USTA Northern is committed to creating a safe and positive environment for its participants’ physical, emotional, and social development and ensuring it promotes an environment free from abuse and misconduct. As part of this program, USTA Northern has implemented policies addressing certain types of abuse and misconduct, and certain policies intended to reduce, monitor and govern the areas where potential abuse and misconduct might occur.
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Introduction

The safety of its participants is of paramount importance to USTA Northern. This includes both on-court and off-court safety. The SafeSport Program and this Handbook address off-court safety in any part of USTA Northern programs.

USTA Northern has long had systems in place to protect its participants from physical abuse, sexual abuse and other types of abuse and misconduct that can be harmful to youth tennis players and other participants. These include without limitation Physical Abuse, Sexual Abuse, Screening, Hazing Policies, in addition to Codes of Conduct applicable to administrators, coaches, officials, parents, players and spectators. This SafeSport Handbook collects USTA Northern’s various policies to protect its participants from all types of misconduct and abuse.

This SafeSport Handbook includes the various policies that apply to all USTA Northern organizational member programs. It further includes the available resources and required training of USTA Northern employees, volunteers, administrators, coaches, parents and players on recognizing and reducing circumstances for potential abuse to occur; information on the USTA Northern Screening and Background Check Program; the availability and procedures for any person to report suspected abuse and misconduct; how USTA Northern and its Organization Member Programs should respond to allegations of abuse and misconduct; and how USTA Northern and its Organization Member Programs will monitor and supervise this program to help ensure its effectiveness.

Through the USTA Northern SafeSport program, USTA Northern is committed to creating the safest possible environment for participation in tennis.

DEFINITIONS AND INTERPRETATION

Participant - includes any person that is a USTA registered member, is participating in a USTA program/event or is attending a USTA program/event. This also includes, even if not registered, any person that has regular, routine, or frequent access to, or supervision over minor participants, and all persons in a supervisory position of a USTA Member Program.

Organization Member Programs - includes all USTA sanctioned and non-sanctioned events.

Coach – includes any person that is leading or assisting in teaching on and off court tennis instruction or team competition (instructor, teaching professional, team manager, etc.).
USTA Northern is committed to creating a safe and positive environment for its participants’ physical, emotional, and social development and ensuring it promotes an environment free from abuse and misconduct. As part of this program, USTA Northern has implemented policies below addressing certain types of abuse and misconduct, and certain policies intended to reduce, monitor and govern the areas where potential abuse and misconduct might occur.

The policies below address the following types of abuse and misconduct:

- Sexual abuse and misconduct
- Physical abuse and misconduct
- Emotional abuse and misconduct
- Bullying, threats and harassment
- Hazing
- Electronic communications policy and Social Media

All USTA Northern participants shall familiarize themselves with each form of misconduct and shall refrain from engaging in misconduct and/or violating any of these policies. In the event that any of USTA Northern or its Organization Member Programs’ employees or volunteers observe inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or any other type of abuse or misconduct, it is the personal responsibility of each such person to immediately report his or her observations to the appropriate person as described in Section IV of this Handbook.

In addition to reporting within USTA Northern, such persons must also report child physical or sexual abuse to appropriate law enforcement authorities when required under this policy and or under applicable law. Employees and volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for reporting to appropriate law enforcement authorities.

USTA Northern has ZERO TOLERANCE for abuse and misconduct. How USTA Northern and its Organization Member Programs respond to an allegation of abuse or misconduct is described in Section V of this Handbook.
SEXUAL ABUSE

It is the policy of USTA Northern that there shall be no sexual abuse of any participant involved in any of its Member Programs, whether such participant is an adult or a minor, by an employee, volunteer, independent contractor or another participant. Sexual abuse of a minor occurs when an adult employee, volunteer, independent contractor or other participant touches a minor for the purpose of causing the sexual arousal or gratification of either the minor or the employee, volunteer, independent contractor or other participant. Sexual abuse of a minor also occurs when a minor touches an employee, volunteer, independent contractor or other participant for the sexual arousal or sexual gratification of either the minor or the employee, volunteer, independent contractor or other participant, if the touching occurs at the request or with the consent of the employee, volunteer, independent contractor or other participant.

Sexual contact between or among children also can be abusive if there is a significant disparity in age, development, or size, rendering the younger child incapable of giving informed consent, if there is the existence of an aggressor, or where there is an imbalance of power and/or intellectual capabilities. The sexually abusive acts may include sexual penetration, sexual touching, or non-contact sexual acts such as exposure or voyeurism.

Minors cannot consent to sexual activity with an adult, and all sexual interaction between an adult and a minor is strictly prohibited. Consent of the minor to the sexual contact, mistake as to the participant’s age, nor the fact that the sexual contact did not take place at a tennis function are not defenses to a complaint of sexual abuse. Child sexual abuse includes all sexual interaction between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity.

