



# **Safe Sport Program**

Handbook | Version 2018



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## INTRODUCTION

The mission of USA Wrestling, as guided by the Olympic Spirit, is to provide quality opportunities for its members to achieve their full human and athletic potential. Our goal is to encourage participation and the pursuit of excellence in all aspects of wrestling. USA Wrestling has long had systems in place to protect its participants from physical abuse, sexual abuse and other types of abuse and misconduct that can be harmful to youth athletes and other participants. The safety of its athletes, coaches, and volunteers is of paramount importance to USA Wrestling. This includes both on-mat and off-mat safety.

Conduct that is prohibited or regulated by the USA Wrestling Rule Book and Guide To Wrestling (e.g., illegal moves, brutality incidents, yelling at an official or opponent, and complaints related to officiating etc.), are not intended to be covered by the Safe Sport Program policies and are instead to be addressed and/or penalized under the USA Wrestling Rule Book and Guide To Wrestling, and other Codes of Conduct or Ethics.

USA Wrestling's Safe Sport Policy and this Safe Sport Handbook address off-mat safety in any part of USA Wrestling's programs. This Handbook includes the various Policies that apply to all USA Wrestling Member Programs. It further includes (1) the available resources and required Training of USA Wrestling, and its Member Programs', employees, volunteers, administrators, coaches, parents and athletes on recognizing and reducing circumstances for potential misconduct to occur; (2) information on USA Wrestling's Screening and Background Check Program; (3) the availability and procedures for any person to Report suspected abuse or misconduct (including protections from any retaliation or repercussions for such reporting); (4) the procedures and means by which USA Wrestling and its Member Programs should Respond to allegations of abuse and misconduct; and (5) how USA Wrestling and its Member Programs will Monitor and Supervise this program to help ensure its effectiveness.

USA Wrestling is committed to creating the safest possible environment for participation in wrestling. We pledge to protect, support, and empower our athletes through this Safe Sport Program. USA Wrestling grants the privilege of membership to individuals and Member Programs committed to its mission. The privilege of membership may, therefore, be withdrawn or denied by USA Wrestling at any time where USA Wrestling determines that a member or prospective member's conduct is inconsistent with the mission of the organization or the best interest of the sport and those who participate in it.

Questions about the USA Wrestling Safe Sport Program, or reports concerning possible violations of the Safe Sport Program Policies, may be delivered to USA Wrestling's Director of Safe Sport by emailing to [dprochnow@usawrestling.org](mailto:dprochnow@usawrestling.org), or calling 719.598.8181 ext. 636.



USA Wrestling's Safe Sport Program mirrors the component pieces of the USSCS SafeSport:





## DEFINITIONS AND INTERPRETATION

The following terms and phrases shall have the meaning ascribed to them below wherever used in this SafeSport Handbook:

**"Athlete"** shall mean an individual who is listed as an athlete under USA Wrestling membership at all relevant times.

**"Covered Individuals"** shall collectively mean:

- 1) Any individual who currently is, or was at the time of a possible SafeSport Code Violation, within the governance or disciplinary jurisdiction of the NGB, and/or who is seeking to be within the governance or disciplinary jurisdiction of the NGB, for example through application for membership;
- 2) All individuals, both athletes and Non-athlete Participant, an NGB or the USOC formally authorizes, approves or appoints (i) to a position of authority over Athletes or (ii) to have frequent contact with Athletes; and
- 3) USA Wrestling (as an NGB) has determined that Covered Individuals within USA Wrestling Safe Sport Policy also includes:
  - a) All persons serving as a member of USA Wrestling's Board of Directors, on a national level council, committee or section, or in any other similar positions appointed by USA Wrestling.
  - b) All coaches, officials or staff (e.g., trainers, medical, equipment managers) for any USA Wrestling team, camp or national level program.
  - c) All USA Wrestling national staff.
  - d) Any other person that is authorized or appointed by USA Wrestling, or a Member Program, to a) a position of authority over Athletes, or, b) to interact with Minor Athletes, including but not limited to, vendors, media, and volunteer staff.

**"knows or should know"** is used in certain sections of this Handbook with reference to a responsible adult that has knowledge of certain prohibited activities or conduct or, had that adult been properly performing their responsibilities, would have had knowledge of the prohibited activities or conduct.

**"Member Programs"** means and includes (individually and collectively, as the context requires) all USA Wrestling State Associations, chartered clubs, and sanctioned events.

**"Parent"** shall mean and refer to a parent and/or guardian, as appropriate.

**"Participant" or "participant"** means and includes any person that is registered as a member with USA Wrestling (if a minor this includes parent/or guardian), and further includes, even if not so registered, any person that has regular, routine or frequent access to or supervision over Covered Minors (including the parent or guardian), and all persons in a supervisory position of a USA Wrestling Member Program.

**"Responsible adult"** shall mean and refer to a person within a Member Program that has either been assigned or has assumed certain duties within a local chartered club or for a particular team regarding Covered Minors.



**"State Association"** shall mean and refer to those State Associations described in Article IX of USA Wrestling's Bylaws.

**"USOC"** shall mean and refer to the United States Olympic Committee.

**"USCSS"** shall mean and refer to the U.S. Center for SafeSport.

**"USCSS Policies & Procedures"** shall mean and refer to collectively those certain procedures adopted by the USCSS for the U.S. Olympic and Paralympic Movement's sport National Governing Bodies including but not limited to U.S. Center for SafeSport Code; SafeSport Practices and Procedures; and Supplemental Rules.



## SECTION I

# USA WRESTLING SAFE SPORT POLICY

USA Wrestling ("USAW") is committed to protecting, supporting and empowering all its athletes, coaches, officials, and volunteers. All training, practice, and competitions should be free of misconduct, abuse, or harassment in any form. USAW promotes good sportsmanship throughout the organization and encourages qualities of mutual respect, courtesy and tolerance in all athletes, participants, coaches, officials, volunteers and staff. USAW advocates training and education to help build a strong self-image among athletes. Athletes with a strong self-image may be less likely targets for misconduct, abuse or harassment; similarly, they may be less likely to engage in misconduct or to abuse, harass, bully, or haze others around them. All forms of misconduct referred to below shall be intolerable and in direct conflict with USAW and Olympic ideals.

As a member organization of the United States Olympic Committee (the "USOC"), USAW and Covered Individuals are required to comply with the SafeSport Code for the U.S. Olympic and Paralympic Movement (the "[SafeSport Code](#)") of the U.S. Center for SafeSport, including the related SafeSport Practices and Procedures for the U.S. Olympic and Paralympic Movement (the "SafeSport Practices and Procedures") and the Supplemental Rules for U.S. Olympic and Paralympic SafeSport Arbitrations (the "Supplemental Rules"). USAW may institute policies for hearings on Non-Sexual Misconduct that may vary from the SafeSport Practices and Procedures and its Supplemental Rules.

The SafeSport Code (along with definitions and examples of misconduct and reporting guidelines) and the SafeSport Practices and Procedures and the Supplemental Rules, as well as other policies, procedures and rules of USCSS, as any shall be amended from time-to-time, are adopted and incorporated into this Safe Sport Policy of USAW by this cross-reference. USCSS may update the SafeSport Code, the SafeSport Practices and Procedures, the Supplemental Rules, and any of its other policies, procedures and rules, at any time and the changes are effective when published. The most current SafeSport Code and related policies, procedures and rules of USCSS can be found at [www.safesport.org](http://www.safesport.org).

The SafeSport Code serves as the benchmark (minimum standards) by which USAW determines whether a Safe Sport Policy violation has occurred. USAW may place higher standards of conduct on its Covered Individuals as specifically set forth in the Proactive Policies below.

USAW has established this Safe Sport Policy for application to its members, athletes, participants, coaches, officials, any volunteers (including Directors, Officers and committee members of USAW and its State Associations and volunteers under their authority), and USAW staff. Covered Individuals must observe and adhere to the provisions of this Safe Sport Policy and successfully complete the online training for SafeSport.

As the national governing body (NGB) for wrestling in the United States, USA Wrestling has delegated the jurisdiction and authority to the U.S. Center for SafeSport to (1) investigate all reports or allegations of Sexual Abuse, Child Abuse, or Sexual Misconduct (as defined by the U.S. Center for SafeSport), (2) issue any interim suspension or measures pending conclusion of the investigation, (3) make recommendations of sanctions or disciplinary action as a result of such investigation, and (4) adjudicate such matter.





**The Policies below address abuse and misconduct as defined in the SafeSport Code:**

- 1) Sexual Abuse and Misconduct
- 2) Physical Abuse and Misconduct
- 3) Emotional Abuse and Misconduct
- 4) Bullying, Threats and Harassment
- 5) Hazing

**USAW Proactive Policies:**

- 1) One on One Policy
- 2) Inappropriate Relationships
- 3) Electronic Communications Policy
- 4) Locker Room Policy
- 5) Travel Policy

These policies are implemented to reduce the risks of potential abuse, and add additional behavior considered to be misconduct under USAW Safe Sport Policy.

In the event that any of USA Wrestling's or any of its Member Programs' employees or volunteers observe inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or any other type of abuse or misconduct, *it is the personal responsibility of each such person to immediately report their observations to the appropriate person* as described in Section IV of this Handbook. USA Wrestling, all Member Programs, and all Covered Individuals are required to promptly report any alleged violations of the Sexual Abuse and Misconduct Policy to either the USCSS or to USA Wrestling as set forth in Section IV below.

**In addition to reporting within USA Wrestling or to the USCSS, such persons must also report suspected child physical or sexual abuse to appropriate law enforcement authorities when required under this Policy and/or under applicable law. Employees 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.**

USA Wrestling has **ZERO TOLERANCE** for abuse and misconduct as set forth herein. How USA Wrestling and its Member Programs respond to an allegation of abuse or misconduct is described in Section V of this Handbook.

USAW encourages parents to become as active as possible in sponsored activities, practices, and other event. The more parents involved, the less likely it is for misconduct and abusive situations to develop.



## SEXUAL ABUSE AND MISCONDUCT

The USA Wrestling Board of Directors has determined that USA Wrestling's policies prohibiting Sexual Abuse and Misconduct shall be the same as the SafeSport Code, and all persons within the jurisdiction of USA Wrestling shall comply with the USCSS Policies & Procedures regarding Sexual Abuse and Misconduct. All capitalized terms not defined herein shall have the meaning set forth in the SafeSport Code.

The USCSS shall have authority and jurisdiction over the investigation and resolution of any allegations of violations of by any Covered Individual of those policies set forth in the SafeSport Code, which prohibit Sexual Misconduct involving minors by an adult Covered Individual and in some cases between minors, sexual exploitation, non-consensual sexual conduct, or non-consensual sexual acts, sexual or romantic relationship involving an imbalance of power, sexual harassment and related criminal dispositions. The behaviors or conduct prohibited are set forth in Section III A of the **SafeSport Code** and this USA Wrestling Safe Sport Policy.

The USCSS shall also have authority and jurisdiction over the investigation and resolution of reports or allegations of the USA Wrestling Safe Sport policies described below and prohibiting physical misconduct, emotional misconduct, bullying, threats, hazing, and harassment where such conduct is reasonably related to and accompanies a report or allegations involving Sexual Misconduct.

A decision concerning a SafeSport violation adjudicated by USCSS shall not be reviewable through the USA Wrestling Safe Sport Policy or the internal grievance procedures of USA Wrestling.

Any violation of the sexual abuse and misconduct policies of the USCSS by a Covered Individual shall subject such person to appropriate disciplinary action, including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

### Reporting Obligations

In addition to any legal obligation of an entity or person to report sexual abuse or misconduct to law enforcement authorities, all Covered Individuals are required to promptly report any alleged violations of the Sexual Abuse and Misconduct Policy to either the USCSS or to USA Wrestling as set forth in Section IV below. A Covered Individual's failure to report may subject such person to disciplinary action by the USCSS.

The duty to report to USCSS and USCSS's jurisdiction to investigate shall not supersede any local, state, or federal reporting requirements or jurisdiction, and shall not affect or impair the ability of any Party that reports to the USCSS from also reporting to the appropriate local, state or federal authorities.

The USCSS shall also have authority and jurisdiction over the investigation and resolution of reports or allegations of (i) a Covered Individual's failure to report a violation required to be reported under the USCSS Policies & Procedures, (ii) bad faith reporting of an allegation within the jurisdiction of the USCSS, (iii) retaliation against any participant in the proceedings under the jurisdiction of the USCSS, and (iv) abuse of process in the proceedings under the jurisdiction of the USCSS, all as further defined in the USCSS Policies & Procedures.

Reports to the USCSS may be reported by (1) completing an online report to the USCSS at <https://www.safesport.org/report-a-concern>, or by (2) calling **720-524-5640**. Reports to the USCSS shall be handled according to the USCSS Policies & Procedures.



## PHYSICAL MISCONDUCT

It is the policy of USA Wrestling that there shall be no Physical Misconduct or abuse, as defined in Section II P of the **SafeSport Code**, in any practices, tournaments, or other sanctioned events of USA Wrestling or its Member Programs by a Covered Individual. Physical Misconduct or abuse includes physical contact with a Covered Individual that intentionally causes or has the potential to cause the Covered Individual to sustain bodily harm or personal injury. Physical Misconduct or abuse also includes physical contact with a Covered Individual that intentionally creates a threat of immediate bodily harm or personal injury. Physical Misconduct or abuse may also include intentionally hitting or threatening to hit an athlete with objects or sports equipment. Physical Misconduct or abuse may constitute Child Abuse under State or Federal Laws.

In addition to physical contact or the threat of physical contact of a Covered Individual, physical abuse also includes the providing of alcohol to a Covered Minor under the age of consent and the providing of illegal drugs or non-prescribed medications to any Covered Individual.

Physical Misconduct does not include physical contact that is reasonably designed to coach, teach, demonstrate or improve a wrestling skill, including physical conditioning, team building and appropriate discipline. Permitted physical conduct may include, but is not necessarily limited to, demonstrating wrestling skills, and communicating with or directing athletes during the course of a match or practice by touching or moving them in a non-threatening, non-sexual manner. **See Physical Contact with Athletes Policy below for a description of appropriate/inappropriate contact.**

Physical abuse also does not include conduct between opponents that occurs during or in connection with a match that is covered by the USA Wrestling Rulebook and Guide to Wrestling (Rules). Such conduct should be addressed under the Rules.

Any USA Wrestling member who engages in any act of Physical Misconduct is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

## EMOTIONAL ABUSE AND MISCONDUCT

It is the policy of USA Wrestling that there shall be no Emotional Misconduct or abuse, as defined in Section II H of the **SafeSport Code**, of any participant involved in any of its Member Programs, or sanctioned events. Emotional Misconduct involves repeated **and/or** non-contact behavior that has the potential to cause emotional or psychological harm to a participant. These behaviors may include verbal acts, physical acts or acts that deny attention or support.

Examples of Emotional Misconduct prohibited by this Policy include, without limitation: (a) verbal behaviors that (i) attack a participant personally (e.g., cursing, calling them worthless, fat, or disgusting); or (ii) excessively yelling, insulting, demeaning, or cursing at a particular participant or participants in a manner that serves no productive motivational purpose; (b) physically aggressive behaviors, such as (i) throwing sport equipment, water bottles, or chairs at or near participants; or (ii) punching walls, windows, or other objects; and (c) acts that deny attention and support, such as ignoring a participant for extended periods of time, or routinely or arbitrarily excluding participants from practice or training.

While a single incident of any of the above behaviors may be *inappropriate and justify a review and/or disciplinary or other action by USA Wrestling or any of its Member Programs*, such behaviors would typically not constitute Emotional Misconduct unless a pattern of such conduct had occurred.



*Constructive* criticism about an athlete's performance is not emotional abuse or misconduct. Further, Emotional Misconduct does not include generally-accepted and age appropriate coaching methods of skill enhancement, physical conditioning, motivation, team building, appropriate discipline, or improving athletic performance. However, a coach is subject to the Coach's Code of Conduct. Emotional Misconduct also does not include conduct between opponents or officials that occurs during or in connection with a game that is covered by the Rules. Such conduct should be addressed under the Rules.

A USA Wrestling member who engages in any act of Emotional Misconduct is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

## **BULLYING, THREATS AND HARASSMENT**

USA Wrestling supports an environment for participation in wrestling conducive to the enjoyment of wrestling that is free from threats, harassment, and any type of bullying behavior. The purpose of this Policy is to promote consistency of approach and to help create a climate in which all types of bullying, harassing or threatening behavior are regarded as unacceptable.

### **Bullying**

Bullying as defined in Section II B of the **SafeSport Code** is repeated *and/or* severe aggressive behavior, usually among minors, that is intended to hurt, control or diminish another person emotionally, physically, or sexually. Bullying involves an intentional, persistent **or** repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended to cause fear, humiliation, or physical harm in an attempt to socially exclude, diminish, or isolate another person. Bullying can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture. Bullying is usually between minors, but in some cases the conduct defined under the USCSS SafeSport code may be applied with adult actions in conjunction with an allegation of Harassment. Bullying behavior is prohibited in any manner in connection with any USA Wrestling sanctioned activities or events.

Examples of bullying prohibited by this Policy include, without limitation **physical behaviors**, including shoving, punching, kicking or choking; and **verbal and emotional behaviors**, including, the use of electronic communications (i.e., "cyber bullying"), to harass, frighten, degrade, intimidate or humiliate. Bullying does not include group or team behaviors that are reasonably designed to establish healthy normative team behaviors or promote team cohesion. Bullying also does not include brutality or conduct between opponents that occurs during or in connection with a match that is covered by the Rules. Such conduct should be addressed under the Rules.

While other team members are often the perpetrators of bullying, it is a violation of this Policy if a coach or other responsible adult knows or should know of the bullying behavior but takes no action to intervene on behalf of the targeted Covered Minor(s).

A USA Wrestling Covered Individual who engages in any act of bullying is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior and/or result shall be taken into consideration when disciplinary decisions are made.

### **Threats**

A threat to harm others is defined as any written, verbal, physical or electronically transmitted expression of intent to physically injure or harm someone else. A threat may be communicated directly to the intended victim or communicated to a third party. Threatening behavior is prohibited in any manner in connection with any USA Wrestling sanctioned activities or events.



Any USA Wrestling Covered Individual who engages in any act of threatening or harassing behavior is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities. The severity and pattern, if any, of the threatening behavior and/or result shall be taken into consideration when disciplinary decisions are made.

## Harassment

Harassment as defined in Section II I of the **SafeSport Code** includes repeated **and/or** severe conduct of physical and/or non-physical behaviors that (a) are intended to cause fear, humiliation, or annoyance, (b) offend or degrade, (c) create a hostile environment, or (d) reflect discriminatory bias in an attempt to establish dominance, superiority, or power over an individual participant or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression, or mental or physical disability.

Examples of Harassment prohibited by this Policy include, without limitation, such non-physical offenses as (a) making negative or disparaging comments including but not limited to: a participant's gender, sexual orientation, gender expression, mental or physical disability, race, religion, skin color, ethnic traits or other legally protected grounds; (b) displaying offensive materials, gestures, or symbols; and (c) withholding or reducing practice or playing time to a participant based on any legally protected grounds.

Sexual Harassment is a type of Harassment covered under the USCSS Policies and Procedures.

While other team members are often the perpetrators of harassment, it is a violation of this Policy if a coach or other responsible adult knows or should know of the harassment but takes no action to intervene on behalf of the targeted participant(s).

A USA Wrestling participant who engages in any act of harassing behavior is subject to appropriate disciplinary action, including but not limited to, suspension, permanent suspension, and/or referral to law enforcement authorities. The severity and pattern, if any, of the harassing behavior and/or result shall be taken into consideration when disciplinary decisions are made.

## Hazing

There shall be no Hazing, defined in Section II J of the **SafeSport Code**, of any participant involved in any of USA Wrestling's Member Programs by any employee, volunteer, independent contractor or other participant.

Hazing includes any conduct which is intimidating, humiliating, offensive, or physically harmful. The hazing conduct is typically an activity that serves as a condition for joining a group or being socially accepted by a group's members.

Examples of hazing prohibited by this Policy include, **without limitation**, requiring or forcing (including through peer pressure) the consumption of alcohol or illegal drugs; tying, taping, or physically restraining a participant; sexual simulations or sexual acts of any nature; sleep deprivation, or the withholding of water and/or food; social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule; beating, paddling, or other forms of physical assault, and verbal abuse or threats or implied threats.

Hazing includes any act or conduct described as hazing under federal or state law.

Activities that fit the definition of hazing are considered to be hazing regardless of an athlete's willingness to cooperate or participate.

Hazing does not include group or team activities that are meant to establish healthy normative team behaviors, or promote team cohesion, so long as such activities do not have reasonable potential to cause emotional or physical distress to any participant. Examples of activities that do not constitute



hazing include directing or allowing a younger participant to clean up after practice or bring or fill water bottles, or giving older athletes first preference in team assignments, responsibilities, accommodations, facilities, or equipment.

While other team members are often the perpetrators of hazing toward their teammates, it is a violation of this Policy if a coach or other responsible adult knows or should know of the hazing but takes no action to intervene on behalf of the targeted participant(s).

A USA Wrestling participant who violates this Hazing Policy is subject to appropriate disciplinary action, including but not limited, to suspension, permanent suspension and/ or referral to law enforcement authorities.

## **USA WRESTLING PROACTIVE POLICIES ON SAFE SPORT**

### **One on One Policy**

#### **Appropriate Methods for Interactions**

To further protect USAW Minor Athletes, as well as our coaches, officials, volunteers, and staff, no adult person should allow him/herself to be alone with a Minor Athlete or with any group of Minor Athletes in a private setting during or while they are participating in sponsored activities of USAW, its state associations, or its member clubs. *However, an individual meeting may be necessary to address an athlete's concerns, training program, or competition schedule.* Under those circumstances, coaches, staff members and/or volunteers are to observe the following guidelines:

- 1) Any individual meeting should occur when others are present and where interactions can be easily observed and at an interruptible distance from another adult, except under emergency circumstances. Where possible, an individual meeting should take place in a publicly visible and open area, such as the corner of a gym.
- 2) If an individual meeting is to take place in an office, the door should remain unlocked and open, and in viewing of another adult.
- 3) If a closed-door meeting is necessary, the coach, staff member and/or volunteer must inform and request that another coach, staff member and/or volunteer be present and ensure the door remains unlocked.
- 4) Provide one-on-one training or individual coaching with assistance from another adult or athlete; or in an open gym setting with other adults present within reasonable proximity.

#### **Prohibited Interactions**

- 1) USA Wrestling and Member Program coaches, staff members and/or volunteers should take all reasonable precautions to avoid being alone with an individual athlete or participant in any room or building, unless the adult is the minor's legal guardian or a personal care assistant (except under exigent circumstances).
- 2) USA Wrestling and Member Programs understand that a coach and staff members may interact one-on-one with unrelated minor athletes and sport participants in settings outside the training environment. Part of coaching a Minor Athlete involves mentoring in regards to USA Wrestling's core values, which goes beyond wrestling technique. However, USA Wrestling is cognizant that such interactions can be used by predators to groom an Athlete. Therefore, such interactions must include specific parental consent, which best practice suggests should be in writing.





- 3) Athletes may not reside with an unrelated coach, staff member and/or volunteer, nor may a coach, staff member and/or volunteer reside with an athlete's family that participates in a USA Wrestling or Member Program without written parental consent, and must follow Billeting Policy.
- 4) Massaging, Icing, and Taping: Any rubdown, massage, icing or taping performed on an athlete must be conducted in open/public locations and must never be done with only a minor athlete and adult in the room. In a private setting any rubdown or massage must be provided by a non-coach licensed massage therapist or other certified professional. Icing and taping near the intimate areas of the body is not permitted by a non-licensed medical professional; and these actions cannot be done with only the minor athlete and professional alone in a room.
- 5) Interaction with athletes should not occur in any room where there is a reasonable expectation of privacy such as the locker room, restroom or changing area, unless a second adult is present for any necessary interaction between an adult and an athlete in any such room. The use of recording devices of any kind in any such room is strictly prohibited.

## **Physical Contact with Athletes Policy**

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**

USA Wrestling 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 actual contact of an unclothed intimate body part during the physical activity
- the physical contact is for the benefit of the athlete, not to meet an emotional or other need of an adult

#### **Safety**

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

- showing/demonstrating proper technique to a wrestler
- 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 "side 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”) or lifting a fallen athlete off the playing surface and “dusting them off” to encourage them to continue competition

### **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
- Lingered 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

### **Inappropriate Relationships**

Dating or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between supervisors, team leaders, coaches, officials or other members of USAW in positions of authority and any person for whom there is a professional responsibility. These dangers can include:

- 1) Athletes, employees or others may feel coerced into an unwanted relationship because they fear that refusal to enter or stay in the relationship will adversely affect their employment, sport opportunity or ability to participate in USAW events or programs.
- 2) Conflicts of interest may arise when supervisors or officials are required to evaluate performance or make personnel decisions with respect to an individual with whom they are having a romantic relationship.
- 3) The perception that employees, coaches, officials or athletes who are involved in a romantic relationship with a person having professional, supervisory or promotional responsibility for them might receive an unfair advantage.

For these reasons, such relationships are inappropriate.

### **Electronic Communications Policy**

As part of USA Wrestling’s emphasis on safety, communications involving any participant, and especially our minor participants, should be appropriate, productive, and transparent. Effective communication concerning travel, practice or game schedules, and administrative issues among coaches, administrators,





athletes and their families is critical. However, the use of mobile devices, web-based applications, social media, and other forms of electronic communications increases the possibility for improprieties and misunderstandings and also provides potential offenders with unsupervised and potentially inappropriate access to participants. The improper use of social media, mobile and electronic communications can result in misconduct. Adherence to the Electronic Communications Policy helps reduce these risks.

All electronic communication between coach and athlete should be for the purpose of communicating information about team activities. Coaches, athletes and all team personnel must follow common sense guidelines regarding the volume and time of day of any allowed electronic communication. All content between coaches and athletes should be readily available and in a form that could be shared with the public or families of the athlete or coach. If the athlete is under the age of 18, any email, text, social media, or similar communication must also copy or include the Athlete's parents (except in exigent circumstances as may be reasonably necessary).

## **SOCIAL MEDIA**

Social media makes it easy to share ideas and experiences. USA Wrestling recognizes, however, that social media, mobile and other electronic communications can be especially concerning where minor participants are involved. Coaches are prohibited from having athletes joined to or connected through their personal Facebook page or any other similar social media application. To facilitate communication, an official organization or team page may be set up and athletes and parents may join (i.e., "friend") the official organization or team page and coaches can communicate to athletes through that site. All electronic communication of any kind between coach and athlete, including use of social media, must be non-personal in nature and be for the purpose of communicating information about team activities or for team oriented motivational purposes.

Coaches and athletes may "follow" each other on Twitter and/or similar media. Coaches cannot "re-tweet" athlete message posts. Coaches and athletes are not permitted to direct message each other on Twitter and similar platforms regarding personal matters which would constitute a violation of the USCSS SafeSport Code. All posts between coach and athlete must be for the purpose of communicating information about team activities, or athlete performance.

## **EMAIL, TEXT MESSAGING AND SIMILAR ELECTRONIC COMMUNICATIONS**

Coaches, team managers and athletes may use email and text messaging to communicate. All email and text message content between coaches/team managers and athletes must be non-personal in nature and be for the purpose of communicating information about team activities. Emails and text messages from a coach to any minor participant **must** include a copy to the Athlete's parents (except in exigent circumstances as may be reasonably necessary). Every effort will be made to copy/notify parents. Where possible, a coach should be provided and use the organization web site email center (the coach's return email address will contain "@organization.com") for all communications with the team, athletes, and athlete's parents, where applicable.

## **REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS OR IMAGERY WITH ATHLETE**

Following receipt of a written request by the parents of a minor athlete that their child not be contacted through any form of electronic communication by coaches or other adults in the program, the Member Program, team, coaches and administrators shall immediately comply with such request without any repercussions for such request.



## ABUSE AND MISCONDUCT

Social media and other means of electronic communication can be used to commit abuse and misconduct (e.g., emotional, sexual, bullying, harassment, and hazing). Such communications by any employee, volunteer, independent contractor or other participant of a USA Wrestling Member Program will not be tolerated and are considered violations of USA Wrestling's Safe Sport Program.

## REPORTING

Infractions of USA Wrestling's Electronic Communications Policy should be reported to the appropriate person as described in Section IV of this Handbook.

A USA Wrestling participant or parent of a participant who violates this Electronic Communications Policy is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension and/or referral to law enforcement authorities.

## Locker Room Policy

Youth participants are particularly vulnerable in locker rooms, changing areas and restrooms due to various stages of dress/undress and because they are often less supervised than at other times. Athlete-to-athlete problems, such as sexual abuse, bullying, harassment or hazing, often occur when a coach or other responsible adult is not in a position to observe – this is especially true in locker rooms. Adherence to a locker room policy enhances privacy and significantly reduces the likelihood of misconduct. Proper supervision of the locker room areas also helps ensure that participants that may have suffered an injury during a game or practice have an adult present to confer with regarding such injury.

## LOCKER ROOM SUPERVISION

USA Wrestling is concerned with locker room activities between minor participants; minor participants and adult participants; adults being alone with individual minor participants in locker rooms; and with non-official or non-related adults having unsupervised access to minor participants at team events.

It is the policy of USA Wrestling that all USA Wrestling Member Programs must have at least one responsible screened adult (which may include coaches, managers or other volunteers) present monitoring the locker room during all team events to assure that only participants (coaches and athletes), approved team personnel and family members are permitted in the locker room and to supervise the conduct in the locker room. Acceptable locker room monitoring should include having a locker room monitor in the immediate vicinity (near the door within arm's length and so that the monitor can sufficiently hear inside the locker room) outside the locker room that also regularly enters the locker room to monitor activity inside. When a monitor(s) are inside, then it is strongly recommended that there be two monitors, both of which have been screened. A local chartered club may impose or follow stricter monitoring requirements. Any individual meetings between a minor participant and a coach or other adult in a locker room shall require that a second responsible adult is present. Further, responsible adults should also secure the locker room appropriately during times when minor participants are on the mat.

The responsible adult that monitors and supervises the locker room shall have completed SafeSport Training in compliance with Section II **and** completed a background check in compliance with Section III of this Handbook. *All Member Programs are responsible to work with their teams and coaches to adequately ensure that locker room monitors are in place at all appropriate times.*

It shall be permissible for a local chartered club or team to prohibit parents from a locker room. However, in doing so the team shall be required to have properly screened adults monitoring and supervising the locker room as required above.



Cell phones and other mobile devices with recording capabilities, which includes voice recording, still cameras, and video cameras, increase the risk for some forms of abuse or misconduct. As a result, the use of a mobile device's recording capabilities in the locker rooms is not permitted at any USA Wrestling sanctioned event, provided that it may be acceptable to take photographs or recordings in a locker room in such unique circumstances as a victory celebration, team party, etc., where all persons in the locker room are appropriately dressed and have been advised that photographs or recordings are being taken.

All local chartered clubs shall publish locker room policies to the parents of all minor participants that are specific to the facilities they regularly use. The Member Program's policies shall include the program's (a) practices for supervising and monitoring locker rooms and changing areas; (b) permission or lack of permission for parents to be in the locker rooms; (c) prohibited conduct, including at least all forms of abuse and misconduct prohibited by Wrestling; and (d) specific policies regarding the use of mobile electronic devices and phones and prohibiting the use of a device's recording capabilities. A sample locker room policy form may be found in Appendix D.

For each team, the coach and/or team administrators shall be responsible for compliance with the locker room supervision requirements of this Policy. A coach and/or team administrator that fails to take appropriate steps to ensure the Locker Room Policy is adhered to, and any USA Wrestling participant or parent of a participant who otherwise violates this Policy is subject to appropriate disciplinary action.

### **CO-ED LOCKER ROOMS**

As a sport in which youth teams can often include both male and female Athletes, special circumstances may exist that can increase the chance of abuse or misconduct. If the team consists of both male and female participants, both female and male privacy rights must be given consideration and appropriate arrangements made. It is not acceptable under USA Wrestling's Safe Sport Policy for persons to be observing the opposite gender while they dress or undress. There are a variety of ways to comply with the above tenets, and what works may depend on the locker rooms that are available at a particular facility. Where possible, the male and female participants should undress/dress in separate locker rooms and then convene in a single dressing room prior to the match or team meeting. Once the match is finished, the participants may come to one locker room and then the male and female participants proceed to their separate dressing rooms to undress and shower (separately), if available. If separate locker rooms are not available, then the genders may take turns using the locker room to change and then leave while the other gender changes. When separate locker rooms are used, both locker rooms must be properly monitored. Where possible, when both male and female participants are together in the locker room, there should be at least two adults in the locker room that have been properly screened in compliance with USA Wrestling Background Screening Policy.

### **COACHES IN LOCKER ROOMS**

A coach shall avoid, to the extent reasonably possible, complete disrobing in a locker room with athletes present. A member acting in a coaching role shall not shower with Minor Athletes.

Upon proof of a violation of USA Wrestling's policies regarding locker rooms, the offender will be subject to appropriate disciplinary action.

### **Travel Policy**

A portion of USA Wrestling participation involves overnight travel for youth teams to matches and tournaments. Minors are most vulnerable to abuse or misconduct during travel, particularly overnight stays. This includes a greater risk of minor to minor misconduct. During travel, athletes may be away from their families and support networks, and the setting – unfamiliar locker rooms, automobiles, and hotel rooms – is less structured and less familiar. A travel policy provides guidelines so that care is taken



to minimize one-on-one interactions between minors and adults while traveling. Further, the policy directs how minor athletes will be supervised between and during travel to and from practice and competitions. Adherence to travel policies helps to reduce the opportunities for misconduct.

Each USA Wrestling Member Program shall have a team travel policy applicable to youth teams that is published and provided to all athletes, parents, coaches and other adults that are travelling with the team. It is strongly recommended that a signature by each adult acknowledging receipt of and agreeing to the travel policy be obtained by the Member Program. Some travel involves only local travel to and from local practices, games and events, while other travel involves overnight stays. Different policies should apply to these two types of travel.

## **TRAVEL POLICY REQUIREMENTS:**

### **Local Travel**

- The employees, coaches, and/or volunteers of a local chartered club or team, who are not also acting as a parent, should avoid driving alone with an unrelated minor and should only drive with at least two other athletes or another adult at all times, unless otherwise agreed to in writing by the minor's parent (or in emergency situations as reasonably necessary). It is recognized that in some limited instances it will be unavoidable for an employee, coach or volunteer to drive alone with an unrelated minor athlete (reasonable emergency situations). However, efforts should be made to minimize these occurrences and to mitigate any circumstances that could lead to allegations of abuse or misconduct.
- Employees, coaches and volunteers who are also an athlete's parent or guardian may provide shared transportation for other athlete(s) when transporting their athlete. Best practice is that they pick up their athlete first and drop off their athlete last.

### **Organization/Team Travel;**

- Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with a minor athlete unless the coach is the parent, guardian or sibling of the athlete or unless the parent or guardian of the minor is also sharing the same hotel room (e.g., two adults, one or both of whom is a coach, and their children, share a hotel room).
- It is strongly recommended that organizations and teams incorporate a parent consent for any minor that will travel without his or her parents.
- The local chartered club shall provide adequate supervision through coaches and other adult chaperones (for example, a recommended number would include at least one coach or adult chaperone for every five to eight athletes). If a team is composed of both male and female athletes, then it is recommended that chaperones are arranged of the same gender athlete.
- Athletes should share rooms with other athletes of the same gender, with the appropriate number of athletes assigned per room depending on accommodations.
- Regular monitoring and curfew checks should be made of each room by at least two properly screened adults. All coaches, staff, volunteers and chaperones travelling with a team shall be familiar with the Safe Sport Program Handbook to monitor compliance with all Safe Sport Policies.
- The team personnel shall ask hotels to block adult pay per view channels.
- Individual meetings between an athlete and coach may not occur in hotel sleeping rooms.



- All athletes shall be permitted to make regular check in phone calls to parents. Team personnel shall allow for any unscheduled check in phone calls initiated by either the athlete or parents.
- Family members who wish to stay in the team hotel shall be permitted and encouraged to do so.
- The team shall make every effort to accommodate reasonable parental requests when a child is away from home without a parent.
- Specific travel itineraries will be distributed to parents when they are available and will include a detailed itinerary as well as contact information for all team personnel and chaperones.
- If disciplinary action against an athlete is required while the athlete is traveling without his/her parents, reasonable attempts to notify the athlete's parents will be made before any action is taken.
- No coach or chaperone shall at any time be under the influence of alcohol or drugs while performing their coaching and/or chaperoning duties (have a 'designated chaperone' if adults will be consuming alcohol after curfew).
- In all cases involving travel, parents have the right to transport their minor athlete and have the minor athlete stay in their hotel room.

Upon proof of a violation of USA Wrestling's policies regarding travel, the offender will be subject to appropriate disciplinary action.



## SECTION II

### EDUCATION and AWARENESS TRAINING

Education is a key component of any abuse and misconduct prevention strategy. Awareness training provides relevant participants with information necessary to more effectively monitor their organization, minimize the opportunities for Physical and Sexual Misconduct and other types of abuse, and respond to concerns. Protecting and empowering our athletes is of paramount concern to USA Wrestling. With education comes knowledge, and knowledge empowers an athlete to identify misconduct and feel safe to report.

Each USA Wrestling State Association shall have a Safe Sport Coordinator (Appendix C) whose duties will include: assisting USA Wrestling in the promotion/education of Safe Sport Policy in their state; monitoring the training of local chartered club administrators and others within the State Association; serving as the State Association's initial contact for persons reporting suspected abuse, misconduct or other violations; compiling information on disciplinary issues within their State; and, when appropriate, reporting such information to USA Wrestling.

USA Wrestling's policies and procedures require Covered Individuals to report abuse, misconduct, and violations of its Safe Sport Policy (see Section IV, Reporting of Concerns of Abuse). Covered Individuals should have a basic understanding of sexual abuse and the strategies that offenders use to seduce/groom their victims. Using a combination of attention, affection and gifts, offenders select a victim, win their trust (and the trust of child's caregiver or "gatekeeper"), manipulate the victim into sexual activity, and keep the child from disclosing abuse.

It is the policy of USA Wrestling that those participants who (1) have regular, routine or frequent access to or supervision over minor participants (e.g., coaches, team managers, volunteers, vendors, media etc.), (2) are responsible for enforcing child abuse and misconduct policies, (3) are in managerial or supervisory roles of USA Wrestling Member Programs, and (4) are new and current employees and/or volunteers of a USA Wrestling Programs, shall complete appropriate training about child physical and sexual abuse and other types of misconduct as set forth in the USCSS Safe Sport Training, <https://www.safesport.org/what-we-do>.

Appropriate training shall be designed to:

- Provide definitions for, and effects of, child physical and sexual abuse
- Provide definitions for, and effects of, all forms of abuse and misconduct (emotional, physical, and sexual; bullying, harassment, and hazing)
- Identify risk opportunities for child physical and sexual abuse
- Address common myths about offenders
- Outline patterns, behaviors, and methods of operation of sexual predators
- Identify risk opportunities for abuse and misconduct in sport
- Identify policies, practices, and procedures to recognize, reduce, and report misconduct





The extent and content of the required training may vary for different types of participants, and USA Wrestling's policy is that the following training shall be required (note that USA Wrestling may modify these requirements from time to time as it deems appropriate):

- A. Local Chartered Club: The club's directors, administrators, board members, etc. are the representatives that are primarily and directly responsible for administering and supervising USA Wrestling programs at the local level. As such, these representatives must be fully versed in USA Wrestling's Safe Sport Program and possess the information necessary to more effectively monitor their organization, minimize the opportunities for child physical and sexual abuse and other types of misconduct, and respond to concerns. USA Wrestling has adopted the USCSS SafeSport training materials, which include a series of online training videos that are available for the training of local chartered club leaders, administrators, board members, etc. The training videos in total are approximately 90 minutes long for the initial training, and a "refresher" course shall be taken every other year by any person that has previously completed the initial course.

Each local chartered club registering youth athletes shall require that those persons in managerial or supervisory roles of such program have completed the online training. Upon completion of the online training, each person taking the training will be able to print a certificate of completion, and USA Wrestling will keep a record of those that have completed the training.

On or before the date a local club files for its Charter for the current season, and before any Covered Individual has any interaction with a minor athlete, each President of a Chartered Club shall attest and confirm with its State Association Safe Sport Coordinator that those persons in managerial or supervisory roles of each local chartered club registering youth athletes in their State have completed the training.

- B. Coaches: Coaches are the adults that typically have the most on- and off-mat contact with youth athletes. All coaches of youth or girls wrestling teams shall complete the Safe Sport Training program prior to that person's participation (on-mat or off-mat) in a USA Wrestling program. All coaches shall be required to complete the proper Safe Sport training program every two seasons (any training taken after June 1 shall be considered effective for the next wrestling season). New coaches shall take the training prior to participation (on-mat or off-mat) in their first year of registration and every other season thereafter. Upon completion of the initial training course, a coach must satisfy the additional training requirement by completing the Safe Sport "refresher" course every other year when the full course is not taken.
- C. Officials: Officials also have regular contact with youth athletes. All officials eighteen (18) years and older (as of September 1<sup>st</sup> of the year of registration) shall complete the SafeSport Training program as a condition of completing their certification requirements. All officials eighteen (18) years and older shall be required to complete the proper Safe Sport training program every two seasons. New officials eighteen (18) and over shall take the training during their first year of registration and every other season thereafter. Upon completion of the initial training course, an official must satisfy the additional training requirement by completing the Safe Sport "refresher" course every other year when the full course is not taken.
- D. Other Volunteers/Employees: All volunteers and employees in USA Wrestling Member Programs that will have regular, routine or frequent access to or supervision over minor



participants, and all persons in a supervisory position of a USA Wrestling Member Program, shall be required to complete the Safe Sport Training Program as a condition of being appointed to such position. Volunteers and employees that have less regular, non-routine or infrequent access to minor participants are strongly encouraged to complete the Safe Sport Training. USA Wrestling Member Programs shall assess which categories of volunteers and employees within such programs (e.g., team managers, locker room monitors, travel chaperones, etc.) will have regular, routine or frequent access to or supervision over minor participants and which, consequently, shall be required to complete the Safe Sport Training Program as a condition of being appointed to such position. Programs should plan early so that volunteers have adequate time to complete the training before assuming duties. Any local chartered club may require and enforce policies that all of the program's volunteers and employees have registered with USA Wrestling and completed the Safe Sport Training Program. Any volunteer or employee required or desiring to take the Safe Sport Training shall register with USA Wrestling as Volunteers in the Team Manager/Volunteer Member category **(at no charge)** and may complete the training through a link on the Safe Sport webpage or registration confirmation email.

- E. Parents/Athletes: Parent education is one of the keys to keeping a program safe from abuse and misconduct. Parents can assist by helping avoid situations in which misconduct can occur, by being aware of the signs and symptoms of abuse, and by reporting suspected abuse. Parents and Athletes will be made aware of USA Wrestling's Safe Sport Program through emails and other communications that takes them to a short video describing the program and letting them know about additional materials and training (including the Safe Sport online training). USA Wrestling will also produce posters, brochures and other educational materials to publicize the program and the means of reporting suspected abuse or misconduct. Additionally, USA Wrestling Member Programs will notify all parents about the availability of a Safe Sport "parent" training video that is available to all parents **(please note that that parent training course does not satisfy the training requirement for coaches, officials or other volunteers or administrators)**.

Certain jurisdictions in the United States have mandatory training and testing that may apply to those that work or volunteer with youth athletes. If state mandated training and testing is in place then the training and testing shall be consistent with relevant standards of care and legislation.





## SECTION III

### SCREENING and BACKGROUND CHECK PROGRAM

#### Purposes of a Screening Policy

- Protect USA Wrestling participants from known offenders so that such known offenders do not have access to USA Wrestling members.
- Deter offenders that have not been caught from joining USA Wrestling programs because the program has a known background screen policy and Safe Sport Program targeted against abuse.
- Help create an environment where parents and athletes can feel safe engaging in the sport of wrestling

#### Background Information

As most are aware, USA Wrestling ("USAW") implemented a voluntary background screening procedure in 2003, and will implement a mandatory background screening program in the 2008-09 membership year, and thereafter, for all member coaches, officials and state association national or regional team volunteer members. Those individuals involved with this process are very familiar with the reasons background screening was implemented. For others the question might be asked is "why does USAW do background screening in the first place"? There are two primary reasons:

The first relates to responsibility. USAW and its clubs not only have a professional and moral responsibility to provide a "safe" environment for its members during sanctioned activities, but also a legal responsibility. As parents we all want to know that when our children are under the supervision of another adult, the organization has taken reasonable steps to determine that those individuals are worthy of the responsibility to coach, officiate or chaperone minors. Under the policy, USA Wrestling will not authorize or sanction any employee or volunteer who has regular, routine or frequent access to minor athletes, or is authorized to be in a position of authority over any athlete, unless and until that person consents to be screened and passes a criminal background screen conducted by USA Wrestling.

Implementing both a background screening policy and this Safe Sport Program, will be beneficial to all USA Members regarding insurance coverage that is both complete and affordable.

According to a recent report, sexual abuse claims have increased over 200% in the past seven years. Additional statistics speak to the unfortunate rise in abuse:

- 1 in 5 girls and 1 in 20 boys is a victim of child sexual abuse;
- Self-report studies show that 20% of adult females and 5-10% of adult males recall a childhood sexual assault or sexual abuse incident;
- During a one-year period in the U.S., 16% of youth ages 14 to 17 had been sexually victimized;
- Over the course of their lifetime, 28% of U.S. youth ages 14 to 17 had been sexually victimized;
- Children are most vulnerable to sexual assault between the ages of 7 and 13.



There are many theories as to the reasons but the fact of this increase has caused all insurance carriers to reduce or eliminate sexual abuse/molestation coverage from their policies, especially the policies covering activities where there is close interaction between minors and adults. In an effort to continue to provide this most important coverage, insurance companies turned to the process of background screening as a "risk management tool" to help reduce potential sexual abuse/molestation claims by identifying and eliminating individuals that might pose a threat from the group they are insuring. So it could become the case that without mandatory background screening in place, the insurance carriers may not offer any coverage to USAW for sexual abuse/molestation claims.

In 2007, the USA Wrestling Board of Directors approved a resolution endorsing a requirement for mandatory background screening on all USAW member coaches, officials, and the volunteers of state association national and regional teams. Presently, USAW has a Safe Sport Policy in place, and mandatory background screening in an extension of that policy. USAW is requiring the implementation of a background screening program for the purpose of determining eligibility for USAW member coaches, officials and state association national or regional team volunteer members, and anyone who is authorized to be in a position of authority over athletes. Background screening has been implemented by USAW to promote a safe and supportive environment in which youth athletes can pursue their athletic goals. These background checks are also designed to provide an environment where parents of children can feel good about allowing their child to participate in wrestling activities. Please note that the screening is not intended to serve as a pre-employment background screening program, nor can screening guarantee that incidents of abuse may occur. The cost for the background screen required by USAW is presently \$20. This fee will be paid by the applicant to a third party vendor as determined by the Board (the Provider) at the time that he/she goes online to initiate a background screen. All transactions will be completed through one of the more popular credit card security providers.

### **Program Guidelines**

The background screening performed on the members is based on the members' name, date of birth, address history and social security number.

The program is designed to:

- 1) Protect the confidentiality of information and the privacy of USAW members.
- 2) Review members and prospective members screening on the screening criteria established by USAW.
- 3) Provide those members who have been screened with an opportunity to challenge incorrect information found in the screening process before a result is forwarded to USAW.
- 4) Allow individuals in the case of a failed result, based on the USAW screening criteria and any action in those instances where the screening results produce disqualifiers to membership, to have the negative results forwarded to USAW's Director of State for additional investigation.

### **USA Wrestling Screening Required**

USA Wrestling shall conduct screening of individuals as follows:

- All members of the USA Wrestling Board of Directors, and each member of a USA Wrestling council, or committee shall be screened upon their election or appointment to the position and then shall be re-screened every two (2) membership years.
- All USA Wrestling employees shall be screened as a condition of their employment and



then shall be re-screened every two (2) membership years.

- All coaches, clinicians, officials, vendors, media, medical providers, and other staff for any USA Wrestling sanctioned events.
- All sanctioned national and other tournament site host volunteers that will have direct access to minor participants shall be screened as a condition of being selected for such position or shall have been screened by USA Wrestling within the current or previous membership year.
- All Member Program events sanctioned under USA Wrestling shall ensure that all coaches, clinicians, officials, and anyone authorized to be in a position of authority over athletes have completed a background screening prior to interactions with athletes.

### **Screening Criteria for Membership Eligibility**

The screening criteria that will be utilized to evaluate background screens are as follows, and shall disqualify any individual mentioned above, and for which this policy applies, from being a member of USA Wrestling, and shall disqualify said individual from participating in any USAW event or activity:

Conviction of, imposition of a deferred sentence for, or any plea of guilty or no contest at any time, past or present, or the existence of any pending charges, for (i) any crime involving sexual misconduct, (ii) any crimes of abuse against children, (iii) any crimes involving firearms, and (iv) any offense involving distribution or intent to distribute illegal drugs or substances, (v) felonious assaults or batteries (vi) any requirement to register as a sex offender of any type.

Any individual's back ground check shall only be valid for two consecutive USAW recognized membership years, beginning with the membership year in which the individual successfully completes a background check.

However, USAW reserves the right to require additional background screenings at any time.

### **Options for Failed Background Screen**

If the applicant does not meet USAW background screening criteria, the applicant will receive an email notification from the Vendor indicating that he/she does not meet the criteria and the reason. USAW's Executive Director or designee will also receive a copy of this email. The email will state that the applicant has 5 business days to respond to the email and if he/she fails to respond the Vendor will consider it as an automatic withdraw and will update USAW web-based interface to reflect as such. USAW's Executive Director or designee will be provided with a reason for this withdrawal. Additionally, in this notification email, the applicant is required to log into his/her account at the Vendor and follow the instruction outlined in his/her account and resolve the issue with his/her screen. The applicant will be offered the following three options to resolve his/her screening results: 1) withdraw his/her application from the screening process; 2) dispute the accuracy of the search report; or 3) request a waiver acknowledging the results of the search and requesting an appeal to USAW's Background Check Review Committee. Option 1 - if the applicant chooses to withdraw his/her application, the Vendor will update USAW web-based interface to show that applicant has withdrawn his screening application.



Option 2 – if the applicant chooses to dispute the accuracy of the search report, the Vendor will research the disputed information. The Vendor must perform a search of the records in the jurisdiction or agency reporting the disputed information. Depending on the county jurisdiction and state, this search could take as long as 14-30 days. If the verification process proves that the disputed information is incorrect, there is no cost to the applicant, and the applicant shall receive a corresponding email. If research verifies that the information is correct, the applicant could pay a fee of approximately \$20 per jurisdiction where records were verified. The cost for the re-verification process may vary slightly from jurisdiction to county because of differing procedures and laws.

The applicant will have to pay a deposit of \$50.00 before this research can be conducted. Also, the applicant will be informed in this email that no action will be taken against him/her with regard to his/her membership eligibility until The Vendor have verified the information in the report.

After performing the research and having The Vendor verify that the information in the search report is not the applicant, the USAW web-based interface will be updated to reflect this information. The applicant will be immediately refunded any money that was deposited for this process and will be directed to print off his/her membership card.

However, if the research reveals that the applicant does not meet the USAW background screening criteria, the results will be forward to USAW's Executive Director or designee. The Vendor will send the applicant another email informing the applicant that he/she fails to meet the USAW background screening criteria.

The applicant will have 5 business days to respond to this email and if he/she fails to respond, The Vendor will consider it an automatic withdraw and will update the USAW web-based interface to reflect as such. Also in this email, the applicant will be asked to log into his/her account at the Vendor and follow the instruction outlined in his/her account and resolve the issue with his/her screen.

Additionally, the applicant is offered the following two options in this email to resolve his/her screening results: 1) withdraw his/her application from the screening, in which case The Vendor will update USAW web-based interface to show that applicant has withdrawn his/her screening application; or 2) request a waiver acknowledging the results of the search and requesting an appeal to a USAW Background Check Review Committee.

The USAW Background Check Review Committee shall be composed of two members selected by the JOWC and approved by the USAW President, two USAW Board members as selected by the USAW President, one active athlete member selected by the USAW President and the USAW Executive Director or designee. The JOWC shall also recommend to the USAW President two alternates, and the President shall also designate 2 alternates, in addition to an active athlete alternate. Alternates shall participate in meetings of the committee when there is a conflict of interest or a scheduling conflict in regards to any hearing of an appeal. The President shall designate the chairperson of the committee and an alternate chairperson.

Option 3 – If the applicant requests a waiver acknowledging the results of the search and requests an appeal to the USAW Background Check Review Committee, this information will be forwarded to USAW's Executive Director who in turn will forward to the Chairperson of the USAW Background Check Review Committee to conduct a review. However, during this process the applicant's status will display as pending on USAW web-based interface because of the applicant's confidentiality. Once USAW's Background Check Review Committee has reached a decision, the applicant will be informed in writing within seven (7) business days, of that decision, and that information will be reflected in USAW web-based interface to display approved or declined.



The Background Check Review Committee shall not know the identity of the individual in question during the appeal process. The decision rendered by the Background Check Review Committee on any appeal shall be final without further appeal.

**Information Management and Exchange**

This program places the responsibility for information management and retention on the screening provider. Except in those few instances where an applicant's background screen returns information that makes him or her ineligible for membership, or provides reason to suspend or terminate his/her membership, and he/she then chooses to appeal the membership decision, USAW will not be privy to or store the information returned in a applicant's background screen.

In all cases above, the information regarding a member's status on the web-based interface shall only be accessible by the USAW Executive Director or his/her designee(s).



## SECTION IV

### REPORTING of CONCERNS of ABUSE

An effective reporting policy that encourages reports of suspected abuse and misconduct, and does not in any way deter victims or witnesses from reporting abuse and misconduct, is a key element to preventing abuse and misconduct. Potential abusers will avoid involvement in a program where there is a likelihood that suspected abuse will be reported. When sport stakeholders are untrained about how and when to report suspected abuse, they may feel ill-prepared, powerless and lost when it comes to responding to and reporting misconduct. By providing this guidance on when and how to report suspected misconduct, USA Wrestling seeks to remove barriers to disclosing misconduct, including child physical and sexual abuse.

#### Reporting Concerns of Abuse:

- **The Reporting Policy**, which describes who must report violations or suspicions of potential or actual abuse or misconduct, including the obligations to report allegations of sexual abuse or misconduct to the USCSS.
- **The Reporting Procedure, which describes:**
  - to whom reports are made (including the importance of certain reports being made to law enforcement authorities and/or the USCSS)
  - how to make reports to USA Wrestling and/or the State Association and/or the USCSS
  - confidentiality of reports
  - USA Wrestling's policy on anonymous reports
  - USA Wrestling's policy on protecting those that made reports ("whistleblower" protection)
  - USA Wrestling's policy prohibiting reports made in bad faith
- **How Reports are Handled, including:**
  - further reporting to law enforcement authorities when appropriate;
  - circumstances in which immediate suspension or termination is appropriate; and
  - circumstances where referral of the report to the applicable local chartered club, State Association or USA Wrestling to address, rectify and impose discipline where appropriate.
- **Notification to parents of other participants.**

#### Reporting Policy

Accordingly, it is the policy of USA Wrestling that every employee or volunteer of any USA Wrestling Member Program must report (1) actual or perceived violations of the USA Wrestling Safe Sport Policy, (2) any violations of the Sexual Abuse, Physical Abuse, Emotional Abuse, Bullying, Threats or Harassment, or Hazing Policies, and (3) suspicions or allegations of child physical or sexual abuse to the Center for SafeSport and appropriate USA Wrestling representatives (as set forth below).

Additionally, in all cases involving suspicions or allegations of child physical or sexual abuse, every employee or volunteer of a USA Wrestling Member Program must also report to the appropriate law enforcement authorities. Any report of misconduct or suspicion of child physical or sexual



abuse will be taken seriously and handled appropriately. If USA Wrestling receives a report of physical or Sexual Misconduct involving a minor, USA Wrestling will make a report to the proper authorities.

Further, in addition to any legal obligation to report sexual abuse or misconduct to law enforcement authorities, all Covered Individuals are required to and shall promptly report any alleged violations of the Sexual Abuse and Misconduct Policy to either the USCSS and/or to USA Wrestling as set forth below and in Section 4 of the USCSS Policies & Procedures. A Covered Individual's failure to report may subject such person to disciplinary action by the USCSS and/or USA Wrestling.

**In some cases, an employee or volunteer may be hesitant about reporting suspected abuse because they are unsure about the credibility of the person making the allegation, are unsure about the credibility or validity of the facts on which the allegations are based, or are concerned about the potential consequences of a false report. It is critical that employees and/or volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for or prior to reporting their concerns.**

### **Child Physical or Sexual Abuse**

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 an employee, volunteer, parent or participant may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected sexual grooming behavior should be directed to USA Wrestling, the State Association Safe Sport Coordinator and/or appropriate law enforcement authorities, and if appropriate or required, to the USCSS.

### **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 depends on a number of factors that appropriate authorities will determine. If you have any concerns that an interaction between children may constitute sexual abuse, report it to the appropriate law enforcement authorities and to USA Wrestling or the State Association Safe Sport Coordinator immediately, and if appropriate or required, to the USCSS.

### **Reporting Other Misconduct and Policy Violations**

If any staff member and/or volunteer of USA Wrestling, an Member Program 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 USA Wrestling or the State Association Safe Sport Coordinator immediately.

USA Wrestling also strongly encourages parents, athletes and other participants to communicate violations of the USA Wrestling Safe Sport Program Handbook and/or allegations and suspicions of misconduct to USA Wrestling or the State Association Safe Sport Coordinator immediately.





## Reporting Procedure

### HOW AND TO WHOM TO REPORT

Suspicious or allegations of child physical or sexual abuse may, **and in many cases must**, be made to the appropriate law enforcement authorities. In order to further protect USA Wrestling programs and participants, such reports should also be made to USA Wrestling and/or the applicable State Association Safe Sport Coordinator. A compilation of information on when a person must make a report to law enforcement authorities can be found at:

- [www.childwelfare.gov](http://www.childwelfare.gov)
- [www.childwelfare.gov/systemwide/laws\\_policies/statutes/mandate.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/mandate.cfm)
- [www.childwelfare.gov/topics/systemwide/laws-policies/state/](http://www.childwelfare.gov/topics/systemwide/laws-policies/state/)

Further, all Covered Individuals are required to promptly report any alleged violations of the Sexual Abuse and Misconduct Policy to either the USCSS or to USA Wrestling. Upon receipt of any report of allegations of violations by a Covered Individual of the Sexual Abuse and Misconduct Policy, USA Wrestling shall promptly report such information to the USCSS.

All reports of Non-Sexual violations of any of the USA Wrestling Safe Sport policies or any violations of this Safe Sport Program Handbook shall be made to USA Wrestling and/or to the applicable State Association Safe Sport Coordinator.

In some instances, a victim or complainant may feel more comfortable reporting to their local chartered club administrator. Any reports to a local chartered club administrator shall be forwarded by that administrator to USA Wrestling. Depending on the circumstances, USA Wrestling or the State Association Safe Sport Coordinator may refer that report to the local chartered club administrator for initial action, investigation and/or discipline.

### HOW TO REPORT TO USCSS

Reports to the USCSS may be reported by (1) completing an online report to the USCSS at [https:// www.safesport.org/report-a-concern](https://www.safesport.org/report-a-concern), or by (2) calling **720-524-5640**. Reports to the USCSS shall be handled according to the USCSS Policies & Procedures.

### HOW TO REPORT TO USA WRESTLING

Reports to USA Wrestling may be made by: (1) clicking on the "Report to USA Wrestling" link on USA Wrestling Safe Sport Program webpage ([www.themat.com/safesport](http://www.themat.com/safesport)), (2) emailing to [safesportdirector@usawrestling.org](mailto:safesportdirector@usawrestling.org), or (3) calling **719-598-8181 ext. 636**. Reports to USA Wrestling are initially handled by the USA Wrestling Director of Safe Sport and/or Legal Counsel.

The USA Wrestling Safe Sport Program webpage contains contact information for each State Association Safe Sport Coordinator, and reports may also be directed to the SafeSport Coordinator for the applicable State Association.

USA Wrestling and its State Associations 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. If reporting by email or use of the Reporting Form on the SafeSport Program webpage, **it is strongly encouraged that the following information be included:**

1. The name(s) and contact information 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.

## **CONFIDENTIALITY**

To the extent permitted by law, and as appropriate, USA Wrestling and all USA Wrestling Member Programs shall on request from the complainant keep the complainant's name confidential, 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**

USA Wrestling 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 a Report Form:**

- By completing the Reporting Form without including their name.
- By expressing concerns verbally to USA Wrestling, the State Association Safe Sport Coordinator or to their local chartered club administrator.
- Through email to USA Wrestling at [safesportdirector@usawrestling.org](mailto:safesportdirector@usawrestling.org) or to the State Association SafeSport Coordinator.

Anonymous reporting may make it more difficult for USA Wrestling or the State Association to investigate or properly address misconduct or abuse.

## **"WHISTLEBLOWER" PROTECTION**

Regardless of outcome, it is the policy of USA Wrestling and all USA Wrestling Member Programs to support the complainant(s) and his or her right to express concerns in good faith. Neither USA Wrestling nor any USA Wrestling Member Program will encourage, allow or tolerate attempts from any individual, group or organization to retaliate, punish, or in any way harm any individual(s) who reports a concern in good faith or otherwise participates in an investigation (e.g., a witness). Such actions against a complainant, witness or other complainant will be considered a violation of the USA Wrestling Safe Sport Program and grounds for disciplinary action, and may also be subject to civil or criminal proceedings.

## **BAD-FAITH ALLEGATIONS**

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 USA Wrestling SafeSport Program 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.

## **CONFLICTS OF INTEREST**

Any person or organization that may have a conflict of interest because they are named in a complaint, are a witness to an allegation, are closely affiliated with the person accused of misconduct, or who may have other potential bias, are considered to have a conflict of interest in the investigation or outcome of the complaint, and shall be recused from participating in an



investigation or other disciplinary process. The investigation and hearing process shall be handled by persons that are reasonably disinterested and impartial to the matter and all other persons and the program involved.

## **How Reports Are Handled**

### **SUSPICIONS OR ALLEGATIONS OF CHILD PHYSICAL OR SEXUAL ABUSE**

Reporting to Law Enforcement and/or Child Protective Services

An independent investigation of Child or Sexual Abuse can harm youth and/or interfere with the legal investigative process. Accordingly, USA Wrestling, its Member Programs and their administrators, employees and/or volunteers shall not attempt to evaluate the credibility or validity of allegations of child physical or sexual abuse as a condition for or prior to reporting to appropriate law enforcement authorities. As necessary, however, a person receiving a report 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.

**Additionally, most states have mandatory reporting laws making persons holding certain positions required by law to report suspicions of sexual or physical abuse of a minor. For mandatory reporting laws, see:**

- [www.childwelfare.gov](http://www.childwelfare.gov)
- [www.childwelfare.gov/systemwide/laws\\_policies/statutes/manda.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm)
- [www.childwelfare.gov/topics/systemwide/laws-policies/state/](http://www.childwelfare.gov/topics/systemwide/laws-policies/state/)

### **REPORTING TO THE USCSS**

In the event that USA Wrestling or any USA Wrestling Member Program receives a report involving sexual abuse or misconduct, USA Wrestling, its State Associations and chartered clubs shall immediately report and refer such matter to the USCSS. An employee's, member's or volunteer's failure to report in compliance with this Safe Sport Policy is a violation of this policy and grounds for disciplinary action, including but not limited to termination of an employee and/or dismissal of a volunteer.

### **IMMEDIATE SUSPENSION OR TERMINATION**

When an allegation of child physical or sexual abuse is made against an employee, member, volunteer, coach, independent contractor and/or other participant, USA Wrestling and its Member Programs may immediately suspend the accused individual (i.e., a summary or interim suspension) and/or immediately remove that individual from contact with any children in the program until the allegation has been investigated by an official agency. This shall apply whether or not the allegation involves an incident during a wrestling practice, tournament or event.

The accused individual shall be offered an Interim Hearing. Please refer to Section V of this Handbook on Responding to Abuse and Other Misconduct for more information on imposing discipline and hearing requirements.

### **OTHER MISCONDUCT AND POLICY VIOLATIONS**

When a bullying, harassment, hazing, emotional, physical, or other misconduct allegation is not reportable to USCSS or under relevant state or federal law, the Member Program or USA Wrestling shall internally address and investigate those alleged policy violations and misconduct, and impose discipline where appropriate. Likewise, violations of USA Wrestling's Locker Room Policy,



Electronic Communications Policy, Travel Policy, One on One Policy, or Billeting Policy shall be reported to the Member Program or USA Wrestling to address, rectify and impose discipline where appropriate.

### **FOLLOW-UP REPORTS TO THE STATE ASSOCIATION AND USA WRESTLING**

All local chartered clubs shall promptly notify the applicable State Association Safe Sport Coordinator of the results of any investigations, hearings or other proceedings within their program that involve violations of the USA Wrestling Safe Sport Policies or this Safe Sport Handbook.

Each State Association Safe Sport Coordinator shall promptly notify USA Wrestling of the results of any investigations, hearings or other proceedings within their Member Program that involve violations of the USA Wrestling Safe Sport Policies or this Safe Sport Handbook.

### **NOTIFICATION**

Following notice of a credible allegation that results in the removal of an employee, coach, volunteer, independent contractor and/or other participant, USA Wrestling, the Member Program may consider the circumstances in which it will notify parents of other participants with whom the accused individual may have had contact. As appropriate, USA Wrestling, its Member Programs may notify its staff members, volunteers, parents, and/or participants of any allegation of child physical or sexual abuse or other criminal behavior that (1) law enforcement authorities are actively investigating; or (2) is being investigated internally by USA Wrestling, its Member Programs; or (3) has been referred to the USCSS. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.



## SECTION V

### RESPONDING to ABUSE and OTHER MISCONDUCT

In response to allegations of abuse or misconduct, the Policies and Procedures below, and USA Wrestling Bylaws that are applicable, shall apply. By following the procedures outlined herein, and in the USA Wrestling Bylaws and policies adopted by the Board, USA Wrestling Member Programs can provide a fair and reasonable process for handling reports of abuse by members.

#### **In this policy on Responding to Abuse and Other Misconduct is:**

- USA Wrestling's delegation of the authority and jurisdiction to the USCSS to investigate and resolve allegations of violations by Covered Individuals of the Sexual Abuse and Misconduct Policy;
- The obligation of USA Wrestling Member Programs to investigate and conduct appropriate disciplinary proceedings following reports of suspicions or allegations of Non-Sexual abuse or misconduct;
- The importance of maintaining confidentiality with respect to the complaint, complainant, victim, accused and other information related to the report and incident(s) until "notice" must be given about a suspension or the outcome of any proceedings;
- The circumstances in which an immediate or "summary" suspension is appropriate and the procedures following a summary suspension;
- A general summary of the procedures for a hearing; and
- Factors and considerations that should be incorporated into findings and sanctions that are issued by a hearing panel.

#### **Investigation and Resolution of Allegations by USCSS**

Upon a report of an allegation of a violation by a Covered Individual of the Sexual Abuse and Misconduct Policy, USA Wrestling or Member Program shall promptly report such information to the USCSS, and the USCSS shall have jurisdiction and authority to investigate such allegations or report, to issue any interim suspension or measures pending conclusion of the investigation, to make recommendations of sanctions or disciplinary action as a result of such investigation, and to adjudicate such matter according to the USCSS Policies & Procedures.

As the national governing body for wrestling in the United States, USA Wrestling has delegated the authority and jurisdiction to the USCSS to investigate and resolve allegations of violations by Covered Individuals of the Sexual Abuse and Misconduct Policy. Neither USA Wrestling nor any USA Wrestling Member Program shall engage in its own investigation or disciplinary process related to any allegations or reports that are within the exclusive jurisdiction of the USCSS. The investigation and resolution of complaints by the USCSS shall be according to the USCSS Policies & Procedures.

However, USA Wrestling and its Member Programs may issue a Summary or Interim Suspension under its Bylaws and Safe Sport Policy which shall be effective until such time as USCSS has exercised jurisdiction over the matter and made a determination related to a person's eligibility pending the USCSS's investigation and adjudication process. See Appendix B for procedures on Interim Suspension.



Upon the issuance by USCSS of any interim suspension or other measures, or any other suspension or other sanction issued by USCSS after conclusion of the adjudicative process or by agreement with the person subject to suspension or other sanction, USA Wrestling and its Member Programs shall enforce such suspension, measures or other sanction throughout USA Wrestling programs. USA Wrestling and its Member Programs shall enforce any suspension or other sanction issued by the USCSS even if arising from allegations outside of USA Wrestling programs.

There shall be no appeals of any decisions adjudicated by USCSS except through arbitration with the applicable arbitration body in conformance with the Supplementary Rules for U.S. Olympic SafeSport Hearings or other USCSS or USOC governing documents as apply and are in effect at such time.

The delegation of authority and jurisdiction to USCSS as set forth above, and the restriction on USA Wrestling, Member Programs, shall also include the investigation and issuance of sanctions related to allegations of other violations of USA Wrestling Safe Sport Policies (e.g., physical abuse, emotional misconduct, bullying, harassment and hazing) that are reasonably related to and accompany an allegation that involves sexual abuse or misconduct. Additionally, in USA Wrestling's discretion, the USA Wrestling national office may request that the USCSS accept jurisdiction of matters that do not involve sexual abuse or misconduct but do involve allegations of physical abuse, emotional misconduct, bullying, harassment or hazing against any Covered Individual.

**Notwithstanding the foregoing, if USA Wrestling receives a report of Physical or Sexual Misconduct involving a minor, USA Wrestling will make a report to the proper law enforcement authorities. Further, USA Wrestling and its Member Programs shall not conduct any investigation or hearing procedure in response to allegations of child physical or sexual abuse if it in any way interferes with a pending legal investigation or criminal prosecution. As described below, it is appropriate to issue a summary suspension of the accused individual during the pendency of a legal investigation or criminal prosecution.**

### **Investigation and Resolution of Non Sexual Misconduct by USA Wrestling or Member Programs**

Upon a report or other notice of credible information or allegations that a person who is subject to the jurisdiction of USA Wrestling or one of its Member Programs (1) may have violated any of the Non-sexual provisions of the USA Wrestling Safe Sport Program Handbook, or (2) violated any of the Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, or Hazing Policies, USA Wrestling, or its Member Programs shall conduct an investigation and/or disciplinary proceedings to determine the appropriate discipline that may be imposed.

USA Wrestling recognizes that there are varying levels of misconduct. For example, physical and Sexual Misconduct are serious violations that may result in immediate suspension or dismissal. In contrast, a youth participant who tells a single risqué joke constitutes less serious misconduct and depending on the circumstances, might be dealt with more appropriately through dialogue and a verbal warning. Appropriate action should always consider the necessity of protecting minor participants from further abuse. In all cases, USA Wrestling's and its Member Programs' disciplinary procedures and actions shall be proportionate, reasonable and applied fairly and equally.



When a State Association or Member Program undertakes investigation, hearings, or sanctions they shall follow all Policies and Procedures of the Safe Sport Handbook applicable to USAW. Any investigation or hearing panel authorized by a State Association or Member Program shall be reasonably free of bias.

All local chartered clubs shall report to the applicable State Association Safe Sport Coordinator the results of any investigations, hearings or other proceedings within their program that involve violations of the USA Wrestling Safe Sport Policies or this Safe Sport Handbook. In each instance where a State Association has referred a matter to a local chartered club for investigation or disciplinary proceedings, the State Association Safe Sport Coordinator shall monitor the proceedings and provide appropriate guidance to help ensure the local chartered club investigates and/or conducts disciplinary proceedings, as appropriate. It is important for the Member Program to ensure that those investigating a complaint or on a hearing panel shall be reasonably disinterested and impartial from the victim, complainant, the person that is the subject of the investigation or hearing, and the program involved. Hearings shall be conducted under the procedures set forth in Appendix A.

Each State Association Safe Sport Coordinator shall compile information and results of disciplinary proceedings within their jurisdiction and report such information to USA Wrestling on a regular basis.

### **Importance of Confidentiality**

Any investigation and/or disciplinary proceedings must be kept confidential. An investigator shall not discuss the investigation with anyone except for the purposes of conducting the investigation, except as requested by law enforcement or child protection authorities. An investigator shall not be required to provide a copy of the investigator's report or notes to any party unless required by law.

Hearings should be closed and confidential, to the extent possible, other than for notification of the outcome. Participants in the hearing, including the hearing committee, complainant, victim, and witnesses (if any are permitted), should be requested and encouraged to keep the proceedings confidential, except as requested by law enforcement or child protection authorities. The hearing panel shall not discuss the testimony with anyone and shall deliberate among themselves until final resolution of the complaint, except as requested by law enforcement or child protection authorities.

### **Interim or Summary Suspension**

The appropriate disciplinary response will depend on the nature and seriousness of the incident and in extreme cases, misconduct will result in immediate suspension and/or dismissal, provided that the accused individual shall be advised of his/her right to a hearing under USA Wrestling policies for hearings under the Ethics and Membership Committee (or if applicable through the USCSS Policies & Procedures). If the accused individual is a minor, the local chartered club or State Association will contact his or her parents.

Summary or Interim suspension is intended for those situations where it appears appropriate to maintain the safety or well-being of the Reporting Party, Athletes, or other Non-athlete Participants; or the allegations against the Responding Party are sufficiently serious that the Responding Party's continued participation in the sport could be detrimental to the reputation of sport. When such a risk exists, USA Wrestling, or the applicable Member Program should immediately suspend the accused individual pending final resolution of the complaint or any legal





proceedings. In such instances, the USA Wrestling program shall provide the individual with notice and offer her/him an opportunity to contest the interim suspension.

A summary/interim suspension is thus appropriate when there is a reasonable belief that the allegations of emotional, physical or Sexual Misconduct occurred. Evidence which may be found sufficient to support a reasonable belief shall be satisfied based upon the Standard for Review in Appendix B.

For the purposes of this Policy, an interim suspension from involvement in wrestling programs 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 any Member Program.

Pursuant to USA Wrestling Bylaws and the Hearing Procedures in Appendix A and B (except when such matter is subject to jurisdiction and authority of the USCSS), the suspended individual, at the time of notice of the suspension, shall be provided with notice of the right to request a hearing. Ordinarily, USA Wrestling requires that the suspended individual must request a hearing in writing within seven (7) days of being notified of the suspension. However, it is recognized that during the pendency of a criminal investigation or other legal proceeding the suspended individual may not want to or may be unable to appear at an administrative proceeding to contest a suspension, and so it is appropriate that when an active criminal investigation or legal proceeding is ongoing, the seven (7) day period to request a hearing should be stayed until seven (7) (or more) days following the conclusion of the criminal investigation, criminal proceeding or other legal proceeding.

Delaying any hearing of a person subject to a summary suspension until after the conclusion of a criminal or legal proceeding is also consistent with USA Wrestling's policy that it will not enter into an investigation that may interfere with a pending legal investigation or criminal prosecution.

An Interim or Summary Suspension Hearing shall be in accordance with Appendix B attached.

## **Hearings**

**USA Wrestling Bylaws for the Ethics and Membership Committee and Exhibit A sets forth the hearing procedure applicable to disciplinary proceedings following complaints of abuse or misconduct or any violations of this Safe Sport Program Handbook (other than violations that are subject to the jurisdiction and authority of the USCSS).**

It is recognized that not all disciplinary action requires a hearing. There may be discipline imposed for minor violations where a reprimand, training or other sanction may be imposed and where a hearing would not be necessary. However, in cases where USA Wrestling or a USA Wrestling Member Program seeks to suspend or otherwise discipline a party, the governing body shall offer the party the right to a hearing, and the hearing shall occur in accordance with Appendix A (and hearing policies and procedures of the Ethics and Membership Committee) and within the time periods required thereunder.

The complainant, victim and accused individual shall have the right to receive written notice of the report or complaint, including a statement of the allegations, to present relevant information to the hearing panel and any investigator, and to be represented by legal counsel (at the party's own expense). Counsel for any party to a hearing shall be allowed to advise his/her client in the hearing, but may be limited in other activities as the panel in its reasonable assessment may determine.



In connection with any hearing the accused individual must be given a reasonable opportunity to respond to the allegations brought forward. This may or may not include cross examination of the victim or complainant. In circumstances where the complainant or victim is a minor, it may be appropriate for the person that conducted the investigation that led to the hearing to provide testimony on the victim's behalf, or that the investigator's or fact finder's report substitute for the minor's testimony.

The conduct of the hearing shall be in accordance with Appendix A.

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

The conduct of the hearing should be closed and confidential, to the extent possible, other than for notification of the outcome.

## **FINDINGS AND SANCTIONS**

The hearing panel has the discretion to impose sanctions on the individual if it finds based on a preponderance of the evidence that any violations of the USA Wrestling Safe Sport Program Handbook or any violations of the Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, Hazing, or Proactive Policies have occurred.

The hearing panel will communicate its finding to the individual. Its findings shall describe the facts that support any sanctions it concludes are necessary along with a statement of the rule(s) and/or policy/policies that were found to have been violated by the individual. The panel may impose sanctions on the individual in its findings. Any sanctions imposed by the panel must be proportionate and reasonable, relative to the findings and conclusions of the panel as to what has occurred. The decision regarding the appropriate disciplinary action shall be up to the panel deciding each complaint. In imposing discipline, the panel shall consider:

1. The legitimate interest of USA Wrestling, the applicable Member Program in providing a safe environment for its participants.
2. The seriousness of the offense or act and impact on the victim.
3. The age of the accused individual and alleged victim when the offense or act occurred.
4. Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct.
5. Whether the individual poses an ongoing concern for the safety of participants in USA Wrestling, the applicable Member Program.
6. Any other information, which in the determination of the panel, bears on the appropriate sanction.

Appropriate disciplines may range from a warning and a reprimand to suspension from involvement in USA Wrestling Member Programs for a period of time, or may in some cases be permanent, and may involve a term of probationary conditions upon completion of an imposed suspension.

The Safe Sport Program is intended to address and respond to misconduct, and any sanctions or discipline should be directed to specific misconduct. While participants and their families may have financial or contractual disputes with programs, a Safe Sport investigation or hearing





regarding allegations of violations of Safe Sport policies shall not consider or address any liability or responsibility in a financial or contractual dispute.

As it is recognized that a local chartered club's suspension is only effective with respect to that local chartered club, and a State Association's suspension is only effective with respect to that State, USA Wrestling Bylaws provide that a local chartered club that desires that a suspension extend throughout the State Association may request that the State Association recognize and enforce the suspension throughout the State, and the State Association may request that USA Wrestling recognize and enforce the suspension throughout USA Wrestling and all other Member Programs.

Pursuant to USA Wrestling Bylaws and this Safe Sport Program, there is a Responding Party's right to appeal the decision of a panel. The Board, or a panel of at least 3 board members at the President's sole discretion, shall conduct any such appeal hearing pursuant to procedures in Art. 12.6 Of the USAW Bylaws. A Statement of Appeal must be delivered to the Executive Director of USA Wrestling within fourteen (14) days of the disciplined party's receipt of the written decision from the hearing panel. While the complainant and/or victim have the right to participate in the appeal hearing process and provide evidence and argument to the hearing panel, a complainant or victim does not have the right to appeal a disciplinary decision.



## SECTION VI

### **MONITORING and SUPERVISION of the PROGRAM**

The Monitoring and Supervision aspect of USA Wrestling's Safe Sport Program describes how USA Wrestling and its Member Programs monitor, supervise and ensure that the other aspects of the Safe Sport Program (i.e., implementation and enforcement of policies, training requirements, screening requirements, responding, reporting and adjudication procedures, etc.) are being followed, and how they may be improved, so that they result in a safe environment for the participants.

Monitoring and supervision must occur at different levels within USA Wrestling:

#### **Team Coaches**

1. The head coach for each team shall be responsible for monitoring his or her team so that locker rooms are being properly supervised in accordance with the Locker Room Policy, that the team's travel is conducted in accordance with the Travel Policy, that all team electronic communications are in accordance with the Electronic Communications Policy, and the One on One Policy is adhered to by all coaches.
2. It is recognized that the head coach may not be personally responsible for direct supervision of each of the above areas at all times and may delegate responsibility to team personnel for certain activities or to other properly screened adults, but as the primary supervisor of the team, the head coach shall be responsible for delegating duties as necessary to result in compliance.

#### **Local Chartered Clubs**

1. Local chartered clubs and their administrators shall monitor their program and enforce compliance of its team with the Locker Room Policy, the Travel Policy, the One on One Policy, and the Electronic Communications Policy.
2. Local chartered clubs shall monitor their volunteers/staff so that their coaches, officials, program administrators, and other program volunteers and employees that will have regular, routine or frequent access to minor participants, have completed the required training in accordance with the Education and Awareness Training Policy. Further, the local chartered clubs shall assist USA Wrestling in the ongoing education of parents and athletes regarding Safe Sport.
3. Local chartered clubs shall monitor their volunteers/staff so that all coaches, officials, program administrators, and other program volunteers and employees that will have regular, routine or frequent access to youth participants, have been properly screened in accordance with the USA Wrestling Screening and Background Check Policy prior to such persons beginning in their position or otherwise having regular, routine or frequent access to youth participants.
4. Local chartered clubs shall promptly address any reports of abuse and misconduct, and make all such reports as are required under the USA Wrestling Safe Sport Program or applicable law.



5. Local chartered clubs shall conduct reviews and evaluation of their program, and program and team personnel, to monitor and promote compliance with the USA Wrestling Safe Sport Program.
6. Local chartered clubs shall at least annually report and provide information as required or requested to the applicable State Association and/or State Association Safe Sport Coordinator on the local chartered club's compliance with the USA Wrestling Safe Sport Program.

### **State Associations**

1. State Associations shall have Safe Sport Coordinator (position description attached as Appendix C) responsible for monitoring compliance with the USA Wrestling Safe Sport Program in all Member Programs of its State.
2. State Associations shall monitor Local Chartered Clubs to ensure that all clubs require that all of its personnel that will have regular, routine or frequent access to youth participants have completed the required training in accordance with the Education and Awareness Training Policy.
3. State Associations shall monitor Local chartered clubs to ensure that all programs require that all program personnel that will have regular, routine or frequent access to youth participants are properly screened in accordance with the USA Wrestling Screening and Background Check Policy prior to such persons beginning in their position or otherwise having regular, routine or frequent access to youth participants.
4. State Associations shall require that all of its board members and staff have received all required training and have been screened as a condition of holding that position.
5. State Associations shall promptly address any reports of abuse and misconduct, and make all such reports as are required under the USA Wrestling Safe Sport Program or applicable law, and shall monitor and supervise the Local chartered clubs to help ensure all such reports are made.
6. On or before September 1st of each season (commencing with the 2019-2020 season), State Associations shall require and receive from each Local Chartered Club a certification of the program's compliance with the USA Wrestling Safe Sport Program. USA Wrestling shall provide the form of certificate by Local Chartered Clubs.

### **National Level**

1. USA Wrestling shall monitor compliance with the USA Wrestling Safe Sport Program in all Member Programs.
2. USA Wrestling shall monitor all State Associations to determine whether they are properly supervising and monitoring their Local chartered clubs' compliance with the Education and Awareness Training and Screening Policies, and requiring that all required training and screening is completed in accordance with such Policies.
3. USA Wrestling shall require that all national personnel, including members of the Board of Directors, Councils and Committees and national office staff have received all required training and have been screened as a condition of holding that position.
4. USA Wrestling shall promptly address any reports of abuse and misconduct, and make all such reports as are required under the USA Wrestling Safe Sport Program or applicable



law, and shall monitor and supervise the State Associations to help ensure all such reports are made.

5. On or before September 1st of each season (commencing with the 2019-2020 season), USA Wrestling shall require and receive from each State Association a certification of the State Association's compliance with the USA Wrestling Safe Sport Program. USA Wrestling shall provide the form of certification to be used by Member Programs.
6. USA Wrestling shall maintain a Safe Sport Task Force to monitor USA Wrestling's and its State Associations' compliance with the USA Wrestling Safe Sport Program and shall consider modifications to the policies and other aspects of the USA Wrestling Safe Sport Program on a yearly basis or more often as necessary.



# Appendix A

## USA Wrestling Dispute Resolution Procedures

### SECTION 1

#### INTRODUCTION

The following Hearing Procedures ("Procedures") apply to complaints that are filed with USA Wrestling and fall within the jurisdiction of the Ethics and Membership Committee ("Committee"). Further, should a State Association or Member Program undertake any hearing related to a Safe Sport Policy violation it shall follow as reasonably possible the procedures herein. Every person, by becoming a member in USA Wrestling or participating in any USA Wrestling functions, events, or activities, agrees to be bound by these complaint procedures.

### SECTION 2

#### JURISDICTION

The Committee shall have jurisdiction over complaints as granted under the USA Wrestling Bylaws and Safe Sport Policy, and to hear a grievance by a Responding Party with whom USAW has taken action regarding a violation of the Safe Sport Policy. A person by virtue of his/her membership in USA Wrestling, affiliation or participation at any time in USA Wrestling or sanctioned event, agrees to be bound and abide by this Dispute Resolution Procedure in lieu of any court of competent jurisdiction. Failure to follow the Procedures herein shall subject the non-complying party to costs and expenses of all other parties to an outside action; further, such non-complying party shall be subject to immediate summary suspension of their membership in USA Wrestling.

Notwithstanding any provision to the contrary, **the Committee shall not exercise jurisdiction over the following matters:**

§2.1 The final decision of an official during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the official) shall not be reviewable through, or the subject of, these complaint procedures unless the decision is the product of fraud, corruption, partiality or other misconduct of the official. For purposes of this Section, the term "official" shall include any individual with discretion to make field of play decisions.

§2.2 The Committee shall not have any jurisdiction to adjudicate any complaint that falls within the exclusive jurisdiction of the United States Anti-Doping Agency or the doping rules of United World Wrestling.

§2.3 The Committee shall not have jurisdiction to adjudicate any complaint that falls within the exclusive jurisdiction of the U.S. Center for Safe Sport.

§2.4 The Committee shall not have jurisdiction to adjudicate any dispute concerning the eligibility of an athlete to compete as set forth in Article XI and XII of USA Wrestling ByLaws. A dispute does not concern "eligibility to compete" merely because a sanction imposed by the Committee may disqualify and individual from competing in wrestling competitions.



## SECTION 3

### COMPLAINTS AND GRIEVANCE

A complaint/grievance alleging: 1) a request for a hearing filed by a Responding Party sanctioned by USAW, or 2) a violation USA Wrestling Safe Sport Policy, or such other rules, policies, or regulations ("Violation") within the purview of the Committee shall:

§3.1 Set forth a complete statement in clear and concise language of: 1) the grounds for disputing the decision of USAW to impose sanctions, or 2) the conduct (or omission) that is alleged to constitute a Violation(s), together with a list of witnesses or other individuals who may have knowledge concerning the subject of the complaint(s), with contact information for each witness to include names, telephone number, email, and address; and

§3.2 Identify: 1) the deficiency of the decision by USAW to impose sanctions on the Responding Party, or 2) the specific policy, rule, or regulation of USAW that the Complainant alleges has been violated; and

§3.3 Be signed by the person filing the complaint or the Responding Party who requests a hearing, who shall expressly attest to its validity by signing the following statement: "I hereby attest the foregoing factual allegations are true and complete, to the best of my knowledge, information and belief, and I understand and acknowledge that filing a false grievance is itself a violation of the USA Wrestling rule". **However, for cases under the USA Wrestling Safe Sport Policy an anonymous complaint may be filed for any alleged violation.** Filing an anonymous complaint may prohibit the Committee from moving forward to a hearing on the merits; and

§3.4 Provide a telephone number and sufficient contact information for the Complainant or the Complainant's counsel or legal representative (such as a parent or guardian) to permit the exchange of information in written or electronic form (address or e-mail), together with such contact information as the Complainant may have for the Respondent and for each person who is identified in the grievance under subsection 3.1 above.

§3.5 Be accompanied by a fee of \$250, **except** in cases of complaint(s) filed by 1) USAW, 2) a complaint filed under the Safe Sport Policy, and 3) in cases in which the Committee decides that the imposition of the filing fee would create an undue hardship on the Complainant; and

§ 3.6 Be filed with the Director of Safe Sport for USA Wrestling. A complaint shall be deemed filed when it satisfies the requirements set out above is received by the Director of Safe Sport.

§3.7 The Committee may waive immaterial defects in any Complaint and deem a Complaint filed in advance of the correction of such defects.

§3.8 The Executive Director or his/her designee may file a complaint naming USA Wrestling as the Complainant.



## **SECTION 4**

### **COMPLAINT DISTRIBUTION**

Upon receipt of a Complaint, the Complaint shall be distributed and served as follows:

§4.1 Upon receipt, the Director of Safe Sport shall forward the Complaint to the Chair of the Committee.

§4.2 The Committee Chair, or his/her designee, shall perform an initial review of materials provided with the complaint to ensure that the Complaint is complete and within the jurisdiction of the Committee. If the Complaint is materially incomplete, the Chair or designee shall notify the Complainant of any deficiency, after which notice the Complainant shall have seven days to correct the deficiencies or the Complaint shall be dismissed. If the Complaint is outside the jurisdiction of the Committee, the Chair shall so notify the Director of Safe Sport.

§4.3 After determining that a Complaint is complete, the Chair shall serve the Complaint on the Respondent(s) by email or by certified mail at the address listed in USA Wrestling's files or at such other address as the Complaint may identify.

§4.4 The Respondent(s) shall have fourteen days from the date of mailing of the Complaint to file a written response. The Chair may shorten the time for a response where expedited handling of the Complaint is warranted.

§4.5 The Chair shall appoint a Hearing Panel of at least 3 (at least 20% of whom shall be an athlete satisfying the requirements of Section 8.8.2 of the USOC Bylaws). Hearing Panel members may be (but are not required to be) members of the Committee. All Hearing Panel members shall be reasonably impartial and shall be free of any actual or apparent conflict of interest. Hearings shall be conducted in accordance with the rules set out below.

## **SECTION 5**

### **PRELIMINARY HEARING and TEMPORARY ORDERS**

The Executive Director or his/her designee or the Chair may impose such temporary orders (including suspension of a Respondent) as may be necessary for the good of the sport of wrestling and the protection of individuals involved in wrestling activities. In the event interim sanctions are imposed, the Respondent shall be entitled to an expedited hearing before the Executive Director or his/her designee or the Chair to challenge the interim relief (Appendix B). At such hearing, the standard of review shall be whether the suspension is imposed is reasonable under the circumstances in light of the gravity of the Complaint, the likelihood that the Respondent engaged in the misconduct alleged, and the right and obligation of USA Wrestling to protect its constituents.

## **SECTION 6**

### **HEARINGS OVERVIEW**

§6.1 Upon receipt of Complaint and a response (if any), the Chair shall conduct a preliminary conference during which the Panel shall impose dates for (a) any hearing the Panel deems necessary, (b) the exchange of all exhibits to be used as evidence, (c) the identification of witnesses, their contact information, and a brief statement as to the subject matter of their testimony, and (d) submission of hearing briefs if desired by the Panel; and (e) any other matters that the Panel deems appropriate.





§6.2 The Panel may impose such sanctions as it may deem advisable for the failure of any party to comply with the procedural orders of the Panel.

§6.3 A hearing before the Hearing Panel may be held in person or telephonically. Any witness who testifies must be sworn upon that witness's oath to testify truthfully. Where appropriate in the reasonable determination of the Hearing Panel Chair, the hearing may be conducted in part through written means and in part by testimony and oral argument, except that the Hearing Panel shall not consider any written or oral evidence that the opposing party has not been given an opportunity to rebut.

§6.4 The Complainant(s), the Respondent(s) and any other person participating in a hearing conducted by a Hearing Panel shall be entitled to be represented by counsel of their choice at the party's own expense.

§6.5 Judicial and evidentiary rules regarding admissibility of evidence shall not apply to the Hearing Panel, except that the Hearing Panel shall respect all lawful claims of privilege based on Colorado law.

§6.6 Any hearing, or a part thereof, shall be open to members of the Hearing Panel, any attorney advising the Hearing Panel Chair, the Complainant(s), the Respondent(s), any other real party in interest, their counsel and any witnesses except that the Hearing Panel shall exclude from the hearing any witnesses who have not testified if so requested by any party.

§6.7 The Hearing Panel Chair may, in the interests of justice and the sport of wrestling, direct the participants to keep the proceedings and the decision confidential and all or parts of the record of the hearing to be kept confidential by the Hearing Panel and USA Wrestling except such public sanctions as may be imposed.

§6.8 The **Burden of Proof** in order to impose suspension, termination, or other discipline shall be the *Preponderance of the Evidence* (more likely true than not true) that the Responding Party violated a rule, code of conduct, or policy. USA Wrestling shall have the burden of proof in any action it seeks to take regarding alleged violations of the US Center for SafeSport Code, Rules and Procedures, USA Wrestling Safe Sport Policy, By-laws, or other policies or codes of conduct.

## SECTION 7

### CONDUCT OF HEARING AND ISSUANCE OF DECISION

§7.1 Hearings shall be conducted fairly and in an orderly fashion, but without regard for the formalities of traditional courtroom procedures.

§7.2 The hearing may proceed in the absence of any party who fails to be available at the duly noticed time and the hearing may proceed to judgment despite that person's absence. If the Hearing Panel Chair determines that in the interests of justice and the sport of wrestling the hearing cannot proceed without the absent party, the Hearing Panel Chair may adjourn the hearing and reschedule it for such time as the absent party can be present. Any subsequent absence may be taken into account by the Hearing Panel in reaching its decision, and the Hearing Panel may impose reasonable conditions on the missing party for continuation of the hearing.

§7.3 The hearing shall be conducted in the following manner, and the Hearing Panel may set reasonable time limits for each portion of the hearing:



§7.3.1 The Hearing Panel Chair shall open the hearing and conduct such preliminary matters as may be necessary.

§7.3.2 Each party shall have the opportunity to make a brief opening statement

§7.3.3 The Complainant shall call each of its witnesses for examination, which witnesses shall be sworn upon his/her oath, substantially as follows: "I do hereby swear or affirm under penalties of perjury that the testimony I give shall be true and complete." In lieu of formal examination, the witnesses may make a statement after being sworn. Upon completion of each witness's examination or statement, the opposing party(ies) or their counsel may cross-examine the witness. The Hearing Panel Chair shall have the power to limit the cross examination as may be necessary to avoid the introduction of irrelevant evidence, to protect against harassment or intimidation of any witness, or to avoid repetitive testimony, except that the Chair may not completely bar the cross-examination of any witness. The Complainant shall then have the opportunity to conduct re-direct examination and any witness shall have the opportunity to make a concluding statement limited to the issues that were raised in cross-examination. No further examination or statements shall be permitted except as the Hearing Panel Chair may permit in his/her discretion.

§7.3.4 Following conclusion of the presentation of witnesses or witness statements by the Complainant, the Respondent shall have the opportunity to present witnesses in the same manner as above.

§7.3.5 Following the conclusion of the presentation of witnesses or witness statements by the Respondent, the Complainant shall have the opportunity to present witnesses in the same manner as above limited to new evidence that was presented by Respondent's witnesses.

§7.3.6 Following conclusion of the Complainant's rebuttal evidence, each side shall be permitted to give closing argument. The Hearing Panel Chair shall decide on the time limits for such closing arguments. The Complainant may divide closing argument time so as to permit rebuttal of the Respondent's closing argument.

§7.3.7 The Hearing Panel members may question any witness presented by the parties. The Chair of the Hearing Panel shall direct the order of such questioning and any follow-up questions by the parties.

§7.3.8 Within twenty-one days following completion of the hearing, the Hearing Panel shall transmit to the Chair of the Committee a written decision, finding, and recommendation, and shall complete the hearing information form utilized by USA Wrestling.

§7.3.9 No failure to satisfy these requirements shall serve to invalidate any decision or to deprive the Hearing Panel of jurisdiction over the Complaint.

§7.4 Within twenty-one days of receipt of a decision and recommendation from the Hearing Panel, the Committee shall convene and either accept the recommendation of the Hearing Panel or impose such other remedy as the Committee deems appropriate. No party shall be entitled to a new hearing before the Committee, nor shall any party have the right to review the Hearing Panel's report and recommendation before the Committee takes action.

§7.5 The Committee shall communicate its final decision to the Executive Director and to the parties. The Committee may adopt and confirm a recommendation of the Hearing Panel without further explanation, but the Committee shall provide an explanation of any decision not



to accept the recommendation of the Hearing Panel in sufficient detail to permit meaningful appellate review.

## **SECTION 8**

### **SANCTIONS**

A Hearing Panel, after conducting such investigation or hearings as they may determine to be necessary, may recommend imposition of any of the following sanctions or resolutions:

§8.1 Dismiss the Petition with or without permission to re-file;

§8.2 Censure a party, publically or privately;

§8.3 Establish a period of probation, with or without conditions;

§8.4 Issue such interim orders, prohibitory or mandatory in nature, as may be necessary pending a final decision; and

§8.5 Terminate, deny, grant, suspend or restore membership in USA Wrestling for a definite or indefinite period of time, with or without terms of probation, or expel any member of USA Wrestling, including any administrator, athlete, coach, trainer, manager, meet director, official, officer, Board Member, coordinator, chair or member of any committee or sub-committee;

§8.6 Assess actual costs (exclusive of attorney fees) to the prevailing party or refund any filing fee paid by the prevailing party; and

§8.7 Assess sanctions in any combination of the foregoing or assess any other remedies deemed appropriate under the circumstances.

## **SECTION 9**

### **APPEALS**

The decision of the Hearing Panel may be appealed to the Board of Directors or to the American Arbitration Association (at the Appellants sole cost), but no appellant shall have the right to a hearing de novo. Likewise, the decision of a State Association or Member Program following these procedures for a violation of Safe Sport Policy, may appeal such decision to the Ethics and Membership Committee.

Any appeal shall be filed within 14 days after issuance of the decision by serving notice of appeal on the Executive Director of USA Wrestling, or by filing with AAA with a copy to the Executive Director.



## Appendix B

### Interim or Summary Sanctions Hearing

If the USAW seeks or imposes interim measures or sanctions, it will offer an opportunity for a hearing on the imposition of such sanctions. The following *Rules* govern interim measures/sanctions hearings.

#### **Rule 1.**

##### **Notice to the Responding Party**

In all interim measures cases, including suspension of membership, the Responding Party will receive notice of the opportunity for a hearing within 72 hours of receiving notice (unless otherwise agreed by the parties). If the Responding Party does not request a hearing within 24 hours of notice, then the interim measures will go into effect. Requests should be made by email to the Director of Safe Sport, [dprochnow@usawrestling.org](mailto:dprochnow@usawrestling.org).

#### **Rule 2**

##### **Hearing Officer**

If the USAW imposes or seeks to impose interim sanctions the Chair of the Ethics and Membership Committee, or such other person appointed by the Executive Director, shall conduct the interim measures hearing. Said hearing may be by telephone or video conference.

#### **Rule 3**

##### **Procedures**

The interim measures hearing is an expedited proceeding to quickly resolve whether sufficient evidence exists to satisfy the Hearing Officer that the interim relief requested is appropriate on the information and circumstances submitted by both parties to the case. The interim measures hearing is not intended to be the hearing necessary to finally resolve whether the Responding Party has committed a Violation or what the appropriate sanctions should be if a Violation is found to have occurred. Except in exceptional circumstances, the interim measures hearing will last no longer than two hours.

The hearing procedures for interim measures hearings shall be an informal format. Only the Hearing Officer shall ask questions of the Reporting and Responding Party, or other witnesses. Parties may submit whatever materials they deem appropriate for the Hearing Officer to consider.

#### **Rule 4**

##### **Scope**

The interim measures hearing will not be a hearing on the merits and is limited to determining if there is reasonable cause to impose the interim measures/sanctions.

#### **Rule 5**

##### **Standard of review**

To impose/confirm interim measures, the Hearing Officer must find based on the information presented, that: (i) the interim measure is appropriate based on the allegations and facts and circumstances of the case as they appear to the Hearing Officer; (ii) the interim measure is appropriate to maintain the safety or well-being of the Reporting Party, Athletes, or other Non-athlete Participants; or (iii) the allegations against the Responding Party are sufficiently serious



that the Responding Party's continued participation in the sport could be detrimental to the reputation of sport.

### **Rule 6**

#### **Decision**

The Hearing Officer may approve, reject, or modify the interim measures imposed or proposed by USAW. The Hearing Officer shall issue a decision regarding the USAW's interim measures either orally at the conclusion of the interim measures hearing, with a written order to follow, or, by a written reasoned decision issued within 24 hours of the close of the interim measures hearing. The decision shall be given no weight in the hearing of the case in chief.

### **Rule 7**

#### **No appeal**

Neither the USAW nor the Responding Party may appeal the Hearing Officer's decision on an Interim Suspension. The denial of the requested relief shall not, however, prejudice the USAW's right to seek interim measures in the same case in the future.

### **Rule 8**

#### **Final hearing expedited if interim measures imposed**

If interim measures are imposed, then the time for the full hearing, if requested by the Responding Party, will be expedited to the extent feasible.



## Appendix C

### State Association Safe Sport Coordinator

#### General Description

The State Association Safe Sport Coordinator will be responsible for the implementation and coordination of the USA Wrestling Safe Sport Program within their state and local clubs. The officer will serve as the liaison for the USA Wrestling Safe Sport Program and work within their state and local clubs to facilitate implementation of all aspects of the Safe Sport Program.

The Coordinator must be a current member (club board member is preferred) of USA Wrestling in good standing.

#### Responsibilities and Duties

The Safe Sport Coordinator will:

1. Complete the required Safe Sport training and be compliant with all other refresher courses and other training mandated by USCSS and USA Wrestling. Be fully versed on all matters within the USA Wrestling Safe Sport Handbook.
2. Serve as the primary contact for USA Wrestling regarding the Safe Sport Program and oversee the implementation of effective educational programs for all chartered clubs, participants, their parents/guardians and coaches, and additional parties as may be required by USA Wrestling.
3. Oversee the State Association and local chartered clubs have properly approved and implemented USA Safe Sport Policies and Education.
4. Verify all coaches participating in all Member Programs of its State are compliant with Safe Sport and Background Screening under USA Wrestling policies.
5. Understand the complaint reporting structure and refer all reports of a violation of the Safe Sport Policies directly to the appropriate parties at USA Wrestling, Center for SafeSport, and local child protection and/or law enforcement.
6. Participate in workshops/webinars as provided by USA Wrestling, collect and share information about the Safe Sport program and disseminate information on best practices.
7. Perform other functions as necessary in the fulfillment of USA Wrestling's continuing efforts to foster safe, healthy and positive environments for its athletes and members.



## Appendix D

### USA Wrestling Sample Locker Room Policy

USA Wrestling requires that all local programs publish their locker room policies to the parents of all minor participants. The policies should be specific to the facilities they regularly use. The policy below is a sample only but may be modified by the local program to meet its specific needs and facilities. The local program's policies shall include the program's (a) practices for supervising and monitoring locker rooms and changing areas; (b) permission or lack of permission for parents to be in the locker rooms; (c) prohibited conduct, including at least all forms of abuse and misconduct prohibited by USA Wrestling; and (d) specific policies regarding the use of mobile electronic devices and phones and prohibiting the use of a device's recording capabilities.

#### **[NAME OF PROGRAM]'s Locker Room Policy**

In addition to the development of our wrestlers and their enjoyment of the sport, the safety and protection of our athletes is central to [PROGRAM's] goals. [PROGRAM] adheres to USA Wrestling's SafeSport Program as a means to help protect its participants from physical abuse, sexual abuse and other types of misconduct, including emotional abuse, bullying, threats, harassment and hazing. To help prevent abuse or misconduct from occurring in our locker rooms, [PROGRAM] has adopted the following locker room policy. This policy is designed to maintain personal privacy as well as to reduce the risk of misconduct in locker rooms.

At [NAME OF FACILITY] there are [number (#)] of locker rooms available for our program's use. Each of the locker rooms [has its own restroom [and shower area]/shares a restroom [and shower area] with one or more locker rooms]. [if program uses multiple facilities, the same information should be included for each facility] Some teams in our program may also occasionally or regularly travel to wrestle at other facilities, and those locker rooms, rest rooms and shower facilities will vary from location to location. [PROGRAM's] team organizers will attempt to provide information on the locker room facilities in advance of events. At facilities for which you are unfamiliar, parents should plan to have extra time and some flexibility in making arrangements for their child to dress, undress and shower if desired.

#### **Locker Room Monitoring**

[PROGRAM] has predictable and limited use of locker rooms and changing areas (e.g., generally 30-45 minutes before and following practices and events). This allows for direct and regular monitoring of locker room areas. While constant monitoring inside of locker rooms and changing areas might be the most effective way to prevent problems, we understand that this would likely make some wrestlers uncomfortable and may even place our staff at risk for unwarranted suspicion. We conduct a sweep of the locker rooms and changing areas before wrestlers arrive, and if the coaches are not inside the locker rooms, either a coach or voluntary locker room monitors (each of which has been screened) will be posted directly outside of the locker rooms and changing areas during periods of use, and leave the doors open only when adequate privacy is still possible, so that only participants (coaches and wrestlers), approved team personnel and family members are permitted in the locker room. Team personnel will also secure the locker room appropriately during times when the team is on the mat.





## **Parents in Locker Rooms**

Except for wrestlers at the younger age groups [specific age groups may be included here], we discourage parents from entering locker rooms unless it is truly necessary. If a wrestler needs assistance with his or her uniform or gear, if the wrestler is or may be injured, or a wrestler's disability warrants assistance, then we ask that parents let the coach know beforehand that he or she will be helping the wrestler. Naturally, with our youngest age groups it is necessary for parents to assist the wrestlers getting dressed. We encourage parents to teach their wrestlers as young as possible how to get dressed so that wrestlers will learn as early as possible how to get dressed independently. In circumstances where parents are permitted in the locker room, coaches are permitted to ask that the parents leave for a short time before the event and for a short time after the event so that the coaches may address the wrestlers. As wrestlers get older, the coach may in his or her discretion prohibit parents from a locker room.

## **Mixed Gender Teams**

Some of our teams consist of both male and female wrestlers. It is important that the privacy rights of all of our wrestlers are given consideration and appropriate arrangements made. Where possible, [PROGRAM] will have the male and female wrestlers dress/undress in separate locker rooms and then convene in a single locker room before the game or team meeting. Once the game or practice is finished, the wrestlers may come to one locker room for a team meeting and then the male and female wrestlers proceed to their separate locker rooms to undress and shower, if available. If separate locker rooms are not available, then the wrestlers will take turns using the locker room to change. We understand that these arrangements may require that wrestlers arrive earlier or leave later to dress, but believe that this is the most reasonable way to accommodate and respect all of our wrestlers.

## **Coaches**

Coaches shall avoid showing with athletes, and shall avoid as much a reasonably possible disrobing in the locker room with athletes present.

## **Cell Phones and Other Mobile Recording Devices**

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras, are not permitted to be used in the locker rooms. If phones or other mobile devices must be used, they should be taken outside of the locker room. [it may be permissible to have team manager collect phones].

## **Prohibited Conduct and Reporting**

[PROGRAM] prohibits all types of physical abuse, sexual abuse, emotional abuse, bullying, threats, harassment and hazing, all as described in the USA Wrestling Safe Sport Handbook. Member Programs, participants, employees or volunteers in [PROGRAM] may be subject to disciplinary action for violation of these locker room policies or for engaging in any misconduct or abuse or that violates the USA Wrestling SafeSport Policies. Reports of any actual or suspected violations, you may email USA Wrestling at

[put in USA Wrestling contact using a ...safesport@usawrestling.org]