to the person involved.

**Try to begin the conversation with something positive, and then describe the actions you've seen that concern you and suggest what should be done. Interrupting doesn't mean you are accusing anyone of molesting a child. You are just making sure that everyone follows the rules that keep kids safe.**

2. Always respond quickly, if you witness or become aware of red-flag behavior.

**A child's safety may be in jeopardy and a delay in action could allow abuse to occur. Red-flags (for example, adults who have poor boundaries such as texting athletes frequently, buying gifts, etc.) can quickly lead to abuse or misconduct. That means you need to respond right away, no matter how busy you are.**

3. Share your concerns with the head coach, team manager, or management. *If you see something, say something.* **If you don't speak up, nothing will change and the situation could get dangerous. Tell your supervisor exactly what you've observed. Arrange a time when you can speak with leadership privately and without distractions. Share your observations and concerns with as much detail as you can and explain why you are concerned and what you would like to see changed.**

4. Thoroughly document what you learned and what actions you took in response, especially for those in leadership positions. Documentation can be crucial if you must later prove that you exercised due diligence in acting on a report of inappropriate or suspicious behavior. Use the situation to strengthen training, monitoring and supervision, and enhance your policies. Red flag incidents can teach a great deal. Use what happened in the situation to ask **"how could this happen?" as well as "what was done well?" Maybe it will be noticed that coaches need more training on how to supervise children or how to respond if they see a red flag. Don't let an incident go by without learning something from it so you can do an even better job in the future.**

## 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. Accordingly, US Sailing, its member programs and their administrators, employees and/or volunteers shall not attempt to evaluate the credibility or validity of allegations of child physical or sexual abuse as a condition for or prior to reporting to appropriate law enforcement authorities. As necessary, however, a person receiving a report may

ask a few clarifying questions of the minor or person making the report to adequately report the suspicion or allegation to law enforcement authorities.

#### *Immediate Suspension or Termination*

When an allegation of child physical or sexual abuse is made against an employee, volunteer, independent contractor and/or other participant, US Sailing may immediately suspend the **accused individual (i.e., a “summary suspension”)** and/or immediately remove that individual from contact with any children in the program until the allegation has been investigated by an official agency. This shall apply whether or not the allegation involves an incident during a sailing program or event.

See the procedures and description of US Sailing Regulations 13 and 15 in Section VI below.

#### *Other Misconduct and Policy Violations*

When a bullying, harassment, hazing, emotional, physical, sexual or other abuse allegation is not reportable under relevant state or federal law, the local program or US Sailing shall address internally and investigate the alleged policy violations and misconduct, and impose discipline where appropriate.

Likewise, violations of US Sailing’s **Electronic Communications Policy** and Travel Policy shall be reported to US Sailing to address, rectify and impose discipline where appropriate.

#### *Follow Up Reports to US Sailing*

All local programs shall promptly notify the US Sailing SafeSport Contact of the results of any investigations, hearings or other proceedings within their program that involve violations of the US Sailing SafeSport Policies or this SafeSport Handbook.

#### NOTIFICATION

Following notice of a credible allegation that results in the removal of an employee, volunteer, independent contractor and/or other participant, US Sailing or the local program may consider the circumstances in which it will notify parents of other participants with whom the accused individual may have had contact.

As appropriate, US Sailing and/or local programs may notify its staff members, volunteers, parents, and/or participants of any allegation of child physical or sexual abuse or other criminal behavior that: (1) law enforcement authorities are actively investigating; or (2) is being investigated internally by US Sailing, and/or local programs. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.

## SECTION VI

## RESPONDING TO ABUSE OR MISCONDUCT

In response to allegations of abuse or misconduct, the US Sailing Bylaws and Regulations that are applicable to suspensions and disciplinary proceedings shall apply. Those Bylaws are found Part VII of the US Sailing Bylaws and Regulations 13 and 15.