Sexual abuse may also include non-touching offenses, such as sexually harassing behaviors; an adult discussing his/her sex life with a minor or subordinate; an adult asking a minor or subordinate about his/her sex life; an adult requesting or sending nude or partial dress photos to a minor; exposing minors to pornographic material; sending minors sexually explicit electronic messages or photos (e.g. “sexting’’); deliberately exposing a minor to sexual acts; or deliberately exposing a minor to inappropriate nudity.

Sexual abuse or misconduct may also occur between adults or to an adult. Sexual abuse includes sexual interactions that are nonconsensual or accomplished by force or threat of force, or coerced or manipulated, regardless of the age of the participants. Prohibited sexual misconduct also includes romantic or sexual relationships between adults, between athletes or other participants and those individuals that have direct supervisory or evaluative control, or were in a position of power or trust over the athlete or participant. Prohibition of romantic or sexual relationships does not include those relationships where it can be demonstrated that there is no imbalance of power. Without limiting the above, any act or conduct described as sexual abuse, sexual misconduct or child sexual abuse under applicable federal or state law constitutes sexual abuse under this Policy.
Any USTA Northern participant who engages in any act of sexual abuse or misconduct is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

PHYSICAL ABUSE

It is the policy of USTA Northern that there shall be no physical abuse of any participant involved in any of its Member Programs by any employee, volunteer, independent contractor or other participant. Physical abuse means physical contact with a participant that intentionally causes or has the potential to cause the participant to sustain bodily harm or personal injury. Physical abuse also includes physical contact with a participant that intentionally creates a threat of immediate bodily harm or personal injury. Physical abuse may also include intentionally hitting or threatening to hit an athlete with objects or sports equipment.

In addition to physical contact or the threat of physical contact of a participant, physical abuse also includes the providing of alcohol to a participant under the age of consent and the providing of illegal drugs or non-prescribed medications to any participant.

Without limiting the above, any act or conduct described as physical abuse or misconduct under applicable federal or state law constitutes physical abuse under this Policy.

Physical contact that is reasonably designed to coach, teach, demonstrate or improve a tennis skill, including physical conditioning, and team building are not examples of physical abuse.

Physical abuse also does not include conduct between opponents that occurs during or in connection with a match that is covered by USTA Friend at Court. Such conduct should be addressed under Friend at Court. Any USTA Northern participant who engages in any act of physical abuse is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

EMOTIONAL ABUSE

It is the policy of USTA Northern that there shall be no emotional abuse of any participant involved in any of its Member Programs by an employee, volunteer, independent contractor or other participant. Emotional abuse involves a pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to a participant. These behaviors may include verbal acts, physical acts or acts that deny attention or support.

Examples of emotional abuse prohibited by this Policy include, without limitation: a pattern of (a) verbal behaviors that (i) attack a participant personally (e.g., calling them worthless, fat, or
disgusting); or (ii) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive motivational purpose; (b) physically aggressive behaviors, such as throwing sport equipment, water bottles, or chairs at or near participants; and (c) acts that deny attention and support, such as ignoring a participant for extended periods of time, or routinely or arbitrarily excluding participants from practice or training.

While a single incident of any of the above behaviors may be inappropriate and justify a review and/or disciplinary or other action by USTA or any of its Member Programs, such behaviors would typically not constitute emotional abuse unless a pattern of such conduct has occurred.

Constructive criticism about an athlete’s performance is not emotional abuse or misconduct. Further, emotional abuse does not include generally-accepted and age appropriate coaching methods of skill enhancement, physical conditioning, motivation, team building, or improving athletic performance.

A USTA Northern participant who engages in any act of emotional abuse is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

BULLYING, THREATS AND HARASSMENT

USTA Northern supports an environment for participation in tennis conducive to the enjoyment of tennis that is free from threats, harassment, and any type of bullying behavior. The purpose of this policy is to promote consistency of approach and to help create a climate in which all types of bullying, harassing or threatening behavior are regarded as unacceptable.

Bullying

Bullying is the use of coercion to obtain control over another person or to be habitually cruel to another person. Bullying involves an intentional, persistent or repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended to cause fear, humiliation, or physical harm in an attempt to socially exclude, diminish, or isolate another person. Bullying can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture. Bullying behavior is prohibited in any manner in connection with any USTA Northern sanctioned or non-sanctioned activity or event.

Examples of bullying prohibited by this Policy include, without limitation, physical behaviors, including punching, kicking or choking; and verbal and emotional behaviors, including, the use of electronic communications (i.e., “cyber bullying”), to harass, frighten, degrade, intimidate or humiliate.
While other team/individual participants are often the perpetrators of bullying, it is a violation of this policy if a coach or other responsible adult knows or should know of the bullying behavior but takes no action to intervene on behalf of the targeted participant(s).

