



## Safeguarding Policy

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Capitalized terms, not otherwise defined in this Safeguarding Policy, as it may be amended, revised, supplemented, or otherwise modified from time to time (this “**Policy**”) have the meanings given to them in Appendix 1. Also, in the case of any discrepancy in the interpretation of the English, French, or Spanish texts of this Policy, the English text shall control.

## I. INTRODUCTION

The USL is committed to ensuring that soccer is a safe, positive, and inclusive experience for the thousands of individuals who regularly engage in soccer activity and attend events throughout the USL Ecosystem. The USL firmly believes that Safeguarding is the responsibility of everyone within the Ecosystem.

This Policy was created in accordance with the ‘*Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017*’ otherwise known as the ‘SafeSport Act’, as incorporated into the Ted Stevens Olympic and Amateur Sports Act (the “**Ted Stevens Act**”). Furthermore, this Policy is implemented in accordance with U.S. Soccer Federation (the “**Federation**”) Bylaw 212 and Policy 212-3, which requires the USL to, among other things, establish a risk management program to promote the safety and protect the welfare of participants, and adopt policies prohibiting sexual abuse. Therefore, all Clubs are required to comply with the substance of this Policy, regardless of whether a Club is a member of the Federation, or subject to the jurisdiction of the U.S. Center for SafeSport (the “**Center**”) which was established pursuant to the SafeSport Act to assist in the regulation and enforcement of the SafeSport Act.

The USL reserves the right, in its sole and absolute discretion at any time, to modify, amend, restate, or supplement this Policy. The USL will use its best efforts to provide Clubs with reasonable advance notice of any such change.

### A. Reporting Concerns

All professional Clubs are mandated to have a “Designated Safeguarding Officer” (a “**DSO**”). The DSO is responsible for (i) ensuring the Club’s compliance with USL’s education, prevention and intervention policies and (ii) reporting of safeguarding claims to the appropriate channel. All pre-professional Clubs are recommended, but are not mandated, to have a “DSO.”

In order for an individual to take on the DSO role within his or her Club, the individual must be a Club staff member who: (i) is not a Club owner or coach; (ii) is not in a position of authority or power over players; and (iii) is committed to ensuring safety to taking an active role in embedding a culture of safety.

The USL champions a culture of compliance, safety, and respect. As a part of this Policy, the USL encourages open communication in which all athletes, participants, and employees feel comfortable reporting concerns, whether the concerns involve suspected abuse, other misconduct, or violations of the Minor Athlete Abuse Prevention Policy (“**MAAPP**”) see Section III. Everyone is encouraged to raise concerns in the manner that is suitable to them, whether it be to coaches, game officials, team administrators and USL Safeguarding, or to the Center.

As explained in further detail below in Sections II.B.2 and II.C, there are certain scenarios that *require* reporting to the Center and law enforcement. However, even in scenarios that do not trigger that obligation, we encourage you to use the USL Safeguarding **Hotline:** (888) 896-4835 or via a web-based reporting form that can be found at <https://www.uslsoccer.com/safespace> to report any concerns involving suspected abuse or any other misconduct/violation of this Policy. The USL Safeguarding Team can be contacted by emailing [safeguarding@uslsoccer.com](mailto:safeguarding@uslsoccer.com)

Additionally, the Federation Integrity Hotline is available at (312) 528-7004, as well as via its website at <https://ussoccer.i-sight.com/portal>. For more information, see [www.ussoccer.com/report-a-concern](http://www.ussoccer.com/report-a-concern).

In addition, the Center has exclusive jurisdiction over certain claims of suspected Child Abuse and other misconduct involving Players who are Minors. **All reports of such Sexual Misconduct or abuse must be reported to the Center**, which can be done on an anonymous basis, by visiting the US Center for SafeSport homepage (<https://uscenterforsafesport.org/>) and selecting the “Report a Concern” link, or by calling the Center at (720) 531-0340.

The identity of any individual submitting a report in good faith will be fully handled discreetly and confidentially as possible, unless doing so does not comply with applicable law or prevents a full and effective investigation of the report. To the greatest extent possible, all personnel responsible for responding to such reports will maintain the confidentiality of the individual and the matters relating to the report.

Anonymous reporting can be made; however, the USL would encourage you to include your contact details, so that we may have the best opportunity to follow-up with you and ensure we have addressed the concern you have raised.

In the event the USL receives a report that implicates a reporting obligation (see Section II.B.2 – “Reporting Suspected Child Abuse to Law Enforcement”), we will make the report directly and/or work with you to make the report.

The USL does not tolerate retaliation of any kind. No individual who makes a good faith report will be subject to retaliation, including harassment, or any adverse employment consequence, for making a report. Any retaliation is in violation of this Policy and subject to discipline.

It is the duty of all USL participants to attempt to make all USL leagues, venues, events, and teams a Safe Space for all other participants; therefore, every participant is responsible for reporting any concerns or suspected violations of any aspect of the policy as outlined below.

## **B. How to use this Policy**

This Policy sets forth the safeguarding provisions applicable to all Clubs and participants within the USL Ecosystem.

This Policy is not an exclusive statement of all policies or provisions applicable to Clubs. In addition, Clubs shall implement additional policies and procedures specific to their operations (provided they do not conflict with and are no less protective of Minors than this Policy), to the

extent required to effectively implement the terms of this Policy or as required by the jurisdiction in which the Club operates.

### **C. Who is covered by this Policy?**

#### ***1. Covered Persons***

This Policy applies to any individual age eighteen or older (“**Adult**”) who engages in the USL Ecosystem and has regular contact (defined below) with any athlete or referee (see note regarding youth referees below), who is under the age of eighteen (“**Minor**”), in connection with Covered Programs.

Regular contact is defined as recurring, repeated or periodic contact between an Adult and Minor, or a person with supervisory or decision-making authority over an Adult who has recurring, repeated or periodic contact with Minors, including but not limited to overseeing, supervising, chaperoning, or otherwise interacting with (“Regular Contact”).

Even if a Club or individual is deemed by an applicable legal authority to not be subject to the jurisdiction of the Center or the Federation(such as Canadian based Clubs), the content of this Policy and all references to obligations and prohibitions of the Center’s code shall be fully applicable to such persons (who are deemed Covered Persons under this Policy) and entities, through their incorporation into this document, including, but not limited to: (i) Section II.A – “Prohibited Conduct Policies,” (ii) Section II.B.2 – “Reporting Suspected Child Abuse” (with the exception of the requirement to report to the Center), (iii) Section III – “Prevention Policies: Limiting One-On-One Interactions Between Adults and Minors,” and (iv) any law or ordinance concerning child abuse or reporting applicable to a Club.

#### ***2. Covered Programs/Events***

For the purposes of this Policy, a “**Covered Program**” is any sporting event, program, or academy program operated or organized in whole or in significant part by USL or any Club (if the event is sanctioned by the USL). This definition includes, but is not limited to, tournaments, leagues, showcases, and camps run by Clubs, including local affiliate organizations, or any Club (if the event is sanctioned by the USL). While the USL may not have authority or control over non-sanctioned events operated or organized by Clubs, any act or omission prohibited by this Policy may serve as an independent basis for disciplinary action if it calls into question a Covered Person’s behavior and appropriateness for involvement in the activity.

#### ***3. Youth Referees***

The abuse and assault of referees is expressly prohibited by The Federation’s policy 531-9, but a particular note is required regarding referees who are also Minors. Youth referees are trained game officials, and many are experienced players, but they are Minor participants nonetheless and are, therefore, entitled to all the protections extended to Minor Athletes by this Policy. Without limiting the foregoing, wherever this Policy includes protections for Minor Athletes or other participants, it should also be read as protecting any Minor referee.

