

## USA Boccia SafeSport Policy

### POLICY STATEMENT

USA Boccia is committed to maintaining cooperative work, training and sports environments in which there exists mutual respect for all USA Boccia athletes, coaches, officials, sport assistants, and for all USA Boccia directors, officers, employees, interns and volunteers. USA Boccia is committed to creating a safe and positive environment for its athletes and participants involved in sport, free of misconduct.

As a member organization of the U.S. Olympic and Paralympic Committee, USA Boccia and its members are required to comply with the U.S. Center for SafeSport Code for the U.S. Olympic and Paralympic Movement ("the Code"), including reporting requirements. Except as specifically noted in the Code, the Code applies without respect to age or competitive level. The Code serves as the benchmark by which the U.S. Center for SafeSport or USA Boccia determines whether a SafeSport Code Violation has occurred. For those violations that fall within the jurisdiction of the U.S. Center for SafeSport the Center will determine resolutions and sanctioning for the violation. Any SafeSport Code Violation that occurs outside the jurisdiction of the U.S. Center for SafeSport will be processed through USA Boccia's internal Complaint procedures as outlined in the USA Boccia Code(s) of Ethics and the USA Boccia Complaint Procedures.

The Code outlines prohibited conduct related to:

- Bullying Behavior
- Emotional Misconduct
- Harassment
- Hazing
- Physical Misconduct
- Sexual Misconduct

The definitions of prohibited conduct and other defined terms contained in the Code, as amended from time-to-time, are incorporated herein by this reference. The Code in its full form along with reporting guidelines can be found at the U.S. Center for SafeSport website at [uscenterforsafesport.org](http://uscenterforsafesport.org).

In addition to engaging in prohibited conduct under the Code, engaging in misconduct, which is contrary to USA Boccia policy of equal employment and sports opportunity without regard to age, sex, sexual orientation, citizenship, religion, race, disability or national or ethnic origin, will not be tolerated within USA Boccia.

Other USA Boccia policies, procedures and codes, including, but not limited to, the USA Boccia Code of Conduct(s) and Code(s) of Ethics, may deal with other forms of conduct that are prohibited and that are subject to action by USA Boccia for violation of such policies, procedures and codes.

Prior to the Center expressly exercising jurisdiction over particular allegations regarding a particular Participant, USA Boccia has the authority to implement necessary and/or appropriate measures, up to and including a suspension, to address any allegations of misconduct. When USA Boccia has reason to believe that the allegations presented fall within the Center's exclusive jurisdiction, USA Boccia may not investigate or resolve those allegations. When the allegations presented fall within the Center's discretionary jurisdiction, USA Boccia may investigate and resolve the matter, unless and until such time as the Center expressly exercises jurisdiction over the particular allegations.

### JURISDICTION OF THE CENTER

#### A. Exclusive Jurisdiction:

The Center has the exclusive jurisdiction to investigate and resolve allegations for a Participant engaged in one or more of the following:

1. Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct;

2. Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct;
3. Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
4. Aiding and Abetting, when it relates to the Center's process;
5. Misconduct Related to the Center's Process;
6. Other Inappropriate Conduct, as defined herein.

#### B. Discretionary Jurisdiction

The Center has discretionary jurisdiction to investigate and resolve allegations that a Participant engaged in one or more of the following:

1. Non-sexual Child Abuse;
2. Emotional and physical misconduct, including stalking, bullying behaviors, hazing, and harassment;
3. Criminal Charges or Dispositions not involving Child Abuse or Sexual Misconduct;
4. Minor Athlete Abuse Prevention Policy or other similar Proactive Policy violations;

If the Center accepts discretionary jurisdiction, it will use the resolution procedures set by the procedures listed in the SafeSport Code for the U.S. Olympic and Paralympic Movements.

### SCREENING

Any adult (18 or over) employee, intern, director, volunteer, coach, referee, sport assistant, administrator or member of USA Boccia who is formally authorized or appointed to a position of authority over, or will have frequent contact with athletes within a USA Boccia event must also clear a USA Boccia approved background screening and in addition to successfully completing the U.S. Center for SafeSport's training and an annual refresher course. This information must be verified by USA Boccia within USA Boccia's membership records. USA Boccia will not authorize or sanction any USA Boccia event, program, or person who has frequent contact with athletes who refuses to be screened by USA Boccia. Additionally, these persons must take the U.S. Center for SafeSport's training before being allowed to have such access to athletes, participate in, oversee or run the event or programs.

