

USTA SAFE PLAY HANDBOOK

A guide for tennis organizations developing and implementing an athlete safeguarding program.

INTRODUCTION

The United States Tennis Association (“USTA”) is committed to fostering a safe and respectful play environment at all levels so that everyone who participates in USTA programs can do so in an atmosphere free from all forms of misconduct. Following a long history of implementing various protocols, policies and procedures to safeguard athletes at USTA-branded and co-branded programs, in 2013 the USTA formally released the USTA Safe Play program. The USTA Safe Play program embodies the USTA’s commitment to respect and safety through the use of screening, education and reporting tools. The USTA has provided this handbook as a resource to guide the development, implementation and enforcement of misconduct prevention strategies for all tennis organizations across the United States.

WHAT YOU WILL FIND IN THIS HANDBOOK

This handbook is organized into two parts. In Part 1, you will find the strategies for creating a plan to recognize, reduce and respond to misconduct. In Part 2, you will find the policies to support you in developing your own athlete safeguarding policies and procedures and enforcing the strategies outlined in Part 1. These include:

- a. Implementing proactive policies
- b. Training and education
- c. Screening staff members, volunteers and/or contractors
- d. Defining misconduct and reporting procedures

Please note that because certain individuals who work for or volunteer with your organization may be in compliance with the USTA’s Safe Play program for purposes of operating a national program does not mean your organization or program is in compliance with the *Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act of 2017* (the “Act”) or USTA terms of membership. Therefore, policies substantially similar to those described in this handbook must be adopted.

Nothing contained in this handbook is intended to supersede, replace or otherwise diminish the USOPC Bylaws, the U.S. Center for SafeSport (the “Center”), the Ted Stevens Act or the USTA Safe Play program . Those individuals required to be in compliance with the USTA Safe Play program must continue to meet those requirements as provided by the USTA.

HOW TO USE THIS HANDBOOK

Everyone must take an active role in fostering a healthy and safe environment for our sport. This handbook outlines those policies and procedures to be implemented to best arm yourself in creating a safe atmosphere for the athletes interacting with the activities of your organization. In addition, it provides your organization with the policies and procedures to reasonably limit one-on-one interactions between an athlete who is a minor and an adult pursuant to the Act. This handbook also provides sample policies and procedures to maintain compliance with the Act. For the avoidance of doubt, all adult USTA members, all adults authorized by the USTA or by a USTA member, to interact with an athlete must report immediately any allegation of child abuse or neglect of an amateur athlete as required by the Act.

To help guide you in determining what elements should be included in your athlete safeguarding program, please consider the following factors:

- The amount of one-on-one interactions occurring with minors at your facility
- The extent of minors' participation (including youth athletes, youth programming, youth staff or volunteers working on site)
- Where training and competition takes place
- How the athletes and / or groups travel
- How athletes and coaches communicate with each other
- Whether there are any special needs within the group
- The ages of the athletes participating in your programs and other activities
- Whether there are mixed-age groupings
- Vulnerable areas in which misconduct can occur (e.g., locker rooms, changing areas).
- The size of your organization's membership
- Your organization's legal and business structure
- Your organization's strategy for implementing an athlete safeguarding program, including who will be responsible for setting and implementing the policies and procedures. For example, based on your organization's structure and resources, certain aspects of your athlete safeguarding program may be most effectively and efficiently implemented at the local or regional level.
- Federal and state laws as well as existing policies and procedures which may already be in place.

If your organization does implement a policy identified in this handbook, should it adopt it as drafted?

Not necessarily. The policies contained in this handbook are templates that serve as a potential starting point for developing your own specific policy. Organizations should not adopt a policy that is inapplicable to its business structure, staff, volunteers, contractors and/or members. Instead, for a policy to be effective, it is critical that your organization carefully tailor any policy and procedure contained in this handbook to meet its needs while also meeting the mandates instituted pursuant to the Act and the Center (as applicable and as described above). Also, you should consult with your legal counsel when developing and implementing your organization's athlete safeguarding program to ensure that your policies and procedures comply with your state and federal laws. Nothing contained in this handbook should be construed as legal advice. Rather it is to be used as a guide in implementing your own athlete safeguarding program.

Will implementing an athlete safeguarding program eliminate misconduct in tennis?

No. There is no way to avoid all risks of misconduct in tennis-or in any other sport for that matter. This handbook serves as a resource for your organization to mitigate risk and to help support the USTA's effort of setting a tone within tennis that misconduct of any kind will not be tolerated. Your athlete safeguarding program is a signal to the tennis community that you are being proactive and purposeful in fostering a safe and respectful environment so that participants of all ages can develop a love for the game.

STRATEGY 1

PROACTIVE POLICIES

Proactive policies are critical to supporting your overall athlete safeguarding program by ensuring that the day-to-day activities and behaviors reduce the risk for misconduct. Ensuring that the boundaries are clearly outlined helps to foster the safe and respectful environment players and participants thrive in. As you know your business best, you should continue to explore other potential areas where misconduct may occur and provide detailed parameters on what your organization considers to be acceptable behavior. What follows are the policies applicable to all adults USTA members who have regular contact with athletes who are minors, all USTA members at a facility under the jurisdiction of the USTA, or whom the USTA, authorizes to have regular contact with or authority over an athlete who is a minor.

Further, all USTA sanctioned tournaments, events, or programs must implement these proactive policies to be in compliance with the Act. The Act requires that you implement reasonable procedures to limit one-on-one interactions between an athlete who is a minor and an adult (who is not the minor's legal guardian) without being in an observable and interruptible distance from another adult, except under emergency circumstances.

Templates for each of these proactive policies begin on page 10.

One-on-One Interactions Policy

This policy describes an organization's plan for interactions during program activities and to minimize one-to-one interactions between athletes and coaches, staff and/or volunteers. The plan should raise awareness about those activities that pose a high risk for child physical or sexual abuse and other misconduct and provides ways to minimize one-to-one interactions.

This policy also describes the purpose and limits of appropriate physical contact between athletes and other relevant participants and identifies the person and/or entity to whom unacceptable forms of physical contact should be reported. A physical contact policy provides clarity and guidance for contact with athletes in order to facilitate safer training conditions to perform and to receive the benefits of tennis.

Electronic Communications and Social Media Policy

This policy describes acceptable uses of mobile and electronic devices and social media and emphasizes transparent communication. Effective communication concerning travel, training schedules and administrative issues among administrators, staff, coaches, athletes and their families is critical. However, the use of mobile devices, web-based applications, social media and other forms of electronic communications increases the possibility for improprieties and misunderstandings, and also provides would-be offenders with unsupervised access to an athlete. The improper use of mobile and electronic communications can result in misconduct and adherence to a policy for mobile and electronic communication reduces these risks.

Locker Room and/or Changing Area Policy

This policy describes how locker rooms and changing areas are monitored and states limits on the use of electronic media devices in these areas. Athletes, especially minors, are particularly vulnerable in locker rooms and changing areas due to various stages of dress/undress and because athletes are less supervised during these times. Athlete-to-athlete problems, such as sexual abuse, bullying, harassment and hazing, often occur 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.

