

# DRC SAFE SPORT POLICIES AND PROCEDURES

## I. INTRODUCTION

### A. Mission of membership organization

1. As a member organization of USRowing, Duluth Rowing Club (hereinafter DRC), its employees, contractors, volunteers, officials, board members, committee members and other designees, members and organizational members are required to comply with the U.S. Center for SafeSport Code including its reporting requirements, available here: <https://uscenterforsafesport.org/wp-content/uploads/2022/02/2022-SafeSport-Code.pdf>
2. Reporting sexual misconduct and child abuse: <https://uscenterforsafesport.org/report-a-concern/>
3. Reporting non-sexual misconduct: [https://usrowing.org/sports/2018/4/13/18827\\_132107104230772015.aspx](https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx)

## II. DEFINITIONS

### A. DRC Specific Definitions

1. Duluth Rowing Center refers to physical property at 3900 Minnesota Avenue in the City of Duluth in the County of St. Louis, Minnesota, including two buildings known as the boat house and the Club House. The Club House contains locker room facilities and meeting space in addition to private boat storage. The Duluth Rowing Center also refers to the unimproved physical grounds at 3900 Minnesota Avenue and the docks extending from that property. When in use, the Duluth Rowing Center also refers to boats owned by the Duluth Rowing Club, an easement crossing to the Lake Superior side of Park Point, and the waters constituting the flow of traffic for Duluth Rowing Club boats on either side of Park Point.
2. Duluth Rowing Club refers to the organization of the same name organized as a nonprofit corporation under Minnesota Laws and described under Section 501(c)(3) of the Internal Revenue Code, et seq and as revised.
3. Duluth Rowing Club Board (hereinafter 'the Board,' refers to the Board of Directors who, along with the full body of members, constitute the governing authority of the DRC.

### B. Safe Sport Specific Definitions

1. Minor Athlete Abuse Prevention Policies, hereinafter MAAPP, refers to a collection of proactive prevention and training policies for the U.S. Olympic & Paralympic Movement. It has three primary components: Education & Training, Required Prevention Policies, focused on limiting one-on-one interactions between Adult Participants and Minor Athletes, and Recommended Prevention Policies. The MAAPP applies to all USRowing members.

### III. TRAINING REQUIREMENTS

A. DRC must offer and give consistent training related to the prevention of child abuse: (1) to all adult members who are in Regular Contact with amateur athletes who are minors and (2) subject to parental consent, to members who are minors.

### IV. SCREENING PROCESS

A. Any Adult Participant who is in a position of authority over athletes of any age or who has Regular Contact with youth athletes is required to complete a background check every two years and to annually complete the online SafeSport training course or SafeSport training refresher course. Examples include, but are not limited to, employees, coaches, referees, full-time volunteers, board members, staff, administrators, and any other non-athlete member.

#### B. Criminal histories

1. Any background check that results in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, for any of the below criminal offenses will be subject to DRC's policies and procedures to determine the individual's level of access and involvement.

2. It is a violation of the Policy for a participant to have a criminal charge or disposition. Criminal Conduct is relevant to an individual's fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of this Policy occurred but may be considered for sanctioning purposes.

C. Sex Offender Registry: A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to be a Participant.

### V. Reporting Requirements

A. Violations of nonsexual misconduct can be reported by submitting an incident report to the Duluth Rowing Club Board either by providing the report to any member of the Duluth Rowing Club Board or to the designated club administrator. USRowing encourages initial reporting of such matters to the relevant Member Organization. If, following review by the DRC, the issue remains unresolved or is not susceptible to resolution at the DRC level, it may be reported to USRowing using the USRowing reporting form found at

[https://usrowing.org/sports/2018/4/13/18827\\_132107104230772015.aspx](https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx).

B. Violations of sexual misconduct must be reported directly to the U.S. Center for SafeSport and appropriate local authorities. Any report received by USRowing or DRC of an allegation that falls within the Center's exclusive jurisdiction must be referred directly to the Center immediately and no later than within 24 hours. Such reports to the Center

should be made through the reporting form found at <https://uscenterforsafesport.org/report-a-concern/>.

## VI. Conduct

- A. Please refer to the USRowing SafeSport policy for more information.
- B. All Participants are bound by and must comply with this Policy as well as the Code. Participants are responsible for knowing the information outlined and have expressly agreed to this Policy and the Code, including the applicable policies and procedures.
- C. Participation in USRowing licensed and sanctioned activities is a privilege, not a right. Such participation may be limited, conditioned, suspended, terminated, or denied if a Participant's conduct is or was inconsistent with the Code, this Policy, and/or the best interests of the sport of rowing and those who participate in it.
- D. DRC formally adopts the definitions of Prohibited Conduct contained in the Code and set forth below. Any changes to the Code's categories and definitions of misconduct are immediately adopted by DRC and effective upon the Center's publication of them unless otherwise noted. Prohibited Conduct includes but is not limited to:
  1. Criminal Charge or Disposition
  2. Child Abuse
  3. Sexual Misconduct
  4. Emotional and Physical Misconduct, including Stalking, Bullying, Hazing, and Harassment
- E. All Participants must familiarize themselves with each form of misconduct and the policies and must refrain from engaging in misconduct and/or violating any of these policies.
  1. Sexual Misconduct and Child Abuse: USRowing applies the same policies prohibiting Sexual Misconduct and Child Abuse as the applicable policies of the Code, which can be found here: <https://www.uscenterforsafesport.org>.
  2. All persons within the jurisdiction of USRowing shall comply with the Sexual Misconduct and Child Abuse policies of the Code. Any violation of the Sexual Misconduct or Child Abuse policies of the Code by a Participant shall subject such person to appropriate disciplinary action by the Center and/or USRowing, including, but not limited to, suspension, permanent suspension, and/or referral to law enforcement authorities.
  3. Prohibited Conduct and Jurisdiction: The Center shall have authority and jurisdiction over the investigation and resolution of any allegations of violations by any Participant of the Sexual Misconduct policies set forth in the Code, which prohibit sexual behavior involving minors by any adult Participant and in some cases between minors, including without limitation, (as such terms are defined in the Code):

4. Sexual or Gender-related Harassment

- a) *Non-consensual Sexual Contact*
- b) *Non-consensual Sexual Intercourse*
- c) *Sexual Exploitation*
- d) *Bullying or Hazing or Other Inappropriate Conduct of a sexual nature, including:*
- e) *An adult Participant engaging in an intimate or romantic relationship where a Power Imbalance exists.*
- f) *An Adult Participant exposing a minor to imagery of a sexual nature*
- g) *An Adult Participant intentionally exposing private areas, or inducing another to do so, to an adult where there is a Power Imbalance, or to a minor, or*
- h) *An Adult Participant engaging in inappropriate physical contact with a Participant where a Power Imbalance exists.*

The Center shall also have exclusive jurisdiction to investigate and resolve allegations that a Participant has a Criminal Charge or Disposition involving Child Abuse or Sexual Misconduct.

The Center shall also have authority and exclusive jurisdiction over any conduct described in the Code as Aiding and Abetting when it relates to the Center's Process, Misconduct Related to Reporting where the underlying allegation involves Child Abuse or Sexual Misconduct (including failing to report to the Center and intentionally filing a false allegation), and Misconduct Related to the Center's Process (including an abuse of process and retaliation). The behaviors or conduct prohibited by the Code may be found here: <https://www.uscenterforsafesport.org>.

The Center shall also have authority and jurisdiction over the investigation and resolution of reports or allegations of USRowing SafeSport policies other than Sexual Misconduct (e.g., Physical Misconduct, Bullying, Locker Room Policy, etc.) where such conduct is reasonably related to and accompanies a report or allegations involving Sexual Misconduct.

Notwithstanding the foregoing, prior to the Center expressly exercising such jurisdiction, USRowing and DRC retain the authority to address any allegations of sexual abuse or misconduct on a temporary basis, including through issuance of summary suspension over a credibly accused Participant.

- a) *Upon the Center's issuance of a Notice of Exercise of Jurisdiction, any temporary suspension, discipline, or other measures previously imposed by USRowing, or DRC will be automatically and immediately adopted by the Center as its own, will be applicable throughout the Center's jurisdiction, and will remain in effect unless and until the Center modifies those measures. Once the Center exercises jurisdiction over particular allegations regarding a particular Participant, neither USRowing nor DRC may issue a new suspension in response to those allegations. However, USRowing and DRC may put in place any necessary safety plan(s) or interim measure(s) short of those measures that may deny or threaten to deny a Participant's opportunity to participate.*

F. Emotional Misconduct: Emotional Misconduct includes: (i) Verbal Acts, (ii) Physical Acts, (iii) Acts that Deny Attention or Support, (iv) Criminal Conduct, and/or (v) Stalking. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

1. Verbal Acts: Repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.
2. Physical Acts: Repeated and/or severe aggressive behaviors, including but not limited to, throwing sport equipment, water bottles or chairs at or in the presence of others, punching walls, windows, or other objects.
3. Acts that Deny Attention or Support: Ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Participant from practice.
4. Criminal Conduct: Emotional Misconduct includes any act or conduct described as emotional abuse or misconduct under federal or state law (e.g., child abuse, child neglect).
5. Stalking: Stalking when a person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) to experience substantial emotional distress.
  - a) *“Course of conduct” means at least two or more acts, in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property.*
  - b) *“Substantial emotional distress” means significant mental suffering or anguish.*
  - c) *Stalking also 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.*

Exclusion: Emotional Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance. Emotional Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participant’s participation.

G. Physical Misconduct: Physical Misconduct is 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:

1. Contact Violations: Punching beating, biting, striking, strangling, or slapping another; intentionally hitting another with objects, such as sporting equipment; encouraging or knowingly permitting an Athlete to return to play prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional.

2. Non-Contact violations: Isolating a person in a confined space, such as locking an Athlete in a small space; 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); withholding, recommending against, or denying adequate hydration, nutrition, medical attention, or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another.
3. Criminal Conduct: Physical Misconduct includes any act or conduct described as physical abuse or misconduct under federal or state law (e.g., child abuse, child neglect, assault).

Exclusion: Physical Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building appropriate discipline, or improved Athlete performance. For example, hitting, punching, and kicking are well-regulated forms of contact in combat sports but have no place in rowing. Physical Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participants participation.

H. Bullying: Repeated and/or severe behavior(s) that are (i) aggressive, (ii) directed at a Minor, and (iii) intended or likely to hurt, control, or diminish the Minor emotionally, physically, or sexually. Bullying-like behaviors directed at adults are addressed under forms of misconduct, such as Hazing and/or Harassment. Examples of Bullying Behavior may include, without limitation, repeated and/or severe:

1. Physical: Hitting, pushing, punching, beating, biting, striking, kicking, strangling, spitting, or slapping, or throwing objects (such as sporting equipment) at another person.
2. Verbal: Ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.
3. Social Media, Including Cyberbullying: Use of rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media, or other technology to harass, frighten, intimidate, or humiliate someone; socially excluding someone and asking others to do the same.
4. Criminal Conduct: Bullying Behavior includes any conduct described as bullying under federal or state law.

Exclusion: Conduct may not rise to the level of Bullying Behavior 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. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

I. Hazing: Any conduct that subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, humiliate, degrade, or intimidate the person as a condition of joining or being socially accepted by a group, team, or organization. Purported Consent by the person subjected to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

Examples of Hazing include:

1. Contact Acts: Tying, taping, or otherwise physically restraining another person; beating, paddling or other forms of physical assault.
2. Non-Contact Acts: 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., 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; restrictions on personal hygiene.
3. Criminal Acts: Any act or conduct that constitutes hazing under applicable federal or state law.

Exclusion: 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 a part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Hazing does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

J. Harassment: Repeated and/or severe conduct that:

1. Causes fear, humiliation, or annoyance,
2. Offends or degrades,
3. Creates a hostile environment (as defined above), or 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, or mental or physical disability; or
4. Any act or conduct described as harassment under federal or state law.

Whether 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 a part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Harassment does not include

professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

K. Threats: A Participant violates this Policy by threatening to harm another Participant. A threat to harm others includes any written, verbal, physical or electronically transmitted expression of intent to physically injure or harm someone else. A threat may be communicated directly to the intended victim or communicated to a third party. Threatening behavior by a Participant is prohibited in any manner in connection with any USRowing-sanctioned activities or events.

L. Aiding and Abetting: Aiding and Abetting occurs when one aids, assists, facilitates, promotes, or encourages the commission of Prohibited Conduct by a Participant, including but not limited to, knowingly:

1. Allowing any person who has been identified as suspended or otherwise ineligible by USRowing to be in any way associated with or employed by DRC.
2. Allowing any person who has been identified as suspended or otherwise ineligible by USRowing to coach or instruct Participants.
3. Allowing any person who has been identified as ineligible by USRowing to have 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 an NGB, LAO, USOPC or the Olympic & Paralympic Movement.
4. Providing any coaching-related advice or service to an Athlete who has been identified as suspended or otherwise ineligible by USRowing.
5. Allowing any person to violate the terms of their suspension or any other sanctions imposed by USRowing.

In addition, a Participant also violates this Policy if someone acts on behalf of the Participant to engage in aiding or Abetting, or if the guardian, family member, or Advisor of a Participant, including Minor Participants, engages in Aiding or Abetting.

## VII. Contact Between Adult Members and minors

- A. All 1 to 1 interactions MUST be observable and interruptible, except when:
- a) *A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement.*
  - b) *The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement; or*
  - c) *The Minor Athlete needs a Personal Care Assistant, and:*
    - (1) The Minor Athlete's parent/guardian has provided advance, written consent to USRowing or the Member Organization for the Adult Participant

Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement.

(2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and

(3) The Adult Participant Personal Care Assistant has complied with USRowing's background screening policy.

d) *Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.*

## B. Meetings and training sessions

1. Individual training sessions must be observable and interruptible, except when:

a) *A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement.*

b) *The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement; or*

c) *The Minor Athlete needs a Personal Care Assistant, and:*

(1) The Minor Athlete's parent/guardian has provided advance, written consent to USRowing or the Member Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement.

(2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and

(3) The Adult Participant Personal Care Assistant has complied with USRowing's background screening policy.

d) *Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.*

## C. Areas where athletes change

1. May include, but not limited to, locker rooms, boathouse, and restrooms

2. Conduct in locker rooms, changing areas, and similar spaces

a) *Parent/guardians may request in writing their minor athletes not change or shower with adult participants during in-program contact. DRC and adult participants must abide by this request*

3. Personal care assistants may assist a minor athlete in changing or be present in changing areas when necessary for the purposes for which personal care assistance is requires AND

a) *The Minor Athlete's parent/guardian has provided advance, written consent to USRowing or the Member Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement.*

b) *The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and*

*c) The Adult Participant Personal Care Assistant has complied with USRowing's background screening policy.*

4. Availability and monitoring of Locker rooms, changing areas, and similar spaces

*a) DRC must provide a private/semi-private place for minor athletes that need to change clothes or undress at sanctioned events or facilities partially or fully under DRC jurisdiction*

*b) DRC Must monitor the use of locker rooms, changing areas, and similar spaces to ensure compliance with these policies at sanctioned events partially or fully under DRC jurisdiction*

#### D. Electronic communication

1. All electronic communication shall be open and transparent, except when:

*a) A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement.*

*b) The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement; or*

*c) The Minor Athlete needs a Personal Care Assistant, and:*

*(1) The Minor Athlete's parent/guardian has provided advance, written consent to USRowing or the Member Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement.*

*(2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and*

*(3) The Adult Participant Personal Care Assistant has complied with USRowing's background screening policy.*

*d) Written consent from a Minor Athlete's parent/guardian must be obtained for all electronic communication at least annually.*

2. Only platforms that allow for open and transparent communication may be used to communicate with Minor Athletes.

3. For the purposes of this section, the term 'open and transparent' shall refer to a form or method of communication which can be observed, i.e. no one to one communication, and is capable of being audited, i.e., communications may be retrieved and reviewed afterwards by DRC, USRowing, or the Center for Safe Sport.

#### E. Team communication

1. Any and all team communication shall be open and transparent.

2. For the purposes of this section, the term 'open and transparent' shall refer to a form or method of communication which can be observed, i.e. no one to one communication, and is capable of being audited, i.e., communications may be retrieved and reviewed afterwards by DRC, USRowing, or the Center for Safe Sport.

3. Team communication shall be limited in content to that communication necessary to further the interests of the program and the best interests of team participants.
4. The DRC and its employees and assigns shall comply with a reasonable request to disclose the content of team communications. Disclosure shall be redacted to the extent required by law or consistent with the request of the custodial guardian of a minor team participant.
5. Electronic communications should generally only be sent between the hours of 8:00 a.m. and 8:00 p.m., unless emergency circumstances exist, or while traveling internationally or during competition travel.

F. Social Media Connections: Adult Participants, except those with a Dual Relationship or who meet the Close-in-Age Exception, are not permitted to maintain private social media connections with Minor Athletes and should discontinue existing social media connections with Minor Athletes. For the purposes of this provision, the moderated DRC Closed Facebook Group, DRC Junior Program Closed Facebook Group, or any other such moderated, open, and transparent social media hubs SHALL NOT constitute 'private social media connections.

G. Transportation

1. An Adult Participant cannot transport a Minor Athlete one-on-one during In-Program travel, except when:
  - a) *A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement.*
  - b) *The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement; or*
  - c) *The Minor Athlete needs a Personal Care Assistant, and:*
    - (1) The Minor Athlete's parent/guardian has provided advance, written consent to USRowing or the Member Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement.
    - (2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
    - (3) The Adult Participant Personal Care Assistant has complied with USRowing's background screening policy.
  - d) *Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.*
2. An Adult Participant meets the In-Program transportation requirements (i.e., there is no 1 to 1 contact) if the Adult Participant is accompanied by another Adult Participant or at least two minors.

3. Written consent from a Minor Athlete's parent/guardian is required for all transportation sanctioned by USRowing or a Member Organization at least annually.

#### H. Lodging

1. All In-Program Contact at a hotel or lodging site between an Adult Participant and a Minor Athlete must be observable and interruptible, and an Adult Participant cannot share a hotel room or otherwise sleep in the same room with a Minor Athlete, except if:

a) *A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement.*

b) *The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement; or*

c) *The Minor Athlete needs a Personal Care Assistant, and:*

(1) The Minor Athlete's parent/guardian has provided advance, written consent to USRowing or the Member Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement.

(2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and

(3) The Adult Participant Personal Care Assistant has complied with USRowing's background screening policy.

d) *Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.*

#### I. Out-of-program contact

1. Adult members of the DRC and Employees and assigns shall not have out of program contact with minor participants, except when:

a) *A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement; or*

b) *The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement.*

c) *Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.*

2. For the purposes of this provision, off-season recruiting for the next season or participating in club-wide fundraising or membership drives or events SHALL NOT constitute out-of-program contact. The policies and procedures concerning in-program contact and communication shall apply to these activities.

#### J. Gifting

1. Adult participants shall not engage in gifting to or with minor participants, except when:
    - a) *A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement; or*
    - b) *The Close-in-Age Exception applies, and the Minor Athlete's parent/guardian has provided USRowing or the Member Organization with advance, written consent for the lodging arrangement.*
    - c) *Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.*
  2. For the purposes of this section, awards and/or recognitions given in an in-program setting SHALL NOT constitute prohibited gifting.
- K. Photograph/video
1. Consent: when applicable, must be obtained at least annually from minor athlete's parents/guardians.

## VIII. Jurisdiction

- A. Exclusive jurisdiction
1. The Center has the exclusive jurisdiction to investigate and resolve allegations that a Participant engaged in one or more of the following:
  2. Sexual Misconduct, including, without limitation, child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct
  3. Criminal Charges involving Child Abuse or Sexual Misconduct
  4. Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct
  5. Aiding and Abetting, when it relates to the Center's process
  6. Misconduct Related to the Center's Process
  7. Other Inappropriate Conduct, as defined in the Code.
- B. Discretionary jurisdiction
1. USRowing has jurisdiction, and the Center has discretionary jurisdiction, to investigate and resolve allegations that a Participant engaged in one or more of the following:
    - a) *Non-sexual Child Abuse*
    - b) *Emotional and physical misconduct, including stalking, bullying behaviors, hazing and harassment*
    - c) *Criminal Charges not involving Child Abuse or Sexual Misconduct*
    - d) *USRowing Minor Athlete Abuse Prevention Policies (MAAPP) or other similar Proactive Policy violations.*

2. USRowing has the authority and jurisdiction to investigate and address any allegations of violations of this Policy and/or the Code that are not within the Center’s exclusive jurisdiction, provided that, in the event that the Center does exercise its jurisdiction, USRowing, and/or DRC shall no longer exercise jurisdiction over the matter.

## IX. DRC’s reporting and investigation process

### A. Jurisdiction notification & reporting

1. USRowing promptly informs an identified reporting party of its jurisdictional determination regarding their report to USRowing, communicating that the matter either is being referred to the Center, is being addressed by USRowing, or is being referred to DRC.

2. USRowing has a mandatory reporting policy that comports with the mandatory reporting of child abuse provisions in the SafeSport Code, including mandatory reports to law enforcement, compliance with any other applicable reporting requirements under state law, and mandatory reports to the Center.

3. Although USRowing strongly encourages all Participants to report allegations of Prohibited Conduct, adult Participants are mandatory reporters under this Policy. If an adult Participant learns of any allegation of Prohibited Conduct, they must report the allegation as follows:

*a) If a Participant becomes aware of an allegation of Sexual Misconduct or Child Abuse, or Retaliation the Participant MUST report this to the Center immediately and report Child Abuse to Law Enforcement.*

*b) IMPORTANT: If an adult Participant learns of information and reasonably suspects that a Minor has suffered an incident of Child Abuse (to include neglect, physical, emotional, and sexual abuse), they must report this to law enforcement (or in some states child protective services) and the Center immediately. Filing a report with the Center does not satisfy the reporting requirement to law enforcement.*

### B. Reporting Sexual Misconduct

1. All reports of Sexual Misconduct must be reported directly to the Center at [www.uscenterforsafesport.org](http://www.uscenterforsafesport.org) or (833)-587-7233. No statutes of limitation apply to reports of incidents of Sexual Misconduct. All such reports received by USRowing or DRC will be forwarded to the Center. Reporting such conduct to the Center does not satisfy an Adult Participant’s obligation to report to law enforcement or other appropriate authorities consistent with federal law. Any report received by USRowing or DRC of an allegation that falls within the Center’s exclusive jurisdiction must be referred by USRowing or the Member Organization directly to the Center immediately and no later than within 24 hours.

### C. Reporting non-sexual misconduct

1. DRC will take a report in the way that is most comfortable for the person initiating the report including an anonymous, in-person, verbal, or written report. Regardless of the method of reporting, it is helpful to USRowing to get the following information:

- a) *The name of the Claimant(s)*
- b) *The type of misconduct alleged*
- c) *The name(s) of the alleged victims(s)*
- d) *The name(s) of the individual(s) alleged to have committed the misconduct.*

2. Individuals may report non-sexual misconduct, including violations of the Minor Athletes Abuse Prevention Policies, to USRowing by completing an Incident Report Form. Required information on this form will include:

- a) *The name(s) of the Claimant(s)*
- b) *The type of misconduct alleged*
- c) *The name(s) of the individual(s) alleged to have committed the misconduct*
- d) *The approximate date(s) and location(s) where the misconduct was committed*
- e) *The names of other individuals who might have information regarding the alleged misconduct*
- f) *A summary statement of the reasons to believe that misconduct has occurred.*

D. Except for mandatory reporting to the authorities and the Center, USRowing will withhold the Claimant's name upon request, to the extent permitted by law. A copy of the USRowing Incident Report form can be found here:

[https://usrowing.org/sports/2018/4/13/18827\\_132107104230772015.aspx](https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx).

