



# SAFESPORT PROGRAM HANDBOOK

Draft for consideration at 2012 Annual Congress



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## Introduction

The safety of its participants is of paramount importance to USA Hockey. This includes not only on-ice safety, but also off-ice safety in any part of USA Hockey's programs.

USA Hockey has long had systems in place to protect its participants from physical abuse, sexual abuse and other types of abuse and misconduct that can be harmful to youth hockey players. These include without limitation Physical Abuse, Sexual Abuse, Screening, Locker Room Supervision and Hazing Policies, in addition to Codes of Conduct applicable to Administrators, Coaches, Officials, Parents, Players and Spectators. This SafeSport Handbook is intended to update and collect USA Hockey's various policies to protect its youth participants from all types of misconduct and abuse.

This SafeSport Handbook includes the various **Policies** that apply to all USA Hockey sanctioned programs. It further includes the available and required **Training** of USA Hockey's, its affiliate's, and its local program's employees, volunteers, administrators, coaches, parents and players on recognizing and reducing circumstances for potential abuse to occur, information on USA Hockey's **Screening and Background Check Program**, the availability and procedures for any person to **Report** suspected abuse or misconduct (including protections from any retaliation or repercussions for such reporting), the procedures and means by which USA Hockey and its affiliates and member programs should **Respond** to allegations of abuse and misconduct, and how USA Hockey will **Monitor and Supervise** this program to ensure its effectiveness.

As described more fully herein, ***commencing with the 2012-13 season***, each USA Hockey Affiliate shall have an Affiliate SafeSport Coordinator whose duties will include monitoring the training of local program administrators and others within the Affiliate, serving as the Affiliate's initial contact for persons reporting suspected abuse, misconduct or other violations, compiling information on disciplinary issues within the Affiliate and reporting such information to USA Hockey.

By combining all of these elements into a comprehensive SafeSport Program, USA Hockey intends to create the safest possible environment for participation in hockey.



## SECTION I

# USA Hockey Safesport Policies

USA Hockey is committed to creating a safe and positive environment for its participants' physical, emotional, and social development and to ensuring that it promotes an environment free from abuse and misconduct. As part of this program USA Hockey has implemented policies below addressing certain types of abuse and misconduct, and certain policies intended to reduce, monitor and govern the areas where potential abuse and misconduct can occur.

**The Policies below address the following types of abuse and misconduct:**

- Sexual Abuse
- Physical Abuse
- Emotional Abuse
- Bullying, Threats and Harassment
- Hazing

The above Policies set forth the boundaries for appropriate and inappropriate conduct.

**The Policies below are implemented to reduce the risks of potential abuse:**

- Locker Room Policy
- Social Media, Mobile and Electronic Communications Policy
- Travel Policy
- Billeting Policy

All USA Hockey members shall familiarize themselves with each form of misconduct and shall refrain from violating any of these policies.

In the event that any of USA Hockey's, its affiliate's or local program's employees or volunteers observe inappropriate behaviors (i.e., policy violations), suspected physical and sexual abuse, or any other type of abuse or misconduct, it is the personal responsibility of each such person to immediately report their observations to the appropriate person as described in Section IV of this Handbook concerning Reporting.

**In addition to reporting within USA Hockey, such persons must also consider reporting suspected child physical or sexual abuse to appropriate law enforcement authorities. Employees and volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for reporting to appropriate law enforcement authorities**

USA Hockey has **ZERO TOLERANCE** for abuse and misconduct. How USA Hockey, its affiliates and local programs respond to an allegation of abuse or misconduct is described in Section V of this Handbook concerning Responding.

## **SEXUAL ABUSE**

It is the policy of USA Hockey that there shall be no sexual abuse of any minor participant involved in any of its sanctioned programs by an employee, volunteer, independent contractor or another participant. Sexual abuse of a minor participant occurs when an employee, volunteer, independent contractor, or other participant (including a minor participant) touches a minor participant for the purpose of causing the sexual arousal or gratification of either the minor participant or the employee, volunteer, or independent contractor, or other participant. Sexual abuse of a minor participant also occurs when a minor participant touches an employee, volunteer, or independent contractor, or other participant for the sexual arousal or sexual gratification of either the minor participant or the employee, volunteer, independent contractor, or other participant, if the touching occurs at the request or with the consent of the employee, volunteer, or independent contractor, or other participant.

Neither consent of the minor participant to the sexual contact, mistake as to the participant's age, nor the fact that the sexual contact did not take place at a hockey function are defenses to a complaint of sexual abuse.

Sexual abuse may also occur between adults or to an adult. Sexual abuse includes sexual interactions that are nonconsensual or accomplished by force or threat of force, or coerced or manipulated, regardless of the age of the participants. Sexual contact between an older and a younger child also can be abusive if there is a significant disparity in age, development, or size, rendering the younger child incapable of giving informed consent. The sexually abusive acts may include sexual penetration, sexual touching, or non-contact sexual acts such as exposure or voyeurism.

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

Upon proof of violation of this policy, the violator may be subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

## **PHYSICAL ABUSE**

It is the policy of USA Hockey that there shall be no physical abuse of any participant involved in any of its sanctioned programs by any employee, volunteer, or independent contractor, or other participant. Physical abuse means physical contact with a participant that intentionally causes or has the potential to cause the participant to sustain bodily harm or personal injury. Physical abuse also includes physical contact with a participant that intentionally creates a threat of immediate bodily harm or personal injury.

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

Physical abuse does not include physical contact that is reasonably designed to coach, teach or demonstrate a hockey skill. Permitted physical conduct may include, but is not necessarily limited to, shooting pucks at a goaltender, demonstrating checking and other hockey skills, and communicating with or directing participants, during the course of a game or practice, by touching them in a non-threatening, non-sexual manner.

Any USA Hockey member who engages in any act of physical abuse is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

## EMOTIONAL ABUSE

It is the policy of USA Hockey that there shall be no emotional abuse of any participant involved in any of its sanctioned programs by an employee, volunteer, independent contractor or another participant. Emotional Abuse involves **a pattern** of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to a participant. These behaviors may include verbal acts, physical acts or acts that deny attention or support.

Examples of emotional abuse prohibited by this Policy include, without limitation: **a pattern** of (a) verbal behaviors that (i) attack a participant personally by, e.g., calling them worthless, fat, or disgusting; or (ii) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive motivational purpose; and (b) physically aggressive behaviors, such as (i) throwing sport equipment, water bottles, or chairs at participants; or (ii) punching walls, windows, or other objects.

Emotional abuse does not include generally-accepted and age appropriate coaching methods of skill enhancement, physical conditioning, motivation, team building, appropriate discipline, or improving athletic performance.

A USA Hockey member who engages in any act of emotional abuse is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

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

## BULLYING, THREATS AND HARASSMENT

USA Hockey supports an environment for participation in hockey conducive to the enjoyment of hockey that is free from threats, harassment, and any type of bullying behavior. The purpose of this policy is to promote consistency of approach and to help create a climate in which all types of bullying, harassing or threatening behavior are regarded as unacceptable.

### **Bullying**

Bullying is the use of coercion to obtain control over another person or to be habitually cruel to another person. Bullying involves an intentional, persistent or repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended to cause fear, humiliation, or physical harm in an attempt to socially exclude, diminish, or isolate another person. Bullying can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture. Bullying behavior is prohibited in any manner in connection with any USA Hockey sanctioned activities or events.