Travel Policy

This policy describes acceptable local and team travel. A travel policy provides clarity and guidance for athlete transport.

STRATEGY 2

TRAINING AND EDUCATION

Education and training are key components to establishing a safe and fun environment for those involved in your organization's programs and services. The USTA has adopted the training and educational materials developed by the Center. These resources are developed to be age appropriate and are available for athletes ranging in ages from preschool to adulthood, for parents, as well as for coaches and other individuals in positions of authority over athletes. The Center's training and education materials outline the core concepts behind creating a safe and positive sport environment and addresses how to identify and prevent sexual misconduct and abuse. These training materials also review the legal requirements for reporting a concern about abuse and how the reporting process works as well as how to recognize, respond to and prevent various forms of misconduct, including bullying, hazing, harassment and physical and emotional abuse.

The Center's training and education standard for all adults in a position of authority over minor athletes or having regular contact with athletes includes a one-time 90 minute "Core Center for SafeSport Training" module and annual refresher courses effective the calendar year following the completion of the Core Center for SafeSport Training. The USTA strongly encourages you to adopt this same training to meet this standard. For more information about accessing the training, please reach out to safeplay@usta.com.

Who should complete training and education?

Awareness and education is critical to any prevention strategy. Ensuring as many people as possible in your organization are educated on the issues related to safeguarding athletes will provide a strong foundation for your athlete safeguarding program. You should require all staff, independent contractors and volunteers to complete training and education who have:

- a. Regular contact with or supervision over athletes or participants who are minors;
- b. Responsibility for enforcing your athlete safeguarding policies; and
- c. Managerial or supervisory roles in your organization.

To strengthen your strategies, all parents of minor athletes should be made aware of and strongly encouraged to complete the educational resources available to them as well as their child athlete. The Center provides these resources for that purpose.

What elements should be addressed in athlete safeguarding training and education?

- The organization's commitment to ongoing training and awareness
- The relevant standard of care and legislation
- Definitions for, and effects of, child physical and sexual abuse as well as emotional and physical misconduct, bullying, harassment and hazing
- Identification of risk opportunities for child physical and sexual abuse and other misconduct in sports
- Common myths about offenders
- Patterns, behaviors and methods of operation of sexual predators
- Policies, practices and procedures to recognize, reduce and report misconduct

A template Training and Education Policy is attached as 18.

STRATEGY 3

APPLICANT SCREENING

The applicant screening process identifies applicants with characteristics that would increase the risk of harm if they were placed in a particular position. The type of screening and the process is based on the requirements of that position, the nature of the contact with athletes and participants, and the legal limits placed on the use of screening tools. Whether someone is paid for their services should NOT be a factor in deciding whether to conduct screening or what level of screening is appropriate. Anyone engaging with athletes, in particular minor athletes, whether a staff member, independent contractor or a volunteer, should be treated the same for these purposes.

For example, circumstances in which repeated one-on-one contact occurs between one volunteer and minor athletes, often in very private surroundings, will merit criminal screenings. On the other hand, limited and supervised contact with minor athletes, in the presence of more than one adult and several program participants, may make the need for criminal screening discretionary. The services provided can make a difference as well. If an individual will be transporting athletes, a DMV screen (or the results of that screen) should be considered; if no driving is involved, this screening might not be needed.

Of course, it is important that you familiarize yourself with state and local laws regarding screening and under what circumstances you may refuse to retain a person based on the information learned. The breadth of your screening may vary considerably based on factors that are unique to your program and the services being provided.

Before establishing a policy, consider the following risk factors; the more risk factors that are present, the greater the need for increased screening.

- The presence of other athletes or adults during the activity
- The physical location of the activity (e.g., on court, in the locker room; care should be taken in considering all activities and their different physical locations, including transportation to and from events)
- The duration of the activity (how much time is spent with the athletes per occasion)
- The frequency of contact and the length of the relationship (e.g., one time only, once a week for a year)
- The type of contact (e.g., does the individual have direct contact with minor athletes?)
- The presence of athletes with limited or impaired abilities, such as those with learning or physical disabilities or with a history of abuse, may be exceptionally vulnerable.

There also may be state laws or regulations that require certain screening practices to be used. For example, states may require that state or federal criminal record checks be done. If a state license or certification is required, statutory or regulatory requirements may also be in place. Federal, state or local laws may also provide an individual with certain legal rights. For example, certain questions may not be asked during an interview/application process, and generally all inquiries must be relevant to the task or position at hand.

Consistent screening and background-checking practices reduce the chances that an athlete will come in contact with potentially dangerous adults as well as decrease liability exposure.

CRIMINAL BACKGROUND SCREENS

When selecting an independent, third-party screening provider to conduct criminal background screens, consider selecting a provider that provides a “Red Light/Green Light” protocol. This protocol allows the sensitive nature of the findings of the screening process remain confidential with the screening provider who conducts the screening. You set your criteria, and the screening provider advises whether the applicant receives a red light or a green light based on the results from the screening provider. Your organization should be notified of a

clearance (green light status) or criminal record (red light status). In the event of a red light status, the background screen vendor will need to contact your organization to request authorization to send an adverse action letter on behalf of your organization, and if authorized, will send an adverse action letter to the individual. On request, the background screen vendor will provide additional information to support your organization's review and decision process.

After receiving notification of a red light determination, your organization may choose to assemble a panel to review these types of determinations to decide what degree the individual may be involved / affiliated with your organization based on the results of the background screen. In rendering a finding, this panel may evaluate the circumstances surrounding the disqualifying matter, the dates in which the matter occurred and the overall impact of the matter on the relevant position sought. Advice from legal counsel should also be sought in these instances.

"Red Light" indicates that:

- The applicant does not meet the established criteria.
- The applicant has not provided screening vendor with the necessary information to complete the screening.
- The applicant has been convicted of a criterion offense, and/or
- The applicant is a sex offender registrant.

"Green Light" indicates that:

- No documentation was discovered that disqualified the applicant.
- The applicant meets the criteria.
- The applicant has no criminal record, and/or
- The crime for which an applicant was convicted is not a criterion offense.

Recommended criteria for conducting criminal background screens can be found in the sample background screen policy beginning on page 19.

Any disqualified individual must have the right to dispute inaccurate findings of the background screening directly with the organization's background screen vendor.

Many organizations permit freelance tennis professionals to rent court time to provide lessons and training. This can give the impression of an employer/employee relationship between the facility and the professional in the eyes of the public. It is recommended that an organization properly vet any individual regularly providing tennis services on its premises.

Criminal background screens are not a guarantee of safety.

A criminal background screen will only identify someone with a criminal record that meets your criteria. That being said, screening those who work with athletes is an important component in the prevention of abuse. Such practices, from basic screening methods (written applications, interviews, and reference checks) to other, more extensive or specialized practices (checks of criminal records, abuse registries or sex offender registries), send a clear message that your organization will not tolerate abuse. Because screening is not a guarantee that abuse will not occur, it is critical to incorporate screening as a part of the broader athlete safeguarding program as described in this handbook.

