

 ***US FIGURE SKATING***

SAFES**PORT**

A Guide to SafeSport



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Federal Law

S. 534 – Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act

This bill was introduced in the U.S. Senate on March 6, 2017, passed unanimously by the Senate on November 14, 2017, and signed into law by the President on February 14, 2018.

Highlights include:

- Designates the U.S. Center for SafeSport as the organization that has **exclusive authority** to investigate and resolve SafeSport Code violations involving sexual misconduct.
- The U.S. Center for SafeSport maintains an office for education and outreach, and to oversee policies and procedures regarding SafeSport that National Governing Bodies are required to follow.

The Ted Stevens Amateur Sports Act of 1978 established the U.S. Olympic Committee, giving it the authority to oversee National Governing Bodies that are part of the Olympic Movement, like U.S. Figure Skating.

This is the reason the Federal Government is involved with SafeSport, the USOC and NGBs.

What is the U.S. Center for SafeSport?



As a National Governing Body, U.S. Figure Skating is required to adopt measures determined by the U.S. Center for SafeSport, which are generally interim or permanent suspensions.

The U.S. Center for SafeSport is an independent non-profit committed to ending all forms of abuse in sport. It serves to **educate** and **adjudicate**, and has the **exclusive jurisdiction** over reports of sexual misconduct in National Governing Bodies that are members of the U.S. Olympic Committee.

What power does the U.S. Center for SafeSport have over U.S. Figure Skating?

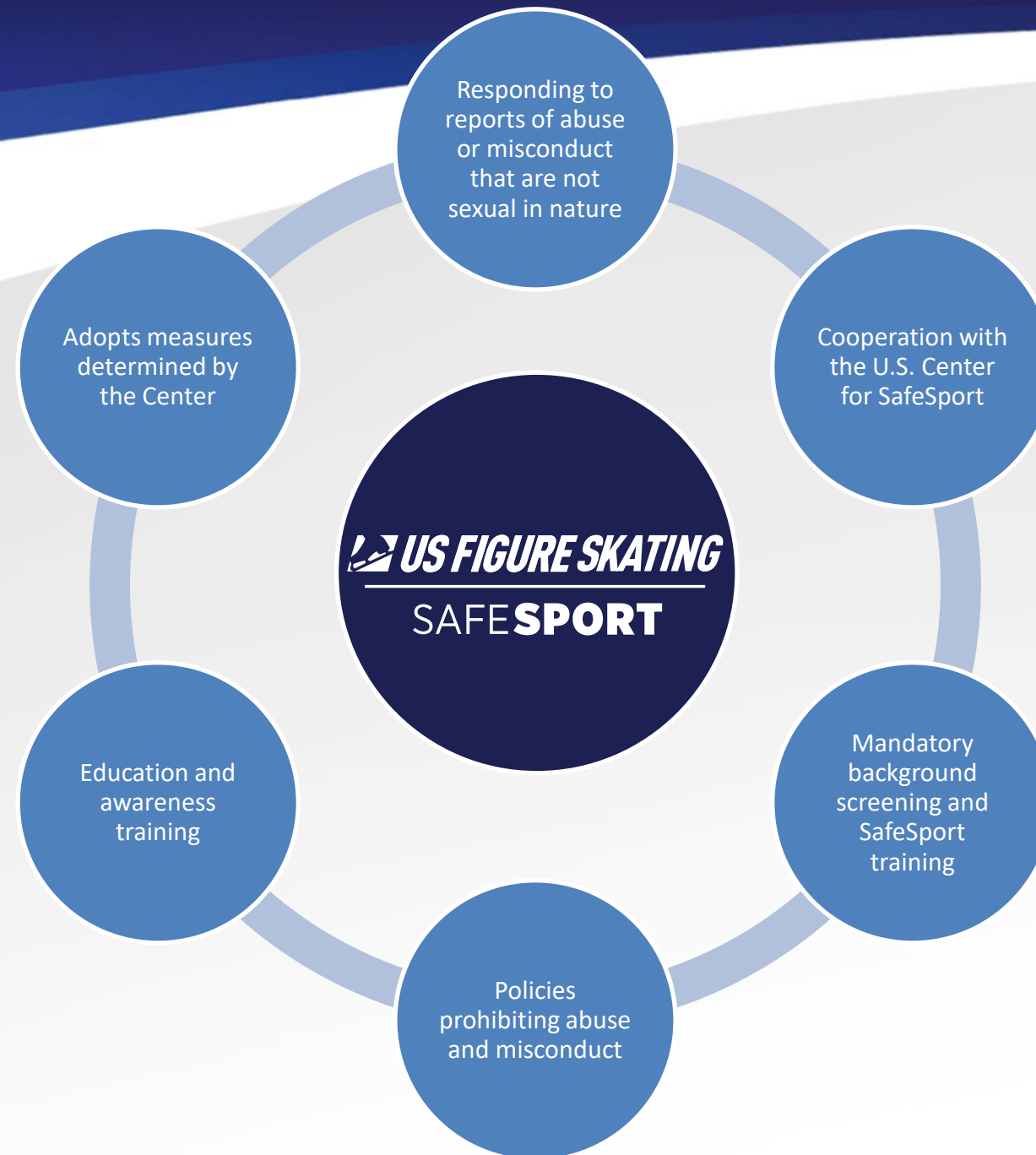
The Center has no power to sanction U.S. Figure Skating. Failure to comply with the Center's requirements could jeopardize our status as an NGB. Additionally, depending upon circumstances, U.S. Figure Skating could be in violation of federal law.