Examples of bullying prohibited by this Policy include, without limitation **physical behaviors**, including punching, kicking or choking an athlete; and **verbal and emotional behaviors**, including, the use of electronic communications (i.e., "cyber bullying") to harass, frighten, intimidate, or humiliate.

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

A USA Hockey participant or parent of a participant who engages in any act of bullying is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior shall be taken into consideration when disciplinary decisions are made.

### **Threats**

A threat to harm others is defined as any written, verbal, physical or electronically transmitted expression of intent to physically injure or harm someone else. A threat may be communicated directly to the intended

victim or communicated to a third party. Threatening behavior is prohibited in any manner in connection with any USA Hockey sanctioned activities or events.

Any USA Hockey participant or parent of a participant who engages in any act of threatening harassing behavior is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the threatening behavior shall be taken into consideration when disciplinary decisions are made.

### **Harassment**

Harassment in sport includes **any pattern** of physical and/or non-physical behaviors that (a) are intended to cause fear, humiliation, or annoyance, (b) offend or degrade, (c) create a hostile environment, or (d) reflect discriminatory bias in an attempt to establish dominance, superiority, or power over an individual participant or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression, or mental or physical disability.

Examples of harassment prohibited by this Policy include, without limitation such non-physical offenses as (a) making negative or disparaging comments about an athlete's sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; (b) displaying offensive materials, gestures, or symbols; (c) withholding or reducing playing time to a participant based on his/her sexual orientation.

Sexual Harassment is a form of harassment prohibited by this Policy. It shall be a violation for any employee, volunteer, independent contractor, or other participant to harass a participant(s) through conduct or communications of a sexual nature or to retaliate against anyone that reports sexual harassment or participates in a harassment investigation. USA Hockey and/or its Affiliate organizations shall investigate all indications, informal reports and formal grievances of sexual harassment by any employee, volunteer, independent contractor, or other participant and appropriate corrective action shall be taken. Corrective action includes taking all reasonable steps to end the harassment, to prevent harassment from recurring and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

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

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

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

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

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

A USA Hockey participant or parent of a participant who engages in any act of harassing or sexually harassing behavior is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the harassing or sexually harassing behavior shall be taken into consideration when disciplinary decisions are made.

## HAZING

It is the policy of USA Hockey that there shall be no hazing of any participant involved in any of its sanctioned programs by any employee, volunteer, participant or independent contractor.

Hazing includes any conduct which is intimidating, humiliating, offensive, or physically harmful. The hazing conduct is typically an activity that serves as a condition for joining a group or being socially accepted by a group's members. Any player, team official, or administrator of a sanctioned team, club or association having been party to or having had knowledge of any degrading hazing, or initiation rite, without reporting it or taking action, shall be subject to suspension from playing or holding office with any team, club or association affiliated with USA Hockey.

Examples of hazing prohibited by this Policy include, **without limitation**, requiring or forcing the consumption of alcohol or illegal drugs; tying, taping, or physically restraining an athlete; sexual simulations or sexual acts of any nature; sleep deprivation, or the withholding of water and/or food; social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule; beating, paddling, or other forms of physical assault. The activity known as "Locker Boxing" (aka fighting with helmet and gloves) is a form of hazing that can produce head trauma in children and young adults and is prohibited in any USA Hockey sanctioned program.

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

Hazing does not include group or team activities that are meant to establish normative team behaviors, or promote team cohesion, so long as such activities do not have reasonable potential to cause emotional or physical distress to any athlete. Examples of activities that do not constitute hazing include directing or allowing a younger player to pick up pucks or move nets after practice or bring or fill water bottles, or giving older players first preference in team assignments, responsibilities, accommodations, facilities, or equipment.

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

A USA Hockey participant or parent of a participant who violates this Hazing Policy is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities.

## LOCKER ROOM POLICY

Youth players are particularly vulnerable in locker rooms, changing areas and restrooms due to various stages of dress/undress and because they are less supervised than at many other times. Athlete-to-athlete problems, such as sexual abuse and bullying, harassment, and hazing, often occur when coaches or employees are not in a position to observe - this is especially true in locker rooms. Adherence to a locker room policy enhances privacy and reduces the likelihood of misconduct. Proper supervision of the locker room areas also helps ensure that players that may have suffered an injury during a game or practice have an adult present to confer with regarding such injury.

### **Locker Room Supervision**

USA Hockey is concerned with locker room activities between minor players; minor players and adult players; adults being alone with individual minor players in locker rooms; and with non-official or non-related adults having unsupervised access to minor participants at sanctioned team events.

It is the policy of USA Hockey that all Affiliates, Districts, leagues, and local hockey programs have at least one responsible adult present directly monitoring the locker room during all team events to assure that only participants (coaches and players), approved team personnel and family members are permitted in the locker room and to supervise the conduct in the locker room. Any individual meetings with a minor participant and a

coach in a locker room shall require a responsible adult be with the coach. The responsible adult that monitors and supervises the locker room shall have been screened in compliance with Section III of this Handbook.

Further, responsible adults must personally monitor the locker room environment at all times while participants are present and also make sure the locker room is appropriately secured during times when minor participants are on the ice.

It shall be permissible for a local organization or team to prohibit parents from a locker room. However, in doing so the team shall ensure that properly screened individuals monitor and supervise the locker room as required above. With younger players it is generally appropriate to allow parents to assist the player with getting equipment on and off before and after games or practices and they should be allowed to do so.

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras, and video cameras increase the risk for different forms of abuse or misconduct. As a result, there will be no use of a mobile device's recording capabilities in the locker rooms of any USA Hockey sanctioned event, provided that it may be acceptable to take photographs or recordings in a locker room in such unique circumstances as a victory celebration, team party, etc., where all persons present in the locker room are either appropriately dressed and have been advised that photographs or recordings are being taken.

All local programs shall publish locker room policies to the parents/guardians of all minor players that are specific to the facilities they regularly use. The local program's policies shall include the program's (a) practices for supervising and monitoring locker rooms and changing areas; (b) permission or lack of permission for parents to be in the locker rooms; (c) prohibited conduct, including at least all forms of abuse and misconduct prohibited by USA Hockey; and (d) specific policies regarding the use of mobile electronic devices and phones and prohibiting the use of a device's recording capabilities, including voice recording, still cameras, and video cameras.

The coach and team administrators shall be responsible for compliance with the locker room supervision requirements of this Policy. A coach that fails to comply with ensuring the Locker Room Supervision Policy is adhered to, and any USA Hockey participant or parent of a participant who otherwise violates this Policy is subject to appropriate disciplinary action.

#### **Co-Ed Locker Rooms**

As a team sport in which youth teams can often include both male and female players, special circumstances may exist that can increase the chance of abuse or misconduct. If the team consists of both male and female players, both female and male privacy rights must be given consideration and appropriate arrangements made. It is not acceptable under the USA Hockey Sexual Abuse Policy for members to be observing the opposite gender while they dress or undress. Where possible, the male and female players should undress/dress in separate locker rooms and then convene in a single dressing room prior to the game or team meeting. Once the game is finished, the players may come to one locker room and then the male and female players proceed to their separate dressing rooms to undress and shower (separately), if available. If separate locker rooms are not available, then the genders may take turns using the locker room to change and then leave while the other gender changes. Where possible, when both male and female players are together in the locker room, there should be at least two adults in the locker room that have been properly screened in compliance with USA Hockey Screening Policy.

Please refer to USA Hockey's Co-Ed Locker Room Policy set forth in the USA Hockey Annual Guide.

