

## APPENDIX VIII



# SAFE SPORT PROGRAM HANDBOOK

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# INTRODUCTION

USA Water Ski & Wake Sports (USA-WSWS) strives to provide a safe environment for its members and is committed to create an atmosphere that is free of harassment and abusive practices. ***USA-WSWS and its affiliated Sport Disciplines will not tolerate any form of harassment, abuse or misconduct and will uphold a zero-tolerance policy.***

There are many positive reasons to participate in one of USA-WSWS's nine Sport Disciplines, but like all sports, it can also be a high-risk environment for misconduct: emotional, physical, sexual, bullying, harassment, and hazing. *All forms of harassment, abuse and misconduct are unacceptable and in direct conflict with USA-WSWS values and ideals.*

Misconduct may damage an athlete's psychological well-being. Athletes who have been mistreated experience social embarrassment, emotional turmoil, psychological scars, and loss of self-esteem. Misconduct may also have a negative impact on family, friends, and the sport. Misconduct often hurts an athlete's competitive performance and may cause him or her to drop out of the sport entirely.

This Safe Sport Handbook includes various policies that apply to all USA-WSWS members, clubs, programs, events, and activities, and specifically includes abuse prevention policies relating to youth athletes and participants. It also acts as an educational tool for USA-WSWS members. This handbook focuses on the following:

- Recognizing and reducing circumstances for potential abuse to occur
- Information on USA-WSWS's required 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-WSWS and its sport disciplines, member clubs and programs should respond to allegations of abuse and misconduct

Through the USA-WSWS Safe Sport Program, USA-WSWS is committed to providing the safest possible environment for all participants.

# SAFE SPORT: ANTI-HARASSMENT AND ABUSE POLICY

## What is Safe Sport?

Safe Sport is an initiative of the United States Olympic and Paralympic Community and its National Governing Bodies to recognize, reduce, and respond to misconduct in sport. USA-WSWS has adopted this policy as a part of that effort, and as a part of its effort to prevent harassment or abuse from occurring. This policy defines what conduct is prohibited, outlines the training that is available to help prevent misconduct (and who is required to complete that training), and outlines what action should be taken when suspicions or allegations of misconduct occur. **Individuals should not attempt to evaluate the credibility or validity of any harassment or abuse allegations before acting under this policy; rather, this policy should be followed whenever those circumstances arise.** This is particularly important in cases involving the harassment or abuse of minors.

## Who does this Policy apply to?

This policy applies to all “Participants” who are defined to include the following persons:

- Persons who are members of USA-WSWS, including coaches, volunteers, officials, athletes and others (including persons affiliated with USA-WSWS clubs, whether or not those persons are members of USA-WSWS);
- All USA-WSWS and USA-WSWS clubs office staff, interns, and board members;
- Members of any national or international team staff;
- Anyone within the governance or disciplinary jurisdiction of USA-WSWS or USA-WSWS clubs;
- Anyone who is authorized, approved, or appointed by USA-WSWS or a USA-WSWS club to have regular contact with or authority over Minor Athletes and Minor Participants.

Further information regarding the requirements for Participants, such as background screening and U.S. Center for SafeSport training, are found in the “USA Water Ski Safe Sport Certification Requirements” attachment to this policy.

Participants shall be subject to the jurisdiction of USA-WSWS and/or the U.S. Center for SafeSport with respect to the investigation and resolution of any allegations that such Participant may have violated this policy and are subject to any actions taken by the U.S. Center for SafeSport or USA-WSWS relating to the enforcement of this policy.

More information about the SafeSport initiative and programs can be found at [www.uscenterforsafesport.org/](http://www.uscenterforsafesport.org/).

# PROHIBITED CONDUCT

**These “Prohibited Conduct” provisions apply to all Participants, irrespective of their age. These Prohibitions apply to everyone acting within USA-WSWS’ jurisdiction and are not restricted to “participant-athlete” contacts. Additional Minor Athlete and Minor Participant Protection Policies and Guidelines are discussed below.**

**Sexual Abuse and Misconduct: It is the policy of USA-WSWS that there shall be no sexual abuse or misconduct. This includes any sexual activity where consent is not or cannot be given is prohibited.**

USA-WSWS members and Participants shall not engage in sexual harassment or abuse, which includes, and is not limited to, nonconsensual sexual solicitation, physical advances or contact, or verbal or nonverbal conduct that is sexual in nature. This prohibition includes sexual contact 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 minor (regardless of whether there is a deception or the minor understands the sexual nature of the activity. Inappropriate touching or contact is prohibited, which includes, but not limited to, nonconsensual touching, hugging, kissing, sexually oriented behavior, sexually suggestive electronic or written communications, sexually stimulating or otherwise inappropriate games.

Any act or conduct described as sexual abuse or misconduct under federal or state law is also prohibited.

Sexual misconduct also includes any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority.

Note:

- ❖ An imbalance of power is always assumed between a coach and an athlete, regardless of age.
- ❖ Minors cannot consent to sexual activity with an adult. See Minor Athlete Protection Policies and Guidelines.

