

USA CURLING

SAFESPORT HANDBOOK



USA Curling

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Currently Under Review

INTRODUCTION

The United States Curling Association (USCA) is committed to encouraging participation and the pursuit of excellence at all levels of the sport. In order to create a safe and positive environment in which curlers can excel, the USCA promotes good sportsmanship and encourages qualities of mutual respect, courtesy, and tolerance. Abuse or harassment of any kind will not be tolerated.

The *USA Curling SafeSport Handbook*¹ has been developed to protect athletes, volunteers, and staff while participating in events conducted under the auspices of the USCA, including championships, curling camps, and educational clinics. It also applies to individuals who have been certified by the USCA as a coach, instructor, official, or ice maker and are functioning in that capacity within their clubs or at a bonspiel or other event, as well as other Covered Individuals (see Section 1). All member clubs are encouraged to use this program as a foundation for club-specific abuse and harassment policies and procedures, as the entire curling community must work cooperatively to promote an environment that is free from such behaviors.

All individuals participating in USA Curling programs and events must comply with the policy and procedures outlined in this document including investigation and resolution procedures under the auspices of the US Center for SafeSport, as applicable.

THE
CHICAGO
COMMUNITY
TRUST

AND AFFILIATES

Special thanks are given to
The Chicago Community Trust and
World Curling Federation
for their generous financial support
of this program.



¹ The *USA Curling SafeSport Handbook* was originally developed based on resources and input from the United States Olympic Committee. Abuse prevention policies and procedures from USA Gymnastics, USA Swimming, and USA Hockey were also used as reference guides. This document replaces the *USCA Abuse and Harassment Guidelines* (2004).

SECTION 1: ABUSE AND HARASSMENT GUIDELINES

Covered Individuals

Individuals covered under the policy include the following:

- Employees of USA Curling and employees of contractors engaged by USA Curling;
- U.S. Curling Association board members and other national and international representatives of the organization;
- Volunteers serving on committees, operational groups, and selection panels recognized by the national organization;
- Volunteers for and participants in USA Curling events, camps, and other USA Curling programs (including athletes, coaches, course conductors, ice makers, instructors, officials, and organizers);
- Individuals who have been certified by USA Curling as a coach, instructor, official, or ice maker and are functioning in that capacity;
- All non-athletes who are authorized by USA Curling to reside, train, or work at an Olympic Training Center; and
- All athletes receiving funding from USA Curling, representing the United States in curling at world championship events, and/or designated for the required USADA testing pool.

To clarify, these policies do not directly apply to U.S. Curling Association member organizations and individual curlers within those organizations unless those individuals fall into one of the classifications above. USA Curling encourages all member organizations to adopt similar SafeSport policies and procedures. Member organizations are also encouraged to reach out to USA Curling and/or the US Center for SafeSport for assistance in cases of abuse or harassment within their organizations.

All covered individuals shall refrain from misconduct including: sexual misconduct, physical abuse, emotional abuse, bullying, harassment, and hazing. Each of these prohibited behaviors is outlined below. Covered individuals are obligated to report actual or perceived violations of the *USA Curling SafeSport Handbook* pursuant to Section 5.

Please note: Certification of coaches, instructors, officials, and ice makers by the USCA does not make those individuals agents or employees of the USCA, and the USCA is not liable for actions of such persons. The USCA's duty is limited to taking appropriate action to screen such individuals under the circumstances set forth in this Handbook, to investigate allegations, to revoke certification or impose other sanctions where appropriate, and to report complaints to appropriate authorities, the US Center for SafeSport, or to local club personnel or parents where appropriate.