A USTA Northern participant or parent of a participant who engages in any act of bullying is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior and/or result shall be taken into consideration when disciplinary decisions are made.

**Threats**

A threat to harm others is defined as any written, verbal, physical or electronically transmitted expression of intent to physically injure or harm someone else. A threat may be communicated directly to the intended victim or communicated to a third party. Threatening behavior is prohibited in any manner in connection with any USTA Northern sanctioned or non-sanctioned activity or event.

Any USTA Northern participant or parent of a participant who engages in any act of threatening or harassing behavior is subject to appropriate disciplinary action including, but not limited to, suspension, permanent suspension, and/or referral to law enforcement authorities. The severity and pattern, if any, of the threatening behavior and/or result shall be taken into consideration when disciplinary decisions are made.

**Harassment**

Harassment includes any pattern of physical and/or non-physical behaviors that (a) are intended to cause fear, humiliation, or annoyance, (b) offend or degrade, (c) create a hostile environment, or (d) reflect discriminatory bias in an attempt to establish dominance, superiority, or power over an individual participant or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression, or mental or physical disability.

Examples of harassment prohibited by this Policy include, without limitation, such non-physical offenses as (a) making negative or disparaging comments about a participant’s sexual orientation, gender expression, mental or physical disability, religion, race, ethnic traits or other legally protected grounds; (b) displaying offensive materials, gestures, or symbols; and (c) withholding or reducing practice or playing time to a participant based on his/her sexual orientation, gender expression, mental or physical disability, religion, race or ethnic traits, not to include prohibitions on participation when eligibility is based on gender.

Sexual harassment is a type of harassment prohibited by this policy. It shall be a violation for any employee, volunteer, independent contractor or other participant to harass a participant(s)
through conduct or communications of a sexual nature or to retaliate against anyone that reports sexual harassment or participates in a harassment investigation. USTA Northern shall investigate all indications, informal reports and formal grievances of sexual harassment by any employee, volunteer, independent contractor or other participant and appropriate corrective action shall be taken. Corrective action includes taking all reasonable steps to end the harassment, to prevent harassment from recurring and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

Unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature may constitute sexual harassment, even if the harasser and the participant being harassed are the same sex and whether or not the participant resists or submits to the harasser, when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a participant’s participation in any activity; or

2. Submission to or rejection of such conduct by a participant is used as the basis for decisions affecting the participant; or

3. Such conduct is sufficiently severe, persistent or pervasive such that it limits a participant’s ability to participate in or benefit from a tennis related program or activity or it creates a hostile or abusive environment.

Any conduct of a sexual nature directed by a minor toward an adult or by an adult to a minor is presumed to be unwelcome and shall constitute sexual harassment. Acts of verbal or physical aggression, intimidation or hostility based on sex, but not involving conduct of a sexual nature may also constitute sexual harassment. Legitimate non-sexual touching or other non-sexual conduct is not sexual harassment.

While other team/individual participants are often the perpetrators of harassment or sexual harassment, it is a violation of this Policy if a coach or other responsible adult knows or should know of the harassment or sexual harassment but takes no action to intervene on behalf of the targeted participant(s).

A USTA Northern participant or parent of a participant who engages in any act of harassing or sexually harassing behavior is subject to appropriate disciplinary action, including but not limited to, suspension, permanent suspension, and/or referral to law enforcement authorities. The severity and pattern, if any, of the harassing or sexually harassing behavior and/or result shall be taken into consideration when disciplinary decisions are made.
HAZING

There shall be no hazing of any participant involved in any of USTA Northern Member Programs by any employee, volunteer, independent contractor or other participant.

Hazing includes any conduct which is intimidating, humiliating, offensive, or physically harmful. The hazing conduct is typically an activity that serves as a condition for joining a group or being socially accepted by a group’s members.

Examples of hazing prohibited by this Policy include, without limitation, requiring or forcing (including through peer pressure) the consumption of alcohol or illegal drugs; tying, taping, or physically restraining a participant; sexual simulations or sexual acts of any nature; sleep deprivation, or the withholding of water and/or food; social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule; beating, paddling, or other forms of physical assault, and verbal abuse or threats or implied threats.

Activities that fit the definition of hazing are considered to be hazing regardless of a person’s willingness to cooperate or participate. Hazing includes any act or conduct described as hazing under Federal or State law.

While other team members are often the perpetrators of hazing toward their teammates, it is a violation of this Policy if a coach or other responsible adult knows, or should know, of the hazing but takes no action to intervene on behalf of the targeted participant(s).