## Examples of Sexual Abuse and Misconduct

<i>Touching Offenses</i>	<ul style="list-style-type: none"> <li>• Fondling another person’s breasts or buttocks</li> <li>• Exchange of reward in sport (e.g., team placement, scores, feedback, free lessons/water time, etc.) for sexual acts</li> <li>• Genital contact – whether or not either party is clothed</li> <li>• Sexual relations or intimacies between participants in a position of trust, authority and/or evaluative and supervisory control over athletes or other sport participants</li> </ul>
<i>Non-touching Offenses</i>	<ul style="list-style-type: none"> <li>• Sexually oriented comments, jokes or innuendo made to or about an athlete, or other sexually harassing behavior</li> <li>• An authority figure discussing his or her sex life with an athlete</li> <li>• An authority figure asking an athlete about his or her sex life</li> <li>• An authority figure requesting or sending a nude or partial-dress photo to athlete</li> </ul>

	<ul style="list-style-type: none"> <li>• Exposing others to pornographic material</li> <li>• Sending athletes sexually explicit or suggestive electronic or written messages or photos (e.g., “sexting”)</li> <li>• Deliberately exposing an athlete to sexual acts</li> <li>• Deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)</li> <li>• Sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature</li> </ul>
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**Physical Abuse and Misconduct: It is the policy of USA-WSWS that there shall be no physical abuse or misconduct.**

Physical abuse includes:

- Physical contact with a Participant that intentionally causes, or has the potential to cause, the participant to sustain bodily harm or personal injury.
- Physical contact with a Participant that intentionally creates a threat of immediate bodily harm or personal injury. Physical abuse may also include intentionally hitting or threatening to hit an athlete with objects or sports equipment.
- Providing of alcohol to a Participant under the age of 21 and the providing of illegal drugs or non-prescribed medications to any participant.
- Any act or conduct described as physical abuse or misconduct under federal or state law (e.g., child abuse, child neglect and assault).

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

Examples of Physical Abuse and Misconduct

<i>Contact Offenses</i>	<ul style="list-style-type: none"> <li>• Punching, beating, biting, striking, choking or slapping an athlete</li> <li>• Intentionally hitting an athlete with objects or sporting equipment</li> <li>• Providing alcohol to an athlete under the legal drinking age (under U.S. law)</li> <li>• Providing illegal drugs or non-prescribed medications to any athlete</li> <li>• Encouraging or permitting an athlete to return to play prematurely or without the clearance of a medical professional, after a serious injury (e.g., a concussion)</li> <li>• Prescribed dieting or other weight-control methods (e.g., public weigh-ins, caliper tests for humiliation purposes)</li> </ul>
<i>Non-contact Offenses</i>	<ul style="list-style-type: none"> <li>• Isolating an athlete in a confined space (e.g., locking an athlete in a small space)</li> </ul>

	<ul style="list-style-type: none"> <li>• Forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface)</li> <li>• Withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep.</li> </ul>
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**Emotional Abuse and Misconduct: It is the policy of USA-WSWS that there shall be no emotional abuse or misconduct.**

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.

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.

Examples of Emotional Abuse and Misconduct

<i>Verbal Acts</i>	A pattern of verbal behaviors that attack a participant personally (e.g., calling them worthless, fat or disgusting) or repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.
<i>Physical Acts</i>	A pattern of physically aggressive behaviors, such as throwing sport equipment, water bottles or chairs at, or in the presence of, participants; or punching walls, windows, or other objects.
<i>Acts that Deny Attention &amp; Support</i>	A pattern of ignoring a participant for extended periods of time or routinely or arbitrarily excluding a participant from practice.

**Bullying, Threats and Harassment: It is the policy of USA-WSWS that there shall be no bullying, threats, and harassment.**

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.

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

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. Harassment also includes the creation of an environment through behavior or course of conduct that is insulting, intimidating, humiliating, demeaning or offensive. Harassment usually occurs when one person engages in abusive behavior or asserts unwarranted power or authority over another, whether intended or not. It includes, for example, name-calling, taunts, threats, belittling, unwelcome advances, and requests for sexual acts, as well as undue threats to perform or succeed. Harassment includes child abuse.

#### Examples of Bullying

Physical Bullying	<ul style="list-style-type: none"> <li>• Punching, kicking, or choking an athlete</li> </ul>
Verbal and Emotional Bullying	<ul style="list-style-type: none"> <li>• Cyber bullying – Using electronic communication to harass, frighten, degrade, intimidate or humiliate</li> <li>• Using words to harass, frighten, degrade, intimidate, or humiliate</li> </ul>

#### Examples of Threats

Direct Threat	<ul style="list-style-type: none"> <li>• Communicating an intent to cause physical harm to another</li> </ul>
Indirect Threat	<ul style="list-style-type: none"> <li>• Communicating an intent to cause harm through a third party</li> </ul>

#### Examples of Harassment

Environment	<ul style="list-style-type: none"> <li>• Harassing environment created by: name-calling, taunts, threats, belittling, unwelcome advances and requests for sexual acts, as well as undue threats to perform or succeed.</li> </ul>
Sexual Harassment	<ul style="list-style-type: none"> <li>• Unwanted deliberate touching</li> <li>• Unwanted sexual teasing, jokes, remarks, or questions</li> <li>• Unwanted letters, telephone calls, or materials of a sexual nature</li> </ul>

**Hazing: It is the policy of USA-WSWS that there shall be no hazing.**

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.

#### Examples of Hazing

Hazing	<ul style="list-style-type: none"> <li>• Requiring or forcing (including through peer pressure) the consumption of alcohol or illegal drugs</li> </ul>
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	<ul style="list-style-type: none"><li>• Tying, taping, or physically restraining a participant;</li><li>• Sexual simulations or sexual acts of any nature</li><li>• Sleep deprivation, or the withholding of water and/or food</li><li>• Social actions or public displays (e.g. public nudity) that are illegal or meant to draw ridicule</li><li>• Beating, paddling, or other forms of physical assault.</li></ul>
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**Willfully Tolerating Misconduct:** It is a violation of this USA-WSWS policy if an instructor, coach, official, or any other member or affiliate of USA-WSWS knows of misconduct but takes no action to intervene on behalf of the athlete(s), participant(s), staff member and/or volunteer.