A template screening policy is attached on page 19.

STRATEGY 4

ATHLETE SAFEGUARDING STANDARDS OF CONDUCT & REPORTING

Establishing Boundaries

Your objective should be to create an environment that is fun, inclusive and respectful of all. To do so, it is important for your organization to develop a set of guidelines to establish clear behavioral boundaries. If inappropriate conduct is not clear to all stakeholders in your organization, unacceptable situations may otherwise be tolerated and no disciplinary action taken. As the national governing body for tennis, the USTA's Safe Play Policy clearly outlines and defines misconduct and is consistent with the policies dictated by the Center and subsequently all other national governing bodies of sport throughout the United States. This consistency clarifies to all stakeholders the specific behaviors and actions that will be considered misconduct in all USTA activities. In addition to providing clear definitions of misconduct, athlete safeguarding policies and procedures should outline unacceptable behaviors and provide guidelines to minimize opportunities for misconduct. We will address these specifically in Strategy 4 of this handbook under *Proactive Policies*. To see the USTA's complete Safe Play Policy, please visit: www.usta.com/safeplay.

Reporting Requirements

Once you clearly outline how your organization defines misconduct, you need to establish a reporting process. This includes a way for individuals to make a report and a process to handle these reports.

First, create a simple Misconduct Reporting Form (a template has been provided on page 23). This form can be provided to / made available for any individual wishing to make a report of misconduct or for an employee or volunteer of your facility to use to memorialize a report that may have been made to them verbally or of which they have firsthand knowledge.

Once you have a Misconduct Reporting Form as a means to capture a report, you must establish the individual or individuals whom these reports will be sent. You should designate at least two (2) people to serve as your organization's athlete safeguarding contact ("Athlete Safeguarding Coordinators"). These people should have authority within your organization to act, be well-versed in your organization's policies and procedures, and are able to maintain discretion when the situation requires it.

Lastly, create a notification process. It does no good to your organization if someone fills out a Misconduct Reporting Form but does not make others in the organization aware of it. It is important that Misconduct Reporting Forms are evaluated and reviewed so that actions might be taken to either eliminate or reduce these types of incidents from happening again. We strongly recommend creating a dedicated email address to receive these and any other reports that might be made. Your Athlete Safeguarding Coordinators should monitor this mailbox as they should be the best equipped to handle the incoming report, identify its urgency and engage appropriately. The designated email address is important as it ensures that all messaging related to reports is streamlined and does not get "buried" in an administrator's mailbox. It is especially important that all matters are documented for those instances where legal action might be taken against your staff, facility or organization as a result of an incident.

Note: Any incident or occurrence that would require the response of, or a notification to, police, fire or medical personnel would make it a requirement to fill out a Misconduct Reporting Form. In any instance when the police or local law enforcement respond to an incident and prepare an official report, request a copy of the report for your records.

What are the elements of a comprehensive Athlete Safeguarding Policy?

- Declare the organization's commitment to athlete safety
- Describes to whom the policy applies (e.g., those within the organization's control)
- Defines sexual misconduct and all other forms of misconduct in sport
- Prohibits all forms of misconduct
- Meets or exceeds requirements of relevant standard of care
- Outlines reporting requirements
- States where and how to make a report of suspected misconduct
- Describes how the organization will address violations of its policies and procedures
- Provides complainant protection, where reasonable or legally possible and prohibits retaliation
- Prohibits malicious, frivolous or bad-faith allegations.

Should all reports be handled the same?

No. Your response to a report will vary based on the type of misconduct and/or abuse being alleged. All suspicions of child abuse, child sexual abuse or child neglect must be reported immediately to the local authorities. To determine the appropriate authority in your state visit <https://www.childwelfare.gov/topics/responding/reporting/how/>. Thereafter, a report must also be made to the U.S. Center for SafeSport by visiting www.uscenterforsafesport.org if the report involves an athlete, a USTA member, or another individual associated with tennis. Lastly, a report should also be made to the USTA's Safe Play office at safeplay@usta.com so that any temporary measures necessary can be implemented. .

All other reports that are non-sexual in nature should be handled based on several factors, including (i) the age of the claimant or victim, (ii) the age of the respondent or accused, and (iii) the nature, scope, and extent of the allegations. In some instances, these reports may rise to a level of unlawful behavior and in those instances the proper law enforcement agency must be immediately contacted.

Your response to any report will vary in degree of severity from a warning or suspension through termination. You should seek the advice of your legal counsel to determine the best recourse. Additional details about response procedures are outlined in the attached template Athlete Safeguarding Policy on page 20.

TEMPLATE POLICIES

STRATEGY 1 – PROACTIVE POLICIES

[ORGANIZATION] ONE-ON-ONE INTERACTIONS POLICY

This One-on-One Policy applies to:

- Adult members at a facility that is either partially or fully under the jurisdiction of [ORGANIZATION]
- Any adult authorized by [ORGANIZATION] to have regular contact with or authority over an athlete who is a minor
- Adult staff and board members of [ORGANIZATION]

(Collectively, “Applicable Adult” for the purpose of this policy)

One-on-one interactions between a minor athlete and an Applicable Adult, who is not the minor’s legal guardian, are permitted if they occur at an observable and interruptible distance from another adult. One-on-one interactions that are not interruptible and observable between minor athletes and an Applicable Adult are prohibited, except in the circumstances described below and under emergency circumstances. This policy is applicable to all [ORGANIZATION]-related or branded activities, including during practice, competition, travel, lodging and during any health or medical treatment occurring on site.

One-on-One Meetings

A one-on-one meeting may be necessary to address an athlete’s training schedule or other related concerns. Under these circumstances, Applicable Adults must observe the following guidelines:

1. Any meeting between an Applicable Adult and a minor athlete may only occur with another adult present, except under emergency circumstances. Such meetings must occur where interactions can be easily observed and at an interruptible distance from another adult.
2. If a one-on-one meeting is to take 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.
3. If a mental health care professional and/or health care provider meets with minor athletes at our 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 legal guardian consent is obtained in advance by the mental health care professional and/or health care provider, with a copy provided to [ORGANIZATION].

One-on-One Training Sessions

A one-on-one training session(s) between a minor athlete and an Applicable Adult is permitted if the training session is observable and interruptible by another adult. It is the responsibility of the Applicable Adult to obtain the written permission of the minor athlete’s parent or legal guardian in advance of the one-on-one training session(s) if the one-on-one training session(s) is not observable and interruptible by another adult. Written permission for one-on-one training sessions must be obtained at least every six months. [ORGANIZATION] encourages parents and guardians to attend the training session.