E. Confidentiality: To the extent permitted by law, and as appropriate, USRowing will handle any report it receives confidentially and discretely and will not make public the names of the Claimant(s), potential victim(s), or accused person(s); however, USRowing may disclose such names on a limited basis when conducting an investigation, or reporting to the Center, or reporting to law enforcement authorities.

F. Anonymous Reporting: DRC recognizes that it can be difficult to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. Anonymous reports may be made without the formality of completing an Incident Report Form by:

- 1. Completing (without including a name) an Incident Report Form found here:  
[https://usrowing.org/sports/2018/4/13/18827\\_132107104230772015.aspx](https://usrowing.org/sports/2018/4/13/18827_132107104230772015.aspx)
- 2. Expressing concerns of misconduct to USRowing directly
- 3. Expressing concerns to the Safe Sport Protection Team at  
[USRowingSafeSport@usrowing.org](mailto:USRowingSafeSport@usrowing.org)

G. As appropriate, and at its discretion, USRowing may institute formal investigations and hearings to address serious allegations of misconduct under this Policy. Such

investigations will be undertaken to address only the most serious allegations and patterns of behavior that may warrant significant sanctions.

H. Where an investigation under this Policy is conducted by DRC, the Respondent, Claimant, and/or accused shall have the right to:

1. Receive written notice of the report or complaint, including a statement of the allegations (reacted as appropriate)
2. Present relevant information to the investigator(s)
3. Legal counsel, at his or her own expense
4. The Director of Safe Sport is responsible for ensuring the response and resolution policy is being followed.

## X. Enforcement

A. The enforcement of this Policy falls under the jurisdiction of the USRowing Disciplinary Committee, except:

1. Allegations of sexual misconduct, which falls under the exclusive jurisdiction of the Center; and
2. Allegations of non-sexual misconduct that the Center takes discretionary jurisdiction over.

B. USRowing shall recognize and enforce all penalties imposed by the Center, including lifetime bans. Temporary suspensions apply to the suspended person, but not to the suspended person's business. Final and non-appealable suspensions and bans apply to the person and any rowing-related business the suspended or ban person owns.

## XI. Collection of Data by USROWING

A. DRC must annually submit to USRowing data regarding:

1. Reports of emotional or physical misconduct made to DRC (if known).
2. Total reported incidents of alleged emotional misconduct and/or alleged physical misconduct.
3. Total number of investigations of alleged emotional misconduct and/or alleged physical misconduct.
4. Total number of violations for emotional misconduct and/or physical misconduct adjudicated by USRowing, separated by cases adjudicated by USRowing and cases adjudicated by DRC.
5. Reports to USRowing or DRC that a Participant violated the MAAPP
6. Total reported incidents of alleged violations of the MAAPP
7. Total number of investigations of alleged violations of the MAAPP

8. Total number of violations of the MAAPP, separated by cases adjudicated by USRowing and cases adjudicated by DRC.
  9. Reports to USRowing or DRC that a Participant engaged in retaliation
  10. Total reported incidents of alleged retaliation
  11. Total number of investigations of alleged retaliation
  12. Total number of violations of retaliation separated by cases adjudicated by USRowing and DRC.
- B. USRowing is required to collect this information from DRC on a quarterly basis.

Enacted by ratification of the DRC Board of Directors on June 5, 2023, as evidenced by the signature below of Eric Dott, DRC President and Board Chair.

This 11th day of June, 2023

*Eric R. Dott*

[Eric R. Dott \(Jun 12, 2023 12:51 CDT\)](#)

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Eric Dott, DRC President and Board Chair