



**Policy Name:** Athlete Protection Policy

**Policy Number:** ATH201912

**Adopted:** 08/25/2017

**Revised:** 12/05/2019

**Policy:**

In the event that any staff member observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse or misconduct, it is the personal responsibility of each staff member to immediately report his or her observations to the Director of Rowing, or the Central Ohio Rowing Board.

In the event that any volunteer observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse or misconduct, it is the personal responsibility of each volunteer to immediately report his or her observations. In the case of Board and committee members, to the Central Ohio Rowing Board President or Vice-President.

Central Ohio Rowing is committed to creating a safe and positive environment for athletes' physical, emotional and social development and to ensuring that it promotes an environment free of misconduct.

**Staff members and volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for reporting to appropriate law enforcement authorities.** Instead, it is the responsibility of each staff member and volunteer to immediately report suspicions or allegations of child physical or sexual abuse to a Director of Rowing or member of Central Ohio Rowing's Board. Complaints and allegations will be addressed under Central Ohio Rowing's Policies and Procedure.

Central Ohio Rowing recognizes that the process for training and motivating athletes will vary with each coach and athlete, but it is nevertheless important for everyone involved in sport to support the use of motivational and training methods that avoid misconduct.

**APPLICATION**

This Policy applies to:

- Central Ohio Rowing Board, coaches and volunteers

Board members, coaches, volunteers, athletes and participants shall refrain from all forms of misconduct, which include:

- Bullying
- Harassment
- Hazing
- Emotional misconduct
- Physical misconduct
- Sexual misconduct, including child sexual abuse



## PROHIBITED CONDUCT

### CHILD SEXUAL ABUSE

1. (1) Any sexual activity with a child where consent is not or cannot be given. This includes sexual contact with a child that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a child, regardless of whether there is deception, or the child understands the sexual nature of the activity.

**Note concerning peer--to--peer child sexual abuse:** Sexual contact between minors also can be abusive. Whether or not a sexual interaction between children constitutes child sexual abuse turns on the existence of an aggressor, the age difference between the children, and/or whether there is an imbalance of power and/or intellectual capabilities.

2. (2) Any act or conduct described as child sexual abuse under federal or state law.

### EXCEPTION

None

### EXAMPLES

Sexually abusive acts may include sexual penetration, sexual touching or non---contact sexual acts such as verbal acts, sexually suggestive electronic or written communications, exposure or voyeurism.

### EMOTIONAL MISCONDUCT

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

1. a) verbal acts
2. b) physical acts
3. c) acts that deny attention or support

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

### EXCEPTION

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

### EXAMPLES

Examples of emotional misconduct prohibited by this policy include, without limitation:



(1) **Verbal Acts.** A pattern of verbal behaviors that (a) attack an athlete personally (e.g., calling them worthless, fat or disgusting) or (b) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.

(2) **Physical Acts.** A pattern of physically aggressive behaviors, such as (a) throwing sport equipment, water bottles or chairs at, or in the presence of, participants; or (b) punching walls, windows or other objects.

(3) **Acts that Deny Attention and Support.** A pattern of (a) ignoring an athlete for extended periods of time or (b) routinely or arbitrarily excluding participants from practice.

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

## PHYSICAL MISCONDUCT

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

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

## EXCEPTIONS

Physical misconduct does not include professionally---accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athlete performance. For example, hitting, punching and kicking are well---regulated forms of contact in combat sports, but have no place in rowing.

## EXAMPLES

Examples of physical misconduct prohibited by this Policy include, without limitation: (1) **Contact offenses.** Behaviors that include:

- a) punching, beating, biting, striking, choking or slapping an athlete;
- b) intentionally hitting an athlete with objects or sporting equipment;
- c) providing alcohol to an athlete under the legal drinking age (under U.S. law, regardless of location of distribution);
- d) providing illegal drugs or non---prescribed medications to any athlete;
- e) encouraging or permitting an athlete to return to play pre---maturely following a serious injury (e.g., a concussion) and without the clearance of a medical professional;
- f) prescribing dieting or other weight---control methods (e.g., weigh---ins, caliper tests) without regard for the nutritional well-being and health of athlete.

(2) **Non-contact offenses.** Behaviors that include:

- a) isolating an athlete in a confined space (e.g., locking an athlete in a small space);



- b) forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface);
- c) withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.

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

## **SEXUAL MISCONDUCT**

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

***Note: An imbalance of power is always assumed between a coach and an athlete.***

## **TYPES OF SEXUAL MISCONDUCT**

Types of sexual misconduct include:

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

## **EXCEPTIONS**

None

## **EXAMPLES**

Examples of sexual misconduct prohibited under this Policy include, without limitation:

- (1) **Touching offenses.** Behaviors that include:
  - a) fondling an athlete's breasts or buttocks
  - b) exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favors
  - c) genital contact
  - d) sexual relations or intimacies between persons in a position of trust, authority and/or evaluative and supervisory control over athletes or other sport participants.



