safe4athletes

HANDBOOK

SCHOOL/COLLEGE POLICIES AND PROCEDURES

…designed to provide athletes with a safe and positive environment free of sexual abuse, bullying and harassment

Schools and colleges that are recipients of federal funds are obligated to comply with Title IX of the Education Amendments Act of 1972 and its specific obligations related to sexual harassment and gender equity. Athletics directors should consult with the institution's Title IX coordinator and legal counsel to ensure that all adopted policies and procedures conform to these laws.

Updated as of March 2013

Safe4Athletes is a not-for-profit organization that advocates for athlete welfare where every athlete is provided a safe and positive environment free of sexual abuse, bullying and harassment.

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Nothing in this Handbook should be construed as implying that Safe4Athletes model policies, procedures or educational materials have been approved by the United States Olympic Committee, its national sport governing bodies or any national college or school athletics governance organization.

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safe4athletes

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"*Accelerating ideas into action to advance the public good*"

PREFACE

The purpose of this publication is to provide school or college athletics managers with the basic policies, procedures, forms, guidelines and educational materials that will enable the program to immediately install a management system that advances athlete safety and welfare. Each document contained in this Handbook is available as a free download in Word format on the Safe4Athletes.org Web site, so it can be customized with the name of the school/college and appropriate staff and contact information.

Safe4Athletes is a not-for-profit organization that advocates for athlete welfare where every athlete is provided a safe and positive environment free of sexual abuse, bullying and harassment.

What Safe4Athletes does:

1. Advocate for and help sports organizations adopt effective policies, procedures and educational programs that prevent coach, volunteer and peer misconduct whether it is sexual, bullying, harassment or other forms of inappropriate behaviors.

2. Assist sports organizations faced with situations involving sexual misconduct, bullying, harassment and other forms of inappropriate conduct on how to handle these situations appropriately and act quickly to restore safe environments for athletes.

3. Provide a safe and confidential place where abused athletes, their parents or others concerned about the impact of coach/volunteer/peer misconduct can call to:
   - talk to other athletes who have been through similar situations;
   - be referred to professional counselors who can provide psychological or other assistance;
   - get advice on how to communicate with appropriate officials or agencies so proceedings can be initiated to investigate, adjudicate and if necessary, remove the offending coach or sport leader from his or her position before others can be hurt; and/or
   - help their sports organizations find model policies, procedures, educational programs and advice on how to prevent and to deal with such situations.

4. Encourage and help educate all parents and athletes to be more aware of what they can do to recognize inappropriate coach/volunteer/peer behavior and understand how traumatic the effects of such experiences can be for athletes.

5. Partner with state, regional, and national sports governing associations and other national sports organizations to encourage the adoption of legislation mandating that their members adopt strong policies, procedures and educational programs regarding this issue.

Learn more about how you can help at Safe4Athletes.org.

Katherine Starr
Founder and President

TABLE OF CONTENTS

Page

Preface…… 2

Safe4Athletes Program Overview…… 5

Model Policy: Philosophy and Policies Governing Professional Coaching Conduct and the Conduct of all Athletes, Employees and Volunteers…….. 7

Appendix A: Coach, Employee, Volunteer Code of Conduct Agreement……. 21

Appendix B: Model Complaint Form……. 22

Guidelines: The Athlete Welfare Advocate……. 24

Education Paper: What Every Athlete Should Know About Personal Safety……. 28

Education Paper: What Every Parent Should Know About Athlete Safety……. 31

Frequently Asked Questions about Safe4Athletes Model Policies and Procedures

1. **Why should your athletics department adopt Safe4Athletes or similar child safety and welfare policies and procedures?..... 35**
2. **Why, from a "protection from harm" perspective, is it important to have policies defining prohibited behaviors, misconduct, etc.?..... 35**
3. **What is the athletics department's risk re: a coach who is terminated for misconduct, suing the athletics department?..... 35**
4. **Should the athletics department keep a list of coaches and other employees banned For misconduct or other reasons?..... 36**
5. **Should the athletics department wait for the police department or an NGB to process a coach misconduct case before it takes action?..... 36**
6. **What if the NGB in our sport has a weaker policy compared institutional policy or Safe4Athletes model documents?..... 37**
7. **Should an athletics department have insurance that covers sexual harassment and other forms of coach misconduct?..... 37**
8. **Are there additional costs associated with running a Safe4Athletes program?..... 38**
9. **What are the responsibilities of the "Athlete Welfare Advocate" (AWA)?..... 38**
10. **Why is the position of "Athlete Welfare Advocate" (AWA) important?..... 39**
11. **Who helps the "Athlete Welfare Advocate" (AWA)? 40**
12. **Do athletics department complaint procedures have to conform to the strict "due process" provisions required by courts such as the right to confront your accuser and engage in adversarial or hostile questioning of the accuser?..... 40**
13. **Do athletics department athletes dismissed from the athletics program or coaches or other employees dismissed from the athletics department for misconduct have any right to appeal to the NGB/USOC and utilize the arbitration provisions of the Amateur Sports Act?..... 40**
14. **Why is the Safe4Athletes model policy so detailed with regard to prohibited behaviors? Should it be modified to be more positive?..... 40**

15. Can our athletics department use the Safe4Athletes policies and procedures even if the athletics department chooses to modify them?..... 41
16. Why is the issue of confidentiality so important in the case of an abused athlete?..... 41
17. Educating athletes and parents on policy at the beginning of each season invites athletes and parents to come "whining." Why should we invite this behavior? …… 41

PROGRAM OVERVIEW
HOW YOUR SCHOOL/COLLEGE CAN CONDUCT AN ATHLETICS PROGRAM THAT IS SAFE FOR ATHLETES

WHY?
Athlete sexual abuse and other forms of misconduct by coaches or others is a serious problem that has not been effectively confronted by local and national open amateur sports organizations or the school/college community. The damage to athletes who have been abused goes well beyond their inability to reach their potential as athletes. The impact is life changing. Being victimized by a trusted adult, especially in the case of sexual abuse, has a devastating and long-lasting impact ranging from lowered self-esteem, difficulty trusting others, anxiety, stress, fear, and depression to self-destructive tendencies, sexual maladjustment and substance abuse. It is commonplace for abused athletes to accept blame for the misconduct, thinking the abuse is their fault and not recognizing that it is the adult who is wrong. Some abused athletes may even involuntarily and subconsciously bond with their abuser. Schools/colleges with policies, procedures and educational programs designed to prevent such harm are more likely to be trusted and respected by parents and less likely to be sued by victims.

PERSPECTIVE
It is very important for every school or college athletics program to emphasize to coaches, athletes, employees, volunteers and parents that athlete safety and welfare policies do not imply distrust and are not intended to portray coaches or others as "villains." The appropriate analogy is to liken these policies to what we all have to endure when taking an airline trip and tolerating airport security measures. We suffer these restrictions on our personal freedoms because we know that one terrorist can cause terrible harm. Similarly, athlete safety and welfare policies restrict the actions and behaviors of coaches and others in order to maximize the possibility that we will be able to protect program participants from the harm caused by one person with malicious intent.

HOW? A Safe4Athletes athletics department commits to doing four things:

1. **ADOPT POLICIES** that (a) require criminal background checks for coaches, volunteers and others before they are permitted to work directly with athletes or children attending athletics department sponsored workshops, events or sports camps and (b) clearly define prohibited conduct in a detailed way, from poor instruction or supervision practices and bullying behaviors, to more serious allegations of professional misconduct such as sexual harassment, or physical, emotional, or sexual abuse. Coaches, employees and volunteers sign a code of conduct agreement acknowledging having read and understanding their obligation to adhere to the policy.

2. **EDUCATE COACHES, ATHLETES AND VOLUNTEERS** about these inappropriate behaviors and the existence of a conduct policy that must be followed.

3. **APPOINT** an school district or college trained school counselor from outside the athletics department as an **ATHLETE WELFARE ADVOCATE (AWA) TO ASSIST ATHLETES.** Athletes are often afraid of confronting more powerful coaches or even their own parents when faced with a distressing situation. The AWA distributes educational materials and invites athletes to call or email to schedule a confidential conversation if they need help handling any situation that makes them feel uncomfortable or unsafe.

4. **ESTABLISH AND IMPLEMENT THE FOLLOWING APPROPRIATE PROCEDURES** that will restore a safe environment if misconduct occurs:
   - availability of an Athlete Welfare Advocate to meet in a confidential and supportive environment to assist the athlete (and/or parents) in identifying and addressing the concern
   - immediately correct any hostile environment or situation that threatens the safety and well-being of participants
   - if appropriate in the case of minor transgressions, the Athlete Welfare Advocate works with the athletics director to resolve the situation to the satisfaction of the affected athlete (and his/her parents) or initiate a formal complaint
   - in more serious situations, the school/college temporarily suspends the coach or other individual accused of misconduct for the duration of the complaint process that includes the following elements:
     - the AWA represents or accompanies the athlete who is never required to confront her/his alleged abuser
     - the accused is given notice of all charges
     - the school/college appoints an impartial Fact Finder not associated with the athletics program to interview all parties
     - the accused receives a full hearing conducted according to the school or college grievance procedure to determine if policy was violated and, if necessary, imposes appropriate sanctions
     - the school/college may also be obligated to report the situation to the police in cases that possibly violate state or federal law
   - the school/college reports any coach or volunteer determined to have committed serious misconduct and whose employment or affiliation with the school/college was terminated to the national sports governing body (NGB) with a request to revoke the individual's membership and ability to coach in all NGB member athletics departments in order to protect other children from the possibility of abuse

FREE MATERIALS

Safe4Athletes has sample policies, procedures and educational materials that schools/colleges can use to implement a Safe4Athletes program. Downloads are free from Safe4Athletes.org.

USE OF SAFE4ATHLETES LOGO AND SAFE ENVIRONMENT STATEMENT

School or college athletics programs that adopt these policies and procedures may use the Safe4Athletes logo and the following statement on their web site and in printed materials:

[Insert Name of School/College]

POLICY

PHILOSOPHY AND POLICIES GOVERNING PROFESSIONAL COACHING CONDUCT AND THE CONDUCT OF ALL ATHLETES, EMPLOYEES AND VOLUNTEERS

1.0 Athlete Safety and Welfare. It is the responsibility of each coach, volunteer, staff member and parent associated with our athletics program to act in positive and respectful ways to enhance the health and well-being and increase the sport performance skills of all athletes participating in our program. We are committed to providing a safe participation environment, being fair, open and honest in our relationships with each other, acting ethically and modeling exemplary sportsmanlike conduct. The purpose of this policy is to clearly state our beliefs and expectations with regard to the instructional environment we intend to create for athletes who participate in our program.

2.0 Athlete Welfare Advocate. Our program has an Athlete Welfare Advocate (AWA). The role of the AWA is to act on behalf of the athlete to ensure his/her safety and fair treatment. The AWA is a trained school counselor and not an athletics department representative who acts to protect the athletics program or its employees. The AWA is responsible for listening to any athlete (or athlete and parent) complaint or expression of concern and determining how to best address this concern in the best interest of the athlete. The AWA must always consider the imbalance of power between athlete participants and coaches and other adults who are in positions of authority. In addition, there may be other athletes or team volunteers whose actions may be intimidating or threatening to younger or weaker children. The AWA is the protector of the athlete. Each AWA is required to have a criminal background check as a condition of assuming this important role.