# MINOR ATHLETE AND PARTICIPANT ABUSE PROTECTION POLICIES AND GUIDELINES

**These Minor Athlete and Participant Protection Policies and Guidelines apply to all interactions at events and facilities partially or fully under USA-WSWS' jurisdiction and all In-Program Contact between Minor Athletes and Adult Participants, including athletes and other Participants. In addition to these Athlete and Participant Protection Policies and Guidelines, the above "Prohibited Conduct" provisions also apply to all interactions with minor athletes and other Participants.**

## **Definitions:**

The following **definitions** apply to these Minor Athlete Protection Policies and Guidelines:

**"Adult Participant"** is any Participant who is 18 years of age or older (see definition of Participant on p. 4).

**"Minor Athlete"** is an **athlete or other Participant** under 18 years of age, who participates in, or who has participated within the last 12 months in, an event, program, activity, or competition that is part of, or partially or fully under the jurisdiction of USA-WSWS.

**"Amateur Athlete"** is an athlete who meets the eligibility standards established by the National Governing Body or Paralympic sports organization for the sport in which the athlete competes.

**"Authority"** exists when one person's position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person. Also, see the Power Imbalance definition in the U.S. Center for SafeSport's Code.

**"Partial or Full Jurisdiction"** includes any event (including all travel and lodging in connection with the event) sanctioned by USA-WSWS or conducted by any of its affiliated clubs. Also included are any facilities that may be owned, leased, rented, or used by USA-WSWS or any of its affiliated clubs for practice, training, or competition.

**"In-Program Contact"** is any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete related to sport, including (but not limited to) sanctioned events and facilities, and also includes any practices, camps or clinics, training or instructional sessions, pre/post event meals or outings, team travel, team or sport-related relationship building activities, celebrations, award ceremonies, banquets,

team- or sport-related fundraising or community service, sport education, or competition site visits.

**“Local Affiliated Organization”** means any regional, state, or local club affiliated with USA-WSWS, including member clubs and local organizing committees within USA-WSWS’ jurisdiction as to any sanctioned event or activity.

**“Minor Athlete”** is an Amateur Athlete under 18 years of age who participates in, or participated within the previous 12 months in, an event, program, activity, or competition that is part of, or partially or fully under the jurisdiction of, an NGB, PSO, USOPC, or LAO.

**“Regular contact”** means ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete. Coaches, team managers, staff, physicians, and athletic trainers are all deemed to have regular contact with Minor Athletes.

**“USOPC”** means the U.S. Olympic & Paralympic Committee.

**Exceptions:**

**“Close-in-Age” Exceptions** apply to certain policies and allow for In-Program Contact between an Adult Participant and a Minor Athlete if:

- A. The Adult Participant has no authority over the Minor Athlete; and,
- B. The Adult Participant is not more than four (4) years older than the Minor Athlete.

Note: these exceptions (under these Minor Athlete and Participant Protection Policies and Guidelines) are different than any close-in-age exception in the SafeSport Policy and Code pertaining to misconduct.

**“Dual Relationships” Exceptions** apply to certain policies where the Adult Participant has a relationship with a Minor Athlete that is outside of the sport program. The exception requires written consent of the Minor Athlete’s parent/guardian at least annually.

**“Personal Care Assistant” Exceptions** apply to Adult Participants working as Personal Care Assistants with a Minor Athlete, as set forth in these Minor Athlete and Participant Protection Policies and Guidelines. Personal Care Assistants are persons to assist an athlete requiring help with activities of daily living and preparation for athletic participation. The support can be provided by a Guide for Blind or visually impaired athletes, or can include assistance with transfer, dressing, showering, medication administration, and toileting. Personal Care Assistants are different for every athlete and should be individualized to fit their specific

needs. When assisting a Minor Athlete, Adult Participant Personal Care Assistants must be authorized by the athlete's parent/guardian.

Note that many of these exceptions (Close-in-Age, Personal Care, or Dual Relationship exceptions) require parent/guardian consent. USA-WSWS recommends that parents and guardians take training on child abuse prevention before providing consent under these policies. A free parent course is available at <https://safesporttrained.org/#/public-dashboard>.

# REQUIRED PREVENTION POLICIES

## One-on-one interactions:

### **Observable and Interruptible**

1. All one-on-one In-program Contact between an Adult Participant and a Minor Athlete must be observable and interruptible, except in emergency circumstances.
2. The exceptions below may apply to specific policies, and if the exceptions apply, they are listed in the policy. These exceptions also apply to all one-on-one In-Program Contact not specifically addressed in other policies:
  - A. When a Dual Relationship exists; or
  - B. When the Close-in-Age Exception applies; or
  - C. If a Minor Athlete needs an Adult Participant Personal Care Assistant, and:
    - a. The Minor Athlete's parent/guardian has provided written consent to USA-WSWS or a USA-WSWS club for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - b. The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and,
    - c. The Adult Participant Personal Care Assistant has complied with USA-WSWS' background screening policy; or
  - D. In other circumstances specifically addressed in this policy that allow for certain one-on-one interactions if USA-WSWS or a USA-WSWS club receives parent/guardian consent.

## Meetings and Training Sessions:

### **Observable and Interruptible**

1. Adult Participants must follow the one-on-one interaction policy in all meetings and training sessions where Minor Athletes are present.