U.S. Figure Skating Definitions:



TERM	DEFINITION
Covered Individual <i>*this definition has changed*</i>	Any individual who U.S. Figure Skating determines is required to be SafeSport compliant. A Covered Individual includes: <ul style="list-style-type: none"> • Adult Members who have regular contact with Minor Athletes • An Adult authorized by U.S. Figure Skating to have regular contact with or authority over a Minor Athlete • Adult staff and board members of U.S. Figure Skating and Member Clubs (with the exception of Club Adult staff and board members who have no regular contact or authority over Minor Athletes).
Participant	Any individual who is seeking to be, or was at the time of the alleged Misconduct: <ul style="list-style-type: none"> • A member of U.S. Figure Skating • An employee of U.S. Figure Skating • Within the governance or disciplinary jurisdiction of U.S. Figure Skating • Authorized, approved, or appointed by U.S. Figure Skating to have regular contact with minor Athletes; and/or • Identified by U.S. Figure Skating as being within the jurisdiction of the U. S. Center for SafeSport
Minor or Child	An individual under the age of 18
Athlete	A U.S. Figure Skating Member who is participating in, or training to participate in, U.S. Figure Skating-sanctioned activities such as competitions, test sessions, exhibitions, etc.
SafeSport Code	The rules, policies, procedures, and practices of the U.S. Center for SafeSport.

U.S. Figure Skating SafeSport Program: *what we focus on*



Prevention Strategies From the CDC*:



	STRATEGY	APPROACH
S	Promote Social Norms that Protect Against Violence/Misconduct	<ul style="list-style-type: none"> • Bystander intervention: teach athletes when it's appropriate to step in • Mobilizing all Athletes as allies and implementing a "team mentality"
T	Teach athletes skills to prevent misconduct from occurring	<ul style="list-style-type: none"> • Social-emotional learning: teaching Athletes how to set and achieve positive goals, feel and show empathy for others, and establish positive relationships • Promoting equality and healthy relationships for all Athletes
O	Provide Opportunities to empower and support all athletes, regardless of gender.	<ul style="list-style-type: none"> • Strengthening social supports within Clubs: encourage skaters to develop appropriate relationships with one another both in and out of skating • Encouraging other social supports outside of figure skating • Utilize empowerment-based conversations with Athletes • Create and encouraging environment of comradery between athletes
P	Create Protective Environments	<ul style="list-style-type: none"> • Improving safety and monitoring at all figure skating events and practices (i.e. locker rooms) • Establishing, implementing, and evaluating the effectiveness of proactive policies • Strengthen the voice of athletes and reinforce their right to advocate for themselves
SV	Support victims and survivors to lessen harm	<ul style="list-style-type: none"> • Be supportive of victim/survivor-centered services outside of athletics • Educate yourself of the long lasting impact trauma can have on people of all ages • Practice patience with all athletes and respect the boundaries of all athletes