#### **4. Canadian Clubs**

The national governing body for amateur sports in Canada is Athletics Canada. That organization has its own rules and regulations concerning the prevention of child abuse, and its own reporting requirements and background screening requirements, applicable to Canadian entities. Information on these rules and regulations can be found at <https://abuse-free-sport.ca/>. Clubs in Canada should follow the reporting requirements and background screening requirements imposed by Athletics Canada and Canadian law and are urged to consult Canadian counsel to determine the scope of those requirements. Canadian Clubs must comply with the Policies set out in Sections II and III including the “Prohibited Conduct Policy,” “Reporting Suspected Child Abuse” (with the exception of the requirement to report to the Center), “Prevention Policies: Limiting One-On-One Interactions Between Adults and Minors,” all regulations comparable to the Center adopted by Athletics Canada or any other applicable body, such as the Canadian Soccer Association, and any Canadian law concerning child abuse or reporting applicable to a Club. Failure to do so will be considered a violation of this Policy and will subject the Club to discipline in accordance with the league’s operations manual in which the Club participates.

#### **5. Minor Players Who Become Adult Players**

All athletes turning 18 who still meet the threshold for regular contact or authority must complete the SafeSport Core training and must comply with the prevention policies herein.

#### **D. Obligation to Report, Cooperate, and Investigate**

If any Club or Covered Person suspects a violation of this Policy, they are required to report it to the Safeguarding Department. Following such report, any Covered Persons involved or named in such report is compelled to participate in any investigative efforts of USL, including participating in interviews and producing relevant documents (in each instance, absent a trauma-informed reason).

#### **E. The U.S Center for SafeSport (the “Center”)**

The Center is an independent 501(c)(3) organization that receives funding from the U.S. Federal Government, the USOPC, the 55 National Governing Bodies (“NGB”), including the Federation) as well as several third-party individuals and organizations. Pursuant to USOPC Policy, the Center maintains exclusive authority over: (a) actual or suspected sexual misconduct by Federation Adult Participants (and those covered personnel of other NGBs); and (b) misconduct that is reasonably related to an underlying allegation of sexual misconduct by adult participants. Exclusive authority means: (y) only the Center will investigate and manage any related hearing involving sexual misconduct and (z) neither the Federation, the USOPC nor any adult participants will conduct its own investigation or arbitration with respect to possible sexual misconduct. In 2018, the SafeSport Act amended the Ted Stevens Olympic and Amateur Sports Act to codify this jurisdiction, authorizing the Center to “serve as the independent national safe sport organization and...exercise jurisdiction over the corporation, each NGB, and each Paralympic sports organization with regard to safeguarding amateur athletes against abuse, including emotional, physical, and sexual abuse, in sports.” The SafeSport Act further authorizes the Center to:

- “(A) serve as the independent national safe sport organization and be recognized worldwide as the independent national safe sport organization for the United States;
- (B) exercise jurisdiction over the corporation and each national governing body with regard to safeguarding amateur athletes against abuse, including emotional, physical, and sexual abuse, in sports;
- (C) maintain an office for education and outreach that shall develop training, oversight practices, policies, and procedures to prevent the abuse, including emotional, physical, and sexual abuse, of amateur athletes participating in amateur athletic activities through national governing bodies;
- (D) maintain an office for response and resolution that shall establish mechanisms that allow for the reporting, investigation, and resolution, pursuant to subsection (c), of alleged sexual abuse in violation of the Center's policies and procedures;
- (E) ensure that the mechanisms under subparagraph (D) provide fair notice and an opportunity to be heard and protect the privacy and safety of complainants;
- (F) maintain an office for compliance and audit;
- (G) publish and maintain a publicly accessible internet website that contains a comprehensive list of adults who are barred by the Center; and
- (H) ensure that any action taken by the Center against an individual under the jurisdiction of the Center, including an investigation, the imposition of sanctions, and any other disciplinary action, is carried out in a manner that provides procedural due process to the individual...”

In addition to the Federation Integrity Hotline, reports may also be made to the Center for SafeSport, including on an anonymous basis, by visiting <https://uscenterforsafesport.org/> and selecting the “Report a Concern” link, or by calling (833) 587-7233.

## **II. FRAMEWORK POLICIES**

### **A. Prohibited Conduct Policies**

The USL is committed to maintaining a work, training and competition environment that is free from all forms of abuse, misconduct, bullying and hazing. It is a violation of this Policy for any Covered Person to engage in any of the following forms of misconduct prohibited by this Policy.

Disciplinary action will be taken against any individual in the USL Ecosystem found to have violated the Prohibited Conduct Policy herein. Appropriate action also will be taken against any subcontractor, supplier, or customer found in violation of this Policy.

It is significant to note that most of the behaviors listed in the Prohibited Conduct Policy involving Minors are considered criminal offenses in all jurisdictions within the USL Ecosystem. With respect to such behaviors, violations of the policies outlined below **must** be reported to law enforcement in addition to the Center.

#### **1. *Child Sexual Abuse***

Covered Persons shall not engage in any activity involving a sexual act (“**Sexual Interaction**”) with a Minor. Sexual Interaction includes, but is not limited to: rape; sexual battery; physical sexual contact; molestation; sexually explicit or offensive verbal communication; sexually oriented conversations; verbal sexual harassment; voyeurism; sexual intercourse or sexual touching; sexual exploitation (including creating or disseminating pornographic images); exposing of genitalia; viewing of sexual activity; viewing or disseminating content or imagery of a sexual nature; or permitting, allowing, or encouraging a Minor to engage in prostitution, or other forms of sexual exploitation of children (collectively, “**Sexual Child Abuse**”).

#### **2. *Sexual Exploitation***

It is a violation of this Policy for Covered Persons to engage in any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes (“**Sexual Exploitation**”). Sexual Exploitation occurs when an individual purposely or knowingly:

- a. Allows third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., live streaming of images) without the consent of all parties involved in the sexual activity;
- b. Records or photographs private sexual activity and/or a person’s intimate parts (including genitalia, groin, breasts, or buttocks) without the consent of all parties in the recording or photo;
- c. Engages in voyeurism (e.g., watching private sexual activity or viewing another person’s intimate parts when that person would have a reasonable expectation of privacy), without the consent of all parties being viewed;
- d. Disseminates, shows, or posts images of private sexual activity and/or a person’s intimate parts (including genitalia, groin, breasts, or buttocks) without prior consent of

- the person depicted in the images;
- e. Intentionally exposes another person to a sexually transmitted infection or virus without that person's knowledge; and/or
  - f. Engages in prostituting or trafficking another person.

### **3. *Sexual Misconduct***

Any sexual interaction between an athlete and an individual with evaluative, direct, or indirect authority is prohibited. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative. This section does not apply to a pre-existing relationship between two spouses or life partners.

### **4. *Sexual Harassment***

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment, standing in sport, or participation in events, programs and/or activities; or when submission to or rejection of such conduct is used as the basis for sporting decision affecting the individual;
- b. submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting that individual; or
- c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance and creating an intimidating, hostile, or offensive working environment.
- d. Sexual harassment may involve individuals of the same or different gender. It may also occur between individuals of any employment status.

Examples of conduct which may constitute sexual harassment and are prohibited by this Policy include, but are not limited to:

- a. unnecessary touching, patting, hugging, pinching, or brushing against a person's body;
- b. staring, ogling, leering, or whistling at a person;
- c. continued or repeated verbal abuse of a sexual nature;
- d. sexually explicit statements, sexual flirtations, advances, propositions, subtle pressure for sexual activity, comments, questions, jokes, or anecdotes;
- e. graphic or degrading comments about a person's clothing, body or sexual activity;
- f. sexually suggestive objects, cartoons, posters, calendars, or pictures in the workplace;

- g. suggestive or obscene letters, notes or invitations;
- h. harassing use of electronic mail, electronic or instant messaging, or telephone communication systems; or
- i. other physical or verbal conduct of a sexual nature.

The USL prohibits managers and supervisors from threatening or insinuating, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's wages, assigned duties, advancement, evaluation, shifts, career development, or any other condition of employment.

## **5. Emotional Misconduct (also referred to as Emotional Abuse)**

Covered Personnel may not engage in Emotional Misconduct. Emotional misconduct is a pattern of deliberate, non-contact behavior that has the ability or potential to cause emotional or psychological harm to another person. Emotional Misconduct includes but is not limited to, (1) verbal acts, (2) physical acts, (3) acts that deny attention or support, (4) criminal conduct, and/or (5) stalking, as further described below. Whether an act or verbal communication is Emotional Misconduct is determined by the objective nature of the behavior, not whether the harm that resulted was intended or the objective of the Covered Person's behavior.

