



## USA Gymnastics Safe Sport Policy (f/k/a Participant Welfare Policy)

*The Safe Sport Policy, formerly known as the Participant Welfare Policy, is part of USA Gymnastics' safe sport initiatives and incorporates the authority and jurisdiction of the U.S. Center for Safe Sport. USA Gymnastics policies and procedures related to misconduct are presently under review, and updates to this policy may be necessary in the near future. Available online at [usagym.org/SafeSport](http://usagym.org/SafeSport), changes are effective immediately unless otherwise noted in the policy.*

Consistent with the mission of USA Gymnastics,<sup>1</sup> the welfare of gymnastics participants, especially minors, is of paramount concern. When any member - gymnast, participant, coach, official, volunteer or staff member - is subjected to or engages in abuse or misconduct, it undermines the mission of USA Gymnastics and is inconsistent with the best interests of the sport of gymnastics and of the gymnasts USA Gymnastics serves.

***USA Gymnastics is committed to promoting a safe environment for its members, gymnasts, participants, coaches, officials, volunteers and staff in all gymnastics disciplines.*** USA Gymnastics has developed and adopted this policy to set forth the efforts it will undertake to promote a safe gymnastics environment, both solely and in partnership with other necessary parties, including member clubs, parents, gymnasts, the gymnastics community, and the U.S. Center for SafeSport ('Center').

***Gymnastics participants must promote a safe, misconduct-free environment for members, gymnasts, participants, coaches, officials, volunteers and staff in all gymnastics disciplines.*** As such, a "Covered Individual" (as defined below) in accordance with the requirements of the U.S. Center for SafeSport:

- a. is responsible for knowing the information, policies and procedures outlined in:
  - the Center's *SafeSport Code for the U.S. Olympic and Paralympic Movement* ('Code' or 'SafeSport Code') and its related policies;
  - USA Gymnastics' rules, policies, Bylaws, and Code of Ethical Conduct;
- b. shall refrain from engaging in or willfully tolerating any of the forms of Misconduct and Prohibited Conduct described in the Center's SafeSport Code and USA Gymnastics Safe Sport Policy;
- c. is subject to the Center's jurisdiction and must comply with the Center's policies, procedures, and SafeSport Code, including with respect to reporting suspected Misconduct and violations of Proactive Policies (as defined below); and

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<sup>1</sup> The mission of USA Gymnastics is to encourage participation and the pursuit of excellence in all aspects of gymnastics.

- d. is subject to USA Gymnastics' jurisdiction and must comply with USA Gymnastics' rules, policies, Bylaws, and Code of Ethical Conduct, including with respect to reporting suspected misconduct and violations of Proactive Policies.

A "Covered Individual" is:

- a. Any individual who currently is, or was at the time of a possible SafeSport Code Violation, within the governance or disciplinary jurisdiction of USA Gymnastics or who is seeking to be within the governance or disciplinary jurisdiction of USA Gymnastics (e.g., through application for membership), including:
  - Current members (professional, jr. professional, instructor, athlete, introductory athlete)
  - Applicants for membership
  - Individuals who were members of USA Gymnastics at the time of any suspected Misconduct or Prohibited Conduct described in the Center's SafeSport Code or USA Gymnastics Safe Sport Policy
  - USA Gymnastics staff and Board members
- b. Any individual who is an Athlete or Non-Athlete Participant that USA Gymnastics formally authorizes, approves or appoints to a position of authority over Athletes or to have frequent contact with Athletes, such as persons compensated and/or appointed by USA Gymnastics to perform services at sanctioned activities run by USA Gymnastics National Office or its State and Regional Committees, such as camps, competitions, and educational events, including for example:
  - Events staff - Individuals with access to the field of play
  - Medical personnel
  - Chaperones
  - National Team Training Center support staff
  - Any other contracted individual working with or around athletes

A "Covered Adult" is a Covered Individual who is 18 years of age or older.

An "unrelated Covered Adult" is a Covered Individual who is not an immediate family member of the gymnast.

A "Covered Minor" is a Covered Individual who is under the age of 18.

An "Athlete" is an athlete member of USA Gymnastics.

