

Friends of Detroit Rowing



PARTICIPANT SAFETY HANDBOOK

and INTERNAL POLICIES

(based on USRA and USOC guidance)

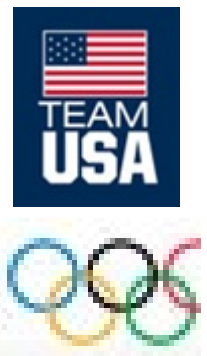


Table of Contents

INTRODUCTION:	3
SECTION 1: TRAINING AND EDUCATION	4
SECTION 2: SCREENING STAFF MEMBERS, AND VOLUNTEERS	5
APPLICANT SCREENING	5
CRIMINAL BACKGROUND CHECK POLICY.....	6
SECTION 3: ATHLETE PROTECTION POLICY	9
COMMITMENT TO SAFETY.....	9
PROHIBITED CONDUCT.....	9
WILLFULLY TOLERATING MISCONDUCT	14
REPORTING.....	14
VIOLATIONS	14
SECTION 4: MANAGING TRAINING & COMPETITION	15
SUPERVISION OF ATHLETES AND PARTICIPANTS	15
APPROPRIATE ONE ON ONE INTERACTIONS.....	15
PROHIBITED ONE ON ONE INTERACTIONS	15
PHYSICAL CONTACT WITH ATHLETES.....	15
APPROPRIATE PHYSICAL CONTACT.....	16
PROHIBITED PHYSICAL CONTACT	16
VIOLATIONS OF POLICY	17
ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY.....	17
LOCKER ROOMS AND CHANGING AREAS.....	18
TRAVEL	19
SECTION 5: RESPONDING TO ABUSE, MISCONDUCT AND POLICY VIOLATIONS	23
REPORTING POLICY	23
REPORTING PROCEDURE	24
CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD FAITH ALLEGATIONS	25
DISCIPLINARY RULES AND PROCEDURE	26
INVESTIGATION AND ADJUDICATION - FOR RESOLVING ALLEGATIONS UNDER THE TED STEVENS ACT	28
SUSPENSION BEFORE FINAL RESOLUTION	28
INVESTIGATION	29
HEARING	29
Appendix A: Background Checks Results Policy Statement	32

INTRODUCTION:

In conjunction and with the help of the United States Olympic Committee and USRowing, FODR has adopted the following SafeSport policies as they relate specifically to FODR run rowing activities. Such activities include FODR sanctioned and owned events, domestic and international training camps, domestic and international competitions and all other rowing activities associated with FODR. Rowing is a lifelong activity, where our athletes engage to have fun and spend time with friends. Sport also encourages a healthy lifestyle, and builds self-confidence. Our athletes often do better off the field than those who do not participate in sport. They learn goal setting, teamwork and time management skills. Athletes are less likely to use cigarettes, drugs and alcohol; they have higher graduation rates and are more likely to attend college. Unfortunately, sport can also be a high risk environment for misconduct, including child physical and sexual abuse. Here, we identify six primary types of misconduct:

- **Bullying**
- **Harassment**
- **Hazing**
- **Emotional Misconduct**
- **Physical Misconduct**
- **Sexual Misconduct, including Child Sexual Abuse**

All forms of misconduct are intolerable and in direct conflict with the Olympic Ideals and those of FODR. Misconduct may damage an athlete's psychological well-being; athletes who have been mistreated experience social embarrassment, emotional turmoil, psychological scars, loss of self-esteem and negative impacts on family, friends and the sport. Misconduct often hurts an athlete's competitive performance and may cause him or her to drop out of sport entirely. FODR is committed to improving the development and safety of athletes and participants involved in our sport. FODR publishes this handbook as a resource to guide the development, implementation and internal review of effective athlete safety and misconduct prevention strategies for rowing activities run by FODR.

SECTION 1: TRAINING AND EDUCATION

FODR policies and procedures require mandatory reporting of abuse, misconduct and violations of its Participant Safety Handbook by the following groups in their respective roles:

- FODR administrative staff members
- FODR employed coaches
- FODR seasonally contracted coaches, whether volunteer or paid
- FODR Board of Directors
- FODR Standing Committee members

To do so, staff members (coaches, administrative, contracted) and/or volunteers (volunteer coaches under contract, referees, board and committee members) should have a basic understanding of sexual abusers, as well as "grooming," the most common strategy offenders use to seduce their victims. Using a combination of attention, affection and gifts, offenders select a child, win the child's trust (and the trust of the child's parent or guardian), manipulate the child into sexual activity, and keep the child from disclosing abuse. Accordingly, staff members and volunteers shall complete awareness training concerning misconduct in sport before performing services for FODR. Misconduct in sport includes:

- Bullying
- Harassment
- Hazing
- Emotional misconduct
- Physical misconduct
- Sexual misconduct, including child sexual abuse

Staff members and volunteers must successfully complete the training and quiz after the test. FODR has partnered with the USOC and USRA to provide training free of charge through:

<http://training.safesport.org> Password: xxxx

Those staff members and volunteers who are required to take awareness training will take athlete awareness training every two (2) years, the first training to commence no more than 30 day(s) before they have contact with athletes. In the case of coaches selected through trials, training must commence prior to team departure or coach's participation in any FODR pre event training camp, whichever comes first.

SECTION 2: SCREENING STAFF MEMBERS, AND VOLUNTEERS

APPLICANT SCREENING

Staff members, contractors and volunteers must consent to, and pass, a formal applicant screening process before performing services for FODR. Elements of our screening process include, as applicable, successful completion of an application, interview, reference check and criminal background check.

EDUCATION ABOUT FODR'S PROTECTION POLICY

To deter applicants who may be at risk of abusing athletes or participants from applying for positions, FODR educates its applicants about its protection policies and offers applicants an early opt out by:

- Requiring awareness training before working with athletes and participants
- Informing applicants about our policies and procedures relevant to prevention
- Asking applicants to review and agree to our policies and procedures before proceeding with the process
- Requiring applicants to sign a document acknowledging review of our policies and procedures

WRITTEN APPLICATIONS

Each applicant for a position will complete an application form consisting of personal, identifying information and a general release with applicant's signature. The written application will:

- Ask about previous work and volunteer experiences
- Ask questions intended to elicit information concerning high risk behaviors
- Provide a written release for contacting personal references and performing a criminal background check, including an indemnification clause
- Ask open ended questions that encourage broad answers
- Use disclosure statements to ask applicants about previous criminal arrests or convictions for sexual offenses, violence against youth and other violent criminal offenses or felonies

PERSONAL INTERVIEW

For employee applicants, appropriate staff will interview employee applicants whose experience and credentials are considered a fit for available positions. During this interview, FODR will ask questions to encourage discussion, clarify responses and expand on the applicant's answers to questions from the written application.