Sexual Misconduct

Sexual misconduct as defined by the US Center for SafeSport in the *SafeSport Code for the U.S. Olympic and Paralympic Movement (Code)* is prohibited. The US Center for SafeSport has exclusive authority to investigate and resolve conduct involving (a) sexual misconduct; (b) prohibited conduct under the Code that is reasonably related to the underlying allegation of sexual misconduct, and (c) retaliation related to an allegation of sexual misconduct. The most current definitions as found in the Code take precedence over what is published in this Handbook should the definitions change prior to revision. The current version of the Code can be found online at <https://safesport.org/response/policies>. As of March 3, 2017, that policy read as follows:

Sexual misconduct

(1) Generally

Sexual misconduct offenses include:

- a. Sexual Conduct (or attempts to commit the same), without Consent.
- b. Sexual Conduct (or attempts to commit the same), where there is a Power Imbalance, regardless of purported Consent.
- c. Sexual Harassment.
- d. An Intimate Relationship involving a person in a Position of Power where a Power Imbalance exists.

(2) Sexual misconduct involving Minors

Regardless of any purported Consent, a sexual misconduct offense involving a Minor includes:

- a. Sexual Conduct (or attempt to commit the same) between a Covered Adult and a Minor where the age difference is three or more years.
- b. Sexual Conduct (or attempt to commit the same) between a Covered Adult and a Minor where the age difference is less than three years, but a Power Imbalance exists.
- c. An Intimate Relationship (or attempt to establish the same) between a Covered Adult and a Minor where the age difference is three or more years and a Power Imbalance exists.
- d. Sexual Conduct between a Covered Minor and another Minor if: (1) the age difference is three or more years, or (2) there is a Power Imbalance based on the totality of the circumstances.

(3) Child sexual abuse

A Covered Individual shall not engage in any behavior that constitutes child sexual abuse as defined by federal or applicable state law.

(4) Criminal Disposition

It is a violation of the *Code* for a Covered Individual to be convicted of or subject to a Criminal Disposition for a crime involving (a) any form of sexual misconduct or (b) a Minor.

(5) Other

A Covered Individual shall not engage in any other form of sexual misconduct, including Bullying Behaviors or Hazing of a sexual nature.

More information on conduct reasonably related to sexual misconduct and retaliation, as well as definitions of terms used above, can be found in the most recent version of the *SafeSport Code for the U.S. Olympic and Paralympic Movement*, <https://safesport.org/response/policies>.

Please Note: Romantic or sexual relationships, beginning during the sport relationship, between athletes and those individuals with direct supervisory or evaluative control, or who are in a position of power and trust over the athlete, are prohibited. Except in limited circumstances where no imbalance of power exists, coaches have this direct supervisory or evaluative control and are in a position of power and trust over the individuals they coach.

Physical Abuse²

Physical abuse includes:

- (1) Deliberate contact or non-contact conduct intended to and that results in, or reasonably threatens to cause, physical harm; or
- (2) Any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault).

Examples of contact offenses prohibited by this Handbook include, but are not limited to: punching, beating, biting, striking, choking, or slapping. Prohibited non-contact offenses include, but are not limited to, isolating an athlete in a confined space (e.g., locking an athlete in a locker); forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface); and withholding, recommending against, or denying adequate hydration, nutrition, medical attention, or sleep.

Physical abuse does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improving athlete performance.

² Bullying, harassment and hazing, defined below, often involve some form of physical abuse.

Emotional Abuse³

Emotional abuse includes:

- (1) A pattern of deliberate, non-contact behavior that causes emotional or psychological harm; or
- (2) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

Examples of prohibited verbal acts include a pattern of verbal behaviors that attack an athlete personally (e.g., calling them worthless, fat, or disgusting) or repeatedly and excessively yelling at a particular participant in a manner that serves no productive training or motivational purpose. Prohibited physical acts include, but are not limited to, a pattern of physically aggressive behaviors, such as throwing equipment in the presence of participants or punching walls or other objects. Acts that deny attention or support are also prohibited.

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

Bullying

Bullying includes:

- (1) An intentional, persistent and repeated pattern of physical and/or non-physical behaviors that are intended, or have the reasonable potential, to cause fear, humiliation, or physical harm in an attempt to socially exclude, diminish, or isolate; or
- (2) Any act or conduct described as bullying under federal or state law.

Examples of bullying prohibited by this Handbook include, but are not limited to, physical behaviors (e.g., hitting, pushing, punching, beating, biting, striking, kicking, choking, or slapping an individual) and verbal and emotional behaviors (e.g., teasing, ridiculing, intimidating; spreading rumors or making false statements; and using electronic communications, social media, or other technology to harass, frighten, intimidate or humiliate).

Bullying does not include group or team activities that are meant to establish normative team behaviors or promote team cohesion. For example, bullying does not include verbal admonitions to encourage team members to train harder and to push through a difficult training regimen within the normal scope of the coach/athlete relationship.

³ Bullying, harassment, and hazing, defined below, often involve some form of emotional abuse.

Please note: While bullying often occurs between peers, particularly among minor athletes, it is a violation of this policy if a coach or other responsible adult knows of the bullying behavior but takes no action to intervene on behalf of the targeted individuals.

Harassment

Harassment includes:

- (1) A repeated pattern of behavior that (a) is intended to cause fear or humiliation, (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 athlete or group based on gender, race, ethnicity, culture, religion, sexual orientation, mental or physical disability, and/or other protected classes; or
- (2) Any act or conduct described as harassment under federal or state law.

Examples of harassment prohibited by this Handbook include, but are not limited to, making negative or disparaging comments about an athlete's sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; displaying offensive materials, gestures, or symbols related to religion or race; and withholding or reducing playing time to an athlete based on his or her sexual orientation.

Hazing

Hazing includes:

- (1) Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group's members; or
- (2) Any act or conduct described as hazing under federal or state law.

Examples of hazing prohibited by this Handbook include, but are not limited to: forcing or otherwise requiring the consumption of alcohol or illegal drugs; tying, taping or otherwise physically restraining an individual; sexual simulations or sexual acts of any nature; extreme sleep deprivation; public displays that are illegal or meant to draw ridicule (e.g. public nudity); beating, paddling, or other forms of physical assault; and excessive training requirements focused on individuals or specific members of a team. Activities that fit the definition of hazing are considered to be hazing regardless of an athlete's willingness to cooperate or participate.

Please note: While hazing often occurs between peers, particularly among minor athletes, it is a violation of this policy if a coach, or other responsible adult, knows of the hazing behavior but takes no action to intervene on behalf of the targeted individuals.

Other Prohibited Conduct

No individual governed by this Handbook shall:

- (1) Provide alcohol to an athlete under the legal drinking age; or
- (2) Provide illegal drugs or non prescribed medication to any athlete; or
- (3) Encourage or permit an athlete to return to play pre-maturely following a serious injury (e.g., a concussion) without the clearance of a medical professional.

SECTION 2: RECOMMENDED PRECAUTIONS

The USCA recommends taking the following precautions to help ensure a safe environment for athletes.

Parental Supervision

All parents/guardians of minors are encouraged to become as active as possible in USCA-sponsored activities, practices, and other events. The more parents/guardians are involved, the less likely it is that abuse situations will develop.

Locker Rooms and Changing Areas

Adults should limit interactions with athletes, especially when those athletes are minors, in any environment that is not open and observable when other responsible adults are not present. Whenever feasible, the USCA strongly advises that no adult allow himself or herself to be alone with a child who is not related or alone with any group of children in a private setting such as a locker room or bathroom, while participating in activities sponsored by the USCA. In addition, the USCA encourages coaches, organizers, and others who staff events at which minors are competing to implement the following best practices in order to minimize the potential for misconduct in locker rooms or other changing areas:

- Refrain from undressing in front of athletes of the opposite sex, and be mindful of one's own state of undress in front of all minors.
- Talk to athletes about the potential for bullying, hazing, and harassment by peers in locker rooms or other areas not immediately visible to the public. Encourage them to inform a responsible adult if anyone is making them feel unsafe or uncomfortable.
- Refrain from using recording devices of any kind, including cameras, video recorders, and cell phones, in changing areas or bathrooms.

Electronic Communications and Social Media

Electronic communication between coaches, team leaders, and/or administrators and athletes of all ages should be about team activities and professional in nature. Common sense and discretion should be used when communicating electronically, which includes refraining from posting negative comments or personal information (information that is not common knowledge) about athletes on social networking sites. In addition, the following best practice guidelines have been established to help guide communication between adults and minors:

- The content of any electronic communication should be readily available to share with parents or guardians.

- Communications should never contain any language or topics that are sexual or otherwise inappropriate in nature.
- Adults should be mindful of the content to which they give minors access on personal social networking pages, such as Facebook.

Coaches, team leaders, and/or administrators frequently take photographs and video of practices and competitions. At times, these photos and/or videos are submitted to local, state or national publications, used in club videos, posted on club or club associated websites, or offered to the families of athletes. It is the default policy of the USCA to allow such practices as long as the athlete or athletes are in public view and such imagery is both appropriate and in the best interest of the athlete and the USCA. Parents/guardians have the right to request coaches, team leaders, and/or administrators refrain from posting or otherwise distributing images of their minor children. These requests must be made in writing.

Note: Events may have media release forms for parents/guardians of minor children which clearly specify the wishes of the parent/guardian.

Travel

Travel is often required to participate in bonspiels, playdowns, and/or national championships. In an attempt to reduce the probability of misconduct, the USCA has established the following recommended guidelines for traveling with minor athletes:

- Communicate with parents/guardians about all travel arrangements, and encourage them to accompany their children to events outside of the home club.
- Obtain permission from parents/guardians before transporting minors. Avoid time alone in vehicles with children who are not directly related to you (e.g., children, siblings) whenever possible.
- When driving athletes, have proper safety requirements in place, including a valid driver's license, proper insurance, and a well-maintained vehicle; comply with state and local laws.
- Pair same sex athletes of similar ages together in hotel rooms. If a coach must share a room with minor athletes of the same gender, written permission must be obtained from the parents/guardians. However, it is strongly advised that a coach not share a room with non-family member athletes (regardless of age).
- To help ensure propriety of minor athletes, unaccompanied female athletes should not be allowed in rooms assigned to male athletes and male athletes should not be allowed in rooms assigned to female athletes. Exceptions may be acceptable in cases of siblings or cousins or when accompanied by a parent, coach, or legal guardian.
- Meetings with minors should occur in an open and observable environment whenever feasible.
- Emergency contact information for each player should be readily accessible.

Coaches traveling with adult athletes should consider implementing practices above that would be applicable to an adult population including, but not limited to, holding meetings in open and observable environments.

Appropriate Physical Contact

Appropriate physical contact with athletes can be a productive part of the sport of curling. Guidelines for appropriate physical contact are aimed at reducing the potential for misconduct in sport. Although these guidelines are directed primarily toward adult coaches of minor athletes who are not directly related (for example, parent/child), we encourage all adults to adopt these basic principles.

In order to be both safe and appropriate, all physical contact with athletes—whether it is for safety, celebration, or consolation—should meet the following criteria:

- (1) the physical contact takes place in public;
- (2) there is no potential for, or actual, physical or sexual intimacies during the physical contact; and
- (3) 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. In some instances, coaches or instructors can make the athletic space safer through appropriate physical contact. This may include positioning an athlete's body so that he or she more quickly acquires an athletic skill or making athletes aware that they might be in harm's way because of equipment on the ice.

In non-emergency situations, coaches, volunteers, and officials are encouraged to seek permission of athletes of all ages before touching them in any manner.

Celebration: The USCA recognizes participants often express their joy of participation, competition, achievement, and victory through physical acts. We encourage these public expressions of celebration, which include greeting gestures such as high-fives, fist bumps, and brief hugs; and congratulatory gestures such as celebratory hugs, "jump-arounds" and pats on the back for recognition of athletic or personal accomplishment. However, the coach should refrain from touching an athlete in celebratory situations if the athlete appears to be uncomfortable.

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 can include publicly embracing a crying athlete, putting an arm around an athlete while verbally engaging him or her in effort to calm the athlete down ("side hugs"), and lifting a fallen athlete off the ice

and “dusting them off” to encourage them to continue competition. However, the coach should refrain from touching an athlete in consolatory situations if the athlete appears to be uncomfortable.

SECTION 3: EDUCATIONAL AWARENESS AND TRAINING

Education is a key component of abuse and harassment prevention policies. In addition to providing relevant participants with information on various types of abuse, training helps enhance knowledge of administrators, volunteers, coaches, and others regarding how to minimize the opportunities for abusive situations to occur.

All individuals the USCA formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes must complete the U.S. Center for SafeSport online awareness training program within 60 days following acceptance of a new role requiring completion of such training or prior to participating in and/or preparing for events conducted under the auspices of the USCA, including championships, curling camps, and educational clinics, and/or representing the USCA as a certified coach or instructor (level II or higher) within their own club. No contact with athletes is permitted prior to completion of this training. Individuals/groups required to complete awareness training include, but are not necessarily limited to, the following:

- All coaches, including those at USCA events, championships, and playdowns leading to championship events;
- All officials serving in the capacity of chief umpire or deputy chief umpire at a USA Curling championship or other event, including all active Level III apprentices;
- The head ice maker at a USA Curling championship or event;
- The chair of the organizing committee for the USCA U18 and Junior National Championships;
- All course conductors for USA Curling Sport Education classes;
- Level II (or higher) certified instructors;
- Directors of junior camps and any other junior program receiving financial or administrative support from the USCA;
- All USA Curling employees, including High Performance staff, and board members;
- All non-athletes who are authorized by USA Curling to reside, train, or work at an Olympic Training Center; and
- All athletes receiving funding from USA Curling, representing the United States in curling at world championship events, and/or designated for the required USADA testing pool.

SafeSport training can be found at <https://safesport.org/>. Codes for participation can be obtained from the Development Associate at USA Curling. The training should take approximately 90 minutes, but does not need to be completed in one sitting. Successful completion of all quizzes is required.

Following completion of the initial training, all individuals listed above must complete the SafeSport Refresher course on a biennial basis or more frequently if required by the High

Performance Program or other contractual agreement with USA Curling. Failure to complete the program will result in the inability to participate in events conducted under the auspices of the USCA.

USA Curling staff will track and ensure compliance of individuals required to complete the training program. Periodic reviews, at least once annually, of groups or people included in this requirement will be made by USA Curling staff with changes to the list published online.

SECTION 4: SCREENING PROGRAM

The USCA has implemented a screening program in order to prevent known offenders from being placed in a position of authority in an event or program conducted under the auspices of the organization. Annual background checks will be required of anyone the USCA formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes. This includes, but is not necessarily limited to, the following individuals:

- All coaches, including those at USCA events, championships, and playdowns leading to championship events;
- All officials serving in the capacity of chief umpire or deputy chief umpire at a USA Curling championship or other event, including all active Level III apprentices;
- The head ice maker at a USA Curling championship or event;
- The chair of the organizing committee for the USCA Junior National Championship;
- All course conductors for USA Curling Sport Education classes;
- All volunteers for junior camps and any other junior program receiving financial or administrative support from the USCA;
- All USA Curling employees, including High Performance staff, and board members; and
- All non-athletes who are authorized by USA Curling to reside, train, or work at an Olympic Training Center.

All background checks must be completed prior to contact with athletes and/or 60 days following acceptance of a new role requiring completion of such training. This requirement does not apply to individuals under the age of 18.

Background check registration information can be obtained from the Development Associate at USA Curling. (Do not use codes from previous years.) Upon completion, each applicant will receive either a “green light” or “red light” status. While a “red light” finding means the criminal background check revealed information that may suggest the applicant does not meet the criteria to work/volunteer with the USCA, it does not mean the applicant will be automatically disqualified. A designated USA Curling staff member will contact an applicant to discuss a “red light” status before a decision is made. In certain situations, it may be necessary to notify parents or others of the “red light” status. These decisions will be made on a case by case basis.

While passing a background check indicates that no criminal history was found that would disqualify the individual from working with children or others, it does not mean the individual is necessarily safe to work with children or others. As such, it is possible that other factors may disqualify an applicant from working or volunteering for an event or program conducted under the auspices of the USCA. Such factors may include having resigned, been terminated, or asked to resign from a position – paid or unpaid - due to complaint(s) of sexual or physical abuse of

minors. In certain situations, it may be necessary to notify parents, clubs, and/or regional representatives of such disqualification.

Note: All coaches are required to notify the Development Associate or Event Services Coordinator at USA Curling about arrests, indictments, and/or criminal convictions within thirty (30) days of occurrence. Failure to do so will result in an automatic suspension of the individual's status as a coach in good standing with the USCA for a period of at least one year.

USA Curling staff will track and ensure compliance of individuals required to pass a background screen. Periodic reviews, at least once annually, of groups or people included in this requirement will be made by USA Curling staff with changes to the list published online.

SECTION 5: REPORTING POLICY

Actual or perceived misconduct or wrongdoing as delineated in the *USA Curling SafeSport Handbook* at an event conducted under the auspices of the USCA and/or the US Center for SafeSport must be reported by Covered Individuals (as defined by this Handbook) according to the following guidelines. All others are also highly encouraged to report incidents.

- (1) All allegations of physical or sexual abuse must be reported to appropriate law enforcement authorities. **Please note: Most states have mandatory reporting laws requiring persons holding certain positions, such as a coach, to report suspicions of child physical or sexual abuse;** and
- (2) All suspected violations must be immediately reported to the person in charge of the event (e.g., chief umpire, camp director) or the second in command if the person in charge is not available or the allegation has been made toward that individual; and
- (3) All suspected violations should be reported to USA Curling (See p. 14, “How to Report to USA Curling”) within 48 hours or two business days of learning about the incident or the US Center for SafeSport through the process defined in this Handbook. **It is the policy of USA Curling to immediately report any claims of child physical or sexual abuse to the authorities if a report has not already been made.**
 - a. Conduct by a Covered Individual that could constitute sexual misconduct should be reported to the US Center for SafeSport as directed in the *SafeSport Practices and Procedures for the U.S. Olympic and Paralympic Movement (Appendix A)*. USA Curling will forward all complaints under the jurisdiction of the US Center for SafeSport to that organization. USA Curling also reserves the right to forward other complaints to the US Center for SafeSport.

Please note: The USCA, its staff members, and/or volunteers **will not attempt to evaluate the credibility or validity of a child physical or sexual abuse claim as a condition for reporting to appropriate law enforcement authorities or to the U.S. Center for SafeSport.** As necessary, however, representatives of the USCA may ask clarifying questions of the minor or person making the report to adequately report the suspicion or allegation to law enforcement authorities and/or the U.S. Center for SafeSport. Out of concern for the protection of youth athletes, the USCA reserves the right to suspend an individual until the matter is investigated and resolved by proper authorities.

Since the USCA does not own, operate, or otherwise control local curling clubs and/or other curling organizations, the USCA has no formal authority over these groups. However, it is the responsibility of persons governed by this Handbook to report violations by an individual who has been certified by USA Curling as a coach, instructor, official, or ice maker if it takes place at a non-USCA event or in a member club (e.g., misconduct by a certified coach at a bonspiel or misconduct by a certified instructor during a junior league). USA Curling also encourages all member organizations to adopt similar SafeSport policies and procedures. Member organizations are also encouraged to reach out to USA Curling and/or the US Center for SafeSport for assistance in cases of abuse or harassment within their organizations.

How to Report to USA Curling

Reports to USA Curling can be made by (1) clicking the “Report an Incident” link on the USA Curling website, <http://www.teamusa.org/USA-Curling/Sport-Education/SafeSport>; (2) emailing SafeSport@usacurl.org; or (3) calling (888) CURLERS (287-5377) and speaking to a designated SafeSport coordinator. SafeSport coordinators include the Chief Executive Officer, Director of Growth & Development, Development Associate, and Event Services Manager.

While USA Curling will accept an anonymous complaint, it is strongly encouraged that the following information be included in all reports:

- Name and contact information of complainant
- Type of misconduct alleged
- Name(s) of individual(s) who allegedly committed the misconduct
- Name(s) of victim(s) of the alleged misconduct
- Approximate date, time, and location the alleged misconduct was committed
- Names of other individuals who might have information regarding the alleged misconduct
- Reasons suggesting that the misconduct has occurred

NOTE: No direct fees or other costs are involved in making a complaint.

How to Report to the US Center for SafeSport

Covered Individuals (as defined in Section 1) MUST report to the U.S. Center of SafeSport conduct of which they become aware that could constitute (a) sexual misconduct (b) misconduct that is reasonably related to the underlying allegation of sexual misconduct and/or (c) retaliation related to an allegation of sexual misconduct.

Reports can be made by (1) calling the US Center for SafeSport office at 720-524-5640 Monday–Friday, 8am–5pm MT; (2) reporting online at <https://safesport.org/response/reporting> (online reports are accepted 24 hours a day, 7 days a week); or (3) through mail at the U.S. Center for SafeSport, C/O Response and Resolution Office, 1385 South Colorado Boulevard, Suite A-706,

Denver, CO 80222. More details about reporting and the Center in general can be found online at <https://safesport.org>.

Any reports made to USA Curling that fall under the jurisdiction of the US Center for SafeSport will be forwarded to the Center. The Center has exclusive jurisdiction over cases as defined in Section 1 and possible jurisdiction over additional cases referred to the US Center for SafeSport by USA Curling. Allegations that fall under the exclusive jurisdiction of the US Center for SafeSport and/or are accepted by the US Center for SafeSport at the request of USA Curling are investigated and resolved according to the policies of the US Center for SafeSport. Please see the *SafeSport Practices and Procedures for the U.S. Olympic and Paralympic Movement* and Supplementary Rules for U.S. Olympic and Paralympic Movement SafeSport Arbitrations at <https://safesport.org/response/policies> for more information.

Reporting to the Center and/or USA Curling DOES NOT satisfy any legal reporting requirements under state or federal law. If the suspected conduct may also be criminal, you are strongly encouraged to report to law enforcement. For state-by-state reporting requirements, see www.childwelfare.gov.

Confidentiality of Cases Under the Jurisdiction of USA Curling

The USCA cannot guarantee complete confidentiality of complaints under the jurisdiction of the USCA. However, the USCA will strive to ensure that all complaints are handled in a manner that, to the greatest degree possible, protects the rights of all parties. In an attempt to maintain confidentiality of complaints, records shall be produced and/or persons contacted only as may be necessary to process the complaint.

Complainant Protection of Cases Under the Jurisdiction of USA Curling

Regardless of outcome, USA Curling supports the complainant(s) and his or her right to express concerns in good faith. USA Curling will not tolerate attempts by any individual to retaliate, punish, or in any way harm any individual(s) who reports a concern in good faith. Any such retaliation will be grounds for disciplinary action.

Bad-Faith Allegations in Cases Under the Jurisdiction of USA Curling

Any individual who alleges misconduct under the *USA Curling SafeSport Handbook* that, upon review, is determined to be malicious, frivolous, or made in bad faith will be in violation of the policy and subject to disciplinary action. Bad-faith reports may also be subject to criminal or civil proceedings.

How Reported Alleged Violations Under the Jurisdiction of USA Curling Are Handled

Reports to USA Curling alleging misconduct or wrongdoing as delineated in Section 1 of the *USA Curling SafeSport Handbook*, or reports of activities that potentially put athletes, volunteers, staff, or others involved in USCA organizational activities in danger of harm will be

handled according to the following process. Exceptions include allegations that fall under the jurisdiction of the US Center for SafeSport and additional cases that are referred by USA Curling to and accepted by the US Center for SafeSport for investigation and response.

- (1) Review: USA Curling shall review complaints judged to potentially fall under the purview of the USA Curling SafeSport policy that contain enough information to proceed with an investigation. Complaints determined to fall under the jurisdiction of another USCA policy or code will be processed according to the relevant policy or code.

USA Curling will use reasonable efforts to gather initial information regarding the complaint within two weeks of receipt of the complaint, or as soon as possible depending on the severity and time frame of the initial allegations.

- (2) Course of Action: Following completion of the initial investigation, USA Curling may:

- i. Take No Further Action: USA Curling may take no further action on the complaint because of a lack of evidence of any misconduct or wrongdoing. USCA shall notify the accused and the complainant of this determination. The complainant may appeal this determination to the SafeSport Hearing Panel within thirty (30) days following receipt of notice. The appeal must be made in writing to USA Curling's Chief Executive Officer.

Should it be determined that, following the initial investigation, the situation falls under another USA Curling policy or code, it will be processed under such.

- ii. Interim Sanction: In instances where the evidence clearly suggests misconduct or wrongdoing, USA Curling may offer the accused a sanction proportional and reasonable to the violation. Sanctions could include, but are not limited to, temporary or permanent suspension of involvement in USCA events or membership in the organization. USA Curling may impose a time limitation as it determines is applicable for acceptance of the sanction.

The parties may appeal this determination to the SafeSport Hearing Panel within thirty (30) days following receipt of notice. The appeal must be made in writing to USA Curling's Chief Executive Officer.

- iii. Refer to Hearing Panel: USA Curling may report the wrongdoing to a Hearing Panel for adjudication.

- (3) Hearing Panel Composition: The USCA SafeSport Hearing Panel shall consist of three (3) individuals. The Chief Executive Officer of USA Curling shall appoint the Panel members.

- (4) Hearing/Decision: The following procedures shall be followed.
- i. Notice: The accused shall be informed in writing of the alleged misconduct or wrongdoing.
 - ii. Evidence: The accused shall be afforded an opportunity to present oral and written evidence. If the complainant/victim is a minor, a written report may substitute for the minor's direct testimony. The rules of evidence will not be strictly enforced; instead, rules of evidence generally accepted in administrative proceedings shall be applied.
 - iii. Conduct of Hearing: The Hearing Panel may set such rules regarding the proceeding and the conduct of the hearing as it deems necessary. Hearings will not be open to the public. Hearings may be conducted telephonically or by other electronic means. The Hearing Panel may proceed in the accused's absence if the accused cannot be located or if the accused declines to attend the hearing.
 - iv. Finding: After considering the evidence presented, the Hearing Panel will make a determination as to whether or not the accused has violated Section 1 of the *USA Curling SafeSport Handbook* or has put athletes, volunteers, staff, or others involved in USCA organizational activities in danger of harm.
 - v. Sanction: If the Hearing Panel determines that a violation has occurred or that there is danger of harm, the Hearing Panel may impose sanctions it deems appropriate that are proportional and reasonable to the violation. Sanctions may include, but are not limited to, temporary or permanent suspension of involvement in USCA events or membership in the organization.
- (5) Appeals. The complainant or accused may appeal the decision of the Hearing Panel to the American Arbitration Association, provided that such appeal is filed within thirty (30) days of notice of the Hearing Panel's determination.
- (6) Ted Stevens Olympic and Amateur Sports Act. A proceeding that involves denial of an individual's opportunity to participate in protected athletic competition shall comply with the requirements of the Ted Stevens Olympic and Amateur Sports Act.
- (7) Employees. An employee of USA Curling accused of misconduct or wrongdoing as delineated in Section 1 of the *USA Curling SafeSport Handbook* may be dealt with pursuant to the USA Curling's internal employment procedures, and not pursuant to this policy, if that approach is deemed appropriate to the situation.

Public Notification

The USCA's primary concern is the safety of our members. When warranted, the USCA reserves the right to inform relevant members of the public of the alleged incident (e.g., parents of children who attended an event at which an accused individual coached, members of the club at which the incident took place, president of regional association). As previously noted, public notification may also be warranted based on the arrest or subsequent conviction of an individual.