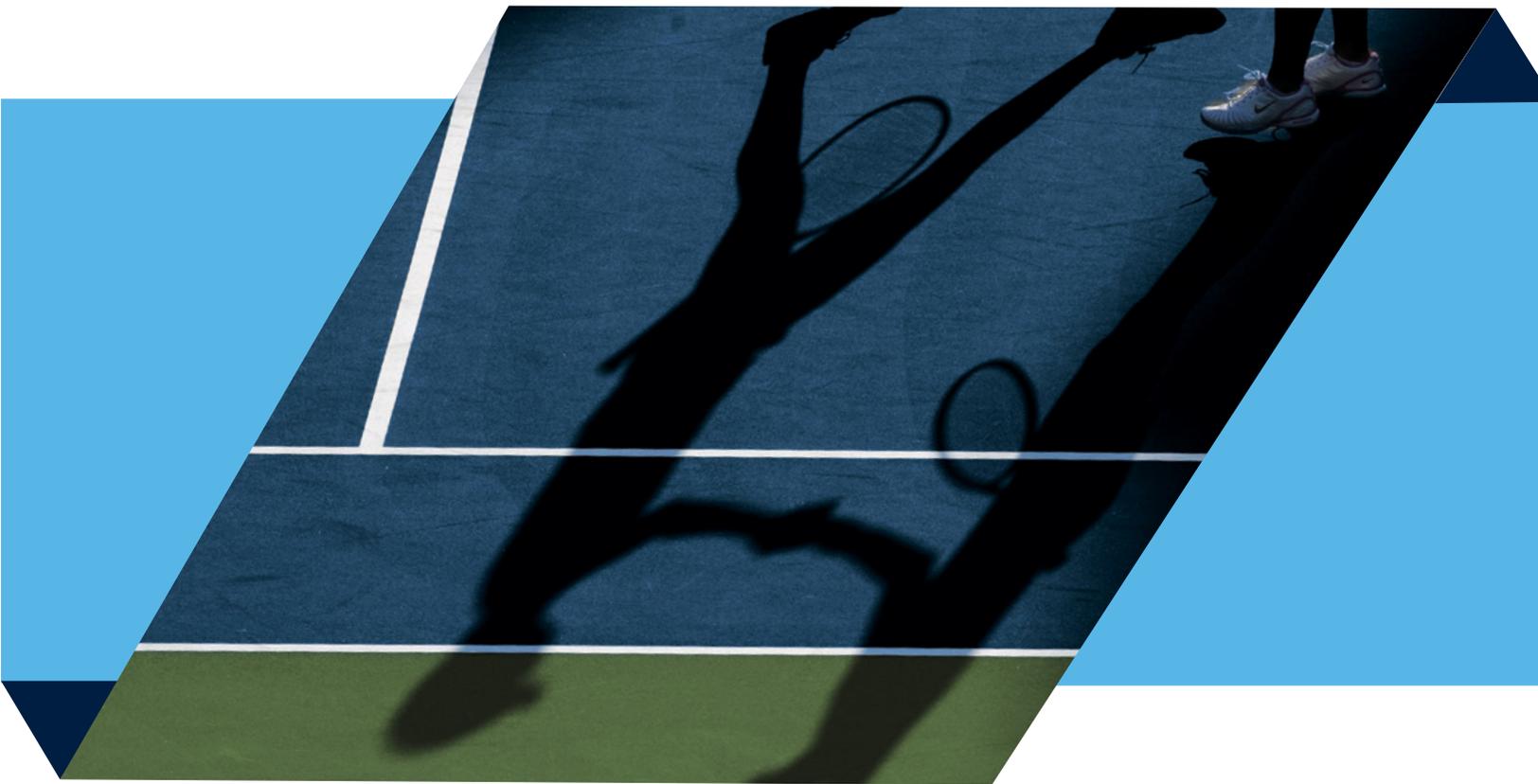


SAFE PLAY HANDBOOK



A guide for tennis organizations developing
and implementing a *Safe Play* 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 Safe Play 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 the fact that 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, adoption of policies substantially similar to those described in these guidelines must be adopted.

