



## **Kitsap Rowing Association Safe Sport Policy**

### **1. TRAINING AND EDUCATION**

Our policies and procedures require Kitsap Rowing Association (KRA) staff, members, and volunteers to report abuse, misconduct, and violations. To this end, all KRA members (including coaches, board members, athletes, and support staff) and volunteers should have a basic understanding of misconduct in sports, which includes, but is not restricted to, Emotional Misconduct, Physical Misconduct, Sexual Misconduct, Bullying, and Harassment.

It is a requirement that all member organizations of USRowing complete an awareness training program concerning misconduct in sport to remain in good standing.

Accordingly, all KRA members and volunteers must successfully complete the online USRowing Safe Sport training program before commencing any activities with KRA. Full training must be repeated every four (4) years, with refresher courses completed every one (1) year.

USRowing and KRA Membership will maintain records of completion of Safe Sport training compliance.

### **2. CRIMINAL BACKGROUND CHECK POLICY**

All Coaches and Board Members will additionally be required to undergo a criminal background check that complies with the Fair Credit Reporting Act before providing services for KRA. Through this criminal background check, KRA will utilize reasonable efforts to ascertain past criminal history of an applicant. KRA will cover the costs of background checks for these individuals.

#### **2.1. PROCESS**

The Criminal Background Check Consent and Waiver Release form must be submitted and the applicant cleared before he or she may perform services for KRA.

On receipt of the Criminal Background Check Consent and Waiver Release form, KRA will request that its vendor perform the criminal background check. As part of its criminal background check, KRA will, at a minimum and without limitation, perform a national search of state criminal repositories; perform a search of state sexual offender registries; and verify a person's identification against their social security number or other personal identifier.

#### **2.2. POTENTIALLY DISQUALIFYING FACTORS**

##### **2.2.1. Criminal History**

KRA will use a criminal background check to gather information about an applicant's prior criminal history. The information revealed by the criminal background check may disqualify an applicant from serving as a KRA Coach or Board Member.

Information that could disqualify an applicant includes, but is not limited to, arrests, pleas of no contest and criminal convictions—especially if the underlying criminal behavior involved sex or violence.

### **2.2.2. Pending Court Cases**

No decision will be made on an individual's eligibility if they have a pending court case for any of the potentially disqualifying offenses until the pending case concludes. If, however, during the case's pendency, the organization undertakes an independent investigation and conducts a hearing, any determination may be used to disqualify the individual.

### **2.2.3. Full Disclosure**

Each applicant has the affirmative duty to disclose their criminal history. Failing to disclose or intentionally misrepresenting an arrest plea or conviction history in an application or any other information provided by an applicant during the screening process is grounds for employment, volunteer and/or membership revocation or restriction, regardless of when the offense is discovered.

If an applicant (1) is arrested, (2) pleas, or (3) is convicted of a crime other than a traffic offense during the screening process, the applicant is required to disclose such information immediately.

In the event a person currently serving as a Coach or Board Member (1) is arrested, (2) pleas, or (3) is convicted after the completion of the screening process, they have an affirmative duty to disclose such information immediately to a KRA administrator.

Any applicant who has been banned by another sport organization as temporarily or permanently ineligible must self-disclose this information. A failure to disclose is a basis for disqualification for potential applicants.

## **2.3. FINDINGS**

Notice of findings will be provided to the designated contact of KRA that submitted the application.

KRA's criminal background check report will return a "red light" or "green light" score. A green light score means that the background check vendor located no records that would disqualify the applicant. A green light score, however, is not a certification of safety or permission to bypass/ignore other screening efforts. Other disqualifying factors may exist, and can be revealed through an interview, reference checks, and a completed application. A red light finding means the criminal background check revealed criminal records that suggest the applicant does not meet the criteria and is not suitable for organization enrollment.

Individuals who are subject to disqualification under a "red light" finding may challenge the accuracy of the reported information reported by the criminal background check vendor.