A USTA Northern participant or parent of a participant who violates this Hazing Policy is subject to appropriate disciplinary action, including, but not limited to, suspension, permanent suspension and/or referral to law enforcement authorities.

ELECTRONIC COMMUNICATIONS POLICY

As part of USTA Northern’s emphasis on safety, communications involving any participant, and especially our minor participants, should be appropriate, productive, and transparent. 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 potential offenders with unsupervised and potentially inappropriate access to participants. The improper use of social media, mobile and electronic communications can result in misconduct. Adherence to the Electronic Communications Policy helps reduce these risks.

All electronic communication between coach and player must be for the purpose of communicating information about team/individual activities. Coaches, players and parents must follow common sense guidelines regarding the volume and time of day of any allowed electronic
communication. All content between coaches and players should be readily available to share with the public or families of the player or coach. If the player is under the age of 18, any email, text, social media, or similar communication must also copy or include the player’s parents as feasible.

Social Media

Social media makes it easy to share ideas and experiences. USTA Northern recognizes however, that social media, mobile and other electronic communications can be especially concerning where minor participants are involved. To facilitate communication, an official organization or team page may be set up and players and parents may join (i.e., “friend”) the official organization or team page and coaches can communicate to players though that site. All electronic communication of any kind between coach and player, including use of social media, must be non-personal in nature and be for the purpose of communicating information about team activities or for team oriented motivational purposes.

Abuse and Misconduct

Social media and other means of electronic communication can be used to commit abuse and misconduct (e.g., emotional, sexual, bullying, harassment, and hazing). Such communications by any employee, volunteer, independent contractor or other participant of a USTA Northern Member Program will not be tolerated and are considered violations of USTA Northern’s SafeSport Program.

Reporting

Infractions of USTA Northern’s Electronic Communications Policy should be reported to the appropriate person as described in Section IV of this Handbook. A USTA Northern participant or parent of a participant who violates this Electronic Communications Policy is subject to appropriate disciplinary action including, but not limited to, suspension, permanent suspension and/or referral to law enforcement authorities.
Section II

Education and Awareness Training

Education and training are key components to establishing a safe and fun environment for those involved in USTA programs and events. The USTA has adopted the United States Olympic Committee’s online training module as its education and training tool for Safe Play. In addition, the USTA encourages everyone participating in its programs and events to watch the online training module produced by the USOC. This training is a useful tool for disseminating valuable information in regard to procedures to follow to keep our play environment safe.

Accessing the Online Training Module

In order to access the training, you must first create an account. Here are step-by-step instructions:

1. Go to http://training.teamusa.org, and click on "Register."

2. Fill in the required fields that follow. Please note your organization as “US Tennis Association” and click "Save." You now have an account and can begin taking the training by clicking on either "Discover Courses" or "Store" from the main navigation and then selecting the SafeSport course. If you are taking the training for USTA Junior Team Tennis, select the course that is titled, “USTA Junior Team Tennis SafeSport.” Then proceed as follows:

Select “Add to Bag”, then “Checkout” and “Place Order”. Then you will be able to activate the course by selecting “Activate” under your Order Details. The course is free.

If you do not have time to complete the course during your visit, don’t worry; it will remember where you left off and you can pick right back up there when you return. Depending on your knowledge and skillset, the SafeSport training will take from 90 - 120 minutes to complete; the USTA Junior Team Tennis SafeSport course will take from 30 - 35 minutes to complete.
Section III

Screening and Background Check Program

USTA Background Screening

The USTA seeks to ensure the safety of all participants, and as such, the USTA has expanded and incorporated its criminal background screening policy into SafeSport as a legitimate business necessity to further its mission.

Criminal background screenings have been implemented by the USTA in order to:

i. Ensure a safe, secure and fun environment for participants to compete and continue to develop and enhance their skills.

ii. Provide parents and legal guardians with a sense of security for their children.

iii. Prevent individuals with ill intentions from becoming involved with its programming.

USTA Northern Screening

USTA Northern shall conduct screenings of its employees, volunteers, agents and independent contractors as follows:

1. All members of the USTA Northern Board of Directors shall be screened upon their election or appointment to the position and then shall be re-screened every two (2) years.
2. All USTA Northern employees shall be screened as a condition of their employment and then shall be re-screened every two (2) years.
3. All coaches for any USTA Northern or USTA national or sectional camp, national team, zonal competition or intersectional competition shall be screened as a condition of being selected for such position and then shall be re-screened every two (2) years.
4. All participants in the USTA Northern and USTA Officiating Program shall be screened as a condition of being selected for such position and shall be re-screened every two (2) years.
5. All individuals who are seeking a position as a USTA Junior Team Tennis team coach, manager, co-manager, or local/area coordinator shall be screened as a condition of their position and then shall be re-screened every two (2) years.
6. Any parties with regular, routine, or frequent access to children.