A "Non-Athlete Participant" is any of the following members of USA Gymnastics: coach, team staff, medical or paramedical personnel, administrator, official, or other athlete-support personnel, employee, or volunteer who participates in amateur sports programs offered or sanctioned by USA Gymnastics or the U.S. Olympic Committee.

## Part I. Misconduct and Prohibited Conduct.

USA Gymnastics has agreed to comply with the safe sport policies of the U.S. Center for SafeSport ('Center') and has incorporated into this Safe Sport Policy the provisions of the *SafeSport Code for the U.S. Olympic and Paralympic Movement ('Code' or 'SafeSport Code')* by reference. The Center may update its policies at any time and the changes are effective when published. For the most current safe sport rules, policies and procedures, go to [www.safesport.org](http://www.safesport.org).

USA Gymnastics has adopted the definitions of misconduct and prohibited conduct from the Center's SafeSport Code as follows.

### A. Sexual Misconduct.

*Sexual Misconduct is within the exclusive authority of the Center.*

A Covered Individual shall not engage in Sexual Misconduct as defined in the SafeSport Code.

### B. Other Safe Sport Misconduct.

*Other Safe Sport Misconduct – Physical Misconduct, Bullying, Hazing, Harassment, or Emotional/Verbal Misconduct - is within the authority of USA Gymnastics. Upon USA Gymnastics' request, the Center may, at its discretion, accept a matter involving Other Safe Sport Misconduct.*

A Covered Individual shall not engage in Prohibited Conduct, including Physical Misconduct, Bullying, Hazing, Harassment or Emotional/Verbal Misconduct as defined in the SafeSport Code. USA Gymnastics recognizes the process for training and motivating gymnasts varies with each coach and each gymnast. Nevertheless, it is incumbent on everyone involved in the sport to support the development and use of motivational training methods that avoid conduct that is, or is likely to be perceived, as being abusive.

### C. Misconduct Related to the Resolution Process.

*Misconduct related to the resolution process is within the authority of USA Gymnastics and/or the Center.*

The following behavior by a Covered Individual may be considered misconduct as defined in the SafeSport Code: Abuse of Process, Failure to Report, Intentionally Making a False Report, or Retaliation. Any such conduct, including after the resolution of a matter is final, is a violation of this policy and/or the Center's SafeSport Code.

### D. Proactive Policies Protecting Against Sexual Misconduct.

*Except as set forth in Part II, violations of the Proactive Policies described herein are within the authority of Member Clubs.*

USA Gymnastics has adopted the recommendation of the Center to establish Proactive Policies Protecting Against Sexual Misconduct ('Proactive Policies') tailored specifically to the sport of gymnastics that (i) set standards for professional boundaries, (ii) minimize the appearance of impropriety and have the effect of preventing boundary violations and (iii) prohibit grooming tactics.

USA Gymnastics Member Clubs must adopt USA Gymnastics' Proactive Policies outlined below. In addition, Member Clubs are strongly encouraged to adopt more comprehensive Proactive Policies tailored specifically to their club.

**1. One-on-one interactions.**

- An unrelated Covered Adult shall not be alone with a Minor (a) in a private setting, and (b) in any place that is inappropriate to the professional relationship (i.e., a social setting outside the training or competitive environment). A gymnastics activity conducted within the view and/or earshot of another adult is not considered a one-on-one interaction if it presents a meaningful opportunity for interruption.
- Gymnasts may not reside with an unrelated Covered Adult, nor may a Covered Adult reside with a gymnast's family.

**2. Travel.**

- When traveling, an unrelated Covered Adult shall not be alone with a Minor.
- For overnight travel, assign gymnasts to hotel rooms with age-appropriate, same-sex teammates.
- Do not allow an unrelated adult to share or be alone in a sleeping room with gymnasts.