REFERENCES

References of applicants will be contacted (either by phone or in writing) and asked specific questions regarding the applicant's professional experiences, demeanor and appropriateness for involvement with minor athletes and participants.

RELEASE

Each applicant also will provide a signed release, consistent with federal and Michigan laws regulating employment practices, that allows references to speak freely about the applicant's qualifications without fear of reprisal and authorizing FODR to obtain information concerning an applicant's past employment, volunteer experience and information provided by the applicant during the screening process (i.e., written application and personal interview).

CRIMINAL BACKGROUND CHECK POLICY

All applicants (staff and volunteer as defined in section 1) will be asked to undergo a criminal background check that complies with the Fair Credit Reporting Act and any applicable state law before providing services for FODR. Through this criminal background check, FODR will utilize reasonable efforts to ascertain past criminal history of an applicant.

PROCESS

The Criminal Background Check Consent and Waiver Release form must be submitted and the applicant cleared by the third party provider before he or she may perform services for FODR. Upon expressing an interest in applying, the applicant's name will be provided to the third party provider. FODR will request that its vendor will provide the applicant with the Criminal Background Check Consent and Waiver Release form, and perform the criminal background check. As part of its criminal background check, FODR will, at a minimum and without limitation,

- 1) perform a national search of state criminal repositories
- 2) perform a search of state sexual offender registries, and
- 3) verify a person's identification against his or her social security number or other personal identifier.

POTENTIALLY DISQUALIFYING FACTORS

Criminal History

FODR 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 staff member, contractor or volunteer. Information that could disqualify an applicant includes, but is not limited to, pleas of no contest and criminal convictions--especially if the underlying criminal behavior involved sex or violence.

Pending Court Cases

No affirmative decision will be made on an individual's eligibility for work as a new staff member, contractor or volunteer if there is 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 determine the eligibility of the individual

Full Disclosure

Each applicant has the affirmative duty to disclose his or her 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 is serving as a staff member, contractor or volunteer and (1) is arrested, (2) pleas or (3) is convicted after the completion of the screening process, he or she has an affirmative duty to disclose such information immediately to his or her supervisor or FODR 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.

FINDINGS

Notice of findings will be provided to:

- 1) The designated staff contact at FODR who administers applications
- 2) In the case of Board and committees, the chair of the Board Ethics Committee;

FODR'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 employment or volunteer assignment.

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.

APPEAL OF CRIMINAL BACKGROUND RESULT

Should an applicant wish to contest the content of a record provided to the applicant as part of the FODR background search, the applicant may seek an appeal of the record with the third party provider pursuant to the Fair Credit Reporting Act or applicable state law.

Employment: FODR may use the determinations provided by the third party provider, in accordance with the FODR Employee Handbook, as well as applicable Federal and State Law, to determine a staff member's or contractor's eligibility for employment with FODR

Participation: FODR may use the determinations provided by the third party provider, in accordance with the FODR Internal Policies and Participant Safety Handbook, to determine an individual's eligibility for participation in any FODR sanctioned events and/or activities.

Should a volunteer contest a FODR decision to deny participation based upon a "Red Light" finding resulting from the background search, the volunteer has the right to appeal the decision pursuant to the FODR Internal Policies and Participant Safety Handbook, Appendix A: Background Checks Results Policy Statement (at the back of this handbook)

FREQUENCY OF CRIMINAL BACKGROUND CHECKS

Criminal background checks will be refreshed every two years, or as otherwise required by law, for staff members and/or volunteers who are 18 years of age or older and perform services for FODR.

AFFIRMATIVE DUTY TO DISCLOSE

If, during the course of employment or participation in FODR's program, a staff member or volunteer is accused, arrested, indicted or convicted of a criminal offense against a child, it is the duty and responsibility of the staff member to notify an immediate supervisor, or in the case of a volunteer, to notify the FODR President or FODR Board Ethics Committee Chair.

OTHER POTENTIALLY DISQUALIFYING FACTORS

Even if an applicant passes a criminal background check, other factors may disqualify an applicant. An individual may be disqualified and prohibited from providing services for FODR if the individual has:

- Been held liable for civil penalties or damages involving sexual or physical abuse of a minor
- Been subject to any court order involving any sexual or physical abuse of a minor including, but not limited to, a domestic order or protection
- A history with another organization (employment, volunteer, etc.) of complaints of sexual or physical abuse of minors
- Resigned, been terminated or been asked to resign from a position, paid or unpaid, due to complaint(s) of sexual or physical abuse of minors
- A history of other behavior that indicates they may be a danger to participants in FODR; or
- Not met the job requirements

REVIEW OF DISQUALIFIERS

FODR will review its disqualifiers every two years or as otherwise required or modified by law.

RECORDS

Records are secured by FODR for a period indicated by applicable law or until the applicant is no longer affiliated with FODR, whichever date is later.

SECTION 3: ATHLETE PROTECTION POLICY

COMMITMENT TO SAFETY

Overview

FODR 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.

In the event that any staff member or volunteer observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse or misconduct, it is the personal responsibility of each to immediately report his or her observations to an immediate supervisor, an Ethics Committee member or the FODR President. Staff members and volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for reporting.

FODR recognizes that the process for training and motivating athletes will vary with each coach and athlete, but it is nevertheless important for everyone involved in sport to support the use of motivational and training methods that avoid misconduct.

Application

This Policy applies to:

- FODR staff members and FODR volunteers as defined in Section 1
- FODR's members and volunteers, as observed by FODR / USRA licensed referees during sanctioned events
- Staff members, volunteers, athletes and participants shall refrain from all forms of misconduct, which include:
 - ✓ Bullying
 - ✓ Harassment
 - ✓ Hazing
 - ✓ Emotional misconduct
 - ✓ Physical misconduct
 - ✓ Sexual misconduct, including child sexual abuse

PROHIBITED CONDUCT

Child Sexual Abuse

- 1) Any sexual activity with a child where consent is not or cannot be given. This includes sexual contact with a child that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity.