- **Verbal acts** – e.g., repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.
- **Physical acts** – e.g., repeated and/or severe physically aggressive behaviors, including but not limited to, throwing sport equipment, water bottles, or chairs at or in the presence of others or punching walls, windows, or other objects.
- **Acts that deny attention or support** – e.g., ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Player from practice.
- **Criminal conduct** means any act or conduct described as emotional abuse or misconduct under federal or state law as defined by the State or Country in which the Club is headquartered.
- **Stalking**, which occurs when a person purposefully engages in a Course of Conduct directed at a specific person, and the Covered Person knows or should know, that their course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) experience significant mental suffering or anguish. Stalking includes “cyber-stalking,” wherein a person stalks another using electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

## **6. Physical Misconduct**

Covered Personnel may not engage in Physical Misconduct. “Physical Misconduct” means any intentional contact or non-contact behavior that causes, or reasonably threatens to cause,

physical harm to another person. Examples of Physical Misconduct may include, without limitation:

- **Contact Violations** – *e.g.*, punching, beating, biting, striking, choking, or slapping another; intentionally hitting another with objects, such as sporting equipment; or encouraging or knowingly permitting a Player to return to play prematurely following a serious injury (*e.g.*, a concussion) and without the clearance of a medical professional.
- **Non-Contact Violations** – *e.g.*, isolating a person in a confined space, such as locking them in a small space; forcing another to assume a painful stance or position for no athletic purpose (*e.g.*, requiring them to kneel on a harmful surface); withholding, recommending against, or denying adequate hydration, nutrition, medical attention, or sleep; providing alcohol to a person under the legal drinking age; or providing illegal drugs or non-prescribed medications to another.
- **Criminal Conduct** – *e.g.*, any act or conduct described as physical abuse or misconduct under applicable federal or state laws (*e.g.*, assault, battery, kidnapping and false imprisonment).

## 7. Harassment

Covered Personnel may not engage in Harassment. “Harassment” means repeated and/or severe conduct that (a) causes fear, humiliation, or annoyance, (b) offends or degrades, (c) creates a Hostile Environment, or (d) reflects discriminatory bias in an attempt to establish dominance, superiority, or power over an individual or group based on age, race, ethnicity, culture, religion, national origin, mental or physical disability and/or any other protected characteristic under federal or state anti-discrimination laws; or (e) any act or conduct described as harassment under federal or state law. Whether a Covered Person’s conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

Conduct may not rise to the level of Harassment if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions.

In addition to the prohibited conduct above, Harassment also consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person’s protected status.

Among the types of conduct prohibited by this Policy are epithets, slurs, negative stereotyping, or intimidating acts based on an individual’s protected status and the circulation or posting of written or graphic materials that show hostility toward an individual because of his or her protected status.

Prohibited conduct can also include jokes, kidding, or teasing about another person’s protected status. While harassing conduct is unlawful only if it affects tangible job benefits and/or interferes unreasonably with work performance and creates an abusive or hostile work

environment, this Policy forbids harassing conduct even when it does not rise to the level of a violation of law.

### **8. *Racial, Religious or National Origin Harassment***

Racial, religious, or national origin harassment deserves special mention as well, and is expressly prohibited by the USL. Racial, religious, or national origin harassment includes any verbal, written, or physical act in which race, religion, or national origin is used or implied in a manner which would make a reasonable person uncomfortable in the work environment or which would interfere with the person's ability to perform the job. Examples of race, religious or national origin harassment may include, but are not limited to:

- a. jokes, which include reference to race, religion, or national origin;
- b. the display or use of objects or pictures which adversely reflect on a person's race, religion, or national origin; or
- c. use of pejorative or demeaning language regarding a person's race, religion, or national origin.

### **9. *Bullying***

Covered Personnel may not engage in Bullying. "Bullying" means repeated and/or severe behavior(s) that are (a) aggressive; (b) directed at another Covered Person; and (c) intended or likely to hurt, control, or diminish the individual emotionally, physically, sexually, socially or professionally.

Examples of bullying behavior may include, without limitation, repeated and/or severe:

- a. **Physical Bullying** – e.g., pushing, punching, beating, biting, striking, kicking, choking, spitting, or slapping, or throwing objects (such as sporting equipment) at another person.
- b. **Verbal Bullying** – e.g., ridiculing, taunting, name-calling, or intimidating or threatening to cause someone harm.
- c. **Social Bullying** – e.g., cyberbullying, use of rumors or false statements about someone to diminish that person's reputation or professional standing; using electronic communications, social media, or other technology to harass, frighten, intimidate, or humiliate someone; or socially excluding someone and asking others to do the same.
- d. **Sexual Bullying** – e.g., ridiculing or taunting based on gender or sexual orientation (real or perceived), gender traits or behavior, or teasing someone about their looks or behavior as it relates to sexual attractiveness.
- e. **Criminal Conduct** – Bullying includes any conduct described as bullying under applicable law.

Conduct may not rise to the level of Bullying if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions.

## **10. Hazing**

Covered Personnel may not engage in Hazing. “Hazing” is any conduct that subjects another Covered Person, whether physically, mentally, emotionally, or psychologically, to any act or communication that may endanger, abuse, humiliate, degrade, or intimidate the person as a condition of joining or being socially and/or professionally accepted by a group, team, or organization. Purported Consent by the Covered Person subjected to Hazing is not a defense, regardless of the person’s perceived willingness to cooperate or participate. Examples of Hazing include:

- a. **Contact acts** – *e.g.*, tying, taping, or otherwise physically restraining another person; or beating, paddling, or other forms of physical assault
- b. **Non-contact acts** – *e.g.*, requiring or forcing the consumption of alcohol, illegal drugs, or other substances, including participation in binge drinking and drinking games; personal servitude; requiring social actions (*e.g.*, wearing inappropriate or provocative clothing) or public displays (*e.g.*, public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water and/or food; or restrictions on personal hygiene.
- c. **Sexualized acts** – *e.g.*, actual or simulated conduct of a sexual nature.
- d. **Criminal acts** – *e.g.*, any act or conduct that constitutes hazing under applicable law.

Conduct may not rise to the level of Hazing if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions.

## **11. Aiding and Abetting**

Aiding and Abetting is any act taken with the purpose of facilitating, promoting, or encouraging a violation of this Policy. Aiding and Abetting also includes, without limitation, knowingly:

- a. Allowing any person who has been identified as suspended or otherwise ineligible by the Center, Federation, or USL to be in any way associated with or employed by an organization affiliated with or holding itself out as affiliated with USL.
- b. Allowing any person who has been identified as suspended or otherwise

ineligible by the Center, the Federation, or USL to coach or instruct Athletes.

- c. Allowing any person who has been identified as ineligible by the Center, the Federation or USL to have an ownership interest in a facility, an organization, or its related entities, if that facility/organization/related entity is affiliated with or holds itself out as affiliated with USL.
- d. Providing any coaching-related advice or service to an athlete who has been identified as suspended or otherwise ineligible by Center, the Federation, or USL.
- e. Allowing any person to violate the terms of their suspension or any other sanctions imposed by Center, the Federation, or USL.
- f. Allowing any person who would otherwise be ineligible to participate. For example, knowingly employing an individual with a criminal conviction that would disqualify them from participating.

Staff violates this section if someone acts on their behalf to engage in Aiding or Abetting.

## **12. Anti-Fraternization**

In addition to the foregoing prohibitions, Covered Personnel may not engage in the following types of inappropriate conduct:

### **a. Intimate or Romantic Relationship**

An adult Covered Person violates this Policy by engaging in any intimate or romantic relationship with any Minor participant. Further, regardless of whether the other participant is a Minor, a Covered Person violates this Policy by engaging in an intimate or romantic relationship where a Power Imbalance exists—*see Section II.A.13 below*.