Offenses Screened For

The offenses listed below are a sampling of what is being screened for when a background check is performed and USTA Northern and USTA reserve the right to consider additional crimes should it determine in its sole discretion that such addition would be in the best interest of its participants.
Reportable convictions for, disclosure of convictions for, and pending dispositions for any of the criminal offenses listed below, or registrations will prompt a determination that an applicant does not meet the criteria for participation:

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 in 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 1-6 above.

8. Any crimes deemed to present a risk to USTA Northern, its Organizational Member Programs and Members of USTA.

Criminal offenses include “Attempted Crimes” in the above classification. Please be advised that this background screening policy is subject to change without notice at the sole discretion of USTA Northern or USTA.

Background screening is designed as a preventative measure. It is not a guarantee against incidents of inappropriate behavior or criminal activity. The USTA and USTA Northern encourages parents and legal guardians to play an active role in their child’s development, both on and off the court, to ensure their well-being.
Section IV

Reporting of Concern of Abuse

An effective reporting policy that results in reports of suspected abuse and misconduct, and does not in any way deter victims or witnesses from reporting abuse and misconduct, is a key element to preventing abuse and misconduct. Potential abusers will avoid involvement in a program where there is a likelihood that suspected abuse will be reported. When sport stakeholders are untrained about how and when to report suspected abuse, they may feel ill-prepared, powerless and lost when it comes to responding to and reporting misconduct. By providing this guidance on when and how to report suspected misconduct, USTA Northern seeks to remove barriers to disclosing misconduct, including child physical and sexual abuse.

In This Policy on Reporting Concerns of Abuse are:

- **The Reporting Policy**, which describes who must report violations or suspicions of potential or actual abuse or misconduct.
- **The Reporting Procedure**, which describes:
  - To whom reports are made (including the importance of certain reports being made to law enforcement authorities).
  - How to make reports to USTA Northern.
  - Confidentiality of reports.
  - USTA Northern’s policy on anonymous reports.
  - USTA Northern’s policy on protecting those that made the reports.
  - USTA Northern’s policy prohibiting reports made in bad faith.
- **How Reports are Handled**, including:
  - Further reporting to law enforcement authorities when appropriate.
  - Circumstances in which immediate suspension or termination is appropriate.
- **Notification** to parents of other participants.

**Reporting Policy**

Accordingly, it is the policy of USTA Northern that every employee or volunteer of any USTA Northern Member Program must report (1) actual or perceived violations of the USTA Northern SafeSport Program Handbook, (2) any violations of the Sexual Abuse, Physical Abuse, Emotional Abuse, Bullying, Threats or Harassment, or Hazing Policies, and (3) suspicions or allegations of child physical or sexual abuse to the appropriate USTA Northern representatives (as set forth below); additionally, in all cases involving suspicions or allegations of child physical or sexual abuse, every employee or volunteer of a USTA Northern Member Program must also report to the appropriate
law enforcement authorities. Any report of misconduct or suspicion of child physical or sexual abuse will be taken seriously and handled appropriately. If USTA Northern receives a report of physical or sexual misconduct involving a minor, USTA Northern will make a report to the proper authorities.

**In some cases an employee or volunteer may be hesitant about reporting suspected abuse because they are unsure about the credibility of the person making the allegation, are unsure about the credibility or validity of the facts on which the allegations are based, or are concerned about the potential consequences of a false report. It is critical that employees and/or volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for or prior to reporting their concerns.**

**Suspicions or Allegations of Child Physical or Sexual Abuse**

**Reporting to Law Enforcement and/or Child Protective Services**

An independent investigation can harm youth and/or interfere with the legal investigative process. Accordingly, USTA Northern, its Member Programs and their administrators, employees and/or volunteers shall not attempt to evaluate the credibility or validity of allegations of child physical or sexual abuse as a condition for or prior to reporting to appropriate law enforcement authorities. As necessary, however, a person receiving a report 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.

**Additionally, most states have mandatory reporting laws making persons holdings certain positions required by law to report suspicions of sexual or physical abuse of a minor. For mandatory reporting laws, see:**

1. www.childwelfare.gov

2. www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm

3. www.childwelfare.gov/systemwide/laws_policies/state/

**Immediate Suspension or Termination**

When an allegation of child physical or sexual abuse is made against an employee, volunteer, independent contractor and/or other participant, USTA Northern and its Member Programs may immediately suspend the accused individual (i.e., a “summary suspension”) and/or immediately remove that individual from contact with any children in the program until the allegation has been
investigated by an official agency. This shall apply whether or not the allegation involves an incident during a tennis program or event.

**Reporting Child Physical or Sexual Abuse**

**Child Physical or Sexual Abuse**

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), to manipulate the child into sexual activity and to keep the child from disclosing abuse – it is possible that an employee, volunteer, parent or participant 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 the USTA Northern SafeSport Coordinator.