### **Individual Training Sessions**

2. Individual Training Sessions:
  - A. One-on-one, In-Program, individual training sessions must be observable and interruptible except if:
    - a. A Dual Relationship exists; or
    - b. The Close-in-Age Exception applies; or
    - c. A Minor Athlete needs an Adult Participant Personal Care Assistant, and:

- i. The Minor Athlete’s parent/guardian has provided written consent to USA-WSWS or a USA-WSWS club for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
  - ii. The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and,
  - iii. The Adult Participant Personal Care Assistant has complied with USA-WSWS’ background screening policy.
- B. The Adult Participant providing the individual training session must receive advance, written consent from the Minor Athlete’s parent/guardian at least annually, which can be withdrawn at any time; and,
- C. Parents/guardians must be allowed to observe the individual training session.

**Meetings with Licensed Mental Health Care Professionals and Health Care Providers**

- 3. Meetings with licensed mental health care professionals and health care providers (other than athletic trainers. Note: Athletic trainers must follow the “Athletic Training Modalities, Massages, and Rubdowns” policy).
  - A. If a licensed mental health care professional or licensed health care provider meets one-on-one with a Minor Athlete at a sanctioned event or a facility, which is partially or fully under USA-WSWS’ or a USA-WSWS club’s jurisdiction, the meeting must be observable and interruptible except:
    - a. If the door remains unlocked; and
    - b. Another adult is present at the facility and notified that a meeting is occurring, although the Minor Athlete’s identity needs not be disclosed; and
    - c. USA-WSWS or a USA-WSWS club is notified that the provider will be meeting with a Minor Athlete; and
    - d. The provider obtains consent consistent with applicable laws and ethical standards, which can be withdrawn at any time.

**Athletic Training Modalities, Massages, and Rubdowns**

**Athletic Training Modality, Massage, or Rubdown**

- 1. All In-Program athletic training modalities, massages, or rubdowns of a Minor Athlete must:
  - A. Be observable and interruptible; and,
  - B. Have another Adult Participant physically present for the athletic training modality, massage, or rubdown; and
  - C. Have documented consent as explained below; and,

- D. Be performed with the Minor Athlete fully or partially clothed, ensuring that the breasts, buttocks, groin, or genitals are always covered; and,
  - E. Allow parents/guardians in the room as an observer, except for competition or training venues that limit credentialing.
2. The provider must narrate the steps in the massage, rubdown, or athletic training modality before taking them, seeking assent of the Minor Athlete throughout the process.
  3. Minor Athlete massages can only be provided by a licensed massage therapist.

### **Consent**

4. Providers of athletic training modalities, massages, or rubdowns, or USA-WSWS or a USA-WSWS club, when applicable, must obtain consent at least annually from Minor Athlete's parents/guardians before providing any athletic training modalities, massages, or rubdowns.
5. Minor Athletes or their parents/guardians can withdraw consent at any time.

### **Locker Rooms and Changing Areas:**

#### **Observable and Interruptible**

1. Adult Participants must ensure that all one-on-one In-Program Contact with Minor Athletes in a locker room, changing area, or similar space where Minor Athletes are present, is observable and interruptible, except if:
  - A. A Dual Relationship exists;
  - B. The Close-in-Age Exception applies; or
  - C. A Minor Athlete needs a Personal Care Assistant and;
    - a. The Minor Athlete's parent/guardian has provided written consent to USA-WSWS or a USA-WSWS club for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - b. The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and,
    - c. The Adult Participant Personal Care Assistant has complied with USA-WSWS' background screening policy.
2. Any sanctioned event or activity within USA-WSWS' jurisdiction must designate a locker room, changing area, or similar space. It is strongly recommended that the Locker Room and Changing Area Policy be posted within this designated area to communicate expectations of conduct.
  - A. If there is no discernable locker room, changing area, or similar space, it is required that the policy be communicated to all participants and for participants to seek privacy distant from the public view.

### **Conduct in Locker Rooms, Changing Areas, and Similar Spaces**

4. No Adult Participant or Minor Athlete can use the photographic or recording capabilities of any device in locker rooms, changing areas, or any other area designated as a place for changing clothes or undressing.
5. Adult Participants must not change clothes or behave in a manner that intentionally or recklessly exposes their breasts, buttocks, groins, or genitals to a Minor Athlete.
6. Adult Participants must not shower with Minor Athletes unless:
  - A. The Adult Participant meets the Close-in-Age Exception; or
  - B. The shower is part of a pre- or post-activity rinse while wearing swimwear.
7. Parents/guardians may request in writing that their Minor Athlete(s) not change or shower with Adult Participants during In-Program Contact. USA-WSWS, USA-WSWS clubs and the Adult Participant(s) must abide by this request.

### **Media and Championship Celebrations in Locker Rooms**

6. USA-WSWS may permit recording or photograph in locker rooms for the purpose of highlighting a sport or athletic accomplishment if:
  - A. Parent/guardian consent has been obtained; and,
  - B. USA-WSWS or a USA-WSWS club approves the specific instance of recording or photograph; and,
  - C. Two or more Adult Participants are present; and
  - D. Everyone is fully clothed.

### **Personal Care Assistants**

7. Adult Participant Personal Care Assistants are permitted to be with and assist Minor Athletes in locker rooms, changing areas, and similar spaces where other Minor Athletes are present, if they meet the requirements in Section 1(C) above.

### **Availability and Monitoring of Locker Rooms, changing Areas, and Similar Spaces**

8. USA-WSWS or a USA-WSWS club must provide a private or semi-private place for Minor Athletes that need to change clothes or undress at sanctioned events or facilities partially or fully under USA-WSWS' or a USA-WSWS club's jurisdiction.
9. USA-WSWS or a USA-WSWS club must monitor the use of locker rooms, changing areas, and similar spaces to ensure compliance with these policies at sanctioned events or facilities partially or fully under USA-WSWS' or a USA-WSWS club's jurisdiction.