The responsibility of monitoring the Code lies with the organizer of the USA Boccia sanctioned event or activity. A person may be disqualified and prohibited from serving as an employee, director, volunteer, coach, referee, trainer or sport assistant of athletes if the person has:

- Been convicted (including crimes the record of which has been expunged and pleas of "no contest") of a crime of child abuse, sexual abuse of a minor or adult, physical abuse, causing a child's death, neglect of a child, murder, manslaughter, felony assault, any assault against a minor, kidnapping, arson, criminal sexual conduct, prostitution related crimes or controlled substance crimes.
- Being adjudged liable for civil penalties or damages involving sexual or physical abuse of minors or adults.
- Being subject to any court order involving any sexual abuse or physical abuse of a minor or adult, including but not limited to domestic order or protection.
- Had their parental rights terminated.
- A history with another organization (volunteer, employment, etc.) of complaints of child sexual abuse or other sexual misconduct, or physical abuse of minors or adults.
- Resigned, or been terminated or been asked to resign from a position, whether paid or unpaid, due to complaint(s) of sexual or physical abuse
- Has a history of other behavior that indicates they may be a danger to children in USA Boccia or participating in USA Boccia Events or programs.
- Has been declared a sex offender in any applicable federal or state jurisdiction.
- Is listed on any federal or state sexual offender list or registry.

## **WILLFULLY TOLERATING MISCONDUCT**

Willfully tolerating misconduct is unacceptable and a violation of the Code. It is a violation of the Code if a party knows of misconduct but takes no action to report it.

## **FALSE AND MALICIOUS ACCUSATIONS**

Any person who makes a false, frivolous or malicious complaint of misconduct (as contrasted with complaints which, even if erroneous, are made in good faith) will be subject to disciplinary action. Depending on the nature of the allegation, a person making a false, frivolous or malicious report may also be subject to civil or criminal proceedings.

## **REPORTING, COMPLAINTS, INVESTIGATIONS, DISCIPLINE AND FURTHER INFORMATION**

All USA Boccia athletes, coaches, officials, sport assistants, directors, officers, employees, interns and volunteers who are subject to the Code must report violations of the Code and suspicions or allegations of misconduct; including emotional, physical and sexual misconduct, and any Minor Athlete Abuse Prevention Policy or other similar Proactive Policy violations. Such reports may be made by contacting the [U.S. Center for SafeSport](https://www.uscenterforsafesport.org) and, where applicable, appropriate law enforcement authorities.

The US Center for SafeSport has an online report form which allows the person filing a potential violation to provide information about the alleged incident which includes information about the person filing the report (claimant), person(s) who violated the Code (respondent), and any witnesses that may have information about the alleged incident. This form can be found at [www.uscenterforsafesport.org](https://www.uscenterforsafesport.org).

USA Boccia and the U.S. Center for SafeSport recognize that it can be difficult to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. Anonymous reports may be made verbally at 631-388-6164 or in writing to 1398 Penataquit Avenue Bay Shore, NY 11706.

In the event that any party is alleged to have violated the Code, or in the event that USA Boccia receives a complaint or a report that is required to be referred to the U.S. Center for Safe Sport, USA Boccia shall report and refer such matter to the U.S. Center for Safe Sport which shall have jurisdiction and authority over such matter; provided that such referral shall not supersede any local, state, or federal reporting requirements or jurisdiction.

All alleged violations of the Code over which the U.S. Center for SafeSport Response and Resolution Office does not exercise either exclusive or discretionary authority and falls within USA Boccia's jurisdiction the complaint will be submitted to the Ethics Committee for determination of possible ethical violation. Procedures for resolution pursuant to the complaint, an online reporting form, and other supporting documentation can be found in USA Boccia's Code of Ethics located on the USA Boccia website, [usaboccia.org](https://www.usaboccia.org).

Once the Ethics Committee receives a report a hearing panel will be appointed to determine whether a violation of the Code of Ethics has occurred and if so, what discipline is warranted. Such discipline may include but is not limited to immediate termination of employment; immediate dismissal from a USA Boccia training camp, event or program, or a USA Boccia or USOPC sponsored team; being precluded from participating at USA Boccia or USOPC sanctioned events or other competitions; and being sent home at such person's own expense.

## **FURTHER INFORMATION**

For guidance and questions regarding the Code please contact the [U.S. Center for SafeSport](https://www.uscenterforsafesport.org).