

USA Gymnastics

SAFE SPORT POLICY

October 2019

USA Gymnastics may update its Safe Sport Policy at any time. Unless otherwise stated, changes are effective immediately upon publication. The Safe Sport Policy can be found at www.usagym.org/safesport.



USA GYMNASTICS.



INTRODUCTION

The 2019 USA Gymnastics Safe Sport Policy defines our organization's framework to ensure the protection of our athletes and professional members. Underpinning our vision is an unwavering commitment to promote a safe, positive and encouraging environment where athletes and members are empowered to pursue their dreams.

Every athlete has the right to participate in a safe place, regardless of whether they are learning a basic skill or representing the United States on the international stage. That is why we are committed to fostering a culture that actively works to prevent the opportunity for abuse to occur. The USA Gymnastics Safe Sport Policy provides a blueprint to reach that aim. The supporting educational materials and initiatives provide the tools for its execution. All of us – athletes, parents, coaches, judges, administrators, meet directors, club owners and the club family – must know the policy and understand its educational components. The safety and well-being of our athletes is dependent upon all of us.

The Policy outlines a three-pronged process to ensure the protection of our athletes and members. Specifically, it stipulates mandatory reporting by all adult members, defines the categories of misconduct, and sets boundaries for interaction between professional and athlete members through the Prevention Policies.

This Policy is the product of a lengthy and collaborative discussion with contributors from across the gymnastics community. Input from the people whom this policy is intended to protect, as well as those charged with its implementation at the club and national levels, helped ensure the terms were not only informed by experience, but also meaningful and legitimate. We thank the members, member clubs, parents, outside experts in the fields of mental health, health care, and youth development, as well as athletes and survivors of abuse, for providing valuable feedback. We are also grateful to the USA Gymnastics Safe Sport Committee (which includes representation from athletes, club owners, coaches and medical and mental health professionals), the Deborah Daniels report, the U.S. Center for SafeSport, and the United States Olympic Committee for their support and guidance in drafting the Policy.

Athletes are the heart and soul of USA Gymnastics. Professional members are the backbone. Member clubs are the foundation. Collectively, we must work together to build a safe environment where athletes can train, compete and thrive. The protection of athletes and members is not just a priority, it is our pledge.

USA Gymnastics Pledge

USA Gymnastics is committed to an environment of safety by creating these policies for the protection of all members of the gymnastics community. It is our pledge that athletes are able to train and compete with an expectation they will be treated with respect and that all activities are in the best interest of their physiological and psychological welfare.

Scope of this Policy

These policies apply to all USA Gymnastics Members and Participants. The terms "Member" and "Participant" are defined in the glossary and include, but are not limited to: all professional, instructor, junior instructor, and athlete Members; all Member Clubs; all non-member employees of Member Clubs; all members of USA Gymnastics' committees or task forces; all USA Gymnastics employees and Directors; and all adults, including volunteers and judges, authorized by USA Gymnastics or any Member of USA Gymnastics to interact with athletes. Reporting requirements are mandatory for all adults under USA Gymnastics' jurisdiction. This document presents these policies in five separate areas:

1. Authority and Governance
2. Child Abuse
3. Reporting Prohibited Conduct
4. Prohibited Conduct as defined by the SafeSport Code for the U.S. Olympic and Paralympic Movement
5. Prevention Policies Specific to USA Gymnastics

Adult Membership Requirements

All USA Gymnastics Participants will promote a safe and healthy environment free from misconduct and abuse. USA Gymnastics Participants are responsible to know these policies and all other applicable USA Gymnastics, United States Olympic Committee, the USA Gymnastics Code of Ethical Conduct, the U.S. Center for SafeSport policies, as well as relevant state and federal law.

New adult professional and instructor applicants will be subject to a 45 day probationary period. During that probationary period, new applicants will not be permitted contact with USA Gymnastics athletes, until they have successfully completed and passed a background check and the U.S. Center for SafeSport Core Course (U-110.) This restriction specifically applies to any competition, training, travel, medical care, or lodging related to USA Gymnastics or its Member Clubs. This policy applies to first time professional and instructor applicants only.

Member Club Requirements

USA Gymnastics Member Clubs will adopt these policies as a condition of membership. Member Clubs may adopt these policies through publication of their own handbook that contains these policies, or by reference to these policies in their governance documents. These policies do not prevent any Member Club from adopting higher safety standards consistent with state and federal law.

USA Gymnastics reserves the right to audit Member Clubs for compliance with U.S. Gymnastics Safe Sport Policy.

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GLOSSARY OF TERMS

The definitions below are intended to provide clarity. Many of the terms are defined under federal law or within the U.S. Center for SafeSport's policies. In other cases, USA Gymnastics uses specific defined terms that it believes are necessary to its members guidance. Member Clubs must use these definitions to build their own athlete safety handbook.

Adult is any person age 18 years or older; an "adult Participant" is defined by the Protecting Young Victims Act; an "applicable adult" is defined by the U.S. Center for SafeSport's Minor Athlete Abuse Prevention Policies

Adverse Party is a person who receives notice of a Formal Complaint, and/or against whom sanctions may be imposed by USA Gymnastics.