## **Electronic Communications:**

### **Open and Transparent**

1. Under this Policy, electronic communications include, but are not limited to phone calls, videoconferencing, video coaching, texting, and social media.
2. All one-on-one electronic communications between an Adult Participant and a Minor Athlete must be Open and Transparent except when:
  - A. A Dual Relationship exists;
  - B. The Close-in-Age Exception applies; or
  - C. A Minor Athlete needs a Personal Care Assistant and;
    - a. The Minor Athlete's parent/guardian has provided written consent to USA-WSWS or a USA-WSWS club for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - b. The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and,
    - c. The Adult Participant Personal Care Assistant has complied with USA-WSWS' background screening policy.
3. Open and Transparent means that the Adult Participant copies or includes the Minor Athlete's parent/guardian, another adult family member of the Minor Athlete, or another Adult Participant.
  - A. If a Minor Athlete communicates with the Adult Participant first, the Adult Participant must follow this policy if the Adult Participant responds.
4. Only platforms that allow for Open and Transparent communication may be used to communicate with Minor Athletes.

### **Team Communication**

5. When an Adult Participant communicates electronically to the entire team or any number of Minor Athletes on the team, the Adult Participant must copy or include another Adult Participant or the Minor Athletes' parents/guardians.

### **Content**

6. All electronic communication originating from an Adult Participant to a Minor Athlete must be professional in nature unless an exception in Section 2 exists.

### **Requests to Discontinue, Other Requirements**

7. Parents/guardians may request in writing that USA-WSWS or an Adult Participant subject to this policy not contact their Minor Athlete through any form of electronic communication. USA-WSWS and the Adult Participant must abide by any request to discontinue, absent emergency circumstances.
8. Electronic communications must generally be sent only between the hours of 8:00 AM and 8:00 PM local time for the location of the Minor Athlete.

## **Transportation:**

### **Transportation**

1. An Adult Participant cannot transport a Minor Athlete one-on-one during In-Program travel, except if:
  - A. A Dual Relationship exists;
  - B. The Close-in-Age Exception applies; or
  - C. A Minor Athlete needs a Personal Care Assistant and;
    - a. The Minor Athlete's parent/guardian has provided written consent to USA-WSWS or a USA-WSWS club for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - b. The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and,
    - c. The Adult Participant Personal Care Assistant has complied with USA-WSWS' background screening policy; or
  - D. The Adult Participant has advance, written consent to transport the Minor Athlete one-on-one obtained at least annually from the Minor Athlete's parent/guardian.
2. Minor Athletes or their parent/guardian can withdraw consent at any time.
3. An Adult Participant meets the In-Program transportation requirements if the Adult Participant is accompanied by another Adult Participant or at least two minors.
4. Written consent from a Minor Athlete's parent/guardian is required for all transportation sanctioned by USA-WSWS (or any of its local affiliated organizations), at least annually.

## **Lodging:**

### **Hotel Rooms and Other Sleeping Arrangements**

1. 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, except if:
  - A. A Dual Relationship exists;
    - a. A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USA-WSWS or a USA-WSWS club with advance, written consent for the lodging arrangement;
  - B. The Close-in-Age Exception applies; or
    - a. The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USA-WSWS or a USA-WSWS club with advance, written consent for the lodging arrangement; or
  - C. A Minor Athlete needs a Personal Care Assistant and;
    - a. The Minor Athlete's parent/guardian has provided written consent to USA-WSWS or a USA-WSWS club for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and

- b. The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and,
  - c. The Adult Participant Personal Care Assistant has complied with USA-WSWS' background screening policy.
2. Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.

### **Monitoring or Room checks During In-Program Travel**

3. If room checks are performed during In-Program lodging, the one-on-one interaction policy must be followed and at least two adults must be present for the room checks.

### **Additional Requirements for Lodging Authorized or Funded by USA-WSWS**

- B. Adult Participants traveling with any USA-WSWS or a USA-WSWS club sanctioned or sponsored activities, or otherwise subject to this policy, must agree to and sign USA-WSWS' lodging policy at least annually.
- C. Adult Participants that travel overnight with Minor Athletes are assumed to have Authority over Minor Athletes and thus must comply with the Education & Training requirements of this Policy.

### **Additional Policies:**

1. Adult Participants who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, must not give personal gifts to Minor Athletes except:
  - a. With the express consent of the Minor Athlete's parent/guardian; or
  - b. If gifts are equally distributed to all athletes (such as on a team) and serve a motivational or educational purpose.
2. Adult Participants must not publicly share or post photos or videos of Minor Athletes if the Adult Participant has not obtained the consent of the Minor Athlete and their Parent/Guardian. Photographs or videos of Minor Athletes may only be taken in public view and must observe generally accepted standards of decency.
3. Adult Participants, who do not meet the close-in-age exception or have a Dual Relationship with a Minor Athlete, cannot have out-of-program contact with a Minor Athlete without the consent of the Minor Athlete's parent or guardian, even if the out-of-program contact is not one-on-one.

# SCREENING AND BACKGROUND CHECK PROGRAM

USA-WSWS has implemented a background screen program, which is applicable to the persons listed in the attached “USA Water Ski SafeSport Certification Requirements” chart. These background checks have been implemented to promote a safe, nurturing and supportive environment for USA-WSWS athletes and members, including an environment that is safe and appropriate for minors. This background screen program also discourages the presence of those who may seek to harm athletes, and help protect USA-WSWS member clubs, programs, events, and all members from liability that could arise from allowing a previous offender to have access to minor participants. Although no background screen program can guarantee that incidents of abuse or other violations will not occur, it is intended as a preventative risk management tool for the benefit of all participants.