**3. Social Media and Electronic Communications.**

- All e-mails, texts, and posts must be transparent, professional and related solely to gymnastics activities or events. Covered Adults may not have out-of-program contact with gymnasts on social media. (For example, general communication regarding a gymnastics activity or event via a club's social media account is acceptable, but private communication via a coach's and/or an athlete's personal social media account is not acceptable.)
- Covered Adults must distribute electronic and mobile communications to minor gymnasts openly and publicly; for example, with a copy to the parent(s)/guardian(s) and/or to the entire team transmitted simultaneously.
- Parents and guardians have the right to request that (a) their child not be contacted in any form of electronic communications, or (b) certain information about their child that they designate not be distributed in any form of electronic communications. All such requests will be honored.

**4. Photography/Videography.**

- Photographs or videos may only be taken (a) in public view; (b) if they observe generally accepted standards of decency; and (c) are both appropriate for and in the best interest of the gymnast.

- Examples of photos that should be edited or deleted:
  - Open straddle positions
  - Any image where the genital area is prominent
  - Images with misplaced apparel or where undergarments are showing
  - Suggestive or provocative poses
- Without a parent's (or legal guardian's) consent in the case of a Minor gymnast, or a gymnast's consent in the case of an adult gymnast (a) gymnasts may not be photographed or filmed; and (b) no images of gymnasts may be posted publicly or privately. If consent is given, it may be revoked at any time.

#### **5. Locker Rooms/Changing Areas.**

- Interactions between Covered Adults and gymnasts should not occur in any room where there is a reasonable expectation of privacy such as the locker room, restroom or changing area. A second adult should be present for any necessary interaction between an adult and a gymnast in any such room.
- The use of recording devices of any kind in any such room is strictly prohibited.

#### **6. Gifting.**

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

#### **7. Massage/Icing/Taping.**

- Any rubdown or massage performed on a gymnast by any unrelated Covered Adult must be conducted in open/public locations and must never be done with only a gymnast and unrelated Covered Adult in the room.
- Icing and taping must be conducted in open/public locations and must never be done with only a gymnast and unrelated Covered Adult in the room.
- Icing and taping near the intimate areas of the body is not permitted by any unrelated Covered Adult - unless it is done by a licensed medical professional - and must never be done with only a gymnast and unrelated Covered Adult in the room.

#### **8. Stretching and Other Physical Contact.**

Covered Adults should take care to prevent any compromising positions while stretching or closely interacting with gymnasts and must avoid:

- Laying or sitting on top of the gymnast
- Facing the gymnast while he/she is in a static straddle position
- Lap sitting
- Pats on the bottom

Physical contact that is reasonably intended to coach, teach or demonstrate a gymnastics skill or to prevent or lessen injury (e.g., spotting, catching) is permissible. Infrequent, non-intentional physical contact, particularly contact that arises out of an error or a misjudgment on the part of the gymnast, participant or coach, does not violate this policy.

## Part II. Reporting, Jurisdiction and Processing Complaints.

### A. Reporting Suspected Abuse to Legal Authorities.

1. USA Gymnastics will report suspected child abuse or neglect (including Sexual Misconduct) to the proper authorities in all instances and without exception, within 24 hours, or less as required by applicable state law.
2. Covered Adults must report suspected child abuse or neglect (including Sexual Misconduct) within 24 hours to the appropriate legal authorities, which is separate from notification to the Center, USA Gymnastics, or a Member Club as outlined below. For state-by-state reporting information, see [www.childwelfare.gov](http://www.childwelfare.gov).

### B. Reporting Sexual Misconduct.

Covered Adults are required to provide notification of conduct of which they become aware that could constitute (a) Sexual Misconduct, (b) misconduct that is reasonably related to the underlying allegation of Sexual Misconduct, and (c) retaliation related to an allegation of Sexual Misconduct as set forth in the Code:

1. Directly to the Center.
2. In the event the disclosure is initially made to USA Gymnastics, USA Gymnastics will forward the information to the Center.
3. Notification to the Center and/or USA Gymnastics DOES NOT satisfy any legal reporting requirements under state or federal law. Covered Adults are required to report suspected sexual misconduct to legal authorities as required by State law or Federal law, prior to notifying the Center.