3.0 Respect for and Confidence in Our Coaches, Staff and Volunteers. Nothing in this policy should assume anything but the fact that, generally, we hold coaches and the coaching profession in the highest possible esteem. The coach's energy, motivational gifts and expert sports instruction provided to our athletes is highly valued, admired and appreciated. The athletics department also appreciates the efforts of staff and other volunteers who devote countless hours and dedication to the success of our program.

4.0 Teaching Athletes about Pedophiles and Abuse. The athletics department recognizes that even though criminal background and previous employment reference checks are conducted, this process is not infallible. We must protect all program participants from abusers and pedophiles by educating them about "grooming behaviors" and the other ways that such people use to silence, control or intimidate victims. The fact is that those who abuse children or convince young adults to consent to professionally unethical romantic relationships are adults known to and trusted by the athlete. This is an important purpose of this policy.

5.0 Statement of Expectations. In addition to our obligation to teach athletes about pedophiles and abusive behavior, we recognize that the sports culture too often wrongly tolerates or justifies abusive behavior in the name of developing competitive toughness. We also realize that the pressures of wanting to achieve excellence sometimes cloud good judgment and that not all coaches and others working in our program have the same training and experience as

professional educators of children and young adults. Thus, it is important to clearly state the athletics department's expectations as to what constitutes a safe and positive environment.

5.1 **Athletics Department Code of Conduct.** All athletics department coaches, staff members and volunteers are also required to sign the athletics department *Coach, Employee, Volunteer Code of Conduct Agreement* (see Appendix A) as a condition of employment or volunteer affiliation. The Agreement requires the signatory to acknowledge:

- reading and understanding this policy, "Athletics Department Philosophy and Policies Governing Professional Coaching Conduct and the Conduct of All Athletes, Employees and Volunteers";
- obligations under state and federal laws related to child welfare and protection;
- the obligation to report any violation of these policies to the athletics department or other designated institutional representative whether committed by the signatory or by any other coach, employee, volunteer or athlete member of the athletics department; and
- the possibility of sanctions if these policies are violated.

5.2 **Personal Conduct and Responsibility**. Coaches, staff, and volunteers are to conduct their personal business so as not to bring discredit to themselves or to the athletics department. The following guidelines for personal conduct, while not all-inclusive, have been established:

- Act with good judgment, discretion, and integrity both on and off the job;
- Represent the athletics department with dedication, enthusiasm, and loyalty;
- Treat all persons with courtesy, friendliness, and respect for their personal dignity;
- Do not discriminate against any individual by reason of race, gender, creed, color, national origin, age, handicap, sexual orientation, gender identity or gender expression;
- Comply with national, state and conference athletics governing body rules and regulations and state and federal laws;
- In the event of a conflict or disagreement with another athletics department employee, parent or volunteer, professionally resolve such conflict in a meeting with the other person;
- Any situation that cannot be comfortably handled by the coach or staff member or that may have athletics department ramifications (i.e. fan behavior, inappropriate parental interference, etc.) should be brought to the attention of the Athletics Director;
- Be responsive to requests for interviews from media but refer matters related to athletics department policy to the Athletics Director; and
- Do not text message, tweet, email, telephone, or otherwise <u>socially engage</u> individual athletes (i.e., Facebook friends, etc.). Text and email messages related to official athletics department business such as changes in practice and competition times or locations, or travel plans, etc. are permitted.
- Whenever possible, all athletics department business should be conducted through communications vehicles directed to all team members.
- Ethical conflicts should be avoided. For instance, while it is acceptable for a coach who has a construction business to be hired by a parent to construct a pool deck, coaches should not accept offers of employment for tutoring, baby-sitting and other

personal-care services related to taking care of any individual athlete in the athletics department's program. Such relationships might be perceived by others as giving these athletes a special position resulting in favoritism by the coach.

5.3 **Safe Environment.** All coaches, other employees and volunteers shall be obligated to report any situation that endangers the health and safety of athletes, employees, volunteers, or other spectators/attendees of athletics department events to the Athletics Director or Athlete Welfare Advocate and act to immediately stop the activity until a safe environment can be restored.

5.4 **Evaluation.** The athletics department shall have evaluation procedures in place that provide for an annual performance appraisal of all paid staff and paid and volunteer coaches which shall include evaluations by athletes. Such evaluations shall be administered by the athletics department without coaches being present. All evaluation instruments shall be jointly reviewed by the coaches and staff members and the Athletics Director prior to their use for the purpose of ensuring that employee evaluation emphasis is on positive professional growth and improvement.

6.0 **Sexual Harassment.** Our athletics department strictly prohibits any coach, staff member, volunteer, parent or athlete from engaging in any form of sexual harassment that affects other employees, volunteers, parents or athletes.

6.1 **Definition.** Sexual harassment is unwanted and often persistent sexual attention and any other behavior with sexual overtones that creates a hostile work or training environment. Verbal harassment may be directed toward an individual or be comments about an individual that are intended to be or actually are overheard. Specifically, sexual harassment may include written or verbal abuse or threats with sexual overtones, physical contact, sexually graphic literature, sexual advances, demands for sexual favors, sexually oriented comments, jokes, lewd comments or sexual innuendoes, taunts about body, dress, marital status or sexuality, singling out members of one sex or those with a particular sexual orientation for ridicule or devaluing athletic performance or self-respect, sexual or homophobic graffiti, practical jokes based on sex, intimidating sexual remarks, invitations or familiarity, dismissing the contributions of members of one sex or sexual orientation in meetings or training sessions, or other condescending or patronizing behavior, physical contact such as fondling, pinching or kissing, sex-related vandalism, offensive phone calls or photos, and/or bullying on the basis of sex. Sexual harassment also includes all forms of sexual violence such as sexual assault, sexual battery, rape and sexual coercion, which will be referred to authorities as criminal matters.

6.2 **Zero Tolerance.** Sexual harassment by any individual involved in athletics department activities shall not be tolerated. If observed, employees, parents, athletes and volunteers shall immediately act to ask the person to stop such behavior and report such behavior to their respective supervisors or the Athletics Director or other designated institutional officer. Individuals engaging in sexual harassment shall be subject to immediate termination of employment or association with the athletics department.

6.3 **Confidentiality/Retaliation.** All sexual harassment complaints remain confidential unless such confidentiality affects the ability of the institution to maintain a safe environment. No punitive or retaliatory action will be taken against anyone who submits a sexual harassment or other complaint.

7.0 **Zero Tolerance of Hazing, Initiation Rituals, Bullying and Physical Punishment.** "Hazing" and inappropriate team initiation or bonding activities are defined as any actions, whether physical, verbal, mental, emotional or psychological, which subject another person, voluntarily or involuntarily, to any outcome that has the intended or unintended effect of abusing, mistreating, degrading, humiliating, harassing, or intimidating the person, or which may in any fashion compromise the inherent dignity of the person, for the purpose of association with, or induction to, a particular group or team or to control someone younger, weaker or with less power with the intent of harm. Such activities are strictly prohibited, whether initiated by athletes, coaches, staff members, volunteers or parents. The athletics department is committed to the preservation of civil rights and a safe and non-threatening environment. Athletes should only be asked to engage in activities that are constructive, educational, inspirational, and contributory to intellectual and personal development.

7.1 **Prohibited "Hazing" Behaviors**. Following are examples of, but not limited to, prohibited actions and behaviors constituting hazing, initiation rituals or physical punishment. Forcing, requiring or pressuring an individual to engage, endure or participate in any of the following activities:

- Consumption of alcohol or other drugs
- Ingestion of any substance
- Shaving any part of the body
- Any activity that is illegal, perverse, publicly indecent or contrary to the individual's genuine moral beliefs
- Tampering with or damaging property
- Dietary restrictions of any kind unrelated to healthy nutrition
- Deprivation of sleep and waking up/disturbing individuals during normal sleep hours
- Creation of excessive fatigue unrelated to normal training expectations and activities
- Calisthenics or any type of physically abusive exercise unrelated to normal training
- Paddling, whipping, beating or physical abuse of any kind
- Forced performance of public stunts or buffoonery
- Forced tattooing or branding
- Road trips, kidnapping, drop-offs, or any other such unplanned activities
- Work projects without the participation of the full team membership as planned community service or athletics department service activity
- Assigned or endorsed pranks, such as borrowing or stealing items, painting property or objects, or harassing other individuals or groups
- Subjecting a member to cruel and unusual psychological conditions
- Wearing of apparel in public which is conspicuous, not normally in good taste, or designed to humiliate the individual(s) wearing it
- Morally degrading or humiliating games or activities
- Verbal or cruel harassment, including yelling and screaming
- Line-ups, kangaroo courts or any interrogation not consistent with the legitimate testing for information about the purposes and history of the team

- Sexual rituals, assaults and/or required nudity
- Collective behavior such as marching that has no relationship to sport training or performance
- Activities that promote or encourage the violation of state laws or Athletics department policies
- Requiring new members to "greet" initiated members
- Requiring the answering of phones or doors with songs, chants, or riddles
- Requiring yelling or screaming upon entering or leaving a facility
- Deception or threat contrived to convince the new member that he/she will not be permitted to join
- Mentally abusive or demeaning behavior

7.2 Bullying Definition. Bullying occurs when there is an imbalance of power and the person who is older, larger, stronger, or more aggressive uses his or her power to control or harm someone in a weaker position. The person bullying has the intent or goal to cause harm (i.e., the act is not accidental) and the action is usually repetitious.

7.2.1 Types of Prohibited Bullying Behaviors. Bullying can take many forms. Examples include but are not limited to: name-calling, teasing, socially spreading rumors, purposely leaving people out of groups by telling them or others they are unwanted, breaking up friendships by threatening others or spreading rumors about a friend, or physically hitting, punching, or shoving a person.

7.2.2 Cyberbullying Prohibited. Using the Internet, email, texting, mobile phones, social media or other digital technologies to do harm to others is bullying and also prohibited.

8.0 Instructional Safety. The athletics department shall employ coaches who have the necessary credentials and experience to safely and efficiently teach the skills and strategies included in their sport and establish practice environments that minimize the potential for physical harm. Coaches are responsible for conforming to the highest levels of athlete care. Coaches are responsible for ensuring that paid or volunteer assistant coaches working under their supervision uphold the same instructional standards.

8.1 Background Checks. All paid and volunteer coaches, the Athlete Welfare Advocate, and other staff or volunteers working directly with children or young adult participants are required to have criminal background checks and employment and non-profit service reference checks (the most recent three jobs or non-profit organization affiliations) as a condition of employment or affiliation. Any individual convicted of, pleading guilty or no contest to, receiving a deferred sentence for, or currently being charged with any felony, offense involving the use, distribution, or possession of illegal or performance-enhancing drugs or substances, any crime involving sexual misconduct or any criminal offense against a minor shall not be employed or affiliated with the athletics department.

8.2 Professional Development. All coaches shall continue to advance their knowledge related to coaching excellence and safety considerations.

8.3 **Safety Alerts.** Coaches are required to stay up-to-date on all safety alerts that are publicly announced by equipment manufacturers, sport governing bodies, or any other organization associated with the conduct of their sport. Safety alerts must be brought to the attention of facility operators, parents, athletes and other staff members as appropriate.