### **Comment**

**1. Authority and Trust.** *Once the unique coach---athlete relationship is established, the authority and trust on the part of the coach over the athlete shall be assumed, regardless of age. Accordingly, sexual interaction or intimacies between a coach and an athlete or other participant are prohibited, regardless of age, both during coaching and during that period following coaching if an imbalance in power could jeopardize effective decision---making.*

**2. Imbalance of Power.** *Factors relevant to determining whether there is an imbalance of power include, but are not limited to: (a) the nature and extent of the coach's supervisory, evaluative or other authority over the athlete being coached; (b) the actual relationship between the parties; (c) the parties' respective roles; (d) the nature and duration of the sexual relations or intimacies; (e) the age of the coach; (f) the age of the athlete or participant; (g) and whether the coach has engaged in a pattern of sexual interaction with other athletes or participants.*

**3. Exception.** *This section does not apply to a pre---existing relationship between two spouses or life partners.*

(2) **Non-touching offenses.** Behaviors that include:

- a) a coach discussing his or her sex life with an athlete
- b) a coach asking an athlete about his or her sex life
- c) a coach requesting or sending a nude or partial---dress photo to athlete
- d) exposing athletes to pornographic material
- e) sending athletes sexually explicit or suggestive electronic or written messages or photos (e.g. "sexting")
- f) deliberately exposing an athlete to sexual acts
- g) deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)
- h) sexual harassment; specifically, the sexual solicitation, physical advances, or

### **BULLYING**

Verbal or nonverbal conduct that is sexual in nature, and

- a) is unwelcome, offensive or creates a hostile environment, and the offending individual knows or is told this
- b) is sufficiently severe or intense to be harassing to a reasonable person in the context.

(1) An intentional, persistent and repeated pattern of committing or willfully tolerating physical and non---physical behaviors that are intended, or have the reasonable potential, to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership

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

### **EXCEPTIONS**

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



For example, bullying does not include verbal admonitions to encourage team members to train harder and to push through a difficult training regimen.

## EXAMPLES

Examples of bullying prohibited by this Policy include, without limitation:

(1) **Physical behaviors.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking or slapping an athlete; (b) throwing at, or hitting an athlete with, objects such as sporting equipment.

(2) **Verbal and emotional behaviors.** Behaviors that include (a) teasing, ridiculing, intimidating; (b) spreading rumors or making false statements; or (c) using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate ("cyber bullying").

## HARASSMENT

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

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

## EXCEPTIONS

None

## EXAMPLES

Examples of harassment prohibited by this Policy include, without limitation:

(1) **Physical offenses.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking or slapping an athlete or participant; (b) throwing at or hitting an athlete with objects including sporting equipment.

(2) **Non-physical offenses.** Behaviors that include (a) making negative or disparaging comments about an athlete's sexual orientation, gender expression, gender, disability, religion, race, skin color, national origin or ethnic traits; (b) displaying offensive materials, gestures or symbols; (c) withholding or reducing playing time to an athlete based on his or her sexual orientation.

## HAZING

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

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



## EXCEPTION

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

## EXAMPLES

Examples of hazing prohibited by this Policy include, without limitation:

- (1) requiring, forcing or otherwise requiring the consumption of alcohol or illegal drugs
- (2) tying, taping or otherwise physically restraining an athlete
- (3) sexual simulations or sexual acts of any nature
- (4) sleep deprivation, otherwise unnecessary schedule disruption or the withholding of water and/or food
- (5) social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule
- (6) beating, paddling or other forms of physical assault
- (7) excessive training requirements focused on individuals on a team

## WILLFULLY TOLERATING MISCONDUCT

It is a violation of this Athlete Protection Policy if a staff member and/or volunteer knows of misconduct but takes no action to intervene on behalf of the athlete(s), participant(s), staff member and/or volunteer. Every staff member and/or volunteer is obligated under this policy to report known misconduct.

## REPORTING

Although these policies are designed to reduce child sexual abuse and other misconduct, it can still occur. Staff members, and volunteers of Central Ohio Rowing shall follow the reporting procedures set forth in Central Ohio Rowing's Reporting Policy. **Central Ohio Rowing does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations, as a condition of reporting suspicions or allegations to the appropriate law enforcement authorities.**

## VIOLATIONS

Violations of the Athlete Protection Policy shall be reported pursuant to our Reporting Policy and will be addressed under our Disciplinary Rules and Procedure.

