



Safe Sport Child Abuse and Other Misconduct Risk Management Plan

Introduction

In 2018, Congress enacted a new Federal law, The “Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017” (“Safe Sport Act”), which specifically requires applicable amateur sports organizations which are not part of national governing bodies to:

1. Report Child Abuse by Covered Individuals – A covered individual is any adult who is authorized by an applicable amateur sports organization to interact with a minor or amateur athlete.
2. Limit One-On-One Interaction with Minors – Establish reasonable procedures to limit one-on-one interactions between an amateur athlete who is a minor and an adult (who is not the minor’s legal guardian) at a facility under the jurisdiction of the applicable amateur sports organization without being in an observable and interruptible distance from another adult, except in emergency circumstances.
3. Training for Adults and Minors – Must offer and provide consistent training to all adult members who are in regular contact with amateur athletes who are minors, and subject to parental consent, to members who are minors, regarding prevention and reporting of child abuse to allow a complainant to report easily an incident of child abuse to appropriate persons.
4. Prohibit Retaliation – Must prohibit retaliation against any individual who makes a report required under the Safe Sport Act.

An applicable amateur sports organization is one that is not part of a national sports governing body, participates in interstate or international amateur athletic competition, and includes any adult who is in regular contact with an amateur athlete who is a minor. *However*, even if a sports organization does not have a single team that crosses a state line to compete, the Safe Sport Act establishes a new standard of care that will likely be used in the future.

Purpose

The purpose of this risk management program is to reduce and/or prevent the occurrences of misconduct in our recreational soccer program as well as to reduce the liability potential for the Lighthouse Soccer League (LSL). Misconduct can negatively impact participants, staff members, family, friends, and the sport.

Specifically, our organization will implement policies in the following areas to address all types of misconduct and to set forth boundaries of appropriate and inappropriate conduct: sexual misconduct, including child abuse; physical misconduct; emotional misconduct; bullying; harassment; and monitoring for compliance.

This plan will serve as awareness education training for our staff and volunteers who agree to educate themselves on all forms of misconduct and to refrain from engaging in such misconduct and in violating the policies herein. It will be posted on our website (www.lighthousesoccer.com) and distributed to all adult staff and volunteer members.

Definitions

Participant: Any participant who shares in any practices or games including health or medical treatment sponsored by the organization.

Child, Children, Minor, and Youth: Anyone under the age of 18. These terms are used interchangeably throughout this program.

Coach: Any adult or young teen who has or shares the responsibility for instructing, teaching, schooling, training, or advising athletes of the organization.

Misconduct: Behavior that results in harm, the potential for harm, or the imminent threat of harm. Age is irrelevant to misconduct.

Organization: The Lighthouse Soccer League.

Misconduct Officer (MO): The officer appointed by the organization that manages any and all allegations of misconduct and policy violations. The MO reports to the governing organization (LOL).

Staff Member: Any volunteer providing service to the LSL including but not limited to administrators, coaches, assistant coaches, and team parents.

Types of Misconduct and Examples

The following five types of misconduct prohibited by the LSL:

1. Sexual Misconduct, including Child Sexual Abuse

Sexual misconduct is defined as:

- Any sexual interaction, whether non-touching or touching, that is forced or executed in an abusive, harassing, aggressive, or threatening manner.

Sexual misconduct can be between adults, between adults and minors, or between minors.

Types of sexual misconduct include:

- Sexual assault
- Sexual harassment
- Sexual abuse
- Any other equal intimacies that exploit an athlete

Touching offenses include:

- Fondling a participant's breasts or buttocks;
- Providing a sports-related reward (ex: playing time, position, lessons, award, praise) in exchange for sexual favors;
- Sexual penetration and sexual touching;
- Genital contact whether or not either party is clothed
- Any intimacies or sexual relations between a staff member and participant when the staff member is in a position of authority, trust, control, or evaluative decision making over the participant.