8.4 **Adherence to Physician's Instructions and Proper Actions in the Case of Injury.** Coaches are obligated to follow the instructions of a medical physician with regard to return to competition or practice following injury, including any restrictions related to training limitations of injured athletes. In the case of injury or suspected injury during practice or competition (i.e., concussion, unusual respiratory distress, etc.) coaches are expected to immediately remove the athlete from practice or competition to seek first aid, medical treatment and/or medical evaluation by a certified professional.

8.5 **Distribution of Fluids, Drugs and Supplements.** Coaches, volunteers and other employees are prohibited from dispensing or recommending for the improvement of health or performance, any drug, medication, vitamin, nutritional, or ergogenic aid or other ingestible solid or liquid supplement purported to improve health or performance to any athlete. Further, coaches, volunteers, and employees are prohibited from distributing to any athlete any prescription or over-the-counter medicines, including aspirins, cold medicines, etc. Water should never be withheld from any athlete. Any distribution of such substances or withholding fluids is grounds for immediate termination of employment. Any athlete with a medical problem should be referred to a licensed physician or allied health professional.

8.6 **Acceptable Physical Activities.** Coaches are expected to require that athletes take part in instructional, competitive or conditioning physical activities during practices or contests that are relevant to the sport and meet conditioning and safety guidelines established by sports medicine authorities. Such activities should be based on the coach's training, educational background and experience. Any new techniques for which training or certification does not exist, must be prefaced by reasonable external consultation or review by experts and must not impose danger, risk or harm to participants that would normally not be encountered by participation in that sport.

8.7 **Physical Abuse or Inappropriate Touching During Instruction.** Physical abuse of athletes is expressly prohibited. Coaches should be aware that physical abuse can take many forms including inappropriate or frequent unnecessary touching. Some of the more common forms of physical abuse include when a coach:

- requires or suggests that an athlete perform a physical act that has no relevance to the sport and that is intended to cause embarrassment, be degrading or punish;
- forces an athlete into training and/or competition that exceeds the capacity of his/her immature and growing body;
- attempts to control an athlete's weight or menstrual cycle;
- requires or suggests that an athlete continue to perform a physical act, whether it is relevant to the sport or not, that compromises established conditioning and safety guidelines;

- places an athlete in a situation where he/she is mismatched physically with an opposing athlete causing the possibility of physical harm or the athlete is clearly unable to perform a physical activity safely or effectively without harm;
- fails to stop an activity where an athlete is clearly being subjected to physical harm;
- roughly yanks an athlete into a position on the court or field

It is good instructional practice to ask the athlete in advance if it is "okay" to touch them in order to put a body part in the right mechanical position. An occasional "high five" or a pat on the head or back to acknowledge a celebratory performance is generally acceptable unless the athlete feels uncomfortable for any reason.

8.8 **Responsibility to Act.** Whenever a coach or supervising staff member observes a potentially unsafe situation, it is the coach's or staff member's responsibility to immediately discontinue the activity and restore a safe environment. Situations involving sexual harassment, hazing, bullying or other activities defined under this policy must be immediately addressed.

8.9 **Responding to Athlete Questions.** Coaches are expected to be responsive to respectful athlete questions regarding the purpose and intended impact of training and instructional activities. Athletes should be fully educated about the nature of their sport education experience.

8.10 **Supervision of Locker Rooms, Shower Rooms and Toilet Areas.** No athlete is permitted to use a locker room, shower room or toilet area that is open to the general public without a same-sex coach or other adult supervisor in the area, or, if during a practice or competition, without a teammate accompanying the athlete while in the area. Athletes shall be instructed about the "buddy system" and cautioned to leave and immediately report concerns related to strangers in these areas. For facilities not open to the public, prior to the start of program activities coaches shall walk-through the areas to ensure that no unauthorized individuals are present. Then, only athletes may use these areas with the exception of parents who are allowed to help small children or children with disabilities get dressed. All athletes using these areas shall be educated regarding respectful behavior and the prohibition of use of cell phones or other recording devices, bullying, hazing, or unsafe activities (e.g., running on wet floors, etc.). All coaches and supervisors shall be educated regarding respectful monitoring (e.g., not directly observing athletes changing or using toilet or shower facilities).

8.11 **Travel to Practice and Competition.** Travel arrangements by coaches or parents shall ensure that no coach or parent is traveling alone with a child with the exception of a parent's own child. If commercial transportation services are not being used, coaches or parents providing transportation must be insured, utilize a well-maintained vehicle, possess a valid driver's license for the vehicle being used, comply with all state laws and shall only transport athletes for which the club has on file a permission form permitting travel using private vehicles. Detailed itineraries shall be provided to all parents and athletes for competition travel including contact information for coaches and hotels, a detailed schedule regard departure and return times, and times and locations of competitions. Mixed gender team travel shall include at least one adult of each gender as coaches or supervisors. A buddy system shall be used for all activities with no athlete permitted to leave the group alone. Prior to departure for any competition, coaches are

required to review all travel and safety policies and the obligation of athletes, coaches and other adult supervisors to immediately report any situation that could endanger the safety of anyone in the travel party.

8.12 **Hotel Accommodations.** Athletes shall be assigned to rooms with one or more same-sex roommates and will never stay alone with an adult except for that athlete's parent. Hotels shall be asked to block all pay per view channels and provide team meeting spaces. Coaches are required to establish and enforce curfew policies via bed checks. Team meetings shall not occur in hotel rooms. All athletes shall be asked to communicate with their parents on a daily basis during competition trips and coaches shall be expected to assist in such communication. The club does not permit one athlete and one coach to travel together without a third party. Coaches who are also athletes shall be assigned to room with another coach if their responsibilities are primarily coaching and supervision.

9.0 Coach Responsibility for Positive Instructional Environment

9.1 **Equal Treatment.** Coaches are expected to treat all athletes equally. Coaches are prohibited from socializing with individual athletes (see 10.2 and section 11), singling out a player through excessive negative interactions, or ignoring individual players as punishment or to communicate disfavor. Coaches should avoid situations in which they are alone with any athlete. Coaches should encourage participation of all athletes and must never devalue any athlete's role on the team, his/her potential for success, or an individual's personal worth. Coaches are prohibited from discriminating against any athlete or group of athletes based on race, religion, age, disability, gender, sexual orientation, gender identity or gender expression.

9.2 **Team Success and Failure.** It is paramount that coaches recognize that the successes and failures of athletes and teams are a result of multiple factors including athlete skill, collaborative effort and effective training by coaches. Coaches are prohibited from placing the blame for team failure on any one athlete or group of athletes. Coaches should never deflect the responsibility for failure completely away from the coaching staff. Analysis of success and failure should be confined to critiques of skill execution, strategy, consistency of effort and other objective elements of performance.

9.3 **Proper Error Correction.** Coaches are expected to correct inefficient performance of skills and strategies by athletes. Error correction should always be targeted at the actual physical performance or the effectiveness of the decisions made. Coaches shall not use error correction in ways that target personal attributes or characteristics of the athletes including but not limited to such comments as alleging that the athlete is being too weak, too lazy or too fat. Error correction must be free from profanity or personally degrading language.

9.4 **Use of Peer Pressure.** Captains and other athlete team leaders are often given responsibilities to "set the bar" for teammates by demonstrating intensity in practice and games, positive energy and an unwavering level of commitment to team principles. The positive purpose of such captain leadership is to create an athlete-driven system of motivation and support that becomes contagious throughout the team. At times,

however, delegation of high levels of control to captains can create unreasonable peer pressure that could become a conduit of abuse characterized by athlete control through intimidation. Coaches are responsible for educating captains and other athlete leaders about their appropriate roles and monitoring the level of peer pressure that is being imposed. Coaches are prohibited from encouraging or allowing athlete team leaders to require activities outside of practice or levying sanctions or punishments in any way.

9.5 **Social Isolation.** Compared to many other activities, participating on a sports team or sport training program requires an inordinate time commitment. Daily practices, contests and the time spent traveling to and from contest sites can often prohibit athletes from taking part in other social activities with peers and family. When these regular sport time commitments are added to the common practice of extending sports seasons through championship play, athletes also playing together on open amateur sport teams, and the encouragement to engage in year around training programs, the result may be an environment of social isolation where the vast majority of an athlete's interactions are with teammates and coaches. Despite the fact that athletes voluntarily elect to participate in our athletics department program, coaches should not exacerbate this potential for social isolation. Therefore, coaches are prohibited from: (1) requiring (or implying that penalty will be imposed) that athletes spend even more time outside of athletics department activities practicing skills, watching film, lifting weights, etc.; (2) requiring (or implying that penalty will be imposed) that athletes eat together, live together or socialize outside of team planned activities; and (3) stating (or implying that penalty will be imposed) that an athlete's status on the team or playing time is in jeopardy if that athlete participates in a family, non-sport, or different sport activity or if athletes do not participate at all in the off-season.

10.0 **Inappropriate Professional Conduct.** Coaches, staff members, volunteers, or others who have authority over or provide professional services to athletes must exhibit the highest standards of impartiality and professional treatment and are prohibited from engaging in inappropriate conduct with athletes.

10.1 **General Physical Bodily Contact.** Coaches, other staff and volunteers may not have any physical bodily contact with athletes outside of the practice or contest environment. Within the practice or contest environment, coaches may not have any physical bodily contact with athletes except under the following conditions: (1) when the coach asks for permission first to touch an athlete for the purpose of correcting physical form or placing a body part in a correct mechanical position; (2) giving a congratulatory "high five" or pat on the head or back to congratulate an athlete for a good performance; or (3) "spotting" or any protective coaching intended to reduce the risk of practicing or performing a skill that may cause harm with such "spotting" techniques explained to athletes beforehand. In general, if anyone touches an athlete, they should ask the athlete's permission before doing so.

10.2 **Sexual, Intimate, or Romantic Relationships.** Having a sexual, intimate, romantic or similar close personal relationship with individuals over which a person has an instructional or service responsibility, even if a consensual relationship between adults, creates the appearance or actuality of favoritism and special treatment, which is

professionally unethical and expressly prohibited. Examples of other professionally inappropriate and prohibited behaviors include but are not limited to:

- Coaches performing back rubs or massage on an athlete even if the coach is a licensed allied health professional (must be performed by a non-coach who is a licensed allied health professional hired for this specific purpose and approved by the Athletics department)
- Kissing
- Touching an athlete for instructional/mechanical instructional corrections without prior consent
- Commenting on athletes' or employees' bodies or appearance in a sexual manner
- Commenting on bodily changes and attire of the athlete that is unrelated to the athlete's athletic performance.
- Exchanging or giving gifts
- Romantic communications
- Showing obscene or suggestive photos
- Videotaping or photographing athletes or employees in revealing or suggestive poses
- Discussing/writing about sexual topics unrelated to work responsibilities of employees
- Making sexual jokes, sexual gestures, and innuendos or engaging in inappropriate sexually oriented banter (e.g. discussion of dating behavior)
- Sharing sexual exploits or marital difficulties
- Intentionally invading the athlete's or another employee's or volunteer's privacy during non-working hours or outside of regularly scheduled practice and competition
- Using e-mail, text-messaging, instant messaging, or other social media to discuss sexual topics with athletes or employees

Such unprofessional behaviors or sexual or romantic personal relationships undermine the trust in the coach or employee and belief that the athlete will be treated impartially. Employees or volunteers engaging in such unethical conduct shall be subject to immediate termination of employment or affiliation with the athletics department. Athletes, coaches, staff or volunteers with knowledge of the occurrence of such conduct shall be expected to immediately inform the Athletics Director, Athlete Welfare Advocate or other designated institutional officer.