## ATHLETE ABUSE PREVENTION POLICIES

### APPLICATION

This policy shall apply to:

- 1) Any adult authorized by Central Ohio Rowing to have regular contact with or authority over an amateur athlete who is a minor; and



2) All full- and part-time employees, administrators, board members, coaches, and volunteers that have regular contact with minor athletes.

## **SUPERVISION OF ATHLETES AND PARTICIPANTS**

During training and competition, Central Ohio Rowing strives to create two-deep leadership and minimize one-to-one interactions to create a safe training environment and to protect athletes and participants.

## **APPROPRIATE ONE-ON-ONE INTERACTIONS**

### **INDIVIDUAL MEETINGS**

An individual meeting may be necessary to address an athlete's concerns, training program or competition schedule. One on one meetings are not encouraged but may occur if the meeting is fully observable and easily interruptible. Under these circumstances, coaches, staff members and volunteers are to observe the following guidelines.

- Any individual meeting should occur when others are present and where interactions can be easily observed and interrupted.
- Where possible, an individual meeting should take place in a publicly visible and open area, such as the corner of a boathouse or rowing dock.
- If an individual meeting is to take place in an office, the door should remain unlocked and open.
- If a closed-door meeting is necessary, the coach and/or volunteer must inform another coach, board member and/or volunteer and ensure the door remains unlocked.
- Meetings between adults and minor athletes at a facility partially or fully under Central Ohio Rowing jurisdiction may only occur if another adult is present, except under emergency circumstances. Such meetings must occur where • If a one-on-one meeting takes place in an office at a facility partially or fully under our jurisdiction, the door to the office must remain unlocked and open. If available, it will occur in an office that has windows, with the windows, blinds, and/or curtains remaining open during the meeting.

### **MEETINGS WITH MENTAL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS**

If a mental health care professional and/or health care provider meets with minor athletes at a facility partially or fully under our jurisdiction, a closed-door meeting may be permitted to protect patient privacy provided that: (1) the door remains unlocked; (2) another adult is present at the facility; (3) the other adult is advised that a closed-door meeting is occurring; and (4) written legal guardian consent is obtained in advance by the mental health care professional and/or health care provider, with a copy provided to our organization.

### **INDIVIDUAL TRAINING SESSIONS**

An individual training session(s) with an athlete or participant may also be desired or necessary. Under these circumstances, written permission of a minor athlete's parents or guardians is required in advance of the individual training session(s), and Central Ohio Rowing encourages parents and guardians to attend the training session.

### **PROHIBITED ONE-ON-ONE INTERACTIONS**





Except as set forth above, minor athletes and participants will not be left unattended or unsupervised during Central Ohio Rowing activities, including being left alone on shore during water practice time, and Central Ohio Rowing coaches, board members and/or volunteers are prohibited from being alone with an individual athlete or participant in any room or building.

### **EXCEPTION: ONE-ON-ONE INTERACTIONS**

Minor athletes and participants may be placed in one-to-one interaction in a coaching launch during an on-the-water practice session. During this period, the launch should remain in visible and audible contact with the crews on the water.

### **PHYSICAL CONTACT WITH ATHLETES**

Appropriate physical contact between athletes and coaches, staff members, contractors or volunteers is a productive and inevitable part of sport. Athletes are more likely to acquire advanced physical skills and enjoy their sport participation through appropriate physical contact. However, guidelines for appropriate physical contact reduce the potential for misconduct in sport.

### **APPROPRIATE PHYSICAL CONTACT**

Central Ohio Rowing adheres to the following principles and guidelines in regard to physical contact with our athletes.

### **COMMON CRITERIA FOR APPROPRIATE PHYSICAL CONTACT**

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

- the physical contact takes place in public
- there is no potential for, or actual, physical or sexual intimacies during the physical contact

#### **SAFETY**

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

- spotting an athlete so that they will not be injured by a fall or piece of equipment
- positioning an athlete's body so that they more quickly acquire an athletic skill, get a better sense of where their body is in space, or improve their balance and coordination
- making athletes aware that they might be in harm's way because of other athletes practicing around them or because of equipment in use
- releasing muscle cramps

#### **CELEBRATION**

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

- greeting gestures such as high-fives, fist bumps, and brief hugs
- congratulatory gestures such as celebratory hugs, "jump-arounds" and pats on the



back for any form of athletic or personal accomplishment

### **CONSOLATION**

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

- embracing a crying athlete
- putting an arm around an athlete while verbally engaging them in an effort to calm them down ("side hugs")
- lifting a fallen athlete off the dock

### **PROHIBITED PHYSICAL CONTACT**

Prohibited forms of physical contact, which shall be reported immediately under our Reporting Policy include, without limitation:

- asking or having an athlete sit in the lap of a coach, administrator, staff member or volunteer
- lingering or repeated embraces of athletes that go beyond the criteria set forth for acceptable physical contact
- slapping, hitting, punching, kicking or any other physical contact meant to discipline, punish or achieve compliance from an athlete
- "cuddling" or maintaining prolonged physical contact during any aspect of training, travel or overnight stay
- playful, yet inappropriate contact that is not a part of regular training (e.g., tickling or "horseplay" wrestling)
- continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not
- any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment.