Nothing contained in this handbook is intended to supersede, replace or otherwise diminish the USOC Bylaws, the U.S. Center for SafeSport, the Ted Stevens Act or the USTA Safe Play program in place for USTA-branded and co-branded activities, programs, and tournaments. 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 adults authorized by the USTA or by a USTA Organizational Member to interact with an athlete must report immediately any allegation of child abuse of an amateur athlete as required by the Act.

To help guide you in determining what elements should be included in your Safe Play 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
- 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
- our organization's legal and business structure
- Your organization's strategy for implementing a Safe Play 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 Safe Play 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 (as applicable and as described above). Also, you should consult with your legal counsel when developing and implementing your organization's Safe Play program to ensure that your policies and procedures comply with your state and federal law. Nothing contained in this handbook should be construed as legal advice. Rather it is to be used as a guide in implementing your own Safe Play program.

Will implementing a Safe Play 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 Safe Play 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 Safe Play program by ensuring that the day-to-day activities and behaviors reduce the risk for misconduct. What follows is only a sample of the types of policies you should implement at your facility. 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. Ensuring that the boundaries are clearly outlined helps to foster the safe and respectful environment players and participants thrive in.

Templates for each of these proactive policies begin on page [10](#).

Supervision of Athletes and Participants Policy

This policy describes an organization's plan for supervising athletes and participants 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.

All USTA Organizational Members must implement this policy to be in compliance with the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (the Act). The Act requires that you implement reasonable procedures to limit one-on-one interactions between an amateur 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.

Physical Contact with Athletes Policy

This policy 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.

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 U.S. Center for SafeSport's online training module as its education and training tool. This training outlines the core concepts behind creating a safe and positive sport environment and addresses how to identify and prevent sexual misconduct and abuse. The training also reviews 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 USTA strongly encourages you to adopt this same training to meet this requirement. There is no cost to your organization for the training if you use the code provided in the sample policy below.

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 Safe Play 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;
- b. Responsibility for enforcing your Safe Play policies; and
- c. A managerial or supervisory roles in your organization.

What elements should be addressed in Safe Play 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 on page [14](#).

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. If the applicant is deemed disqualified by the screening provider, he or she may appeal that decision (solely on the basis that the information is incorrect) directly with the screening provider.

“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 15.

Screening criteria and disqualification guidelines for any other offenses that are screened for (e.g., DUI for someone transporting athletes; petty theft for someone handling cash) should be set based on the program and the services that the individual will be providing. These determinations are made before the screening is undertaken, so that the screening agency can advise you as to whether or not there is a red light or green light, and there is no need for your provider to communicate to you the actual results of the screen. Screening criteria should be reviewed by the organization annually.

Any disqualified individual must have the right to dispute the findings of the background screening directly with the organization’s approved 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 Safe Play program as described in this handbook.

A template SCREENING POLICY is attached on [page 14](#).

STRATEGY 4

SAFE PLAY 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 policies clearly outline and define misconduct and are consistent with the policies dictated by the U.S. Center for SafeSport 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, Safe Play 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 Preventative Policies. To see the USTA's complete Safe Play policy, conduct and guidelines, 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 22. 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 Safe Play contact ("Safe Play 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 Safe Play 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 Safe Play Standards of Conduct & Reporting 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 reports of child abuse including sexual abuse must be reported immediately to the local authorities. To determine the appropriate authority in your state please visit <https://www.childwelfare.gov/topics/responding/reporting/how/>. Thereafter, a report should also be made to the USTA's Safe Play office at safeplay@usta.com and if a USTA member is involved, also to the U.S. Center for SafeSport at www.safesport.org.

All other reports that are non-sexual in nature should be handled based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused, and (iii) the nature, scope, and extent of the allegations. In some instances, these reports may raise 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 Safe Play Standards of Conduct & Reporting Policy on page 17.

TEMPLATE POLICIES

STRATEGY 1 – PROACTIVE POLICIES

[ORGANIZATION] SAFE PLAY SUPERVISION OF ATHLETES & PARTICIPANTS POLICY

Interaction with athletes and participants must be in an observable and interruptible distance from another adult, except under emergency circumstances. Appropriate one-on-one interactions with athletes or participants is described in more detail below. 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.