### **OPTION ONE: Appeal to Organization**

If an individual receives a red light finding and wants to contest the KRA's decision not to accept their application based on this finding, the individual may request a hearing before KRA's Review Panel. The Review Panel will consist of the current KRA Board. If any discretion is exercised in the application of this policy, it shall be exercised in a uniform manner so that substantially similar convictions and circumstances result in substantially similar treatment of applicants.

### **OPTION TWO: Appeal to Criminal Background Check Vendor**

Any disqualified individual has the right to dispute the findings of the criminal background check directly with the KRA's approved Criminal Background Check Vendor.

Individuals who do not meet Background Check criteria are excluded from participation in any KRA sanctioned events and/or activities.

KRA will review its disqualifiers every 2 years or as otherwise required or modified by law. Records are securely maintained for a period indicated by applicable law or until the applicant is no longer affiliated with KRA, whichever date is later.

## **2.4 FREQUENCY OF CRIMINAL BACKGROUND CHECKS**

Criminal background checks will be refreshed every 2 years, or as otherwise required by law.

## **2.5. AFFIRMATIVE DUTY TO DISCLOSE**

If, during the course of participation in KRA's program, a staff member or volunteer is accused, arrested, indicted or convicted of a criminal offense, it is the duty and responsibility of the staff member or volunteer to notify a KRA Board Member or a member of KRA's Safety Committee.

# **3. ATHLETE PROTECTION POLICY: KRA's COMMITMENT TO SAFETY**

## **Overview**

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

## **3.1. PROHIBITED CONDUCT**

### **3.1.1. Emotional Misconduct**

#### **Definition:**

- 1) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete.
- 2) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g., child abuse, child neglect).

Examples of emotional misconduct prohibited by this policy include, without limitation:

- 1) **Verbal Acts.** A pattern of verbal behaviors that attack an athlete personally or repeated and excessive yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.
- 2) **Physical Acts.** A pattern of physically aggressive behaviors, such as (a) throwing sport equipment, water bottles or chairs at, or in the presence of, participants; or (b) punching walls, windows, or other objects.
- 3) **Acts that Deny Attention and Support.** A pattern of (a) ignoring an athlete for extended periods of time or (b) routinely or arbitrarily excluding participants from practice.

#### ***Exception***

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

### **3.1.2. Physical Misconduct**

**Definition:**

- 1) Contact or non-contact conduct that results in, or reasonably threatens to, cause physical harm to an athlete or other sport participants; or
- 2) Any act or conduct described as physical abuse or misconduct under federal or state law (e.g. assault).

**Examples**

Examples of physical misconduct prohibited by this Policy include, without limitation:

- 1) **Contact offenses.** Behaviors that include:
  - (a) punching, beating, biting, striking, choking, or slapping an athlete;
  - (b) intentionally hitting an athlete with objects or sporting equipment;
  - (c) providing alcohol to an athlete under the legal drinking age (under U.S. law);
  - (d) providing illegal drugs or non-prescribed medications to any athlete;
  - (e) encouraging or permitting a rower to return to activity prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional;
  - (f) prescribing dieting or other weight-control methods without regard for the nutritional well-being and health of athlete.
- 2) **Non-contact offenses.** Behaviors that include:
  - (a) isolating an athlete in a confined space;
  - (b) forcing an athlete to assume a painful stance or position for no athletic purpose;
  - (c) withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.

**3.1.3. Sexual Misconduct****Definition:**

- 1) Any touching or non-touching sexual interaction that is (a) nonconsensual or forced, (b) coerced or manipulated, or (c) perpetrated in an aggressive, harassing, exploitative or threatening manner;
- 2) Any sexual interaction between an athlete and an individual with evaluative, direct, or indirect authority. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative; or
- 3) Any act or conduct described as sexual abuse or misconduct under federal or state law (e.g. sexual abuse, sexual exploitation, rape)

Types of sexual misconduct include:

- 1) sexual assault,
- 2) sexual harassment,
- 3) sexual abuse, or
- 4) any other sexual intimacies that exploit an athlete.

Examples of sexual misconduct prohibited under this Policy include, without limitation:

**Touching offenses.** Behaviors that include:

- (a) fondling an athlete's breasts or buttocks
- (b) exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favors

- (c) genital contact
- (d) sexual relations or intimacies between persons in a position of trust, authority and/or evaluative and supervisory control over athletes or other sport participants.