### **VIOLATIONS**

Violations of this policy must be reported to a supervisor, Central Ohio Rowing administrator or member of the Disciplinary Committee, and violations will be addressed under our Disciplinary Rules and Procedure. Some forms of physical contact may constitute child physical or sexual abuse that must be reported to appropriate law enforcement authorities.

### **LOCKER ROOMS AND CHANGING AREAS**

The following guidelines are designed to maintain personal privacy, as well as to reduce the risk of misconduct in locker rooms and changing areas.

#### **Application**

This policy shall apply to:

- 1) Any adult authorized by Central Ohio Rowing to have regular contact with or authority over an amateur athlete who is a minor; and
- 2) All full- and part-time employees, administrators, board members, coaches, and volunteers that have regular contact with minor athletes. (\* Collectively referred to as "Applicable Adults" in this policy.)



### **Non-exclusive facility**

If Central Ohio Rowing uses a facility not fully under their jurisdiction (for, e.g., training or competition or similar events) and the facility is used by multiple constituents, Applicable Adults in categories 1 and 2 above are nonetheless required to adhere to the rules set forth herein.

### **Use of recording devices**

Use of any device's (including a cell phone's) recording capabilities, including voice recording, still cameras and video cameras in locker rooms, changing areas, or similar spaces at a facility under our organization's jurisdiction is prohibited. Exceptions may be made for media and championship celebrations, provided that such exceptions are approved by Central Ohio Rowing and two or more Applicable Adults are present.

### **Undress**

Under no circumstances shall an Applicable Adult at a facility under Central Ohio Rowing's or a Member Organization's jurisdiction intentionally expose his or her breasts, buttocks, groin, or genitals to a minor athlete.

### **One-on-one interactions**

Applicable Adults are not permitted to be alone with a minor athlete in a locker room or changing area when at a facility under Central Ohio Rowing's partial or full jurisdiction, except under emergency circumstances.

If Central Ohio Rowing is using a facility that only has a single locker room or changing area, separate times will be designated for use by gender and for Applicable Adults, if any.

### **Monitoring**

Central Ohio Rowing will regularly and randomly monitor the use of locker rooms and changing areas at facilities under their jurisdiction to ensure compliance with these policies.

### **General Locker Room Protocols**

To minimize the risk of bullying and hazing, Central Ohio Rowing will ensure that minor athletes are not left unsupervised in locker rooms and changing areas.

Applicable Adults make every effort to recognize when a minor athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, will check on the minor athlete's whereabouts.

Parents are discouraged from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent when other minor athletes are changing in the locker room or changing area. The parent will notify a coach or administrator in advance or entering the locker room.



When travelling for competition or training, the facilities may differ from location to location. Central Ohio Rowing will work with the local organizing committee to provide as much information about the locker room and changing areas as early as possible and post that information as soon as it's available.

## **Central Ohio Rowing LOCKER ROOM MONITORING POLICIES**

Central Ohio Rowing sometimes has staggered practices, with different groups arriving and departing throughout the day. It is therefore not practical to constantly monitor locker rooms and changing areas over this extended course of time. While we do not post staff members inside or at the doors of the locker rooms and changing areas, we do make occasional sweeps of these areas. Staff members conduct these sweeps, with women checking on female-designated areas and men checking on male-designated areas.

Coaches and staff make every effort to recognize when an athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, will check on the athlete's whereabouts.

We discourage parents from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent. If this is necessary, parents should let the coach or administrator know about this in advance.

If an athlete needs assistance with his or her uniform or gear or an athlete's disability warrants assistance, then we ask that parents let the coach, or an administrator know beforehand that he or she will be helping the athlete.

## **RESPONDING TO ABUSE, MISCONDUCT AND POLICY VIOLATIONS**

### **REPORTING POLICY**

Every Central Ohio Rowing staff member and/or volunteer must report:

- (1) violations of the Participant Safety Handbook,
- (2) misconduct as defined in Central Ohio Rowing's Athlete Protection Policy, and (3) suspicions or allegations of child physical or sexual abuse.

**As a matter of policy, Central Ohio Rowing does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations as a condition for reporting to the appropriate law enforcement authorities.**

### **REPORTING CHILD PHYSICAL OR SEXUAL ABUSE**

#### ***CHILD PHYSICAL OF SEXUAL ABUSE***

Central Ohio Rowing will forward all reports of child physical or sexual abuse to the Center for SafeSport and local authorities.