Note concerning peer to peer child sexual abuse: Sexual contact between minors also can be abusive. 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 and/or intellectual capabilities.

- 2) Any act or conduct described as child sexual abuse under federal or state law.

Exception

None

Examples

Sexually abusive acts may include sexual penetration, sexual touching or non contact sexual acts such as verbal acts, sexually suggestive electronic or written communications, exposure or voyeurism.

Emotional Misconduct

- 1) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete. Non-contact behaviors include:
 - a) verbal acts
 - b) physical acts
 - c) acts that deny attention or support
- 2) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

Exception

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

Examples

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

- 1) Verbal Acts. A pattern of verbal behaviors that (a) attack an athlete personally (e.g., calling them worthless, fat or disgusting) or (b) repeatedly and excessively 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

Note: Bullying, harassment and hazing, defined below, often involve some form of emotional misconduct.

Physical Misconduct

- 1) Contact or non-contact conduct that results in, or reasonably threaten 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. child abuse, child neglect, assault).

Exceptions

Physical misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athlete performance. For example, hitting, punching and kicking are well regulated forms of contact in combat sports, but have no place in rowing.

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, regardless of location of distribution)
 - d. providing illegal drugs or non-prescribed medications to any athlete;
 - e. encouraging or permitting an athlete to return to practice or competition 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 (e.g., weigh ins, caliper tests) without regard for the nutritional wellbeing and health of athlete.
- 2) Non-contact offenses. Behaviors that include:
 - a. isolating an athlete in a confined space (e.g., locking an athlete in a small space);
 - b. forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface);
 - c. withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.

Note: Bullying, harassment and hazing, defined below, often involve some form of physical misconduct.

Sexual Misconduct

- 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).

Note: An imbalance of power is always assumed between a coach and an athlete.

Types of Sexual Misconduct

Types of sexual misconduct include:

- 1) sexual assault
- 2) sexual harassment
- 3) sexual abuse, or
- 4) any other sexual intimacies that exploit an athlete. Minors cannot consent to sexual activity with an adult, and all sexual interaction between an adult and a minor is strictly prohibited.

Exceptions

None

Examples

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

- 1) 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.
- 2) Non touching offenses. Behaviors that include:
 - a. a coach discussing his or her sex life with an athlete
 - b. a coach asking an athlete about his or her sex life
 - c. a 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:
 - i. is unwelcome, offensive or creates a hostile environment, and the offending individual knows or is told this
 - ii. is sufficiently severe or intense to be harassing to a reasonable person in the context.

COMMENT

Authority and Trust. Once the unique coach athlete relationship is established, the authority and trust on the part of the coach over the athlete shall be assumed, regardless of age. Accordingly, sexual interaction or intimacies between a coach and an athlete or other participant are prohibited, regardless of age, both during coaching and during that period following coaching if an imbalance in power could jeopardize effective decision making.

Imbalance of Power. Factors relevant to determining whether there is an imbalance of power include, but are not limited to: (a) the nature and extent of the coach's supervisory, evaluative or other authority over the athlete being coached; (b) the actual relationship between the parties; (c) the parties' respective roles; (d) the nature and duration of the sexual relations or intimacies; (e) the age of the coach; (f) the age of the athlete or participant; (g) and whether the coach has engaged in a pattern of sexual interaction with other athletes or participants.

Exception. This section does not apply to a preexisting relationship between two spouses.

Bullying

- 1) An intentional, persistent and repeated pattern of committing or willfully tolerating physical and nonphysical 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

Exceptions

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.

Examples

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").

Harassment

- 1) A repeated pattern of physical and/or nonphysical 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

Exceptions

None

Examples

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) throwing at or hitting an athlete with objects including sporting equipment.
- 2) Nonphysical offenses. Behaviors that include (a) making negative or disparaging comments about an athlete's sexual orientation, gender expression, gender, disability, religion, race, skin color, national origin or ethnic traits; (b) displaying offensive materials, gestures or

symbols; c) withholding or reducing playing time to an athlete based on his or her sexual orientation.

Hazing

- 1) Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group's members; or
- 2) Any act or conduct described as hazing under federal or state law

Exception

Hazing does not include group or team activities that (a) are meant to establish normative team behaviors or (b) promote team cohesion.

Examples

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

- 1) requiring, forcing or otherwise requiring the consumption of alcohol or illegal drugs
- 2) tying, taping or otherwise physically restraining an athlete
- 3) sexual simulations or sexual acts of any nature
- 4) sleep deprivation, otherwise unnecessary schedule disruption or the withholding of water and/or food
- 5) social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule
- 6) beating, paddling or other forms of physical assault
- 7) excessive training requirements focused on individuals on a team

WILLFULLY TOLERATING MISCONDUCT

It is a violation of this Athlete Protection Policy if a staff 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. Every staff member and/or volunteer is obligated under this policy to report known misconduct.

REPORTING

Although these policies are designed to reduce child sexual abuse and other misconduct, it can still occur. Staff members, and volunteers of FODR shall follow the reporting procedures set forth in FODR's Reporting Policy. FODR does not investigate suspicions or allegations of child physical or sexual abuse, or attempt to evaluate the credibility or validity of such allegations, as a condition of reporting suspicions or allegations to the appropriate law enforcement authorities.

VIOLATIONS

Violations of the Athlete Protection Policy shall be reported pursuant to our Reporting Policy and will be addressed under our Disciplinary Rules and Procedure.

SECTION 4: MANAGING TRAINING & COMPETITION

SUPERVISION OF ATHLETES AND PARTICIPANTS

During training and competition, FODR strives to create two deep leadership and minimize one to one interactions to create a safe training environment and to protect athletes and participants.

APPROPRIATE ONE ON ONE INTERACTIONS

Individual Meetings

An individual meeting may be necessary to address an athlete's concerns, training program or competition schedule. Under these circumstances, coaches, staff members and volunteers are to observe the following guidelines.

- 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 corner of a boathouse or rowing dock.
- If an individual meeting is to take place in an office, the door should remain unlocked and open.
- If a closed door meeting is necessary, the coach, staff member and/or volunteer must inform another coach, staff member and/or volunteer and ensure the door remains unlocked.

Individual Training Sessions

An individual training session(s) with an athlete or participant may also be desired or necessary. Under these circumstances, written permission of a minor athlete's parents or guardians is required in advance of the individual training session(s), and FODR encourages parents and guardians to attend the training session.

