



USA Pentathlon Multisport (USAPM)

SAFESPORT

RESPONSE AND RESOLUTION POLICIES and PROTOCOLS

Revised: December 2022

TABLE OF CONTENTS

I.	USAPM SAFE SPORT CONTACTS.....	4
II.	INTRODUCTION AND APPLICATION.....	4
III.	ATHLETE PROTECTION.....	7
A.	PROHIBITED CONDUCT.....	7
1.	Sexual Misconduct.....	7
2.	Child Sexual Abuse.....	8
3.	Grooming.....	8
4.	Emotional Misconduct.....	9
5.	Physical Misconduct.....	9
6.	Bullying.....	9
7.	Harassment.....	10
8.	Hazing.....	10
9.	Willfully Tolerating Misconduct.....	10
B.	RULES FOR MAINTAINING HEALTHY BOUNDARIES.....	10
1.	Overview.....	10
2.	Appropriate Physical Conduct.....	11
3.	Inappropriate Physical Contact.....	12
4.	Coach and Staff Responsibilities.....	12
5.	Chaperone Responsibilities.....	13
C.	ADDITIONAL PRINCIPLES FOR MAINTAINING HEALTHY BOUNDARIES.....	14
D.	BACKGROUND CHECK AND TRAINING.....	15
IV.	REPORTING OF MISCONDUCT.....	16
A.	APPLICATION.....	16
B.	REPORTING BASED ON TYPES OF MISCONDUCT.....	16
1.	Reporting Suspected Child Abuse to Legal Authorities.....	16
2.	Reporting Sexual Misconduct.....	16
3.	Reporting Other Violations of USAPM Safe Sport Policy.....	17
4.	Reporting Other Misconduct and Policy Violations.....	17
5.	Notifying the U.S. Olympic and Paralympic Committee.....	17

C. PEER-TO-PEER SEXUAL ABUSE	18
D. OTHER INFORMATION FOR REPORTING.....	18
1. How to Report.....	18
2. Reporting Form	18
3. Jurisdiction Notification:	19
4. Confidentiality and Privacy.....	19
5. Anonymous Reporting	19
6. “Whistleblower” Protection.....	19
7. Bad-Faith Allegations.....	20
8. Prohibition of Retaliation	20
9. Failure to Report.....	20
V. DISCIPLINARY PROCEDURES	20
E. RESPONSE TO ALLEGATIONS	20
F. DISCIPLINARY RESPONSE.....	22
G. TEMPORARY MEASURES	23
H. ENFORCING SANCTIONS, TEMPORARY MEASURES, AND ADMINISTRATIVE HOLDS	23
I. DATA OF MATTERS ADDRESSED BY THE ORGANIZATION	23
1. For reports of emotional or physical misconduct made to USAPM.....	23
2. For reports to USAPM that a Participant violated the Minor Athlete Abuse Prevention Policies (MAAPP):.....	24
3. For reports to the Organization that a Participant engaged in retaliation:.....	24
VI. USAPM SAFE SPORT INCIDENT REPORT FORM	24

I. USAPM SAFE SPORT CONTACTS

Contact USAPM's national office staff to make a report of misconduct or to ask questions about the Safe Sport Program.

Rob Stull
CEO/Managing Director
rstull@usapentathlon.org

Kevin Montford
Deputy Director / Safe Sport Manager
kmontford@usapentathlon.org

II. INTRODUCTION AND APPLICATION

Consistent with its mission, the welfare of participants is of paramount concern to USAPM. When any participant—athlete, coach, official, volunteer or staff member—is subjected to or engages in abuse or misconduct, it undermines the mission of USAPM and is inconsistent with the best interests of the sport.

USAPM is committed to promoting a safe environment for its participants, coaches, officials, volunteers and staff. USAPM has developed, and updated this policy to outline the efforts it will undertake to promote a safe competitive environment, in partnership with coaches, parents, athletes, and the U.S. Center for SafeSport. There is no associated costs, fees, or other financial barriers attached to submitting a report to USAPM or to the Center of Safesport.

All forms of misconduct are intolerable and in direct conflict with USAPM's ideals. In this document, we identify seven primary types of misconduct:

- Sexual Misconduct, including Child Sexual Abuse and Grooming
- Emotional Misconduct
- Physical Misconduct
- Bullying
- Harassment
- Hazing
- Willfully Tolerating Misconduct

Under this Policy, a minor (a child) is defined as an individual under the age of eighteen. While child physical and sexual abuse is one type of misconduct, it is important to remember that this policy covers many inappropriate behaviors that do not involve children at all. Where not specifically pertaining to minors, this Policy applies regardless of the ages of the individuals involved in the alleged activity.

This Policy applies to the following Adult Participants:

- USAPM Staff
- USAPM Members 18 years and older
- USAPM Interns
- USAPM Board Members
- USAPM Designated Committee Members (Audit/Ethics, Judicial, Nominating, and Pentathlon Performance Committee (PPG))
- USAPM Regional Coordinators
- USAPM Certified Coaches
- USAPM Certified Officials
- USAPM Covered Volunteers (i.e. volunteer coordinator, event organizers)
- USAPM Non-Covered Volunteers
- USAPM Team USA Designated Medical Personnel (i.e. doctors, trainers, etc...)
- USAPM Contracted Massage Therapists
- USAPM who have regular contact with minor athletes (i.e. official Team USA chaperones).
- USAPM Team USA Athletes in USADA's Registered Testing Pool
- Any other individual within the governance or disciplinary jurisdiction of USAPM
- Any other individual that USAPM formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have regular contact with any athlete

All USAPM participants must promote a safe, misconduct-free environment for other participants. However, Adult Participants have additional responsibilities in accordance with the law and with the requirements of the U.S. Center for SafeSport for SafeSport. Adult Participants must:

- a. know the information, policies and procedures outlined in:
 - a. the U.S. Center for SafeSport's SafeSport Code for the U.S. Olympic and Paralympic Movement ('Code' or 'SafeSport Code') and its related policies available at <https://uscenterforsafesport.org/>;
 - b. USAPM's rules, policies, Bylaws, and (for coaches) USAPM Code of Conduct.
- b. refrain from engaging in or willfully tolerating any of the forms of misconduct and prohibited conduct described in the U.S. Center for SafeSport's SafeSport Code, the USAPM Safe Sport Policy, or (for coaches) the USAPM Code of Conduct.
- c. be subject to the U.S. Center for SafeSport's jurisdiction and comply with the U.S. Center for SafeSport's policies, procedures, and Code, including with respect to reporting suspected misconduct.

- d. In accordance with the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (the “Safe Sport Authorization Act,” at <https://www.congress.gov/bill/115th-congress/senate-bill/534>):
 - a. Report suspected child abuse, including sexual abuse, within 24 hours to the local law enforcement agency or local child protective services agency that has jurisdiction to investigate reports of child abuse or to protect child abuse victims, or to the FBI, and
 - b. Report any reasonable suspicion of child abuse, including sexual abuse, immediately to the U.S. Center for SafeSport.
- e. be subject to USAPM’s jurisdiction and comply with USAPM’s rules, policies, Bylaws, and USAPM Code of Conduct (as applicable), including with respect to reporting suspected misconduct.

Nothing contained in this policy is intended to supersede, replace, or otherwise abrogate the USAPM Bylaws, the USAPM/UIPM Rulebook, or the Ted Stevens Olympic and Amateur Sports Act, or the Safe Sport Authorization Act. This Policy will be posted on the website of USAPM.

III. ATHLETE PROTECTION

A. PROHIBITED CONDUCT

USAPM utilizes the U.S. Center for SafeSport's definitions for prohibited conduct. For additional information, see the SafeSport Code, available at <https://uscenterforsafesport.org/>.

USAPM prohibits the following conduct for all Adult Participants. These definitions are intended to complement, but not supersede, the U.S. Center for SafeSport's definitions in the SafeSport Code.

1. Sexual Misconduct

- (1) Any touching or non-touching sexual interaction that is (a) nonconsensual or forced, (b) coerced or manipulated, or (c) perpetrated in an aggressive, harassing, exploitative or threatening manner;
- (2) Any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative; or
- (3) Any act or conduct described as sexual abuse or misconduct under federal or state law (e.g. sexual abuse, sexual exploitation, rape)

Note: An imbalance of power is always assumed between a coach and an athlete, even if the athlete is not a minor.

Types of Sexual Misconduct

Types of sexual misconduct include:

- 1) sexual assault,
- 2) sexual harassment,
- 3) sexual abuse, or
- 4) any other sexual intimacies that exploit an athlete. Minors cannot consent to sexual activity with an adult, and all sexual interaction between an adult and a minor is strictly prohibited.

Exceptions

None

2. Child Sexual Abuse

- (1) Any sexual activity with a child where consent is not or cannot be given. This includes sexual contact with a child that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity. Depending on the circumstances, child abuse might include peer-to-peer activity.
- (2) Any act or conduct described as child sexual abuse or exploitation under federal or state law.

Note: 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.

Exception

None

3. Grooming

The process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct.

The initial stages of the grooming process can occur in public or group settings, offenders also take care to groom the community, which makes it easier to gain the trust of staff and administrators.

Grooming may involve any of the following but not limited to the following activities:

- Targeting the victim – An offender will identify a child and determine his or her vulnerabilities.
- Gaining trust–Through watching and gathering information about the child, an offender will become acquainted with his or her needs.
- Filling a need – Offenders will often lavish gifts, extra attention and affection to forge a bond with their victims.
- Isolating the child – By developing a special relationship with the child, an offender creates situations in which he or she is alone with the child.
- Sexualizing the relationship – An offender will desensitize a child by talking to, taking photos of and even creating situations in which both the offender and victim are touching or naked. The adult then uses a child’s curiosity and feelings of stimulation to engage in sexual activity.
- Maintaining control – To ensure the child’s continued participation and silence, offenders can use secrecy and blame as well as other tactics. Victims sometimes continue the relationship out of fear or shame at the thought of having to tell someone about the abuse

4. Emotional Misconduct

(1) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete. Non-contact behaviors include:

- a) verbal acts
- b) physical acts
- c) acts that deny attention or support

(2) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

Exception

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

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

5. Physical Misconduct

(1) Contact or non-contact conduct that intends to result in, or reasonably threatens to, cause physical harm to an athlete or other sport participants; or

(2) Any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault).

Exception

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

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

6. Bullying

(1) An intentional, persistent and repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended, or have the reasonable potential, to cause fear,

humiliation or physical harm in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership

(2) Any act or conduct described as bullying under federal or state law

Exception

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

For example, bullying does not include respectful verbal admonitions for providing constructive feedback and encouraging team members to train harder and to push through a difficult training regimen.

7. Harassment

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

(2) Any act or conduct described as harassment under federal or state law

Exceptions

None

8. Hazing

(1) Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group's members; or

(2) Any act or conduct described as hazing under federal or state law

9. Willfully Tolerating Misconduct

It is a violation of this Policy if a Covered Individual knows of misconduct but takes no action to intervene on behalf of the victim.

B. RULES FOR MAINTAINING HEALTHY BOUNDARIES

1. Overview

USAPM is committed to creating a safe and positive environment for athletes' physical, emotional and social development and to ensuring that it promotes an environment free of misconduct. USAPM recognizes that the process for training and motivating athletes will vary with each coach and athlete, but it is nevertheless important for everyone involved in the sport to support the use of motivational and training methods that avoid misconduct.

Appropriate contact between athletes and coaches, staff members, contractors, or volunteers is a productive and inevitable part of sport. Athletes are more likely to acquire advanced physical skills, develop emotionally, and enjoy their sport participation through appropriate and healthy relationships with adults.

Accordingly, guidelines for maintaining healthy boundaries with athletes are necessary to reduce the potential for misconduct in sport.

You can find additional guidelines for maintaining healthy boundaries within our Minor Athlete Abuse Prevention Policy at www.usapentathlon.org/safesport

Note that these guidelines do not supersede or amend the SafeSport Code.

2. Appropriate Physical Conduct

USAPM adheres to the following principles and guidelines in regards to physical contact with USAPM athletes:

a. Common Criteria for Appropriate Physical Contact

Physical contact with athletes—for safety, consolation, and celebration—has multiple criteria in common which make them both safe and appropriate. These include:

- The physical contact takes place in public;
- There is no potential for, or actual, physical or sexual intimacies during the physical contact;
- The physical contact is for the benefit of the athlete, not to meet an emotional or other need of an adult.

b. Safety

The safety of our athletes is paramount, and in many instances, we make the athletic space safer through appropriate physical contact. Examples include:

- Protecting an athlete so that he/she will not be injured by a fall, horse or equipment;
- Positioning an athlete's body so that he/she more quickly acquires an athletic skill, has a better sense of where his/her body is in space, or improves his/her balance and coordination;
- Making an athlete aware that he/she might be in harm's way because of other athletes practicing around him/her or because of equipment/activities practiced or in use;

c. Celebration

Sports are physical by definition, and we recognize participants often express their joy of participation, competition, achievement, and victory through physical acts. We encourage these public expressions of celebration, which include:

- Greeting gestures such as high-fives and fist bumps;
- Congratulatory gestures such as "jump-arounds" and pats on the back for any form of athletic or personal accomplishment

d. Consolation

It may be appropriate to console an emotionally distressed athlete (e.g., an athlete who has been injured or has just lost a competition). Appropriate consolation includes publicly:

- Putting an arm around an athlete while verbally engaging them in an effort to calm them down ("side hugs");
- Lifting a fallen athlete and "dusting them off" to encourage them to continue competition.

3. Inappropriate Physical Contact

Prohibited forms of physical contact, which shall be reported immediately under the Reporting of Misconduct section of this policy include, without limitation:

- Lingering or repeated embraces of athletes that go beyond the criteria set forth for acceptable physical contact;
- Slapping, hitting, punching, kicking, or any other physical contact meant to discipline, punish or achieve compliance from an athlete;
- "Cuddling" or maintaining prolonged physical contact;
- Playful, yet inappropriate contact that is not a part of regular training (e.g., tickling);
- Continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not;
- Any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment;
- Any contact that is designed to meet an emotional or other need of any adult.

4. Coach and Staff Responsibilities

During travel (as in other situations), Coaches and staff are expected to encourage athletes, coaches and staff to adhere to the MAAPP and the other requirements of the USAPM Safe Sport Policy. During travel and when not practicing, training, competing, or preparing for competition, Coaches and staff are expected to monitor the activities of athletes, fellow coaches and staff for compliance with USAPM policies.

Specifically, to the extent applicable, Adult Participants who are coaches and/or staff shall:

1. Prepare athletes for team travel and make athletes aware of all expectations;
2. Familiarize themselves with all travel itineraries and schedules before the initiation of team travel.
3. Conform to, and monitor for others' adherence to all USAPM policies during team travel;
4. Encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians.
5. Help athletes be on time for all team commitments.
6. Assist with team travel logistical needs.
7. Support chaperones and/or participate in the monitoring of athletes for adherence to curfew restrictions as listed in travel itinerary and/or discussed.
8. Ensure athletes are complying with hotel room restrictions based on gender or age requirements.
9. Take reasonable steps to monitor that athletes are not alone in a hotel room with any adult apart from a family member/guardian; this includes coaches, staff, and chaperones, except as set forth in this policy.
10. Abstain from the use of tobacco while in the presence of athletes and discourage its use, and refrain from the consumption of alcohol or other behavior-altering substances while in a position of responsibility for minors.
11. Immediately report any concerns about emotional, sexual, or physical abuse, misconduct, or MAAPP policy violations to the U.S. Center for SafeSport or USAPM's Chief Executive Officer/Managing Director or Safe Sport Manager.
12. Notify parents before taking any disciplinary action against a minor athlete if the athlete is traveling without his or her parents.

5. Chaperone Responsibilities

Official USAPM minor athlete chaperones or Team Managers may be selected to accompany Team USA Team travel. Chaperones or Team Managers are considered Adult Participants and must adhere to the MAAPP.

Official USAPM minor athlete Team USA staff shall monitor the activities of all coaches, volunteers, and athletes during team travel. Specifically, official Team USA chaperones shall:

1. Ensure that all one-on-one interactions whether in person or electronic are observable and interruptable in compliance with the MAAPP.

2. Familiarize themselves with all travel itineraries and schedules before team travel.
3. Monitor for adherences to USAPM policies during team travel.
4. Encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians.
5. Help athletes be on time for all team commitments.
6. Assist coaches, staff, and other volunteers with team travel logistical needs.
7. Monitor athletes for adherence to curfew restrictions as listed in travel itinerary.
8. Monitor for athlete compliance with hotel room restrictions based on gender or age bracket requirements.
9. Abstain from the use of tobacco while in the presence of athletes and discourage its use, and refrain from the consumption of alcohol or other behavior-altering substances while in a position of responsibility for minors.
10. Take reasonable steps to monitor that athletes are not alone in a hotel room with any adult apart from a family member/guardian; this includes coaches, staff, and chaperones.
11. Immediately report any concerns about emotional, sexual, or physical abuse, misconduct, or MAAPP policy violations to the U.S. Center for SafeSport or to USAPM's Chief Executive Officer/Managing Director or Safe Sport Manager.

C. ADDITIONAL PRINCIPLES FOR MAINTAINING HEALTHY BOUNDARIES

The following principles should guide Adult Participants in structuring their contact with minors so as to maintain healthy boundaries: • Avoid the perception of impropriety;

- Avoid one-on-one interactions with athletes, and if such meetings are necessary, do so in a public space; any one-on-one interactions with a minor athlete that fall under an exception must have a consent form.
- Do not photograph athletes in an intimate or compromising position or situation.
- Do not facilitate an athlete's use of alcohol, tobacco, or controlled substances.
- Use legitimate fair bases for giving athletes attention.
- Do not give any athletes special gifts or favors.
- Always be aware of the power dynamic between coaches, staff, etc. and athletes.
- Do not engage in discussions with athletes that could not comfortably be discussed with parents or another adult.
- Do not use foul or offensive language.
- Consider your conversations with others when minor athletes are present.
- Maintain professional boundaries when communicating with athletes through text messaging, e-mail, or social media.
- Do not post images of minor athletes on public social media sites without the parental consent.
- Model appropriate behavior and exercise discretion when using social media.
- Do not expose athletes to pornographic material.

D. BACKGROUND CHECK AND TRAINING

Adult Participants must submit to criminal background screening pursuant to USAPM's Background Check Policy, separately posted on USAPM's website: www.usapentathlon.org

Additionally, Adult Participants are also required to complete SafeSport training to reinforce concepts covered under this Policy, Core training must be taken by the Adult Participants and then a refresher course may be taken on an annual basis to stay in good standing. All members of USAPM's Board of Directors also are required to complete the same training as Adult Participants. Training is provided by the US Center for SafeSport.

Except as otherwise may be required, criminal background checks, SafeSport education, and training must be completed before contact with athletes begins or within 45 days of an individual taking a new role.

USAPM tracks and performs periodic and yearly checks for compliance of its background screening and education/training requirements.

IV. REPORTING OF MISCONDUCT

A. APPLICATION

Although this USAPM Safe Sport Policy is designed to protect the USAPM community from misconduct, we recognize that there may be instances where such misconduct still occurs. Participants shall follow the reporting procedures set forth in this policy. Other individuals in a position to observe inappropriate conduct, including other volunteers, athletes, and parents, are also encouraged to make reports hereunder. Nothing in this Policy shall be construed to prohibit any individual from also making a direct report to law enforcement or child protective services. In the case of reasonable suspicion of child abuse, appropriate law enforcement or child protective services authorities should be contacted immediately, without waiting to investigate or evaluate the credibility or validity of the allegations. Under the laws of most states, most Adult Participants who come into contact with minors are mandatory reporters of child abuse; failure to report suspected child abuse is a crime in most jurisdictions. It is also the responsibility of each Adult Participants to immediately report suspicions or allegations of child abuse to USAPM's Chief Executive Officer/Managing Director or USAPM SafeSport Manager.

B. REPORTING BASED ON TYPES OF MISCONDUCT

1. Reporting Suspected Child Abuse to Legal Authorities.

USAPM will report suspected child abuse or neglect (including sexual misconduct) to the proper authorities in all instances and without exception, unless it is aware that authorities have already been notified.

An Adult Participant must report suspected child abuse or neglect (including sexual misconduct) within 24 hours to the appropriate legal authorities as described above in Section II(d), which is separate from notification to the U.S. Center for SafeSport or USAPM. For state-by-state reporting information, see www.childwelfare.gov. In addition, Adult Participants must report any reasonable suspicion of child abuse, including sexual abuse, immediately to the U.S. Center for SafeSport after the report to law enforcement.