### C. Reporting Other Safe Sport Misconduct.

Members of USA Gymnastics are required to provide notification of conduct by a Covered Individual that could constitute Other Safe Sport Misconduct:

1. Directly to USA Gymnastics.
2. Notification to USA Gymnastics DOES NOT satisfy any legal reporting requirements under state or federal law. If the suspected conduct may also be criminal, persons are required to report to legal authorities as required by State or Federal law, prior to notifying USA Gymnastics.

### D. Reporting Misconduct Related to the Resolution Process.

Covered Adults must provide notification of suspected Misconduct Related to the Resolution Process:

1. Directly to the Center, if the Center was the entity that had jurisdiction over the original allegation.
2. Directly to USA Gymnastics, if USA Gymnastics was the entity that had jurisdiction over the original allegation.

### E. Reporting Violations of Proactive Policies

Members of USA Gymnastics must provide notification of conduct by a Covered Individual that may constitute a violation of Proactive Policies.

1. Directly to the Member Club.

2. Member Clubs are required to inform USA Gymnastics when they receive notification of suspected violations of Proactive Policies by Covered Individuals in their clubs, and the resolution of the matter. USA Gymnastics will also notify the Center of any such notification and its resolution.
3. If reporting a suspected violation by a Covered Individual to the Member Club does not result in a satisfactory resolution, the reporting individual may request that USA Gymnastics review the matter. USA Gymnastics will also notify the Center of any such matter and its resolution.
4. Notification to USA Gymnastics DOES NOT satisfy any legal reporting requirements under state or federal law. If the suspected conduct may also be criminal, Covered Adults are required to report to legal authorities as required by State or Federal law.

**F. Jurisdiction.**

1. *Sexual Misconduct.* The Center has the exclusive authority to investigate and resolve conduct involving Sexual Misconduct, as well as prohibited conduct under the Code that is reasonably related to the underlying allegation of Sexual Misconduct.
2. *Other Safe Sport Misconduct.* Other Safe Sport Misconduct is within the authority of USA Gymnastics and within the discretionary authority of the Center. Upon the written request of USA Gymnastics, the Center may, in its discretion, accept jurisdiction over alleged violations of Other Safe Sport Misconduct.
3. *Related Violations.* Alleged violations of Misconduct Related to the Resolution Process will be resolved by either the Center or USA Gymnastics, depending on which entity has/had jurisdiction over the original allegation.
4. *Proactive Policies.* Violations of Proactive Policies are within the authority of the Member Clubs. However, if reporting the suspected violation to the Member Club does not result in a satisfactory resolution, an individual may request that USA Gymnastics review the matter. Additionally, upon the written request of USA Gymnastics, the Center may, in its discretion, accept jurisdiction over alleged violations of Protective Policies.

**G. Telephone Inquiries.**

At least two USA Gymnastics staff members, one of each gender, shall be trained to receive telephone inquiries regarding misconduct. The staff members shall:

1. Advise the caller that they, as well as USA Gymnastics has an obligation to report suspected child abuse or neglect to the proper authorities within 24 hours, unless it is aware that the authorities have already been notified.
2. Inform the caller that allegations of Sexual Misconduct must be reported to the Center and provide the caller with the information necessary to notify the Center and/or forward the information the caller has provided directly to the Center on their behalf.
3. Inform the caller that if the matter has not been referred to the Center, a written and signed complaint must be received for a USA Gymnastics member to initiate a grievance against another member of USA Gymnastics pursuant to its Code of Ethical Conduct and/or Articles 9 and/or 10 of USA Gymnastics Bylaws, and offer to provide a copy of the relevant documents to the caller.
4. Encourage that the victim(s) seek professional help, if appropriate.

5. Written summaries detailing the call will be indexed by the alleged perpetrator and will become a part of any applicable file to use as part of the resolution process.

#### **H. Implementation of USA Gymnastics' Misconduct/Grievance Procedures.**

At least two USA Gymnastics staff members, one of each gender, shall be trained in the proper implementation of the member misconduct and grievance procedures contained in the Center's SafeSport Code, USA Gymnastics Code of Ethical Conduct, and/or USA Gymnastics Bylaws.