**Peer-to-Peer Sexual Abuse**

Approximately 1/3 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 to the USTA Northern SafeSport Coordinator immediately.

At such time as an independent entity is created and is operating with the responsibility and authority to receive reports, conduct investigations and make disciplinary decisions (including adjudication of such decisions) for all national governing bodies related to allegations of sexual abuse and misconduct, and any other misconduct related to an allegation of sexual abuse or misconduct, USTA Northern shall modify this reporting policy accordingly.

**Reporting Other Misconduct and Policy Violations**

If any staff member and/or volunteer of USTA Northern 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 staff member and/or volunteer to report their observations to the USTA Northern SafeSport Coordinator immediately. USTA Northern also strongly encourages parents, players and other tennis participants to communicate violations of the USTA Northern SafeSport Program Handbook and/or allegations and suspicions of child physical and sexual abuse to the USTA Northern SafeSport Coordinator immediately.
Reporting Procedure

To Whom to Report

Suspicions or allegations of child physical or sexual abuse may, and in many cases must, be made to the appropriate law enforcement authorities. In order to further protect USTA Northern programs and participants, such reports should also be made to USTA Northern and the USTA Northern SafeSport Coordinator. A compilation of information on when a person must make a report to law enforcement authorities can be found at:

www.childwelfare.gov
www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm
www.childwelfare.gov/systemwide/laws_policies/state/

All reports of violations of any of the USTA Northern SafeSport policies or any violations of this SafeSport Program Handbook shall be made to USTA Northern and/or to the USTA Northern SafeSport Coordinator.

How to Report to USTA Northern

Reports to USTA Northern may be made via
1. Online submission: https://form.jotform.com/SafeSportCoordinator/reporting-form
2. Email: SafeSport Coordinator at goldammer@northern.usta.com
3. Phone: (952) 358-3284.

The USTA Northern will take a report in the way that is most comfortable for the person initiating a report, including an anonymous, in-person, verbal or written report. If reporting by email, it is strongly encouraged that the following information be included:

1. The name(s) and contact information of the complainant(s).
2. The type of misconduct alleged.
3. The name(s) of the individual(s) alleged to have committed the misconduct.
4. The approximate dates the misconduct was committed.
5. The names of other individuals who might have information regarding the alleged misconduct.
6. A summary statement of reasons to believe that misconduct has occurred.

Confidentiality

To the extent permitted by law, and as appropriate, USTA Northern and all USTA Northern Member Programs shall on request from the complainant keep the complainant’s name confidential, 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.
Anonymous Reporting

Anonymous reporting may make it difficult for USTA Northern to investigate or properly address misconduct or abuse. However, USTA Northern does recognize 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 Report Form:

- By completing the Reporting Form without including their name.
- By expressing concerns verbally to USTA Northern.
- Through email to USTA Northern at goldammer@northern.usta.com.

“Whistleblower” Protection

Regardless of outcome, it is the policy of USTA Northern and all USTA Northern Member Programs to support the complainant(s) and his or her right to express concerns in good faith. Neither USTA Northern nor any USTA Northern Member Program will encourage, allow or tolerate attempts from any individual, group or organization to retaliate, punish, or in any way harm any individual(s) who reports a concern in good faith or otherwise participates in an investigation. Such actions against a complainant, witness or other complainant will be considered a violation of the USTA Northern SafeSport Program and grounds for disciplinary action, and may also be subject to civil or criminal proceedings.

Bad-Faith Allegations

A report of abuse, misconduct or policy violation that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of the USTA Northern SafeSport Program and grounds for disciplinary action. 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.

Any person or organization that may have a conflict of interest because they are named in a complaint, are a witness to an allegation, are closely affiliated with the person accused of misconduct, or may have other potential bias, are considered to have a conflict of interest in the investigation or outcome of the complaint, and shall be recused from participating in an investigation or other disciplinary process. The investigation and hearing process shall be handled by persons that are reasonably disinterested and impartial to the matter and all other persons and the program involved.
Notification

Following notice of a credible allegation that results in the removal of an employee, volunteer, independent contractor and/or other participant, USTA Northern may consider the circumstances in which it will notify parents of other participants with whom the accused individual may have had contact. As appropriate, USTA Northern may notify its staff members, volunteers, parents, and/or participants of any allegation of child physical or sexual abuse or other criminal behavior that (1) law enforcement authorities are actively investigating; or (2) is being investigated internally by USTA Northern or USTA. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.