### **SOCIAL MEDIA, MOBILE AND ELECTRONIC COMMUNICATIONS POLICY**

As part of USA Hockey's emphasis on athlete safety, communications involving our youth players should be appropriate, productive, and transparent. Effective communication concerning travel, practice or game schedules, and administrative issues among administrators, coaches, players and their families is critical. However, the use of mobile devices, web-based applications, social media, and other forms of electronic communications increases the possibility for improprieties and misunderstandings and also provides potential

offenders with unsupervised and potentially inappropriate access to participants. The improper use of mobile and electronic communications can result in misconduct. Adherence to a policy for mobile and electronic communication reduces these risks.

All electronic communication between coach and player must be for the purpose of communicating information about team activities. Coaches and players must follow common sense guidelines regarding the volume and time of day of any allowed electronic communication. Any content of an electronic communication should be readily available to share with the public or families of the player or coach. If the player is under the age of 18, any e-mail, electronic text, social media, or similar communication must copy or include the player's parents.

#### **Social Media (Facebook, Myspace, Blogs and Similar Sites)**

Online discussion boards, mass e-mails, Facebook, Twitter, and other social media make it easy to share ideas and experiences. USA Hockey recognizes, however, that social media, mobile and other electronic communications can be especially concerning where youth participants are involved. Coaches are prohibited from having players joined to their personal social media page. To facilitate communication, an official organization or team page may be set up and players and parents may join (i.e., "friend") the official organization or team page and coaches can communicate to players through the site. All posts, messages, text, or media of any kind between coach and player must be non-personal in nature and for the purpose of communicating information about team activities or for team oriented motivational purposes.

#### **E-Mail, Text Messaging and Similar Electronic Communications**

Coaches and players may use e-mail and text messaging to communicate. All e-mail and text message content between coach and player must be non-personal in nature and for the purpose of communicating information about team activities. E-Mails and text messages from a coach to any youth player **must** include a copy to parents. Where possible, a coach should be provided and use the organization web site e-mail center (the coach's return e-mail address will contain "@organization.com") for all communications with the team and players.

#### **Request To Discontinue All Electronic Communications or Imagery with Athlete**

Following any written request by the parents or legal guardians of a youth player that their child not be contacted by any form of electronic communication by coaches or other adults, the organization, team and coaches and administrators shall immediately comply with such request without any repercussions for such request.

#### **Abuse and Misconduct**

Social media and electronic communications can also be used to commit abuse and misconduct (e.g., emotional, sexual, bullying, harassment, and hazing). Such communications by coaches, volunteers, administrators, officials, parents or athletes will not be tolerated and are considered violations of USA Hockey's Participant Protection Program.

#### **Reporting**

Infractions of USA Hockey's Mobile and Electronic Communications Policy should be reported to the appropriate person as described in Section IV of this Handbook concerning Reporting.

A USA Hockey participant or parent of a participant who violates this Mobile and Electronic Communications Policy is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities.

## **TRAVEL POLICY**

A significant portion of USA Hockey participation involves overnight travel for teams to games and tournaments. Youth players are most vulnerable to abuse or misconduct during travel, particularly overnight stays. This includes a high risk of player to player misconduct. During travel, players may be away from their families and support networks, and the setting - new locker rooms, automobiles, and hotel rooms - is less structured and less familiar. A travel policy provides guidelines so that care is taken to minimize one-on-one interactions

between youths and adults while traveling. Further, the policy directs how youth players will be supervised between and during travel to and from practice and competitions. Adherence to travel policies helps to reduce the opportunities for misconduct.

Each USA Hockey Member Program shall have a team travel policy that is published and provided to all players, parents, coaches and other adults that are travelling with the team. It is strongly recommended that a signature by each adult acknowledging receipt of and agreeing to the travel policy be obtained by the organization/ team. Some travel involves only local travel to and from local practices, games and events, while other travel involves overnight stays. Different policies should apply to these two types of travel.

Elements of all travel policies must include:

#### **Local Travel**

- The local program or team or their administrators should avoid sponsoring, coordinating, or arranging for local travel, and the parents/guardians of a youth player should be responsible for making all local travel arrangements.
- The employees, coaches, and/or volunteers of a local organization or team, who are not also acting as a parent, should not drive alone with an unrelated player and should only drive with at least two other players or another adult at all times, unless otherwise agreed to in writing by the player's parent or guardian.
- Where an employee and/or volunteer is involved in the player's local travel, efforts should be made to ensure that staff and/or volunteers are not alone with an unrelated player, by, e.g., picking the players up in groups.
- Coaches, employees, and volunteers who are also a player's parent or guardian may provide shared transportation for any player(s) if they pick up their player first and drop off their player last in any shared or carpool travel arrangement.

#### **Organization/Team Travel**

- Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with a youth player (unless the coach is the parent, guardian or sibling of the player).
- Because of the greater distances, coaches, staff, volunteers, and chaperones will often travel with the players. No coach, employee, or volunteer will engage in team travel without the proper safety requirements in place and on record, including valid drivers' licenses, proper insurance, well maintained vehicles, and compliance with all state laws. All chaperones shall have been screened in compliance with the USA Hockey Screening Policy and all team drivers shall have been screened and the screen shall include a check of appropriate Department of Motor Vehicle records.
- The local program or team shall provide adequate supervision through coaches and other adult chaperones (e.g., a recommended number would include at least one coach or adult chaperone for each five to eight players). If a team is composed of both male and female players, then if at all possible, chaperones shall be arranged of the same gender.
- Players should share rooms with other players of the same gender, with 2-4 players assigned per room depending on accommodations. Regular monitoring and curfew checks should be made of each room by at least two properly screened adults.
- The team personnel shall ask hotels to block adult pay per view channels.
- Individual meetings between a player and coach may not occur in hotel rooms.
- All players shall be permitted to make regular check in phone calls to parents. Team personnel shall allow for any unscheduled check in phone calls initiated by either the player or parents/guardians.
- Family members who wish to stay in the team hotel shall be permitted and encouraged to do so.
- The team shall comply with reasonable parental requests when a child is away from home without a parent/guardian.

- Specific travel itineraries will be distributed to parents when they are available and will include a detailed itinerary as well as contact information for all team personnel and chaperones.
- If disciplinary action against a player is required while the player is traveling without his/her parents, parents will be notified before taking any action.
- No coach or chaperone shall at any time be under the influence of alcohol or drugs while performing their coaching and/or chaperoning duties.
- In all cases involving travel, parents have the right to transport their youth player and have the youth player stay in their hotel room.