Permissible Physical Contact

Some level of physical contact between a coach and a participant may be appropriate, such as in instruction, celebration, or consolation of a distraught participant who has been injured or after losing a game. Appropriate physical contact in training and instruction consists of the following elements:

- The physical contact takes place in public.
- There is no potential for or actual, physical, or sexual intimacies during the physical contact.
- The physical contact is for the benefit of the participant and not to meet an emotional or other need of an adult.

Prohibited forms of physical contact include:

- Lingering or repeated embrace that goes beyond acceptable physical touch.
- *Tickling, horseplay, or wrestling.*
- Continued physical contact that makes a participant uncomfortable.

Non-touching offenses include:

- Making innuendos, comments, or jokes of a sexual nature about a participant or other behavior that is sexually harassing.
- A staff member referencing his or her sexual activities with a participant.
- Questioning a participant about his or her sexual activities.
- A staff member requesting or sending a revealing or nude photo to a participant.
- Exposing participants to pornographic material.
- Sexting
- Intentionally exposing a participant to sexual acts.
- Non-verbal or verbal communication of a sexual nature; physical advances; or sexual solicitation.

The following are not defenses under any circumstances to an allegation of sexual misconduct: the consent of a minor, mistaking the age of a participant, or that the interaction did not occur during a sanctioned event of the organization.

Peer-to-Peer Child Sexual Misconduct

Approximately one-third of all cases of sexual abuse are child peer-to-peer. Whether or not 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 in power and/or intellectual capabilities. Allegations or suspicions of peer-to-peer child sexual abuse must be reported to the MO or a board member.

One-on-One Interactions

Two-Deep Leadership: Two adults (ex: any combination of coach(es)), volunteer(s), parent(s)) should be present at all times so that a minor cannot be isolated one on one with an unrelated adult. This also helps to protect the staff member from false accusations.

Individual Meetings: An individual meeting to address a participant's concerns may be necessary on occasion. During such meetings, the following guidelines should be observed:

- Any individual meeting should occur when others are present and where interactions can be easily observed.
- Where possible, an individual meeting should take place in a publicly visible and open area, such as the game field.
- Individual Training Sessions: When necessary or requested, parent/guardian written consent should be obtained and a parent/guardian encouraged to attend.

Prohibited One-on-One Interactions: Except as provided above with regard to individual meetings, individual training, or emergency situations, any one-on-one interaction between an adult and a minor participant should be avoided. A possible exception may occur if the minor is stranded and the adult must be present so that the minor will not be left unattended or unsupervised. In such cases, the adult and minor should remain in the open until another adult arrives.

2. *Physical Misconduct*

Physical misconduct includes:

- Intentional physical contact or threat of such that causes or has the potential to cause personal injury or bodily harm to the participant.

Examples of prohibited physical misconduct:

Contact offenses

- Punching, beating, biting, striking, choking, or slapping an athlete
- Intentionally hitting an athlete with objects or sporting equipment
- Providing alcohol to a participant who is under the legal drinking age
- Providing non-prescription or illegal drugs to any participant
- Encouraging or permitting an athlete to return to play after an injury (e.g. concussion) or sickness prematurely or without clearance from a medical professional

Non-contact offenses

- Isolating an athlete in a confined space (e.g. locking an athlete in a confined space)
- Forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring the athlete to kneel on a hard surface)
- Withholding, recommending against or denying adequate hydration, nutrition, medical attention, or sleep

Physical misconduct does not include physical contact that is a professionally-accepted coaching method for teaching skill enhancement, physical conditioning, team building or appropriate discipline.

3. *Emotional Misconduct*

Emotional misconduct involves a pattern of intentional, noncontact behavior that causes or has the potential to cause psychological or emotional harm to a participant. Physical acts, verbal acts, or acts that deny support or attention are included in these behaviors.

Examples of prohibited emotional misconduct:

- Verbal Acts: A pattern of verbal behaviors that personally attack a participant (e.g. calling them disgusting, worthless, or fat) or repeatedly screaming at participants in a way that does not serve a legitimate motivational or training purpose.

- **Physical Acts:** A pattern of physically aggressive behaviors, such as throwing or punching sports equipment or other objects in the presence of participants.
- **Acts that Deny Support or Attention:** A pattern of ignoring or excluding a participant during practice or team discussions for an extended period of time.

Emotional misconduct does not include generally-accepted and age-appropriate coaching methods of skill enhancement, physical conditioning, motivation, team building, appropriate discipline or improving athletic performance. Note that a single incident such as a verbal outburst may be inappropriate but does not constitute emotional misconduct, which requires a pattern of harmful behaviors over time.

4. Bullying

Bullying involves an intentional and repeated pattern of committing or intentionally allowing or not preventing behaviors that are intended to cause physical harm, fear or humiliation in an effort to socially isolate, diminish or exclude another participant physically, emotionally, or sexually.

Bullying can occur through verbal, written or electronic communications or by means of a physical gesture or act.

Examples of prohibited bullying behavior:

Physical: Hitting, pushing, punching, beating, biting, striking, kicking, choking, spitting, or slapping; throwing objects such as sports equipment at another participant.

Verbal: Teasing, ridiculing, taunting, name-calling, or intimidating, or threatening to cause someone harm.

Social, including Cyberbullying: Using electronic communication, social media or similar to harass, frighten, intimidate, or humiliate someone; using rumors or false statements about someone to diminish that person's reputation; socially excluding someone and asking others to

do the same.

Sexual: Teasing, ridiculing, or taunting based on gender or sexual orientation (real or implied), gender traits or behavior (e.g., taunting someone for being too effeminate or too masculine), or teasing someone about their looks or behavior as it relates to sexual attractiveness.

It is often not the staff, but other participants who perpetrate bullying. However, it is a violation if a staff member knows or should have known of bullying behavior but takes no action to intervene on behalf of the targeted participant(s).

A participant or parent/guardian who participates in any act of bullying is subject to appropriate disciplinary action including but not limited to suspension, permanent ban, and referral to law enforcement authorities.

Difference between Mean, Rude, and Bullying Behavior

Mean is defined as purposefully saying or doing something to hurt someone very infrequently. Rude is defined as inadvertently saying or doing something that hurts someone else. Bullying is defined as intentionally aggressive behavior repeated over time that involves an imbalance of power. Mean or rude conduct does not rise to the level of bullying absent the imbalance of power, but may otherwise be a code of conduct violations and treated as such.

Bullying does not include group or team behaviors to encourage a culture of team unity and/or harder training effort.

5. Harassment

Harassment is a pattern of physical or nonphysical behaviors that cause annoyance, fear or humiliation; degrade or offend; reflect a discriminatory bias; or create a hostile environment for the purpose of creating superiority, dominance, or power over an individual participant or participants based on gender, gender identity, gender expression, sexual orientation, ethnicity, race, culture, national origin, race, or physical or mental disability. It also includes any conduct or acts defined as harassment under state or federal law.

Examples of prohibited harassment:

Name-calling, taunts, threats, belittling, stalking, unwelcome advances and requests for sexual acts, as well as undue threats to perform or succeed.

Sexual harassment is conduct towards a participant that includes sexual advances, requests for sexual favors, or other verbal or physical behaviors of a sexual nature and is sufficiently severe, persistent or pervasive and objectively offensive that it negatively affects an individual's performance.

Reporting Misconduct

Reporting Child Sexual and Child Physical Abuse

Any staff member who has a reasonable suspicion of child sexual abuse or child physical abuse committed by another staff member or participant, must within 24 hours:

1) Notify the MO or a board member who shall report suspicions of child abuse, including sexual abuse, within 24 hours to law enforcement. An attorney should be consulted prior to reporting for advice on currently applicable state and federal law.

Participants and parents are also encouraged to report any reasonable suspicions of child sexual and child physical abuse to the MO or a board member.

After Reporting to Law Enforcement

After a report of reasonable suspicion of misconduct to law enforcement has been made, whether for reasons of child sexual abuse, physical abuse, or other illegal reportable misconduct, the MO will take the following actions:

- Do not engage in any internal investigations or attempt to investigate the credibility of any such allegation so as not to interfere with the investigation of law enforcement.

- Protect the names and confidentiality of the complainant (if requested), the accused, and the victims.
- Immediately remove the accused staff member from his/her duties.
- After consulting with legal counsel, the MO may decide at their discretion to inform other staff members, parents, and participants of any child sexual abuse or child physical abuse allegations that law enforcement is actively investigating, in an effort to find out if there may be other cases of child abuse that should also be reported to law enforcement.

Reporting Other Misconduct, including Emotional Abuse, Bullying, or Harassment.

Any staff member, participant, or parent who has a reasonable suspicion of emotional abuse, bullying, or harassment should report within 24 hours such misconduct to the MO or a board member. Depending on the severity and nature of the allegations, the MO will determine whether to immediately report such allegation within 24 hours to the appropriate law enforcement authorities as required by state or federal law.

How to Report All Misconduct to the Organization

Reports of all misconduct made to MO or to any board member may be made orally or in writing. The information required is the name of complainant(s) making the report, the type of misconduct alleged, the name(s) of the accused staff members who allegedly engaged in the misconduct, the approximate dates of misconduct, and any other relevant information.

Responding to Misconduct and Policy Violations

Upon receiving a report of emotional abuse, bullying, or harassment behavior that is not reportable to law enforcement under state or federal law, the MO will investigate and take appropriate action.

Factors to be considered in an investigation include the age of the alleged victim, the age of the alleged perpetrator, and the extent, nature, and scope of the allegations. Before taking any disciplinary action, the accused should have an opportunity to present his/her defense. If the

accused is a staff member such as a coach, the board should be notified of the pending investigation. If the accused is a minor, his or her coach and parents should be notified in advance.

The confidentiality of the complaint, complainant, victim, and accused should be protected by the organization until the outcome of the proceedings is finalized. Notice should be given about any sanction. The investigator should not discuss the ongoing investigation with anyone other than for the purposes of gathering information related to the investigation unless requested otherwise by law enforcement or child protective services. Likewise, participants in the hearing should be requested to keep all information confidential unless requested by law enforcement or child protective services.

Sanctions that may be applied against a staff member:

- Referral to law enforcement authorities if a crime is believed to have been committed
- Temporary suspension.
- Formal warning.

Sanctions that may be applied against a participant:

- Suspension of participation in league play
- Verbal/written warning
- Provided additional education and guidance

Whistleblower Protection and Bad Faith Allegation

Whistleblowers who report misconduct suspicions in good faith will be protected against any retaliation, punishment, and other harm regardless of the outcome of any investigation. To allow otherwise would defeat the purpose of the child abuse and misconduct risk management plan. Anyone who retaliates is subject to disciplinary action.

Monitoring and Supervision Compliance

The organization and its MO will monitor and supervise the implementation and compliance of the child abuse and misconduct plan as follows:

- Require all staff to review this risk management plan and agree to abide by its guidelines and requirements.
- Promptly address any reports of child abuse or other misconduct and take appropriate action.
- Observe and periodically spot check compliance with interactions at practice and games, and social media.
- Stay in touch with staff members, participants and parents to learn of any potential instances of misconduct.

Child Abuse Training for Minors

The Safe Sport Act requires sports organizations to provide minor training on preventing and reporting of child abuse. Our organization will distribute a document entitled “Abuse Avoidance Training for Minors” or a similar document from another source to each parent with a strong recommendation that each parent should review this document with their minor child.

Distribution/Acknowledgment/Documentation

A hard or electronic copy of this risk management program will be distributed to each staff member prior to the start of every season. Each staff member will acknowledge in writing that they have received and carefully reviewed the plan and that they will refrain from engaging in misconduct and will comply with the policies within this plan. The organization should maintain documentation on an annual basis that the plan was distributed and as staff agreement signatures collected.



Safe Sport Child Abuse and Other Misconduct Risk Management Plan

I have read and understand the Safe Sport Child Abuse and Other Misconduct Risk Management Plan. I have a thorough understanding of how my actions, or the actions of others, may be interpreted by both adults, my peers, and by a child. It is my duty to ensure the safety of all children in my care during the duration of league play.

Volunteer's Name: _____