Monitoring

All one-on-one interactions between minor athletes and an Applicable Adult at a [ORGANIZATION] facility, program or event must be monitored. Monitoring includes knowing that one-on-one interactions

This is not intended to supersede your legal counsel’s advice. We recommend that you consult your legal counsel to ensure that your organization’s policies and procedures are consistent with relevant state and federal statutes.

are occurring, the approximate planned duration of the interaction and randomly dropping in on one-on-one interactions. It is the responsibility of the program administrator to develop a monitoring plan.

Gift-giving

Gift-giving or providing special favors or privileges to individual minor athletes are prohibited.

Out-of-Program Contacts

Applicable Adults are prohibited from interacting one-on-one with unrelated minor athletes in settings outside of the program (including, but not limited to, one's home) unless parent/legal guardian written consent is provided for each out-of-program contact.

Physical Contact with Minor Athletes

- a. Physical contact with athletes, for safety, consolation and celebration, should only occur if the following criteria are observed:
 - The physical contact takes place in public.
 - There is no potential for physical or sexual intimacies 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

- b. Massages & Rubdowns / Athletic Training Modalities

Any massage or rubdown/athletic training modality performed on a minor athlete must be:

- Conducted in an open and interruptible location.
- Done with at least one other adult present and must never be done with only the minor athlete and the person performing the massage or rubdown/athletic training modality in the room.
- If requested, parents/legal guardians are permitted to be in the room as observers.

Prohibited Physical Contact

Prohibited forms of physical contact, which must be reported immediately to [ORGANIZATION], include, but are not limited to:

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

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

VIOLATIONS

Violations of this policy will not be tolerated and must be reported to [ORGANIZATION ATHLETE SAFEGUARDING COORDINATOR CONTACTS], and violations will be addressed according to the [ORGANIZATION] Athlete Safeguarding Policy. In addition, some forms of physical contact may constitute child physical or sexual abuse that must be immediately reported to appropriate law enforcement authorities.

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

STRATEGY 1 – *PROACTIVE POLICIES*

[ORGANIZATION] ATHLETE SAFEGUARDING ELECTRONIC COMMUNICATIONS & SOCIAL MEDIA POLICY

This Social Media & Electronic Communications policy applies to:

- Adult members of [ORGANIZATION] who have regular contact with athletes who are minors
- Any adult authorized by [ORGANIZATION] to have regular contact with or authority over an athlete who is a minor
- Adult staff and board members of [ORGANIZATION]

(Collectively, “Applicable Adult” for purposes of this policy.)

Content

All electronic communication originating from an Applicable Adult to minor athletes must be professional in nature.

Open and Transparent

- Absent emergency circumstances, if an Applicable Adult with authority over minor athletes needs to communicate directly with a minor athlete via electronic communications (including social media), another Applicable Adult or the minor’s legal guardian must be copied.
- If a minor athlete communicates to the Applicable Adult (with authority over the minor athlete) privately first, said Applicable Adult must respond to the minor athlete with a copy to another Applicable Adult or the minor’s legal guardian.
- When an Applicable Adult with authority over minor athletes communicates electronically to the entire team, said Applicable Adult must copy another adult.
- Minor athletes are permitted to “friend” [ORGANIZATION]’s official social media channels.

Request to Discontinue

Legal guardians may request in writing that their minor athlete not be contacted through any form of electronic communication by the organization or by the Applicable Adult. [ORGANIZATION] will honor any such request that their minor athlete not be contacted via electronic communication, absent emergency circumstances.

Hours

Electronic communications must only be sent between the hours of 6:00 a.m. and 8:00 p.m., unless emergency circumstances exist, or while traveling internationally or during competition travel.

Monitoring

[ORGANIZATION] monitors its social media pages and removes any posts that violate [ORGANIZATION]’s policies and practices for appropriate behavior. [ORGANIZATION] will inform the legal guardian of a minor athlete of any prohibited posts. In addition, in the event of threatening or harassing comments targeting or about an athlete or Applicable Adult, [ORGANIZATION] may notify industry partners including but not limited to the USTA, WTA, ATP Tour and/or the ITF so that those entities may address the situation according to their policies.

This is not intended to supersede your legal counsel’s advice. We recommend that you consult your legal counsel to ensure that your organization’s policies and procedures are consistent with relevant state and federal statutes.

Prohibited Electronic Disclosures

Applicable Adults with authority over minor athletes are not permitted to maintain private social media connections with unrelated athletes, and such Applicable Adults are not permitted to accept new personal page requests on social media platforms from athletes who are minors, unless the Applicable Adult has a fan page, or the contact is deemed as celebrity contact vs. regular contact. Existing social media connections on personal pages with minor athletes must be discontinued.

VIOLATIONS

Violations of this policy will not be tolerated and must be reported to [ORGANIZATION ATHLETE SAFEGUARDING COORDINATOR CONTACTS], and violations will be addressed according to the [ORGANIZATION] ATHLETE SAFEGUARDING Policy. In addition, some forms of physical contact may constitute child physical or sexual abuse that must be immediately reported to appropriate law enforcement authorities.

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

STRATEGY 1 - PROACTIVE POLICIES

[ORGANIZATION] ATHLETE SAFEGUARDING LOCKER ROOM AND/OR CHANGING AREAS POLICY

This Locker Room & Changing Area policy applies to:

- Adult members at a facility that is either partially or fully under the jurisdiction of [ORGANIZATION]
- Any adult authorized by [ORGANIZATION] to have regular contact with or authority over an athlete who is a minor
- Adult staff and board members of [ORGANIZATION]

(Collectively, “Applicable Adult” for purposes of this policy.)

All Applicable Adults must adhere to the following rules:

- Use of any device’s (including a cell phone’s) recording capabilities, including voice recording, still cameras and video cameras, in locker rooms, changing areas or similar spaces is prohibited. Exceptions may be made for media and championship celebrations, provided that such exceptions are approved by [ORGANIZATION] and two or more Applicable Adults are present.
- Under no circumstances shall an unrelated Applicable Adult intentionally expose his or her breasts, buttocks, groin or genitals to a minor athlete.
- Except for athletes on the same team, at no time are unrelated Applicable Adults permitted to be alone with a minor athlete in a locker room or changing area, except under emergency circumstances.
- Regular and random sweeps of locker rooms and changing areas shall be conducted at facilities under [ORGANIZATION]’s jurisdiction to monitor and ensure compliance with these policies.
- When using a facility that only has a single gender locker room or changing area, there shall be either:
 - separate changing spaces designated for Applicable Adults and minors; or
 - separate times designated for use by Applicable Adults, if any.
- Use of locker room monitors are recommended to ensure that minor athletes are not left unsupervised in locker rooms and changing areas.
- Applicable Adults shall make every effort to recognize when a minor athlete goes to the locker room or changing area during practice and competition and, if he or she does not return in a timely fashion, must check on the minor athlete’s whereabouts.
- Parents are only permitted in locker rooms and changing areas under emergency circumstances. In those instances, only a same-sex parent may enter the locker room or changing area, and the parent must notify the coach or administrator in advance.