Regulation 15 provides for a disciplinary process that must be followed in connection with disciplining of a member, team, organization or others within the jurisdiction of US Sailing. By following the procedures of Regulation 15, US Sailing can provide a fair and reasonable process for handling reports of abuse by members.

**Responding to Abuse and Other Misconduct is:**

- the obligation of US Sailing to investigate and conduct appropriate disciplinary proceedings following reports of suspicions or allegations of abuse or misconduct;
- the importance of maintaining confidentiality with respect to the complaint, complainant, victim, accused and other information related to the report and incident(s) until “notice” must be given about a suspension or the outcome of any proceedings;
- the circumstances in which an immediate or “summary” suspension is appropriate and the procedures following a summary suspension;
- a general summary of the procedures for a hearing under Regulation 15; and
- factors and considerations that should be incorporated into findings and sanctions that are issued by the hearing panel.

IMPORTANCE OF CONFIDENTIALITY

Any investigation and/or disciplinary proceedings must be kept confidential. An investigator shall not discuss the investigation with anyone except for the purposes of conducting the investigation, except as requested by law enforcement or child protection authorities. An investigator shall not be required to provide a copy of the **investigator’s report or notes** to any party unless required by law. Hearings should be closed and confidential, to the extent possible, other than for notification of the outcome. Participants in the hearing, including the hearing committee, complainant, victim and witnesses (if any are permitted), should be requested and encouraged to keep the proceedings confidential, except as requested by law enforcement or child protection authorities. The hearing panel shall not discuss the testimony with anyone and shall deliberate among themselves until final resolution of the complaint, except as requested by law enforcement or child protection authorities.

## SECTION VII

### Monitoring and Supervision of the Program

*The monitoring and supervision aspect of US Sailing’s **SafeSport Program** describes how US Sailing monitors, supervises and ensures that the aspects of the SafeSport Program (i.e., implementation and enforcement of policies, training requirements, screening requirements, responding, reporting and adjudication procedures, etc.) are being followed and how they may be improved, so that they result in a safe environment for the members and participants in US Sailing Championships and events. It also encourages all if its member organizations to follow similar SafeSport policies and procedures in their programs and events.*

Monitoring and supervision must occur at different levels within US Sailing:

#### Team Coaches

- The Head Coach for each team shall be responsible for monitoring his/her team so that the **team is being properly supervised, that the team's travel is conducted in accordance with** Travel Policy, and that all team electronic communications are in accordance with the Social Media and Mobile and Electronic Communication Policy.
- It is recognized that the Head Coach may not be personally responsible for the direct supervision of each of the above areas at all times and may delegate responsibility to team personnel for certain activities or to other properly screened adults, but as the primary supervisor of the team, the Head Coach shall be responsible for delegating as necessary to result in compliance.

#### National Level

- US Sailing shall monitor compliance with the US Sailing SafeSport Program for all Programs and Championship events that it is the organizing authority for.
- US Sailing shall provide guidance to member organizations regarding SafeSport policies and encourage them to implement SafeSport policy on a local level
- US Sailing shall require that all US Sailing employees and interns, members of the Board of Directors, Olympic Sailing Committee members, US Sailing Team coaches and affiliated personnel have received all required training and have been screened as a condition of holding that position.
- US Sailing shall promptly address any reports of abuse and misconduct and make all such reports as required under the US Sailing SafeSport Program or applicable law, and shall monitor and advise member organizations to help ensure all such reports are made.

#### Member Organizations

- Member organizations, clubs and their administrators should monitor their programs and enforce compliance of its teams with respect to SafeSport policies set forth by the United States Olympic Committee.
- The goal is to have member organizations and clubs monitor their personnel so that the **program's coaches, officials, program administrators, support staff and other program** volunteers and employees who will have routine access to minor participants have completed the training in accordance with SafeSport guidelines prior to such persons starting date or otherwise having access to youth/junior participants.
- Member organizations and clubs should promptly address any reports of abuse or misconduct and make all such reports as are required under the SafeSport Policy or applicable law.