Amateur Athlete is defined in the Ted Stevens Olympic and Amateur Sports Act as an athlete who meets the eligibility standards established by the national governing body for the sport in which the athlete competes. Therefore, any athlete who meets the eligibility standards for competition within USA Gymnastics governance is considered an amateur athlete.

Athlete is any person eligible for competition or participation in a USA Gymnastics Event or any USA Gymnastics Member Club Event who is not a professional member of USA Gymnastics or acting as an instructor or coach. This includes the category of "Amateur Athletes." Please see "event."

Center or the Center or USCSS means the U.S. Center for SafeSport, an independent organization with exclusive jurisdiction over the investigation and resolution of sexual misconduct allegations within Olympic sport organizations.

Child is defined by the SafeSport Code as "an individual who is, or is perceived by the Respondent to be, under the age of 18."

Child Abuse has the meaning established under relevant state or federal law. The federal definition of Child Abuse must be considered at all times, and is defined by the Victims of Child Abuse Act of 1990. Abuse may also be defined by the law of the state in which the behavior occurs.

Claimant is the person who is alleged to have experienced conduct that constitutes a SafeSport Code or USA Gymnastics policy violation. See also "Complainant."

Coach is a person who is authorized to instruct or train athletes, based on supervisory, evaluative or other authority over that athlete. This includes, but is not limited to, professional members, instructor members, and junior professional members, including volunteers and Member Club employees acting in this capacity. The SafeSport Code states that once a Coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the relationship, regardless of age.

Code or SafeSport Code refers to the SafeSport Code for the U.S. Olympic and Paralympic Movement.

Complaint is a document alleging an administrative, misconduct or participation violation of USA Gymnastics governance.

Complainant is any person who believes themselves to be wronged by any action of a person subject to the jurisdiction of USA Gymnastics. See also "Claimant." For the avoidance of doubt, USA Gymnastics accepts third-party complaints.

Corporation means USA Gymnastics.

Covered Individual is as defined by the Protecting Young Victims and SafeSport Authorization Act of 2017, covered individuals are persons required by federal law to report Child Abuse to legal authorities, and abuse of amateur athletes to the United States Center for SafeSport. Any Covered Individual must report as required by federal law, in addition to any obligation to report under relevant state law. A Covered Individual includes, but is not necessarily limited to, any person authorized by USA Gymnastics, a USA Gymnastics Member Club or a Member of USA Gymnastics to interact with a minor or Amateur Athlete at an amateur sports organization facility, or Event as defined by federal law or this policy, including those sanctioned by USA Gymnastics, its Member Clubs, or its members.

Please see "Event" and "Participants" for further explanation.

GLOSSARY OF TERMS

Discovery is an exchange of information between parties involved in litigation, arbitration, or the hearing panel process established by USA Gymnastics governance.

Event as defined by the Protecting Young Victims and SafeSport Authorization Act of 2017, includes any of the following activities sanctioned by USA Gymnastics, Member Clubs or USA Gymnastics Members, or related to those activities:

1. Travel;
2. Lodging;
3. Training (practice;)
4. Competition;
5. Health or medical treatment.

Federal Child Abuse Definitions. Covered individuals must comply with federal Child Abuse reporting standards. Terms relevant to those standards include:

1. "Child Abuse" means the physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child;
2. "Physical injury" includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe bruising or serious bodily harm;
3. "Mental injury" means harm to a child's psychological or intellectual functioning, which may be exhibited by severe anxiety, depression, withdrawal or outward aggressive behavior, or a combination of those behaviors. This harm demonstrated by a change in behavior, emotional response or cognition;
4. "Sexual abuse" includes the employment, use, persuasion, inducement, enticement or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children;
5. "Sexually explicit conduct" refers to actual or simulated sexual conduct;
6. "Exploitation" means child pornography or child prostitution;
7. "Negligent treatment" means the failure to provide, for reasons other than poverty, adequate food, clothing, shelter, or medical care so as to seriously endanger the physical health of the child.

Formal Complaint is a document that provides notice to a responding person or party when the hearing panel procedure is formally initiated with respect to that responding person or party.

Green Light/Red Light is a system used by the National Center for Safety Initiatives and USA Gymnastics to determine whether a Member or potential member has met background screening criteria.

Hearing Panel is defined in USA Gymnastics Bylaws Article 10.9 as three (3) disinterested individuals assigned by the chair of the Ethics and Grievance Committee to review and decide any matter requiring a hearing.

Jurisdiction is the ability to enforce applicable policies including USA Gymnastics Code of Ethical Conduct, bylaws, governance of USA Gymnastics, the policies of the U.S. Center for SafeSport and/or the SafeSport Code for the U.S. Olympic and Paralympic Movement.

Member is anyone who has agreed to terms of membership or who has a USA Gymnastics membership, including all professional, instructor, junior instructor, and athlete members.

Member Club is any Club Member of USA Gymnastics as described in the USA Gymnastics Bylaws. A Member Club is subject to requirements under the code for a "Local Affiliated Organization."

Merit is the criteria for determining if a complaint qualifies as a Safe Sport grievance.

Minor is defined by the SafeSport Code as "an individual who is, or is perceived by the Respondent to be, under the age of 18."