2. Reporting Sexual Misconduct

Adult Participants must immediately provide notification directly to the U.S. Center for SafeSport of conduct of which they become aware that could constitute (a) sexual misconduct, (b) misconduct that is reasonably related to an underlying allegation of sexual misconduct, or (c) retaliation related to an allegation of sexual misconduct as set forth in the Code. In the event the disclosure is initially made to USAPM that falls within the Center's exclusive jurisdiction, USAPM's Safe Sport Manager will forward the information to the U.S. Center for SafeSport no later than within 24 hours. USAPM's Safe Sport Manager will respond to requests from the Center within 72 hours for the eligibility status of a participant, the existence of Organization-

imposed temporary measures or safety plans, other information the Center deems necessary (resources provided by the Center).

Notification to the U.S. Center for SafeSport and/or USAPM DOES NOT satisfy any legal reporting requirements under state or federal law. Adult Participants are required to report suspected sexual misconduct to legal authorities prior to notifying the U.S. Center for SafeSport.

3. Reporting Other Violations of USAPM Safe Sport Policy

Adult Participants must provide notification directly to USAPM of conduct that could constitute misconduct under these SafeSport Policies and Minor Athlete Abuse Prevention Policies (MAAPP), other than sexual misconduct described above. In accordance with Policy, USAPM may request that the U.S. Center for SafeSport accept jurisdiction of other violations of USAPM's Safe Sport Policy and MAAPP. If USAPM determines it is appropriate to do so, USAPM will forward information about the misconduct to the U.S. Center for SafeSport. If the U.S. Center for SafeSport refers the matter back to USAPM for any reason, then USAPM's Judicial Committee has jurisdiction to review the matter under USAPM's Bylaws, and USAPM's Judicial Committee Procedures on the USAPM website.

Notification to USAPM DOES NOT satisfy any legal reporting requirements under state or federal law. If the suspected conduct may also be criminal, persons are required to report to legal authorities prior to notifying USAPM.

4. Reporting Other Misconduct and Policy Violations

e. Grooming

Because sexual abusers “groom” children for abuse – the process used by offenders to select a child, to win the child's trust (and the trust of the child's parent or guardian), to manipulate the child into sexual activity and to keep the child from disclosing abuse – it is possible that a staff member and/or volunteer may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected grooming behavior shall also be reported under this Policy.

5. Notifying the U.S. Olympic and Paralympic Committee

Reporting of misconduct will be directed to the U.S. Center for SafeSport. However, certain instances may require USAPM to report information to the U.S. Olympic and Paralympic Committee (USOPC). USAPM will notify the USOPC Athlete Safety Office of any allegation of prohibited conduct or temporary measures related to:

- a. An individual attending a delegation event such as an Olympic or Paralympic Games or Pan-American Games
- b. An individual with access to or attending an event at the Olympic and Paralympic Training Centers (OPTC) in Colorado Springs, CO or Lake Placid, NY
- c. An individual who receives a benefit or service from the USOPC

C. Peer-to-Peer Sexual Abuse

Approximately 1/3 of all minor sexual abuse occurs at the hands of other minor's and the obligation to report extends to peer-to-peer minor sexual abuse. Whether or not a sexual interaction between minors constitutes minor sexual abuse turns on the existence of an aggressor, the age difference between the minors, and/or whether there is an imbalance of power or intellectual capabilities. All questions and concerns about an interaction between children which may constitute sexual abuse shall also be reported under this Policy.

D. OTHER INFORMATION FOR REPORTING

1. How to Report

Both the U.S. Center for SafeSport and USAPM will take a report in the way that is most comfortable for the person initiating a report including an anonymous, in-person, verbal or written report. Regardless of how you choose to report, it is helpful to USAPM for individuals to provide, at a minimum, (1) the name of the complainant(s); and (2) the type of misconduct alleged and the name(s) of the individual(s) alleged to have committed the misconduct.

2. Reporting Form

Individuals reporting under this Policy may, but are not required to, complete an Incident Report Form. Information on this form may include:

- 1) the name(s) of the complainant(s)
- 2) the type of misconduct alleged
- 3) the name(s) of the individual(s) alleged to have committed the misconduct
- 4) the approximate dates the misconduct was committed
- 5) the names of other individuals who might have information regarding the alleged misconduct
- 6) a summary statement of the reasons to believe that misconduct has occurred

A USAPM reporting form and access to the [U.S. Center for SafeSport's reporting mechanism](#) can be found on the SafeSport page of USAPM's website.