PROHIBITED ONE ON ONE INTERACTIONS

Except as set forth above, minor athletes and participants will not be left unattended or unsupervised during FODR activities, including being left alone on shore during water practice time, and FODR coaches, staff members and/or volunteers are prohibited from being alone with an individual athlete or participant in any room or building.

Exception: One on One Interactions

Minor athletes and participants may be placed in one to one interaction in a coaching launch during an on the water practice session. During this period, the launch should remain in visible and audible contact with the crews on the water.

PHYSICAL CONTACT WITH ATHLETES

Appropriate physical contact between athletes and coaches, staff members, contractors 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. However, guidelines for appropriate physical contact reduce the potential for misconduct in sport.

APPROPRIATE PHYSICAL CONTACT

FODR adheres to the following principles and guidelines in regards to physical contact with our athletes.

Common Criteria for Appropriate Physical Contact

Physical contact with athletes for safety, consolation and celebration has multiple criteria in common which make them both safe and appropriate. These include:

- 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 athlete, not to meet an emotional or other need of an adult

Safety

The safety of our athletes is paramount, and in many instances, we make the athletic space safer through appropriate physical contact. Examples include:

- spotting an athlete so that they will not be injured by a fall or piece of equipment
- 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
- making athletes aware that they might be in harm's way because of other athletes practicing around them or because of equipment in use
- releasing muscle cramps

Celebration

Sports are physical by definition, and we recognize participants often express their joy of participation, competition, achievement and victory through physical acts. We encourage these public expressions of celebration, which include:

- greeting gestures such as high fives, fist bumps, and brief hugs
- congratulatory gestures such as celebratory hugs, "jump arounds" and pats on the back for any form of athletic or personal accomplishment

Consolation

It may be appropriate to console an emotionally distressed athlete (e.g., an athlete who has been injured or has just lost a competition). Appropriate consolation includes publicly:

- embracing a crying athlete
- putting an arm around an athlete while verbally engaging them in an effort to calm them down ("side hugs")
- lifting a fallen athlete off the dock

PROHIBITED PHYSICAL CONTACT

Prohibited forms of physical contact, which shall be reported immediately under our Reporting Policy include, without limitation:

- asking or having an athlete sit in the lap of a coach, administrator, staff member or volunteer
- lingering or repeated embraces of athletes that go beyond the criteria set forth for acceptable physical contact
- slapping, hitting, punching, kicking or any other physical contact meant to discipline, punish or achieve compliance from an athlete
- "cuddling" or maintaining prolonged physical contact during any aspect of training, travel or overnight stay
- playful, yet inappropriate contact that is not a part of regular training (e.g., tickling or "horseplay" wrestling)
- continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not
- any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment.

VIOLATIONS OF POLICY

Violations of this policy must be reported to a supervisor, FODR administrator or member of the Ethics Committee, and violations will be addressed under our Disciplinary Rules and Procedure. Some forms of physical contact may constitute child physical or sexual abuse that must be reported to appropriate law enforcement authorities.

ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

As part of FODR's emphasis on athlete safety, all electronic communications between a coach and athlete must be professional in nature and for the purpose of communicating information about team activities. As with any communication, the content of any electronic communication should be readily available to share with the minor athlete's family. At the request of a parent or guardian, any email, electronic text, social media or similar communication will copy or include the minor athlete's parents or guardians.

FACEBOOK, MYSPACE, BLOGS AND SIMILAR SITES

Coaches may not have athletes of FODR's teams join a coach's personal social media page. Athlete members and parents can friend the official FODR page and coaches can communicate to athlete members through the site. All posts, messages, text or media of any kind between coach and athlete must be professional in nature and for the purpose of communicating information about team activities or for team oriented motivational purposes.

TWITTER, INSTANT MESSAGING AND SIMILAR MEDIA

Coaches and athletes may "follow" each other. Coaches cannot "re tweet" athlete message posts without permission of the athlete. Coaches should use best judgment and professionalism in the content of their public media posting. All direct posts and messaging between coach and athlete must be for the purpose of communicating information about team activities.

EMAIL AND SIMILAR ELECTRONIC COMMUNICATIONS

Athletes and coaches may use email to communicate. All email content between coach and athlete must be professional in nature and for the purpose of communicating information about team activities. **Emails from any coach to any minor athlete must also include the parent(s) or legal guardian(s).**

TEXTING AND SIMILAR ELECTRONIC COMMUNICATIONS

Texting is allowed between coaches and athletes. All texts between coach and athlete must be professional and for the purpose of communicating information about team activities.

ELECTRONIC IMAGERY

From time to time, digital photos, videos of practice or competition, and other publicly obtainable images of the athlete individually or in groups may be taken. These photos and/or videos may be submitted to local, state or national publications, used in FODR videos or publications, posted on FODR or FODR associated websites or offered to the FODR athlete families seasonally on disc or other electronic form. It is the default policy of FODR to allow such practices, as long as the athlete or athletes are in public view and such imagery is both appropriate and in the best interest of the athlete and FODR. Imagery must not be contrary to any rules as outlined in FODR's Participant Safety Handbook.

REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS OR IMAGERY

The parents or guardians of a minor athlete may request, in writing, that their child not be contacted by any form of electronic communication by coaches, including the communication of photography or videography of that athlete's imagery. Such requests will be granted by FODR in writing.

MISCONDUCT

Social media and electronic communications can also be used to commit misconduct (e.g., emotional, sexual, bullying, harassment and hazing). Such communications by coaches, staff, volunteers,

VIOLATIONS

Violations of FODR's Electronic Communications and Social Media Policy should be reported to your immediate supervisor, a FODR administrator or a member of FODR's Ethics Committee for evaluation. Complaints and allegations will be addressed under FODR's Disciplinary Rules and Procedure.

LOCKER ROOMS AND CHANGING AREAS

For FODR teams the following guidelines are designed to maintain personal privacy, as well as to reduce the risk of misconduct in locker rooms and changing areas.

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras increase the risk for different forms of misconduct in locker rooms and changing areas. As a result, **THERE WILL BE NO USE OF A DEVICE'S RECORDING CAPABILITIES IN THE LOCKER ROOMS OR CHANGING AREAS.** In general, the use of cell phones in locker rooms is highly discouraged.

Violations of this policy will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary suspension from practice and competition.