10.3 **Emotional or Verbal Abuse.** Coaches and athletes constantly engage in verbal interactions. It is the coach's responsibility to use such interactions for instructional and motivational purposes. Emotional or verbal abuse of athletes is expressly prohibited and can take many forms, such as when a coach: (1) excessively, in comparison to treatment of other athletes, singles out an athlete through negative interactions; (2) uses profanity or degrading language; (3) personalizes error correction; (4) devalues a player's role on the team, potential for success or value as a person; (5) constantly blames the team or groups of players for failures; (6) places athletes under consistent pressure to perform at unrealistically high standards given the athlete's development status; and (7) when a coach isolates a player by ignoring him or her. Coaches must make every effort to avoid such conduct. Coaches should immediately call a halt to any bullying or emotional verbal abuse undertaken by any athlete toward another while in

the coach's presence. Coaches should refrain from and disallow their athletes from engaging in verbal discourse that denigrates others.

11.0 Coach-Athlete Relationships. Coach-athlete relationships can be extremely powerful. Coaches and athletes spend an inordinate amount of time together in an activity that can be intense and emotional. There is always the danger that the relationship between a coach and an athlete may cross the line from mentor-mentee to one that is based on total control, dependence and/or romance. It is the coach's full responsibility to maintain an appropriate professional teacher/student relationship with each and every athlete regardless of whether the athlete is an adult and can legally consent to entering into a dating, romantic or sexual relationship with the coach. The coach must maintain an unbiased position, demonstrating no appearance or actuality of favoritism toward any one or several athletes.

11.1 Control and Dependence. The nature of participating on a sports team demands a certain amount of inter-team dependence and discipline. It is the coaches' responsibility to establish a team environment and ethos that maximizes cooperative effort and performance without compromising basic individual rights. There must be appropriate times in which athletes are free to question and discuss and the coach to respond with explanations. A coach's system of discipline should at all times be reasonable and professional. Care must be taken to avoid creating an atmosphere based on fear, intimidation and total compliance. Such systems of control are antithetical to the learning environment. Team environments should be a balance between positive, nurturing and supportive and highly organized, disciplined and efficient.

11.2 Romantic, Dating or Sexual Relationships. A coach may never enter into any romantic, dating or sexual relationship with an athlete while that athlete is participating in our athletics department program, and for two years after cessation or termination of coaching that athlete in any program within or outside the athletics department, even if that athlete is not then currently engaged in participating in the sport. The two-year prohibition is based on the belief that public confidence in the athletics department program will be undermined by the appearance or actuality of intimate relationships with former athletes. A coach who engages in such activity even following this two-year period still bears the burden of demonstrating there has been no exploitation of the coach-athlete relationship if faced with allegations of impropriety. This prohibition and obligation to demonstrate no exploitation is consistent with the United States Olympic Committee Coaching Ethics Code.

11.3 Social Prohibitions. Coaches are teachers first and foremost and have a significant responsibility to maintain a mentor-mentee relationship with athletes. Therefore, coaches are prohibited from: (1) engaging in a dependent friendship with any athlete; (2) regularly socializing with an athlete or a group of athletes outside of organized team social activities; and (3) having a romantic, dating or sexual relationship with an athlete.

11.4 Prohibited Parent Requests. Parents and athletes should never ask a coach to drive a athlete home or to any other site after an event. If emergency transportation needs to be arranged, another parent should be contacted. This policy does not prohibit a coach from participating as a driver in normal athletics department group transportation arrangements to and from practice and competition sites. Similarly, parents should

avoid inviting coaches to dinners, family gatherings or non-team social events. As much as we like and appreciate our coaches, special treatment and benefits could be perceived by others as buying special treatment for selected athletes. However, it is appropriate for coaches to be invited to attend events when the entire team is invited (i.e., weddings, etc.).

12.0 Possible Sanctions. The athletics department has the right to impose the following or other appropriate sanctions on individuals or groups who violate athletics department policy, consistent with general institutional policy:

- Warning
- Reprimand
- Probation with or without conditions
- Requirements for restitution
- Conditions intended to encourage personal rehabilitation
- Suspension for a definite period of time or until the completion of a fact-finding or grievance procedure
- Report to police and possible criminal prosecution
- Termination from employment or affiliation with the Athletics department

The athletics department reserves the right to enforce immediate sanctions for violation of zero-tolerance policies at the athletics department's discretion or for the purpose of restoring a safe environment consistent with institutional policy. Coaches or other staff determined to be involved in or who condone such zero-tolerance activities shall be subject to immediate sanctions such as suspension of employment and/or affiliation with the athletics department pending completion of the complaint process.

13.0 Complaint Process. The athletics department recognizes how difficult it may be for an athlete or parent to report a coach or staff/volunteer offense because of fear of retaliation against the athlete or his/her family or subjecting a young athlete to an adversarial or hostile examination process. Similarly, coaches and staff must be assured of notice of allegations, a fair hearing and protection from frivolous complaints. Thus, the athletics department follows established institutional grievance procedures that include an appropriate fact-finding and hearing process to be utilized for any complaint.

13.1 Meeting with the Athlete Welfare Advocate (AWA). Whenever an athlete is distressed about any situation, the athlete (and/or his/her parents) is encouraged to meet with the the Athlete Welfare Advocate to discuss the situation. The AWA is a trained educational counselor who is not a member of the athletics department. The AWA is obligated to hold an independent position of acting for and on behalf of the athlete rather than the institution or the athletics department. The athlete shall not be required to confront an alleged abuser. If asked, the AWA will represent or accompany the athlete in any meetings with institutional fact-finders or investigators or others involved in the grievance process. The AWA will help the athlete (a) complete a complaint form (see Appendix B) if the decision is made to pursue a formal complaint process and (b) respond to any inquiries from the Fact Finder (see 13.7).

13.1.1 Report to Police. Alleged criminal conduct shall be immediately reported to the proper authorities as required by state law.

13.1.2 Confidentiality. If the athlete requests confidentiality, including a request not to inform the athlete's parents, such request shall be honored. The athletics department recognizes that any policy requiring automatic disclosure to parents may prevent the athlete asking for assistance.

13.1.3 Keep Athletics Director Informed. The AWA should keep the Athletics Director informed of pending situations while maintaining promises of confidentiality and should seek the assistance of the Athletics Director in acting to restore a safe environment.

13.2 Written Complaint. Complaints must be in writing and detailed rather than generalized in nature (see required complaint form – Appendix B). The complaint form must be signed by the athlete but the signed copy of the form may be retained in the confidential file of the AWA. Part II of the Complaint Form – the detailed facts of the situation shall be made available to the institutional Fact Finder and any person accused of misconduct. The AWA may represent the athlete in the complaint process. Note: a written complaint form may not be necessary for minor complaints that are easily resolved by the AWA to the satisfaction of the complainant and his/her parents (see 13.2.1 below) but, in such cases, the AWA shall be responsible for putting a record of the situation and resolution in the employee's personnel file.

13.2.1 Resolution without Formal Grievance Process. If the AWA and the complainant agree that the complaint can be resolved to the satisfaction of the complainant and the person accused without further action, such effort to negotiate a resolution may be initiated by the AWA on behalf of the complainant. If a resolution is agreed upon by both the complainant and the person accused of misconduct, it must be recorded in writing and signed by both parties. The AWA may ask the Athletics Director or other appropriate institutional officials to assist in this process, such as in any case where the resolution includes a warning or any formal action against the person alleged to engage in misconduct. In such cases, formal written record of such action shall be placed in the employment file of the person alleged of the misconduct.

13.2.2 No Resolution. If the allegation is denied, a resolution is not agreed upon, a resolution is not appropriate, or if the alleged offense falls within the zero tolerance or serious inappropriate or unprofessional conduct (i.e., sexual harassment, sexual abuse, prohibited coach-athlete relationships, etc.) the complaint shall proceed directly to the institutional grievance process.

13.2.3 Potentially Criminal Conduct or Severe Misconduct. All potentially criminal conduct shall be immediately reported to the police. The person accused of such severe misconduct shall be immediately suspended from employment or affiliation with the athletics department until the complaint process is completed. The institution's administrative grievance proceedings should move forward simultaneously with criminal proceedings and begin promptly as soon as authorities have completed their initial gathering of evidence.

13.2.4 Standards for Administrative Decisions. It should be noted that taking action against an employee or member regarding violation of athletics department or institutional policy requires a lower standard of proof than is required in criminal cases that might result in incarceration of the offending party. Administrative decisions regarding minor or serious violations of policy simply require the Athletics Director or other designated institutional officer to believe that, more likely than not, the policy was violated. Thus, the Athletics Director or other designated institutional officer can act to suspend the employee before the completion of a formal grievance process and such action, if determined by the Athletics Director or other designated institutional officer to be necessary, should be taken to protect participants. Similarly, the decision of the hearing committee in a grievance process is a determination of whether the members believe that, more likely than not, athletics department and/or institutional policy was violated. These decisions do not require the higher criminal decision standard of "beyond a reasonable doubt."

13.2.5 Departure of the Person Alleged to have Engaged in Misconduct. In the case of any severe misconduct, if the person committing the misconduct is immediately terminated or, in the case of an athlete or volunteer, dismissed from the athletics department, and there is no denial of the misconduct:

a. Potentially criminal conduct shall still be reported to the police; and
b. In the case of any coach or other individual who is a member of a national sport governing body (NGB), the NGB shall be informed of the case and any grievance process decision. In the case of a determination of serious misconduct, the athletics department shall request the NGB to revoke NGB membership privileges.

13.3 Prohibition of Retaliation. There shall be zero tolerance (i.e., immediate termination of employment or affiliation with the athletics department) for retaliation engaged in by any coach, employee, volunteer or athlete against any person submitting a complaint. This includes any retaliation by friends, parents, or spouse of the person alleged to have engaged in misconduct.

13.4 Immediate Action to Restore Safe Environment. If the complaint alleges a dangerous or hostile environment, the Athletics Director and/or other appropriate institutional officer shall act immediately to restore a safe environment while the grievance process takes place (i.e., temporary suspension of the accused athlete or coach).

13.5 Confidentiality. If the athlete, or parent of a minor athlete, reporting harassment or other serious transgression, asks that the reporting athlete's or victim's name not be disclosed to the person accused, all reasonable steps to investigate and respond to the complaint consistent with the athlete's request shall be taken as long as doing so does not prevent the athletics department from responding effectively to serious misconduct (i.e., sexual harassment, hazing and preventing harm to others).

13.6 Due Process and Adjudication. The institution's grievance process is to be followed which includes provisions that afford due process to the person accused of misconduct

and provide for fair administrative adjudication of the complaint. All parties involved in the complaint shall be informed of the outcome of this process.

14.0 Education and Awareness

14.1 Distribution of Policy. A copy of this policy shall be distributed to all coaches, staff, volunteers and parents along with a copy of "What Every Athlete Should Know."

14.2 Parent Education. The Athletics Director and Athlete Welfare Advocate shall conduct an education program for parents at the beginning of each academic year, which shall include distribution of a copy of this policy and "What Every Parent Should Know."

14.3 Athlete Education. Educating athletes about the contents of this policy is a dual responsibility. The Athlete Welfare Advocate together with the coaching staff shall be responsible for reviewing the "What Every Athlete Should Know" education publication at the beginning of each season. Every parent shall also be asked to do this with their child in the home setting.

