



United States Biathlon Association

Safe Sport, Background Screening and Minor Athlete Abuse Prevention Policies

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US Biathlon Association: SafeSport and Minor Athlete Abuse Prevention Policies

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INTRODUCTION

The U.S. Biathlon Association (“USBA”) is committed to creating a safe and positive environment for athletes and participants involved in the sport of biathlon. It is also committed to creating an atmosphere free of misconduct, including child physical and sexual abuse and other forms of misconduct that do not necessarily involve children. In these Safe Sport and Minor Athlete Abuse Prevention Policies (collectively, the “Policy”) USBA will identify the primary types of misconduct, discuss USBA’s efforts to curb misconduct, enumerate USBA’s safe sport requirements for certain individuals involved with USBA, including specific policies for one-on-one interactions with minor athletes.

USBA reserves the right to amend this Policy from time to time as it deems necessary.

PART 1: DEFINITIONS

Adult Participant: Any adult (18 years of age or older) who is:

- a. A current member of USBA;
- b. An employee, including interns, or board member of USBA or a LAO;
- c. Within the governance or disciplinary jurisdiction of USBA;
- d. Authorized, approved, or appointed by USBA and/or LAO to have regular contact with or authority over Minor Athletes.¹

Amateur Athlete: An athlete who meets the eligibility standards established by USBA.

Authority: 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 SafeSport Code](#). Within USBA membership levels this includes, but is not limited to, Coach/Official/Trainer/Technical Delegate, Coach/Competitor, Lifetime Coach and any Volunteer Members as designated by LAOs or USBA. Please see the chart under “Regular Contact” for more information.

Background Screening Criteria and Review Process: The criteria USBA will use for and the process by which it will assess the findings of an individual’s background screen.

The Center or USCSS: The U.S. Center for SafeSport

¹ This may include volunteers, medical staff, trainers, chaperones, monitors, contract personnel, bus/van drivers, officials, adult athletes, staff, board members, and any other individual who meets the Adult Participant definition.

Close-in-Age Exception: An limited exception applicable to certain policies when an Adult Participant does not have authority over a Minor Athlete *and* is not more than four years older than the Minor Athlete (e.g., a 19-year-old and a 16-year-old). Note: this exception *only* applies within the prevention policies and *not* regarding conduct defined in the SafeSport Code.

Delegation Event: International sporting events as designated by the USOPC, including, but not limited to, the Olympic, Paralympic, Pan American, Parapan American, and Youth Olympic Games.

Dual Relationships: A limited exception applicable to certain policies when an Adult Participant has a dual role or relationship with a Minor Athlete and the Minor Athlete's parent/guardian has provided written consent at least annually authorizing the exception.

In-Program Contact: Any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete(s) related to participation in sport.

Examples of In-Program Contact include, but are not limited to: competition, practices, camps/clinics, training/instructional sessions, pre/post game meals or outings, team travel, review of training/competition video, 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.

Jurisdiction: Authority or control.

Local Affiliated Organization (LAO): A regional, state, or local club or organization that is directly affiliated with USBA or that is affiliated with USBA by its direct affiliation with a regional or state affiliate of USBA.

MAAPP: The Minor Athlete Abuse Prevention Policies.

Minor Athlete: 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, USBA.

Partial or Full Jurisdiction: Includes any sanctioned event (including all travel and lodging in connection with the event) by USBA, USOPC, or LAO, or any facility that USBA, USOPC, or LAO owns, leases, or rents for practice, training or competition.

Adult Participant Personal Care Assistant: An Adult Participant who assists an athlete requiring help with activities of daily living (ADL) and preparation for athletic participation. This 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 PCAs must be authorized by the athlete’s parent/guardian.

Regular Contact: Ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete(s). Please refer to the chart below for information pertaining to individuals with regular contact and/or authority.

ADULT PARTICIPANTS	REGULAR CONTACT	AUTHORITY
US Biathlon Staff		X
LAO Staff		X
Coaches	X	X
Officials		X
Adult Athletes on Teams with Minor Athletes	X	
Certain Volunteers (ie, doping chaperones, locker room monitors, anyone with one-on-one contact with minor athletes)		X
Medical Professionals	X	
Interns		X
Volunteers (ie, course workers, range workers, and others working in open, public areas where athletes may or may not be present)		

U.S. Olympic & Paralympic Committee (USOPC): A federally chartered nonprofit corporation that serves as the National Olympic Committee and National Paralympic Committee for the United States.

Nothing contained in this policy is intended to supersede, replace, or otherwise abrogate the USBA Bylaws, the Ted Stevens Olympic and Amateur Sports Act, or the U.S. Center for SafeSport Code for the U.S. Olympic and Paralympic Movements as updated from time to time.