VIOLATIONS

Violations of this policy will not be tolerated and must be reported to [ORGANIZATION ATHLETE SAFEGUARDING COORDINATOR CONTACTS], and violations will be addressed according to the [ORGANIZATION] Athlete Safeguarding Policy. In addition, some forms of physical contact may constitute child physical or sexual abuse that must be immediately reported to appropriate law enforcement authorities.

This is not intended to supersede your legal counsel’s advice. We recommend that you consult your legal counsel to ensure that your organization’s policies and procedures are consistent with relevant state and federal statutes.

STRATEGY 1 – *PROACTIVE POLICIES*

[ORGANIZATION] ATHLETE SAFEGUARDING TRAVEL POLICY

The following travel policies apply to:

- Adult members of [ORGANIZATION] who have regular contact with athletes who are minors
- Any adult authorized by [ORGANIZATION] to have regular contact with or authority over an athlete who is a minor
- Adult staff and board members of [ORGANIZATION]

(Collectively, “Applicable Adult” for purposes of this policy.)

Local Travel

Local travel consists of travel to training, practice and competition that occurs locally and does not include coordinated overnight stay(s).

- Local Travel Transportation
 - Applicable Adults (except for legal guardians) shall not ride in a vehicle alone with an unrelated minor athlete, absent emergency circumstances, and must have at least two minor athletes or another adult in transport at all times, unless otherwise agreed to in writing by the minor athlete’s parent/legal guardian in advance of each local travel.
- [ORGANIZATION] encourages parents/legal guardians to pick up their minor athlete first and to drop off their minor athlete last in any shared or carpool travel arrangement.
- [ORGANIZATION] recommends that parents/legal guardians receive education concerning child abuse prevention before providing consent for their minor athlete to travel alone with an Applicable Adult who is the subject of these policies. Resources for parents can be found here: <https://resources.safesport.org/toolkits/Parent-Toolkit-Complete/index.html>.

Team Travel

Team travel is travel to a [ORGANIZATION]-sanctioned event or competition or other activity that [ORGANIZATION] plans and supervises.

- Team / Competition Travel
 - When only one Applicable Adult and one minor athlete travel to a competition, the minor athlete must have his or her legal guardian’s written permission in advance and for each competition to travel alone with said Applicable Adult.
- Hotel Rooms
 - Applicable Adults shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the Applicable Adult is the legal guardian, sibling or is otherwise related to the minor athlete). However, a parent/legal guardian may consent to such an arrangement in advance and in writing. Furthermore, a parent/legal guardian may consent in advance and in writing to the minor athlete sharing a hotel room or other sleeping arrangement with an adult athlete.
- Meetings
 - Meetings while traveling shall be conducted consistent with the Athlete Safeguarding Policy for one-on-one interactions (i.e., any such meeting shall be observable and interruptible).

This is not intended to supersede your legal counsel’s advice. We recommend that you consult your legal counsel to ensure that your organization’s policies and procedures are consistent with relevant state and federal statutes.

- Prior to any team travel, all minor athletes, parents/legal guardians and Applicable Adults taking part in the travel must have been notified of these Athlete Safeguarding Policies and reporting channels.
- Applicable Adults traveling with minor athletes for [ORGANIZATION] sanctioned event or competitions must be in compliance with [ORGANIZATION] Athlete Safeguarding Program.
- During team travel, when doing room checks, attending team meetings and during all other activities, two-deep leadership (i.e., two Applicable Adults) and observable and interruptible environments must be maintained.
- Meetings are not permitted to be conducted in a hotel room.
- [ORGANIZATION] recommends that parents/legal guardians receive education concerning child abuse prevention before providing consent for their minor athlete to travel alone with an Applicable Adult who is the subject of these policies. Resources for parents can be found here: <https://resources.safesport.org/toolkits/Parent-Toolkit-Complete/index.html>.

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STRATEGY 2 – *Sample Policy*

[ORGANIZATION] ATHLETE SAFEGUARDING TRAINING & EDUCATION POLICY

Education and training are key components to establishing a safe and respectful environment for those involved in [ORGANIZATION] activities, programs and events. For this reason, [ORGANIZATION] requires all staff, independent contractors and volunteers to complete training and education on an annual basis who have:

- a. Regular contact with or supervision over athletes or participants
- b. Responsibility for enforcing your athlete safeguarding program policies
- c. A managerial or supervisory roles in your organization (collectively “Participants”)

[NOTE: All individuals falling within the definition of Participants must complete training. For an organization to provide the same training the USTA has adopted as a part of its Safe Play Program, please contact safeplay@usta.com for more details. What follows is information to access the free resources provided by the U.S. Center for SafeSport.]

To provide our tennis community with training on the signs of misconduct, we have adopted the educational resources developed by the U.S. Center for SafeSport. These materials are specifically tailored to address the forms of misconduct that exist in sport and provide important information on how to make a report if misconduct occurs. It is critical that all athletes and their parents / legal guardians be educated on preventing misconduct. Below is information to access age-appropriate training for child athletes as well as for parents. The more informed we are as a community, the better off our young athletes will be.

Resources for Athletes

These resources include courses for children of pre-school age; grades K-2; grades 3-5; middle school; and high school. These free online trainings are designed as an introduction for minor athletes and their parents or other caregivers to understand the importance of positive welcoming environments in sport, where misconduct like bullying or abuse is less likely to happen, and to know where to report abuse should it occur.

All courses offered to minors require parent or legal guardian consent which is obtained electronically once the course is accessed online. Please visit <https://athletesafety.org/training/index> to access the courses.

Resources for Parents / Legal Guardians

The training targeted at parents and caregivers of young athletes explains the issues of misconduct in sport and helps parents ensure their children have a positive and safe sport experience. Please visit <https://athletesafety.org/training/index> to access the parent course.

A Parent Workbook is also available to support parents in discussing misconduct and helps parents to recognize the signs that their child is potentially being abused should it occur. To access the materials appropriate for your child’s age, please visit: <https://resources.safesport.org/toolkits/Parent-Toolkit-Complete/index.html>.

This is not intended to supersede your legal counsel’s advice. We recommend that you consult your legal counsel to ensure that your organization’s policies and procedures are consistent with relevant state and federal statutes.

STRATEGY 3 – *Sample Policy*

[ORGANIZATION] ATHLETE SAFEGUARDING SCREENING POLICY

All [ORGANIZATION] staff members, independent contractors, and / or volunteers seeking to participate in athletic programs involving minors (“Participants”) must consent to and pass a formal applicant screening process before performing services for [ORGANIZATION]. Elements of our screening process may include, as applicable based on services being provided, successful completion of an application, interview, reference check and criminal background screen.

Education about [ORGANIZATION’S] Athlete Safeguarding Policies

To deter applicants who may be at risk of abusing athletes or participants from applying for positions, [ORGANIZATION] educates its applicants about its protection policies by:

- Requiring awareness training before placement and/or before working with athletes and participants
- Informing applicants about our Athlete Safeguarding policies relevant to prevention
- Asking applicants to review and agree to our Athlete Safeguarding policies and procedures before proceeding with the process
- Requiring applicants to sign a document acknowledging review of our Athlete Safeguarding policies and procedures

Written Applications

Each applicant for a position or person seeking to participate in a program or activity will complete an application form consisting of personal, identifying information and a general release with applicant’s signature.