14.4 Athlete Welfare Advocate. The athletics department shall provide each parent and athlete with information on how to confidentially contact the Athlete Welfare Advocate. Such information shall appear on the "What Every Athlete Should Know" educational publication that is distributed to both parents and athletes.

14.5 Staff Meeting. The Athletics Director shall conduct a meeting of all coaches, staff, and volunteers at the beginning of each season to review this policy and "What Every Athlete Should Know." All coaches, staff and volunteers shall be reminded of their duty to report any prohibited or perceived to be unsafe activity or environment and that individuals who have knowledge of prohibited or unsafe activities occurring and who do not report such activity, or who do not cooperate in the fact finding process, or who provide false or misleading information during the fact-finding process, may be subject to sanctions.

APPENDIX A

[Insert Name of School/College}
COACH, EMPLOYEE, VOLUNTEER CODE OF CONDUCT AGREEMENT

Coach/Employee/Volunteer Name (PRINT): _____

Position Title (PRINT)_____ Date: _____

NOTE: It is an athletics department requirement and condition of employment or volunteer affiliation for all coaches, employees and volunteers to sign this document.

By signing below, I am attesting that:

- I have read, understand and agree to comply with the a*thletics department "Philosophy and Policies Governing Professional Coaching Conduct and the Conduct of All Athletes, Employees and Volunteers*";
- I have been informed of and understand my obligations under state laws related to child welfare and protection;
- I have asked for and received clarification about any policies I did not understand;
- I understand that failure to comply with any of these policies may result in sanctions or in my termination of employment as a coach or employee or my affiliation with the athletics department as a volunteer;
- I understand that these policies cannot address every possible situation that presents itself and they do not eliminate the expectation of good judgment and professional behavior at all times; and
- I understand that I am required to report any violation of these policies to the Athletics Director or other designated institutional officer whether committed by myself or by any other coach, employee, volunteer or athlete member of the athletics department

_____ _____

Signature of Coach, Employee, Volunteer *Date*

APPENDIX B

[Insert Name of School/College]
MODEL ATHLETE COMPLAINT FORM

INSTRUCTIONS: To file a formal complaint, please fill out this form completely and submit it to the Athlete Welfare Advocate who is not a member of the athletics department and who is designated as a person who must act in your interest. If you need help completing the form, or want to discuss the issue before completing the complaint form, please contact the Athlete Welfare Advocate for a meeting:

Contact information:

Mary Doe, 444-444-4444
John Doe, 444-444-4432

Please know that the information you submit will be held in confidence until you meet with the Athlete Welfare Advocate to discuss the process that will be followed to investigate and resolve the situation. The athlete should feel free to invite his/her parents to attend this meeting. Or, the athlete may prefer to have this meeting before discussing the situation with his/her parents. Or, for any athlete under the age of 18, the athlete's parent/guardian may complete this form. Please note that the athlete will never be required to confront the person accused. ***Upon request, the Athletics department will keep the name of the athlete confidential, except when in doing so results in a danger to other athletes.***

PART I: Person(s) Submitting the Complaint

Person completing this form_____

Check One: ___ I am the athlete ___Athlete's parent/guardian ___Athlete Welfare Advocate___Other

1. Athlete's Name: _____

2. Athlete's Address: _____

3. Athlete's Telephone # _____

4. If you wish to have your parent(s), guardian(s), or another person attend a meeting with the Athlete Welfare Advocate, please provide the following information:

   Name: _____

   Address: _____

   Telephone # _____Relationship_____

Part II: The Complaint

5. Please describe the circumstances causing your complaint (give specific factual details, times, location, and name all individuals involved or who witnessed the situation).

6. What was the date of the circumstances causing your complaint? _____

7. Explain how you have been harmed by this circumstance.

8. Please describe any efforts you have made to resolve your complaint informally and the responses to your efforts.

Date	With Whom Did You Communicate?	Describe Conversation

9. (OPTIONAL) Please describe the outcome or remedy you seek for this complaint.

Signature of Person Submitting Report_____

Signature of Athlete Welfare Advocate _____

Date Filed_____

SAFE4ATHLETES

GUIDELINES: THE ATHLETE WELFARE ADVOCATE (AWA)

Safe4Athletes recognizes that the Athlete Welfare Advocate designated by schools or colleges is often a trained educational counselor who fully understands the following information. This material has been prepared to help those AWAs who may not have such training but also to provide insights to trained counselors about professional misconduct common to athletics programs that are often not encountered in classroom settings.

You are an important person for any athlete who needs help thinking through and talking about a distressful situation. Our athletics department cares about the safety and welfare of all participants and hopes that any athlete who may be the victim of abuse -- whether it is sexual, bullying, harassment or other improper misconduct by a coach, peer, parent, volunteer or staff member -- feels safe enough to contact you. The athlete should feel as though they have come to a person who will provide athlete-centered, supportive help. With this athlete assistance focus in mind, the AWA must be open to gaining the confidence of the athlete and developing a trusting relationship that will encourage factual, honest, and open dialogue. Keep in mind that you are **the advocate for the athlete** and your purpose is to hear the concern and then act on behalf of the athlete by working with others in the athletics department to develop a resolution.

Feel free to call or email Safe4Athletes (855-723 3422 toll free or info@Safe4Athletes.org) to discuss the best way to handle certain situations or if you have questions about good process.

What Kind of a Person is the Athlete Welfare Advocate?

- A person who genuinely cares about children and young adults and enjoys helping them think through situations that cause them concern
- A good "listener"
- Someone who understands the need to support and validate a child's feelings and perceptions
- An individual who will act in ways that will make athletes feel confident that someone cares, that they will be heard, and treated fairly

Overview of Athletics department Policies and the Complaint Process

Key to performing Athlete Welfare Advocate duties is thoroughly familiarizing yourself with the athletics department's athlete protection policies and the complaint process. Review the following documents:

- FREQUENTLY ASKED QUESTIONS: HOW YOUR ATHLETICS DEPARTMENT CAN CONDUCT AN SPORT PROGRAM THAT IS SAFE FOR ATHLETES
- MODEL POLICY: PHILOSOPHY AND POLICIES GOVERNING PROFESSIONAL COACHING CONDUCT AND THE CONDUCT OF ALL ATHLETES, EMPLOYEES AND VOLUNTEERS
- WHAT EVERY ATHLETE SHOULD KNOW ABOUT PERSONAL SAFETY
- WHAT EVERY PARENT SHOULD KNOW ABOUT ATHLETE SAFETY
- COACH, EMPLOYEE, VOLUNTEER CODE OF ETHICS AGREEMENT
- COMPLAINT FORM

Initial Meeting with the Athlete (or the athlete and his/her parents)

WHERE DO YOU MEET?

- Provide a safe and confidential environment away from the abuser or other members of the athletics department
- Pick an environment that makes the athlete feel comfortable

PRELIMINARY COMMENTS

- Reinforce for the athlete that your actions and discussions are confidential and will not be relayed without the consent of the athlete. This includes not reporting to parents if requested by the athlete.
- Abused athletes or athletes reporting the abuse of another athlete frequently ask for an assurance of confidentiality. Explain that you will be able to honor the request for confidentiality except if there is a danger to other members of the Athletics department. Explain your obligation to ensure that all athletes are safe, so sometimes confidentiality cannot be honored.
    - For example, if an athlete asks for a promise of confidentiality, then tells of themselves or another athlete being raped or abused, you have a duty to disclose this to the police.
    - If an athlete does not want their parents informed, this request should be honored. It is unlikely that many athletes will come forward if they know their parents will be informed.
- Validate the athlete's feelings and let them know that you will stand up for him/her throughout the incident as if you were the athlete and that it is the job of others involved in the institution's grievance process and not you to determine the veracity of the complaint.
- Assure the athlete that you understand that standing up to report abuse or unfairness or bullying is intimidating for a young person and you are there to support the athlete in this process.
- If the athlete comes with a parent, explain to the parent that you want to hear what happened directly from the athlete, but that the parent will have an opportunity to speak afterwards.
- Let the athlete (and his/her parent) know that you will be taking notes by filling out a complaint form or adding facts they tell you to the complaint form they bring to the meeting. Explain that what is on the complaint form will be reviewed and approved by them and that you just want to be sure all the facts of the situation are recorded.

LISTENING

- Be a good listener without any preconceptions or biases
- Allow the athlete to fully tell his or her story
- Then go back through the explanation to ask questions to clarify what happened or why the athlete is distressed

DETERMINING NEXT STEPS

- When the athlete is finished, try to articulate the problem back to the athlete in language appropriate to the age of the athlete so the athlete is able to validate that you understand what happened.
- Be able to understand that, due to the age and mental strength of the athlete, they may not be mature enough to recognize inappropriate conduct or may not know what to do when confronted with extreme personal attention or touching and may be afraid that reporting it will have a negative impact on instructional attention, her/his relationship with coaches, the support

of teammates, or personal credibility. You may have to educate or reassure the athlete about right and wrong relationships with coaches.

- If appropriate, ask the athlete what he or she would like you to do to resolve the issue.
- If the parent is present and if appropriate, ask the parent how he or she thinks this issue should be resolved.
- Explain that the athlete does not have to confront the abuser at all under any circumstance because the AWA will meet with the alleged abuser if necessary, acting on the athlete's behalf.

NOTETAKING

- Use the "Athlete Complaint Form" to take notes and be sure you have an accurate record of the meeting
- Use the "Athlete Complaint Form" to record all the actions you take in response to the issue
- Have the athlete read and sign the complaint form to be sure it is accurate

RESTORING A SAFE ENVIRONMENT

- Determine if immediate action must be taken on the behalf of the athlete to ensure the athlete's safety, recognizing the imbalance of power between athlete participants and adults who are in positions of authority.
- Feel free to ask the Athletics Director or other appropriate institutional officer for assistance in confronting any employee who is alleged to be an abuser.
- Feel free to ask for the coach's assistance in confronting any athlete who is alleged to be an abuser or bully.
- This may mean temporary suspension of alleged athlete or coach abusers or placement of the athlete victim in a participant group where he or she will not be under the direction of or be with the alleged abuser. Ask for the Athletics Director or other appropriate institutional officer to take action to accomplish this.
- Generally, every effort should be made not to disadvantage the reporting athlete in restoring the safe environment or to permit the alleged abuser to remain in a situation in which other athletes might be endangered.

Pursing a Resolution without a Full Complaint Proceeding

DETERMINING IF THE AWA CAN RESOLVE THE SITUATION WITHOUT A FORMAL INVESTIGATION AND HEARING

- In minor situations only (i.e., bullying, initiation rituals not posing a physical danger to participants, etc.), the complainant (and/or parents) should be asked or may suggest whether a resolution would be acceptable in lieu of the formal complaint process.
- The incident should be investigated with discretion by the AWA who would communicate with the involved party(ies) without placing the athlete in a compromising position.
- Determine if the resolution discussed with the athlete and/or parents is a good resolution and whether it can be achieved without a formal full investigation and hearing, discussing the situation with the Athletics Director or other appropriate institution officer if necessary, or, in the case of an athlete who is the alleged abuser, with that athlete's coach and parents. Resolutions are usually achievable in cases of bullying and disrespectful behaviors that are first time offenses and where athlete perpetrators might be required to apologize to their victims and participate in an education session.