Once a non-intimate or sport relationship is established between a coach and player, a power imbalance is presumed to exist throughout the coach-player relationship (regardless of age) and is presumed to continue for Minor players after the coach-player relationship terminates and until the player reaches 20 years of age.

A power imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship).

### **b. Intentional Exposure**

A Covered Person violates this Policy by intentionally exposing his or her buttocks, breasts, or genitals, or induce another to do so (i) to a Minor or (ii) to another adult where there is a Power Imbalance or without the other adult's consent.

### **c. Inappropriate Physical Contact**

A Covered Person violates this Policy by engaging in inappropriate physical contact with another person where there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally (a) touching, slapping, or otherwise contacting the buttocks or genitals; (b) excessively touching or hugging; or (c) kissing.

### **13. Power Imbalance**

Where a Power Imbalance exists, it is a violation of this Policy for the individual in the position of power to utilize their status, position, or power in a way to manipulate, coerce, sanction or intimidate another individual. Where a power imbalance exists, it may also be used when assessing the other forms of prohibited conduct listed in Section II.A.

As used in this Policy, a “**Power Imbalance**” means that one person has supervisory, evaluative, financial or other authority over another, based on the totality of the circumstances, including but not limited to: the nature and extent of the supervisory, evaluative, financial or other authority over the person; the actual relationship between the parties; the parties’ respective roles; the nature and duration of the relationship; and the age of the parties involved, both presently and at the time of the relationship’s conception.

In the case of a coach-player relationship, a power imbalance is presumed to exist throughout the coach-player relationship regardless of age. A power imbalance may exist, but is not presumed, where an intimate relationship that did not contain a power imbalance existed before the coach-player relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship).

### **14. Hostile Environment**

Any of the above defined misconduct, when viewed under the totality of the circumstances, may create a Hostile Environment. A “**Hostile Environment**” exists when the conduct (i) affects tangible job benefits or (ii) is, both subjectively and objectively, sufficiently severe, persistent, and/or pervasive so as to: (x) unreasonably interfere with work performance; (y) create an intimidating, hostile, or offensive work environment; or (z) deprive any individual of the opportunity to participate in any Covered Program or activity.

Whether a Hostile Environment exists depends on the totality of known circumstances, including, but not limited to:

- Frequency, nature, and severity of the conduct;
- Whether the conduct was physically threatening;
- Effect of the conduct on the victim’s mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with any person’s participation in sports,

education or work programs or activities; and

- Whether the conduct implicates concerns related to protected speech.

A Hostile Environment can be created by persistent or pervasive conduct or by a single or isolated incident that is sufficiently severe. The more severe the conduct, the less is needed to show a repetitive series of incidents to prove a Hostile Environment, particularly if the conduct is physical. A single incident of sexual contact, for example, may be sufficiently severe to constitute a Hostile Environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a Hostile Environment.

## **15. Retaliation**

This Policy prohibits any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of harassment (or other forms of prohibited conduct) of any kind, pursuing any claim of harassment or prohibited conduct, or cooperating in related investigations. Any Covered Person who believes that they have been retaliated against for making or assisting in the investigation of a complaint should immediately report the matter to their employer (pursuant to any Club policies, if applicable) and contact the USL in accordance with the reporting mechanisms outlined in Section II.B below.

## **16. *Prohibited Conduct By Minors***

The USL does not tolerate, and its Clubs shall not tolerate, abusive, harassing, or discriminatory conduct between players, regardless of their ages. Depending on the facts and applicability of the above prohibitions to Minors, the USL and its Clubs may discipline players based on the above Prohibited Conduct. For instance, prohibitions on intimate relationships and electronic communications shall not apply as between Minors unless a significant age or power disparity creates cause for concern, or they otherwise involve Prohibited Conduct. Disciplinary measures shall be appropriate to the infraction and in accordance with the respective League Operational Standards. Nevertheless, Clubs shall have the authority to reasonably discipline their players and are encouraged to do so. Clubs and match officials shall have the authority to and are encouraged to take immediate action to stop abusive behavior in the moment of its occurrence or prevent its reasonably anticipated occurrence with the goal of protecting the victim.

## **B. Reporting**

### **1. USL Members' Obligation to Report Misconduct**

Without limiting the reporting obligations outlined below, all USL Covered Persons are obligated to report any suspected violation of this Policy involving team personnel or athletes of any age to the USL or the Federation. This obligation to report is not always satisfied by making an initial report. Under certain scenarios, the reporter may be required to report supplemental information of which they become aware that may be relevant to a pending investigation. Importantly, civil, or criminal statutes of limitations do not affect or negate the obligation of a Covered Person to report possible sexual misconduct to the Center.

Misconduct should be reported, regardless of when it occurred.

## **2. Reporting Suspected Child Abuse to Law Enforcement**

The Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act (“**SafeSport Act**”) of 2017 was signed into law on 14 February 2018. This comprehensive law amended the amends the Victims of Child Abuse Act of 1990, 34 U.S.C. § 20341, et seq., and clarifies who is a mandatory reporter for cases of suspected child abuse. Specifically, the definition of mandatory reporter now includes any “adult who is authorized, by a national governing body, a member of a national governing body, or an amateur sports organization such as the USL. By doing this, the law increases the standard of care and makes it a crime for an individual involved in a national governing body sports organization, including the USL, to ignore, or not report to law enforcement, any reasonable suspicion of an act of Child Abuse, including sexual abuse, within **24 hours**. Consequently, the USL urges all Clubs and their employees, and all USL participants to understand their reporting obligations under this important federal law. Under the SafeSport Act, the reporting obligation is triggered when a mandatory reporter becomes aware of “facts that give reason to suspect” a child has suffered an incident of Child Abuse. § 20341(a)(2). Under the Act, Child Abuse includes physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child. “**Sexual Abuse**” includes, but is not limited to, the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct, or the rape, molestation, prostitution, or other form of sexual exploitation of children or incest with children. “**Mental Injury**” means harm to a child’s psychological or intellectual functioning, which may be exhibited by severe anxiety, depression, withdrawal, or outward aggressive behavior, or a combination of those behaviors, which may be demonstrated by a change in behavior, emotional response, or cognition.

In addition to these requirements, any USL participant or Covered Person must report an incident of child abuse (including, but not limited, to sexual abuse) to law enforcement, the Center, the Federation, and the USL.

The SafeSport Act also includes qualified immunity for good faith reports. The USL urges all mandatory reporters to refrain from judging or evaluating the credibility of such allegations and to leave such assessments to law enforcement.

Failure to promptly report suspected Child Abuse to law enforcement authorities may constitute a violation of federal law and will also be deemed a violation of this Policy.

**The message is clear: if you suspect Child Abuse, report it to law enforcement immediately.**

### **C. Reporting to The U.S. Center for SafeSport**

In addition to the above obligation to report to law enforcement as detailed above, Covered Persons must also immediately report any suspected incidents of sexual abuse – even if the incidents involve non-minors within 24 hours of becoming aware of the allegation. An allegation means any “good faith claim or assertion” that a potential violation has occurred. Additionally, and if the case involves potential claims of child abuse, Participants will be required to report any allegation to their local law enforcement.

In addition to the two entities above, participants should report all SafeSport issues to both the USL League Office and to the Federation. Please find the next section as a step-by-step guide on

where to report allegations when they arise. Note that Clubs must notify all four entities below to satisfy SafeSport reporting requirements.

#### **D. Monitoring and Enforcement**

The USL takes all reports of potential violations of this SafeSport Policy seriously and is committed to confidentiality and investigation of allegations. The USL Safeguarding and/or Legal Department may conduct or manage code investigations. Employees who are being investigated for a potential code violation will have fair notice and an opportunity to be heard prior to any final determination.

The USL does not tolerate retaliation of any kind. No individual who makes such a good faith report will be subject to retaliation, including harassment, or any adverse employment consequence, as a result of making a report.