TRAVEL

Travel will be a standard aspect of our competitive season. FODR has established policies to guide our travel, minimize one on one interactions and reduce the risk of misconduct. Adherence to these travel guidelines will increase athlete safety and improve the competitive experience while keeping travel a fun and enjoyable experience.

LOCAL AND TEAM TRAVEL

We distinguish between travel to training, practice and local competition ("local travel"), and team travel involving a coordinated overnight stay ("team travel").

Local Travel

Local travel occurs when FODR does not sponsor, coordinate or arrange for travel. For local travel, athletes or their parents/guardians (for minor athletes) are responsible for making all travel arrangements. In these instances, it is the responsibility of the athlete or their parents/guardians (for minor athletes) to ensure the person transporting the athlete maintains all safety and legal requirements, including, but not limited to, a valid driver's license, proper insurance, well maintained vehicle and compliance with all state laws.

In an effort to minimize one on one interactions, FODR staff members, coaches and/or volunteers, who are not also acting as a parent, should not drive alone with an unrelated minor athlete and should only drive with at least two other minor athletes or another adult at all times, unless otherwise agreed to in writing by the minor athlete's parent or guardian in advance of travel. In any case where a staff member and/or volunteer is involved in the minor athlete's local travel, a parental release is required in advance. Efforts must be made to ensure that staff and/or volunteers are not alone with a minor athlete or minor participant, by, e.g., picking the athletes up in groups.

Coaches, staff members and volunteers who also are an athlete's guardian may provide shared transportation for any athlete(s). We encourage guardians to pick up their athlete first and drop off their athlete last in any shared or carpool travel arrangement. We also recommend completing a shared travel declaration form signed by the parents/guardians of any minor athlete who is being transported as part of such a carpool arrangement.

Team Travel

Team travel is overnight travel that occurs when FODR sponsors, coordinates or arranges for travel so that our teams can train or compete locally, regionally, nationally or internationally. Because of the greater distances, coaches, staff, volunteers and chaperones will often travel with the athletes. However, no coach, staff member or volunteer will engage in team travel without the proper safety requirements in place, including valid drivers' licenses, proper insurance, well maintained vehicles and compliance with all state laws.

FODR makes efforts to provide adequate supervision through coaches and other adult chaperones on teams with junior athletes. FODR policy dictates a maximum ratio of **nine junior athletes to one chaperone on trips and away camps.**

For team travel, hotels and air travel will be booked in advance. Athletes will share rooms, with 2-4 athletes assigned per room depending on accommodations. FODR will notify hotel management should any special arrangements be warranted. For instance, we will ask hotels to

block pay per view channels and remove mini bars. We will request an additional large room or suite so that our members and athletes may socialize as a group. Meetings do not occur in hotel rooms, and we will reserve a separate space for coaches and athletes to socialize.

Please note that regardless of the location of the event, FODR policies on providing alcohol to minors follows the state law of Michigan, and parents are expected to adhere to this policy, especially when staying near or with the team. No parent should provide alcohol to minors during FODR Team Travel. Violations of this policy will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary suspension from competition.

TRAVEL NOTIFICATION

When possible, FODR will provide reasonable advance notice before team travel. Notice will include the dates, location and duration of competition. Travel notice also will include designated team hotels for overnight stays, as well as a contact person within FODR. For junior teams, this individual will be the point of contact to confirm your intention to travel and to help with travel details.

For junior teams, FODR will distribute specific travel itineraries when they become available. These will include a more detailed itinerary, as well as contact information for team travel chaperones.

MIXED GENDER AND MIXED AGE TRAVEL

FODR teams are sometimes made up of male and female athletes across various ages. Athletes will only share a room with other athletes of the same sex and age group. Athletes will be grouped by age and sex for the purposes of assigning an appropriate chaperone. We will make every effort to provide these groups at least one chaperone of the same sex.

Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with an athlete (unless the coach is the parent, guardian, sibling or spouse of that particular athlete). Where an adult is registered both as a coach and an athlete member of an FODR team or camp, and is functioning primarily as a coach, he or she may share sleeping arrangements with another registered coach.

COACH AND STAFF RESPONSIBILITIES

During team travel, coaches and staff members will help athletes, fellow coaches and staff members adhere to policy guidelines, including, without limitation, the Travel Policy, Locker Rooms and Changing Areas Policy and Reporting Policy.

If a coach or staff member transports an athlete or other organization member in their private car or a vehicle rented or owned by FODR for team travel, a copy of the coach's or staff member's valid driver's license, vehicle registration and proof of insurance is required.

When not practicing, training, competing or preparing for competition, coaches and staff will monitor the activities of athletes, fellow coaches and staff during team travel. Coaches and staff will:

- a) prepare athletes for team travel and make athletes aware of all expectations. Supplemental information will be given to parents/guardians of athletes who are considered inexperienced travelers, new or relatively new to team travel, or who are under the age of 14
- b) familiarize themselves with all travel itineraries and schedules before the initiation of team travel

- c) conform to, and monitor for others' adherence, the Athlete Protection Policy and all policies during team travel
- d) encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- e) help athletes be on time for all team commitments (as possible)
- f) assist with team travel logistical needs (as possible)
- g) support chaperones and/or participate in the monitoring of athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
- h) ensure athletes are complying with hotel room restrictions based on gender or age bracket requirements
- i) make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones
- j) not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their coaching duties
- k) immediately report any concerns about physical or sexual abuse, misconduct, or policy violations
- l) notify parents before taking any disciplinary action against a minor athlete if the athlete is traveling without his or her parents.

CHAPERONE RESPONSIBILITIES

Chaperones accompany team travel to ensure that the athletes, coaches, staff and volunteers adhere to the FODR's policy guidelines. While these include the travel policy, it also includes all other relevant policies contained in FODR's Participant Safety Handbook.

If a chaperone has not undergone a criminal background check and FODR's awareness training, the chaperone will not be permitted to have any one on one interactions with athletes or other youth participants. If a chaperone has undergone a criminal background check and awareness training, he or she may have appropriate one on one interactions as outlined in FODR's Participant Safety Handbook.

If a chaperone will be operating a private car for team travel, a copy of the chaperone's valid driver's license, vehicle registration and proof of insurance is required.