1. A trained staff member will be designated to implement the procedures for each complaint.
2. The designated staff member will determine whether or not the accused is a Covered Individual.
  - a. If the accused is a Covered Individual, the matter will proceed in accordance with the existing applicable policy.
  - b. If the accused is not a Covered Individual, the staff member will notify the complaining party, as a courtesy, that USA Gymnastics is unable to pursue the matter internally.
3. The designated staff member will "shepherd" the complaint through the process set forth in the USA Gymnastics Code of Ethical Conduct or its Bylaws.

#### **I. Referral to the Center.**

1. One staff member will be designated as USA Gymnastics' safe sport liaison to the Center.
2. The designated staff member will:
  - a. If the matter involves possible Sexual Misconduct, report that matter to the Center.
  - b. As appropriate, make requests for the Center to resolve a complaint that is within the Center's discretionary authority.
  - c. Notify the Center of suspected violations of Proactive Policies by any Covered Individual and resolution thereof.

#### **J. Confidentiality and Privacy.**

1. Due to reporting requirements, and in consideration of any potential or ongoing safety risk, USA Gymnastics cannot guarantee confidentiality in safe sport matters. However, USA Gymnastics will treat such matters with as much confidentiality as is possible under the circumstances and with the sensitivity they deserve.
2. Information will only be shared on an as-needed basis with the concerned parties.
3. Parents/guardians of gymnasts may be notified, as necessary, of any possible health or safety risk.

### **Part III. USA Gymnastics' Additional Safe Sport Measures.**

#### **A. Criminal Background Screening of Individual Members.**

As a condition to being granted the privilege of membership in USA Gymnastics, individuals applying for professional membership must submit to criminal background screening pursuant to USA Gymnastics' Criminal Background Screening Policy. Individuals given a "Green Light" or "meets the screening criteria" consistent with that policy fulfill the background-screening requirement for membership in USA Gymnastics. Individuals given a "Red Light" consistent with that policy means criminal history has been sourced that "does not meet the screening criteria."

USA Gymnastics will continually monitor and review the individuals who are subject to criminal background searches, with the primary goal of safeguarding gymnasts and other participants through proactive measures while conforming to legal norms and industry best practices.

#### **B. Permanently Ineligible for Membership List.**

USA Gymnastics maintains a list of individuals and clubs who are permanently ineligible for membership, available at [usagym.org/ineligible](http://usagym.org/ineligible). Persons and clubs who are sanctioned with a lifetime ban are restricted from involvement or association with USA Gymnastics and Member Club activities.

#### **C. Code of Ethical Conduct.**

The Code provides guidance and affirms the commitment of all members to safeguard the best interests of the sport and its athletes by acting ethically at all times.

#### **D. Athlete Member Advisement.**

Upon obtaining membership in USA Gymnastics, an enclosure is mailed with the Athlete Membership Card advising Athletes of the organization's initiatives to promote a safe environment including awareness of this Safe Sport Policy, his/her role in maintaining the Athlete's own safety, and available safe sport resources.

#### **E. Professional Member Advisement.**

Upon obtaining membership in USA Gymnastics, an enclosure is mailed with the Professional Membership Card advising the member of the organization's initiatives to promote a safe environment for gymnasts and other participants including awareness of this Safe Sport Policy, the member's obligation's in maintaining a safe environment, and available safe sport resources.

#### **F. Member Clubs.**

As a condition for the privilege of membership in USA Gymnastics as a Member Club, a club must agree to and comply with the following requirements for the entirety of the club's membership period, and a certification of compliance must be made annually.

1. Have a policy consistent with USA Gymnastics' Safe Sport Policy that affirms the club's commitment to the welfare of gymnastics participants in its club and includes, at

minimum, a description of conduct that will not be tolerated, standards of behavior that promote participant welfare, and a process for receiving and handling complaints regarding conduct that violates its policy.

2. Must adopt USA Gymnastics "Proactive Policies" into the club's policies and be able to provide written documentation of compliance no later than January 1, 2018.
3. Certify that no persons permanently ineligible for USA Gymnastics membership and no persons listed on a federal or state sex-offender registry are or will be associated with the club or its activities in any way.
4. Maintain current commercial general liability insurance that includes at a minimum, participant liability and participant accident medical insurances.
5. Maintain a current Professional membership for the owner of a private gymnastics facility and/or the managing director of a public/non-profit facility.
6. Have a mission statement consistent with USA Gymnastics' mission to encourage participation and the pursuit of excellence in all aspects of gymnastics.