3. Jurisdiction Notification:

USAPM's Safe Sport Manager will promptly inform an identified reporting party of its jurisdictional determination regarding their report, communicating that the matter either is being referred to the Center or is being addressed by USAPM.

4. Confidentiality and Privacy

While USAPM seeks to respect the privacy of individuals who entrust us with sensitive information where possible, we cannot keep information pertaining to potential child abuse confidential by law. However, USAPM will treat such matters with as much confidentiality and sensitivity as is possible under the circumstances. Information will only be shared on an as-needed basis with the concerned parties. Parents/guardians of participants may be notified, as necessary, of any possible health or safety risk.

USAPM expects all Adult Participants to maintain professionalism and respect the privacy of the individuals involved in these matters and requires that an Adult Participant with information about suspected abuse will limit his/her communications on this topic to the required reporting outlined above or other communications as necessary to facilitate the safety and well-being of the impacted individual.

5. Anonymous Reporting

USAPM recognizes it can be difficult for an athlete, teammate, friend or family member to report an allegation of misconduct and strives to remove as many barriers to reporting as possible.

Anonymous reports may be made without the formality of completing an Incident Report Form:

- by completing the U.S. Center for SafeSport or USAPM Reporting Forms without including the reporting person's name;
- by expressing concerns verbally or by handwritten notes to USAPM's CEO/Managing Director; or • to USAPM's Deputy Director / SafeSport Manager.

Anonymous reporting may make it difficult for USAPM to investigate or properly address allegations. All suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities and the U.S. Center for SafeSport.

6. “Whistleblower” Protection

Regardless of the outcome, USAPM will support the complainant(s) and his or her right to express concerns in good faith. USAPM will not encourage, allow, or tolerate attempts from any individual to retaliate, punish, allow or in any way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of USAPM’s Safe Sport Policy and grounds for disciplinary action.

7. Bad-Faith Allegations

Reports of abuse, misconduct or policy violations that are malicious, frivolous or made in bad faith are prohibited. Such reports will be considered a violation of USAPM’s Safe Sport Policy and grounds for disciplinary action. Depending on the nature of the allegation, a person making a malicious, frivolous, or bad-faith report may also be subject to civil or criminal proceedings.

8. Prohibition of Retaliation

USAPM prohibits retaliation before, during, and after the process (whether led by USAPM or the Center) of resolving an abuse claim. USAPM’s protocols for responding to and addressing any incidents of retaliation.

9. Failure to Report

An Adult Participant’s failure to report as required under this Policy is a violation of this Policy and grounds for termination of the Adult Participant’s association with USAPM.

V. DISCIPLINARY PROCEDURES

E. RESPONSE TO ALLEGATIONS

Upon receipt of an allegation of violation of the USAPM Safe Sport Policy, USAPM’s Safe Sport Manager will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused, and (iii) the nature, scope and extent of the allegations. If the accused individual is a minor, USAPM will contact his or her parents or guardians. If the alleged victim is a minor, USAPM will contact his or her parents or guardians and will act in accordance with state mandatory reporting laws. USAPM also may begin proceedings on its own initiative.

All reported allegations within USAPM's jurisdiction are tracked internally via excel spreadsheet by the USAPM Safe Sport Manager. This tracking mechanism reflects how allegations have been addressed and their respective outcomes. The USAPM Safe Sport Manager ensures the Investigation and Resolution policy is being followed.

Steps taken by USAPM, depending on the circumstances, may include one or more of the following:

- The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual;
- Other steps to investigate the allegations and to provide the accused an opportunity to respond to the allegations.
- Retention of legal counsel or an investigator to determine and/or make a recommendation as to whether a violation of the relevant policy has occurred and/or a recommendation as to the appropriate sanction.
- Notification to staff members, contractors, volunteers, parents, and/or athletes of any allegation of child physical or sexual abuse or other criminal behavior that (1) law enforcement authorities are actively investigating; or (2) that USAPM is investigating internally. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.
- Suspension of the accused individual pending final resolution of the complaint to eliminate any danger to an athlete, sport participant or other individual; and/or
- Formal investigation.
- Referral to the Judicial Committee for a hearing under the USAPM Bylaws.
- Take Temporary Measures in the interest of athlete safety, even if the U.S. Center for SafeSport for SafeSport and/or the Judicial Committee is also addressing the matter.