Chaperones will monitor the activities of all coaches, staff members, volunteers and athletes during team travel. Specifically, chaperones will:

- a) familiarize themselves with all travel itineraries and schedules before team travel
- b) monitor for adherences to club policies during team travel
- c) encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- d) help athletes be on time for all team commitments (as possible)
- e) assist coaches, staff and other volunteers with team travel logistical needs (as possible)
- f) monitor athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
- g) ensure athletes comply with hotel room restrictions based on gender or age bracket requirements
- h) not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their chaperone duties
- i) make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones

- j) immediately report any concerns about sexual and physical abuse, misconduct or policy violations to a FODR administrator or a member of FODR's Ethics Committee.

SECTION 5: RESPONDING TO ABUSE, MISCONDUCT AND POLICY VIOLATIONS

REPORTING POLICY

Every FODR staff member and/or volunteer must report:

- a) violations of the Participant Safety Handbook
- b) misconduct as defined in FODR's Athlete Protection Policy, and
- c) suspicions or allegations of child physical or sexual abuse

As a matter of policy, FODR does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations as a condition for reporting to the appropriate law enforcement authorities.

Reporting Child Physical or Sexual Abuse

Staff members and volunteers at FODR are required to report suspicions or allegations of child sexual abuse by colleague or coworker, to:

- 1) the FODR President, or
- 2) a member of FODR's Ethics Committee and,
- 3) where applicable, appropriate law enforcement authorities

Grooming

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 a staff member and/or volunteer 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 an immediate supervisor, FODR administrator or member of the FODR Ethics Committee.

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 a FODR supervisor, FODR administrator or member of FODR's Ethics Committee immediately.

Reporting Misconduct and Policy Violations

If any staff member and/or volunteer 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:

- 1) their immediate supervisor
- 2) a FODR administrator, or
- 3) a member of FODR's Ethics Committee.

FODR also encourages member parents, athletes and other sport participants to communicate violations of FODR's Participant Safety Handbook and/or allegations and suspicions of child physical and sexual abuse to a FODR administrator or member of FODR's Ethics Committee. Where applicable, parents may also report to the appropriate law enforcement authorities.

REPORTING PROCEDURE

To Whom to Report

Staff members and volunteers may report to any FODR supervisor or FODR administrator with whom they are comfortable sharing their concerns. You also may report to any member of its Ethics Committee, which includes the following three designated Incident Review Officials (IROs):

- FODR President
- FODR Vice president
- FODR Rowing Operations

Other FODR Board members may be included as determined by the President.

A staff member and/or volunteer may, and in many cases must, report any allegation of child physical or sexual abuse to relevant law enforcement authorities.

How to Report

FODR 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. Regardless of how you choose to report, it is helpful to FODR for individuals to provide, at a minimum, (1) the name of the complainant(s); (2) the type of misconduct alleged and the name(s) of the individual(s) alleged to have committed the misconduct.

Reporting Form

Individuals reporting child physical or sexual abuse or other misconduct may complete an Incident Report Form (contained at the end of this document.) Information on this form will include:

- 1) the name(s) 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 the reasons to believe that misconduct has occurred

FODR will withhold the complainant's name on request, to the extent permitted by law. A copy of FODR's Reporting Form can be found on the DBCC website.

CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD FAITH ALLEGATIONS

Confidentiality

To the extent permitted by law, and as appropriate, FODR will keep confidential the complainant's name on request, 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

FODR recognizes 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 an Incident Report Form:

- by completing the Reporting Form without including their name
- by expressing concerns verbally to a FODR administrator or a member of FODR's Ethics Committee
- through email, or letter directed to a FODR administrator or a member of FODR's Ethics Committee.

However, anonymous reporting may make it difficult for FODR to investigate or properly address allegations.

All suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities.

Whistleblower / Complainant Protection

Regardless of outcome, FODR will support the complainant(s) and his or her right to express concerns in good faith. FODR will not encourage, allow or tolerate attempts from any individual to retaliate, punish, allow or in any way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of our Participant Safety Handbook and grounds for disciplinary action.

Bad Faith Allegations

A report of abuse, misconduct or policy violations that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of our Participant Safety Handbook 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.

HOW REPORTS ARE HANDLED

Suspensions 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. FODR, its staff members and/or volunteers, do not attempt to evaluate the credibility or validity of child physical or sexual abuse as a condition for reporting to appropriate law enforcement authorities. As necessary, however, FODR 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. Volunteer reference for mandatory reporting laws can be found at: www.childwelfare.gov.

Immediate Suspension or Termination

When an allegation of child physical or sexual abuse is made against a staff member, youth and/or volunteer, FODR may immediately remove that individual from contact with any children in the program until the allegation has been investigated by an official agency. As necessary, the FODR President may suspend or change the assignment of a staff member and/or volunteer without a hearing. In those cases where the Ted Stevens Act may apply, the accused individual will be offered a hearing. This is outlined under a separate section of this handbook. A hearing under the Ted Stevens Act will not necessarily affect FODR's ability to immediately suspend or terminate the accused individual from employment or performing services for the organization. A hearing conducted under these circumstances will be made using the expedited FODR grievance process. A staff member or volunteer's failure to report to a supervisor, a FODR administrator or member of the Ethics Committee is a violation of this policy and grounds for termination of a staff member and/or dismissal of a volunteer.

Misconduct and Policy Violations

FODR addresses internally alleged policy violations and misconduct (bullying, harassment, hazing, emotional, physical and sexual) that are not reportable under relevant state or federal law. Staff members and volunteers must report policy violations and misconduct to an immediate supervisor, FODR administrator or member of the Ethics Committee.

FODR may also investigate allegations of child physical or sexual abuse that are reportable, if such investigation does not interfere with any ongoing criminal investigation or prosecution for abuse. Such allegations may include:

- Emotional abuse
- Abuse reported outside the relevant statutes of limitation
- Allegations of abuse that were reported to authorities, but: (a) legal authorities did not press criminal charges; (b) criminal charges were filed, but not pursued to trial; or (c) the alleged offender was acquitted at trial

Notification

Following FODR's notice of a credible allegation that results in the removal of an employee, coach or other volunteer, FODR may consider the circumstances in which it will notify other parents of athletes with whom the accused individual may have had contact. In FODR's discretion, as appropriate, and after consultation with counsel, FODR may notify its staff members, contractors, volunteers, parents, and/or athletes of any allegation of child physical or sexual abuse or other criminal behavior that (1) law enforcement authorities are actively investigating; or (2) that FODR is investigating internally. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.