#### ***CHILD PHYSICAL OF SEXUAL ABUSE***



Board members, coaches, athletes and volunteers are required to report suspicions or allegations of child sexual abuse by a colleague or co-worker, to:

- (1) The Board Vice-President: [vicepresident@centralohiorowing.org](mailto:vicepresident@centralohiorowing.org) and the Director of Rowing [dor@centralohiorowing.org](mailto:dor@centralohiorowing.org)
- (2) appropriate law enforcement authorities, where applicable.

## GROOMING

Because sexual abusers "groom" children for abuse – the process used by offenders to select a child, to win the child's trust (and the trust of the child's parent or guardian), to manipulate the child into sexual activity and to keep the child from disclosing abuse – it is possible that a staff member and/or volunteer may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected grooming behavior should be directed to the Board Vice-President: [vicepresident@centralohiorowing.org](mailto:vicepresident@centralohiorowing.org)

## PEER-TO-PEER SEXUAL ABUSE

Approximately 1/3 of all child sexual abuse occurs at the hands of other children and the obligation to report extends to peer-to-peer child sexual abuse. Whether or not a sexual interaction between children constitutes child sexual abuse turns on the existence of an aggressor, the age difference between the children, and/or whether there is an imbalance of power or intellectual capabilities. **If you have any concerns that an interaction between children may constitute sexual abuse, report it to the appropriate law enforcement authorities and a Central Ohio Rowing Board member and/or the Director of Rowing immediately..**

## REPORTING MISCONDUCT AND POLICY VIOLATIONS

If any staff member and/or volunteer receives an allegation or observes misconduct or other inappropriate behavior, such as grooming, that is not reportable to the appropriate law enforcement authorities, it is the responsibility of each staff member and/or volunteer to report their observations to:

- (1) the Director of Rowing, [dor@centralohiorowing.org](mailto:dor@centralohiorowing.org) and
- (2) The Board Vice-President: [vicepresident@centralohiorowing.org](mailto:vicepresident@centralohiorowing.org)

Central Ohio Rowing also encourages member parents, athletes and other sport participants to communicate violations of Central Ohio Rowing's Participant Safety Handbook and/or allegations and suspicions of child physical and sexual abuse to a Central Ohio Rowing administrator. Where applicable, parents may also report to the appropriate law enforcement authorities.

## REPORTING PROCEDURE

### HOW TO REPORT

Central Ohio Rowing will take a report in the way that is most comfortable for the person initiating a report including an anonymous, in-person, verbal or written report. Regardless of how you choose to report, it is helpful to Central Ohio Rowing for individuals to provide, at a minimum,



(1) the name of the complainant(s);

(2) the type of misconduct alleged, and the name(s) of the individual(s) alleged to have committed the misconduct.

## REPORTING FORM

Individuals reporting child physical or sexual abuse or other misconduct may complete an Incident Report Form (contained at the end of this document.) Information on this form will include:

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

Central Ohio Rowing will withhold the complainant's name on request, to the extent permitted by law. A copy of Central Ohio Rowing's Reporting Form can be found [at the end of this policy](#).

## CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS

### CONFIDENTIALITY

To the extent permitted by law, and as appropriate, Central Ohio Rowing will keep confidential the complainant's name on request, not make public the names of potential victims, the accused perpetrator or the people who made a report of child physical and sexual abuse to the authorities.

### ANONYMOUS REPORTING

Central Ohio Rowing recognizes it can be difficult for an athlete, teammate, friend or family member to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. **Anonymous reports may be made without the formality of completing an Incident Report Form:**

- by completing the Reporting Form without including their name
- by expressing concerns verbally to a Central Ohio Rowing board member and/or Director of Rowing
- through e-mail, or letter directed to a Central Ohio Rowing board member and/or Director of Rowing.

**However, anonymous reporting may make it difficult for Central Ohio Rowing to investigate or properly address allegations.**

All suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities.

### "WHISTLEBLOWER" PROTECTION



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

## **BAD-FAITH ALLEGATIONS**

A report of abuse, misconduct or policy violations that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of our Participant Safety Handbook and grounds for disciplinary action. Depending on the nature of the allegation, a person making a malicious, frivolous or bad-faith report may also be subject to civil or criminal proceedings.

## **HOW REPORTS ARE HANDLED**

### **SUSPICIOUS OR ALLEGATIONS OF CHILD PHYSICAL OR SEXUAL ABUSE *Reporting to Law Enforcement and/or Child Protective Services***

An independent investigation can harm youth and/or interfere with the legal investigative process. **Central Ohio Rowing, its staff members and/or volunteers do not attempt to evaluate the credibility or validity of child physical or sexual abuse as a condition for reporting to appropriate law enforcement authorities.** As necessary, however, Central Ohio Rowing may ask a few clarifying questions of the minor or person making the report to adequately report the suspicion or allegation to law enforcement authorities.