Key Athlete Protection Policies



Two-Deep Leadership	One-On-One Interactions	Touching an Athlete During Instruction
<p>Mandatory policy requiring at least one other person (preferably an adult) to be present at all times when interaction between the Covered Individual and Minor Athlete is not within a public viewing area where interactions can be easily observed and interrupted by another adult.</p>	<p>Federal law requires reasonable procedures to limit one-on-one interactions at U.S. Figure Skating sanctioned events and activities between a Minor Athlete and an Adult who is not the Minor's parent/legal guardian (except under emergency situations). This applies to interactions that are not observable and interruptible by another adult.</p>	<p>Physical contact is inherent in skating instruction and training. Such physical touches that are for the purpose of ensuring an athlete's safety (such as spotting or breaking an athlete's fall) are permitted so long as:</p> <ol style="list-style-type: none"> 1. The physical contact takes place in public with clear lines of sight. 2. The physical contact is for the benefit of the athlete, not to meet an emotional or other need of the adult coach (i.e. a male coach practicing lifts with a female athlete)
<p><i>*Policies such as these help to protect the reputation of a coach. For example, there are times where an interaction or conversation can be taken out of context. Having an extra person there ensures the intended message is the one received and can help to validate a coach's story should any questions be raised.</i></p>		<p><i>*Best practice is to always ask permission at the beginning of a training session and continue in clear view of others. By allowing an athlete to openly communicate their personal boundaries, a foundation for a healthy and respectful coach-athlete relationship can be built.</i></p>

Key Athlete Protection Policies



In an effort to limit one-on-one interactions, Covered Individuals shall not drive in a vehicle alone with a Minor Athlete unless the covered Individual is an immediate family member or the permanent legal guardian of the minor athlete.

Local Travel	Team Overnight Travel	Individual Overnight Travel
It is the responsibility of the parent/permanent legal guardian of the Minor Athlete to ensure the person transporting the Minor Athlete maintains all safety requirements, legal requirements and compliance with all laws and the U.S. Center for SafeSport's required policies.	If a Covered Individual will be transporting Athletes, that covered Individual shall abide by Two-Deep-Leadership requirements, have a valid driver's license, proper insurance, a well-maintained vehicle and shall comply with all state laws and the policies set forth in U.S. Figure Skating's SafeSport Policy Handbook.	Under circumstances where a Minor Athlete's parent/guardian is responsible for making all travel arrangements, U.S. Figure Skating encourages limiting one-on-one interaction between a Covered Individual and a Minor Athlete by 1) meeting two-deep leadership requirements, 2) inviting parents/guardians to travel with the Minor Athlete.

**Coaches will not transport minor athletes alone as it's a violation of the SafeSport policy. Should a situation arise where a coach is asked to do something that may violate this policy, best practice is to determine what other options there are for ensuring that athlete makes it to their destination: i.e. family member transports them, car pool with other athletes, the Coach transports the Minor Athlete but practices two-deep leadership, etc.*

Electronic Communication and Social Media



The content of all electronic communication with a Minor Athlete should be saved by the Covered Individual for a period of three years and be readily available to share upon request with the Minor Athlete's family or a representative of the Member Club or U.S. Figure Skating.