Section V

Responding to Abuse and Other Misconduct

Requirement for Investigation and/or Disciplinary Proceedings

Upon a report or other notice of credible information or allegations that a person who is subject to the jurisdiction of USTA Northern or one of its organizational members or local programs (1) may have violated any of the provisions of the USTA Northern SafeSport Program Handbook, (2) violated any of the Sexual Abuse, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, or Hazing Policies, or (3) is subject to allegations of actual or suspected child physical or sexual abuse, USTA Northern, its organizational members or applicable local programs shall conduct an investigation and/or disciplinary proceedings to determine the appropriate discipline that may be imposed.

Notwithstanding the foregoing, if USTA Northern receives a report of physical or sexual misconduct involving a minor, USTA Northern will make a report to the proper law enforcement authorities. Further, USTA Northern and its organizational members shall not conduct any investigation or hearing procedure in response to allegations of child physical or sexual abuse if it in any way interferes with a pending legal investigation or criminal prosecution. As described below, it is appropriate to issue a summary suspension of the accused individual during the pendency of a legal investigation or criminal prosecution.

USTA Northern recognizes there are varying levels of misconduct. For example, physical and sexual misconduct are serious violations that may result in immediate suspension or dismissal. In contrast, a youth participant who tells a single risqué joke constitutes less serious misconduct and depending on the circumstances, might be dealt with more appropriately through dialogue and a verbal warning. Appropriate action should always consider the necessity of protecting minor participants from further abuse. In all cases, USTA Northern disciplinary procedures and actions
shall be proportionate, reasonable and applied fairly and equally.

It is also recognized that with respect to disciplinary action involving an employee of an organization, the organization will address allegations against its employees under its employment policies and procedures and other documents governing the employment.

All organizational members and local programs shall report to the SafeSport Coordinator the results of any investigations, hearings or other proceedings within their program that involves violations of the USTA’s SafeSport Policies or this SafeSport Handbook.

**Importance of Confidentiality**

Any investigation and/or disciplinary proceedings must be kept confidential. An investigator shall not discuss the investigation with anyone except for the purposes of conducting the investigation, except as requested by law enforcement or child protection authorities. An investigator shall not be required to provide a copy of the investigator’s report or notes to any party unless required by law.

Hearings should be closed and confidential, to the extent possible, other than for notification of the outcome. Participants in the hearing, including the Section Grievance Committee, complainant, victim, and witnesses (if any are permitted), should be requested and encouraged to keep the proceedings confidential, except as requested by law enforcement or child protection authorities. The Grievance Committee members shall not discuss the testimony with anyone and shall deliberate among themselves until the final resolution of the complaint, except as requested by law enforcement or child protection authorities.

**Immediate or “Summary” Suspension**

The appropriate disciplinary response will depend on the nature and seriousness of the incident and in extreme cases, misconduct will result in immediate suspension and/or dismissal, provided that the accused individual shall be advised of his/her right to a hearing via the Grievance Committee Policy Charter. If the accused individual is a minor, the SafeSport Coordinator will contact his or her parents or legal guardians.

Summary suspension is intended for those situations in which an individual’s continued employment, membership or participation poses a risk of ongoing physical or emotional harm. When such a risk exists, USTA Northern, the applicable organizational member or local program should immediately suspend the accused individual pending final resolution of the complaint or any legal proceedings. In such instances, USTA Northern shall provide the individual with notice and offer her/him an opportunity to contest the suspension.
A summary suspension is thus appropriate when there is a reasonable belief that the individual has committed emotional, physical or sexual misconduct. Evidence which may be found sufficient to support a reasonable belief includes, at a minimum:

- the suspension or termination of employment or membership by a local program, organizational member or USTA Northern;
- a Report Form has been filed with reasonably specific and credible information;
- other legal documentation or report supporting a reasonable belief that the individual has committed emotional, physical or sexual misconduct, including abuse of a child (e.g., an arrest or a criminal indictment).

For the purposes of this Policy, a suspension from involvement in tennis programs shall mean that for the duration of the period of suspension, the accused individual may not participate in any capacity or in any role in the business, events, or activities of any organizational program.

Pursuant the Grievance Committee Policy Charter, the suspended individual, at the time of notice of the suspension, shall be provided with notice of the right to request a hearing. The suspended individual must request a hearing in writing within thirty (30) days of being notified of the suspension. However, it is recognized that during the pendency of a criminal investigation or other legal proceeding the suspended individual may not want to or may be unable to appear at an administrative proceeding to contest a suspension. It is appropriate that when an active criminal investigation or legal proceeding is ongoing, the thirty (30) day period to request a hearing should be stayed until thirty (30) days following the conclusion of the criminal investigation, criminal proceeding or other legal proceeding.

Delaying any hearing of a person subject to a summary suspension until after the conclusion of a criminal or legal proceeding is also consistent with USTA Northern’s policy that it will not enter into an investigation that may interfere with a pending legal investigation or criminal prosecution.