#### **G. Recommendations to Member Clubs.**

USA Gymnastics strongly encourages local clubs to join with USA Gymnastics in taking affirmative steps beyond those described in Section F to promote a safe environment for all gymnastics participants by:

1. Adopting additional "Proactive Policies" to foster a safe gymnastics environment and to prevent abusive situations, and by training staff and volunteers to implement such policies;
2. Implementing a thorough hiring process including, for example, reference and criminal background checks;
3. Encouraging parents/guardians to become as active as reasonably possible in his/her child's gymnastics activities; and
4. Otherwise implementing policies and procedures to lessen the likelihood that an abusive situation could develop.

#### **H. Event Sanctions.**

As a condition for being granted a USA Gymnastics sanction for an event, the applicant must certify that no persons permanently ineligible for USA Gymnastics membership, and no persons listed on a federal or state sex-offender registry, will be associated with the event in any capacity, including, but not limited to, volunteers and meet support personnel. Sanctioned events may only be hosted by Member Clubs.

#### **I. Advertising/Trade Shows.**

As a condition to place advertising in USA Gymnastics publications, on its web site or through other USA Gymnastics media platforms/publications, or to participate in USA Gymnastics Congress Regional/National Trade Shows, advertisers, vendors and exhibitors must certify that no persons permanently ineligible for USA Gymnastics membership are or will be associated with the advertiser's gymnastics-related activities, the position, activity, or event it intends to publicize; or the vendor or exhibitor's on-site activities.

**J. Hiring/Training of USA Gymnastics Staff/Volunteers.**

1. USA Gymnastics staff members must complete criminal background screening consistent with USA Gymnastics' "Background Screening Policy." Individuals not given a "Green Light" consistent with that policy prior to their employment may not be hired. Individuals not given a "Green Light" on any subsequent criminal background screening may be subject to dismissal.
2. USA Gymnastics shall also check at least two (2) references for each applicant.
3. All USA Gymnastics staff members will be informed about the Safe Sport Policy, which is included as an appendix in the *Employee Policies & Procedures Handbook*, and made aware of its importance to our members and our organization.
4. The members of the USA Gymnastics Board of Directors must submit to criminal background screening consistent with the Criminal Background Screening Policy. Individuals not given a "Green Light" consistent with that policy may be subject to removal.

**K. Education of the Gymnastics Community.**

USA Gymnastics will provide education for members of the gymnastics community geared toward promoting a safe gymnastics environment by:

1. Requiring members to complete a designated safe sport course every two years.
2. Designating a section of its website, [usagym.org/SafeSport](http://usagym.org/SafeSport), with educational and safe sport content that is updated as necessary;
3. Featuring articles on athlete safety online and in its magazines;
4. Conducting a live presentation at each National and Regional Congress;
5. Providing online or electronic access through the Safety/Risk Management Certification or other USA Gymnastics University courses;
6. Providing brochures and/or posters to members and Member Clubs;
7. Addressing the topic at minimum annually in designated Athlete meetings, with designated Athletes' parents, and with USA Gymnastics' staff members.
8. Including information in its publications, where appropriate, including the *Safety/Risk Management Handbook* and each discipline's *Rules and Policies*.

**L. Professional Development.**

Professional and Instructor members of USA Gymnastics should strive to increase their level of proficiency and skill by remaining current on safety, health and training developments relevant to the sport and by seeking advice and counsel of colleagues and experts whenever such consultation is in the best interests of the gymnast.

**M. Communication.**

USA Gymnastics will consistently communicate:

1. Its mission and that misconduct is inconsistent with its mission and the best interest of its participants and the sport of gymnastics.
2. Its commitment to, and working toward, a safe environment for all gymnastics participants.

**N. Document Retention.**

USA Gymnastics will permanently retain misconduct / grievance files and materials.

**O. Policy Review.**

Safe Sport policies will be reviewed at least annually and updated as necessary.