**Non-touching offenses.** Behaviors that include:

- (a) a coach discussing their sex life with an athlete
- (b) a coach asking an athlete about their sex life
- (c) coach requesting or sending a nude or partial-dress photo to athlete
- (d) exposing athletes to pornographic material
- (e) sending athletes sexually explicit or suggestive electronic or written messages or photos (e.g. “sexting”)
- (f) deliberately exposing an athlete to sexual acts
- (g) deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)
- (h) sexual harassment; specifically, the sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, and
  - a. is unwelcome, offensive or creates a hostile environment, and the offending individual knows or is told this
  - b. is sufficiently severe or intense to be harassing to a reasonable person in the context.

### 3.1.4. Bullying

**Definition:**

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

Examples of bullying prohibited by this Policy include, without limitation:

- 1) **Physical behaviors.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking, or slapping an athlete; (b) throwing at, or hitting an athlete with, objects such as sporting equipment.
- 2) **Verbal and emotional behaviors.** Behaviors that include (a) teasing, ridiculing, intimidating; (b) spreading rumors or making false statements; or (c) using electronic communications, social media, or other technology to harass, frighten, intimidate or humiliate (“cyber bullying”).

Bullying does not include group or team behaviors that (a) are meant to establish normative team behaviors, or (b) promote team cohesion. For example, bullying does not include verbal admonitions to encourage team members to train harder and to push through a difficult training regimen.

### 3.1.5. Harassment

**Definition:**

- (1) A repeated 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

athlete or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression or mental or physical disability; or

(2) Any act or conduct described as harassment under federal or state law

Examples of harassment prohibited by this Policy include, without limitation:

- (1) **Physical offenses.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking or slapping an athlete or participant; (b) hitting an athlete with objects including sporting equipment.
- (2) **Non-physical offenses.** Behaviors that include (a) making negative or disparaging comments about an athlete's sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; (b) displaying offensive materials, gestures, or symbols.

### **3.2 PHYSICAL CONTACT WITH ATHLETES**

KRA adheres to the following principles and guidelines in regards to physical contact with our athletes:

- (a) the physical contact takes place in public
- (b) there is no potential for, or actual, physical or sexual intimacies during the physical contact

Appropriate physical contact between athletes and coaches, staff members, or volunteers is a productive and inevitable part of sport. Athletes are more likely to acquire advanced physical skills and enjoy their sport participation through appropriate physical contact. In many instances appropriate physical contact makes the sport safer. Examples of appropriate physical contact include:

- (a) positioning an athlete's body so that they more quickly acquire an athletic skill, get a better sense of where their body is in space, or improve their balance and coordination
- (b) addressing injuries/releasing muscle cramps
- (c) post-row congratulations/celebrations

### **3.3 REPORTING POLICY**

Although these policies are designed to reduce sexual abuse and other misconduct, such violations may still occur.

Any violations of the Athlete Protection Policy within KRA should be reported to a member of the current KRA Board of Directors or a member of the KRA Safety Committee. All concerns will be addressed promptly and in confidence.

### **3.4 WILLFULLY TOLERATING MISCONDUCT**

In the event that any KRA member or volunteer observes inappropriate behaviors (i.e., policy violations), it is their personal responsibility to immediately report their observations to a member of the KRA Board of Directors or the KRA Safety Committee.

It is a violation of this Athlete Protection Policy if a KRA member and/or volunteer knows of misconduct, but takes no action to intervene on behalf of the athlete(s), participant(s), staff member, and/or volunteer.

**APPROVAL AND REVIEW**

<b>APPROVAL AUTHORITY</b>	<b>KRA BOARD</b>	<b>COMMENT</b>
<b>DATE APPROVED</b>	<b>6 December, 2021</b>	
<b>REVIEW AUTHORITY</b>	<b>KRA Safety Committee</b>	
<b>DATE OF REVIEW</b>	<b>6 May, 2024</b>	
<b>NEXT REVIEW DATE</b>	<b>6 May, 2025</b>	