**Volunteer reference for mandatory reporting laws, visit:**

<https://www.childwelfare.gov>

## **IMMEDIATE SUSPENSION OR TERMINATION**

When an allegation of child physical or sexual abuse is made against a staff member, youth and/or volunteer, Central Ohio Rowing may immediately remove that individual from contact with any children in the program until the allegation has been investigated by an official agency. As necessary, the Central Ohio Rowing Board may suspend or change the assignment of a staff member and/or volunteer without a hearing.

**In those cases where the Ted Stevens Act may apply, the accused individual will be offered a hearing. This is outlined under a separate section of this handbook. A hearing under the Ted Stevens Act will not necessarily affect Central Ohio Rowing's ability to immediately suspend or terminate the accused individual from employment or performing services for the organization. A hearing conducted under these circumstances will be made using the expedited Central Ohio Rowing grievance process.**

A staff member or volunteer's failure to report is a violation of this policy and grounds for termination of a staff member and/or dismissal of a volunteer.

## **MISCONDUCT AND POLICY VIOLATIONS**



Central Ohio Rowing addresses internally alleged policy violations and misconduct – bullying, harassment, hazing, emotional, physical and sexual – that are not reportable under relevant state or federal law. Staff members and volunteers must report policy violations and misconduct to an Director of Rowing or Central Ohio Rowing Board member.

Central Ohio Rowing may also investigate allegations of child physical or sexual abuse that are reportable, if such investigation does not interfere with any ongoing criminal investigation or prosecution for abuse. Such allegations may include:

1. Emotional abuse
2. Abuse reported outside the relevant statutes of limitation
3. Allegations of abuse that were reported to authorities, but:
  - (a) legal authorities did not press criminal charges;
  - (b) criminal charges were filed, but not pursued to trial; or
  - (c) the alleged offender was acquitted at trial

## **NOTIFICATION**

Following Central Ohio Rowing's notice of a credible allegation that results in the removal of an employee, coach or other volunteer, Central Ohio Rowing may consider the circumstances in which it will notify other parents of athletes with whom the accused individual may have had contact. In Central Ohio Rowing's discretion, as appropriate, and after consultation with counsel, Central Ohio Rowing may notify its staff members, contractors, volunteers, parents, and/or athletes of any allegation of child physical or sexual abuse or other criminal behavior that (1) law enforcement authorities are actively investigating; or (2) that Central Ohio Rowing is investigating internally. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.

## **DISCIPLINARY RULES AND PROCEDURE**

### **APPLICATION**

This Policy is used to address the following allegations against staff members, athletes, participants and/or volunteers:

- Violations of Central Ohio Rowing's policies
- Child abuse (physical or sexual), where Central Ohio Rowing's actions will not undermine an ongoing legal investigation or criminal prosecution

**Central Ohio Rowing will not enter into an investigation that undermines a pending legal investigation or criminal prosecution.**

### **DISCIPLINARY RULES**

On receipt of an allegation, Central Ohio Rowing will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused and (iii) the nature, scope and extent of the allegations.





Central Ohio Rowing will address allegations against a staff member and/or volunteer under relevant organizational policies (e.g., Employment Policies and Procedures, and Bylaws).

Central Ohio Rowing's disciplinary response will depend on the nature and seriousness of the incident, and in extreme cases, misconduct will result in summary dismissal. Central Ohio Rowing may undertake a formal investigation and hearing at its discretion. Before taking any disciplinary action, however, Central Ohio Rowing will offer the accused an opportunity to respond.

If the accused individual is a minor, Central Ohio Rowing will contact his or her parents or guardians.

### **DISCIPLINARY ACTION**

Sanctions for violations of the Participant Safety Handbook will be proportionate and reasonable under the circumstances. In addition to day-to-day guidance, Central Ohio Rowing may take the following disciplinary actions, without limitation:

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

### **ONGOING EMPLOYMENT AND/OR PARTICIPATION**

Upon receipt of a credible and specific allegation of child abuse or other serious misconduct (e.g., physical and sexual abuse as defined in our Athlete Protection Policy), Central Ohio Rowing may immediately suspend or terminate the accused individual to ensure participant safety.

### **COMPLAINANT PROTECTION**

Regardless of outcome, Central Ohio Rowing will support the complainant(s) and his or her right to express concerns in good faith. Central Ohio Rowing will not encourage or tolerate attempts from any individual to retaliate, punish or in any way harm any individual(s) who reports a concern in good faith. Such actions themselves will be grounds for disciplinary action.