## USA-WSWS requires screening of the following members:

- USA-WSWS board of directors and sport discipline boards of directors
- All USA-WSWS certified instructors/coaches
- Any participant (athlete) or staff of national or international teams (Team USA representing USA-WSWS)
  - Includes coaches, team leaders, managers, medical support staff or persons in position of influence or authority, or any independent contractor serving in such a role.
- Show ski team show directors and assistant directors
- Junior development coaches and leadership, or any independent contractor serving in such a role.
- Employees of USA-WSWS
- USA Water Ski and Wake Sports judges (who are 18 and older) who are selected and approved by USA Water Ski and Wake Sports or one of its Sports Disciplines to officiate at a National Championships event, or IWWF World Championships or Multi-Sports event, e.g. World Games, or Pan American Confederation Titled Event, shall complete the Safe Sport training and background check as required by USA-Water Ski and Wake Sports. 1/22
- Any volunteer USA-WSWS formally authorizes, approves or appoints to (a) serve in a position of authority over or (b) have regular contact with athletes.
- Contracts with third-party vendors/contractors that are (a) in a position of authority over or (b) in regular contact with athletes must include the background check requirements set forth in this policy. The contracts shall also specify that certification must be provided by the vendor/contractor upon request by USA-WSWS, to establish that the mandated background checks were conducted.
- When partnering with community organizations (i.e. YMCA, Boys and Girls Club) for events, USA-WSWS shall ensure that the partnership agreement includes language regarding background check requirements. The agreements

shall also specify that certification must be provided by the community organization upon request by USA-WSWS to establish that the mandated background checks were conducted.

### Screening Policy

It is USA-WSWS's policy that prior to the hiring of staff, awarding certification of instructors or designating any member into a position of influence or authority that each individual give consent to and passes a formal applicant screening process before performing or participating in USA-WSWS events and activities.

The background screen components will include a review of all criteria required under United States Olympic Committee criteria, including social security number validation, name and address history records, multi-jurisdictional criminal history searches, sex offender and national watch list checks, county criminal records for each location where the individual lives or has lived in the last seven years, federal district court records, and SafeSport disciplinary records. This background check is in addition to any motor vehicle records checks that may be required for USA-WSWS drivers. Full background checks will be conducted on all applicable individuals every two years, and supplemental, partial background checks will be conducted in the off years. All "full" and "supplemental" background checks shall meet or exceed USOPC Background Check requirements and search components.

Disqualifiers include the following:

A person should be disqualified and prohibited from serving as a volunteer if the person has been found guilty of the following crimes. Guilty means that a person was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. This recommendation does not apply if criminal charges resulted in acquittal, Nolle Prose, or dismissal.

### **SEX OFFENSES**

- **All Sex Offenses** – Regardless of the amount of time since offense.  
**Examples include:** child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, child pornography, possession and distribution of obscene material, public indecency and any sex offender registrant, or any offense involving harm to a minor or vulnerable person including but not limited to child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor.

## FELONIES

- **All Felony Violence** – Regardless of the amount of time since offense.  
**Examples include:** murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated Burglary, etc.
- **All Felony offenses** other than **violence** or **sex** within the past 10 years.  
**Examples include:** drug offenses, theft, embezzlement, fraud, child endangerment, etc.

## MISDEMEANORS

- **All misdemeanor violence** offenses within the past 7 years  
**Examples include:** simple assault, battery, domestic violence, hit & run, stalking, harassment, blackmail or threats. (Including crimes involving firearms)
- **Animal Abuse, cruelty, or neglect.**
- **Destruction of Property** including arson, vandalism, and criminal mischief.
- **Multiple misdemeanor drug & alcohol** offenses within the past 7 years.  
**Examples include:** driving under the influence, simple drug possession, drunk and disorderly, public intoxication, possession of drug paraphernalia, etc.
- **Any other misdemeanor** within the past 5 years that would be considered a potential danger to children or is directly related to the functions of that volunteer.  
**Examples include** contributing to the delinquency of a minor, providing alcohol to a minor, theft – if person is handling monies, etc.

## EDUCATION AND TRAINING

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

To maintain a safe environment for USA-WSWS Participants, it is a requirement that the following Participants complete the "SafeSport Trained" Core training program (see below):

- All USA-WSWS active members 18 years old and older who compete or participate in sanctioned tournaments or have regular contact with any amateur athlete or other participant who is a minor; 1/22
- Adult participants who have authority over any amateur athlete or other participant who is a minor;
- Adult participants who are USA-WSWS or USA-WSWS club employees or board members.

"Whether or not included in these general categories, Participants serving in positions listed in the attached "USA Water Ski SafeSport Certification Requirements" chart must complete the "SafeSport Trained" Core training program (see <https://www.teamusa.org/usa-water-ski/athlete-safety>)."

It is also strongly encouraged that all USA-WSWS members familiarize themselves with the USA-WSWS SafeSport Program. The more awareness USA-WSWS members have about abuse and misconduct, the safer the sport will be.

USA-WSWS has adopted the U.S. Center for SafeSport's Core training materials as the official education and training program and as an available resource to its members. Any required SafeSport Core training must be completed immediately for the above listed Adult Participants:

- Before regular contact with an athlete or Participant who is a minor begins; or
- Within the first 30 days of initial membership, or upon beginning a new role subjecting the Adult Participant to this policy. 1/22

The above listed Adult Participants must (1) complete the SafeSport Trained Core training program (in its entirety) every four (4) years; and (2) complete a refresher course on an annual basis every other year, beginning the calendar year after first completing the SafeSport Trained core. Health Professionals serving as team physicians, safety clinic trainers, event safety director/official or in similar roles can take the Health Professionals Course (see <http://safesporttrained.org/#/public-dashboard> under Catalog) in lieu of

the SafeSport Trained Core and are required to take the refresher courses on an annual basis if they are listed in the above criteria.