DISCIPLINARY RULES AND PROCEDURE

Application

This Policy is used to address the following allegations against staff members, athletes, participants and/or volunteers:

- Violations of FODR's policies

- Child abuse (physical or sexual), where FODR's actions will not undermine an ongoing legal investigation or criminal prosecution

FODR will not enter into an investigation that undermines a pending legal investigation or criminal prosecution.

Disciplinary Rules

On receipt of an allegation, FODR will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused and (iii) the nature, scope and extent of the allegations.

FODR will address allegations against a staff member and/or volunteer under relevant organizational policies (e.g., Employment Policies and Procedures, and Bylaws). FODR's disciplinary response will depend on the nature and seriousness of the incident, and in extreme cases, misconduct will result in summary dismissal. FODR may undertake a formal investigation and hearing at its discretion. Before taking any disciplinary action, however, FODR will offer the accused an opportunity to respond.

If the accused individual is a minor, FODR will contact his or her parents or guardians.

Disciplinary Action

Sanctions for violations of the Participant Safety Handbook will be proportionate and reasonable under the circumstances. In addition to day to day guidance, FODR may take the following disciplinary actions, without limitation:

- Inform the individual's direct line supervisor or in the case of a minor, the minor's parent or guardian
- Provide the individual with guidance, redirection and instruction
- Temporary suspension from competition
- File a formal incident report
- Issue a verbal warning
- Issue a written and/or final written warning
- Implement a limited access agreement (e.g., limiting an individual's access to certain buildings and boathouses or to youth)
- Provide informed supervision, where at least one staff member is informed of the allegation and is instructed to supervise vigilantly the accused individual in his or her interactions with the program and/or organization
- Engage in restorative practices (i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred)
- Suspend or terminating employment or membership

Ongoing Employment and / or Participation

On receipt of a credible and specific allegation of child abuse or other serious misconduct (e.g., physical and sexual abuse as defined in our Athlete Protection Policy), FODR may immediately suspend or terminate the accused individual to ensure participant safety.

INVESTIGATION AND ADJUDICATION - FOR RESOLVING ALLEGATIONS UNDER THE TED STEVENS ACT

FODR utilizes this Investigation and Adjudication procedure to resolve those allegations that are governed by the Ted Stevens Act. A hearing under the Ted Stevens Act will not necessarily affect FODR's ability to immediately suspend or terminate an accused individual. On receipt of:

- 1) an allegation of misconduct, as defined in FODR's Athlete Protection Policy, that does not involve child physical or sexual abuse
- 2) an adverse employment determination by a local club for emotional, physical or sexual misconduct as set forth in FODR's Athlete Protection Policy

FODR shall determine the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused and (iii) the nature, scope and extent of the allegations. Such steps may include, without limitation:

- The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual
- Formal investigation and hearing
- Retention of legal counsel or investigation services to investigate and/or make a recommendation as to whether a violation of the relevant policy has occurred and/or a recommendation as to the appropriate sanction

Where serious allegations of misconduct are at issue (e.g., physical and sexual misconduct as defined in our Athlete Protection Policy), FODR may elect in its discretion to undertake a full investigation and hearing before determining the appropriate disciplinary action. This investigation and/or hearing will in no way interfere with an ongoing criminal investigation or prosecution.

SUSPENSION BEFORE FINAL RESOLUTION

If the reported complaint or employment/membership decision by FODR indicates that an individual's continued employment, membership or participation poses a risk of ongoing physical or emotional harm, FODR may wish to suspend the accused individual pending final resolution of the complaint to eliminate any danger to an athlete, sport participant or other individual. In such instances, FODR will provide the individual with notice and offer her/him an opportunity to contest the suspension.

FODR may suspend the accused individual where 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:

- an Incident Report Form with 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., a criminal indictment).

For the purposes of this Policy, a suspension from sport involvement 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 FODR.

Any suspension before final resolution may be appealed to the FODR Board of Directors at the written request of the accused individual within 10 days of the suspension.

INVESTIGATION

As appropriate, and at its discretion, FODR may institute a formal investigation and hearing procedure to address serious allegations of misconduct (e.g., physical and sexual misconduct). **However, FODR anticipates that an investigation and hearing will be undertaken to address only the most serious allegations and patterns of behavior that warrant significant sanctions.** Accordingly, FODR anticipates that this disciplinary procedure will be used rarely.

Formal investigations will be performed by a Grievance Panel (Panel), consisting of members independent of the FODR organization (e.g. outside investigation service providers, law firms specializing in safe sport investigations, etc.).

If an investigation is conducted, the complainant, victim and accused individual shall have the right to:

- a) Receive written notice of the report or complaint, including a statement of allegations
- b) Present relevant information to the investigator(s)
- c) Legal counsel, at his or her own expense

HEARING

Procedural Safeguards

In every case where a hearing is warranted pursuant to this Policy, adjudication shall be conducted that shall conform to the provisions and principles set out hereafter. However, deviations in one or more of the procedural safeguards are permitted, provided the following conditions are satisfied:

- The individual is informed of the allegations and evidence brought against him or her in writing by FODR
- The individual is given a reasonable opportunity to respond to the allegations brought forward
- The individual may be represented by legal counsel at his or her expense
- The Panel member(s) who make the determination are free of conflicts of interests and render an unbiased decision
- There is a right to appeal the Panel's decision

Preliminary Determination

On receipt of a disclosure and/or additional information made pursuant to this Policy, if the FODR President is satisfied, in the exercise of his or her discretion, that there is a sufficient reasonable, reliable and persuasive evidence to support the complaint alleging emotional, physical or sexual misconduct, **he or she shall notify the FODR Board of Directors and empanel a Grievance Panel and initiate a hearing.**

Notice

The accused individual will be notified of a specific date and time to ensure that he or she is available for the hearing. Unless the Grievance Panel requires the individual to attend the hearing in person, the individual may appear by telephone conference call. The individual has the right to be represented by legal counsel at the hearing, provided that the counsel's participation may be subject to the reasonable hearing rules related to the conduct of the hearing.

Timing

The Grievance Panel shall have the authority to set timelines and other rules regarding the proceeding and the conduct of the hearing, as it deems necessary.

On request of the accused individual, and provided that it is necessary to expedite the proceeding to resolve a matter relating to scheduled training or competition, the Grievance Panel may render an expedited determination.