ELECTRONIC COMMUNICATION:
Includes email, text messages, WhatsApp, Facebook, Instagram, Snapchat, Twitter, and all other social media and messaging platforms

All electronic communications between a Covered Individual and a Minor Athlete must be professional in nature and for the purpose of communicating information about skating activities.

When communicating electronically to a Minor Athlete, a Covered individual shall meet Two-Deep-Leadership requirements by including a third party (i.e. parent, guardian, another Covered Individual, another Athlete, team leader). It is recommended that the communication have the Minor Athlete's parent/permanent legal guardian copied for transparency.

Covered individuals are prohibited from having Minor Athletes join a personal social media page. Covered Individuals and Minor Athletes are not permitted to "private message" the other privately. Member Clubs may utilize social media to communicate to its members and promote their program by creating their own club page.

Mandatory Reporting

U.S. Figure Skating Mandated Reporting Policies

Covered Individuals are required to report suspected child abuse and/or sexual misconduct to the U.S. Center for SafeSport (or to U.S. Figure Skating) and local law enforcement.

Start by following this icon at www.usfigureskating.org



State Mandated Reporting Laws

Mandated Reporting laws vary by state. It's important for all of our members to know what their legal obligation is to report suspected child abuse to the appropriate agency (i.e. Child Protective Services and Law Enforcement). Applicable state laws can be found here:

<https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>

(example of search shown)

State Statutes Search

Find information in the State Statutes database in two ways:

- Click on a title to read a brief introduction, or download a PDF of statutes for all States and territories.
- OR
- Search the database to access the statutes for a specific State. You can select more than one State per search or more than one title per search.

1. Select a State(s)(required)

Select All States

- American Samoa
- Arizona
- Arkansas
- California
- Colorado

Ctrl + click to select multiple States.

2. Select a Topic(s) (required)

Select All Topics

Systemwide

Links to State and Tribal Child Welfare Law and Policy

Child Abuse and Neglect

- Child Witnesses to Domestic Violence
- Clergy as Mandatory Reporters of Child Abuse and Neglect
- Cross-Reporting Among Responders to Child Abuse and Neglect
- Definitions of Child Abuse and Neglect
- Definitions of Domestic Violence
- Definitions of Human Trafficking
- Disclosure of Confidential Child Abuse and Neglect Records
- Establishment and Maintenance of Central Registries for Child Abuse or Neglect Reports
- Immunity for Reporters of Child Abuse and Neglect
- Making and Screening Reports of Child Abuse and Neglect
- Mandatory Reporters of Child Abuse and Neglect
- Parental Drug Use as Child Abuse
- Penalties for Failure to Report and False Reporting of Child Abuse and Neglect
- Representation of Children in Child Abuse and Neglect Proceedings



Mandatory Reporting

Retaliation related to an allegation or report of misconduct should be reported to the relevant, promulgating organization.

Depending on the nature of the allegation, a person making malicious, frivolous, or bad-faith report may also be subject to civil and/or criminal proceedings.

BAD-FAITH ALLEGATIONS:

A report of abuse, misconduct, or a policy violation to U.S. Figure Skating or the U.S. Center for SafeSport that is malicious, frivolous or made in bad-faith is prohibited. Such reports are considered a violation of the U.S. Figure Skating SafeSport Policy and the U.S. Center for SafeSport's Code. *In each instance, bad-faith allegations are grounds for disciplinary action.*

Steps Taken After a Report is Filed

An individual takes the first step of reporting a violation of misconduct. This reporter can be the victim, a parent or any other reporter. As previously noted, **adult members of U.S. Figure Skating are mandatory reporters** of suspected child abuse.



All individuals, regardless of membership with U.S. Figure Skating, are encouraged to report suspected violations of SafeSport by using this form.

U.S. Figure Skating SafeSport Report Form

If you are reporting sexual misconduct or abuse, please report directly to the U.S. Center for SafeSport by clicking [here](#).