- With everyone you speak with who may be involved in a resolution, the AWA should deliver a warning that any repeat of the misconduct or retaliation against victim or person who reported the violation will be termination of employment or expulsion from the athletics department.
- The resolution is not fair if the athlete must continue to be subjected to or be under the control of the alleged abuser and the athlete does not want to do this.
- Involve the parents or other significant individuals in the discussion and investigation only if requested by the athlete complainant.
- Resolve the issue after thorough scrutiny of all parties and in concert with the athlete and/or the Athletics Director or other appropriate institution officer endeavoring to keep the athlete unidentified. If there are to be legal ramifications or the media is involved, your purpose is to protect the athlete.
- Implementing the solution should be preceded by a private conversation with the athlete (and parents if appropriate) to:
    1. reinforce what is appropriate behavior in athletics by coaches, peers, volunteers and parents;
    2. the details of the proposed solution;
    3. assure the athlete that if he/she feels uncomfortable with the actions of any person included in the remedy, the athlete should contact the AWA immediately; and
    4. if necessary, discuss guidelines on how athletes should protect themselves in certain situations if abuse or retaliation is encountered (by leaving the area, contacting an adult, etc.).

When Resolution is Not Possible or Appropriate

WHEN THE SITUATION IS SERIOUS – MOVE TO FORMAL ACTION

- In the case of any situation that involves criminal behavior (rape, assault, etc.), immediately contact the police if you are the institution official designated with that obligation but only after ensuring restoration of a safe environment (by the athletics department removing the alleged abuser through suspension or termination of employment or athletics department affiliation), asking for the help of and informing the Athletics Director or other designated institution official.
- Explain the institution's grievance process to the complainant and confirm that the complaint form is complete and accurate. Determine if the name of the complainant is to remain confidential except in situations where there is a danger to others. Make sure all witnesses are identified. Make sure the complainant reads the complaint form and signs it to verify its accuracy.
- Present a completed complaint form to the appropriate institution officer to begin the institution's formal grievance process. At this point, the AWA passes all preliminary investigation and complaint details to those responsible for the conduct of the institution's grievance process and focuses on the support needs of the athlete and his/her family.
- Supporting the needs of the athlete victim may include making sure he/she is not confronted by the abuser, retaliated against, assuring the athlete and family that action is being taken, and keeping the athlete and family fully informed through each step of the process.
- If the athlete does not wish to participate in or needs support during an interview with investigators or the hearing panel, the AWA should represent or accompany the athlete in such meetings

TO THE ATHLETICS DEPARTMENT: The following educational document was designed for distribution to athletes as part of an athletics department education program for the purpose of (1) emphasizing to all athletes that the athletics department considers athlete safety a top priority, (2) educating athletes about issues of coach and other sport leader conduct, and (3) providing information about the Athlete Welfare Advocate. It should be customized with information on how to contact the Athlete Welfare Advocate (see last page). Parents are also given a copy of this document and should be asked to review it with their child. The AWA should also have a private meeting (no coaches or staff) with all athletes to distribute and review this document, introduce the AWA to the athletes, invite them to contact the AWA if they have any concerns, and to answer athlete questions about prohibited behaviors or other concerns.

WHAT EVERY ATHLETE SHOULD KNOW ABOUT PERSONAL SAFETY

Because everyone associated with our athletics department cares about your safety and well-being!

It is important that an athlete "respect" their coaches, teammates, staff and volunteers, but sometimes, they may act in ways that can be harmful and hurtful to young athletes.

It is important for every athlete to understand what is **unacceptable** behavior and when to reach out to an adult to ask for help and guidance.

Everyone needs to help to make sure our athletics department is a safe and positive environment free of sexual abuse, bullying and harassment.

A trained education counselor who is not a member of the athletics department, the **Athlete Welfare Advocate (AWA),** is available to help you if you feel in distress and need advice.

What does the AWA do?

- The AWA is available to any athlete who is concerned about the conduct of coaches, staff, volunteers or other athletes and wants to talk about what to do.
- Any conversation you have with the Athlete Welfare Advocate (AWA) will be ***confidential*** – **the AWA will not tell your parents or the person you are worried about unless you give the AWA permission to do so OR there is a danger that harm would occur to others or you.**
- **The AWA is there to talk to others adults or athletes for you.** YOU DO NOT HAVE TO CONFRONT A COACH OR ANOTHER ATHLETE WHO MAY BE CAUSING YOU CONCERN.
- If you need to talk about a situation and get it straight in your head before even thinking about making a complaint, the AWA can help you think about it.

When should I contact the AWA?

- Whenever something happens that **doesn't feel right** to "you," it is important that you speak up and talk to your AWA. See the list below.
- The AWA understands that sometimes athletes are worried that if they complain about a situation with a coach or an adult, the coach will no longer like you or give you good instruction.

Or, you may think your teammates will get mad at you. **Don't be afraid to speak up! Our athletics department requires respectful conduct.**

- **Prohibited behavior – please tell the AWA if any of the following happens to you:**

No Bullying, Emotional or Verbal Abuse Allowed!

- When an adult or another athlete who is bigger, stronger or older tries to make you do something wrong, makes you feel worthless or makes fun of you in order to embarrass you or make you feel bad
- When someone yells at you, calls you names or swears at you
- When someone pushes, shoves, punches, pinches or hurts you in any way
- When someone tries to make you feel like you are a bad person
- When someone repeatedly attempts to control your personal or social life

No Sexual Abuse!

- Sexual contact, sexual attention, and any other behavior with sexual overtones that make you uncomfortable and you do not want to have happen
- Sex jokes, sexual cartoons or photos
- If someone touches you inappropriately, tries to pinch, fondle or kiss you
- Someone talking to you about sex, asking you to have sex, asking you to touch them or kiss them
- Someone talks about your body or your dress or calls you "hot"
- Emails, text messages or uses social media to talk about sex or suggest sexual things or send sexual photos
- If anyone tries to hurt you sexually or forces you to touch them

No Hazing, Initiation Rituals, or Physical Punishment!

- No team is allowed to have an initiation ritual or make you think that you have to do something embarrassing to be accepted on the team
- Activities that ARE NOT ALLOWED:
  - pressuring you to drink alcohol, take drugs, or eat or drink something you don't want to
    - giving you any substance for the purpose of improving performance
    - making you shave of any part of the body or take off clothes or show body parts
    - making you dress up and look silly
    - forcing you to do 100 sit-ups or run laps or do hard physical activity as punishment
    - asking you to perform a physical activity that is clearly beyond your ability and may cause injury

No Romantic or Dating Relationships with Coaches!

- Your coach must treat every athlete equally and should not be spending time alone with any athlete
- The coach is your teacher and romantic relationships are NOT OK

Physical Contact!

- **A coach must always ask for permission prior to any touching of an athlete. The following situations are generally accepted unless "you" the athlete feels uncomfortable:**
  - when the coaches asks for permission to put a body part in a correct mechanical position or correct physical form;
  - a "high five" or pat on the head or back when congratulating an athlete for a good performance;
  - "spotting" or any protective coaching intended to reduce the risk of practicing or performing a skill that may cause harm with "spotting" techniques explained to the athletes beforehand;
- In general, if a coach or anyone else touching you makes you feel uncomfortable for any reason, it is okay for you to ask the person to stop and such physical contact must stop immediately no matter what the reason. **IF IT FEELS WRONG, IT IS WRONG!**

If you are unsure about any situation that makes you feel uncomfortable, please call the Athlete Welfare Advocate to help you through the situation. A confidential meeting will be arranged away from the athletics department.

Mary Smith	***John Smith***
(XXX) XXX-XXXX	***(XXX) XXX-XXXX***
Mary.Smith@gmail.com	***John.Smith@gmail.com***

TO THE ATHLETICS DEPARTMENT: The following educational document was designed for distribution to parents by the athletics department for the purposes of (1) emphasizing to all parents that the athletics department considers athlete safety a top priority, (2) educating parents about issues of coach and other sport leader conduct, and (3) providing information about the Athlete Welfare Advocate. It should be customized with information on how to contact the Athlete Welfare Advocate (see last page). The parent should also receive a copy of the athletics department's "Philosophy and Policies Governing Professional Coaching Conduct and the Conduct of all Athletes, Employees and Volunteers" and "What Every Athlete Should Know About Personal Safety."

WHAT EVERY PARENT SHOULD KNOW ABOUT ATHLETE SAFETY

Because everyone associated with our athletics department cares about athlete safety and well-being!

Attached please find a copy of an important athletics department policy, *"Philosophy and Policies Governing Professional Coaching Conduct and the Conduct of all Athletes, Employees and Volunteers*." The purpose of this policy is to define in a very clear way inappropriate coach, sport leader and athlete participant conduct and the athletics department's commitment to protect the safety and well-being of athletes. The policy defines important terms and concepts such as bully, hazing, initiation rituals, physical punishment, sexual harassment, verbal and emotional abuse, etc. Please let us know if you have any questions.

We also ask that you read "*What Every Athlete Should Know about Personal Safety*" and discuss this education piece with your child.

While it may be uncomfortable to read about athlete abuse, sexual harassment, and other forms of unacceptable behavior, it is very important for the athletics department and all parents to educate our children about these critical safety issues. We need you to emphasize to your children that any conduct that makes the child uncomfortable should be discussed with you or the Athlete Welfare Advocate (AWA). The AWA is our athlete safety officer.

Despite the fact that criminal background and previous employment reference checks are conducted on all of athletics department's employees and volunteers who work with children, these background checks often do not reveal previous misconduct, especially if a previous employer simply fired the employee without contacting the police or if the behavior fell short of criminal conduct but crossed the line of professionally appropriate conduct.

We must all be vigilant guardians of our children.

Abuse of an athlete can take many forms, ranging from failing to act to prevent harm when a dangerous situation is recognized in a sports environment to sexual violence such as when a coach, another student or other adult rapes an athlete, with many subtle and not so subtle forms of mistreatment in between. As we learned from recent media coverage of coach pedophiles in respected university programs and private sports clubs, even the most trusted adults may not be what they appear to be. Sexual abuse is almost always by a person known to the athlete who takes advantage of a position of power, is older, or bigger, or intentionally and successfully manipulates an immature or naïve athlete into what appears to be a consensual situation.

How You Can Help

1. **Review "What Every Athlete Should Know About Personal Safety" with your child**. Emphasize the following points:
   - The vast majority of athletes do not find it easy to disclose their concerns. Many are afraid of being criticized by teammates.
   - Many athletes will not question a coach's behavior because they believe they will not receive instructional attention or be selected for a team or performance group.
   - Some athletes are afraid of being criticized by parents because they think their parents will suggest that they have to be stronger and not complain. While you should encourage your child to speak to you, you should also emphasize that they can go directly to the Athlete Welfare Advocate, even without telling you. Fear of your reaction should not affect your child's decision to ask for help.
   - Explain that the sport environment sometimes contributes to an expectation of athlete "toughness" and, as a result, the sport culture urges that we tolerate abusive coaches thinking that it is acceptable behavior for coaches to "push" athletes using almost any means to do their best. Emphasize that this is not acceptable.
   - Explain that while our culture often accepts coach use of profanity, physically pulling athletes into position and other behaviors, these actions would never be tolerated of teachers in a classroom setting.

   Talk to your children regarding all inappropriate or abusive behaviors and what they should do if they observe or are subjected to such behaviors.