Hearings

It is recognized that not all disciplinary action requires a hearing. There may be discipline imposed for minor violations where a reprimand, training or other sanction may be imposed and where a hearing would not be necessary. However, in cases where USTA Northern or a Member program seeks to suspend or otherwise discipline a party, the governing body shall offer the party the right to a hearing.

The complainant, victim and accused individual shall have the right to receive written notice of the report or complaint, including a statement of the allegations, to present relevant information to the Grievance Committee and any investigator, and to be represented by legal counsel (at the
party’s own expense). Counsel for any party to a hearing shall be allowed to advise his/her client in the hearing, but may be limited in other activities as the Committee in its reasonable assessment may determine.

In connection with any hearing the accused individual must be given a reasonable opportunity to respond to the allegations brought forward. This may or may not include cross examination of the victim or complainant. In circumstances where the complainant or victim is a minor, it may be appropriate for the person that conducted the investigation that led to the hearing to provide testimony on the victim’s behalf, or that the investigator’s or fact finder’s report substitute for the minor’s testimony.

The Grievance Committee may proceed in the accused individual’s absence if it cannot locate the individual or if the individual declines to attend the hearing.

The conduct of the hearing should be closed and confidential, to the extent possible, other than for notification of the outcome. The Grievance Committee or governing organization that imposes any discipline should consult with legal counsel before making any hearing decision or other report public.

Pursuant to the Grievance Committee Policy Charter, there is a right to appeal the Committee’s decision. A written request for appeal must be delivered to the President of USTA Northern within thirty (30) days of the disciplined party’s receipt of the written decision from the Committee.

Findings and Sanctions

The Grievance Committee has the discretion to impose sanctions on the individual if it finds based on a preponderance of the evidence that any violations of the USTA Northern SafeSport Program Handbook have occurred.

The Committee will communicate its findings to the individual. Its findings shall describe the facts that support any sanctions it concludes are necessary along with a statement of the rule(s) and/or policy(ies) that were found to have been violated by the individual. The Committee may impose sanctions on the individual in its findings. Any sanctions imposed by the Committee must be proportionate and reasonable, relative to the findings and conclusions of the Committee as to what has occurred. The decision regarding the appropriate disciplinary action shall be up to the Committee deciding each complaint. In imposing discipline, the Committee shall consider:

1. The legitimate interest of USTA Northern and the local program and/or organizational member in providing a safe environment for its participants.
2. The seriousness of the offense or act and impact on the victim.
3. The age of the accused individual and alleged victim when the offense or act occurred.
4. Any information produced by the individual, or produced on behalf of the individual, in regard to the individual’s rehabilitation and good conduct.

5. The effect on the reputation of USTA Northern and the local program and/or organization member.

6. Whether the individual poses an ongoing concern for the safety of participants in USTA Northern and the local program and/or organizational member.

7. Any other information, which in the determination of the Committee, bears on the appropriate sanction.

Appropriate disciplines may range from a warning and a reprimand to suspension from the involvement in USTA Northern member programs for a period of time, or may in some cases be permanent, and may involve a term of probationary conditions upon completion of an imposed suspension.

The SafeSport Program is intended to address and respond to conduct, and any sanctions or discipline should be directed to that conduct. While participants and their families may have financial or contractual disputes with programs, a SafeSport investigation or hearing regarding allegations of violations of SafeSport policies shall not consider nor address any liability or responsibility in a financial or contractual dispute.

As it is recognized that a local program’s suspension is only effective with respect to that local program and/or organizational member, the local program and/or organizational member may request that USTA Northern recognize and enforce the suspension throughout USTA Northern.

**SECTION VI**

**Monitoring and Supervision of the Program**

The Monitoring and Supervision aspect of USTA Northern’s SafeSport Program describes how USTA Northern will supervise and ensure that all aspects of the SafeSport Program (i.e., implementation and enforcement of policies, training requirements, screening requirements, responding, reporting and adjudication procedures, etc.) are being followed, and how they may be improved, so that they result in a safe environment for the participants.

1. USTA Northern shall monitor compliance with the USTA Northern SafeSport Program in all organizational member programs.

2. USTA Northern shall require that all section personnel, including members of the Board of Directors and Committees have received training and have been screened as a condition of holding that position.

3. USTA Northern shall broadly communicate and educate our organizational members, local
programs and providers on the USTA Northern SafeSport Program on a yearly basis.

4. USTA Northern shall promptly address any reports of abuse and misconduct, and make all such reports as are required under the USTA Northern SafeSport Program or applicable law.

5. USTA Northern shall maintain a SafeSport Task Force to monitor USTA Northern’s compliance with the USTA Northern SafeSport Program and shall consider modifications to the policies and other aspects of the Program on a yearly basis or more often as necessary.