Individual Meetings

An individual meeting may be necessary to address an athlete's training schedule or other related concerns. Under these circumstances, coaches, staff and/or volunteers must observe the following guidelines:

1. Any individual meeting should occur when others are present and where interactions can be easily observed.
2. Where possible, an individual meeting should take place in a publicly visible and open area, such as the corner of a gym or tennis court.
3. If an individual meeting is to take place in an office, the door should remain open.
4. If a closed-door meeting is necessary, the coach, staff member and/or volunteer must inform another coach, staff member and/or volunteer immediately before the meeting and ensure the door remains unlocked.

Individual Training Sessions

An individual training session(s) with an athlete or participant must be in an observable location from another adult. If not, written permission of a minor athlete's parent or guardian is required in advance of the individual training session(s), and [ORGANIZATION] encourages parents and guardians to attend the training session. These individual training sessions must take place during the [ORGANIZATION'S] regular business hours.

Travel

As it pertains to any [ORGANIZATION] sponsored overnight trip:

- [ORGANIZATION] staff and/or volunteers are expected to supervise athletes during any trip. This includes an [ORGANIZATION] staff and/or volunteer being in the hotel.
- [ORGANIZATION] staff and/or volunteer should not leave a site until all athletes are picked up by their parent or guardian.
- [ORGANIZATION] staff and/or volunteer may not drink alcohol when supervising athletes on a trip. Doing so is cause for immediate termination.
- [ORGANIZATION] staff and/or volunteer should perform a bed check to make sure athletes are in their rooms each night. [ORGANIZATION] staff and/or volunteer is not permitted to be alone with an athlete in a hotel room.
- [ORGANIZATION] staff and/or volunteer and/or coaches may never share a hotel room with athletes (unless they are the parent/legal guardian of the athlete).

Gifting

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

VIOLATIONS

Violations of this policy will not be tolerated and must be reported to [ORGANIZATION SAFE PLAY COORDINATOR CONTACTS], and violations will be addressed according to the [ORGANIZATION] Safe Play 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.

STRATEGY 1 – PROACTIVE POLICIES

[ORGANIZATION] SAFE PLAY PHYSICAL CONTACT WITH ATHLETES POLICY

[ORGANIZATION] provides the following policy in regards to physical contact with athletes.

Common Criteria for Appropriate Physical Contact

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

Celebration

Tennis is an exciting sport and we acknowledge that participants often express their joy of participation, competition, achievement and victory through physical acts. We encourage these public expressions of celebration, which include:

- Greeting gestures such as high-fives, fist bumps and brief hugs
- Congratulatory gestures such as celebratory hugs, "jump arounds" and pats on the back for any form of athletic or personal accomplishment

Safety

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

- Positioning an athlete's body so that he or she more quickly acquires an athletic skill, gets a better sense of where his or her body is in space or improves his or her balance and coordination
- Making athletes aware that they might be in harm's way because of other athletes practicing around them or because of equipment in use
- Releasing muscle cramps

Consolation

It may be appropriate or necessary to console an emotionally distressed athlete such as an athlete who has been injured or has just lost a competition. Appropriate consolation includes:

- Publicly embracing a crying athlete
- Putting an arm around an athlete while verbally engaging them in an effort to calm them down ("side hugs")
- Lifting a fallen athlete off the playing surface and "dusting them off" to encourage them to continue competition

PROHIBITED PHYSICAL CONTACT

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

- Asking or having an athlete sit in the lap of a coach, administrator, staff member or volunteer
- Lingering or repeated embraces of athletes 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 an athlete
- “Cuddling” or maintaining prolonged physical contact during any aspect of training, travel or overnight stay
- Playful, yet inappropriate contact that is not a part of regular training, (e.g., tickling or “horse-play” wrestling)
- Continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not
- Any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment

VIOLATIONS

Violations of this policy will not be tolerated and must be reported to [ORGANIZATION SAFE PLAY COORDINATOR CONTACTS], and violations will be addressed according to the [ORGANIZATION] Safe Play 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.