#### **E. Background Screening**

As noted by the Center, organizations should have a “*Sound, practical and reasonable screening practices to reduce the chances that an athlete will come in contact with potentially dangerous individuals.*” Accordingly, and consistent with the goals of the PROTECT Act of 2003 and the SafeSport Act 2017 and the Federation Soccer Framework, the USL requires background screening on all Covered Persons, Club representatives or Club participants as defined below who have regular contact with Minors within the USL Ecosystem, including:

- All Club employees (whether full or part-time) who are to have regular contact with Minors;
- All Club representatives such as, Coaches, Team Managers, Administrators, or other staff members (regardless of whether they are employees, contractors, or volunteers) who have regular contact with Minors or who travel with the Club;
- All contractors at the Club who have regular contact with Minors;
- All medical professionals such as massage therapists, physicians, nutritionists, etc. working directly with Minors.
- Any Club scouts who request to have contact with Minors.
- Adult players who have additional roles as coaches during clinics and camps with Minors.
- All other individuals who the USL determines, in its discretion, should be subject to a background check.

#### Note on Adult Players

The USL recognizes that there are teams where Minor players and Adult players, play together or against one another on opposing teams. The USL does not require Adult players (who do not have

any other roles which bring them into contact with Minors) to undergo background screening as they are not in an authoritative position and the MAAPP policies set out limiting one-to-one interactions with Minors in Section III.

### ***1. Mandatory Self Disclosure***

All Covered Persons have a mandatory self-disclosure obligation, which means that if at any point during their association with the USL and/or a Club, a Covered Person has been disqualified or declared by another sport organization or league to be temporarily or permanently ineligible or is on probation, the Covered Person is required to self-disclose this information immediately. Failure to disclose is a basis for discipline/disqualification.

### ***2. Scope of Background Screening***

The USL contracts with third-party vendors to conduct a robust background check on all Covered Persons that register with Clubs. Each Canadian Club will contract with a Canadian third-party vendor to perform a similarly substantially robust background check for all Covered Persons who register to a Club and reside in Canada. Prior to an applicant's first activity in connection with the Club, this background check will include checks and/or reviews of:

- Sex Offender Registries;
- Government Watch list databases;
- County Criminal/Other Public Records;
- Past Addresses as well as potential previous aliases;
- The Center's Centralized Disciplinary Database; and
- US Federation Database<sup>1</sup>.

#### **a. Screening Results**

A criminal background check should be viewed as an additional tool when considering the suitability of the potential employee and should not be considered in isolation or as the determining factor. It's important to remember that a criminal background check is only going to record the convictions not the behaviors an individual may present with.

As noted above the USL uses third party vendors for criminal background checks. These vendors will screen for crimes and indicitors such as watchlists, aliases, etc., which may either raise immediate concern regarding the risk an individual presents with. There are offences that such as felony and/or misdemeanor level sexual or physical offenses involving children would be

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<sup>1</sup> This activity is completed by USL Safeguarding as access to the Federation Risk Management Database is not public.

indicative of an individual who is not suitable to work with children. These individuals will be reported to the Center by the USL for their jurisdictional consideration.

Where a criminal background has other lower-level offences such as misdemeanor acquisitive offenses that do not involve children, the USL will consider these on a case-by-case basis taking into account the transferrable risk the individual may have to a Minor in a soccer context.

## **F. Training and Education**

The SafeSport Act requires amateur sports organizations to offer consistent training to adult members who are in regular contact with amateur athletes who are Minors, and subject to parental consent, and to members who are Minors, regarding the prevention of child abuse. The “Core SafeSport Training” offered by the Center meets the requirements of this Policy<sup>2</sup>. It consists of three modules: (i) Sexual Misconduct Awareness Education; (ii) Mandatory Reporting, and (iii) Emotional & Physical Misconduct.

### **1. *Training for Adults***

All adult covered persons who have regular contact with Minor Athletes must successfully complete the required SafeSport training every year in order to participate in the USL. For the avoidance of doubt, the USL requires the following persons to complete the Core SafeSport Training prior to the commencement of their association with the USL Club, or within 45 days of being hired, appointed, or retained by a Club, but in any event before commencing contact with Minors:

- Individuals who will have regular contact with Minors
- Club representatives (coaches, Club technical staff and administrators, physicians, massage therapists and other medical staff including first aiders)
- Contractors and vendors with access to Minors (security and other medical personnel not employed directly by the Club)
- Adult game officials
- Adult players- recognizing that there may be Minors in the team, and that players may have additional roles such as clinic appearances and camps provided by the Club
- Chaperones, volunteers, and other individuals who have access to Minors.

In connection with the annual registration process, all Covered Persons affiliated with Clubs who will have regular contact with Minors will have to certify that they have completed the required SafeSport training. Training provides participants with the necessary tools, vocabulary, and

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<sup>2</sup> The Federation offers SafeSport Core Training free of charge. Access to the course can be requested by USL Safeguarding.

information to safeguarding our league and Clubs, minimize the opportunities for child physical or sexual abuse and other types of misconduct, and respond to concerns more effectively. Once a participant has successfully taken all three “Core Training” modules (including Sexual Misconduct Awareness Education, Mandatory Reporting, and Emotional & Physical Misconduct), they have met the “SafeSport Trained” requirement. The training runs in a 4-year cycle as follows:

Year 1: SafeSport Trained – U.S. Soccer Federation

Year 2: Refresher 1

Year 3: Refresher 2

Year 4: Refresher 3

Year 5: SafeSport Trained – U.S. Soccer Federation (again)

This Policy requires adult participants to complete the Center’s Core SafeSport Training (i.e., the Center’s online training or the Center’s approved in-person training), and as applicable, follow-up refresher course training, with any new Adult Participants to receive initial training:

- Before regular contact with Minors begins; or
- Within 45 days of a new role within the USL Ecosystem.

## ***2. Training for Minors***

Minor athletes who participate in any of the USL Leagues, must be offered a free 15 minute training from the U.S. Center SafeSport every year and may take the training with parental consent. Clubs will keep track of which Minor Athletes have taken the SafeSport training and when they did so.

### *Course details*

- Ages 5-12 SafeSport for Kids
- Ages 13 SafeSport for Youth Athletes

## ***3. Training for Parents***

The U.S. Center for SafeSport also provides training for parents of Minor Athletes. This is not a mandatory training, and Clubs are not expected to track this training. The USL would encourage Parents to take this training to enhance their knowledge and understanding of potential safeguarding concerns that may arise.

## ***4. Additional Training***

In addition to the training provided by the Center, the USL has commissioned a Preventative Harassment and Discrimination web-based training. This will be a mandatory yearly training for members of the USL Ecosystem from 2023 season onward.

### **III. PREVENTION POLICES: LIMITING ONE-ON-ONE INTERACTIONS BETWEEN ADULTS AND MINORS**

Soccer is a team sport. Although appropriate physical contact and one-on-one interaction between Minor Athletes and Coaches/trainers, etc. may be conducive to improving physical skills, the USL believes prudent limitations on one-on-one interactions can reduce the potential for abuse and misconduct without negatively impacting player development or unnecessarily limiting one-on-one time with trusted adults.

Part II of the U.S. Center for SafeSport's Minor Athlete Abuse Prevention Policies ("MAAPP") requires the USL to implement the following policies which cover one-on-one interactions, meetings and training sessions, athletic training modalities, massages and rubdowns, locker rooms and changing areas, electronic communications, transportation, and lodging. The Federation Policy 212-3, contained in this Handbook requires that all U.S. Soccer Amateur Organization Members implement these policies in compliance with the MAAPP. Please see the MAAPP for additional guidance on each topic.

#### **A. Establishing Boundaries: Avoiding Gifts**

Individuals who groom children will often provide special gifts or privileges, as one strategy to gain the child's trust and fill a need in their life, in advance of sexually abusing the child. Accordingly, the USL discourages all adult USL participants, including employees and volunteers, from giving gifts or granting special privileges to athletes and prohibits any such gift or privilege when not available to the entire team.

#### **B. Appropriate Physical Contact**

The USL adheres to the following principles and guidelines with regard to physical contact with our athletes:

##### **1. *Common Criteria for Appropriate Physical Contact***

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

- the physical contact takes place in public
- there is no potential for, or actual, sexual contact during the physical contact · the physical contact is for the benefit of the athlete, not to meet an emotional or other need of an adult.

##### **a. Safety**

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

- spotting an athlete so that they will not be injured by a fall or piece of equipment

- positioning an athlete's body so that they more quickly acquire an athletic skill, get a better sense of where their body is in space, or improve their balance and coordination
- making athletes aware that they might be in harm's way because of other athletes practicing around them or because of equipment in use.

### **b. 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”, and
- congratulatory gestures such as celebratory hugs, “jump-arounds” and pats on the back for any form of athletic or personal accomplishment<sup>3</sup>

### **c. Consolation**

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

- Embracing a crying player, but only in a public place or circumstance.
- Putting an arm around a player while verbally engaging them in an effort to calm them down (“side hugs”).
- Lifting a fallen player off the playing surface and “dusting them off” to encourage them to continue competition.

### **d. Supervision Generally**

No Minor should be left alone at a training session or at any other time until they are picked up by their parent, older sibling, or other designated adult. It is recommended that the last adult in addition to the coach or athletic trainer wait at the site until the Minor is picked up.

## **C. One-on-one interactions/Individual Meetings**

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<sup>3</sup> NOTE: this does not include “butt-pats” or “chest bumps.” This outdated means of celebration makes many athletes uncomfortable and is best replaced with a high-five or a fist bump.

An individual meeting may be necessary to address a player's concerns, training program, or competition schedule. Under these circumstances, Covered Persons are to observe the following guidelines when dealing with a Minor Player.

### ***1. Interactions should be Observable and Interruptible***

All one-on-one In-Program Contact between an adult participant and a minor athlete must be observable and interruptible, except:

- When a Dual Relationship exists; or
- When the Close-in-Age Exception applies; or
- If a minor athlete needs an Adult Participant Personal Care Assistant, and:
  - the minor athlete's parent/guardian has provided written consent to the Club for the Adult Participant Personal Care Assistant to work with the minor athlete; and
  - the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
  - the Adult Participant Personal Care Assistant has complied with the Clubs' screening policy; or
- In other circumstances specifically addressed in this Policy that allow for certain one-on-one interactions if the Club receives parent/ guardian consent.

### ***2. Interactions are Monitored***

When one-on-one interactions between the Club and Minor Athletes occur at the Club or other USL facilities or sanctioned events that are partially or fully under the Federation's jurisdiction, over covered persons will monitor these interactions. Monitoring includes knowing that the one-on-one interaction is occurring, the approximate planned duration of the interaction, and randomly dropping in on the one-on-one.

### ***3. Meetings***

- Meetings between adult participants and minors at Club facilities may only occur if another adult is present. Such meetings must occur where interactions can be easily observed and at an interruptible distance from another adult.
- If a one-on-one meeting takes place in an office, the door to the office must remain unlocked and open. If available, it will occur in an office that has windows, with the windows, blinds, and/or curtains remaining open during the meeting.
- If a mental health care professional meets with minors at a Club facilities, a closed-door meeting may be permitted to protect patient privacy—provided that (i) the door remains unlocked, (ii) another adult is present at the facility, (iii) the other adult is advised that a

closed-door meeting is occurring, and (iv) written consent of the parent/legal guardian of the minor is obtained by the mental health care professional consistent with applicable laws and ethical standards, with a copy provided to the Club.

- At no time during these one-on-one meetings should a minor be denied access to their cell phone or other personal device.

#### ***4. Individual Training Sessions***

An In-Program individual training session with a minor athlete (meaning not a team training, but training involving one athlete and one coach) may be necessary in order to further player development. Under these circumstances, the individual training session should be observable and interruptible by others. Additionally, written parent/guardian permission is required in advance of the individual training session(s) and must be documented at least annually. Parents/guardians are welcome to attend the individual training. Parents, guardians, and other caretakers must be allowed to observe individual training sessions.

#### ***5. Out of Program Contacts***

Covered persons are prohibited from interacting one-on-one with minor players, to whom they are not related, in private settings outside of the program (including, but not limited to, one's home and individual transportation), unless parent/legal guardian consent is provided for each out of program contact. Such arrangements are nonetheless strongly discouraged.

### **D. Massage and Other Athletic Training Interactions**

#### ***1. Requirements***

All In-Program athletic training modalities, massages, or rubdowns of a minor athlete must:

- Be observable and interruptible.
- Have another Adult Participant physically present for the athletic training modality, massage, or rubdown.
- Have documented consent as explained in subsection 2 below (entitled “Consent”).
- Be performed with the Minor Athlete fully or partially clothed, ensuring that the breasts, buttocks, groin, or genitals are always covered.
- Allow parents/guardians in the room as an observer, except for competition or training venues that limit credentialing.
- The provider should narrate the steps in the massage, rubdown, or athletic training modality before taking them, seeking assent of the Minor Athlete throughout the process.
- When possible, techniques should be used to reduce physical touch of Minor Athletes.

- Only licensed providers should administer a massage, rubdown, or athletic training modality.
- Coaches, regardless of whether they are licensed massage therapists, should not massage Minor Athletes
- It is recommended that Parents/guardians are offered the U.S. Center for SafeSport education and training on child abuse prevention before providing consent for their Minor Athlete to receive an athletic training modality, massage, or rubdown.

## **2. *Consent***

Providers of athletic training modalities, massages, and rubdowns must obtain consent at least annually from Minor Athletes' parents/guardians before providing any athletic training modalities, massages, or rubdowns. Minor Athletes or their parents/guardians can withdraw consent at any time.

## **E. Electronic Communications / Social Media**

Electronic communications are an ever-changing aspect of the way we communicate today. The specific rules below may reference certain forms of electronic communication, and the specific application of principles may change with regard to a given app, platform, or method of communication, but regardless of the means, **the following principles apply across all manner of electronic communication and should be used to guide adult behavior when communicating with Minor Players:**

### **1. *Content Must be Professional in Nature:***

All electronic communications between a coach/team personnel and a Minor Athlete must be professional in nature (i.e., soccer related) and for the purpose of communicating information about team activities or team-oriented communication (i.e., motivation, instruction).

- Communication or conversation regarding illegal or age-inappropriate topics (drugs, alcohol use, sexually explicit language or imagery, or discussion of adult personal life, social activities, relationship, or family issues) is not permitted.
- All communications must comply with the Prohibited Conduct Policy.

### **2. *Communication Must Be Open and Transparent***

The content of any electronic communication must generally be group-based and should always be readily available to share with the player's family, the Club, and the USL.

- Administrators, coaches, staff, and/or volunteers may not use Snap Chat (or any similar app or app functionality that automatically deletes the content of a communication) to communicate with minor players.
- If a covered person needs to communicate directly with a minor via electronic

communications, **another covered person or the minor's parent/legal guardian must be copied.**

- If a minor communicates to the covered person privately first, the covered person should respond to the minor, copying another covered person or the minor's parent/legal guardian.
- A covered person communicating electronically to the entire team will copy another covered person.
- Consider using group-focused platforms under Club administrative control (e.g., but not limited to, Teamwork, Slack, etc.).

### **3. *Keep Imagery Public***

In posting imagery, Adults are expected to be sensitive to the status of minors. This means any imagery posted to a team website or social media should be soccer-related, not private (e.g., taken in public view), and age appropriate.

- Under no circumstances should imagery depict any conduct that would violate any aspect of this Policy.
- Requests of parents/guardians of minor athletes to remove imagery in which their child is recognizable and individually featured will be honored to the extent practicable.<sup>4</sup>

*The following sections apply the above principles to specific areas of electronic communication and should not be viewed as narrowing the above.*

### **4. *Prohibited Electronic Communication- Direct Messaging***

- Covered persons are not permitted to communicate privately via electronic communications (meaning directly message one individual versus a group message) with minors.
- Covered persons are not permitted to “private message,” “instant message,” “direct

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<sup>4</sup> Where photos are team photos, generally no child is individually featured, but the request will nonetheless be considered in good faith.

message,” or send photos to a minor privately, regardless of what platform is used.