### **BILLETING POLICY**

Although USA Hockey does not endorse youth hockey players leaving home to play hockey, it is a fact that some youth hockey players and junior hockey players do leave home to play hockey in a location away from their parents. In those circumstances, the organization or team typically arrange for the player to live with a host or billet family. Having youth players live with billet families provides opportunities for abuse and misconduct to occur. All organizations and teams that arrange for players to live with billet families shall have written policies and procedures in place to govern the arrangement. All billeting policies and procedures shall meet the following requirements:

- No more than two players should be housed with any one billet family (at the Junior level, there may be exceptions to the number of players permitted in one billet home if approved by the USA Hockey Junior Council).
- All adults living in the household of the billet family shall have been screened in accordance with the USA Hockey Screening Policy prior to the player moving in with the family.
- It is strongly recommended that all billet families be two parent homes. However, single parent billet families may be acceptable but the team or organization shall take additional reasonable steps to ensure compliance with the USA Hockey SafeSport Policies, which steps shall include regular monitoring of the billeting arrangement.
- All adults living in the household of the billet family shall have completed training in compliance with the Education and Awareness Training Policy prior to the player moving in with the family.
- Billet families and the player and player's parents/guardians shall all sign an agreement with the organization that they will comply with the rules and regulations for the billeting arrangement.
- Based upon the requirements of the jurisdiction, the parents shall sign and provide a power of attorney to the billet family adults to allow for them to make emergency medical and schooling decisions.
- Each team shall have a billet coordinator who shall be responsible for overseeing compliance with the Billeting Policy and all other USA Hockey SafeSport Policies.
- The team shall have a mandatory curfew for all billeted players. The host family may have an earlier curfew.
- Players shall agree to comply with the house rules of the billet families, including curfews, chores/cleaning, telephone usage, etc. Complaints about unusual rules shall be addressed with the billet coordinator.
- Players shall not stay overnight at any other home except with the permission of the player's parents and advance notification to the Billet Coordinator.
- Players are not to drive billet family vehicles without the proper insurance, documentation and approval of the billet family.
- The Billeting Policy shall include requirements that the billet family maintain appropriate homeowners/renters insurance.
- Players staying with a billet family shall be permitted to make regular check-in phone calls to parents. Team personnel and billets shall allow for any unscheduled check-in phone calls initiated by either the player or parents/guardians.



## SECTION II

# Education and Awareness Training

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

USA Hockey's policies and procedures require employees and/or volunteers to report abuse, misconduct, and violations of its safety policies. To do so, employees and/or volunteers should have a basic understanding of sexual abusers and the strategies that offenders use to seduce their victims. Using a combination of attention, affection and gifts, offenders select a victim, win their trust (and the trust of child's caregiver or "gatekeeper"), manipulate the victim into sexual activity, and keep the child from disclosing abuse.

It is the policy of USA Hockey that those participants who (1) have direct contact to or supervision over youth participants, (2) are responsible for enforcing child abuse and misconduct policies, (3) are in managerial or supervisory roles, and (4) are new and current employees and/or volunteers, shall complete appropriate training about child physical and sexual abuse and other types of misconduct before having contact with youth participants.

To prevent child physical and sexual abuse and other types of abuse and misconduct, the training shall:

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

The extent and content of the required training may vary for different types of participants, and USA Hockey's policy is that following training shall be required:

- A. Local Program Administrators: Local programs registering youth players and their leaders, administrators, board members, etc. are the representatives that are primarily and directly responsible for administering and supervising USA Hockey programs at the local level. As such, these representatives must be fully versed in USA Hockey's SafeSport Program and possess the information necessary to more effectively monitor their organization, minimize the opportunities for child physical and sexual abuse and other types of misconduct, and respond to concerns. The United States Olympic Committee's SafeSport

Program includes a series of online training videos in the following subjects that are available for the training of local program leaders, administrators, board members, etc.:

- Lesson 1: The Coach-Athlete Relationship
- Lesson 2: Bullying & Harassment
- Lesson 3: Case Study: Bullying & Harassment
- Lesson 4: Hazing
- Lesson 5: Emotional Misconduct
- Lesson 6: Physical Misconduct
- Lesson 7: Sexual Misconduct
- Lesson 8: Sexual Abuse
- Lesson 9: Grooming
- Lesson 10: Minimizing High-Risk Opportunities
- Lesson 11: Local Travel
- Lesson 12: Overnight Travel
- Lesson 13: Signs & Symptoms of Abuse
- Lesson 14: The Barriers to Reporting Abuse
- Lesson 15: Case Study: Sexual Abuse
- Lesson 16: Reporting and Responding to Misconduct & Abuse

The videos in total are approximately 90 minutes long. Each local program registering youth players shall be required to have at least one representative complete the on line training. Local programs are strongly encouraged to have all of their officers, directors and other key representatives complete the online training. Upon completion of the online training, each person taking the training will be able to select the local program (via a drop down box) with which they are affiliated.

**Effective for the 2013-14 season**, the Affiliate SafeSport Coordinator for each Affiliate shall confirm and certify to the Affiliate that each local program registering youth players in that Affiliate's area has completed the training on or before November 30th of each playing season, and each Affiliate shall confirm and certify to USA Hockey that each local program in the Affiliate has completed the required online training.

- B. Other Volunteers/Employees: All volunteers and employees in USA Hockey sanctioned programs that will have routine access to youth participants, including but not limited to team managers, locker room monitors, travel chaperones, and team drivers, shall be required to complete the USOC Safesport training program each year. Such volunteers and employees shall register with USA Hockey as Volunteers in the Team Manager/Volunteer Member category (**at no charge**) and may complete the training each year through a link on the registration webpage or registration confirmation e-mail. Each local program shall ensure that all of the program's volunteers and employees that will have routine access to youth participants have registered with USA Hockey and completed the USOC SafeSport training prior to having such access.
- C. Coaches and Officials: Coaches and officials are the adults that typically have the most contact with youth hockey players and are the leaders of the USA Hockey teams. USA Hockey shall produce a video focusing on prohibited conduct, minimizing high risk opportunities, the signs and symptoms of abuse, and how to report and respond to suspected abuse. **Effective for the 2013-14 season**, the video shall be a part of the curriculum of every level 1 coaching clinic and every officiating seminar. In addition, USA Hockey shall send links to the USOC SafeSport training videos (either all videos or individual lessons) to all USA Hockey coaches and officials on a regular basis.

- D. Parents/Players: Parent education is one of the keys to keeping a program safe from abuse and misconduct. Parents can help by helping avoid situations in which misconduct can occur, by being aware of the signs and symptoms of abuse, and by reporting suspected abuse. Parents and players will be made aware of USA Hockey's SafeSport Program through a link on the player's registration confirmation that takes them to a short video describing the program and letting them know about additional materials and training (including the USOC Safesport online training) that is available at **usahockey.com**. That video, and perhaps other videos from the USOC online training, may be e-mailed to members during the year. USA Hockey will also produce posters, brochures and other educational materials to publicize the program and the means of reporting suspected abuse or misconduct.

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



## SECTION III

# Screening and Background Check Program

### **Purposes of a Screening Policy**

- Protect our participants from known offenders so that such known offenders do not have access to USA Hockey members.
- Deter offenders that have not been caught from joining USA Hockey programs because the program has a known policy against abuse.
- Protect USA Hockey's reputation as a sport where participants are safe from abuse.
- Help insulate USA Hockey, its affiliates, local programs and volunteers from liability that could arise from allowing a previous offender to have access to children.

USA Hockey has had a screening policy in place since 1993. USA Hockey was one of the first national sports organizations to implement a screening policy and has been considered a leader in requiring screening of its employees and volunteers. USA Hockey's policy includes set criteria for which a person may be disqualified and prohibited from serving as an employee or volunteer of USA Hockey. Under the policy, USA Hockey will not authorize or sanction any employee or volunteer who has routine access to children unless that person consents to be screened and passes a criminal background screen conducted by the Affiliate or USA Hockey.

### **USA Hockey Screening**

USA Hockey shall conduct screening of its volunteers, employees, agents and independent contractors as follows:

- All members of the USA Hockey Board of Directors, and each member of a USA Hockey council, committee or section shall be screened upon their election or appointment to the position and then shall be re-screened every two (2) years.
- All USA Hockey employees shall be screened as a condition of their employment and then shall be re-screened every two (2) years.
- All coaches, instructors and other staff for any USA Hockey national or district camp, national team, select team, and officiating camps shall be screened as a condition of being selected for such position or shall have been screened by USA Hockey within the past two (2) years.
- All national and district tournament site host volunteers that will have direct access to minor participants shall be screened as a condition of being selected for such position or shall have been screened by USA Hockey within the past two (2) years.

### **Affiliate Screening Policies**

As a condition of its affiliation with USA Hockey, each Affiliate of USA Hockey shall adopt a screening policy in compliance with the requirements set forth below:

- A. The Affiliate shall cause all volunteers and employees over the age of 18 to be screened prior to such volunteers or employees having access to youth participants. An approved screen shall be valid for two years. All previously screened persons must be re-screened every two (2) years.
- B. The Affiliate shall manage and directly supervise the screening program within its Affiliate. The Affiliate shall have a single screening vendor and shall require that all local programs have the required volunteers and employees (see below) screened through the Affiliate's vendor in compliance with the Affiliate's screening program.
- C. **Not later than the 2013-14 season**, all screens must at a minimum include a "national" screen that covers a national criminal database, the sex offender registries for all 50 states, and every county database in which the applicant has lived during the previous five (5) years. For screens of individuals that will serve as a team driver, the screen shall also include a Department of Motor Vehicles check.
- D. The Affiliate or its vendor shall verify the identification of the screened individual through a social security number verification or other acceptable identity verification process.
- E. The Affiliate shall have an Affiliate Screening Coordinator that is responsible for ensuring compliance with the screening policy by the Affiliate and all of the Affiliate's local programs.
- F. The Affiliate's screening policy shall require that all of the following persons be screened in accordance with this policy:
  - 1. Members of the Affiliate Board of Directors
  - 2. Local program administrators
  - 3. Coaches
  - 4. Team managers
  - 5. Officials
  - 6. Locker room monitors
  - 7. Team drivers
  - 8. Travel chaperones
  - 9. Anyone with routine access to youth participants

The Affiliate and/or local program may require that additional persons be screened.

- G. The following are the **minimum criteria** that must be searched for by the Affiliate's background screening provider (each Affiliate may include additional criteria with the approval of USA Hockey) and which may serve as a basis under which a person may be disqualified or prohibited from serving as an employee or volunteer:
  - 1. Any felony (any crime punishable by confinement greater than one year).
  - 2. Any lesser crime involving force or threat of force against a person.
  - 3. Any lesser crime of a sexual nature, or in which sexual relations is an element, or classified as a sex offense including but not limited to "victimless" crimes of a sexual nature such as prostitution, pornography, and indecent exposure.
  - 4. Any lesser crime involving controlled substances (not paraphernalia or alcohol).
  - 5. Any crime involving cruelty to animals.
  - 6. Sex offender registrant.
  - 7. Any lesser crime involving harm to a minor.

Convictions of (whether disclosed by the applicant or sourced in a criminal records search), and pending dispositions for any of the above crimes or registrations shall be reported to the Affiliate and the Affiliate

shall make a determination of whether the applicant shall be approved for the position sought. Affiliates shall designate the Affiliate Screening Coordinator or a screening review committee who shall receive and review any screens in accordance with the requirements below.

In addition to the **minimum criteria** above, and any additional criteria that the Affiliate elects to include in its search by the screening vendor, the following additional criteria (which are unlikely to be found in a criminal record search) shall also serve as a basis under which a person may be disqualified or prohibited from serving as an employee or volunteer in any USA Hockey sanctioned program:

1. An expunged or sealed conviction for any of the minimum criteria above.
  2. Being adjudged liable for civil penalties or damages involving sexual or physical abuse of children.
  3. Being subject to any court order involving any sexual abuse or physical abuse of a minor, including but not limited to domestic order or protection.
  4. Had their parental rights terminated.
  5. A history with another organization (volunteer, employment, etc.) of complaints of sexual or physical abuse of minors.
  6. Resigned, been terminated or been asked to resign from a position, whether paid or unpaid, due to complaint(s) of sexual or physical abuse of minors.
  7. Has a history of other behavior that indicates they may be a danger to children in USA Hockey.
- H. The Affiliate's screening policy must include such consents and notifications from and to screened persons as are required by applicable state and federal law, including without limitation compliance with the Fair Credit Reporting Act.
- I. The Affiliate's Screening Policy must have adequate security for the safekeeping, privacy and production of documents and information in connection with its screening of all applicants.
- J. Each Affiliate shall submit its screening policy and plan to USA Hockey each year for approval by the USA Hockey SafeSport Program Committee. The submission shall include without limitation the positions to be screened, the criteria to be searched, screening vendor to be used, databases to be checked (and if different databases for different personnel, shall specify those differences), the means of Affiliate enforcement to ensure screens are completed before access, and the means by which the Affiliate handles any "hits" and any appeals from a denial of eligibility, as well as such other information as is necessary to demonstrate compliance with this policy.
- K. Each Affiliate shall submit to USA Hockey on a yearly basis during the month of April a report for the just completed playing season that identifies the number of screens completed in each category of screened individuals (see paragraph F above).
- L. In the event that the Affiliate's policy does not meet the minimum criteria set forth herein, the SafeSport Program Committee shall report such finding to the USA Hockey Executive Committee to take action to ensure compliance by the Affiliate.
- M. USA Hockey recognizes that some Affiliates may not have arrangements with a screening vendor that complies with the requirements set forth herein. Please contact USA Hockey for referral and contact information for screening vendors.
- N. While the Affiliate is responsible for managing and directly supervising the screening program within its Affiliate, local programs within the Affiliate must monitor and supervise their programs to ensure that screening is completed before any employee or volunteer has access to youth participants. This will require more planning by the local program to ensure adequate numbers of screened volunteers are available.

### Handling "Hits" and Appeals

- Decisions related to screening hits and the eligibility of any person screened for a USA Hockey national program (e.g., Board, council, committee, and section members, and coaches, staff and volunteers for any national or district camp, national team, select camp, and national and district tournaments) shall be made by the USA Hockey Vice President & Legal Council Chairperson or his/her designee. Appeals of such decisions shall be appealable to the USA Hockey Screening Appeals Committee, which shall be comprised of qualified persons from different areas of the country. For any appeal of a denial of eligibility for a position with a USA Hockey national program, USA Hockey shall designate three (3) members of the Screening Appeals Committee to hear such appeal. The procedure for any appeals to the Screening Appeals Committee shall be as set forth in Bylaw 1 O.G.
- Decisions related to screening and the eligibility of any person screened by an Affiliate shall initially be made by the Affiliate SafeSport Coordinator or a person or group of persons designated by the Affiliate to make such decisions. The Affiliate Screening Policy shall designate that a decision denying eligibility of any employee or volunteer shall be appealable to the Affiliate's Board of Directors, or a designated committee of such board of directors, in compliance with Bylaw 1 O.G.
- The existence of any "hit" following a screen and the proceedings surrounding any appeal must be kept confidential until "notice" must be given about a rejection or acceptance of a person's eligibility. Any hearings should be closed and confidential, to the extent possible, other than for notification of the outcome. Participants in the hearing, including the hearing committee, the person that made the initial decision, and witnesses, if any are permitted, should be requested, and encouraged to keep the proceedings confidential.
- Decisions related to any screening hits of USA Hockey employees shall be made by USA Hockey's Executive Director. There shall be no appeal of such decisions.
- **Appeal decisions of an Affiliate Board of Directors or the USA Hockey Screening Appeals Committee shall be final and not subject to further appeal.**
- Each Affiliate shall promptly report to USA Hockey in writing (to the attention of the USA Hockey Executive Director and to the USA Hockey Vice President and Legal Council Chairperson) the full name and identifying information for any individual that has been denied eligibility for employment or a volunteer position based on that person not consenting to be screened, not passing a background screen or the existence of other information that makes a person ineligible. USA Hockey shall create a database of such ineligible persons and the appropriate Affiliate shall be notified of any attempted registration by a person that has previously been denied eligibility for employment or a volunteer position.