If a member has not completed the SafeSport™ Core training or required refresher course, their USA-WSWS membership status will appear as “Pending – SafeSport”; and the member will be unable to participate in sanctioned events or practices until the training is completed. New members will have 30 days upon registering to complete the training. Membership status during this period will appear as “Waiting – Need SafeSport” until the training is completed. If, after 30 days, training is not completed, membership status will become “Pending - SafeSport” and you will be unable to participate until training is completed. 1/22

Free Training is available to parents (including parents of minor athletes and Participants) and other Adult Participants regarding the prevention and reporting of child abuse. See <https://safesporttrained.org/#/public-dashboard> under Catalog. Parents and other Participants are encouraged to take this training.

Free Training is available to minors regarding the prevention and reporting of child abuse, subject to parental consent. See <https://safesporttrained.org/#/public-dashboard>.

*Training other than the Core Center for SafeSport Training does not satisfy this policy.*

Exemptions from this Education & Training Policy may be made on a case-by-case basis for victims/survivors. Requests may be made directly to the U.S. Center for SafeSport at [exemptions@safesport.org](mailto:exemptions@safesport.org).

The Center will work with USA-WSWS regarding appropriate accommodations for persons with disabilities and individuals with limited English proficiency to satisfy the training requirements herein. USA-WSWS will provide reasonable accommodations and track any exemptions for individuals with disabilities and individuals with limited English proficiency.

Certain jurisdictions in the United States may have mandatory training and testing that may apply to those who work or volunteer with youth athletes. All Covered Individuals must also comply with any state-mandated training and testing requirements.



## REPORTING ABUSE AND MISCONDUCT

USA-WSWS requires that violations of this policy including violations of Prohibited and Restricted Conduct, as well as suspicions or allegations of child physical or sexual abuse, be immediately reported. **USA-WSWS members should not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility of validity of such allegations as a condition for reporting to the appropriate law enforcement authorities.**

### Reporting Child Physical or Sexual Abuse

All such allegations must be reported to the U.S. Center for SafeSport, as well as notification to USA-WSWS that the report was made. **Contact your local law enforcement authorities if you have a reasonable suspicion that child sexual abuse or neglect has occurred or have received a report of child sexual abuse or neglect. Reports or abuse not involving a minor may also be reported to local law enforcement authorities.** Information regarding state mandatory reporting laws may be found at <https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>

### Reporting Other Policy Violations

Any other allegations or reports of sexual-related misconduct should be reported to the U.S. Center for SafeSport, as well as notification to USA-WSWS that the report was made. **Contact your local law enforcement authorities if you have a reasonable suspicion that child sexual abuse or neglect has occurred or have received a report of child sexual abuse or neglect.**

Other non-sexual related misconduct or inappropriate behavior, including violations of the Minor Athlete Abuse Prevention policies should be reported to USA-WSWS as explained below.

### Failure to Report

It is the obligation of USA-WSWS members and member clubs to report suspicions or allegations of abuse or misconduct, including compliance with all state mandatory reporting laws (see above link for more information). If a person in authority knows, or should reasonably have known, that harassment or abuse may have occurred and fails to report it or take appropriate action as set out in this policy statement, that person may be subject to disciplinary action.

## **Retaliations or Threats of Reprisal**

Retaliation or threats of reprisal against an individual for filing a complaint under this policy or for participating or assisting in any procedure under this policy will be considered harassment for the purpose of this policy. Further, any person who makes groundless allegations or complaints of abuse or harassment may be subject to disciplinary action.

## **Reporting Procedure**

If you are aware of or suspect any violation of USA-WSWS's policies on abuse and misconduct, you should do all the following. There are no costs or fees for making a report under this policy.

### **1. Report the abuse to authorities.**

*If the abuse and misconduct is criminal in nature, contact the authorities immediately.*

In most states, you are obligated to bring this matter to the attention of local law enforcement or public child welfare organization and make a report. You must comply with all state mandatory reporting laws (see above link for more information),

### **2. How to Report:**

To report to the U.S. Center for SafeSport, you may use the online reporting form at [www.safesport.org/report-a-concern](http://www.safesport.org/report-a-concern), or call (833) 5US-SAFE.

To report a concern to USA-WSWS, you may contact Executive Director Nate Boudreaux, at [nboudreaux@usawaterski.org](mailto:nboudreaux@usawaterski.org) or (863) 508-2095, with copies to USA-WSWS' President and the chair of USA-WSWS' Judicial Committee.

Although persons making a report under this policy are encouraged to identify themselves to assist in the investigation of the report, reporting persons have the option to report anonymously.

## **Protection for Reporting Parties**

Although USA-WSWS will review all reports under this policy, anonymous reporting may make it difficult to properly investigate allegations. To the extent permitted by law, and as appropriate, USA-WSWS will keep confidential the complainant's name on request, not make public the name(s) of potential victims, the accused perpetrator or the people who made a report of child physical or sexual abuse to local law enforcement authorities. Regardless of the outcome of a complaint, USA-WSWS will support the complainant and her/his right to express concerns in good faith. However, false complaints or complaints made in bad faith are prohibited and may subject the complainant(s) to disciplinary action depending on the nature of the allegation or complaint.

## **Complaints, Investigations and Adjudications**

All complaints or requests for investigations under USA-WSWS's SafeSport policy (including complaints relating to the failure to report violations of this policy or to comply with state mandatory reporting laws, as discussed above) will be referred to the U.S. Center for SafeSport, which shall have the sole and exclusive authority and jurisdiction to investigate, conduct hearings, make preliminary rulings and issue final orders on complaints and requests for investigations under USA-WSWS's Safe Sport Policy. In certain cases, the U.S. Center for SafeSport may decline to exercise its jurisdiction over the matter, in which case the matter will be referred to the USA-WSWS Judicial Committee for handling under Article IX of the USA-WSWS Bylaws (including all due process requirements and policies thereunder). In cases where the U.S. Center for SafeSport has accepted jurisdiction, the final decision of the U.S. Center for SafeSport shall be reported to the President of USA-WSWS and shall be binding upon and implemented by USA-WSWS.

For matters handled by USA-WSWS (in circumstances where the U.S. Center for SafeSport has declined to exercise jurisdiction over the matter), USA-WSWS may impose appropriate sanctions and penalties, including interim suspensions and permanent expulsions from membership, following the procedures set forth in the USA-WSWS Bylaws and other applicable policies. Any sanctions imposed by USA-WSWS shall be proportionate and reasonable, relative to the findings and conclusions of USA-WSWS as to what has occurred and given consideration of the interest of USA-WSWS and its members to provide a safe environment for all participants in USA-WSWS activities, the nature and seriousness of the offense and its impact on the victim, and other information provided and considered by USA-WSWS relating to the complaint. Appropriate disciplines may range from a warning to a reprimand, to a membership suspension or limitation for a period of time, or to a permanent expulsion from membership, and any continued participation or reinstatement to USA-WSWS activities may be conditioned upon the completion of specified requirements.

## **Notification**

Following USA-WSWS's notice of a credible allegation that results in the imposition of sanctions against a member, USA-WSWS may provide such notifications as are deemed appropriate including notification of the other parties involved in the matter, publication of the sanctions, and/or notification of local law enforcement authorities.

# APPENDIX A

## ORGANIZATIONAL REQUIREMENTS FOR EDUCATION & TRAINING AND PREVENTION POLICIES

USA-WSWS will implement proactive policies designed to prevent abuse, as generally set forth in this Policy. These organizational requirements are described below.

### **A. Organizational Requirements for Education & Training**

1. USA-WSWS will track whether Adult Participants under its jurisdiction complete the required training listed in Part I.
2. USA-WSWS will, on an annual basis, offer and, subject to parental consent, give training to Minor Athletes on the prevention and reporting of child abuse.
  - a. For training to Minor Athletes, USA-WSWS will track a description of the training and how the training was offered and provided to Minor Athletes.
  - b. USA-WSWS is not required to track individual course completions of Minor Athletes.
3. USA-WSWS will, on an annual basis, offer training to parents on the prevention and reporting of child abuse.

### **B. Required Prevention Policies and Implementation**

1. USA-WSWS will require that its LAOs implement these policies within each LAO.
2. USA-WSWS will implement these policies for all In-Program Contact.
  - a. At sanctioned events and facilities partially or fully under its jurisdiction, USA-WSWS will take steps to ensure the policies are implemented and followed.
  - b. For In-Program Contact that occurs outside a USA-WSWS's sanctioned event or facility under USA-WSWS' authority or jurisdiction, implementing these policies means that USA-WSWS will:
    - i. Communicate the policies to individuals under its jurisdiction;
    - ii. Establish and maintain a reporting mechanism for violations of the policies;
    - iii. Investigate and enforce violations of this Policy.

3. All reports received by USA-WSWS that are within the exclusive jurisdiction of the U.S. Center for SafeSport (the Center) will be referred directly to the Center immediately and no later than within 24 hours.
4. USA-WSWS will promptly inform an identified reporting party of its jurisdictional determination regarding their report, communicating that the matter is either being referred to the Center or is being addressed by USA-WSWS.
5. If USA-WSWS imposes any sanctions, temporary measures, or administrative holds pursuant to this policy, USA-WSWS shall:
  - a. Notify all affected individuals or organizations within 72 hours
  - b. Implement a U.S. Center for SafeSport Quality Control system that prohibits those individuals with sanctions, temporary measures, or administrative holds from participating in any event, program, activity, or competition authorize by, organized by, or under the auspices of USA-WSWS.
  - c. Report 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 hold, and take prompt and effective action to ensure enforcement.
  - d. Report to the Center and no later than within 24 hours any instance of “Aiding and Abetting” as defined in the SafeSport Code.
6. USA-WSWS shall annually submit to the Center, using a Center-provided template, the following data:
  - a. For reports of emotional or physical misconduct made to USA-WSWS:
    - Total reported incidents of alleged emotional misconduct
    - Total reported incidents of alleged physical misconduct
    - Total number of investigations of alleged emotional and physical misconduct
    - Total number of violations for emotional and physical misconduct
    - Total number of violations for emotional and physical misconduct adjudicated by USA-WSWS’ LAOs.
  - b. For reports to USA-WSWS that a Participant violated the Minor Athlete Abuse Prevention Policies (MAAPP):
    - Total reported incidents of alleged violations of the MAAPP, by policy type
    - Total number of investigations of alleged violations of the MAAPP
    - Total number of violations of the MAAPP

- Total number of violations of the MAAPP adjudicated by USA-WSWS' LAO(s)
- c. For reports to USA-WSWS that a Participant engaged in retaliation:
- Total reported incidents of alleged retaliation
  - Total number of investigations of alleged retaliation
  - Total number of violations of retaliation policy
  - Total number of violations of retaliation policy adjudicated by USA-WSWS' LAO(s)