In the event USAPM undertakes an investigation, USAPM will endeavor to avoid interfering with a pending law enforcement investigation or legal proceeding. USAPM will forward information on the allegation to the U.S. Center for SafeSport for its sole review and processing where required by the Bylaws. For cases the Center accepts jurisdiction, USAPM shall not interfere in, or attempt to influence the outcome of the investigation.

By virtue of participation with USAPM, USAPM athletes, or USAPM events, individuals are deemed to have consented to disclosure to any third party, information regarding the results of any background check, any allegations against the individual, and any decision by USAPM to provisionally or conclusively deny, suspend or condition the individual's coaching certification,

to the extent that disclosure of such information is related to USAPM's efforts to promote athlete and other member safety and well-being.

F. DISCIPLINARY RESPONSE

USAPM's disciplinary response will depend on the nature and seriousness of the incident. Sanctions for misconduct will be reasonable under the circumstances and USAPM (or a Hearing Panel where a hearing is held under USAPM Bylaws) may take the following disciplinary actions, without limitation:

- Inform the individual's direct-line supervisor and in the case of a minor, the minor's parent or guardian.
- Provide the individual with guidance, redirection and instruction.
- Temporarily disqualify the individual.
- File a formal incident report.
- Issue a verbal warning.
- Require participation in mediation to resolve disputes surrounding the allegation.
- Issue a written and/or final written warning.
- Implement a limited access agreement (e.g., limiting an individual's access to certain buildings or to youth).
- Provide informed supervision, where at least one staff member is informed of the allegation and is instructed to supervise vigilantly the accused individual in his or her interactions with the program and/or organization.
- Engage in restorative practices (i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred).
- Suspend or terminate employment, membership, certification or qualification.

G. TEMPORARY MEASURES

USAPM may temporarily suspend an accused individual, pending investigation and/or final resolution of a complaint, to eliminate any danger to an athlete, sport participant or other individual. In the event of temporary ineligibility or a suspension, USAPM will notify the Center within 72 hours of the affected individual, sanction, and term of sanction.

H. ENFORCING SANCTIONS, TEMPORARY MEASURES, AND ADMINISTRATIVE HOLDS

- USAPM will attempt to notify all affected individuals or organizations within 72 hours
- Reports to the Center immediately and no later than within 24 hours any known or suspected incident of a Participant violating existing Sanctions, Temporary Measures, or Administrative Holds and takes prompt and effective action to ensure enforcement.
- Reports to the Center immediately and no later than within 24 hours any instance of “Aiding and Abetting” as defined in the SafeSport Code.

I. DATA OF MATTERS ADDRESSED BY THE ORGANIZATION

USAPM will annually submit to the Center, the following data:

1. For reports of emotional or physical misconduct made to USAPM;
 - a. Total reported incidents of alleged emotional misconduct.
 - b. Total reported incidents of alleged physical misconduct.
 - c. Total number of investigations of alleged emotional and physical misconduct.
 - d. Total number of violations for emotional and physical misconduct.
 - e. Total number of violations for emotional and physical misconduct adjudicated by USAPM’s LAO(s)- Note USAPM does not have LAO(s).
2. For reports to USAPM that a Participant violated the Minor Athlete Abuse Prevention Policies (MAAPP):

- a. Total reported incidents of alleged violations of the MAAPP, by policy type.
- b. Total number of investigations of alleged violations of the MAAPP.
- c. Total number of violations of the MAAPP.
- d. Total number of violations of the MAAPP adjudicated by USAPM's LAO(s)- Note USAPM does not have LAO(s).

3. For reports to the Organization 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 policy.
- d. Total number of violations of retaliation policy adjudicated by USAPM.

VI. USAPM SAFE SPORT INCIDENT REPORT FORM

USAPM strongly encourages the reporting of misconduct and appreciates your willingness to report inappropriate behavior. USAPM will treat reports with as much confidentiality and sensitivity as is possible under the circumstances. Please provide as much specific information as possible, with the understanding that you may not have information in response to every question. Reports can be made on the Safe Sport page of USAPM's website.
www.usapentathlon.org

Reports may also be made by phone by contacting USAPM as follows:

Rob Stull
CEO/Managing Director
rstull@usapentathlon.org

Kevin Montford
Deputy Director /Safe Sport Manager
kmontford@usapentathlon.org