If reporting any other form of misconduct, abuse or policy violations please complete the information below.

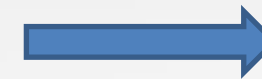
All reports are kept strictly confidential by SafeSport staff and appropriate committee members. Reports may be submitted anonymously, however, providing your contact information is helpful to a timely and thorough investigation. A person reporting alleged misconduct should not fear retribution when filing a report he/she believes is true.

NOTE: A report of abuse, misconduct or policy violation that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of the SafeSport policies and grounds for disciplinary action.

Information about the Person you are Reporting (Perpetrator)

First Name: Last Name: Age or approximate age:

Is the alleged misconduct sexual?



YES



Reporter is directed to the U.S. Center for SafeSport, where they complete their report and are promoted to notify law enforcement where appropriate.

NO

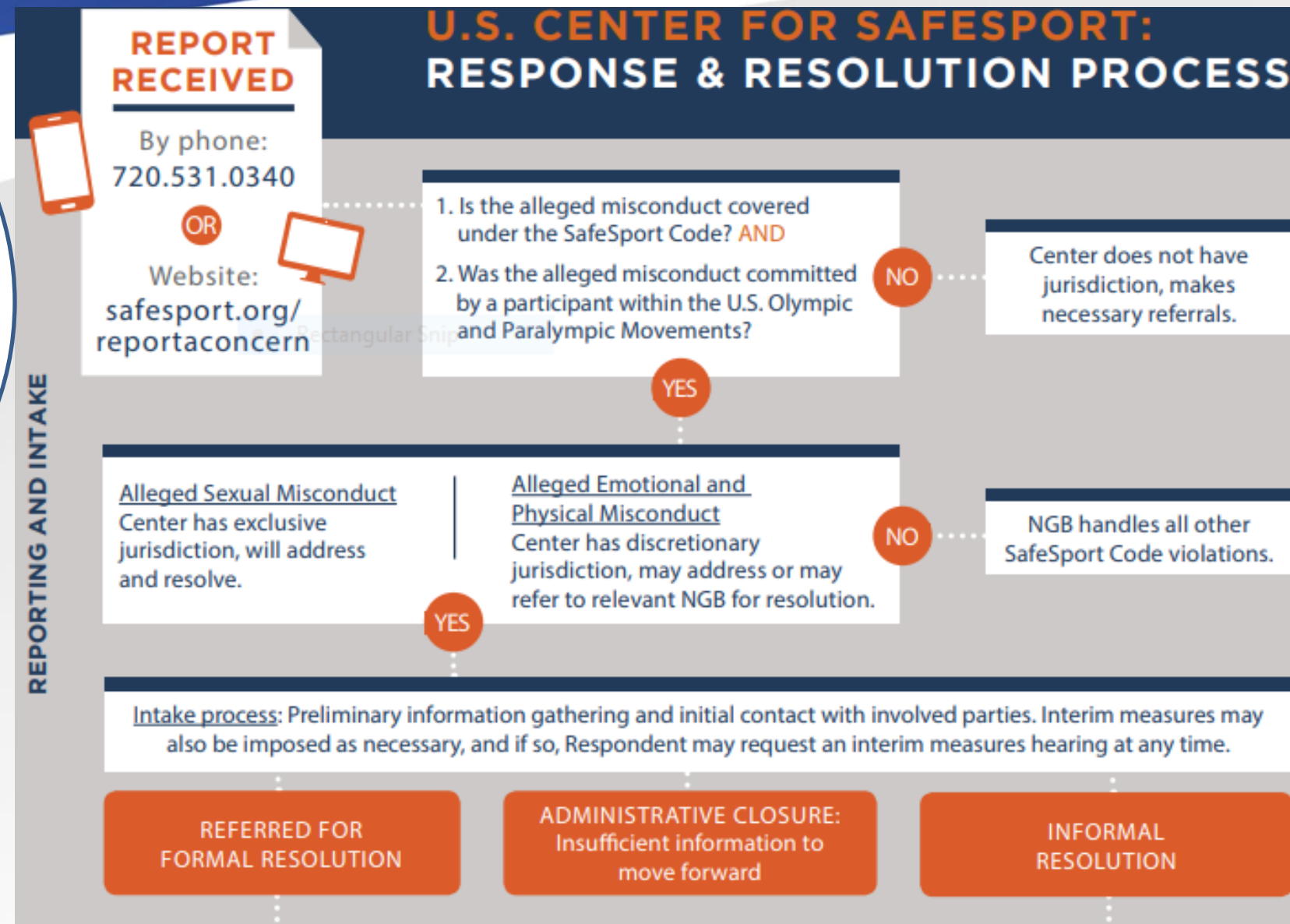


Reporter continues the report to U.S. Figure Skating.

What Happens When A Report is Filed?

... and it IS sexual misconduct?

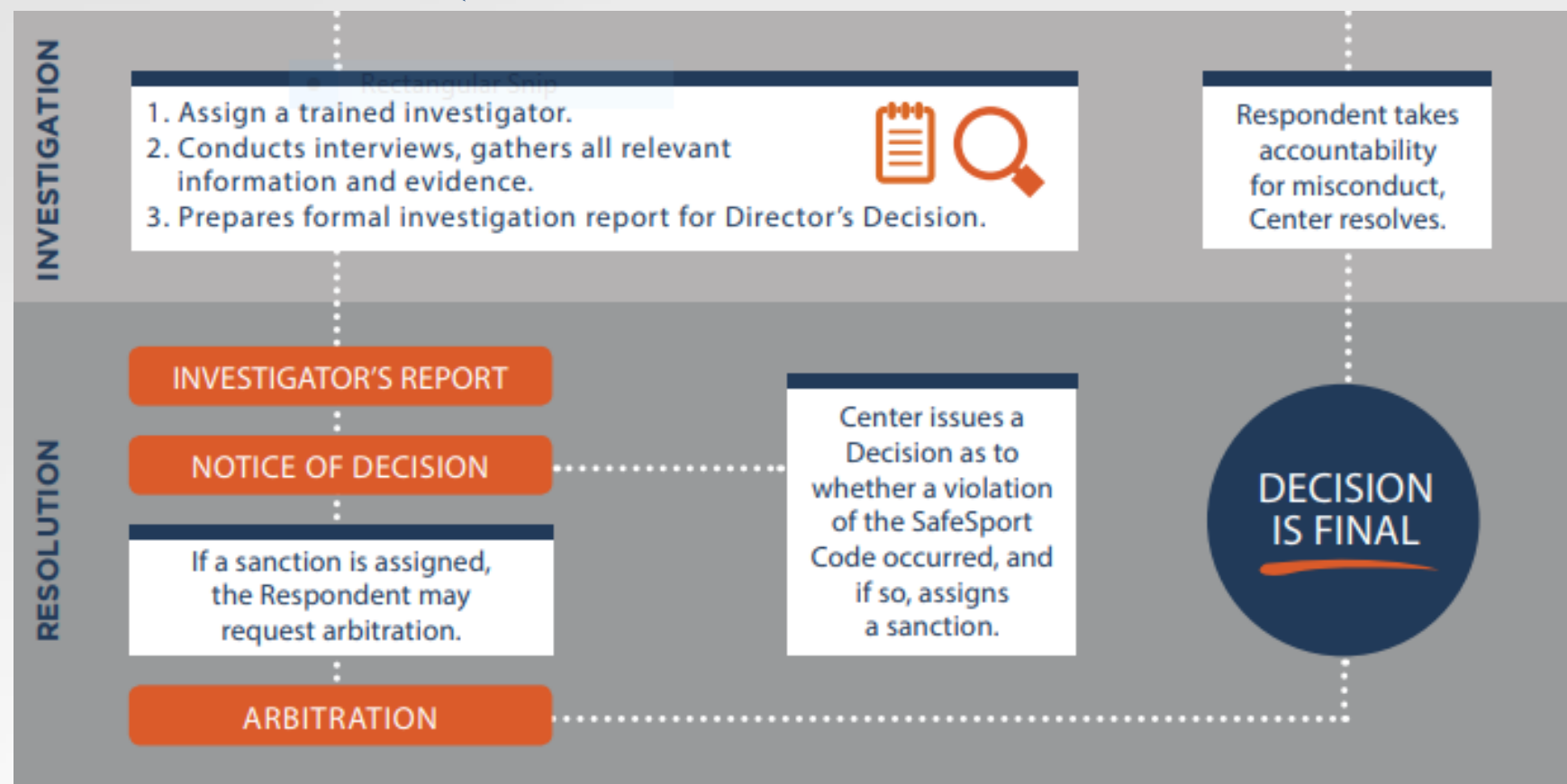
These procedures apply to the sexual misconduct reports where the U.S. Center for SafeSport has exclusive jurisdiction. Due to confidentiality, it is not uncommon for U.S. Figure Skating to have little to no information about the case status when the Center has jurisdiction.