2. **Be a Vigilant Guardian.** In sport athletics department settings, many parents almost blindingly allow the coach carte blanche in the handling of athletes. You must be the guardian of your children, holding coaches to the same standards as any teacher.

3. **Take any Reports of Mistreatment from your Child Seriously**. Don't respond by telling your child to be "tougher." Find out the specifics of what occurred. Talk to the Athletics department's Athlete Welfare Advocate if necessary.

4. **Keep An Eye Out for Abuse and Bullying Indicators.** There are other indicators of abuse that parents and sport leaders need to be sensitive to such as:
   - Unexplained or recurring injuries such as cuts and bruises situated in areas of the child's body that are not normally prone to injury.
   - Physical injury where the explanation given is inconsistent.
   - Unexplained changes in behavior such as a child becoming withdrawn, quiet, aggressive or verbally violent.
   - Inappropriate sexual awareness and/or behaving in a sexualized manner.
   - Disordered eating behaviors such as the athlete overeating or showing a loss of appetite.
   - Excessive weight loss or weight gain for no obvious reason.
   - Physical appearance becomes unkempt.
   - The athlete becomes withdrawn and isolated from the team and seems unable to make friends.
   - The athlete begins to display a distrust of adults.
   - The athlete begins to exhibit behavioral changes such as reduced concentration and/or becoming withdrawn, clingy, depressed, tearful, emotionally up and down, reluctant to go to school, training or sports athletics department.

- A drop in performance at school or in the sport.
- Physical signs such as stomachaches, headaches, difficulty in sleeping, bed-wetting, scratching and bruising, damaged clothes and bingeing, for example, on food, cigarettes or alcohol.
- A shortage of money or frequent loss of possessions.

This is not an exhaustive list of indicators and the presence of an indicator cannot be seen to be definitive proof that an athlete is being abused. But your response to such indicators should be further investigation of the possibility that abuse is occurring.

Understand What Our Athletics department Does to Help Prevent Abuse

Please know that the athletics department is also doing all it can to ensure the safety of your child:

- All coaches, volunteers, and staff undergo criminal background checks and previous employer reference checks before they are hired and allowed to work with children.
- The athletics department's written policies (1) clearly define coach misconduct, (2) prohibit romantic or other nonprofessional relationships between coaches and athletes, (3) define and prohibit emotional, verbal, and physical abuse, bullying, hazing, initiation rituals, and (4) prohibit all forms of sexual harassment, abuse, and violence.
- Our athletics department has education sessions for athletes to help them identify inappropriate behaviors and the process to be used to report such behaviors.
- Our athletics department has an independent "athlete welfare advocate" who athletes know they can go to in complete confidence to help them address concerns.
- Our athletics department conducts education sessions for coaches, staff and volunteers regarding professional behavior and prohibited behaviors that they must stop if observed by anyone.

Understand Why Confidentiality so Important in the Case of an Abused Athlete?

- Research shows that it may take 15-20 years for an abused person to feel safe enough to speak about the traumatic experience. Thus, every effort must be made to educate young athletes (1) about what constitutes abuse, (2) that abuse is not their fault, and (3) that a safe place exists for them to discuss a traumatic or distressing experience and get help.
- Molesters of children cultivate the silence of the victim through clear instructions to keep the relationship or misconduct secret, making the athlete think he/she will be:
  - embarrassed by disclosure;
  - will be punished by parents;
  - blamed by those in authority who think the coach is more important than the athlete;
  - dismissed from the team;
  - rejected by teammates; or
  - hurt by the withdrawal of benefits (instructional attention, team selection, etc.)
- Most children will not seek the help of the AWA if they think their parents will be immediately informed. Don't take this need for confidentiality personally. The important consideration is that your child feel that there is a safe place to ask for help in thinking through a situation that makes him or her feel uncomfortable.

A Place for Parents to Go For More Help or Information

Safe4Athletes. Go to Safe4Athletes.org or call Safe4Athletes at 1-855-SAFE4AA (855-723 3422) (toll free**).** Safe4Athletes is a not-for-profit organization that advocates for athlete welfare where every

athlete is provided a safe and positive environment free of sexual abuse, bullying and harassment. Parents should feel free to contact Safe4Athletes for more information.

What Safe4Athletes does:

1. Advocates for and helps sports organizations adopt effective policies, procedures and educational programs that prevent coach, volunteer and peer misconduct whether it be sexual, bullying, harassment or other forms of inappropriate behaviors.

2. Assists sports organizations faced with situations involving sexual misconduct, bullying, harassment and other forms of inappropriate conduct on how to handle these situations appropriately and act quickly to restore safe environments for athletes.

3. Is a safe and confidential place where abused athletes, their parents, or others concerned about the impact of coach/volunteer/peer misconduct can call to:
   - talk to other athletes who have been through similar situations;
   - be referred to professional counselors who can provide psychological or other assistance;
   - get advice on how to communicate with their sport organization so appropriate proceedings can be initiated to investigate, adjudicate, and if necessary, remove the offending coach or sport leader from his or her position before others can be hurt; and/or
   - help their sport organizations find model policies, procedures and programs and advice on how to prevent and to deal with such situations.

4. Encourages and helps educate all parents and athletes to be more aware of what they can do to recognize inappropriate coach/volunteer/peer behavior and understand how traumatic the effects of such experiences can be for athletes.

5. Partners with state, regional and national sport governing associations and other national sport organizations to encourage the adoption of legislation mandating that their members adopt strong policies, procedures, and educational programs regarding this issue.

Contact Your Institution's ATHLETE WELFARE ADVOCATE

If you are unsure about any situation that makes you or your child feel uncomfortable, please call either of the Athlete Welfare Advocates to help you think through the situation and what should be done. *Mary Smith, (XXX) XXX-XXXX, Mary.Smith@gmail.com OR John Smith (XXX) XXX-XXXX, John.Smith@gmail.com*

We care about the safety and well-being of all of our athletes. We must all be vigilant guardians of our children.

Some of the information obtained contained in this paper was adapted from two primary resources "Definitions of Abuse" as published in Wavepower, Loughborough, Leicestershire, UK: British Amateur Swimming Association, May, 2009 and WomenSport International's brochure on "Sexual Harassment and Abuse in Sport" retrieved on October 14, 2011 from http://www.sportsbiz.bz/womensportinternational/taskforces/harassment_brochure.htm

FREQUENTLY ASKED QUESTIONS (FAQ)
ABOUT SAFE4ATHLETES MODEL POLICIES AND PROCEDURES

NOTE: The responses contained in these FAQs are for information and educational purposes only and do not constitute legal advice. The athletics department should consult legal counsel for advice related to risk for litigation or other legal questions. Additional questions are invited and answers are posted on Safe4Athletes.org.

1. **Why should your athletics department adopt Safe4Athletes or similar child safety and welfare policies and procedures?**
   - Parents want to know that a sports program is safe for their children. Having specific policies that address these issues will increase parent trust and confidence in athletics department leadership, coaches, or ownership.
   - Athletes can concentrate on their sports, without second-guessing their "gut feeling" that someone's behavior isn't right.
   - Clear rules and a fair process reduce the institution's risk from lawsuits that may be filed by dismissed coaches or the abused victim or her/his family.
   - Many national sport governing bodies do not yet require their athletics department members to have comprehensive athlete protection policies, and if they do, these policies may not address bullying or coach/peer athlete conduct that falls short of criminal behavior.
   - The educational institution is responsible for the safety of its students, including athletics program participants, and is obligated to take immediate action to remedy a hostile environment.

2. **Why, from a "protection from harm" perspective, is it important for the athletics department to have policies defining prohibited behaviors, misconduct, etc.?**
   - Coach/athlete abuse is a foreseeable risk of harm to participants, and as such, the athletics department has the responsibility to protect athletes against the occurrence of such harm.
   - The failure to have policies or prevention systems is, in itself, an action by the athletics department to take no action. In other words and for example, if sued by the victim or her/his family, a court would most likely say "The athlete was harmed by the athletics department's failure to exercise reasonable care on behalf of the athlete by failing to adopt and administer policies that would have prevented the abuse suffered."

3. **What is the athletics department's risk re: a coach who is terminated for misconduct, suing the athletics department?**
   - Legal counsel should be consulted with regard to specific legal advice with regard to risk for litigation. However, in general, with <u>proper policies and procedures</u> in place, the athletics department's liability should be limited to the cost of dismissing frivolous lawsuits which should be covered by the institution's insurance policy.
   - Proper procedures are:
     1. Any coach's or other employee's contract should include a provision that the athletics department and the coach agree to abide by the institution and athletics department's policies and procedures on professional coaching and employee conduct. The employment agreement should also contain a clear statement that failure to adhere to the athletics department's professional conduct policy is grounds for dismissal.

2. Coaches, staff, and volunteers should sign a statement that they have received a copy of the athletics department's policies and procedures and understand that failure to follow them may be cause for termination of employment or affiliation with the athletics department.
3. The athletics department should follow general institutional grievance policies and procedures for handling allegations of abuse or misconduct.
4. The athletics department should conduct criminal background checks and should confer with all previous employer references before new employees and volunteers are permitted to work with sport program participants.

- Without proper procedures in place, if harm occurs to a participant and the athletics department is brought to court, the athletics department's actions will be subjected to a scrupulous review and compared to a standard that the court may create on its own. Most likely, the standard defined by the court will be one the athletics department does not meet, since it doesn't have a policy.

4. Should the sports athletics department maintain a list of coaches and other employees banned for misconduct or other reasons?

YES….

- Such a list should be maintained for the protection of future athletics department participants. Such a list illustrates to new employees that the athletics department does not condone violation of misconduct rules.
- State laws should always be reviewed with regard to limitations to responses related to reference check of former coaches and employees. Such a list MUST include the name of the person AND the reason for dismissal. The Athletics department cannot be held liable for defamation if it makes a true statement. For instance, "Coach X was dismissed for violations of the athletics department's policy prohibiting sexual harassment," or "Coach X was dismissed for violations of the athletics department's ethics policy related to theft of Athletics department funds." Defamation occurs when "false" information is communicated to someone else or no information is communicated and the "banned" list implies misconduct when misconduct may not have occurred.
- The Athletics department should report its employment action to the NGB and encourage the NGB to initiate actions to revoke the coach's NGB membership in order to prevent the terminated coach from being employed by a local open amateur sport or private commercial youth sports program. The NGB could be held liable if it knows of a coach's misconduct and fails to act within its jurisdiction. Remember that the NGB can only act to revoke the membership of its own members. If the offending coach or employee was not a member of the NGB, the NGB cannot take action.

5. Should the athletics department wait for the police department or an NGB to process a coach misconduct case before it takes action?

- The athletics department cannot allow an unsafe situation to continue for any time period. The athletics department must act immediately to restore a safe participation environment, even if it means suspending the coach until an investigation is completed. Only the athletics department can take employment action.
- In cases of serious misconduct in which the athletics department has acted to immediately suspend the coach, consideration should be given to asking the NGB to undertake investigation and adjudication of the complaint in addition to the institution's grievance process. The athletics department should also determine whether its NGB requires such action. Even though

the NGB investigation and process might take longer than the athletics department process, the NGB has the power to revoke the coach's membership and may be able to prevent the coach from being employed by all NGB member programs.