### **BAD-FAITH ALLEGATIONS**



Any individual who alleges misconduct under the Participant Safety Handbook that, upon review, is determined to be malicious, frivolous or made in bad faith will be a violation of our Participant Safety Handbook. Bad-faith reports may also be subject to criminal or civil proceeding.

## **INVESTIGATION AND ADJUDICATION FOR RESOLVING ALLEGATIONS UNDER THE TED STEVENS ACT**

Central Ohio Rowing utilizes this Investigation and Adjudication procedure to resolve those allegations that are governed by the Ted Stevens Act. A hearing under the Ted Stevens Act will not necessarily affect Central Ohio Rowing's ability to immediately suspend or terminate an accused individual.

On receipt of:

- (1) an allegation of misconduct, as defined in Central Ohio Rowing's Athlete Protection Policy, that does not involve child physical or sexual abuse
- (2) an adverse employment determination by a local club for emotional, physical or sexual misconduct as set forth in Central Ohio Rowing's Athlete Protection Policy

Central Ohio Rowing shall determine the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused and (iii) the nature, scope and extent of the allegations. Such steps may include, without limitation:

- The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual
- Formal investigation and hearing
- Retention of legal counsel or investigation services to investigate and/or make a recommendation as to whether a violation of the relevant policy has occurred and/or a recommendation as to the appropriate sanction

Where serious allegations of misconduct are at issue (e.g., physical and sexual misconduct as defined in our Athlete Protection Policy), Central Ohio Rowing may elect in its discretion to undertake a full investigation and hearing before determining the appropriate disciplinary action. **This investigation and/or hearing will in no way interfere with an ongoing criminal investigation or prosecution.**

## **SUSPENSION BEFORE FINAL RESOLUTION**

If the reported complaint or employment/membership decision by Central Ohio Rowing indicates that an individual's continued employment, membership or participation poses a risk of ongoing physical or emotional harm, Central Ohio Rowing may wish to suspend the accused individual pending final resolution of the complaint to eliminate any danger to an athlete, sport participant or other individual. In such instances, Central Ohio Rowing will provide the individual with notice and offer her/him an opportunity to contest the suspension.

Central Ohio Rowing may suspend the accused individual where there is a reasonable belief that the individual has committed emotional, physical or sexual misconduct. Evidence that may be found sufficient to support a reasonable belief includes, at a minimum:

- the suspension or termination of employment or membership by Central Ohio Rowing



- other legal documentation or report supporting a reasonable belief that the individual has committed emotional, physical or sexual misconduct, including abuse of a child (e.g., a criminal indictment).

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 Central Ohio Rowing. Any suspension before final resolution may be appealed to the Central Ohio Rowing Board at the written request of the accused individual within 10 days of the suspension.

## INVESTIGATION

As appropriate, and at its discretion, Central Ohio Rowing may institute a formal investigation and hearing procedure to address serious allegations of misconduct (e.g., physical and sexual misconduct). However, Central Ohio Rowing anticipates that an investigation and hearing will be undertaken to address only the most serious allegations and patterns of behavior that warrant significant sanctions. **Accordingly, Central Ohio Rowing anticipates that this disciplinary procedure will be used rarely.**

If an investigation is conducted, the complainant, victim and accused individual shall have the right to:

- (1) Receive written notice of the report or complaint, including a statement of allegations
- (2) Present relevant information to the investigator(s)
- (3) Legal counsel, at his or her own expense

## HEARING

### PROCEDURAL SAFEGUARDS

In every case where a hearing is warranted pursuant to this Policy, adjudication shall be conducted that shall in all cases comply with Central Ohio Rowing's Procedures as outlined its Policy Manual. The adjudication shall further conform to the provisions and principles set out hereafter.

However, deviations in one or more of the procedural safeguards are permitted, provided the following conditions are satisfied:

1. a) The individual is informed of the allegations and evidence brought against him or her in writing by Central Ohio Rowing
2. b) The individual is given a reasonable opportunity to respond to the allegations brought forward
- c) The individual may be represented by legal counsel at his or her expense
4. d) The panel member(s) who make the determination are free of conflicts of interests and render an unbiased decision
5. e) There is a right to appeal the panel's decision

### PRELIMINARY DETERMINATION



On receipt of a disclosure and/or additional information made pursuant to this Policy, if the Central Ohio Rowing 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 Central Ohio Rowing Board President by filing a petition.

## **NOTICE**

The accused individual will be notified of a specific date and time to ensure that he or she is available for the hearing. Unless Central Ohio Rowing 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, provided that the counsel's participation may be subject to the reasonable hearing rules related to the conduct of the hearing.

## **TIMING**

Central Ohio Rowing shall have the authority to set timelines and other rules regarding the proceeding and the conduct of the hearing, as it deems necessary.