PART 2: SAFE SPORT POLICY

A. APPLICATION

This Policy applies to all individuals defined above as “Adult Participants.”

B. PROHIBITED CONDUCT

Participants shall refrain from all forms of misconduct, which include:

- Criminal Charges or Dispositions
- Child Abuse
- Bullying Behavior
- Emotional and Physical Misconduct, including Stalking, Bullying, Hazing and Harassment
- Aiding and Abetting
- Misconduct Related to Reporting
- Misconduct Related to the U.S. Center for SafeSport’s Process
- Sexual Misconduct
- Other Inappropriate Conduct
- Violation of Minor Athlete Abuse Prevention Policies / Proactive Policies

All forms of prohibited conduct are intolerable and in direct conflict with the Olympic Ideals.

Definitions of the foregoing, examples and exceptions may be found in the U.S. Center for SafeSport Code <https://uscenterforsafesport.org/response-and-resolution/safesport-code/>

C. BACKGROUND SCREENING

USBA requires criminal background screening at least every two years for:

- Employees;
- Individuals USBA (or a LAO) formally authorizes, approves or appoints to (1) serve in a position of authority over or (2) have frequent contact with athletes. This shall include, but is not limited to, staff, coaches, judges/officials, board members, coordinators, trainers, local affiliated administrators/directors, medical personnel, independent contractors and volunteers;²
- Assistants, or personal care assistances who are funded, have a contractual obligation with, or are credentialed by USBA, or otherwise have regular contact with USBA athletes;

² Volunteers who only have incidental and observable contact with athletes at events are exempt from this requirement.

- All athletes who are selected by USBA to participate in national or international teams or Delegation Events³;
- All athletes that are selected by USBA to train at any Olympic & Paralympic Training Center or USOPC High Performance Training Center;
- Individuals affiliated with the media who are authorized or credentialed by USBA to access a training site or attend a competition run by USBA if such individual has unsupervised one-on-one interactions with athletes; and
- Other individuals who have regular contact with athletes as determined by USBA, in its sole discretion and/or as required by USOPC.

For purposes of clarification, USBA is considered to “formally authorize, approve or appoint” an individual in instances where the USBA has control over the appointment process.

In USBA’s discretion it may bypass this background screening requirement for those people in the Safe Sport Background Screening Pool who are under 18 years of age.

All of the above persons will be collectively referred to as, the “Safe Sport Background Screening Pool”.

As to members of the Safe Sport Background Screening Pool that are attending a USBA conducted activity or Delegation Event, USBA requires background screening prior to the commencement of the activity or event.

As to members of the Safe Sport Background Screening Pool newly taking a role, the USBA requires background screening prior to the commencement of the new role.

USBA will also perform supplemental (off-year) background screens on the Safe Sport Background Screening Pool.

USBA will track all Safe Sport Background Screening Pool background screening and perform periodic checks to ensure compliance with this policy.

If you have a question about background screening, please contact USBA at info@USBiathlon.org.

Due to the limitations of background screening, it is but one factor USBA will use in assessing the appropriateness of an individual’s level or access and/or involvement with USBA. The USBA Background Screen Review Process is set forth on Exhibit A, attached hereto.

³ Individuals referenced in this subsection shall have 45 days after reaching the age of majority (18 years of age), to come into compliance with this background screening requirement.

D. EDUCATION AND TRAINING

USBA requires safe sport education and training for all adult participants who have either authority and/or regular contact with minor athletes (please refer to the chart under “Regular Contact” definition on page 5 of this policy. The training is located at:

<https://safesport.org/training>. USBA also encourages all athletes, parents, and anyone else involved in this sport to take the training. If you are under the age of 18, parental consent is required in order to take the training.

As to members of the Safe Sport Training Pool newly taking a role, USBA requires completion of the education and training prior to contact with athletes begins, and in any event within forty-five (45) days of the commencement of the new role.

USBA will track all Safe Sport Training Pool education and training and perform periodic checks to ensure compliance with this policy.

If you have questions about training, please contact USBA at info@usbiathlon.org.

E. INTERFERENCE/RESTRICTIONS/ENFORCEMENT

USBA will not interfere or attempt to influence the outcome of any Prohibited Conduct investigation regardless of jurisdiction.

USBA prohibits any individual who is an employee, agent, or contractor, from assisting a member or former member in obtaining a new job (except the routine transmission of administrative and personnel files) if the individual knows that such member or former member violated the policies or procedures of the Center related to sexual misconduct or was convicted of a crime involving sexual misconduct with a minor.

If an USBA Participant is sanctioned or subject to Temporary Measures under the USOPC Athlete Safety Policy, that sanction(s) or Temporary Measure(s) will be reciprocally enforced by and between USBA and its LAOs.

PART 3: MINOR ATHLETE ABUSE PREVENTION POLICY (MAAPP)

I. EDUCATION AND TRAINING POLICY

A. Mandatory Child Abuse Prevention Training for Adult Participants

1. Adult Participants Required to Complete Training

- a. The following Adult Participants must complete the *SafeSport Trained Core* either through the Center’s online training or the Center’s approved, in-person training:

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- i. Adult Participants who have regular contact with any amateur athlete(s) who is a minor;
 - ii. Adult Participants who have authority over any amateur athlete(s) who is a minor;
 - iii. Adult Participants who are an employee or board member of USBA or a LAO.
- b. Adult Participants who are medical providers required to take training under Section (a) can take the Health Professionals Course in lieu of the *SafeSport Trained Core*.

2. Timing of Training

Adult Participants must complete this training:

- a. Before regular contact with an amateur athlete who is a minor begins; **and**
- b. Within the first 45 days of either initial membership or upon beginning a new role subjecting the adult to this policy.

3. Refresher Training

The above listed Adult Participants must complete a refresher course on an annual basis, beginning the calendar year after completing the *SafeSport Trained Core*. Every four years, Adult Participants will complete the *SafeSport Trained Core* training. Medical providers can take the Health Professionals Course in lieu of the *SafeSport Trained Core* and are required to take the refresher courses on an annual basis if they meet the criteria for A(1).

B. Minor Athlete Training

1. USBA and each LAO must offer, on an annual basis, subject to parental consent, optional training to Minor Athletes on the prevention and reporting of child abuse. This free training can be found at www.athletesafety.org.

C. Parent Training

1. USBA and each LAO must offer, on an annual basis, optional training to parents on the prevention and reporting of child abuse. This free training can be found at www.athletesafety.org.

D. Optional Training

1. Adult Participants serving in a volunteer capacity, who will not have regular contact with or authority over Minor Athletes, are recommended to take the Center's brief Volunteer Course (or *SafeSport Trained Core*) before engaging or interacting with any Minor Athlete(s).

2. Parents of Minor Athletes are provided free online access to the Center’s parent course and are encouraged to take the training, particularly prior to authorizing any written consent to a MAAPP policy.

E. Exemptions and Accommodations

1. 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.
2. The Center will work with USBA and LAOs on appropriate accommodations for persons with disabilities and individuals with limited English proficiency to satisfy these training requirements. USBA and LAOs must provide reasonable accommodations and track any exemptions for individuals with disabilities and individuals with limited English proficiency.

If you have questions regarding the MAAPP training policy, please contact USBA at info@usbiathlon.org.

II. ORGANIZATIONAL REQUIREMENTS FOR EDUCATION & TRAINING AND PREVENTION POLICIES

US Biathlon and all LAO’s must implement proactive policies designed to prevent abuse. These organizational requirements are described below.

A. Organizational Requirements for Education & Training

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

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B. Required Prevention Policies and Implementation

1. US Biathlon must develop minor athlete abuse prevention policies that contain the mandatory components of the Center's model policies. These model policies cover:
 - a. One-on-one interactions
 - b. Meetings and training sessions
 - c. Athletic training modalities, massages, and rubdowns
 - d. Locker rooms and changing areas
 - e. Electronic communications
 - f. Transportation
 - g. Lodging
2. The policies must be approved by the Center as described in subsection (C) below. The policies may include recommended components as well.
3. US Biathlon requires that its LAOs implement the below MAAPP (Part III).
4. US Biathlon and member clubs must implement these policies for all In-Program Contact.
 - a. At sanctioned events and facilities partially or fully under its jurisdiction, the organization must take steps to ensure the policies are implemented and followed.
 - b. For In-Program Contact that occurs outside US Biathlon's or an LAO's sanctioned event or facilities, implementing these policies means:
 - i. Communicating the policies to individuals under its jurisdiction;
 - ii. Establishing a reporting mechanism for violations of the policies;
 - iii. Investigating and enforcing violations of the policies.
5. US Biathlon's reporting mechanism for violations of these Minor Athlete Abuse Prevention Policies is outlined in Section 4 below. Anyone can also submit a report directly to The US Center for SafeSport at <https://uscenterforsafesport.org/report-a-concern/>.

C. Policy Approval and Submission Process

1. US Biathlon may adopt the MAAPP as-is or adapt it to fit their needs. Regardless, US Biathlon must submit their policies to the Center at compliance@safesport.org for review and approval by January 31, 2021. The Center will approve, approve with modifications,

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or deny the policy. If the Center denies the proposed policy, the mandatory components of Part III become the default policy until the Center approves the policy.

2. US Biathlon requires that its LAOs incorporate all mandatory components of Part III at minimum.
3. The mandatory components of Part III will serve as the default policy for any organization that fails to develop its own policy as required by this section.

III. POLICIES

A. ONE-ON-ONE INTERACTIONS

The U.S. Center for SafeSport and US Biathlon recognize that youth-adult relationships can be healthy and valuable for development. Policies on one-on-one interactions protect children while allowing for these beneficial relationships. As child sexual abuse is often perpetrated in isolated, one-on-one situations, it is critical that organizations limit such interactions between youth and adults and implement programs that reduce the risk of sexual abuse.

All individuals that must comply with the MAAPP, must adhere to the below policies for one-on-one interactions.

1. Observable and Interruptible

- a. All one-on-one In-Program Contact between an Adult Participant and a Minor Athlete must be observable and interruptible, except in emergency circumstances.
- b. Exceptions to the observable and interruptible policy are below. These exceptions also apply to all one-on-one In-Program Contact not specifically addressed in other policies:
 - i. When a Dual Relationship exists; or
 - ii. When the Close-in-Age Exception applies; or
 - iii. If a Minor Athlete needs a Personal Care Assistant, and:
 - (1) the Minor Athlete's parent/guardian has provided written consent to US Biathlon or a LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - (3) the Adult Participant Personal Care Assistant has complied with US Biathlon's or a LAO's screening policy; or

- iv. In other circumstances specifically addressed in this policy that allow for certain one-on-one interactions if USBA or a LAO receives parent/guardian consent.

B. MEETINGS AND TRAINING SESSIONS

1. Observable and Interruptible

Adult Participants must follow the one-on-one interaction policy in all meetings and training sessions where Minor Athlete(s) are present.

2. Individual Training Sessions

- a. One-on-one, In-Program, individual training sessions must be observable and interruptible except if:
 - i. A Dual Relationship exists; or
 - ii. The Close-in-Age Exception applies; or
 - iii. A Minor Athlete needs a Personal Care Assistant, and:
 - (1) the Minor Athlete’s parent/guardian has provided written consent to US Biathlon or a LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - (3) the Adult Participant Personal Care Assistant has complied with the US Biathlon’s or a LAO’s screening policy.
- b. The Adult Participant providing the individual training session has received 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.

3. Meetings with licensed mental health care professionals and health care providers (other than athletic trainers⁴)

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 USBA or a LAO’s jurisdiction, the meeting must be observable and interruptible except:

- a. If the door remains unlocked; and

⁴ Athletic trainers who are covered under these policies must follow the “Athletic Training Modalities, Massages, and Rubdowns” policy.

- 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. US Biathlon or a LAO 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.

C. ATHLETIC TRAINING MODALITIES, MASSAGES, AND RUBDOWNS

1. Athletic training modality, massage, or rubdown

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 in subsection (2) 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. Consent

- a. Providers of athletic training modalities, massages, and rubdowns or US Biathlon or a LAO, when applicable, must obtain consent at least annually from Minor Athletes' parents/guardians before providing any athletic training modalities, massages, or rubdowns.
- b. Minor Athletes or their parents/guardians can withdraw consent at any time.

3. Other Recommendations

- a. The provider should narrate the steps in the massage, rubdown, or athletic training modality before taking them, seeking assent of the Minor Athlete throughout the process.
- b. When possible, techniques should be used to reduce physical touch of Minor Athletes.

D. LOCKER ROOMS AND CHANGING AREAS

1. Observable and Interruptible

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Adult Participants must ensure that all one-on-one In-Program Contact with Minor Athlete(s) in a locker room, changing area, or similar space where Minor Athlete(s) are present is observable and interruptible, except if:

- a. A Dual Relationship exists; or
- b. The Close-in-Age Exception applies; or
- c. A Minor Athlete needs a Personal Care Assistant and:
 - i. the Minor Athlete's parent/guardian has provided written consent to US Biathlon or a LAO 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 US Biathlon's or a LAO's screening policy.

2. Conduct in Locker Rooms, Changing Areas, and Similar Spaces

- a. 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.
- b. 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.
- c. Adult Participants must not shower with Minor Athletes unless:
 - i. The Adult Participant meets the Close-in-Age Exception; or
 - ii. The shower is part of a pre- or post-activity rinse while wearing swimwear.
- d. Parents/guardians may request in writing that their Minor Athlete(s) not change or shower with Adult Participant(s) during In-Program Contact. US Biathlon or a LAO and the Adult Participant(s) must abide by this request.

3. Media and Championship Celebrations in Locker Rooms

US Biathlon or a LAO may permit recording or photography in locker rooms for the purpose of highlighting a sport or athletic accomplishment if:

- i. Parent/legal guardian consent has been obtained; and
- ii. US Biathlon or a LAO approves the specific instance of recording or photography; and
- iii. Two or more Adult Participants are present; and
- iv. Everyone is fully clothed.

4. Personal Care Assistants

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

5. Availability and Monitoring of Locker Rooms, Changing Areas, and Similar Spaces

- a. US Biathlon or a LAO 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 USBA or a LAO's jurisdiction.
- b. US Biathlon or a LAO 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 USBA or a LAO's jurisdiction.

E. ELECTRONIC COMMUNICATIONS

1. Open and Transparent

- a. All one-on-one electronic communications between an Adult Participant and a Minor Athlete must be Open and Transparent except:
 - i. When a Dual Relationship exists; or
 - ii. When the Close-in-Age Exception applies; or
 - iii. If a Minor Athlete needs a Personal Care Assistant and:
 - (1) the Minor Athlete's parent/guardian has provided written consent to US Biathlon or a LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
 - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - (3) the Adult Participant Personal Care Assistant has complied with US Biathlon's or a LAO's screening policy.
- b. 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.
 - If a Minor Athlete communicates with the Adult Participant first, the Adult Participant must follow this policy if the Adult Participant responds.

- c. Only platforms that allow for Open and Transparent communication may be used to communicate with Minor Athletes.

2. Team Communication

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.

3. Content

All electronic communication originating from an Adult Participant(s) to a Minor Athlete(s) must be professional in nature unless an exception in (1)(a) exists.

4. Requests to discontinue

Parents/guardians may request in writing that US Biathlon or a LAO or an Adult Participant subject to this policy not contact their Minor Athlete through any form of electronic communication. US Biathlon or a LAO and the Adult Participant must abide by any request to discontinue, absent emergency circumstances.

5. Social Media Connections

Adult Participants, except those with a Dual Relationship or who meet the Close-in-Age Exception, are not permitted to maintain private social media connections with Minor Athletes and should discontinue existing social media connections with Minor Athletes.

F. TRANSPORTATION

1. Transportation

- a. An Adult Participant cannot transport a Minor Athlete one-on-one during In-Program travel, except if:
 - i. A Dual Relationship exists; or
 - ii. The Close-in-Age Exception applies; or
 - iii. A Minor Athlete needs a Personal Care Assistant and:
 - (1) the Minor Athlete's parent/guardian has provided written consent to US Biathlon or a LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and

- (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - (3) the Adult Participant Personal Care Assistant has complied with US Biathlon's or a LAO's screening policy; or
 - iv. 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.
- b. Minor Athlete(s) or their parent/guardian can withdraw consent at any time.
- c. An Adult Participant meets the In-Program transportation requirements if the Adult Participant is accompanied by another Adult Participant or at least two minors.
- d. Written consent from a Minor Athlete's parent/guardian is required for all transportation sanctioned by USBA or a LAO at least annually.

G. LODGING

1. Hotel Rooms and Other Sleeping Arrangements
 - a. 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(s), except if:
 - i. A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided US Biathlon or a LAO with advance, written consent for the lodging arrangement;
 - ii. The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided US Biathlon or a LAO with advance, written consent for the lodging arrangement; or
 - iii. The Minor Athlete needs a Personal Care Assistant, and:
 - (1) The Minor Athlete's parent/guardian has provided advance, written consent to US Biathlon or a LAO for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement;
 - (2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
 - (3) The Adult Participant Personal Care Assistant has complied with US Biathlon's or a LAO's screening policy.
 - b. Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.

2. Monitoring or Room Checks During In-Program Travel

If US Biathlon or a LAO performs room checks 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.

3. Additional Requirements for Lodging Authorized or Funded by USBA or a LAO

- a. Adult Participants traveling with USBA or a LAO must agree to and sign USBA's/the LAO's lodging policy at least annually.
- b. Adult Participants that travel overnight with Minor Athlete(s) are assumed to have Authority over Minor Athlete(s) and thus must comply with USBA's Education & Training Policy.

H. ADDITIONAL POLICIES USBA RECOMMENDS FOR KEEPING YOUNG ATHLETES SAFE

1. Out-of-Program Contact

Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not have out-of-program contact with Minor Athlete(s) without legal/parent guardian consent, even if the out-of-program contact is not one-on-one.

2. Gifting

- a. Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not give gifts of a personal nature to Minor Athlete(s).
- b. Gifts that are equally distributed to all athletes and serve a motivational or education purpose are permitted.

3. Photography/Video

- a. Photographs or videos of athletes may only be taken in public view and must observe generally accepted standards of decency.
- b. Adult Participants should not publicly share or post photos or videos of Minor Athlete(s) if the Adult Participant has not obtained the Parent/Guardian and Minor Athlete's consent.

4. Shared or Carpool Travel Arrangement

USBA encourages parents/guardians to pick up their Minor Athlete first and drop off their Minor Athlete last in any shared or carpool travel arrangement.

If you have questions regarding the MAAPP policies, please contact USBA at info@usbiathlon.org.

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PART 4: INVESTIGATION AND RESOLUTION AUTHORITY / U.S. CENTER FOR SAFESPORT

USBA and its Constituents are subject to the U.S. Center for SafeSport (the “Center”) Code <https://safesport.org/files/index/tag/policies-procedures>. The Center has the exclusive jurisdiction to investigate and resolve allegations of sexual misconduct of a Constituent. The Center also has discretionary jurisdiction to investigate and resolve allegations of other forms of abuse and any prohibited conduct under the Code. If the Center does not have exclusive jurisdiction or take discretionary jurisdiction over a matter, it will fall within USBA’s jurisdiction to address. Employee/volunteer matters will be handled pursuant to employee policies and procedures, and issues falling under the Ted Stevens Olympic and Amateur Sports Act (the “TSOASA”) will, after a preliminary determination (described below), be handled pursuant to the Hearing Procedures in the USBA Bylaws (Chapter 33).

Reporting

US Biathlon members and Adult Participants must report any major concerns or violations to US Biathlon and/or the US Center for SafeSport. Clubs are empowered to manage incidents that they have encountered if the reported incidents do not rise to the level of sexual misconduct or do not involve a minor, however, they may report such incidents to US Biathlon if they are unsure or would like outside involvement in resolving specific violations. Clubs should reference US Biathlon’s Response & Resolution process, and follow similar procedures in dealing with such reports. To report a MAAPP violation to US Biathlon, please email usbasafesport@usbiathlon.org. You may also report anonymously using this form: <https://forms.gle/NS8y5QYbXZJSFqnQA>. Reports to The Center can be made by going to <https://uscenterforsafesport.org/report-a-concern/>. US Biathlon will report allegations that fall within The Center’s exclusive jurisdiction (see below) to The Center immediately upon receiving such complaints.

The US Center for SafeSport has exclusive jurisdiction in cases as outlined in the SafeSport Code (<https://uscenterforsafesport.org/response-and-resolution/safesport-code/>) including: Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct; Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct; Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct; Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the Center’s process; Other Inappropriate Conduct, as defined in the code. The Center may also exercise discretionary jurisdiction in other cases including: Non-sexual Child Abuse; Emotional and physical misconduct, including stalking, bullying behaviors, hazing, and harassment; Criminal Charges or Dispositions not involving Child Abuse or Sexual Misconduct; Minor Athlete Abuse Prevention Policy or other similar Proactive Policy violations; Misconduct Related to Aiding and

Abetting, Abuse of Process, or Retaliation, when it relates to the processes of the USOPC, an NGB, an LAO, or any other organization under the Center's jurisdiction.

US Biathlon reminds members and adult participants of their obligation to report all suspicions of child abuse to local authorities as well as The US Center for SafeSport *immediately* after becoming aware of the allegation. Members and participants should comply with applicable local and federal law in reporting all suspicions of child abuse and sexual misconduct.

Preliminary Determination

On receipt of a disclosure and/or other information alleging misconduct, if the USBA CEO or Chairman of the Board is satisfied, in the exercise of his or her discretion, that there is a sufficient reasonable, reliable and persuasive evidence to support the complaint alleging emotional, physical or sexual misconduct, he or she shall notify the Review Panel. The CEO will also promptly inform the reporting party of its jurisdictional determination regarding the report. This communication will happen regardless if US Biathlon accepts jurisdiction, refers it to The Center, or is being referred to the local affiliate organization. US Biathlon will refer, within 24 hours, to The US Center for SafeSport any allegations that fall within their exclusive jurisdiction. The Review Panel will consist of the CEO or his/her designee, the Chair of the USBA Board of Directors or his/her designee, the Chair of the Ethics Committee, the USBA AAC representative, and legal counsel as determined by the Chair of the Board. The review panel shall determine if a Grievance exists and recommend either that the CEO attempt to resolve the matter informally as outlined in Chapter 32, Section 10 of the USBA Bylaws or whether the matter requires referral to the Hearing Committee and creation of a Hearing Panel as described in Chapter 33 of the USBA Bylaws (a summary of which is below – nothing contained therein is intended to supersede, replace or otherwise abrogate the USBA Bylaws).

Minor Witnesses

If the complainant/alleged victim(s) is a minor, the investigator's or other factfinder's report may substitute for the minor witness's direct testimony, provided that the accused had an opportunity to present and respond to relevant information collected during the investigation and before the report was transmitted to the Review Panel (discussed above).

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

Sanctions

Any sanctions imposed by the Hearing Panel against the individual will be proportionate and reasonable, relative to the content that is found to have occurred. The decision regarding the

appropriate sanction shall be up to the panel deciding each complaint. In imposing a sanction, the Review Panel shall consider:

- a) The seriousness of the offense or act;
- b) The age of the accused individual and alleged victim when the offense or act occurred;
- c) Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct;
- d) Whether the individual poses an ongoing concern for the safety of USBA athletes and participants; and
- e) Any other information, which in the determination of the Panel, bears on the appropriate sanction.

Sanctions may range from a warning and a reprimand to suspension from sport involvement with USBA for a period of time. Suspensions from sport involvement with USBA may be temporary or permanent. The most severe sanction possible to impose will be permanent suspension from sport involvement and expulsion from USBA activities and facilities. In the event that the allegation is made against an athlete, the Hearing Panel will communicate its findings to USOPC for a determination concerning continued access to an OTC.

USBA may maintain a publicly-available list of those individuals who have been sanctioned by the Center, the USOPC and/or USBA.

Interim Measures/Suspension before Final Resolution

If the reported complaint indicates that a Participant's continued employment, membership or participation poses a material risk of ongoing physical or emotional harm, USBA may institute interim measures and/or preliminarily suspend the accused individual pending final resolution of the complaint to eliminate any potential for danger to an athlete, sport participant or other individual. Except for employee/volunteer issues (over which USBA has absolute discretion), where the measure materially affects the right to participate (e.g., suspension) USBA will provide the Participant with notice and offer her/him an opportunity to contest the suspension.

Interim measures may include, but are not limited to, measures such as: altering training schedules, providing or requiring chaperones, implementing limitations on contact and/or one-on-one interactions, suspensions, etc. USBA may modify an interim measure at any time. The Participant to whom the interim measure applies may be required to arrange and pay for some or all of the measures.

For the purposes of this Policy, a suspension from sport involvement shall mean that for the duration of the period of suspension, the accused individual may not participate in any capacity or in any role in the business, events, or activities of USBA. In the event that the allegation is made against an athlete, USBA will communicate its findings to USOPC for a determination concerning continued access to an OTC.

Appeal Right

Any Ted Stevens Olympic and Amateur Sports Act suspension before final resolution may be appealed to the American Arbitration Association (AAA) at the written request of the accused individual within 20 days of the suspension as further detailed in Chapter 33, Section 8 of the USBA Bylaws.

US Biathlon expressly prohibits retaliation before, during, and after the process of resolution, whether the process is led by The Center or by US Biathlon.

PART 5: NON-INTERFERENCE AND EXECUTIVE LIMITATIONS

Non-Interference

US Biathlon, nor any of its officers nor staff, shall interfere in, attempt to interfere in, or attempt to influence the outcome of, any Center investigation.

Executive Limitations

No individual who is an employee, member, or contractor of U.S. Biathlon may assist a member or former member of U.S. Biathlon in obtaining a new job (excluding the routine transmission of administrative or personnel files) if the individual knows that the member or former member:

- a) Violated the policies or procedures of the U.S. Center for SafeSport related to sexual misconduct; and/or
- b) Was convicted of a crime involving sexual misconduct with a minor in violation of applicable law or the policies and procedures of the U.S. Center for SafeSport.

EXHIBIT A

Background Screening Criteria and Review Process

Background Screening Criteria

Full background screens will include at least the following search components:

6. Social Security Number validation;
7. Name and address history records;

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8. Two independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam and Puerto Rico;
9. Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
10. County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
11. National Sex Offender Registry database search of all available states, plus DC, Guam and Puerto Rico;
12. Multiple National Watch Lists;
13. SafeSport Disciplinary Records;
14. Comprehensive International Records search U.S. citizens who have lived outside of the United States for six consecutive months in any one country, during the past seven years; and
15. Motor Vehicle Records of at least a 3-year history in the state of licensure (if driving is required for position).

Supplemental (off-year) background screening will include at least the following search components:

- Multi-Jurisdictional criminal database covering 50 states plus DC, Guam and Puerto Rico;
- Sex Offender Registry database searches of all available states, plus DC, Guam and Puerto Rick; and
- SafeSport Disciplinary Records.

Background screening for media personnel, and those that must be conducted by third-party vendors/contractors, will be conducted using a name-based or fingerprint-based record search in any combination that shall include at least:

- Social Security Number validation;
- Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam and Puerto Rico;
- Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
- County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
- National Sex Offender Registry database search of all available states, plus DC, Guam and Puerto Rico; and
- SafeSport Disciplinary Records.

Background Screening Review Process

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USBA initiated background screening that result in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty⁵, for any of the below criminal offenses will be subject to USBA's determination as to the individual's level of access and involvement in USBA:

1. Any felony;⁶ and
2. Any misdemeanor involving:
 - a. All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;⁷
 - b. Any drug related offenses;
 - c. Harm to a minor and vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
 - d. Violence against a person (including crimes involving firearms and domestic violence);
 - e. Stalking, harassment, blackmail, violation of a protection order and/or threats;
 - f. Destruction of property, including arson, vandalism, and criminal mischief; and
 - g. Animal abuse or neglect.

Background Screening Procedures

A. Individuals will receive two separate Green Light/Red Light notifications: one for their criminal check and one for their driving history check (if applicable). In the event of a Red Light, USBA's background screening provider will send an adverse action letter to the individual.

B. After receiving notification of a Red Light Review, the USBA Review Panel will determine if and to what degree the individual will be: (a) affiliated with the USBA, (b) granted access to an

⁵ A "disposition or resolution of a criminal proceeding, other than an adjudication of not guilty" shall include, but is not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an Alford or Kennedy plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement, or the existence of an ongoing criminal investigation, a warrant for arrest, or any pending charges.

⁶ For purposes of these procedures, the term "felony" shall refer to any criminal offense punishable by imprisonment for more than one year.

⁷ Any participant that has been convicted of, received an imposition of a deferred sentence for, or any plea of guilty or no contest for any sexual crime, criminal offense of a sexual nature, and/or is a sex offender registrant must report this to USBA. USBA will report the same to USOPC.

Olympic Training Center, (c) permitted to participate in a Delegation Event, or (d) granted driving privileges in accordance with the Background Screening Policy and these procedures.

C. USBA will notify the USOPC of any decision reached by USBA, which has the effect of allowing an individual covered by USBA's Background Screening Policy to reside, train or compete at an Olympic Training Center or participate in a Delegation Event, if the individual's background screen was flagged for any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty for any of the below crimes:

Any felony involving:

1. Violence against a person within the previous ten (10) years;
2. Violent crimes involving weapons (including armed robbery and aggravated assault with a weapon) within the previous ten (10) years; and
3. Animal abuse, cruelty or neglect. As well as any felony or misdemeanor involving:
4. All sexual crimes and criminal offenses of a sexual nature to include, but not limited to: rape, child molestation, sexual battery, lewd conduct, possession or distribution of child pornography, possession and distribution of obscene material, and any sex offender registrant (excluding prostitution, indecent exposure, and public indecency);
5. Drug offenses including: drug distribution, intent to distribute, manufacturing, trafficking, or sale within the previous 7 years (excluding crimes for drug use or possession); and
6. Harm to a minor or vulnerable person, including, but not limited to: offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, providing alcohol to a minor, and DUI with a minor.

Background Screening Review Panel

USBA's Background Screening Review Panel shall consist of the following people:

1. USBA CEO;
2. USBA High Performance Director; and
3. Athlete Representatives as determined by the USBA AAC representative to adhere to the athlete representation requirement.

A. The USBA Review Panel will conduct a hearing. The individual will be notified of a specific date and time so that they may participate if they wish.

Unless the Review Panel requires the individual to attend the hearing in person, the individual may appear by telephone conference call. The individual has the right to be represented by legal counsel at the hearing.

At the hearing the individual will be allowed to present any evidence or argument that he or she wishes the Review Panel to consider. The Review Panel may require that documentary evidence and the names of any witnesses be disclosed prior to the hearing. Internal and/or external medical expertise.

Upon the request of the individual, and if it is necessary to expedite the proceeding in order to resolve a matter relating to training or a competition that is scheduled, the Review Panel may render an expedited determination.

B. A determination of the individual's involvement with USBA will be made based on a majority vote of the Review Panel and may include interim measures. In rendering its finding, the Review Panel shall consider the following:

1. The legitimate interest of USBA in providing a safe environment for athletes and other individuals involved in the sport;
2. The seriousness of the criminal offense or act;
3. The time which has elapsed since the occurrence of the criminal offense or act;
4. The age of the person at the time of occurrence of the criminal offense or act;
5. The bearing, if any, the criminal offense or act has on the individual's ability to perform the necessary functions of their role or otherwise be a representative of the USBA;
6. Any information produced by the individual, or produced on behalf of the individual with respect to the individual's rehabilitation and good conduct;
7. Any voluntary restrictions on access proposed by the individual;
8. Any other information, which in the determination of the Review Panel, would bear on whether or not the individual should represent USBA.

C. The Review Panel will communicate its finding to the individual. If the individual disagrees with the finding of the Review Panel, they may appeal the decision by filing a demand for arbitration with the American Arbitration Association ("AAA") within thirty (30) days of the Review Panel's decision. A decision rendered by the AAA shall be final and binding on all parties.

Payment Information

In cases where the USBA: (a) directly assigns or nominates an individual to serve in a Delegation Event role or to be a member of the official Games Delegation, or (b) USBA staff, payment for the background screening will be the responsibility of USBA or other third party. In all other instances, payment for the background screening will be arranged by the individual.