Participant is any person who is seeking to be, currently is, or was a member of USA Gymnastics; any person who is a "Covered Individual" under the Protecting Young Victim's Act and SafeSport Authorization Act of 2017; or any person who is a "Participant" under the Code. This includes, but is not limited to, the following persons: all non-member employees of Member Clubs; all members of USA Gymnastics' committees or task forces;

GLOSSARY OF TERMS

all USA Gymnastics employees and Directors; and all adults, including volunteers and judges, authorized by USA Gymnastics or any Member of USA Gymnastics to interact with athletes.

Participating Adult is any participant age 18 or older. Minor Athletes who become 18 or older; a participating adult as defined by the Protecting Young Victims Act; an “Applicable Adult” as defined by the U.S. Center for SafeSport’s Minor Athlete Abuse Prevention Policies.

Power Imbalance as defined by the SafeSport Code exists where, “based on the totality of the circumstances, one person has supervisory, evaluative, or other authority over another.” A Power Imbalance is presumed to exist through the duration of a Coach-Athlete relationship. For factors used to determine if a Power Imbalance exists, please see the Code section VIII(K), “Power Imbalance.”

Preponderance of the Evidence is a standard of proof under which a conclusion is more than 50% likely to be true or “more likely to be true than not.”

Public Finding is defined in USA Gymnastics Bylaws Article 10.14. When the discipline imposed is suspension, restrictions on membership, or permanent ineligibility, USA Gymnastics may

publish the name, state and/or Member Club, and with respect to decisions of permanent ineligibility rendered after the adoption of the Section 10.14, which of the Corporation’s Bylaws, rules, regulations or policies was violated.

Reporter or Reporting Party is a person who files a grievance or similar report with USA Gymnastics.

Responding Party / Respondent is a Participant who is alleged to have violated the SafeSport Code or other USA Gymnastics policy. See also “Adverse Party.”

Safe Sport Authorization Act shall refer to the “Protecting Young Victims from Sexual abuse and Safe Sport Authorization Act of 2017.”

Sexual Conduct is defined by the SafeSport Code as any conduct of a sexual nature—including actions, spoken or written language, and/or visual materials—that specifically refer to, portray, or otherwise involve sexual activity.

Third Party Report is a report brought by an individual other than the Claimant. The person making the report is a “third-party reporter.”

I. AUTHORITY AND GOVERNANCE

Adoption of the SafeSport Code and Recognition of the U.S. Center for SafeSport's Authority

USA Gymnastics adopts the SafeSport Code and recognizes the authority of the Center as established under both the bylaws of the U.S. Olympic Committee and the Protecting Young Victims and Safe Sport Authorization Act of 2017.

Modifications to the USA Gymnastics Safe Sport Policy will be available on the USA Gymnastics website and are effective upon publication.

It is a violation of both the SafeSport Code and USA Gymnastics Safe Sport Policies for a Participant to engage in or allow (1) Prohibited Conduct as outlined; (2) any relevant conduct that violates any previous standard similar to Prohibited Conduct; or (3) any conduct that violates community standards that existed at the time of the reported conduct, such as criminal or civil laws.

USA Gymnastics will offer annual training to Minor Athletes regarding prevention and reporting of Child Abuse, as required by the Center. Attendance at this training will require parental or legal guardian consent.

The U.S. Center for SafeSport: Exclusive Jurisdiction

The Center has exclusive Jurisdiction to investigate and resolve the following matters:

1. Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct;
2. Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct;
3. Misconduct related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
4. Aiding and Abetting, when it relates to the Center's process;
5. Misconduct related to the Center's process;
6. Other Inappropriate Conduct, as defined in the Code.

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USA Gymnastics Participants must report any matter within the Center's exclusive Jurisdiction directly to the Center.

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USA Gymnastics' authority to impose interim measures is provided by the [Safe Sport Authorization](#).

USA Gymnastics' Jurisdiction

USA Gymnastics' Jurisdiction covers any Member and any Adult authorized by an Adult subject to USA Gymnastics jurisdiction, to have regular contact or authority over athletes at any of the following USA Gymnastics or Member Club activities:

1. Sanctioned meets or activities;
2. Training activities;
3. Travel;
4. Lodging;
5. Medical treatment, provided at any event listed above.

I. AUTHORITY AND GOVERNANCE

Permanently Ineligible and Suspended Member Policy

USA Gymnastics publishes a list of persons declared permanently ineligible for membership in USA Gymnastics, and a separate list of both suspended and restricted persons.

The U.S. Center for SafeSport publishes a searchable database. This database includes all persons declared by the Center to be ineligible for participation, and all person's subject to sanctions by the Center, including suspension or restricted conduct.

Adults who knowingly violate any term published by USA Gymnastics or the Center will be subject to sanctions. (See Aiding and Abetting below).

A Member Club will be subject to termination of Member Club status when it knowingly employs or associates in any way with a person listed as "ineligible" by USA Gymnastics or the Center, a person listed as a sex offender on a sex offender registry, or a person declared to be a sex offender by state or federal law.

Additional Resources

U.S. Center for SafeSport searchable database:
<https://uscenterforsafesport.org/response-and-resolution/disciplinary-database/>

Persons declared permanently ineligible by USA Gymnastics: https://usagym.org/page/permanently_ineligible_members

Persons restricted by USCSS or USA Gymnastics Interim measures: https://usagym.org/pages/aboutus/pages/suspended_members.html

Sexual offender registries may be found here: <https://www.fbi.gov/scams-and-safety/sex-offender-registry>

II. CHILD ABUSE

USA Gymnastics Child Abuse Reporting Policy

Any adult under USA Gymnastics' Jurisdiction must report Child Abuse immediately. This requirement begins when an adult learns of facts that give reason to suspect any child has suffered an incident of Child Abuse or that adult is informed of an allegation of Child Abuse. Reports must be made immediately both to relevant government agencies and the Center.

If an individual is unsure about reporting, they should seek guidance from the local police department, department of child services or child advocacy center. These authorities will understand the law in their jurisdiction.

For state-
by-state
information
on reporting
Child Abuse:

[www.childwelfare.gov/
topics/systemwide/
laws-policies/can/reporting](https://www.childwelfare.gov/topics/systemwide/laws-policies/can/reporting)

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Child Abuse, and the failure to report Child Abuse, are both Prohibited Conduct under the SafeSport Code.

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Any adult identified as a "Participant" or "Covered Individual" in the glossary must follow this policy. Any adult identified as a "participant" by the SafeSport Code for the U.S. Olympic and Paralympic Movement, or "covered individual" under federal act, will also have a duty to report Child Abuse.

The term "child" is not limited to athletes and includes any child.

The term "Child Abuse" is defined in the glossary. Please also see the glossary under "Federal Child Abuse Definitions" and <https://www.childwelfare.gov/topics/responding/reporting/> for more details on these standards.

It is each person's obligation to understand and comply with state and federal law.

III. REPORTING PROHIBITED CONDUCT OTHER THAN CHILD ABUSE

Duty to Report Prohibited Conduct

Participating Adults must report all sexual misconduct to the Center immediately upon learning of the misconduct. Participating Adults must also report sexual misconduct to the authorities if it is required by relevant state or federal law.

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Reports of sexual abuse or sexual misconduct must be made immediately. No one should investigate or attempt to evaluate the credibility or validity of such reports.

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Participating adults must:

- a. Report Possible sexual misconduct to the Center when they become aware of it.
- b. Report Possible non-sexual misconduct to USA Gymnastics when they become aware of it.
- c. Report Any criminal charges or “dispositions” involving sex or kids to the Center, including anything but a “not guilty” finding.
- d. Supplement their report when they learn new information.
- e. If a Participating Adult does not Report when they should, they violate the SafeSport Code and the USA Gymnastics Policy.

USA GYMNASTICS ACCEPTS ANONYMOUS REPORTS.

Reporting to the Center

- Any matter subject to the Center’s exclusive Jurisdiction must be reported directly to the Center, in a timely manner. The Center will also accept any report.
- Reports may be made to the Center as follows:
 - a. Through the U.S. Center for SafeSport’s online reporting form, www.uscenterforsafesport.org.
 - b. By telephone at 720.531.0340 during regular business hours (Monday-Friday, 9:00 AM– 5:00 PM MT).
- Reports to the Center must include:
 - a. All information known to the party, including the names of witnesses, third parties and persons affected by the misconduct or abuse; and
 - b. Identifying information of any person potentially affected by the misconduct or abuse.

Reporting to USA Gymnastics

1. Any matter not subject to the exclusive Jurisdiction of the Center may be reported directly to USA Gymnastics.
2. Reports may be made to USA Gymnastics as follows:
 - a. www.usagym.org/safesport
 - b. 800.345.4719
3. Reports made to USA Gymnastics involving prohibited conduct must include:
 - a. All information known to the reporting party;
 - b. Identifying information of any person potentially affected by the prohibited conduct; and
 - c. Any information the reporting party learns about the matter after reporting initially, including the names of witnesses, third parties and persons affected by the prohibited conduct.

IV. SUMMARY OF PROHIBITED CONDUCT

The following is a summary of Prohibited Conduct defined by the SafeSport Code.

Sexual Misconduct

Sexual Misconduct must always be reported to the Center. Sexual Misconduct includes:

- a. Sexual Contact with a Minor;
- b. Sexual or Gender-related Harassment;
- c. Non-consensual Sexual Contact;
- d. Non-consensual Sexual Intercourse;
- e. Sexual Exploitation;
- f. Bullying or hazing, or other inappropriate conduct of a sexual nature.
- g. Other Inappropriate Conduct
 - Engaging in an intimate or romantic relationship when a Power Imbalance exists.
 - Intentionally exposing a minor to imagery of a sexual nature.
 - Intentionally exposing or inducing another to expose breasts, buttocks, groin or genitals to a minor, or to an Adult where there is a Power Imbalance.
 - A Participating Adult violates the Code by engaging in inappropriate physical contact with a Participant where there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally:
 - touching, slapping, or otherwise contacting the buttocks or genitals of a Participant;
 - excessively touching or hugging a Participant;
 - kissing a Participant.

Emotional Misconduct

Emotional misconduct includes verbal acts that repeatedly and excessively verbally attack someone personally in a manner that serves no productive training or motivational purpose.