Evidence

At the hearing, the accused individual will be allowed to present any reasonable evidence or argument that he or she wishes the Grievance Panel to consider. The Panel may require or permit documentary evidence, such as the written report of any investigator or other fact finder, before the hearing and that the names of any witnesses be disclosed before the hearing.

If the complainant/alleged victim(s) is a minor, the investigator's or other fact finder's report may substitute for the minor witness's direct testimony, provided that the accused had an opportunity to present and respond to relevant information collected during the investigation and before the report was transmitted to the Grievance Panel.

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

Findings and Sanctions

The Panel has the discretion to impose sanctions on the individual if it finds, based on a preponderance of the evidence, that emotional, physical or sexual misconduct has occurred.

The Panel will communicate its finding to the individual. The Panel may impose sanctions on the individual in its findings.

Any sanctions imposed by the Panel against the individual must be proportionate and reasonable, relative to the content that is found to have occurred. The decision regarding the appropriate sanction shall be up to the panel deciding each complaint. In imposing a sanction, the Grievance Panel shall consider:

- a) The legitimate interest of FODR in providing a safe environment for its participants
- b) The seriousness of the offense or act
- c) The age of the accused individual and alleged victim when the offense or act occurred
Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct
- d) The effect on FODR's reputation
- e) Whether the individual poses an ongoing concern for the safety of FODR's athletes and participants
- f) Any other information, which in the determination of the Panel, bears on the appropriate sanction

Sanctions may range from a warning and a reprimand to suspension from sport involvement with FODR for a period of time. Suspensions from sport involvement with FODR may be temporary or permanent. The most severe sanction possible to impose will be permanent suspension from sport involvement and expulsion from FODR.

For the purposes of this Policy, a suspension from sport involvement shall mean that the individual may not participate in any capacity or in any role in the business, events or activities of the relevant organization or its affiliated members for the duration of the period of suspension.

Confidentiality

The conduct of the hearing will be private. If the Panel determines that the individual has violated policy, it may publish its decision or a brief summary of its decision, unless the accused is a minor. However, if the individual appeals, the summary of the panel's decision will not be disclosed until an appellate decision has been made. If the Panel determines the accused individual did not violate the relevant policy, the panel will publish a summary only at the individual's written request.

Appeal

If the individual disagrees with the finding or sanction of the panel and wishes to appeal, he or she may file an appeal with the FODR Board of Directors within 10 days of the FODR's finding. On appeal, the FODR Board of Directors will address the merits of FODR's decision de novo, and not the process that was utilized. A decision rendered by the FODR Board of Directors shall be final and binding on all parties.

Appendix A: Background Checks Results Policy Statement

Background Check Findings

The third party provider will issue results to the applicant and FODR based on a "Red Light/Green Light" system. A "Green Light" or "meets the criteria" finding indicates an individual is suitable for participation in FODR with regard to the background search. A "Red Light" finding means the individual "does not meet the criteria".

If questions arise concerning a background search, the applicant will be contacted by the third party provider and provided with an opportunity to correct potential errors in the applicant's record or to provide additional information prior to issuing a "Red Light". In such situations FODR may also be contacted.

A "Red Light" determination will be issued if a background screen search reveals that an individual has been convicted of, received an imposition of a deferred sentence for, or pled guilty or no contest at any time, or the existence of any pending charges for any crime involving:

1. Any felony¹ involving:
 - Force or threat of force against a person
 - Cruelty to animals
 - Sexual crimes
 - Child endangerment, neglect or abuse, or other harm to a minor
2. Any other felony within the previous 10 years
3. Any misdemeanor involving:
 - Force or threat of force² against a person within the previous 7 years
 - Cruelty to animals within the previous 7 years
 - Sexual crimes³
 - Child endangerment, neglect or abuse, or other harm to a minor
 - Drug use or possession within the previous 3 years
 - Other drug related crimes including drug distribution, intent to distribute, manufacturing, trafficking, or sale, but excluding paraphernalia related offenses, within the previous 7 years
4. Any Sex Offender Registrant

Criminal offenses include "Attempted Crimes" in the above classifications

¹ Defined on the basis of exposure for the offense for which the defendant was convicted, pled guilty or pled nolo contendere. If pled down, then the crime to which the defendant ultimately pled, or

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 with an outer range greater than one year.

² Force or threat of force may include violent crimes, as well as crimes such as stalking and harassment.

³ 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

Review of "Red Light" Findings

Should an applicant contest the content of a record provided to the applicant as part of the FODR background search, the applicant may seek an appeal of the record with the third party provider pursuant to the Fair Credit Reporting Act and applicable State Law. FODR will use the determinations provided by the third party provider, in accordance with the FODR Internal Policies and Participant Safety Handbook, to determine an individual's eligibility for participation in any FODR sanctioned events and/or activities.

Should an individual contest a FODR decision to deny participation based upon a "Red Light" finding resulting from the background search, the applicant has the right to appeal the decision pursuant to the FODR Internal Policies and Participant Safety Handbook.

Background Check Appeal Process

Should an individual receive a "Red Light" finding and wish to contest FODR's decision not to accept his or her participation based on that "Red Light" finding, the individual has the right to appeal the determination and have their circumstances reviewed by a FODR Ethics Committee.

The individual shall have 30 days from the date that he or she was notified that participation was terminated to file a written appeal with the President of FODR. An individual who requests an appeal agrees to grant written permission for his or her complete background check findings to be provided to FODR.

Within 30 days of the receipt of the appeal being submitted, a hearing panel will be assembled to hear the appeal. The Ethics Committee Chair shall appoint three members of that Committee to serve as the group, which will hear the appeal (the "Hearing Panel"). The Chair of the Ethics Committee may appoint himself/herself to the Hearing Panel. The appointment of the three member Hearing Panel will include the designation of a Chair of the Panel. An athlete member of the Ethics Committee will be included on the Hearing Panel.

The Hearing Panel shall decide the appeal with majority vote. The Panel may choose to uphold the "Red Light" determination from the third party provider, or, if warranted by the circumstances may overturn the decision and render a "Green Light" for the background check. In the case of an overturned "Red Light," the membership record will be noted as such and will be subject to continuous review.

Any decision rendered by the Panel is considered final and binding on all parties. Among the criteria being considered by the Panel is whether the conduct of the individual is determined to be inconsistent with the best interests of the sport of rowing and the athletes the corporation serves.