STRATEGY 1 – PROACTIVE POLICIES

[ORGANIZATION] SAFE PLAY ELECTRONIC COMMUNICATIONS & SOCIAL MEDIA POLICY

[ORGANIZATION] provides the following policy in regard to all electronic communications between a coach, [ORGANIZATION] staff, volunteer and an athlete.

The content of any electronic communication should be readily available to share with the athlete’s family. If the athlete is under the age of 18, any email, electronic text, social media or similar communication must copy or include the athlete’s parent or guardian.

Facebook, Twitter, Snapchat, Instagram, Blogs and Similar Media

Any coach, [ORGANIZATION] staff, and /or volunteer may not have athletes join a personal social media page. Athlete members and parents can friend/join the official [ORGANIZATION] page and coaches can communicate to athlete members through the site. All posts, messages, text or media of any kind between any coach, [ORGANIZATION] staff, and /or volunteer and athlete must be professional in nature and for the purpose of communicating information about team activities or for team-oriented motivational purposes.

Email, Texting and Similar Electronic Communications

Any coach and/or [ORGANIZATION] staff and /or volunteer may use email to communicate with an athlete. Where the coach is a staff member and/or volunteer, emails should come from the [ORGANIZATION] website email center (i.e., the return email address will contain “[ORGANIZATION].COM). All email content must be professional in nature and for the purpose of communicating

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.

information about [ORGANIZATION] activities. If the athlete is under the age of 18, any email, electronic text, social media or similar communication must copy or include the athlete’s parent or guardian.

VIOLATIONS

Violations of this policy will not be tolerated and must be reported to [ORGANIZATION SAFE PLAY COORDINATOR CONTACTS], and violations will be addressed according to the [ORGANIZATION] Safe Play 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.

STRATEGY 1 - PROACTIVE POLICIES

[ORGANIZATION] SAFE PLAY LOCKER ROOM AND/OR CHANGING AREA POLICY

[ORGANIZATION] does not post staff members inside or at the doors of the locker rooms and changing areas; however, we do make periodic sweeps of these areas. [ORGANIZATION] staff members conduct these sweeps, with women checking on female-designated areas, and men checking on male-designated areas.

[ORGANIZATION] staff and/or volunteers make every effort to recognize when an athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, will check on the athlete’s whereabouts.

Given the potential discomfort of having non-coaches and non-athletes in the locker rooms and changing areas, we discourage parents from entering those areas unless it is truly necessary. Under such circumstances, only a same-sex parent or legal guardian may go into a locker room and changing area.

If an athlete needs assistance with his or her uniform or gear (for example, a child under the age of eight), or an athlete’s disability warrants assistance, then we ask that parents let the coach or an administrator know beforehand that he or she will be helping the athlete. In those instances where the parent or guardian is not able to be present, they must provide written permission in advance naming the coach or employee who can provide assistance in their absence.

Use of Cell Phones and Other Mobile Recording Devices

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras, increase the risk for different forms of misconduct in locker rooms and changing areas. As a result, THERE WILL BE NO USE OF A DEVICE’S RECORDING CAPABILITIES IN THE LOCKER ROOMS OR CHANGING AREAS.

VIOLATIONS

Violations of this policy will not be tolerated and must be reported to [ORGANIZATION SAFE PLAY COORDINATOR CONTACTS], and violations will be addressed according to the [ORGANIZATION] Safe Play 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 2 – Sample Policy

[ORGANIZATION] SAFE PLAY 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 who have:

- a. Regular contact with or supervision over athletes or participants
- b. Responsibility for enforcing your Safe Play policies
- c. A managerial or supervisory roles in your organization

Training and Education must be completed every two (2) years. As to individuals newly taking on such a role, training and education must be completed before contact with athletes begins and in any event within 60 days of new role. Training and education is also required for any minors that fall within the above-referenced categories. Prior to accessing training and education, [ORGANIZATION] may obtain parental consent.

ACCESSING THE TRAINING

To access the training, please visit [HERE](#).

Enter Access Code for Tennis: **SSFD-CST3-95CL-QBN5**

You will be prompted to create an account and will then have access to your learning dashboard.

From your learning dashboard, complete all three training modules (each 30 minutes long). The training modules are:

- Sexual Misconduct Awareness Education
- Mandatory Reporting
- Emotional and Physical Misconduct.