## SECTION IV Reporting of Concerns of Abuse

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

### **In This Policy on Reporting Concerns of Abuse is:**

- The **Reporting Policy**, which describes who must report violations or suspicions of potential or actual abuse or misconduct.
- The **Reporting Procedure**, which describes:
  - to whom reports are made (including the importance of certain reports being made to law enforcement authorities);
  - how to make reports to USA Hockey and/or the Affiliate;
  - Confidentiality of reports;
  - USA Hockey's policy on anonymous reports;
  - USA Hockey's policy on protecting those that made reports ("whistleblower" protection); and
  - USA Hockey's policy prohibiting reports made in bad faith.
- **How Reports are Handled**, including:
  - further reporting to law enforcement authorities when appropriate; circumstances
  - in which immediate suspension or termination is appropriate; and
  - circumstances where referral of the report to the applicable local program, Affiliate or USA Hockey to address, rectify and impose discipline where appropriate.
- **Notification** to parents of other participants.

### **REPORTING POLICY**

Accordingly, it is the policy of USA Hockey that every employee or volunteer of any USA Hockey sanctioned program must report (1) actual or perceived violations of the USA Hockey SafeSport Program Handbook, (2) any violations of the policies prohibiting Sexual Abuse, Physical Abuse, Emotional Abuse, Bullying, Threats

and Harassment, and Hazing, and (3) suspicions or allegations of child physical or sexual abuse to both (a) the appropriate USA Hockey representatives (as set forth below) **and to** (b) **the appropriate law enforcement authorities**. Any report of misconduct or suspicions of child physical or sexual abuse will be taken seriously and handled appropriately. If USA Hockey receives a report of physical or sexual misconduct involving a minor, a report will be made to the proper authorities. USA Hockey urges all individuals to do the same.

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

### **Reporting Child Physical or Sexual Abuse**

#### *Child Physical or Sexual Abuse*

Because sexual abusers "groom" children for abuse - the process used by offenders to select a child, to win the child's trust (and the trust of the child's parent or guardian), to manipulate the child into sexual activity and to keep the child from disclosing abuse - it is possible that an employee, volunteer, parent or participant may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected grooming behavior should be directed to USA Hockey or the Affiliate SafeSport Coordinator.

#### *Peer-to-Peer Sexual Abuse*

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

### **Reporting Other Misconduct and Policy Violations**

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

USA Hockey also strongly encourages parents, players and other hockey participants to communicate violations of the USA Hockey SafeSport Program Handbook and/or allegations and suspicions of child physical and sexual abuse to USA Hockey or the Affiliate SafeSport Coordinator immediately.

## **REPORTING PROCEDURE**

### **To Whom to Report**

Suspicious or allegations of child physical or sexual abuse may, **and in many cases must**, be made to the appropriate law enforcement authorities. In order to further protect USA Hockey programs and participants, such reports should also be made to USA Hockey and/or the applicable Affiliate SafeSport Coordinator.

Reports of violations of any of the USA Hockey SafeSport policies or any violations of this SafeSport Program Handbook shall be made to USA Hockey and/or to the applicable Affiliate SafeSport Coordinator.

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

## **How to Report**

Reports to USA Hockey may be made by: (1) clicking on the "Report to USA Hockey" link on the USA Hockey SafeSport Program webpage, (2) e-mailing to [SafeSport@usahockey.org](mailto:SafeSport@usahockey.org), or (3) calling 800-888-4656.

The SafeSport Program webpage contains contact information for each Affiliate SafeSport Coordinator, and reports may also be directed to the SafeSport Coordinator for the applicable Affiliate.

USA Hockey and its Affiliates will take a report in the way that is most comfortable for the person initiating a report including an anonymous, in-person, verbal or written report. If reporting by e-mail or use of the Reporting Form on the SafeSport Program webpage, **it is strongly encouraged that the following information be included:**

1. Name(s) and contact information of the complainant(s).
2. Type of misconduct alleged.
3. Name(s) of the individual(s) alleged to have committed the misconduct.
4. Approximate dates the misconduct was committed.
5. Names of other individuals who might have information regarding the alleged misconduct.
6. Summary statement of the reasons to believe that misconduct has occurred.

## **Confidentiality**

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

## **Anonymous Reporting**

Anonymous reporting may make it difficult for USA Hockey or the Affiliate to investigate or properly address misconduct or abuse. However, USA Hockey recognizes it can be difficult for an athlete, teammate, friend or family member to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. Anonymous reports may be made without the formality of completing a Report Form:

- by completing the Reporting Form without including their name.
- by expressing concerns verbally to a USA Hockey, the Affiliate SafeSport Coordinator or to their local program administrator.
- through e-mail to USA Hockey at [SafeSport@usahockey.org](mailto:SafeSport@usahockey.org) or to the Affiliate SafeSport Coordinator.

## **"Whistleblower" Protection**

Regardless of outcome, it is the policy of USA Hockey, its Affiliates and local programs to support the complainant(s) and his or her right to express concerns in good faith. Neither USA Hockey, its Affiliates nor local programs will encourage, allow or tolerate attempts from any individual, group or organization to retaliate, punish, allow or in any way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of the USA Hockey SafeSport Program and grounds for disciplinary action.

## **Bad-Faith Allegations**

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

## **HOW REPORTS ARE HANDLED**

### **Suspicious or Allegations of Child Physical or Sexual Abuse**

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

An independent investigation can harm youth and/or interfere with the legal investigative process. Accordingly, USA Hockey, its Affiliates and local programs, and its administrators and/or volunteers shall not attempt to

evaluate the credibility or validity of child physical or sexual abuse as a condition for or prior to reporting to appropriate law enforcement authorities. As necessary, however, a person receiving a report may ask a few clarifying questions of the minor or person making the report to adequately report the suspicion or allegation to law enforcement authorities.

**Additionally, most states have mandatory reporting laws making persons holding certain positions required by law to report suspicions of sexual or physical abuse of a minor:**

[Hyperlink to state mandatory reporting laws - hyperlink to be provided by Casey Jorgensen/USOC](#)

#### *Immediate Suspension or Termination*

When an allegation of child physical or sexual abuse is made against an employee, volunteer and/or participant, USA Hockey, its Affiliates and/or local programs may immediately suspend the accused individual (i.e., a "summary suspension") and/or immediately remove that individual from contact with any children in the program until the allegation has been investigated by an official agency. This shall apply whether or not the allegation involves an incident during a hockey program or event.

The accused individual shall be offered a hearing. A hearing under USA Hockey Bylaw 10 will not necessarily affect USA Hockey's, the Affiliate's and/or local program's ability to immediately suspend or terminate the accused individual from employment or performing services for organization. Please refer to Section V of this Handbook on Responding to Abuse and Other Misconduct for more information on imposing discipline and hearing requirements.

An employee's or volunteer's failure to report in compliance with this policy is a violation of this policy and grounds for termination of an employee and/or dismissal of a volunteer.

#### **Other Misconduct and Policy Violations**

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

Likewise, violations of USA Hockey's Locker Room Policy, Social Media, Mobile and Electronic Communications Policy, Travel Policy and Billeting Policy shall be reported to the local program, applicable Affiliate or USA Hockey to address, rectify and impose discipline where appropriate.

#### **Follow Up Reports to the Affiliate and USA Hockey**

All local programs shall promptly notify the applicable Affiliate SafeSport Coordinator of the results of any investigations, hearings or other proceedings within their program that involve violations of the USA Hockey SafeSport Policies or this SafeSport Handbook.

Each Affiliate SafeSport Coordinator shall promptly notify USA Hockey of the results of any investigations, hearings or other proceedings within their Affiliate that involve violations of the USA Hockey SafeSport Policies or this SafeSport Handbook.

### **NOTIFICATION**

Following notice of a credible allegation that results in the removal of an employee, coach or other volunteer, USA Hockey, the Affiliate or local program may consider the circumstances in which it will notify parents of other participants with whom the accused individual may have had contact. As appropriate, USA Hockey, its Affiliates and/or local programs may notify its staff members, volunteers, parents, and/or participants of any allegation of child physical or sexual abuse or other criminal behavior that (1) law enforcement authorities are actively investigating; or (2) that is being investigated internally by USA Hockey, its Affiliates and/or local programs. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.



## SECTION V

# Responding to Abuse and Other Misconduct

In response to allegations of abuse or misconduct, the USA Hockey Bylaws that are applicable to suspensions and disciplinary proceedings shall apply. Those Bylaws are found in Bylaw 10. Bylaw 10 provides for a disciplinary process that must be followed in connection with suspension or other discipline of an individual, team or organization or others within the jurisdiction of USA Hockey. By following the procedures of Bylaw 10, USA Hockey organizations, including its Affiliates and local programs can ensure a fair and reasonable process for handling reports of abuse by members.

**In this policy on Responding to Abuse and Other Misconduct is:**

- The obligation of USA Hockey Affiliates and local programs to investigate and conduct appropriate disciplinary proceedings following reports of suspicions or allegations of abuse or misconduct;
- The importance of maintaining confidentiality with respect to the complaint, the complainant, victim, accused and other information related to the report and incident(s) until "notice" must be given about a suspension or the outcome of any proceedings.
- The circumstances in which an immediate or "summary" suspension is appropriate and the procedures following a summary suspension;
- A general summary of the procedures for a hearing under Bylaw 10; and
- Factors and considerations that should be incorporated into findings and sanctions that are issued by a hearing panel.

### **REQUIREMENT FOR INVESTIGATION AND/OR DISCIPLINARY PROCEEDINGS**

Upon a report or other notice of credible information or allegations that a person that is subject to the jurisdiction of USA Hockey or one of its Affiliates or local programs ( 1) may have violated any of the provisions of the USA Hockey SafeSport Program Handbook, (2) violated any of the policies prohibiting Sexual Abuse, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, and Hazing, or (3) is subject to allegations of actual or suspected child physical or sexual abuse, USA Hockey, its Affiliates or applicable local programs shall conduct an investigation and/or disciplinary proceedings to determine the appropriate discipline that may be imposed.

**Notwithstanding the foregoing, if USA Hockey receives a report of physical or sexual misconduct involving a minor, a report will be made to the proper authorities. Further, USA Hockey, its Affiliates and local programs shall not conduct any investigation of or hearing procedure in response to allegations of child physical or sexual abuse if it in any way undermines or interferes with a pending legal investigation or criminal prosecution. As described below, it may be appropriate to issue a summary suspension of the accused individual during the pendency of a legal investigation or criminal prosecution.**

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

It is also recognized that with respect to disciplinary action involving an employee of an organization, the organization will address allegations against its employees under its employment policies and procedures, bylaws and constitution.

All local programs shall report to the applicable Affiliate SafeSport Coordinator of the results of any investigations, hearings or other proceedings within their program that involve violations of the USA Hockey SafeSport Policies or this SafeSport Handbook. In each instance where an Affiliate has referred a matter to a local program for investigation or disciplinary proceedings, the Affiliate SafeSport Coordinator shall monitor the proceedings and provide appropriate guidance to ensure the local program investigates and/or conducts disciplinary proceedings, as appropriate.

Each Affiliate SafeSport Coordinator shall compile information and results of disciplinary proceedings within their Affiliate and report such information to USA Hockey.

### **IMPORTANCE OF CONFIDENTIALITY**

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

### **IMMEDIATE OR "SUMMARY" SUSPENSION**

The appropriate disciplinary response will depend on the nature and seriousness of the incident and in extreme cases, misconduct will result in immediate suspension and/or dismissal, provided that the accused individual shall be advised of their right to a hearing under Bylaw 10. If the accused individual is a minor, the local program or Affiliate will contact his or her parents or guardians.

Summary suspension is intended for those situations in which an individual's continued employment, membership or participation poses a risk of ongoing physical or emotional harm. In those cases, USA Hockey, the applicable Affiliate or local program may wish to immediately suspend the accused individual pending final resolution of the complaint or any legal proceedings to eliminate any danger to youth participants. In such instances, the USA Hockey program shall provide the individual with notice and offer her/him an opportunity to contest the suspension.

A summary suspension is thus appropriate when there is a reasonable belief that the individual has committed emotional, physical or sexual misconduct. Evidence which may be found sufficient to support a reasonable belief includes, at a minimum:

- the suspension or termination of employment or membership by a member program
- a Report Form has been filed with specific and credible information
- other legal documentation or report supporting a reasonable belief that the individual has committed emotional, physical or sexual misconduct, including abuse of a child (e.g., an arrest or a criminal indictment).

For the purposes of this Policy, a suspension from involvement in hockey programs shall mean that for the duration of the period of suspension, the accused individual may not participate in any capacity or in any role in the business, events, or activities of any program sanctioned by USA Hockey.

Pursuant to Bylaw 10.B.(2)(d), the suspended individual, at the time of notice of the suspension, shall be provided with notice of the right to request a hearing under Bylaw 10.C. Ordinarily, Bylaw 10.B.(2)(d) requires that the suspended individual must request a hearing in writing within seven (7) days of being notified of the suspension. However, it is recognized that during the pendency of a criminal investigation or legal proceeding the suspended individual may not want to appear at an administrative proceeding to contest a suspension, and so it is appropriate that when an active criminal investigation or legal proceeding is ongoing, the seven (7) day period to request a hearing should be stayed until seven (7) (or more) days following the conclusion of the criminal investigation or criminal proceeding.

Delaying any hearing of a person subject to a summary suspension until after the conclusion of a criminal or legal proceeding is also consistent with USA Hockey's policy that it will not enter into an investigation that may undermine a pending legal investigation or criminal prosecution.

### **HEARINGS**

USA Hockey Bylaw 1 O.C. provides the hearing procedure applicable to disciplinary proceedings following complaints of abuse or misconduct or any violations of this SafeSport Program Handbook.

It is recognized that not all discipline necessarily requires a hearing. There may be discipline imposed for minor violations where a reprimand, training or other sanction may be imposed where a hearing would not be necessary. However, in cases where USA Hockey, an Affiliate or local programs seeks to suspend a party, the governing body shall offer the party the right to a hearing, and the hearing shall occur in accordance with Bylaw 10 and within the time periods required under Bylaw 10.