- Covered persons are not permitted to maintain social media connections with minors; such adults are not permitted to accept new personal page requests on social media platforms from minors; and existing social media connections with minors shall be discontinued (and, where necessary, the reason for discontinuing should be explained to the Minor). Instead, players and parents can “friend” the official organization’s team page and coaches can communicate with Players through the site or through similar group-focused methods of communication.
- Players and coaches employed by Clubs may use email to communicate **provided** that the coach is using only his/her/their official Club email account and further provided that all email content between coach and player otherwise complies with this Policy. **When communicating with a minor through email, another covered person or the minor’s parent/legal guardian must be copied.**

##### **5. Requests to Discontinue**

Parents/legal guardians may request in writing that their minor child not be contacted through electronic communication by the organization or by covered persons. Clubs will abide by any such request, absent emergency circumstances.

###### **a. Social Media (including Facebook, Instagram, LinkedIn, texting, WhatsApp, GroupMe, TikTok and Similar Apps)**

- **Keep personal pages personal.** Administrators, coaches, staff and/or volunteers may not invite or allow minor athletes to join a personal social media page unless the Dual Relationship Exception applies. Athletes should be reminded that initiating a “friend” request to administrators/coaches/ staff/volunteers is not permitted.
  - Administrators, coaches, staff and/or volunteers are encouraged to set their social media pages to private settings.
  - Similarly, those who work with Minor Athletes are reminded that they set an example for the Minor Athletes. If a page is not private, U.S. Soccer expects administrators, coaches, staff and/or volunteers who work with Minor Athletes to refrain from posting inappropriate, off-color content or content that would violate the Prohibited Conduct Policy or otherwise commenting on posts that would.
- **Choose Apps that support group-based communication.** Apps such as Team Works™ and GroupMe™ often provide a helpful way to communicate, but again, individual messages should be avoided.
- **Respect reasonable “soccer” hours:** Real-time electronic communications (e.g., texting via SMS, apps, etc.) between coaches and athletes on a group basis is generally allowed between **8 am - 8 pm**, unless there is a specific safety- or soccer related need to communicate.

## **F. Locker Rooms / Training Areas**

Players (especially minors) are particularly vulnerable in locker rooms and changing areas due to various stages of dress/undress and because athletes are less supervised than at many other times. The risk of athlete-to-athlete problems, such as child sexual abuse and bullying, harassment, and hazing, is present when coaches or staff members are not monitoring athletes. This is especially true in locker rooms. Adherence to a locker room and changing areas policy enhances privacy and reduces the likelihood of misconduct. The following guidelines are designed to maintain personal privacy as well as to reduce the risk of misconduct in locker rooms and changing areas.

### ***1. Use of Cell Phone and Other Recordings Devices is Prohibited***

Cell phones and other devices with recording capabilities, including voice recording, still cameras and video cameras, increase the risk for different forms of misconduct in locker rooms and changing areas. As a result, **USE OF A DEVICE'S PHOTOGRAPHIC OR RECORDING CAPABILITIES IN THE LOCKER ROOMS, REST ROOMS, CHANGING AREAS OR SIMILAR SPACES IS PROHIBITED**. Exceptions may be made for media and championship celebrations, provided that everyone is fully clothed, parent/legal guardian consent is provided, and such exceptions are approved by the Club and two or more Adults are present during all recording.

### ***2. Isolated One-on-One Interactions/Monitoring***

- At no time are unrelated adults permitted to be alone with a minor in a locker room, rest room, or changing area during In-Program Contact except when:
  - A Dual relationship Exists; or the close-in-age Exception Applies; or
  - A Minor athlete needs an Adult Participant Personal Care Assistant (“PCA”), and:
    - The Adult Participant PCA has complied with U.S. Soccer’s education and training policy; and
- The Adult Participant PCA has complied with U.S. Soccer’s screening policy. Clubs must provide a private or semi-private place for minor athletes to changes clothes and/or undress at USL events;
- If a Club is using a facility that has access to a single set of facilities, times must be designated for use by each respective group (e.g., adults, minors, etc.);
- Locker rooms, restrooms and changing areas should be regularly and randomly monitored;
- Clubs should make every effort to recognize when a minor athlete goes to the locker room or changing area during practice and competition, and if the minor does not return

in a timely fashion, the Club will check on the minor's whereabouts.

- The USL discourages parents from entering the locker rooms and changing areas unless it is truly necessary. In these instances, it should be a same-sex parent and the Club has given permission.

### ***3. Non-Exclusive Facility***

If your Club uses a facility not under its jurisdiction (e.g., for training or competition or similar events) and the facility is used by multiple constituents, covered persons are nonetheless required to adhere to the rules set forth here.

### ***4. Undress***

- Adults must not change clothes or behave in a manner that intentionally or recklessly exposes their breasts, buttocks, groin, or genitals to a Minor Athlete.
- Adults must not shower with Minor Athletes unless the adult meets the Close-In-Age Exception, or the shower is part of a pre- or post-activity rinse while wearing swimwear.
- Parents/guardians may request in writing that their Minor Athlete(s) not change or shower with USSPP(s) during In-Program Contact. U.S. Soccer and the USSPP(s) must abide by this request.

## **G. Transportation**

- Clubs generally do not arrange for local travel for individual players from home to training/practice/competition and should generally avoid taking responsibility for coordinating local travel.
- It is the responsibility of the parents/legal guardians to ensure that the person transporting the minor player maintains the proper safety and legal requirements, including, but not limited to a valid driver's license, automobile liability insurance, a vehicle in safe working order, and compliance with applicable state laws.
- Covered persons who are not also acting as a parent/legal guardian shall not ride in a vehicle alone with an unrelated Minor, absent a medical emergency. Covered persons not also acting as a parent/legal guardian may only drive with Minors in groups of two or more or with another adult, unless otherwise agreed to in writing by the minor's parent/legal guardian (which consent may be withdrawn at any time).
- In any case where a staff member and/or volunteer is involved in a minor's local travel, a parental release is required in advance. Parents/legal guardians are advised to consult the Center's Parental Toolkit (<https://www.usf.org/forms-pubs/9gSPTAMFn2g/parent-complete-toolkit>) concerning Child Abuse prevention before providing consent for their Minor to travel alone with an unrelated Adult.

- We encourage parents/legal guardians to pick up their Minor first and drop off their Minor last in any shared or carpool travel arrangement.

## **H. Lodging**

Team travel is travel that requires overnight stays away from home and occurs when any Club or team sponsors, coordinates, or arranges for travel so that teams can compete locally, regionally, or nationally. Because of the potential for greater distances, coaches, staff, volunteers, and chaperones will often travel with the Players. Detailed travel plans should be provided to parents/legal guardians before any overnight travel. Written Parental/Guardian consent must be recorded prior to any travel.

### **1. *Covered Persons Requirements***

Covered Persons who travel with a team (whether Coach, ATC, Game Official, staff member, or volunteer/parent) must successfully pass a criminal background check and other screening requirements in compliance with the USL's screening policies and complete the Core SafeSport Training.

### **2. *Travel to Competition***

When possible, all travel duties should be assigned to a common carrier, but when that is not possible, specific Club-developed protocols should be followed. Each Club should set out requirements (like the below) for travel to competitions.

When only one covered person and one minor travel to a competition (including, but not limited to, a minor Game Official), the minor must provide evidence of his/her/their parent's/legal guardian's written permission in advance of each competition before traveling alone with the covered person to a competition.

### **3. *Travel Arrangements***

For team/Club travel, hotels, bus, and air travel will typically be booked in advance by the Club. It is reasonable for players to share rooms, with 2–4 Players assigned per room depending on accommodations. The Club should also notify hotel management should any special arrangements be warranted. For example, depending on the ages in travel parties, the Club may ask hotels to block pay per view channels or clear mini bars. Depending on the size of the group, the Club may also request an additional large room or suite so that its members and players may socialize as a group. Meetings shall not occur in individual hotel rooms, and the Club will reserve a separate space for adults and players to socialize and/or to support appropriate athletic training appointments.

### **4. *Hotel Rooms***

Adults shall not share a hotel room or other sleeping arrangement with a minor (unless the covered persons/individual is the parent/legal guardian, sibling, or is otherwise related to the minor player

and the parent/legal guardian has provided written consent prior to the lodging arrangement). Clubs shall make every reasonable effort to avoid assigning players to the same room who: (i) are not related and are more than two years apart in age (unless authorized in writing by the younger player's parent/legal guardian); or (ii) have a known history of misconduct either with or against one another. In addition, no adult should enter the hotel room or other sleeping arrangement of a minor unless necessary for the safety of the minor (e.g., in the event of emergency). Team meetings should never be conducted in a hotel room used for sleeping.

Parents/legal guardians who wish to stay in the team hotel are permitted and encouraged to do so.

### ***5. Meetings/Supervision***

Meetings will be conducted consistent with the policy for one-on-one interactions—i.e., any such meeting shall be observable and interruptible.

As stated above, meetings may not be conducted in a hotel room used for sleeping. In the event that it is not possible, due to resources or availability, to reserve separate space to conduct meetings or allow for social interactions, then meetings may be conducted in rooms used for sleeping with adherence to strict protocols regarding time of day, number of individuals, and documentation of attendees, so long as the door to the room remains ajar, and/or with additional adults present, with at least one of those adults being the same gender as the player(s), when no other options are available. At no time and under no circumstances may these meetings/interactions be between one adult and one unrelated minor.

During team travel, when doing room checks, attending team meetings and/or other activities, the one-to-one interactions policy must be followed and at least two adults must be present to ensure observable and interruptible environments are maintained.

### ***6. Mixed-Gender and Mixed Age Travel<sup>5</sup>***

Players may only share a room with other players of the same age group (e.g., minors with minors, adults with adults) and gender-identity (if requested). Every effort will be made to room together any younger players that are “playing up”—i.e., players participating in divisions that are typically designed for players in greater age ranges (unless authorized in writing by the younger player's parent/legal guardian). Players will also be further grouped by age (and gender, if applicable) for the purposes of assigning an appropriate chaperone. Clubs must make every effort to provide these groups with at least one chaperone of the same gender.

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<sup>5</sup> Generally speaking, USL does not operate leagues permitting mixed-gender teams. In the event of such a team in the future, however, athletes may only share a room with other athletes of the same gender.

**Regardless of gender or age, a coach shall not share a hotel room or other sleeping arrangement with a player (unless the coach is the parent/legal guardian, sibling, or spouse of that particular player).**

**Similarly, in the event of game official travel, an adult game official shall not share a hotel room or other sleeping arrangement with a minor game official (unless the adult is the parent/legal guardian, sibling, or spouse of that particular minor game official). And at no time should a game official and player or coach be sharing a room.**

## ***7. Coach and Staff Responsibilities***

During team travel, coaches and staff members will help athletes, fellow coaches and staff members adhere to policy guidelines in this Handbook. When not practicing, training, competing, or preparing for competition, coaches and staff will monitor the safety and activities of athletes, fellow coaches, and staff during team travel.

Coaches and staff will:

- prepare athletes for team travel and make athletes aware of all expectations. Supplemental information will be given to parents/guardians of athletes who are considered inexperienced travelers, new or relatively new to team travel, or who are under the age of 14 to familiarize themselves with all travel itineraries and schedules before the initiation of team travel
- conform to, and monitor for others' adherence, all policies during team travel
- encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- ensure athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff, and chaperones
- not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their coaching/staff duties (this applies 24/7 throughout a camp or travel trip)
- immediately report any concerns about physical or sexual abuse, misconduct, or policy violations to the USL, the Federation, and the appropriate authorities

## APPENDIX 1: DEFINITIONS

<b>Term</b>	<b>Definition</b>
Adult	As defined in Section I.C.1.
Adult Participant	Any adult over the age of 18 who is: an athlete, employee or board member within the USL Ecosystem.
Authority	When one person's position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person. See also the Power Imbalance definition in the SafeSport Code.
Center	As defined in Section I.
Covered Persons	All persons in the USL Ecosystem, including but not limited to all Club employees, staff, coaches, volunteers, externs, independent contractors, referees, security, athletic trainers, and health care professionals.
Covered Program	As defined in Section I.C.2.
Close in Age Exception	An exception applicable to certain policies when an Adult Participant does not have authority over a Minor Athlete and is not more than four years older than the Minor Athlete. This exception only applies within the prevention policies and not regarding misconduct defined in the SafeSport Code, or to the screening and training requirements imposed by the Center and U.S. Soccer.
Club	All entities or organizations that have teams attend or otherwise participate in USL leagues or events (including employees, contractors, commissioned service providers, and other individuals acting on behalf of the Club).
Dual Relationship	An exception applicable to certain policies when an Adult Participant has a dual role or relationship with a Minor Athlete and the Minor Athlete's parent/guardian has provided written consent at least annually authorizing the exception.
Federation	As defined in Section I.

<b>Term</b>	<b>Definition</b>
Hostile Environment	As defined in Section II.A.4.
In-Program Contact	Any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete related to participation in sport. Examples of In-Program Contact include, but are not limited to competition, practices, camps/clinics, training/instructional sessions, pre/post-game meals or outings, team travel, review of game film, team or sport related relationship building activities, celebrations, award ceremonies, banquets, team or sport related fundraising or community service, sport education, or competition site visits.
MAAPP	<i>See “Minor Athlete Abuse Prevention Policies”</i>
Mental Injury	As defined in Section II.B.2.
Minor Athlete Abuse Prevention Policies	<p>The MAAPP is a collection of proactive prevention and training policies for the U.S. Olympic &amp; Paralympic Movement. It has three primary components:</p> <ol style="list-style-type: none"> <li>1. An Education &amp; Training Policy that requires training for certain Adult Participants within the Olympic &amp; Paralympic Movement;</li> <li>2. Required Prevention Policies, focused on limiting one-on-one interactions between Adult Participants and Minor Athletes, that Organizations within the Olympic &amp; Paralympic Movement must implement to prevent abuse;</li> <li>3. Recommended Prevention Policies.</li> </ol>
Minor	As defined in Section I.C.1.
Minor Athlete	A participant under the age of 18. Please note that this also includes minor referees.
NGB	As defined in Section I.D

<b>Term</b>	<b>Definition</b>
Personal Care Assistant	An Adult Participant who assists an athlete requiring help with activities of daily living (ADL) and preparation for athletic participation. This support can be provided by a Guide for Blind or visually impaired athletes or can include assistance with transfer, dressing, showering, medication administration and toileting. Personal Care Assistants are different for every athlete and should be individualized to fit their specific needs. When assisting a Minor Athlete, PCAs must be authorized by the athlete's parent/guardian
“PCA”	<i>See “Personal Care Assistant”</i>
Policy	As defined in the preamble.
Regular Contact	Ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete(s). Examples include but are not limited to adult members within employees, volunteers, board members, medical staff, event staff (including contractors), officials, contractors and vendors who have regular contact with minors.
SafeSport Act	As defined in Section II.B.2.
Sexual Abuse	As defined in Section II.B.2.
Sexual Child Abuse	As defined in Section II.A.1.
Sexual Exploitation	As defined in Section II.A.2.
Sexual Interaction	As defined in Section II.A.1.
Ted Stevens Act	As defined in Section I.
The SafeSport Code	Amended SafeSport Code for the U.S. Olympic and Paralympic Movements, (the “SafeSport Code,” available at: <a href="https://uscenterforsafesport.org/response-and-resolution/policies-and-procedures/">https://uscenterforsafesport.org/response-and-resolution/policies-and-procedures/</a> ).

<b>Term</b>	<b>Definition</b>
USL	United Soccer Leagues, LLC and its wholly owned subsidiaries, including (without limitation) USL Pro, LLC d/b/a USL Championship, USL Super League, LLC, USL Pro-2, LLC d/b/a USL League One, Premier Development League, LLC d/b/a USL League Two, USL W League, LLC, and Super Y League, LLC d/b/a USL Youth.
USL Ecosystem	All leagues, Clubs (including employees, contractors, commissioned service providers, and other individuals that acting on behalf of the club), and players that participate in USL leagues or attend USL events.