What Happens When A Report is Filed?

... and it IS sexual misconduct?

This chart is a simplified view of the U.S. Center for SafeSport's Response and Resolution Process. Please refer to the full policies and SafeSport Code of Conduct at safesport.org/policies-procedures



What happens if the respondent disagrees?
If the respondent disagrees with the outcome they can ask for arbitration through an independent arbitrator.

Remember!

The Center for SafeSport uses a civil standard; not criminal. The only punitive measures it can take are regarding one's eligibility / membership in an NGB.

What Happens When A Report is Filed that is NOT sexual in nature?

Referral of SafeSport Complaints

ECR 4.04-4.05



- Ethics Rules provide for a referral of SafeSport Complaints to the Ethics Committee for the convening of a subcommittee process
- The determination of whether the issue presented in a complaint will be reviewed through a club or rink process, by the SafeSport Chair, or by the subcommittee process is made by the SafeSport Committee Chair and the Ethics Chair
- Some matters may also result in the filing of a Grievance

What Happens When A Report is Filed?

Notification of the Subcommittee

Process



- The Ethics Chair contacts the subject of the SafeSport Complaint and provides notice and an overview of the process
- The subject is provided a copy of the Complaint or a synopsis of the Complaint
- The subject has 14 days to provide an Answer to the Complaint
- The subject may identify relevant documents or witnesses

What Happens When A Report is Filed?

Effecting the Subcommittee process

ECR 4.06-4.08



- The Ethics Chair identifies appropriate Committee members for the Subcommittee, including the SafeSport Chair, and an Athlete member
- All materials are gathered by the Ethics Chair and provided to the Subcommittee members in advance of the meeting
- The Ethics Chair convenes the meeting and presents the concern
- The Subcommittee discusses the materials presented and the possible violation of the SafeSport Policy and/or Ethics rules
- The Subcommittee determines the appropriate response (dismissal or corrective action)

What Happens When A Report is Filed?

Possible Corrective Action

ECR 4.08-4.12

- When a violation of Policy or rules is determined, the subcommittee will determine what level of corrective action is appropriate
 - A private letter of admonition
 - A public letter of admonition
- A Letter of Admonition, whether private or public, remains in the member's file along with the initial complaint and the answer

What Happens When A Report is Filed?

Confidentiality ECR 4.12



- SafeSport Complaints may be anonymous and will be treated confidentially by the Committees throughout the process
- All participants in the subcommittee process must keep all information, including the complaint and the identities of the parties confidential until the process is finalized.

Questions?

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U.S. Center for SafeSport

www.safesport.org

(720) 531-0344 (Main)

(720) 531-0340 (Report a Concern)



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