On request of the accused individual, and provided that it is necessary to expedite the proceeding to resolve a matter relating to scheduled training or competition, Central Ohio Rowing may render an expedited determination.

## **EVIDENCE**

At the hearing, the accused individual will be allowed to present any reasonable evidence or argument that he or she wishes the Panel to consider. The Panel may require or permit documentary evidence, such as the written report of any investigator or other fact-finder, before the hearing and that the names of any witnesses be disclosed before the hearing. The Panel may also consider a local Central Ohio Rowing organization's employment determination as evidence to be considered.

If the complainant/alleged victim(s) is a minor, the investigator's or other fact-finder'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 Grievance Panel.

Central Ohio Rowing may proceed in the accused individual's absence if it cannot locate the individual or if the individual declines to attend the hearing.

## **FINDINGS AND SANCTIONS**

The Panel has the discretion to impose sanctions on the individual if it finds, based on a preponderance of the evidence, that emotional, physical or sexual misconduct has occurred.

The Panel will communicate its finding to the individual. The Panel may impose sanctions on the individual in its findings.

Any sanctions imposed by the Panel against the individual must 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 Grievance Panel shall consider:

- a) The legitimate interest of Central Ohio Rowing in providing a safe environment for its participants
- b) The seriousness of the offense or act
- c) The age of the accused individual and alleged victim when the offense or act occurred
- d) Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct
- e) The effect on the Central Ohio Rowing's reputation
- f) Whether the individual poses an ongoing concern for the safety of Central Ohio Rowing's athletes and participants
- g) 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 Central Ohio Rowing for a period of time. Suspensions from sport involvement with Central Ohio Rowing may be temporary or permanent. The most severe sanction possible to impose will be permanent suspension from sport involvement and expulsion from Central Ohio Rowing.

For the purposes of this Policy, a suspension from sport involvement shall mean that the individual may not participate in any capacity or in any role in the business, events or activities of the relevant organization or its affiliated members for the duration of the period of suspension.

## **CONFIDENTIALITY**

The conduct of the hearing will be private. If the Panel determines that the individual has violated policy, it may publish its decision or a brief summary of its decision, unless the accused is a minor. However, if the individual appeals, the summary of the panel's decision will not be disclosed until an appellate decision has been made.

If the Panel determines the accused individual did not violate the relevant policy, the panel will publish a summary only at the individual's written request.

## **APPEAL**

If the individual disagrees with the finding or sanction of the panel and wishes to appeal, he or she may file an appeal with the Central Ohio Rowing Board within 10 days of the Central Ohio Rowing's finding. On appeal, the Central Ohio Rowing Board will address the merits of Central Ohio Rowing's decision *de novo*, and not the process that was utilized. A decision rendered by the Central Ohio Rowing Board shall be final and binding on all parties.



## Reporting Form

**DATE OF SUBMISSION:** \_\_\_\_\_

**SECTION I: *This section is about the individual you are reporting. Please provide as much information as possible.***

1. Name of Individual you are reporting (First & Last):
2. Age or Approximate Age:
3. Gender: Male/Female
4. Address (City, State required):
5. Position(s) this individual holds or held (please circle all that apply):  
Head Coach / Assistant Coach / Club Employee/ Volunteer / Official / Other / Not sure
6. Club where individual works and/or volunteers or worked/volunteered previously:  
Comments:

**SECTION II: *This section asks questions about the incident or incidents you are reporting. Please provide as much specific information as you are able.***

7. Type of Offense (i.e. what happened?):
  
  
  
  
  
  
  
  
  
  
8. Where did the incident or incidents take place? (City, State and any other available location information):
  
  
  
  
  
  
  
  
  
  
9. Please Describe what happened (including who, what, when, where)

**SECTION III: *This section is for information about the victim or victims. If you are the victim and wish to remain anonymous, you may do so. In that case, please enter only your age, city, state, and club affiliation.***

10. Name:
11. Age (or approximate age):
12. Club affiliation (if any):
13. Contact phone number (Note, if this person is under 18, please provide contact information for his/her parent or guardian):



14. Contact e-mail address (if this individual is under 18, please provide contact information for parent or guardian):

15. Gender: Male / Female

#### **SECTION IV: Your Information**

***You may remain anonymous if you wish. However, providing your information is vastly helpful to a swift and effective investigation. A person reporting alleged misconduct should not fear any retribution and/or consequence when filing a report, he or she believes to be true.***

16. Name:

17. Phone number:

18. E-mail address:

19. Club affiliation (if any):

20. Relationship to victim

#### **SECTION V: Other Information**

21. If you have any other information that you feel would be helpful to an investigation of the alleged offense you have reported, please enter it here: