



A. INTRODUCTION

Mission of membership organization

- a. As a member organization of USRowing, Austin Rowing Club, its employees, contractors, volunteers, officials, board members, committee members and other designees, members and organizational members are required to comply with the U.S. Center for SafeSport Code including its reporting requirements, available here: <https://uscenterforsafesport.org/wp-content/uploads/2022/02/2022-SafeSport-Code.pdf>
- b. Reporting sexual misconduct and child abuse: <https://uscenterforsafesport.org/report-a-concern/>
- c. Reporting non-sexual misconduct: https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx

DEFINITIONS (pertaining to the specific club, of misconduct categories)

- a. Any definitions pertaining to specific Membership Organization

Training Requirements

- a. SafeSport
 - a. Definition
 - b. If the training is required or not
 - c. Required training: coaches, staff, administration, volunteers.
 - i. must offer and give consistent training related to the prevention of child abuse: (1) to all adult members who are in Regular Contact with amateur athletes who are minors and (2) subject to parental consent, to members who are minors.

MAAPP

- a. The Center has developed the Minor Athlete Abuse Prevention Policies (MAAPP). The MAAPP is a collection of proactive prevention and training policies for the U.S. Olympic & Paralympic Movement. It has three primary components: Education & Training, Required Prevention Policies, focused on limiting one-on-one interactions between Adult Participants and Minor Athletes, and Recommended Prevention Policies.
- b. Who it pertains to: All USRowing members.

Screening Process

- a. Background checks
 - b. **Any Adult Participant who is in a position of authority over athletes of any age or who has Regular Contact with youth athletes is required to complete a background check every two years and to annually complete the on-line SafeSport training course or SafeSport training refresher course.**
 - i. employees, coaches, referees, full-time volunteers, board members, staff, administrators, and any other non-athlete member.
- c. Criminal histories

- d. Any background check that results in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, for any of the below criminal offenses will be subject to Austin Rowing Club's policies and procedures to determine the individual's level of access and involvement.
- e. It is a violation of the Policy for a participant to have a criminal charge or disposition. Criminal Conduct is relevant to an individual's fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of this Policy occurred but may be considered for sanctioning purposes.
- f. Sex Offender Registry: A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to be a Participant.

Reporting Requirements

- a. Violations of nonsexual misconduct can be reported by submitting an incident report to Austin Rowing Club, USRowing encourages initial reporting of such matters to the relevant Member Organization. If, following review by the Austin Rowing Club, the issue remains unresolved or is not susceptible to resolution at the Austin Rowing Club level, it may be reported to USRowing using the USRowing reporting form found [here](#).
- b. Violations of sexual misconduct must be reported directly to the U.S. Center for SafeSport and appropriate local authorities. Any report received by USRowing or Austin Rowing Club of an allegation that falls within the Center's exclusive jurisdiction must be referred directly to the Center immediately and no later than within 24 hours. Such reports to the Center should be made through the reporting form found here: <https://uscenterforsafesport.org/report-a-concern/>.

Conduct

- a. Please refer to the USRowing SafeSport policy for more information.
- b. All Participants are bound by and must comply with this Policy as well as the Code. Participants are responsible for knowing the information outlined and have expressly agreed to this Policy and the Code, including the applicable policies and procedures.
- c. Participation in USRowing licensed and sanctioned activities is a privilege, not a right. Such participation may be limited, conditioned, suspended, terminated, or denied if a Participant's conduct is or was inconsistent with the Code, this Policy, and/or the best interests of the sport of rowing and those who participate in it.
- d. Austin Rowing Club formally adopts the definitions of Prohibited Conduct contained in the Code and set forth below. Any changes to the Code's categories and definitions of misconduct are immediately adopted by Austin Rowing Club and effective upon the Center's publication of them unless otherwise noted. Prohibited Conduct includes but is not limited to:
 - a. Criminal Charge or Disposition
 - b. Child Abuse
 - c. Sexual Misconduct
 - d. Emotional and Physical Misconduct, including Stalking, Bullying, Hazing, and Harassment
- e. All Participants must familiarize themselves with each form of misconduct and the policies and must refrain from engaging in misconduct and/or violating any of these policies.

Misconduct and examples

- a. Emotional misconduct
- b. Physical misconduct
- c. Bullying
- d. Hazing
- e. Harassment
- f. Threats
- g. Sexual misconduct & child abuse

- i. All persons within the jurisdiction of Austin Rowing Club shall comply with the Sexual Misconduct and Child Abuse policies of the SafeSport Code. Any violation of the Code by a Participant shall subject such person to appropriate disciplinary action by the Center and/or USRowing, including, but not limited to, suspension, permanent suspension, and/or referral to law enforcement authorities.
- ii. Prohibited Conduct and Jurisdiction: The Center shall have authority and jurisdiction over the investigation and resolution of any allegations of violations by any Participant of the Sexual Misconduct policies set forth in the Code, which prohibit sexual behavior involving minors by any adult Participant and in some cases between minors, including without limitation.
 1. Sexual or Gender-related Harassment
 2. Non-consensual Sexual Contact
 3. Non-consensual Sexual Intercourse
 4. Sexual Exploitation
 5. Bullying or Hazing or Other Inappropriate Conduct of a sexual nature
 6. Power imbalance examples found in SafeSport Policy
- iii. The Center shall also have exclusive jurisdiction to investigate and resolve allegations that a Participant has a Criminal Charge or Disposition involving Child Abuse or Sexual Misconduct.
- iv. The Center shall also have authority and exclusive jurisdiction over any conduct described in the Code as Aiding and Abetting when it relates to the Center's Process, Misconduct Related to Reporting where the underlying allegation involves Child Abuse or Sexual Misconduct (including failing to report to the Center and intentionally filing a false allegation), and Misconduct Related to the Center's Process (including an abuse of process and retaliation). The behaviors or conduct prohibited by the Code may be found here: <https://www.uscenterforsafesport.org>.
- v. The Center shall also have authority and jurisdiction over the investigation and resolution of reports or allegations of USRowing SafeSport policies other than Sexual Misconduct (e.g., Physical Misconduct, Bullying, Locker Room Policy, etc.) where such conduct is reasonably related to and accompanies a report or allegations involving Sexual Misconduct.
- vi. Notwithstanding the forgoing, prior to the Center expressly exercising such jurisdiction, USRowing and Austin Rowing Club retain the authority to address any allegations of sexual abuse or misconduct on a temporary basis, including through issuance of summary suspension over a credibly accused Participant.
- vii. Upon the Center's issuance of a Notice of Exercise of Jurisdiction, any temporary suspension, discipline, or other measures previously imposed by USRowing, or Austin Rowing Club will be automatically and immediately adopted by the Center as its own, will be applicable throughout the Center's jurisdiction, and will remain in effect unless and until the Center modifies those measures. Once the Center exercises jurisdiction over particular allegations regarding a particular Participant, neither USRowing nor Austin Rowing Club may issue a new suspension in response to those allegations. However, USRowing and Austin Rowing Club may put in place any necessary safety plan(s) or interim measure(s) short of those measures that may deny or threaten to deny a Participant's opportunity to participate.

1 on 1

All membership organizations must include the following regarding 1 on 1 interactions. Please refer to the USRowing SafeSport Policy Manual for more information pertaining to each item.

- a. Observable and interruptible
 - a. Exceptions
 - b. Meetings and training sessions
 - i. Individual training sessions
 - c. Meetings with licensed mental health care professionals and health care providers other than athletic trainers
 - d. Massages and rubdowns/athletic training modalities (all healthcare provision)
 - e. Areas where athletes change.
 - i. May include, but not limited to locker rooms, boathouse, restrooms.
- a. Conduct in locker rooms, changing areas, and similar spaces.

- a. Parent/guardians may request in writing their minor athletes not change or shower with adult participants during in-program contact. Austin Rowing Club and adult participant must abide by this request.
- b. Personal care assistants
- c. Availability and monitoring of Locker rooms, changing areas, and similar spaces.
 - a. Must provide a private/semi-private place for minor athletes that need to change clothes or undress at sanctioned events or facilities partially or fully under Austin Rowing Club jurisdiction.
 - b. Must monitor the use of locker rooms, changing areas, and similar spaces to ensure compliance with these policies at sanctioned events partially or fully under Austin Rowing Club jurisdiction.
- d. Electronic communication
 - a. Open and transparent
 - i. Exceptions
 - ii. Only platforms that allow for Open and Transparent communication may be used to communicate with Minor Athletes.
 - b. Team communication
 - c. Content
 - d. Request to disclose.
 - e. Recommended:
 - i. Hours: Electronic communications should generally only be sent between the hours of 8:00 a.m. and 8:00 p.m., unless emergency circumstances exist, or while traveling internationally or during competition travel.
 - ii. Social Media Connections: Adult Participants, except those with a Dual Relationship or who meet the Close-in-Age Exception, are not permitted to maintain private social media connections with Minor Athletes and should discontinue existing social media connections with Minor Athletes.
- e. Transportation
 - a. An Adult Participant cannot transport a Minor Athlete one-on-one during In-Program travel.
 - i. Exceptions
 - b. An Adult Participant meets the In-Program transportation requirements if the Adult Participant is accompanied by another Adult Participant or at least two minors.
 - c. Written consent from a Minor Athlete's parent/guardian is required for all transportation sanctioned by USRowing or a Member Organization at least annually.
- f. Lodging
 - a. Hotel Rooms and Other Sleeping Arrangements
 - i. All In-Program Contact at a hotel or lodging site between an Adult Participant and a Minor Athlete must be observable and interruptible, and an Adult Participant cannot share a hotel room or otherwise sleep in the same room with a Minor Athlete,
 - 1. Exceptions
 - 2. Annually written consent by parent or guardian
- g. Out of program contact
- h. Gifting
- i. Photograph/video
- j. Definition Best Practices:
 - a. Consent: when applicable, must be obtained at least annually from minor athlete's parents/guardians before providing any modalities, massages, rubdowns. Monitoring: includes reviewing the parent/guardian consent form, knowing that the meeting or training session is occurring, knowing the approximate planned duration of the meeting or training session, and dropping in on the meeting or training session.

Jurisdiction

A. Exclusive jurisdiction

- a. **The Center has the exclusive jurisdiction to investigate and resolve allegations that a Participant engaged in one or more of the following:**
 - i. Sexual Misconduct, including, without limitation, child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct
 - ii. Criminal Charges involving Child Abuse or Sexual Misconduct
 - iii. Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct
 - iv. Aiding and Abetting, when it relates to the Center's process.
 - v. Misconduct Related to the Center's Process
 - vi. Other Inappropriate Conduct, as defined in the Code.

B. Discretionary jurisdiction

- a. **USRowing has jurisdiction, and the Center has discretionary jurisdiction, to investigate and resolve allegations that a Participant engaged in one or more of the following:**
 - i. Non-sexual Child Abuse
 - ii. Emotional and physical misconduct, including stalking, bullying behaviors, hazing and harassment.
 - iii. Criminal Charges not involving Child Abuse or Sexual Misconduct
 - iv. USRowing Minor Athlete Abuse Prevention Policies (MAAPP) or other similar Proactive Policy violations.
- b. USRowing has the authority and jurisdiction to investigate and address any allegations of violations of this Policy and/or the Code that are not within the Center's exclusive jurisdiction, provided that, in the event that the Center does exercise its jurisdiction, USRowing, and/or Austin Rowing Club shall no longer exercise jurisdiction over the matter.

Austin Rowing Club's reporting and investigation process

C. Jurisdiction notification & reporting

- a. **USRowing promptly informs an identified reporting party of its jurisdictional determination regarding their report to USRowing, communicating that the matter either is being referred to the Center, is being addressed by USRowing, or is being referred to Austin Rowing Club.**
- b. USRowing has a mandatory reporting policy that comports with the mandatory reporting of child abuse provisions in the SafeSport Code, including mandatory reports to law enforcement, compliance with any other applicable reporting requirements under state law, and mandatory reports to the Center.
- c. Although USRowing strongly encourages all Participants to report allegations of Prohibited Conduct, adult Participants are mandatory reporters under this Policy. If an adult Participant learns of any allegation of Prohibited Conduct, they must report the allegation as follows:
 - i. If a Participant becomes aware of an allegation of Sexual Misconduct or Child Abuse, or Retaliation the Participant **MUST** report this to the Center immediately and report Child Abuse to Law Enforcement.
- d. **IMPORTANT:** If an adult Participant learns of information and reasonably suspects that a Minor has suffered an incident of Child Abuse (to include neglect, physical, emotional, and sexual abuse), they must report this to law enforcement (or in some states child protective services) and the Center immediately. Filing a report with the Center does not satisfy the reporting requirement to law enforcement.

D. Reporting Sexual Misconduct

- a. All reports of Sexual Misconduct must be reported directly to the Center at www.uscenterforsafesport.org or (833)-587-7233. No statutes of limitation apply to reports of incidents of Sexual Misconduct. All such reports received by USRowing or Austin Rowing Club will be forwarded to the Center. Reporting such conduct to the Center does not satisfy an Adult Participant's obligation to report to law enforcement or other appropriate authorities consistent with federal law. Any report received by USRowing or Austin Rowing Club of an allegation that falls within the Center's exclusive jurisdiction must be referred by USRowing or the Member Organization directly to the Center immediately and no later than within 24 hours.

- E. Reporting non-sexual misconduct
- a. Austin Rowing Club will take a report in the way that is most comfortable for the person initiating the report including an anonymous, in-person, verbal, or written report. Regardless of the method of reporting, it is helpful to USRowing to get the following information:
 - i. The name of the Claimant(s)
 - ii. The type of misconduct alleged
 - iii. The name(s) of the alleged victims(s)
 - iv. The name(s) of the individual(s) alleged to have committed the misconduct.
 - b. Individuals may report non-sexual misconduct, including violations of the Minor Athletes Abuse Prevention Policies, to USRowing by completing an Incident Report Form. Required information on this form will include:
 - i. The name(s) of the Claimant(s)
 - ii. The type of misconduct alleged
 - iii. The name(s) of the individual(s) alleged to have committed the misconduct
 - iv. The approximate date(s) and location(s) where the misconduct was committed
 - v. The names of other individuals who might have information regarding the alleged misconduct
 - c. A summary statement of the reasons to believe that misconduct has occurred.
 - d. Except for mandatory reporting to the authorities and the Center, USRowing will withhold the Claimant's name upon request, to the extent permitted by law. A copy of the USRowing Incident Report form can be found here: https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx.
- F. **Confidentiality:** To the extent permitted by law, and as appropriate, USRowing will handle any report it receives confidentially and discretely and will not make public the names of the Claimant(s), potential victim(s), or accused person(s); however, USRowing may disclose such names on a limited basis when conducting an investigation, or reporting to the Center, or reporting to law enforcement authorities.
- G. **Anonymous Reporting:** Austin Rowing Club recognizes that it can be difficult to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. Anonymous reports may be made without the formality of completing an Incident Report Form by:
 - a. Completing (without including a name) an Incident Report Form found here: https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx
 - b. Expressing concerns of misconduct to USRowing directly
 - c. Expressing concerns to the Safe Sport Protection Team at USRowingSafeSport@usrowing.org
- H. As appropriate, and at its discretion, USRowing may institute formal investigations and hearings to address serious allegations of misconduct under this Policy. Such investigations will be undertaken to address only the most serious allegations and patterns of behavior that may warrant significant sanctions.
- I. Where an investigation under this Policy is conducted by Austin Rowing Club, the Respondent, Claimant, and/or accused shall have the right to:
 - a. Receive written notice of the report or complaint, including a statement of the allegations (reacted as appropriate)
 - b. Present relevant information to the investigator(s)
 - c. Legal counsel, at his or her own expense
- J. The Director of Safe Sport is responsible for ensuring the response and resolution policy is being followed.

Enforcement

The enforcement of this Policy falls under the jurisdiction of the USRowing Disciplinary Committee, except:

- a. Allegations of sexual misconduct, which falls under the exclusive jurisdiction of the Center; and
- b. Allegations of non-sexual misconduct that the Center takes discretionary jurisdiction over.

USRowing shall recognize and enforce all penalties imposed by the Center, including lifetime bans. Temporary suspensions apply to the suspended person, but not to the suspended person's business. Final and non-appealable suspensions and bans apply to the person and any rowing-related business the suspended or ban person owns.

Collection of Data by USROWING

Austin Rowing Club must annually submit to USRowing data regarding:

- 1) Reports of emotional or physical misconduct made to Austin Rowing Club (if known).

- a) Total reported incidents of alleged emotional misconduct and/or alleged physical misconduct.
 - b) Total number of investigations of alleged emotional misconduct and/or alleged physical misconduct.
 - c) Total number of violations for emotional misconduct and/or physical misconduct adjudicated by USRowing, separated by cases adjudicated by USRowing and cases adjudicated by Austin Rowing Club
- 2) Reports to USRowing or Austin Rowing Club that a Participant violated the MAAPP
- a) Total reported incidents of alleged violations of the MAAPP
 - b) Total number of investigations of alleged violations of the MAAPP
 - c) Total number of violations of the MAAPP, separated by cases adjudicated by USRowing and cases adjudicated by Austin Rowing Club
- 3) Reports to USRowing or Austin Rowing Club that a Participant engaged in retaliation
- a) Total reported incidents of alleged retaliation
 - b) Total number of investigations of alleged retaliation
 - c) Total number of violations of retaliation separated by cases adjudicated by USRowing and Austin Rowing Club.
- 4) USRowing is required to collect this information from Austin Rowing Club on a quarterly basis.

If you are unsure of the clarity of how this policy applies to your club, or are unsure if it applies to your situation:

Link: <https://usrowing.org/sports/2016/6/1/safesport.aspx>

Or fill out an incident report and we can assist.