The written application will:

- Ask about previous work and volunteer experiences
- Ask questions intended to illicit information concerning high-risk behaviors
- Provide a written release for contacting personal references and performing a criminal background check, including an indemnification clause
- Ask open-ended questions that encourage broad answers

Personal Interview

Applicants whose experience and credentials are considered a fit for available positions will be interviewed. During this interview, [ORGANIZATION] will ask open-ended questions to encourage discussion, clarify responses and expand on the applicant’s answers to questions from the written application.

References

References of applicants will be contacted (either by phone or in writing) and asked specific questions regarding the applicant’s professional experiences, demeanor and appropriateness for involvement with minors, athletes and participants.

Criminal Background Screen

Adults who [ORGANIZATION] formally authorizes, approves or appoints to (a) serve in a position of authority over, or (b) have regular contact with athletes to complete a criminal background screen at least every two years.

This is not intended to supersede your legal counsel’s advice. We recommend that you consult your legal counsel to ensure that your organization’s policies and procedures are consistent with relevant state and federal statutes.

Background screens must be completed either (i) before regular contact with an athlete who is a minor, or (ii) upon beginning a new role subjecting the adult to this requirement, whichever occurs sooner.

Background Screen Submission

[ORGANIZATION] has retained the services of an independent third-party, [CRIMINAL BACKGROUND SCREEN VENDOR], to conduct criminal background screens.

Offenses Screened For

The offenses listed below are a sampling of what is being screened for when a criminal background check is performed. [ORGANIZATION] reserves the right to consider additional crimes should it determine, in its sole discretion, that it would be in the best interest of its athletes and participants. Reportable convictions for, disclosure of convictions for, and pending dispositions for, any of the offenses listed below, or registrations will prompt a determination that the individual does not meet the [ORGANIZATION] Athlete Safeguarding criteria.

Reportable convictions for, disclosures of convictions for, and pending dispositions for any of the following criminal offenses, or registrations will prompt a determination that a Participant does not meet the criteria for participation:

1. Any felony. A felony shall refer to any criminal offense punishable by imprisonment for more than one year.
2. Any misdemeanor involving:
 - a. All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;
 - b. Any drug related offenses;
 - c. Harm to a minor and vulnerable person, including but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
 - d. Violence against a person (including crimes involving firearms and domestic violence);
 - e. Stalking, harassment, blackmail, violation of a protection order and/or threats;
 - f. Destruction of property, including arson, vandalism, and criminal mischief; and
 - g. Animal abuse or neglect.

Motor Vehicle Reports

In limited instances based on exact services being provided, the [ORGANIZATION] may require a motor vehicle report check. Prior to any review of motor vehicle reports, [ORGANIZATION] will procure the Participant's permission.

Full Disclosure & Ongoing Obligation

Once an individual has successfully met the [ORGANIZATION] Athlete Safeguarding background screen criteria, the individual will be considered in good standing until the expiration of their background screen, as applicable; provided, however, if within that period the [ORGANIZATION] becomes aware of any potential change in status (e.g., criminal activity) either through information received by that individual, the media, third parties or otherwise, [ORGANIZATION] shall have the right to conduct

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additional background screening at any time and should the findings meet the criteria outlined above, the [ORGANIZATION] shall have the right to immediately withdraw that individual's good standing status.

All individuals who have successfully met the [ORGANIZATION] Athlete Safeguarding background screen criteria have an ongoing obligation, prior to the expiration of their background screen, to inform the [ORGANIZATION] if there has been any change in their status (e.g., criminal activity).

Reciprocity

[ORGANIZATION] shall, to the extent it is able, enforce any suspension or other sanction issued by the Center, USTA or any other NGB against an individual, even if arising from allegations occurring outside of [ORGANIZATION] programs or sanctioned tournaments and events.

Findings

Based on the above-referenced criteria, an individual's background screen review will return with either a "green light" or "red light" finding. A green light means that [BACKGROUND SCREEN VENDOR] located no records that meet the [ORGANIZATION'S] background screen criteria. A red light finding means the criminal background check revealed criminal records which suggest the individual does not meet the criteria. A red light finding may also mean that [BACKGROUND SCREEN VENDOR] is requiring additional information from the individual and that until that information is received, [BACKGROUND SCREEN VENDOR] cannot proceed with the background screen review.

The [ORGANIZATION] will report to the USTA and the U.S. Center any individual's red light determination based on a Criminal Charge or Disposition involving sexual misconduct or child abuse, when a USTA member is involved.

1. Appeals based on Accuracy of Background Screen Results

If an individual receives a red light finding based on records in which the individual determines are inaccurate, the individual may challenge the accuracy of the report directly with the background screening vendor.

2. Appeals to [ORGANIZATION] Based on Accurate Red Light Finding

An individual who receives an accurate red light determination has thirty (30) days from the date of determination to request an appeal. If the individual is a USTA member and if the Criminal Charge or Disposition involves sexual misconduct or child abuse, the appeal request must be made to the Center. The Center will provide the individual with instructions on how to initiate an appeal pursuant to the Code. All other appeals for red light determinations not related to sexual misconduct or child abuse shall be made to the [ORGANIZATION]'s Athlete Safeguarding Review Panel.

The [ORGANIZATION] Athlete Safeguarding Review Panel shall be populated by up to (NUMBER) individuals from the [ORGANIZATION] Athlete Safeguarding Background Check Review Pool ("Review Pool").

[ORGANIZATION] will not consider an appeal for a conviction that results in an individual being currently registered on any state, federal, territorial or tribal sex offender registry for any form of Sexual Misconduct.

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

To initiate an appeal for all other red light findings, the individual must do all of the following:

- a. Provide an email with the subject line “Background Screen Appeal” to AthleteSafeguardingMatters@[ORGANIZATION].com
- b. Within that email, provide his or her full name, contact email, phone number and a brief description of the position sought
- c. Provide a reasonable description of the grounds for disqualification and any information that might be useful for the Review Panel to know, including references and the individual’s influence on tennis.

In making a final determination, the Review Panel will evaluate the circumstances surrounding the disqualifying matter, the dates in which the matter occurred and the overall impact of the matter on the relevant [ORGANIZATION] program, event or tournament position sought. The Review Panel may take up to 14 business days to process the appeal once it is received. Notice will be provided to the individual with the Review Panel’s decision.

Should the Review Panel grant the appeal, the individual will be required to complete a new background screen and submit a subsequent appeal (as applicable) in two (2) years from the date of the original determination by the background screen vendor.

Absent good cause shown, appeals not emailed within 30 days are barred. Individuals with a red light determination who do not appeal or do not prevail on appeal will be not be permitted to apply to the [ORGANIZATION] Athlete Safeguarding Program for a period of two (2) years.