Once you complete the training, please download and email your certificate of completion entitled "SafeSport Trained" to [ADMINISTRATOR]. This certificate indicates that all three training modules have been successfully completed.

You can return to your learning account by visiting www.safesport.org and signing in.

For questions regarding accessing the training please visit <http://safesport.org/files/details/65>.

STRATEGY 3 – Sample Policy

[ORGANIZATION] SAFE PLAY SCREENING POLICY

All [ORGANIZATION] staff members, independent contractors, and / or volunteers seeking to participate in athletic programs involving minors 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.

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.

Education about [ORGANIZATION'S] Safe Play 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 Safe Play policies relevant to prevention
- Asking applicants to review and agree to our Safe Play policies and procedures before proceeding with the process
- Requiring applicants to sign a document acknowledging review of our Safe Play 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

Criminal background screens will be refreshed every two (2) years or as otherwise required by law, for individuals who are 18 years of age or older who perform services for [ORGANIZATION].

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] Safe Play criteria.

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.

1. Any felony including an element of violence regardless of the amount of time since the offense, and any non-violent felony within the past fifteen (15) years (felony defined as any crime punishable by confinement greater than one year). **A.** Defined on the basis of exposure for the offense for which the defendant was convicted, pled guilty, pled nolo contendere or which is pending a disposition. If pled down, then the crime for which the defendant ultimately was convicted. **B.** Defined as all crimes punishable by greater than one year in jail or prison, regardless of how characterized by jurisdiction. If range, alternate sentencing, or indeterminate sentencing, outer range greater than one year.
2. Any lesser crime involving force or threat of force against a person regardless of the amount of time since the offense.
3. Any lesser crime, regardless of the amount of time since the offense, of a sexual nature or classified as a sex offense including but not limited to victimless crimes of a sexual nature such as prostitution, pornography, indecent exposure and crimes in which sexual relations is an element.
4. Any lesser crime within the past ten (10) years involving controlled substances (not paraphernalia or alcohol).
5. Any lesser crime within the past fifteen (15) years involving cruelty to animals.
6. Any sex offender registrant.
7. Any lesser crime within the past ten (10) years involving harm to a minor not included in numbers 1 to 6 above.

Criminal offenses include “Attempted Crimes” in the above classification.

Motor Vehicle Reports

In limited instances based on exact services being provided, the [ORGANIZATION] may require a motor vehicle report check.

Full Disclosure & Ongoing Obligation

Once an individual has successfully met the [ORGANIZATION] Safe Play 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 or otherwise, [ORGANIZATION] shall have the right to conduct 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] Safe Play 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).

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.

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.

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.

STRATEGY 4 – Sample Policy

[ORGANIZATION] SAFE PLAY 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 “Covered Individuals.”

Prohibited Conduct

For purposes of defining the conduct [ORGANIZATION] strictly prohibits, [ORGANIZATION] has adopted the definitions for misconduct as outlined in Section II and Appendix A of the USTA Safe Play program found here: <https://www.usta.com/en/home/about-usta/who-we-are/national/safe-play-conduct-policies--guidelines.html>.

REPORTING

Every [ORGANIZATION] Covered Individual must report: (i) violations of this [ORGANIZATION] Safe Play Standards of Conduct & Reporting Policy; (ii) misconduct as defined in [ORGANIZATION] Safe Play Standards of Conduct & Reporting Policy; and (iii) suspicions or allegations of child physical or sexual abuse to both (a) [ORGANIZATION] and, in the case of (iii), to the appropriate law enforcement authorities. 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.

All reports can be made directly to the below individuals who serve as [ORGANIZATION] Safe Play Coordinators or to SafePlayMatters@[ORGANIZATION].com.

[SAFE PLAY COORDINATOR NAME AND TELEPHONE]

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.

Reporting Misconduct and Policy Violations to the [ORGANIZATION]

If any Covered Individual receives an allegation or observes misconduct or other inappropriate behavior, such as grooming, that is not reportable to the appropriate law enforcement authorities, it is the responsibility of each Covered Individual to report their observations to a Safe Play Coordinator.