- Safe4Athletes recommends that the complainant determine whether to file his or her complaint directly with the NGB in addition to the athletics department complaint resolution process and that this option is particularly recommended if all the following conditions exist:
  - the athletics department has acted to restore a safe environment by temporarily suspending the employment or athletics department affiliation of the person alleged to have engaged in serious misconduct until the complaint process is completed
  - the individual alleged to have engaged in misconduct is a member of the NGB
  - the alleged misconduct is of such a serious nature that the remedy sought is permanent revocation of NGB membership of the accused individual (banned from coaching)
  - the NGB has a code of conduct that prohibits the alleged misconduct
  - the NGB has an athlete protection officer and complaint process that has been utilized to deal with member misconduct complaints
  - the NGB investigation and hearing process is conducted by telephone, thereby removing the possibility of the complainant having an in-person confrontation with the alleged abuser
  - if the complainant believes that there is conflict of interest at the local level that makes it difficult for the local athletics department process to be impartial

6. What if the NGB in our sport has a weaker policy compared to institution policy or Safe4Athletes model documents?

- It is not uncommon for an NGB to have a very poor policy or no policy at all. For instance, there are NGBs that allow romantic relationships between a coach and a participant who can legally consent (in most states that's 16!). Yet, it is unethical for any teacher to have a relationship with his or her students or employees to have romantic relationships with other employees they supervise.
- If the educational institution is a recipient of federal funds, its policies regarding sexual harassment and abuse are mandated under this law and are probably stronger than any NGB policy. Even is the education institution is a private school that does not receive federal funds, there is a good chance that state laws require its teachers or officials to act when they become aware of child abuse.
- It is important to understand that NGB policy only establishes a "floor" or minimum position. Athletics departments and educational institutions can and should define higher ethical ground and should demonstrate higher professional standards.
- We believe that the Safe4Athletes model policies are the kind of comprehensive policies that parents want athletics departments to put in place to protect their children.

7. Should the athletics department have insurance that covers sexual harassment and other forms of coach misconduct?

YES…

- The institution usually has comprehensive insurance coverage that includes employee molestation, sexual harassment and other misconduct. However, the athletics department should consult with higher administration officials to make sure this is the case.
- For instance, recent litigation revealed that insurance policies required and/or provided by a open amateur sport national sport governing bodies did not adequately cover situations involving sexual abuse, was inadequate regarding coverage of the victim's medical expenses,

and/or was inadequate regarding coverage of the athletics department's legal expenses. Many coaches' sport camps conducted using institutional facilities operate under these non-institutional policies.

8. Are there additional costs associated with running a Safe4Athletes program ?

- There are no costs associated with downloading Safe4Athletes.org free model policies and forms or educational materials. Safe4Athletes' website contains links to other web sites and organizations that offer educational programming, counseling for athletes who have been victims of misconduct, or information about other athlete safety and welfare resources.
- Safe4Athletes fully supports the USOC's model *Coaching Ethics Code* which is available for free. This well-considered and constructed policy will help athletics departments create a safe sport environment and can be retrieved at:
  http://usacoaching.org/resources/Coaching%20Ethics%20Code_new.pdf
- The cost of doing an employee or volunteer criminal background check should be an existing athletics department expense.
  - For positions in demand, this cost can be passed on to employees following their selection, as a condition of final hiring.
  - For volunteers and others, the cost averages from $20 to $40 per investigation with as low a cost as $8 to $10 for a local police department check to up to $100 where finger printing is also conducted. The finger printing option is the best type of check to use and is recommended by Safe4Athletes.
  - A criminal background check should never replace checking the references of any prospect employee or volunteer who is expected to spend significant time supervising the activities of children.
- It is the Safe4Athletes position that a criminal background check <u>alone</u> is NOT an adequate screen for identification of abusive coaches or pedophiles. After victimization, most abused athletes need emotional healing and do not immediately press criminal charges. In many cases, the coach leaves quickly and quietly. Only a thorough reference check by a volunteer parent or committee in addition to the criminal background check may uncover the true reasons for a coach's prior dismissal from the previous athletics department.
- There is a minimal cost involved in duplicating the policy and educational materials for distribution.

9. What are the responsibilities of the "athlete welfare advocate" (AWA)?

- **Advocate for the Athlete**. The role of the AWA is to be an athlete welfare and safety <u>advocate</u>, not a person whose role is to protect the athletics department or its employees. The AWA is responsible for listening to any athlete complaint or expression of concern and determining how to best address this concern in the best interest of the athlete. The role of the AWA is <u>to act on behalf of the athlete</u> to ensure the athlete's safety, always considering the imbalance of power between participants and adults (coaches and others) who are in positions of authority. In addition, there may be other athletes or team volunteers whose actions may be intimidating or threatening to younger or weaker children.
- **Child-Friendly, Victim-Friendly Listener**. The AWA should be someone who understands "child friendly" communication and is approachable.
- **Confidant**. If the athlete wishes to have his or her name kept confidential, then only the AWA knows his/her identity, and the AWA represents the athlete in any meetings with the Fact Finder.

- **Independent**. In order to maintain a position of independence, the AWA should not be affiliated with the athletics department or serve the athletics department in any other capacity.
- **Two Recommended**. Giving athletes a choice of a person they are most comfortable in speaking with about sensitive topics is important. The education institution should consider having both a male and female AWA.
- **Trained Educational Counselor.** The institution should appoint a trained education counselor, licensed professional counselor, or trained social worker to perform the AWA function.

10. Why is the position of "athlete welfare advocate" (AWA) important?

While most coaches are highly ethical, it is important to remember that the AWA position is critical to protect athletes from the one coach or employee who may be an abuser or pedophile. Thus, coaches and others should not be overly sensitive to the following comments. They are not intended to portray coaches and others as "villains."

- **"Listen to Your Coach."** In athletics, the coach's authority is often considered sacrosanct, with athletes and their parents often expected to blindly support coach decisions related to training, discipline, and supervision of athletes. It is very difficult for athletes to question a coach's conduct, even to their family support systems.
- **Other Adults Do Not Observe the Coach Regularly**. The conduct of a sports team is usually left to the total control of coaches with athletics administrators seldom regularly observing the conduct of practices.
- **Older Athletes Can Be Abusers Too**. The power relationships in sport programs are loaded in favor of coaches, adults and older and bigger athletes, who through immaturity, lack of professionalism, or dangerous intent, may use the power of their position to take advantage of or endanger the well-being of younger, less experienced or smaller athletes.
- **Athletes Don't Know Appropriate Boundaries**. An athlete may not be old enough or mature enough to recognize inappropriate coach conduct. Abusers of children are artful in their cultivation of child compliance with their requests.
- **Athletes May Be Afraid of Consequences of Disclosure**. An athlete may be afraid that reporting coach misconduct fearing such a complaint will have a negative impact such as:
  - the coach continuing to provide unbiased instructional attention
  - selection as a team member or starter
  - the support of teammates, or
  - personal credibility.
- **The AWA Can Validate the Feelings of the Victim**. An abused athlete needs someone to validate his or her feelings. Even athletes who are over 18 years of age and capable of being consenting adults may not know what to do when confronted with a coach who lavishes him or her with personal attention, physical touching, or even expressions of love.
- **If a Formal Complaint is Filed, the AWA Supports the Athlete throughout the Process**. An adult is needed to stand up for the child throughout a complaint and fact finding process that will undoubtedly be intimidating for a young person.
- **Protecting the Coach**. The involvement of the AWA can protect the ethical coach. Conversations with athletes and parents can put appropriate training practices, disciplinary measures, and comments in perspective before they are blown out of proportion.

11. Who helps the "athlete welfare advocate" (AWA)?

- **Safe4Athletes.org.** The AWA can call Safe4Athletes or access Safe4Athletes educational materials developed to help the AWA.

- **The Title IX coordinator**

12. Do athletics department complaint procedures have to conform to the strict "due process" provisions required by courts such as the right to confront your accuser and engage in adversarial or hostile questioning of the accuser?

NO….

- The education institution and the athletics department must do what is right to protect itself and its participants and its due process provisions conform to the requirements of administrative rather than criminal law.
- The institution should consult with legal counsel to be sure its grievance procedures meet all requirements of state and federal law.

13. Do athletics department athletes dismissed from the athletics program or coaches or other employees dismissed from the athletics department for misconduct have any right to appeal to the NGB/USOC and utilize the arbitration provisions of the Amateur Sports Act?

No…. any action by a school or college athletics department to dismiss a participant or employee does not prevent that individual from competing for or being employed by another school or college athletics program or local open amateur sports club program. Therefore the athletics department's action does not deny access to amateur competition in that sport or any of the protected competitions governed by the Amateur Sports Act.

13. Why is the Safe4Athletes model policy so detailed with regard to prohibited behaviors? Should it be modified to be more positive?

- One of challenges that had to be addressed was clear communication of acceptable versus unacceptable behavior. So many behaviors popularized in the athletics culture and accepted by coaches, volunteers, athletes and parents, are simply not acceptable as professionally appropriate conduct.
- If a coach or other employee's job is on the line, or an athlete's continued membership in the athletics department is at risk, they deserve to know precisely what behaviors fall into the zero tolerance and prohibited categories.
- The policy is also an educational tool. We know that athletes, parents, and others don't always know what appropriate conduct is and, as a result, decide to tolerate the behavior rather than be subjected to the embarrassment of admitting they don't know whether the conduct is right or wrong.

14. Can our athletics department use the Safe4Athletes policies and procedures even if the athletics department chooses to modify them?

- Yes, the athletics department and educational institutions are free to adopt whatever policies and procedures deemed appropriate. However, if Safe4Athletes policies and procedures are changed without Safe4Athletes approving the modification, the athletics department is not permitted to represent to the public that ***"Our athletics department has adopted Safe4Athletes policies and procedures which are designed to provide our athletes with a safe and positive environment free of sexual abuse, bullying and sexual harassment."***
- Safe4Athletes encourages Athletics departments to call Safe4Athletes regarding proposed policy modifications.

15. Why is the issue of confidentiality so important in the case of an abused athlete?

- Research shows that it may take 15-20 years for an abused person to feel safe enough to speak about the traumatic experience. Thus, every effort must be made to educate young athletes (1) about what constitutes abuse, (2) that abuse is not their fault, and (3) that a safe place exists for them to discuss a traumatic or distressing experience and get help.
- Molesters of children cultivate the silence of the victim through clear instructions to keep the relationship or misconduct secret, making the athlete think he/she will be:
  - embarrassed by disclosure;
  - punished by parents;
  - blamed by those in authority who think the coach is more important than the athlete;
  - dismissed from the team;
  - rejected by teammates; or
  - hurt by the withdrawal of benefits (instructional attention, team selection, etc.)
- Most children will not seek the help of the AWA if they think their parents will be immediately informed.

16. Educating athletes and parents on policy at the beginning of the academic year invites athletes and parents to come "whining." Why should we invite this behavior?

- While "whining" may occur, the alternative is not educating athletes, employees and parents about athlete safety and increasing the chances that a pedophile will harm athletes, coaches and athletes will abuse others with no effective mechanism established to confront such harm, or athletes will be fearful about coming forward to report abuse.
- Airport security measures are expensive and time-consuming. It took time (and many discarded bottles of water and toiletries) for airport travelers to be educated about what was acceptable to pack in their carry-ons. We are now educated and no longer joke about guns or behave in questionable ways when we are on airplanes. We accept and tolerate such processes because we want to minimize the possibility of a terrorist hurting us. Does not the safety of our children require that we accept new and probably inconvenient responsibilities?