The complainant, victim and accused individual shall have the right to receive written notice of the report or complaint, including a statement of the allegations, to present relevant information to the hearing panel and any investigator, and to be represented by legal counsel (at the party's own expense).

In connection with any hearing the accused individual must be given a reasonable opportunity to respond to the allegations brought forward. This may or may not include cross examination of the victim or complainant. In circumstances where the complainant or victim is a minor, it may be appropriate for the person that conducted the investigation that led to the hearing to provide testimony on the victim's behalf, or that the investigator's or fact finder's report substitute for the minor's testimony.

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

The conduct of the hearing may or may not be private, in the discretion of the hearing panel or governing organization. The hearing panel or governing organization that imposes any discipline should consult with legal counsel before making any hearing decision or other report public.

Pursuant to Bylaw 1 O.G., there is a right to appeal the panel's decision. A notice of appeal must be delivered to the appropriate appeal authority within ten (10) days of the suspended party's receipt of the written decision from the hearing panel. While the complainant and/or victim have the right to participate in the hearing process and provide evidence and argument to the hearing panel, a complainant or victim does not have the right to appeal a disciplinary decision.

### **FINDINGS AND SANCTIONS**

The hearing panel has the discretion to impose sanctions on the individual if it finds based on a preponderance of the evidence that any violations of the USA Hockey SafeSport Program Handbook or any violations of the policies prohibiting Sexual Abuse, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, and Hazing have occurred.

The hearing panel will communicate its finding to the individual. The panel may impose sanctions on the individual in its findings. Any sanctions imposed by the panel must be proportionate and reasonable, relative to the findings and conclusions of the panel as to what has occurred. The decision regarding the appropriate sanction shall be up to the panel deciding each complaint. In imposing a sanction, the panel shall consider:

1. The legitimate interest of USA Hockey, the applicable Affiliate and the local program in providing a safe environment for its participants
2. The seriousness of the offense or act
3. The age of the accused individual and alleged victim when the offense or act occurred
4. Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct
5. The effect on the reputation of USA Hockey, the applicable Affiliate and the local program
6. Whether the individual poses an ongoing concern for the safety of participants in USA Hockey, the applicable Affiliate and the local program
7. Any other information, which in the determination of the panel, bears on the appropriate sanction

Sanctions may range from a warning and a reprimand to suspension from involvement in sanctioned hockey programs for a period of time, or may in some cases be permanent.

As it is recognized that a local program's suspension is only effective with respect to that local program, and an Affiliate's suspension is only effective with respect to that Affiliate, Bylaw 10 provides that a local program that desires that a suspension extend throughout the Affiliate may request that the Affiliate recognize and enforce the suspension throughout the Affiliate and its other local programs, and the Affiliate may request that USA Hockey recognize and enforce the suspension throughout USA Hockey and all other affiliates.



## SECTION VI

# Monitoring and Supervision of the Program

The Monitoring and Supervision aspect of a SafeSport Program considers how the programs involved monitor, supervise and ensure that the other aspects of the program (i.e., implementation and enforcement of policies, training requirements, screening requirements, responding, reporting and adjudication procedures, etc.) are being followed, and how they may be improved, so that they result in a safe environment for the participants.

Monitoring and supervision must occur at different levels within USA Hockey:

- **Team Coaches**

The head coach for each team shall be responsible for monitoring his or her team to ensure that locker rooms are being properly supervised in accordance with the Locker Room Policy, that the team's travel is conducted in accordance with the Travel Policy, that all team electronic communications are in accordance with the Social Media, Mobile and Electronic Communications Policy, and that any billeting of players is in accordance with the Billeting Policy.

It is recognized that the head coach may not be personally responsible for direct supervision of each of these areas at all times and may delegate responsibility team personnel for certain activities to other properly screened, but as the primary supervisor of the team, the head coach shall be responsible for delegating as necessary to ensure compliance.

- **Local Programs**

Local programs and their administrators shall ensure that the program institutes and enforces compliance of its teams with the Locker Room Policy, the Travel Policy, the Social Media, Mobile and Electronic Communications Policy, and the Billeting Policy.

Local Programs shall monitor their personnel to ensure that the program's coaches, officials, program administrators, and other program volunteers and employees that will have routine access to youth participants, including but not limited to team managers, locker room monitors, travel chaperones, and team drivers, have completed the required training in accordance with the Education and Awareness Training Policy **prior to** such persons beginning in their position or otherwise having access to youth participants.

Local Programs shall monitor its personnel to ensure that all coaches, officials, program administrators, and other program volunteers and employees that will have routine access to youth participants, including but not limited to team managers, locker room monitors, travel chaperones, and team drivers, have been properly screened in accordance with the USA Hockey Screening and Background Check Policy **prior to** such persons beginning in their position or otherwise having access to youth participants.

Local Programs shall promptly address any reports of abuse and misconduct, and make all such reports as are required under the USA Hockey SafeSport Program or applicable law.

Local Programs shall conduct reviews and evaluation of their program and program and team personnel to monitor and ensure compliance with the USA Hockey SafeSport Program.

- **Affiliates**

Affiliates shall have an Affiliate SafeSport Coordinator responsible for monitoring compliance with the USA Hockey SafeSport Program in all programs of the Affiliate.

Affiliates shall monitor the Local Programs to ensure that all programs are requiring that all that all program personnel that will have routine access to youth participants have completed the required training in accordance with the Education and Awareness Training Policy **prior to** such persons beginning in their position or otherwise having access to youth participants.

Affiliates shall monitor the Local Programs to ensure that all programs are requiring that all that all program personnel that will have routine access to youth participants are properly screened in accordance with the USA Hockey Screening and Background Check Policy **prior to** such persons beginning in their position or otherwise having access to youth participants.

Affiliates shall ensure that all Affiliate personnel have received all required training and have been screened as a condition of holding that position.

Affiliates shall promptly address any reports of abuse and misconduct, and make all such reports as are required under the USA Hockey SafeSport Program or applicable law, and shall monitor and supervise the Local Programs to ensure all such reports are made.

**Effective for the 2013-14 season,** Affiliates shall require and receive from each Local Program a certification of the program's compliance with the USA Hockey SafeSport Program. USA Hockey shall provide the form of certification by Local Programs.

- **National Level**

USA Hockey shall monitor compliance with the USA Hockey SafeSport Program in all Affiliates. USA Hockey shall monitor all Affiliates to ensure they are properly supervising and monitoring their Local Programs' compliance with the Education and Awareness Training and Screening Policies, and requiring that all required training and screening is completed **prior to** persons beginning in their position or otherwise having access to youth participants

USA Hockey shall ensure that all national personnel, including members of the Board of Directors, Councils and Committees and national office staff have received all required training and have been screened as a condition of holding that position.

USA Hockey shall promptly address any reports of abuse and misconduct, and make all such reports as are required under the USA Hockey SafeSport Program or applicable law, and shall monitor and supervise the Affiliates to ensure all such reports are made.

**Effective for the 2013-14 season,** USA Hockey shall require and receive from each Affiliate a certification of the Affiliate's compliance with the USA Hockey SafeSport Program. USA Hockey shall provide the form of certification by Affiliates.

USA Hockey shall maintain a SafeSport Program Committee that is responsible for monitoring USA Hockey's and its Affiliates' compliance with the USA Hockey SafeSport Program and shall consider modifications to the policies and other aspects of the USA Hockey SafeSport Program on a yearly basis.