Reports can be made by: (1) completing a Misconduct Reporting Form and emailing it to SafePlayMatters@[ORGANIZATION].com; or (2) contacting a Safe Play 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] Safe Play Policy and/or allegations and suspicions of child physical and sexual abuse to a Safe Play Coordinator.

Reporting Child Physical or Sexual Abuse

Staff members, volunteers and independent contractors at [ORGANIZATION] are required to report suspicions or allegations of child sexual abuse by a colleague, co-worker, tournament participant or athlete to a Safe Play Coordinator or to our Safe Play email address AND, where applicable, appropriate law enforcement authorities.

Because sexual abusers “groom” children for abuse – the process used by offenders to select a child, to win the child’s trust (and the trust of the child’s parent or guardian and others around that child), to manipulate the child into sexual activity and to keep the child from disclosing abuse – it is possible that a Covered Individual may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected grooming behavior should be directed to a Safe Play Coordinator.

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 and a Safe Play Coordinator or to our Safe Play email address.

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 SafePlayMatters@[ORGANIZATION].com.

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.

CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS

Confidentiality

To the extent permitted by law, and as appropriate, [ORGANIZATION] will keep confidential the complainant’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.]

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 a Misconduct Reporting Form:

- By completing the Misconduct Reporting Form without including their name
- By expressing concerns verbally to a Safe Play Coordinator
- Through email, texts or notes left for a Safe Play 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 complainant(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] Safe Play 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] Safe Play 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

The [ORGANIZATION] its staff, volunteers or independent contractors, 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.

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.

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
 - 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] may 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] Safe Play 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 complainant or victim, (ii) the age of the accused 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.

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.

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] Safe Play 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.

Immediate Suspension or Termination

When an allegation of child physical or sexual abuse is made against a staff member and/or volunteer, [ORGANIZATION] will immediately remove that individual from contact with any children in the program until the allegation has been investigated by an official agency. As necessary, [ORGANIZATION] may suspend or change the assignment of a staff member and/or volunteer. Upon conclusion of an investigation by an official agency and learning of the findings of the investigation, [ORGANIZATION] may terminate that individual should those findings be in violation of [ORGANIZATION] Safe Play Policy.

Disciplinary Action

Sanctions for violations of the [ORGANIZATION] Safe Play Policy will be proportionate and reasonable under the circumstances. In addition to day-to-day guidance, the [ORGANIZATION] may take the following disciplinary actions, without limitation:

- Inform the individual’s direct-line supervisor or, in the case of a minor participant, the minor’s parent or guardian
- Provide the individual with guidance, redirection and instruction
- Temporary suspension from competition
- Issue a verbal warning
- Issue a written and/or final written warning
- Implement a limited access agreement (e.g., limiting an individual’s access to certain buildings or to minors)
- Provide informed supervision, where at least one staff member is informed of the allegation and is instructed to vigilantly supervise the accused participant or stakeholder in his or her interactions with the program and/or organization
- Engage in restorative practices, (i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred)
- Suspend or terminate employment or membership

Ongoing Employment and/or Participation

On receipt of a credible and specific allegation of child abuse or other serious misconduct (e.g., physical and sexual abuse as defined in [ORGANIZATION] Safe Play Policy), [ORGANIZATION] may immediately suspend or terminate the accused individual to ensure participant safety.

Complainant Protection

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

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

MISCONDUCT REPORTING FORM

Organization Name
Organization Address
Organization Phone Number

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

Name(s):

Address(es):

Contact Telephone Number:
Type of Alleged Misconduct:

Full name of person violating [ORGANIZATION] Safe Play Policies:

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

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

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 Complainant(s) from any federal, state, city, or municipal law enforcement agency to the extent permitted by law:

YES Name of Complainant(s):

NO Name of Complainant(s):

Signature of Complainant(s): Date:

Signature of Complainant(s): Date:

TEMPLATE FORMS

APPLICANT INFORMATION REFERENCE CHECK

Organization Name
Organization Address
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? Yes No Good work ethic? Yes No

Ever volunteer/employ before? Yes No Would you recommend? Yes No

Get along with others? Yes No Applicant good with kids? Yes No

Other Comments:



SAFE PLAY HANDBOOK



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