Other Information

[ORGANIZATION] will conduct random and periodic checks to confirm all individuals identified by [ORGANIZATION] have met the background screen requirement.

STRATEGY 4 – *Sample Policy*

[ORGANIZATION] ATHLETE SAFEGUARDING STANDARDS OF CONDUCT & REPORTING POLICY

CONDUCT

[ORGANIZATION] is committed to creating a safe and respectful environment for athletes' physical, emotional and social development and ensuring that it promotes an environment free of misconduct.

This Policy applies to:

- i. [ORGANIZATION] staff members, independent contractors, vendors, and volunteers
- ii. Athletes participating on site at [ORGANIZATION]
- iii. All participants of any activities held at [ORGANIZATION]

Collectively individuals identified in i to iii above shall be defined herein as "Participants."

Prohibited Conduct

For purposes of defining the conduct [ORGANIZATION] strictly prohibits, [ORGANIZATION] has adopted the definitions for misconduct as outlined in Section VI of the USTA Safe Play Policy found here: <https://www.usta.com/en/home/about-usta/who-we-are/national/safe-play-conduct--policies---guidelines.html> and the US Center for SafeSport's Code of Conduct found here: <https://safesport.org/files/details/114>. For ease of reference, the categories of Prohibited Conduct (as defined by the Code) include, but are not limited to:

- Criminal Charge or Disposition
- Child Abuse
- Sexual Misconduct
- Emotional and physical misconduct, including stalking, bullying, hazing and harassment
- Aiding and Abetting
- Misconduct Related to Reporting
- Misconduct Related to the Center's Process
- Other Inappropriate Conduct
- Proactive Policy Violations by Participants

REPORTING

Every [ORGANIZATION] Participant must report: (i) violations of this [ORGANIZATION] Athlete Safeguarding Standards of Conduct & Reporting Policy; (ii) misconduct as defined in [ORGANIZATION] Athlete Safeguarding Standards of Conduct & Reporting Policy, and (iii) suspicions or allegations of child physical or sexual abuse.

ANY SUSPICIONS OF CHILD ABUSE, CHILD SEXUAL ABUSE, OR CHILD NEGLECT MUST BE REPORTED WITHIN 24 HOURS TO THE LOCAL AUTHORITIES AND TO THE U.S. CENTER FOR SAFESPORT. SEE BELOW FOR CONTACT INFORMATION.

All other reports of violations of [ORGANIZATION] Athlete Safeguarding Policy must be reported to the [ORGANIZATION ATHLETE SAFEGUARDING COORDINATOR].

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

Any report of misconduct or suspicions of child physical or sexual abuse will be taken seriously and handled appropriately.

As a matter of policy, [ORGANIZATION] does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations as a condition for reporting to the appropriate law enforcement authorities. Nothing in this policy shall be construed to require a victim of child abuse or other misconduct to self-report.

All reports can be made directly to the below individuals who serve as [ORGANIZATION] Athlete Safeguarding Coordinators or to AthleteSafeguardingMatters@[ORGANIZATION].com.

[ATHLETE SAFEGUARDING COORDINATOR NAME AND TELEPHONE]
[ATHLETE SAFEGUARDING COORDINATOR NAME AND TELEPHONE]

Reporting Misconduct and Policy Violations to the [ORGANIZATION]

Adult Participants are required to report to [ORGANIZATION] emotional and physical misconduct (including bullying, stalking, hazing and harassment) prohibited under the Code and this Athlete Safeguarding Policy. This includes all violations of the Proactive Policies.

Reports to [ORGANIZATION] can be made by:

- (1) completing a Misconduct Reporting Form and emailing it to AthleteSafeguardingMatters@[ORGANIZATION].com; or
- (2) contacting an Athlete Safeguarding Coordinator directly, clearly describing the incident, location of incident and people involved.

[ORGANIZATION] also encourages member parents, athletes and other sport participants to communicate violations of [ORGANIZATION'S] Athlete Safeguarding Policy and/or allegations and suspicions of child physical and sexual abuse to the Athlete Safeguarding Coordinator.

Reporting Child Physical or Sexual Abuse or Child Neglect

An adult Participant who learns of information and reasonably suspects that a child has suffered an incident of child abuse, including sexual abuse, must immediately (within 24 hours) make a report of the suspected abuse to Law Enforcement *and* the U.S. Center for SafeSport, when a USTA member is involved. Once those reporting obligations are met, a report must also be made directly to [ORGANIZATION].

(a) Law Enforcement

- The agency designated by the Attorney General, consistent with the federal requirements set forth in section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. Sec. 20341).
- Applicable State Law Enforcement agency. Learn more about this requirement by visiting:
https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspList&rolType=Custom&RS_ID=5

(b) U.S. Center for SafeSport (when a USTA member is involved)

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

- Through the Center’s online reporting form, www.safesport.org.
- By phone at 833-5US-SAFE during regular business hours (Monday to Friday, 9:00 a.m. to 5:00 p.m. MT).
- 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 section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. Sec. 20341).

(c) USTA Safe Play Office

Following all other reporting requirements have been met, reports to the USTA can be made either by:

- Calling the USTA’s reporting hotline at 855-791-1345 (toll-free, within the United States, Guam, Puerto Rico and Canada).
- Emailing the USTA at safeplay@usta.com, clearly describing the incident, location of incident, and people involved.
- Completing and submitting a Safe Play Misconduct Reporting form to the USTA found here: <https://secure.ethicspoint.com/domain/media/en/gui/38699/index.html>.

Reporting Peer-to-Peer Sexual Abuse

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

On-Site Response Procedures

If any staff member or volunteer witnesses or receives a report of misconduct, regardless if it is reported by the victim or not, you should proceed as follows:

1. Depending on the severity of the situation, the staff member or volunteer should use his or her discretion as to whether the misconduct rises to a level appropriate for local authorities. In those instances, local authorities should be contacted immediately.
2. If the situation does not require immediate involvement of local authorities, as reasonably determined by the staff member or volunteer, then the staff member or volunteer along with another trusted individual should confront the perpetrator, make it clear such behavior is unwelcome and offensive, and instruct them to stop immediately or they will be asked to leave the program or event. In some cases, the perpetrator may be asked to leave the premises immediately.
3. A Misconduct Reporting Form should be made immediately following the incident. It should be submitted to [AthleteSafeguardingMatters@\[ORGANIZATION\].com](mailto:AthleteSafeguardingMatters@[ORGANIZATION].com).

CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS

Confidentiality

To the extent permitted by law, and as appropriate, [ORGANIZATION] will keep confidential the claimant’s name on request, not make public the names of potential victims, the accused perpetrator or the people who made a report of child physical and sexual abuse to the authorities.

[Work with your legal counsel to ensure that your organization’s confidentiality policy is consistent with relevant state and federal statutes.]

This is not intended to supersede your legal counsel’s advice. We recommend that you consult your legal counsel to ensure that your organization’s policies and procedures are consistent with relevant state and federal statutes.