Physical acts that are repeated and/or severe.

Acts that deny attention or support by ignoring or isolating a person for extended periods of time, including routine or arbitrary exclusion from practice/training.

Any similar act prohibited by law.

Physical Misconduct

Any intentional behavior that causes or reasonably threatens to cause physical harm to another person.

This includes the following:

- a. Contact violations
 - Physical contact with another person by body or object.
 - Encouraging or knowingly permitting an athlete to return to play prematurely following a serious injury and without clearance of a medical professional.
 - Non-contact violations
 - Confinement or isolation.
 - Painful stances or positions.
 - Actions interfering with hydration, nutrition, food or sleep.
 - Illegal provision of drugs or alcohol.
- b. Other similar acts prohibited by law.

Stalking

Purposefully engaging in a course of conduct directed at a specific person, knowing that the cause of conduct would cause a reasonable person to fear for his/her safety, the safety of a third person, or to experience significant mental suffering or anguish.

Bullying Behavior

Repeated and/or severe behavior(s) of any kind that are aggressive, directed at a Minor, and intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually.

Hazing

Any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, humiliate, degrade or intimidate the person as a condition of joining or being socially accepted by a group, team, or organization.

Harassment

Repeated and/or severe conduct that:

- a. causes fear, humiliation or annoyance;
- b. offends or degrades;
- c. creates a hostile environment (as defined in the SafeSport Code);
- d. reflects discriminatory bias in an attempt to establish dominance, superiority or power over an individual or group based on age, race, ethnicity, culture, religion, national origin, or mental or physical disability; or

IV. SUMMARY OF MISCONDUCT

- e. any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

Aiding and Abetting

Knowingly facilitating, promoting or encouraging the commission of Prohibited Conduct by a Participant.

Knowingly facilitating, promoting or encouraging a violation of any restrictive measure placed on membership or participation by either USA Gymnastics or the Center, including without limitation, suspension, ineligibility, interim measures, restrictions imposed per USA Gymnastics Bylaws or similar measures is prohibited.

This includes, without limitation, knowingly facilitating, promoting or encouraging any of the following, if it would violate a restrictive measure:

- a. Any association or affiliation with USA Gymnastics events;
- b. Coaching or providing any coaching-related advice or service to any Member of any USA Gymnastics Member Club or USA Gymnastics;
- c. Ownership interest in any USA Gymnastics Member Club or affiliated entity.

Misconduct Related to Reporting: Failure to Report.

Sexual Misconduct or Child Abuse must be reported to the Center and/or law enforcement consistent with the Code, these policies and relevant law.

Prohibited Conduct must be reported to either USA Gymnastics or the Center.

Failure to report these matters is misconduct under the SafeSport Code.

Misconduct Related to Reporting: Intentionally Filing a False Allegation

Any person making a knowingly false allegation in a matter over which the Center or USA Gymnastics has Jurisdiction, shall be subject to disciplinary action by the responsible entity.

An allegation is false if it is proven that the events reported did not occur and the person made the report knowing the reported events did not occur.

A “false allegation” does not include a report where supporting evidence is insufficient to determine if the reported events are true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a SafeSport Code violation.

Any good faith report of Child Abuse is not considered a False Allegation.

Misconduct Related to Process: Abuse of Process

It is misconduct under the Code to engage in any of the following directly, or to involve another in any of the following on behalf of a person subject to the Center’s or USA Gymnastics’ process:

- a. falsifying, distorting or misrepresenting information, the resolution process or an outcome;
- b. destroying or concealing information;
- c. attempting to discourage an individual’s proper participation in or use of the Center (or USA Gymnastics) processes;
- d. harassing or intimidating (verbally or physically) any person involved in the Center’s or the USA Gymnastics’ processes before, during and/or following proceedings (including up to, through and after any review by an arbitrator);
- e. publicly disclosing a Claimant’s identifying information;
- f. failing to comply with a temporary measure or other sanction;
- g. distributing or otherwise publicizing materials created or produced during an investigation or arbitration as a part of these policies or procedures, except as required by law or as expressly permitted by the Center; or
- h. influencing or attempting to influence another person to commit abuse of process.

Misconduct Related to Process: Retaliation

It is misconduct under the Code to engage in any of the following, or to involve another in any of the following on behalf of a person subject to the U.S. Center’s or USA Gymnastics’ process:

- a. Taking adverse action against any person for making a good faith report of a possible USA Gymnastics Code of Conduct violation to the Center or USA Gymnastics or for participating in any process under the SafeSport Code or this Policy.

V. USA GYMNASTICS PREVENTION POLICIES

USA Gymnastics Prevention Policies

Prevention Policies are authorized by the U.S. Center for SafeSport and define gymnastics-specific Prohibited Conduct. A violation of a USA Gymnastics Prevention Policy is a violation of the SafeSport Code, and it must be reported to USA Gymnastics.

Unless a policy is specifically identified as subject to the U.S. Center for SafeSport's exclusive Jurisdiction, a Member Club or Meet Director, may first attempt to address a reported violation of a prevention policy in a manner that resolves the violation without USA Gymnastics intervention. For example, during a meet, a Meet Director may take action to address a Prevention Policy violation in real-time, before reporting that violation to USA Gymnastics. USA Gymnastics reserves the right to take further action in addition to any action taken by the Meet Director. All Prevention Policy violations must be reported to USA Gymnastics.

One-on-One Interactions

One-on-one contact is defined as interaction between one unrelated Participating Adult and one Minor Athlete.

- Contact is not one-on-one if it is observable and conducted at a distance allowing interruption by another adult.
- One-on-one interactions between unrelated Participating Adults and Minor Athletes is not permitted under any circumstance, except as stated in this policy.
- USA Gymnastics recognizes the following exceptions to the prohibitions against one-on-one contact
 - a. Emergency circumstances, such as fires and medical emergencies.
 - b. Office meetings at a Member Club, only if the door is open, and the meeting is observable and interruptible by another adult. If the subject matter requires a closed door, the minor athlete's parent or legal guardian must be present.
 - c. If the subject matter is confidential and requires a medical or mental health care professional, the parent or guardian must first be involved in selecting and providing legal authorization directly to the professional.

V. USA GYMNASTICS PREVENTION POLICIES

- Individual training sessions must comply with the One-on-one Policy by being observable and interruptible at all times. A minor's legal guardian must be allowed to attend the individual training session. Written permission must be provided in advance of individual training sessions if the parent cannot attend.
- Meetings with Mental Health Professionals at Member Clubs must comply with the One-on-one Policy without exception.
- Leaving Minor Athletes unattended or unsupervised at USA Gymnastics or Member Club events violates this policy;
- One Adult and one unrelated Minor Athlete alone in a USA Gymnastics Member Club or facility violates this policy.
- Exception: When only one Participating Adult and one unrelated Minor Athlete travel to a competition together, the Minor Athlete must have his/ her legal guardian's written permission in advance for each incidence of travel. Contact between the two should only occur in an observable and interruptible setting. While travelling, the Participating Adult and Minor shall not sit side by side during transport. Additionally, the Minor Athlete's Member Club must comply with the Parental Travel Consent section of this policy.
- Parents and guardians must receive and approve full travel itineraries before permitting any arrangement.
- USA Gymnastics will develop educational materials to identify safety concerns and protocols prior to the start of the 2019-2020 competitive season.



Travel Policy

Each USA Gymnastics Member Club must publish a travel policy that is consistent to USA Gymnastics Safe Sport Policy and provide it to, at a minimum, all adult gymnasts, parents of minor gymnasts, coaches and all Participating or other Adults traveling with the team. USA Gymnastics strongly recommends that the Member Club obtain a signature by each Adult acknowledging receipt of and agreeing to the travel policy.

Local Travel

- The One-on-one Policy always applies, including to daily transportation to and from regular activities (such as training or Member Club events.)
- Absent emergency circumstances, a Participating Adult shall not ride in a vehicle alone with a single unrelated Minor Athlete. A second Minor Athlete or second Adult must always be present.

Team Travel

- The One-on-one Policy applies when traveling to Events away from an athlete's Member Club, including organized overnight stay at the event, team meetings and room checks.

Parental Travel Consent

The U.S. Center for SafeSport Minor Athlete Abuse Prevention Policies contains both mandatory and optional components. As allowed by the optional components, USA Gymnastics has adopted this Parental Travel Consent policy to facilitate participation in the sport.

A Member Club may deviate from the USA Gymnastics Safe Sport Policy and provide "legal guardian consent" options for the limited purpose of airline travel or local travel. The Member Club exercising this option will be responsible to indemnify USA Gymnastics from all liability, and must execute the terms of Addendum A, "Indemnification and Assumption of Responsibility," before facilitating any one-on-one contact between Minor Athletes and unrelated adults.

If, and only if, these terms are fully executed in 100% compliance, will USA Gymnastics allow for this option regarding the prevention policy prohibition on one-on-one contact between an unrelated adult and a Minor Athlete. Failure to fully execute the terms of the "Indemnification and Assumption of Responsibility" will jeopardize the Member Club's member status, as well as the persons responsible for any intentional, reckless or material failure of those terms. Misconduct, ethical, or similar concerns are not exempt from the Safe Sport process under any condition.

V. USA GYMNASTICS PREVENTION POLICIES

USA Gymnastics will not tolerate or recognize any other form of one-on-one contact between unrelated Adults and Minor Athletes under any circumstances, except as explicitly permitted by the policy.

Hotel Rooms

- When athletes share rooms, they must be of the same gender, and of an age difference consistent with the Minor Athletes who become Adult Athletes Policy. An appropriate number of athletes will be assigned per room depending on accommodations.
- The Minor Athletes who become Adult Athletes exception allows adult athletes to room with Minor Athletes under certain circumstances. This is permitted only if:
 - a. allowed by applicable state and federal law;
 - b. allowed by hotel/lodging policy; and
 - c. all terms of this policy are satisfied.
- The minor athlete, their parent or legal guardian, and the adult athlete must be notified in writing before travel. The minor athlete, their parent or guardian or the adult athlete must agree in writing and may refuse this arrangement without explanation. A refusal by any party must be honored without exception.
- Athletes are permitted to make and receive regular check-in telephone calls to and from legal guardians/parents. Team personnel will allow any calls that do not interfere with team events, such as training sessions or meetings. Emergency calls will be permitted regardless of team schedule or events.
- Participating Adults who travel with USA Gymnastics must successfully pass a criminal background check and complete the U110 SafeSport Core Training Course.
- All persons must comply with United States Olympic Committee protocols when applicable.

Best Practice Recommendations for Member Clubs

- Member Clubs should review travel education materials with parents and athletes before travel.
- Meetings should not be conducted in a hotel room.

- If the Member Club chooses to have any Adult provide transportation while travelling with the team, that Adult must be appropriately insured and legally authorized to drive.
- Adult pay-per-view channel access should be blocked for athlete rooms.
- Family members are encouraged to stay in the team hotel but must be informed of their obligations to report abuse under the Protecting Young Victims Act of 2017.
- Contact information for all adult team personnel should be provided to parents/guardians prior to travel.
- Specific travel itineraries should be distributed to parents/guardians once available, but not shared with any person outside of the team or families.

Participating Adults shall not share a hotel room or other sleeping arrangement with an unrelated Minor Athlete.



Social Media and Electronic Communications

All electronic communication, including social media contact, must comply with the One-on-one Policy.

- All electronic communication must be professional in nature.
- Private communication from a minor in violation of the One-on-one Policy must be brought to the parent or guardian's attention before responding. Future communications must include a third party, following notice to the parent.
- Electronic communications to an entire team must include at least one other participating adult if any team member is a minor.
- A parent or guardian may request in writing that a minor not be contacted through electronic communications. Requests that a minor not be contacted electronically must be honored.
- Any private or public direct communication between adults and minors involving the following is prohibited and must be reported:
 - a. drug or alcohol use;
 - b. sexual content; or
 - c. explicit content.

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- Participating Adults are not permitted to maintain private social media connections with unrelated Minor Athletes. All such existing connections must be discontinued by the Participating Adult if they violate this policy.
- Note: Public fan pages are excluded from these restrictions. Private messaging to Minor Athletes is not excluded.

Best Practice Recommendations for Member Clubs

- Publish a Social Media and Electronic Communications Policy unique to their Member Club and circumstances;
- Send electronic communications to their Members only between the hours of 8:00 a.m. and 8:00 p.m., excepting travel, competition or emergency circumstances.
- Be mindful of social media messaging and content.



Photography/Videography

Photographs or videos of athletes must be taken in public view, observe generally accepted standards of decency, and must appropriately serve the best interest of the athlete.

- An Athlete (or a legal guardian of a Minor Athlete) may request that their photograph be removed from display, posting or publication.
- An Athlete (or legal guardian of a Minor Athlete) may request that the athlete's picture not be taken.
- Failure to take reasonable efforts to satisfy either request may constitute a violation of this policy.
- Meet Directors may enforce these policies in the context of a meet. USA Gymnastics reserves the right to take additional action.
- Member Clubs may set guidelines for the taking of photographs and video by parents while in their facility.



Locker Rooms/Changing Areas

The One-on-one Policy applies at all times, including locker rooms, changing areas, and restrooms.

- Adults should not be alone in a locker room with an unrelated minor.

- If a venue allows for specifically designated "athlete exclusive areas" for athlete use, and if "athlete designated areas" are established, then this policy will be enforced only in those areas.
- If a facility does not allow for "athlete designated areas," the One-on-one Policy applies to all locker rooms and changing areas within the facility.
- Adults are not permitted to be alone with an unrelated Minor Athlete in a locker room or changing area, except under emergency circumstances, or as permitted under the Minor Athletes who become Adult Athletes Policy.
- Recording of any kind is prohibited in locker rooms, rest rooms, changing areas or similar spaces. This includes voice recording, still cameras, and video recording.
- Adults shall not expose their breasts, buttocks, groin or genitals to a Minor Athlete at any time. This prohibition does not apply to a nursing mother.
- Locker rooms or designated changing areas should be regularly and randomly monitored at any facility in use for purposes of a USA Gymnastics event or Member Club event.
- Member Clubs are encouraged to post locker room policies specific to their facility



Gifting

Personal gifts are not permitted to be given to athletes by Participating Adults, as it is a violation of the One-on-one Policy.

- Member Clubs may set their own guidelines for a reward system that equally applies to all eligible athletes. Gifts must serve a legitimate motivational, inspirational or educational purpose. The reward system must be:
 - a. set by the Member Club administration;
 - b. clearly defined for the coaches and parents;
 - c. accessible to all individual members in a group or team;
 - d. given without conditions or restrictions regarding the relationship between the athlete and Member Club; and
 - e. given in the presence of at least one other Adult Member and within guidelines set by the Member Club.

V. USA GYMNASTICS PREVENTION POLICIES



Massaging/Icing/Taping

Massaging

- Participating Adults are not permitted to provide massages to athletes, beyond immediate pain mitigation on the competition or training floor.
- Member Clubs must develop and publish a massaging policy before providing massaging services in the Member Club.
- A Member Club's policy must include the following:
 - a. All massages must be performed in an open and interruptible location.
 - b. Written consent from the athlete and a legal guardian (in the case of a Minor Athlete) is required before any treatment. The consent form must include the following, and be presented and explained to the athlete and/or parent or guardian before it is signed.
 - A detailed treatment plan including specific areas and method of treatment;
 - An absolute right for the athlete and Parent/Guardian to stop the treatment without explanation; and
 - A second adult with a full unobstructed view of the treatment will be present at all times.
 - c. Any deviation from the treatment plan must be approved before implementation.
 - d. Any contact with genitalia, breast or buttocks is explicitly forbidden, and must be reported to legal authorities and the Center.
 - e. A method of reporting any deviation from the treatment plan or any other aspect of this policy.

Icing and Taping

- Icing or taping of the breasts, buttocks or genitalia of an athlete by an unrelated Adult is expressly forbidden and should be reported.
- If ice must be applied to these areas, the athlete must self-apply the ice.

- Parents and guardians must be consulted prior to taping, beyond immediate first aid, and both the athlete and the guardian must consent to the process.



Stretching and Other Physical Contact

- This policy addresses frequent and/or intentional physical contact that erodes the professional athlete/coach relationship.
- Participants should take care to prevent and avoid any compromising positions while stretching or closely interacting with athletes, including, but not limited to:
 - a. laying or sitting on top of the athlete;
 - b. facing and being in close proximity to an athlete in a static straddle or similar position;
 - c. having the athlete sit in the participant's lap.



Alcohol and Drug Use

Any adult authorized to interact with Minor Athletes is expressly forbidden from engaging in any of the following while under the influence of drugs or alcohol, regardless of level of impairment or intoxication:

- Instructing or spotting athletes;
- Being present on the competition floor;
- Overnight team travel in the presence of athletes; or
- Transporting athletes;
 - a. USA Gymnastics Members and other Participating Adults are also expressly forbidden from interacting with Minor Athletes while impaired by the use of drug or alcohol.
 - b. "Impairment" and "under the influence of" drugs or alcohol may be determined by observable behavior and conditions along with other relevant considerations.

Xcel, Junior Olympic, Olympic Games, Pan American Games, and similar competitive delegations must apply to the Center for variances from Prevention Policies if necessitated by the limitations of competition or international travel.

V. USA GYMNASTICS PREVENTION POLICIES

- c. Deference will be given to the good faith opinions of Meet Directors and other Participating Adults who intervene when they have identified a safety concern.
- d. Member Clubs may establish prescription or over-the-counter-medication policies as allowed by law.

Access to Training Sessions

All Member Clubs must permit all parents and guardians access to training sessions.

- Access may include sitting areas, in person viewing options, closed-circuit broadcast (including audio) or similar methods of viewing.
- Each training session must be accessible to at least a portion of the Member Club's parents and guardians (subject to space and safety limitations.)
- All Members, Participants and parents will respect the coach-athlete relationship and should not interrupt training sessions, absent a belief that misconduct is occurring.
- Member Clubs may set parameters for appropriate viewing behavior.
- Member Clubs may not prohibit a specific parent or guardian from physical access without fair notice and process. The Member Club must provide a reasonable alternative for that parent or guardian to view their athlete's training sessions.

Member and Member Club Responsibilities

USA Gymnastics Members must self-report charges or indictments for any offense that, if it resulted in a conviction, would violate the USA Gymnastics Red Light policy.

USA Gymnastics Red Light Policy is available here. <https://usagym.org/PDFs/Member%20Services/BackgroundCheckPolicy.pdf>

As Covered Individuals, all adults having "authority over" or interacting with Minor Athletes "on a regular basis" must successfully complete the U110 SafeSport Core Training Course. Member Clubs must ensure that all non-member employees with any athlete contact will complete this training annually.

Illegal and Unethical Sexual Misconduct

- Any sexual act or conduct prohibited by state or federal law is also a violation of this policy if the act or conduct involves any USA Gymnastics Member, Participant or Event.
- Any act violating the USA Gymnastics Code of Ethical Conduct that involves a sexual act, conduct, or component, is a violation of this Safe Sport policy.
- USA Gymnastics Members may not engage in intimate relationships with an Athlete they currently coach, regardless of that athlete's age.
- Illegal and Unethical Sexual Misconduct as described in this policy is subject to the Center's Exclusive Jurisdiction and will be referred to the Center for resolution.

Minor Athletes Who Become Adult Athletes

With the exception of athletes who are members of the same team, Minor Athletes who reach the age of majority (i.e. 18 years of age) must adhere to the provisions found in the Center Minor Athlete Abuse Prevention Policies when interacting with Minor Athletes who are 14 years of age or younger. For example, an 18-year-old amateur athlete may room with a 16-year-old amateur athlete, but that same 18-year-old amateur athlete may not room with a 13-year-old amateur athlete.


However, Minor Athletes who reach the age of majority and then obtain a position of authority that presents a Power Imbalance (please see glossary), such as becoming a coach or official, must also comply with these Prevention Policies regardless of the age of the Minor Athletes with whom they interact.

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CONTACT US WITH QUESTIONS

 Safesportpolicy@usagym.org

 Member Services: 800.345.4719

 Safe Sport Helpline: 833.844.7233



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