Anonymous Reporting

[ORGANIZATION] recognizes it can be difficult for an athlete, teammate, friend or family member to report an allegation of misconduct and strives to remove as many barriers to reporting as possible.

Anonymous reports may be made without the formality of completing an Misconduct Reporting Form:

- By completing the Misconduct Reporting Form without including their name
- By expressing concerns verbally to an Athlete Safeguarding Coordinator
- Through email, texts or notes left for an Athlete Safeguarding Coordinator

Please note that anonymous reporting may make it difficult for [ORGANIZATION] to investigate or properly address misconduct or abuse, where appropriate.

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

“Whistleblower” Protection

Regardless of outcome, [ORGANIZATION] will support the claimant(s) and his or her right to express concerns in good faith. [ORGANIZATION] will not encourage, allow or tolerate attempts from any individual to retaliate, punish, allow or in any way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of the [ORGANIZATION] Athlete Safeguarding policy and grounds for disciplinary action.

Maliciously or vindictively making a report of misconduct is prohibited and may violate state and federal criminal laws as well as civil defamation laws as well as be considered in violation of [ORGANIZATION] Athlete Safeguarding Policy. Depending on the nature of the allegation, a person making a malicious, frivolous or bad-faith report may also be subject to civil or criminal proceedings.

HOW [ORGANIZATION] RESPONDS TO REPORTS

How Reports of Child Physical or Sexual Abuse Are Handled

Adult Participants who have reason to believe there has been an incident of child physical or sexual misconduct will report it to the proper law enforcement authority as required or permitted by applicable law.

The [ORGANIZATION] will determine, with the assistance of legal counsel if necessary, whether the [ORGANIZATION] has a legal reporting obligation based upon the report and act accordingly. Factors relevant to determining whether the [ORGANIZATION] or a particular individual shall or should report include without limitation:

1. Applicable federal law
2. Applicable state law, which:
 - Defines “child abuse and neglect”
 - Identifies professionals who are required to report child maltreatment
 - Identifies other individuals who are required to report child maltreatment
 - Who is permitted to report
 - The standard for reporting

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- Whether the communication is privileged
- Whom reports should be made to
- Whether the report will be anonymous
- Whether the reporter's identity will be disclosed

For the avoidance of doubt, the [ORGANIZATION] shall cooperate fully, to the extent permissible by law, with any investigation, criminal or otherwise, by any law enforcement or government authority. An independent investigation can harm youth and/or interfere with the legal investigative process. [ORGANIZATION], its staff members and/or volunteers **do not attempt to evaluate the credibility or validity of child physical or sexual abuse as a condition for reporting to appropriate law enforcement authorities.** As necessary, however, [ORGANIZATION] may ask a few clarifying questions of the minor or person making the report to adequately report the suspicion or allegation to law enforcement authorities.

In those instances where a report of child or sexual abuse is made which involves a USTA Member, in addition to reporting it to law enforcement authorities, [ORGANIZATION] will also immediately make a report to the U.S. Center for SafeSport. [ORGANIZATION] will also make a report to the USTA Safe Play office based on its policies and procedures found here: www.usta.com/safeplay.

How Reports of Misconduct That Is Non-Sexual in Nature or Child Abuse Are Handled

To the extent permissible by law, the [ORGANIZATION] may investigate, as appropriate, non-sexual allegations of violations of [ORGANIZATION] Athlete Safeguarding Policy and address accordingly. Should the [ORGANIZATION] receive a report of non-sexual misconduct which, as determined by the [ORGANIZATION], rises to the level of unlawful behavior, the [ORGANIZATION] will make a report to the proper law enforcement agency. Should the [ORGANIZATION] receive a report of non-sexual misconduct, the [ORGANIZATION] shall not conduct an investigation if said investigation in any way interferes with a pending legal investigation or criminal prosecution. The [ORGANIZATION] does reserve the right to suspend that individual's participation in any [ORGANIZATION] program or activity until said investigation has concluded.

On receipt of a complaint, the [ORGANIZATION] will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the Claimant or victim, (ii) the age of the Respondent and (iii) the nature, scope, and extent of the allegations. As appropriate, the [ORGANIZATION] may involve the United States Tennis Association Incorporated, the [RELEVANT USTA SECTION], or other legal entity having authority within the territory of the alleged complaint. If the accused individual is a minor, the [ORGANIZATION] will contact his or her parents or guardians unless the circumstances surrounding the allegations reasonably suggest otherwise.

The [ORGANIZATION] will address allegations against a staff member and/or volunteer under relevant organizational policies (e.g., employment policies and procedures, local laws).

The [ORGANIZATION] will address violations or alleged violations of any provision(s) of [ORGANIZATION] Athlete Safeguarding program or any other current [ORGANIZATION] policy in its discretion, in consideration of the safety and well-being of all participants. Such action will be taken in proportion to the severity of the infraction.

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

TEMPLATE FORMS

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

MISCONDUCT REPORTING FORM

[Insert Organization Name]
[Insert Organization Address]
[Insert Organization Phone Number]

The Claimant(s) named below understand it is [ORGANIZATION]'s policy to file this Misconduct Reporting Form in accordance with [ORGANIZATION]'s Athlete Safeguarding Policies and in accordance with all applicable federal, state, city and municipal laws.

Name(s): _____

(please print)

Address(es): _____

(please print)

Contact Telephone Number: _____

Type of Alleged Misconduct: _____

Full name of person violating [ORGANIZATION] Athlete Safeguarding Policies:

(please print)

Describe violation by providing specific details, including date and time of incident:

(please print)

Provide a summary statement of the reasons to believe violation has occurred:

(please print)

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

Has the violation been reported to any federal, state, city or municipal law enforcement agency?

If YES, please provide the name of the enforcement agency, name of contact person, and case number:

Do you wish to withhold your name(s) as Claimant(s) from any federal, state, city, or municipal law enforcement agency to the extent permitted by law:

YES _____ Name of Claimant(s): _____

NO _____ Name of Claimant(s): _____

Signature of Claimant(s): _____ Date: _____

Signature of Claimant(s): _____ Date: _____

This is not intended to supersede your legal counsel's advice. We recommend that you consult your legal counsel to ensure that your organization's policies and procedures are consistent with relevant state and federal statutes.

Applicant Information Reference Check

[Insert Organization Name]
[Insert Organization Address]
[Insert Organization Phone Number]

Name: _____
Last *First* *Middle*

Name Previously Used: _____

Address: _____

Reference

Name: _____ Home Phone: _____ Work Phone: _____

Email: _____

Reference checked by: _____ Date: _____

Please answer the following questions to the best of your knowledge:

- | | |
|--|--|
| Applicant dependable? <input type="checkbox"/> Yes <input type="checkbox"/> No | Good work ethic? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Ever volunteer/employ before? <input type="checkbox"/> Yes <input type="checkbox"/> No | Would you recommend? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Get along with others? <input type="checkbox"/> Yes <input type="checkbox"/> No | Applicant good with kids? <input type="checkbox"/> Yes <input type="checkbox"/> No |

Other Comments:
