



**WEST VIRGINIA SOCCER
ATHLETE AND PARTICIPANT
SAFETY POLICY**

Contents

Definitions For Certain Terms Used in the Handbook.....	3
Athlete and Participant Safety Policy	8
West Virginia Soccer Association’s Mission, Vision and Belief Statements	8
Safety Above All	8
West Virginia Soccer Athlete and Participant Safety Policy - Standards for Organization	
Members.....	9
Purpose	9
U.S. Soccer’s Bylaw Policy 212-3 (approved October 19, 2018).....	10-17
Appendix A – Prohibited Conduct Policy	18
Appendix B - West Virginia Soccer’s required policies	31
A- Establishing Boundaries.....	31
B- Appropriate Physical Contact	31
C- One on One Interactions	33
D- Massage and Other Athletic Training Interactions	34
E- Electronic Communications/Social Media	35
F- Locker Rooms/Changing Areas	37
G- Local Travel.....	39
H- Team Travel/Overnight Stays	39
Appendix C - Minor Athlete Abuse Prevention Policies (MAAPPs) One-Pagers.....	42

Definitions for Certain Terms Used in this Handbook

Center: The US Center for SafeSport, an independent 501 (c) (3) authorized pursuant to the Safe Sport Act, with jurisdiction over the USOC and NGBs with regard to the safeguarding amateur athletes against abuse, including emotional, physical and sexual abuse, in sports, and which has been further tasked with further duties in the areas of education, policy development, and response and resolution.

Core Center for SafeSport Training: The Center’s online training or the Center’s in person PPT approved training.

Covered Personnel: Those individual who are authorized directly by US Soccer to have regular contact with or authority over an amateur athlete who is a minor, as well as staff and board members of US Soccer. Safe Sport defines “Participants” as “any adult who is authorized by a national governing body, a member of a national governing body, or an amateur sports organization that participates in interstate or international amateur athletic competition, to interact with a minor or amateur athlete at an amateur sports organization facility or any other event sanctioned by a national governing body, a member of a national body, or such an amateur sports organization.”

Jurisdiction: Authority or control.

National Member Organization: A national organization that is directly affiliated with an NGB, over which the NGB has jurisdiction (without respect to whether the NGB has disciplinary authority over individual members of that national organization), and is: (a) an Amateur Sports Organization requesting sanction from a NGB; or (b) an Applicable Amateur Sports Organization under the [Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017](#).

Participating Adult: Adults authorized by an NGB or the USOC to have regular contact with or authority over an amateur athlete who is a minor and employees/staff and board members of a Covered Organization. For the avoidance of doubt, all Covered Personnel to whom this Handbook applies are Participating Adults

USOC: The United States Olympic Committee

Regular Contact with Minors: Recurring, repeated or periodic contact between an adult and minors or a person with supervisory or decision-making authority over an adult who has recurring, repeated or periodic contact with minors. Examples include but are not limited to adult members within NGB. USOC employees, volunteers, board members, medical staff, event staff (including contractors), officials, contractors and vendors who have regular contract with minors.

Refresher Training: The Center’s online training courses or the Center’s in person PPT approved training designated as “refresher” courses.

SafeSport Act: Public Law 115-126, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.

Other Inappropriate Conduct: This section specifically parsing our other types of inappropriate conduct of an intimate/sexual nature.

Aiding and Abetting: permitting a suspended or otherwise ineligible individual to participate violates the code.

Athlete: An athlete who meets the eligibility standards established by the NGB or Paralympic sports organization for the sport in which the athlete competes.

Child Abuse: The term “child abuse” has the meaning set forth in Section 203 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341) or any applicable state law.

Claimant: The person who is alleged to have experienced conduct that constitutes a Code violation.

Consent: Consent is (a) informed (knowing), (b) voluntary (freely given), (c) active (not passive). Consent must be demonstrated by clear words or actions, indicating that a person who is legally and functionally competent has indicated permission to engage in mutually agreed-upon sexual activity. Consent to any one form of sexual activity does not automatically imply Consent for any other forms of sexual activity. Previous relationships or prior Consent does not imply Consent to future sexual activity. Once given, Consent can be withdrawn through clear communication.

Consent cannot be obtained: (a) by force, (b) by taking advantage of the Incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated, (c) from someone who lacks legal capacity, (d) where a Power Imbalance exists.

1. *Force:* Force includes, (a) the use of physical violence, (b) threats, (c) intimidation, and (d) coercion.
 - a. Physical violence means that a person is exerting control over another person using physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
 - b. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person sporting harm
 - c. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
 - d. Coercion is the use of an unreasonable amount of pressure to gain intimate and/or sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear their decision not to participate in a form of Sexual Contact or Sexual Intercourse, their decision to stop, or their decision not to go beyond a certain sexual interaction, continued pressure can be coercive.

Whether conduct is coercive depends on: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

2. *Legal Capacity*

Minors cannot Consent to conduct of a sexual nature. While the legal age of Consent varies under state and federal law, the legal age of capacity under the Code is 18. A three-year close-in-age exception will be applied to any policy violation between an adult and a Minor, or between two Minors, where there is no Power Imbalance.

When the assessment of whether a Participant's conduct violates the Code depends upon another individual being below a certain specified age, ignorance of their actual age is no defense. Neither shall misrepresentation of age by such person, nor a Participant's bona fide belief that such person is over the specified age, be a defense.

3. *Incapacitation*

Incapacitation means that a person lacks the ability to make informed, rational judgments about whether to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated because of consuming alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely because of drinking or using drugs. The impact of alcohol and other drugs varies from person to person and is evaluated under the specific circumstances of a matter. A Respondent's being impaired by alcohol or other drugs is not a defense to any violation of the Code. The Consent construct can also be applied to other forms of non-sexual conduct, such as hazing or other forms of Physical and/or Emotional Misconduct.

Days: Unless expressly provided otherwise, the term "days" shall mean business days, which excludes weekends and national holidays.

Event: The term "Event" shall have the meaning set forth in the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341). As of the effective date of these policies and procedures, "event" includes "travel, lodging, practice, competition, and health or medical treatment."

Local Affiliated Organization (LAO): A regional, state or local club or organization that is directly affiliated with an NGB or that is affiliated with an NGB by its direct affiliation with a regional or state affiliate of said NGB. LAO does not include a regional, state, or local club or organization that is only a member of a National Member Organization of an NGB.

Minor or Child: An individual who is, or is believed by the Respondent to be, under the age of 18.

National Governing Body (NGB): A U.S. Olympic National Governing Body, Pan American Sport Organization, or Paralympic Sport Organization recognized by the United States Olympic Committee pursuant to the Ted Stevens Olympic and Amateur Sports Act, 36 U.S.C. §§ 220501, et seq.. This definition shall also apply to the USOC, or other sports entity approved by the USOC, when they have assumed responsibility for the management and/or governance of a sport included on the program of the Olympic, Paralympic, or Pan-American Games. This would include any organization, member of that organization, or Participant that has subjected itself to the jurisdiction of the Center.

Participant: Any individual who is seeking to be, currently is, or was at the time of the alleged Code violation:

- a. A member or license holder of an NGB, LAO, or USOC;
- b. An employee of an NGB, LAO, or USOC, and/or;
- c. Within the governance or disciplinary jurisdiction of an NGB, LAO, or USOC.
- d. Authorized, approved, or appointed by an NGB, LAO, or USOC to have regular contact with Minor Athletes.

Power Imbalance:

A Power Imbalance may exist where, based on the totality of the circumstances, one person has supervisory, evaluative, or other authority over another. Whether there is a Power Imbalance depends on several factors, including but not limited to: the nature and extent of the supervisory, evaluative or other authority over the person; the actual relationship between the parties; the parties' respective roles; the nature and duration of the relationship; the age of the parties involved; whether there is an aggressor; whether there is a significant disparity in age, size, strength, or mental capacity.

Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-Athlete relationship (regardless of age) and is presumed to continue for Minor Athletes after the coach- Athlete relationship terminates until the Athlete reaches 20 years of age.

A Power Imbalance may exist, but is not presumed, where an Intimate Relationship existed before the sport relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship).

Respondent:

A Participant who is alleged to have violated the Code, which the alleged misconduct was reported to the Center, through resolution, and including the period(s) of any sanctions imposed.

Third-Party Reporter: Reports brought by individuals other than the Claimant are referred to as "third-party reports" and those bringing them are "third-party reporters."

WEST VIRGINIA SOCCER ADMINISTRATIVE RULE BOOK

CHAPTER 8

ATHLETE AND PARTICIPANT SAFETY POLICY

WEST VIRGINIA SOCCER ASSOCIATION'S Mission, Vision and Belief Statement

Mission:

West Virginia Soccer, a nonprofit educational and service organization, is dedicated to the ongoing *development of soccer players*, coaches, referees, clubs and leagues in an inclusive, *safe*, affordable and *fun* environment.

Vision:

West Virginia Soccer supports US Soccer's efforts to make soccer the preeminent sport, *creating a lifelong passion and love for the game.*

We Believe in:

- Leadership driven by *fair* play and *sportsmanship*;
- Affordable and *inclusive* player development;
- Commitment to *education* of coaches, referees and clubs;
- Promoting a *fun, safe* and *healthy* soccer environment.

Safety above All

It is quite evident from our mission, vision and belief statements that our participant's health, safety and wellbeing are driving factors in all that we do and provide to our members. From the day a young child first registers to play all the way through their final years. West Virginia Soccer makes every effort to provide the best possible environment.

8.1 West Virginia Soccer Athlete and Participant Safety Policy - Standards for Organization Members

Purpose

Consistent with U.S. Soccer Bylaw 212, Organization Members are required to, among other obligations, 1) comply with applicable law and, in particular, the Ted Stevens Olympic and Amateur Sports Act (the “**Sports Act**”); 2) if the member recruits, trains, fields or funds soccer players, establish a risk management program to promote the safety and protect the welfare of participants; and 3) adopt policies prohibiting sexual abuse. Effective February 14, 2018, Public Law 115-126, the *Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017* (the “**SafeSport Act**”), amends the Sports Act, and requires applicable amateur sports organizations (as such term is defined in the SafeSport Act, 36 U.S.C. § 220530(b)) to:

- Comply with the SafeSport Act’s reporting requirements and prohibit retaliation by the applicable amateur sports organization against any individual who makes a report (36 U.S.C. § 220530(a)(1));
- 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 (36 U.S.C. § 220530(a)(2));
- Offer and provide consistent training to adult members in regular contact with minor amateur athletes and, subject to parental consent, to members who are minors, regarding prevention and reporting of child abuse (36 U.S.C. § 220530(a)(3)); and

The purpose of the West Virginia Soccer Athlete and Participant Safety Policy is to require an Athlete and Participant Safety/Safe Soccer program as part of each Organization Member’s risk management program and establish standards for such a program.

U.S. Soccer's Bylaw Policy 212-3 (approved October 19, 2018)

8.2.1 West Virginia's Landscape

As you read the SafeSport Act and U.S. Soccer policy information the terms **Applicable Entity**, **Covered Organization** and **Participant** are used. In a nutshell, in our soccer world, all of U.S. Soccer and all members (i.e. State Association, Youth Council Member) are considered an Applicable Entity and Covered Organizations. As a result, all clubs, town organizations, leagues, and other affiliated adults of State Associations and Youth Council Members (USYS, US Club, AYSO, SAY, USSSA, etc.) are also considered an Applicable Entity and Covered Organization.

For the purposes of West Virginia Soccer and our member organizations (all Covered Organizations) a Participant is defined as "an adult who is authorized, by a national governing body, a member of a national governing body, or an amateur sports organization that participates in interstate or international amateur athletic competition, to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body, a member of a national governing body, or such an amateur sports organization".

West Virginia Soccer has adopted the definition of an "Adult", to be "Every adult (persons 18 years old and older) associated with all organizations who may have the opportunity to have direct and unmonitored access to children". These Adults are required to complete the background check certification process. Matching this definition with the requirements of the SafeSport Act, all Adults as defined above are now considered Participant under SafeSport are required to comply with the forthcoming policies, rules, procedures and compliance. The term "Participating Adults", for the purposes of West Virginia Soccer, applies to all Adults.

Using the above requirement of all adults who may have the opportunity to have direct and unmonitored access to children, the following individuals are required to register as Adults, satisfy Background Screening, complete all SafeSport and U.S. Soccer Abuse Prevention training, and are now considered Mandatory Reporters. This includes, but is not limited to:

- Coaches (all types)
- Team Managers, including designated team parents assigned team management responsibilities
- Board members (Officers, Directors, Administrators, Committee Chairs, Appointees, etc.)
- Referees (Note: All USSF Referees will complete their full background checks and screening registration through the West Virginia State Referee Committee).
- Trainers (Permanent or Temporary)
- Volunteers
- Organization Employees
- Concession Workers (ex: those who are in direct contact with youth concession workers)
- Tournament Organizers, Employees, Volunteers
- And, any other person age 18 or older who may have the opportunity to have direct and unmonitored access to children.

SafeSport Policy Statement:

Per the SafeSport Act, each Organization Member that is an “Applicable Entity” or otherwise has adult members who are in regular contact with amateur athletes who are minors (in each case, a “Covered Organization”), must ***maintain, as part of that risk management program, an athlete and participant safety program*** that includes the six components listed below.

To allow Organization Members adequate opportunity to ensure policy changes and compliance, the required policies must be issued by February 14, 2019, and procedures and communications regarding these requirements must be issued in a manner calculated to effect compliance on or before September 1, 2019, but are nonetheless urged to complete compliance as early as practicable. Effective September 1, 2019 any Organization Member not in compliance with this Policy 212-3 will be subject to enforcement as provided in Section 6, below.

1. Prohibited Conduct Policy

Covered Organizations and other Organization Members that qualify as an amateur sports organization under 36 U.S.C. § 220501(b) (3) must implement and enforce a policy or code of conduct that prohibits misconduct including bullying, hazing, harassment (including sexual harassment), emotional misconduct, physical misconduct, and sexual misconduct, as those terms are defined by the U.S. Center for SafeSport’s SafeSport Code for the U.S. Olympic and Paralympic Movements (the “**SafeSport Code**”). See www.safesport.org for more details on the code.

The West Virginia Soccer Association’s Prohibited Conduct Policy is located at Appendix A to this Policy document.

This policy must apply to all activities under the Organization Member’s jurisdiction and at least to (1) Organization Member employees and board members; (2) the members of such Organization Member; (3) amateur athletes who are minors or referees who are minors (collectively, “**Youth Participants**”); and (4) **any** adult individuals the Organization Member authorizes, approves or appoints to have regular contact with Youth Participants (“**Participating Adults**”). This policy must also prohibit retaliation against individuals making good faith reports of misconduct.

West Virginia Soccer Association Prohibited Conduct Policy includes the above categories in addition to our broader group of all adults who may have the opportunity to have direct and unmonitored access to children of Youth Participants as Participants who must all comply with our policy.

NOTE: Youth Participants expressly includes referees who are minors. In addition, Participating Adults includes, but is not limited to, coaches and all SYRAs and any referee program-affiliated personnel, including without limitation assigners, having regular contact with Youth Participants.

2. Appropriate Background Screening

Covered Organizations must implement and enforce a policy that requires appropriate background screening of at least Participating Adults by the earlier of 1) prior to regular contact with a Youth Participant; or 2) within the first 45 days of the Participating Adult taking on the role giving them access to Youth Participants.

At a minimum, the policy should include screening against applicable sex offender registries in the relevant state and a check against the Organization Member's suspension database, U.S. Soccer's disqualification list and the SafeSport disciplinary records available at:

www.safesport.org.

West Virginia Soccer Association has consistently met with requirements for conducting the mandated Criminal Offender Record search on all Adults associated by our definitions. Commencing in 2019 West Virginia Soccer will conduct the following background screening checks:

- National Criminal Database search and check
- Nationwide Sexual Offender Records search and check

West Virginia Soccer will also screen against all necessary external databases, disqualification lists and disciplinary records. West Virginia Soccer will not conduct background screening and checks on all people under 18 years of age.

3. Education & Training

Covered Organizations must implement and enforce a policy (1) requiring education and training designed to meet the Organization Member's obligations under the SafeSport Act to (a) Organization Member employees and board members and (b) Participating Adults, in each case as a condition to participation, and (2) subject to parental consent, offer and provide training to Youth Participants. The Policy should require the following:

A. Initial Training for Adults: Core Center for SafeSport Training or Equivalent

Pursuant to USOC and U.S. Center for SafeSport Policy, and as contemplated by the SafeSport Act, Covered Organization employees, board members and Participating Adults must be required to complete consistent training concerning child abuse prevention. These policies must require Participating Adults to complete either (1) the U.S. Center for SafeSport's Core SafeSport Training (i.e., the Center's online training or the Center's approved in-person training), and as applicable, follow-up refresher course training; or (2) similar training designed to meet the Organization Member's obligations under the SafeSport Act, with all continuing Adult Participants to receive initial training no later than September 1, 2019, and any new Adult Participants, effective no later than September 1, 2019, to receive initial training upon the earlier of:

- Before regular contact with an amateur athlete who is a minor begins, and
- Within the first 45 days of taking on the role giving them access to Youth Participants.

A Covered Organization may provide alternative training to the Core SafeSport Training, but it is strongly encouraged to use the Core SafeSport Training, and any alternative training is at the risk and responsibility of the Organization Member to ensure compliance with applicable law. If an Organization Member provides alternative training, it must not refer to such training as “SafeSport” Training.

West Virginia Soccer Abuse Prevention Training for Adults

West Virginia Soccer is aware of several program options for awareness/prevention training of sexual abuse. West Virginia Soccer supports the SafeSport Act by requiring all persons identified under this policy to take the program provided by the U.S. Center for SafeSport.

To enroll in this program, you will first need to obtain the proper access code. To do so, you must send an email to safesportcourse@wvsoccer.net. You will receive an email autoreply containing the access code.

After obtaining the access code copy or click on this URL: <https://www.safesport.org/>. Once on the SafeSport site click on Sign in, click on Register. When prompted, make sure to select US Soccer as your NGB and then enter the access code provided in the email reply.

In order to complete your course registration, you will receive an email to confirm your email address. You must respond to this email to activate your account.

KEEP YOUR USERNAME AND PW!!!!!! Set aside at least 90 for the training!

Upon completion of the the course upload this certificate → (SafeSport Trained) to your Affinity registration along with your Concussion Certificate. If you register in SafeSport with the EXACT name, email, address and birthday as you did in your WVSA registration with your club, it will upload automatically for you. (this may take a few hours to show!)



IMPORTANT: You must use the legal name and the email address you use when conducting your WV Soccer Adult Registration. Please be sure to upload your SafeSport certificate, this is the only verification we will have that you have completed it.

B. Refresher Course(s) for Adults

In addition to the initial training, a refresher course is required on an annual basis effective the calendar year following the completion of the initial training, you will use the same log in and pw that you used to complete the Abuse Training course. The U.S. Center for SafeSport’s official refresher course is available as of October 1, 2018.

Annual Refresher West Virginia Soccer Abuse Prevention Training for Adults

West Virginia Soccer currently requires all Adults who are required to take the initial U.S. Center for SafeSport course to take the U.S. Center for SafeSport's official refresher course.

Refresher course is required on an annual basis to be completed by December 31 of the year following the year the initial course and subsequent refresher course was taken. Set aside up to 30 minutes to take the refresher course.

Example: If an Adult takes their initial course during 2019 they must complete their annual refresher no later than December 31, 2020. They may take the refresher anytime between January 1 and December 31 of 2020, no need to wait till a year expires

This is important as West Virginia Soccer requires all risk management credential requirements to not expire during the soccer year (September to August). Adults will be able to take their annual refresher courses anytime between January 1 and August 15 in order to be ready to receive their credentials, assuming all other requirements are met, by the end of August.

***C. Training for Youth Participants* NEW**

The U.S. Center for SafeSport is developing training for Youth Participants. The U.S. Center for SafeSport has released five training modules focused on Youth Athlete Training on athletesafety.org. The modules are age-based: Preschool, Grades K-2, Grades 3-5, Middle School and High School, and are anywhere from 10-20 minutes in length. A parent/guardian must first create an account in order to give consent for their child to access the training as well as select the appropriate module for their child's age.

D. Parent Toolkit

In addition to the training above, the Center has made toolkits available to parents of every age on its website: <https://resources.safesport.org/toolkits/library.html>
<https://www.safesport.org/>

4. Reporting

Covered Organizations must maintain a procedure for reporting misconduct to the Covered Organization and, to the extent required by the SafeSport Act, mandate reporting to appropriate law enforcement authorities. The procedure should be clear that reporting may be made anonymously, and that no direct fees or other cost is involved in making a report. Each Covered Organization must also maintain a policy prohibiting retaliation against individuals making good faith reports of misconduct.

Center for SAFE SPORT, anonymous basis, www.safesport.org and select "Report a concern" or call (702) 531-0340.

West Virginia Soccer's Reporting Procedures

The West Virginia Soccer Reporting procedures provide a mechanism that allows a complaint to be easily reported for a reasonable suspicion of Sexual or Physical abuse/neglect, within a 24 hour period of awareness. Federal regulations state that reports should be made to a) local law enforcement and b) local/state child protective services, c) US Soccer, and d) the US Center for SafeSport. EVERYONE IS A MANDATORY REPORTER.

(Everyone listed below MUST be contacted when physical or sexual abuse is suspected)

1. Local Law Enforcement Number
<https://www.wvsp.gov/contactus/detachmentContactInfo/Pages/default.aspx>
2. Local Child Protective Services Number
<https://dhhr.wv.gov/bcf/Documents/DHHR.BCF.LocalOffices.pdf>
3. State of West Virginia Department of Children and Families (DCF)
<https://dhhr.wv.gov/bcf>

***West Virginia Mandatory Reporting Guidelines:

<https://dhhr.wv.gov/bcf/Services/Pages/Centralized-Intake-for-Abuse-and-Neglect.aspx>

<https://dhhr.wv.gov/bcf/policy/Documents/Child%20Protective%20Services.pdf>

4. Club Risk Manager Contact Information (every club should have a point person for reporting, Contact Jude Greene at Jude@wvsoccer.net) if WVSA Program (Coaching, Cups, etc.) contact Kristi Acord at Kristi@wvsoccer.net 304-860-7139
5. State Risk Manager –WVSA Programs, Coaching, Cups, etc.....
Contact Kristi Acord, Kristi@wvsoccer.net or 304-860-7139
6. National Governing Body (NGB)
US Soccer Integrity Hotline Number – (312) 528- 7004
US Soccer – <https://www.ussoccer.com/integrity-hotline>

Mechanism for Reporting (cont.)

Other forms of misconduct such as emotional abuse, bullying, hazing, or harassment.

1. Club Risk Manager Contact Information- Contact Jude Greene Jude@wvsoccer.net
2. Club or BOD Review/Hearing – There should be a process in policy to document and address this other misconduct. The decision of the Club or BOD should be sent to the State Risk Manager below
3. Any WVSA Program (Coaching, Cups, etc.) contact Kristi Acord 304-860-7139

State Risk Manager – Kristi Acord, Kristi@wvsoccer.net 304-860-7139

An individual who is required, but fails, to report suspected child sexual abuse is subject to criminal penalties including fines and up to one (1) year in jail.

5. Monitoring and Enforcement: No Retaliation

US Soccer and WVSA takes all reports of potential violations of the Safe Sport Framework seriously and is committed to confidentiality and investigation of allegations. US Soccer's Legal personnel may conduct or manage Code investigations. Employees who are being investigated for a potential Code violation will have fair notice and an opportunity to be heard prior to any final determination.

US Soccer and WVSA does not tolerate retaliation of any kind. No individual who makes such a good faith report will be subject to retaliation, including harassment, or any adverse employment consequence, as a result of making a report.

6. Enforcement

A. By Organization Members

Each Covered Organization and Organization Member that qualifies as an amateur sports organization under 36 U.S.C. § 220501(b) (3) must enforce its Athlete & Participant Safety Policy, consistent with the SafeSport Act. Specifically, violations of the policy must be subject to an appropriate grievance process that is materially free of bias and conflicts of interest, to address allegations of misconduct following the report or complaint of misconduct. This grievance process must include the opportunity for review by a disinterested individual or body and a right to appeal a final decision rendered by an Organization Member's process pursuant to U.S. Soccer Bylaw 704.

West Virginia Soccer Association's Enforcement Policy

All violations of the West Virginia Soccer Athlete & Participant Policy will be subject to the current West Virginia Soccer Procedures for Disciplinary Actions and Appeals & Grievances and Complaints and Appeals

B. By U.S. Soccer

Pursuant to Bylaw 212, U.S. Soccer reserves the right to, either directly or through a contracted third party service provider, survey, audit, require certifications of compliance with, and otherwise review compliance by its Organization Members with this policy. Failure of any Organization Member to issue and implement the policies required by this Policy 212-3 will constitute a violation of Bylaw 212 Section 1.

Covered Organizations are required to establish reasonable procedures to limit ONE-ON-ONE INTERACTIONS between individual Youth Participants and any Adult Participant who is not their legal guardian (“Prevention Policies”). These procedures must include athlete prevention policies covering the topics below: (Also see Appendix B)

- ESTABLISHING BOUNDARIES: AVOIDING GIFTS
- APPROPRIATE PHYSICAL CONTACT
- ONE-ON-ONE INTERACTIONS/INDIVIDUAL MEETINGS
- MASSAGE AND OTHER ATHLETIC TRAINING INTERACTIONS
- ELECTRONIC COMMUNICATIONS/SOCIAL MEDIA
- LOCKER ROOMS/CHANGING AREAS
- LOCAL TRAVEL
- TEAM TRAVEL/OVERNIGHT STAYS

West Virginia Soccer’s Polices

West Virginia Soccer Association’s Required Policies are located at Appendix B to this Policy document.

A. Minor athletes who become adult athletes

A minor athlete that reaches the age of majority is not to subject to Prevention Policies in their capacity as an athlete, and when interacting with Youth Participants who are 16 or older. When this now age of majority athlete interacts with minor athletes 15 or younger all Prevention Policies will be in effect. Should a minor athlete reach the age of majority and then obtain a position that presents a potential power imbalance, such as becoming a coach, the individual is subject to athlete prevention policies.

B. Implementation

The mandatory components set forth in the model policies set a minimum standard. In implementing the required policies, a Covered Organization may choose to implement a policy that is stricter than the Model Policy, if it includes or is stricter than the mandatory component. *If, in implementing the required policies identified here, Covered Organizations are not in compliance with federal requirements, the organization must implement policies and procedures sufficient to meet such requirements.*

APPENDIX A-

WVSA Policies 8.2.2

WVSA Prohibited Conduct Policy PER US SOCCER AND US SAFE SPORT

This Policy is U.S. Soccer's policy that applies to all WVSA and WVSA Member Organization Members "Covered Personnel" as defined in WVSA Risk Management / Safe Sport Policies.

This Policy applies to all WVSA and WVSA Member Organization Members "Covered Personnel" as defined in WVSA Risk Management / Safe Sport Policies as well as conduct by any subcontractor, supplier, customer or third party and their employees in their dealings with U.S. Soccer employees.

Covered Personnel

WVSA Programs, Events and Operations. All WVSA Paid Staff, Board of Directors, Volunteer staff, program volunteers, Coaches (Youth and Adult), Referees (Youth and Adult), and any other persons authorized to participate in any WVSA Program.

WVSA Member Organizations All Organization Board of Directors, Paid and volunteer staff, volunteers and any other persons authorized to participate in any activities of the organization.

U.S. Soccer and WVSA are committed to maintaining an environment that is free from all forms of discrimination, including harassment, on the basis of any legally protected status.

Accordingly, WV Soccer does not permit any form of unlawful harassment, discrimination or intimidation against its employees or members by anyone, including managers, supervisors, coworkers, executives, directors, officers, other employees, vendors, clients, customers or third parties.

Protected status includes race, color, age, religion, marital status, sex, ancestry, national origin, citizenship, veteran's status, pregnancy, disability, sexual orientation, protected activity, or any other characteristic protected by federal, state or local law. The policy also prohibits harassment on the basis of the protected status of an individual's relatives, friends or associates. WVSA is also committed to maintaining an environment that is free from all forms of sexual abuse, sexual misconduct, emotional misconduct, physical misconduct, bullying and hazing. Any violation of this Policy by Covered Personnel may subject the Covered Personnel to disciplinary action. Appropriate action also will be taken against any subcontractor, supplier, or customer found in violation of this Policy.

PROHIBITED CONDUCT

This section of the Code sets forth expectations for Participants related to emotional, physical, and sexual misconduct in sport, including bullying, hazing, and harassment.

The privilege of participation in the Olympic Movements may be limited, conditioned, suspended, terminated, or denied if a Participant's conduct is or was inconsistent with this Code and/or the best interest of sport and those who participate in it.

It is a violation of the Code for a Participant to engage in or tolerate: (1) Prohibited Conduct, as outlined in the Code; (2) any conduct that would violate any current or previous U.S. Center for SafeSport, NGB, or LAO standards analogous to Prohibited Conduct that existed at the time of the alleged conduct; or (3) any conduct that would violate community standards analogous to Prohibited Conduct that existed at the time of the alleged conduct, including then applicable criminal and/or civil laws.

Prohibited Conduct include:

- A. Criminal Charges or Dispositions
- B. Child Abuse
- C. Sexual Misconduct
- D. Emotional and Physical Misconduct, including Stalking, Bullying, Hazing, and Harassment
- E. Aiding and Abetting
- F. Misconduct Related to Reporting
- G. Misconduct Related to the Center's Process
- H. Other Inappropriate Conduct
- I. Sexual Harassment
- J. Violation of Minor Athlete Abuse Prevention Policies / Proactive Policies

A. Criminal Charge or Disposition

It is a violation of the Code for a Participant to have a Criminal Charge or Disposition. Criminal Conduct is relevant to an individual's fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of the Code occurred, but may be considered for sanctioning purposes. The Center reviews Criminal Charges or Dispositions involving sexual misconduct or child abuse de novo; any prior consideration or finding by an NGB or LAO regarding a Criminal Disposition involving sexual misconduct or child abuse is not relevant to the Center's determination.

1. Definitions

a. Criminal Disposition

It is a violation of the Code for a Participant to be or have been subject to any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, including, but not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an Alford or Kennedy plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement.

b. Criminal Charge, including Warrant for Arrest

It is a violation of the Code for a Participant to have any pending criminal charge(s) or warrant(s) for arrest.

When assessing whether conduct constitutes a Criminal Charge or Disposition, the Center may assess and rely upon the original charges, amended charges, or those to which a plea was entered.

2. Sex Offender Registry

A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to participate.

3. Hearing Related to Criminal Charge or Disposition

A Participant who wishes to challenge the Center's decision related to a Criminal Charge or Disposition may request a hearing concerning the sanction only pursuant to Rule-14. If the Center renders a Decision regarding a Participant's Criminal Charge or Disposition, and that Charge or Disposition is subsequently modified by a criminal court, the Participant may request that the matter be reopened by the Center, pursuant to Section XI(S). In instances where a pending criminal charge(s) resolves, in that the charge(s) is eventually dismissed, results in an acquittal, or results in a Criminal Disposition as defined above, a Respondent's request to reopen will always be granted and a new Decision issued.

B. Child Abuse

It is a violation of the Code for a Participant to engage in Child Abuse.

C. Sexual Misconduct

It is a violation of the Code for a Participant to engage in Sexual Misconduct. Sexual Misconduct offenses include, but are not limited to:

1. Sexual or Gender-related Harassment
2. Non-consensual Sexual Contact (or attempts to commit the same)
3. Non-consensual Sexual Intercourse (or attempts to commit the same)
4. Sexual Exploitation
5. Bullying or hazing, or other inappropriate conduct of a sexual nature.

1. Sexual or Gender-related Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (a) and/or (b), below, are present.

Sexual harassment includes harassment related to gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (a) and/or (b), below, are present.

a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of any person's employment, standing in sport, or participation in Events, sports programs and/or activities; or when submission to or rejection of such conduct is used as the basis for sporting decisions affecting the individual (often referred to as "quid pro quo" harassment); or

b. Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, and/or pervasive such that it interferes with, limits, or deprives any individual of the opportunity to participate in any program or activity. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective.

Whether a hostile environment exists depends on the totality of known circumstances, including, but not limited to:

- i.** The frequency, nature, and severity of the conduct;
- ii.** Whether the conduct was physically threatening;
- iii.** The effect of the conduct on the Claimant's mental or emotional state;
- iv.** Whether the conduct was directed at more than one person;

- v. Whether the conduct arose in the context of other discriminatory conduct;
- vi. Whether the conduct unreasonably interfered with any person's educational or work performance and/or sport programs or activities; and
- vii. Whether the conduct implicates concerns related to protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident that is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual contact without Consent, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

2. Nonconsensual Sexual Contact

It is a violation of the Code for a Participant to engage in Sexual Contact without Consent.

Sexual Contact is any intentional touching of a sexual nature, however slight, with any object or body part (as described below), by a person upon another person.

Sexual Contact includes but is not limited to: (a) kissing, (b) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts; and (c) making another touch themselves, the Participant, or someone else with or on any of these body parts.

3. Nonconsensual Sexual Intercourse

It is a violation of the Code for a Participant to engage in Sexual Intercourse without Consent.

Sexual intercourse is any penetration, however slight, with any object or body part (as described below), by a person upon another person.

Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

4. Sexual Exploitation

It is a violation of the Code for a Participant to engage in Sexual Exploitation. Sexual Exploitation occurs when a Participant purposely or knowingly:

- a. Allows third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images) without Consent of all parties involved in the sexual activity.
- b. Records or photographs private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without Consent of all parties in the recording or photo.

- c. Engages in voyeurism (e.g., watching private sexual activity or viewing another person's intimate parts when that person would have a reasonable expectation of privacy), without Consent of all parties being viewed.
- d. Disseminates, shows or posts images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without prior Consent of the person depicted in the images.
- e. Intentionally exposes another person to a sexually transmitted infection or virus without that person's knowledge.
- f. Engages in prostituting or trafficking another person.

5. Bullying, Hazing, or Other Inappropriate Conduct of a Sexual Nature.

It is a violation of the Code for a Participant to engage in bullying, hazing, and other inappropriate conduct of a sexual nature, as further defined in the corresponding sections below.

D. Emotional and Physical Misconduct

It is a Code violation for a Participant to engage in emotional and/or physical misconduct, when that misconduct occurs within a context that is reasonably related to sport, which includes, without limitation:

1. Emotional Misconduct
2. Physical Misconduct
3. Bullying Behaviors
4. Hazing
5. Harassment

1. Emotional Misconduct

Emotional Misconduct includes (a) Verbal Acts, (b) Physical Acts, (c) Acts that Deny Attention or Support, (d) Criminal Conduct, and/or (e) Stalking. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

a. *Verbal Acts* - Repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.

b. *Physical Acts* - Repeated and/or severe physically aggressive behaviors, including but not limited to, throwing sport equipment, water bottles or chairs at or in the presence of others, punching walls, windows or other objects.

c. *Acts that Deny Attention or Support* - Ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Participant from practice.

d. **Criminal Conduct** - Emotional Misconduct includes any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

e. **Stalking** - Stalking occurs when a person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) to experience substantial emotional distress.

“Course of conduct” means at least two or more acts, in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property.

“Substantial emotional distress” means significant mental suffering or anguish.

Stalking also includes “cyber-stalking,” wherein a person stalks another using electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

f. **Exclusion** - Emotional Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improved Athlete performance. Emotional Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participant’s participation.

2. Physical Misconduct

Physical Misconduct is any intentional contact or non- contact behavior that causes, or reasonably threatens to cause, physical harm to another person.

Examples of physical misconduct may include, without limitation:

a. **Contact violations** - Punching, beating, biting, striking, choking or slapping another; intentionally hitting another with objects, such as sporting equipment; encouraging or knowingly permitting an Athlete to return to play prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional.

b. **Non-contact violations** - Isolating a person in a confined space, such as locking an Athlete in a small space; 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); withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another.

c. **Criminal Conduct** - Physical Misconduct includes any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault).

d. **Exclusion** - Physical Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance. For example, hitting, punching and kicking are well-regulated forms of contact in combat sports, but have no place in swimming. Physical Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participant's participation.

3. Bullying Behavior

Repeated and/or severe behavior(s) that are (a) aggressive (b) directed at a Minor, and (c) intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually. Bullying-like behaviors directed at adults are addressed under other forms of misconduct, such as Hazing and/or Harassment. Examples of bullying behavior may include, without limitation, repeated and/or severe:

a. **Physical** - Hitting, pushing, punching, beating, biting, striking, kicking, choking, spitting or slapping, or throwing objects (such as sporting equipment) at another person.

b. **Verbal** - Ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.

c. **Social, including cyberbullying** - Use of rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and asking others to do the same.

d. **Sexual** - Ridiculing or taunting based on gender or sexual orientation (real or perceived), gender traits or behavior, or teasing someone about their looks or behavior as it relates to sexual attractiveness.

e. **Criminal Conduct** - Bullying Behavior includes any conduct described as bullying under federal or state law.

f. **Exclusion** - Conduct may not rise to the level of Bullying Behavior if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

4. Hazing

Any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, humiliate, degrade or intimidate the person as a condition of joining or being socially accepted by a group, team, or organization.

Purported Consent by the person subjected to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

Examples of Hazing include:

a. **Contact acts** - Tying, taping or otherwise physically restraining another person; beating, paddling or other forms of physical assault.

b. **Non-contact acts** - Requiring or forcing the consumption of alcohol, illegal drugs or other substances, including participation in binge drinking and drinking games; personal servitude; requiring social actions (e.g., wearing inappropriate or provocative clothing) or public displays (e.g., public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water and/or food; restrictions on personal hygiene.

c. **Sexualized acts** - Actual or simulated conduct of a sexual nature.

d. **Criminal acts** - Any act or conduct that constitutes hazing under applicable federal or state law.

e. **Exclusion** - Conduct may not rise to the level of Hazing if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Hazing does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

5. Harassment

Repeated and/or severe conduct that (a) causes fear, humiliation or annoyance, (b) offends or degrades, (c) creates a hostile environment (as defined above), or (d) reflects discriminatory bias in an attempt to establish dominance, superiority or power over an individual or group based on age, race, ethnicity, culture, religion, national origin, or mental or physical disability; or (e) any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

Conduct may not rise to the level of Harassment if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Harassment does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

E. Aiding and Abetting

Aiding and Abetting is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Prohibited Conduct by a Participant.

F. Misconduct Related to Reporting

1. Failure to Report
2. Intentionally Filing a False Allegation

G. Misconduct Related to the Center's Process

The behaviors identified below constitute Prohibited Conduct and may give rise to a sanction. In addition, a Participant also violates the Code if someone acts on behalf of the Participant and engages in any of the following Prohibited Conduct, including a Participant's Advisor, or the guardian, or family member of a Minor Participant. In such a case, the Participant and/or, if the party acting on behalf of the Participant is also a Participant, that person, may be sanctioned.

1. Abuse of Power
2. Retaliation

H. Other Inappropriate Conduct:

1. Intimate Relationship - An Adult Participant violates this Code by engaging in an intimate or romantic relationship where a Power Imbalance exists.
2. Exposing a Minor to Imagery
3. Intentional Exposure of Private Areas
4. Inappropriate Physical Contact

I. Sexual Harassment

Sexual harassment deserves special mention. Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment or participation in a program of WVSA or a WVSA Member Organization.
- Submission to or rejection of such conduct by an individual is used as the basis for an employment or participation in a program of WVSA or a WVSA Member Organization decision affecting that individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or participation in a program of WVSA or a WVSA Member Organization and creating an intimidating, hostile, or offensive environment.

Sexual harassment may involve individuals of the same or different gender. It may also occur between individuals of any employment status. Examples of conduct which may constitute sexual harassment and are prohibited by this Policy include, but are not limited to:

- unnecessary touching, patting, hugging, pinching, or brushing against a person's body;
- staring, ogling, leering, or whistling at a person;
- continued or repeated verbal abuse of a sexual nature;
- sexually explicit statements, sexual flirtations, advances, propositions, subtle pressure for sexual activity, comments, questions, jokes, or anecdotes;
- graphic or degrading comments about a person's clothing, body or sexual activity;
- sexually suggestive objects, cartoons, posters, calendars, or pictures in the workplace;
- suggestive or obscene letters, notes or invitations;
- harassing use of electronic mail, electronic or instant messaging, or telephone communication systems; or
- other physical or verbal conduct of a sexual nature

WVSA prohibits managers and supervisors from threatening or insinuating, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's wages, assigned duties, advancement, evaluation, shifts, career development, or any other condition of employment.

J. Minor Athlete Abuse Prevention Policies / Proactive Policies

It is a violation of the Code for a Participant to violate any provision of the Minor Athlete Abuse Prevention Policies or other proactive policies adopted by the USOC, NGBs, and/or LAOs. Proactive policies set standards for professional boundaries, minimize the appearance of impropriety, and have the effect of preventing boundary violations and prohibiting grooming tactics.¹ Tailored to a specific sport, context, legal structure or constituency, such policies may address overnight travel rules (e.g., preventing unrelated Adult Participants and Minors from sharing rooms under specified circumstances), massages and rubdowns, social media and electronic communications, photography, locker rooms, one-on-one meetings and gifting.

¹ "Grooming" describes the process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct. Grooming is initiated when a person seeks out a vulnerable minor. Once selected, offenders will then earn the minor's trust, and potentially the trust of the minor's family. After the offender has engaged the minor in sexually inappropriate behavior, the offender seeks to maintain control over him/her. Grooming occurs through direct, in-person and/or online contact.

Procedures for Complaints, Investigations and Corrective Action

All Covered Personnel are responsible to help ensure that we avoid misconduct. U.S. Soccer WWSA or a WWSA Member Organization cannot act to eliminate misconduct unless it has notice of the conduct. Covered Personnel are thus charged with reporting any concerns regarding compliance with the Safe Soccer Policies. For the avoidance of doubt, in some instances, Covered Personnel will be required to report to law enforcement and/or the U.S. Center for SafeSport.

Furthermore, U.S. Soccer employees are responsible to help assure that the work and program environment, on or off-premises, is free from harassment. All employees and members have an obligation to promptly report any and all allegedly harassing conduct they are the subject of, that they learn of, or that they witness. Our Policy provides for immediate notice of problems to the persons designated in this Policy so that we may address and resolve any problems as quickly as possible.

An employee or member of WWSA or a WWSA Member Organization must report the harassing conduct to either:

- a. For WWSA Staff or program volunteers; The person to whom you report (supervisor or manager)
 - WWSA Risk Management Coordinator
 - WWSA Risk Management Chairperson
 - The WWSA Executive Director
 - The WWSA President or
 - The US SOCCER Integrity Hotline.

- b. For WWSA Member Organization Staff and Members
 - The Club or Organization Risk Management Coordinator
 - The Club or Organization President
 - The WWSA Risk Management Coordinator
 - The WWSA Executive Director or
 - The US Soccer integrity Hotline

If the employee or member feels uncomfortable going to his or her supervisor, program head or club with the complaint, he/she must report the matter to any other member of management as designated above.

This Policy does not require reporting the misconduct to any individual who is creating the harassment or discrimination.

All Covered Personnel have an obligation to cooperate in any investigation of a complaint of misconduct, including providing any and all information concerning the complaint. Failure to do so may be a violation of this Policy.

U.S. Soccer and WWSA Prohibited Conduct Policy offers its employees greater protection from harassment than does the law. Consequently, Covered Personnel who are found to have violated U.S. Soccer or WWSAs Prohibited Conduct Policy shall be subject to corrective action, discipline or termination, even in cases where applicable laws may not have been violated and without regard to whether the conduct constitutes a violation of the law.

An employee wishing to file a complaint outside the Federation or WWSA may also contact either the Equal Employment Opportunity Commission or the fair employment agency in his or her state.

Training and Education

Employees and other Covered Personnel that have contact with athletes must successfully complete the WWSA ABUSE PREVENTION training.

Starting with Seasonal year 2019/20 new Registration and Renewals will complete SafeSport Training (See page 8) and refresher courses with SafeSport every year. (See page 6-7 of Bylaw Policy 212-3).

Exclusive Jurisdiction over Investigation/Adjudication of Sexual Abuse or Misconduct [applicable only to U.S. Soccer Covered Personnel]

- A. The investigation and adjudication of matters involving allegations or reports of sexual abuse or misconduct by or against Covered Personnel, or other violations of this Prohibited Conduct Policy that involve prohibited conduct that is reasonably related to and accompanies an alleged violation involving sexualized behavior by Covered Personnel are subject to the exclusive jurisdiction of the United States Center for Safe Sport in accordance with the requirements of the USOC and as set forth in the Center's Bylaws or other Center's governing documents.
- B. The investigation and adjudication of matters involving allegations misconduct by or against Covered Personnel, or other violations of this Prohibited Conduct Policy that DONOT involve prohibited conduct that is reasonably related to and accompanies an alleged violation involving sexualized behavior by Covered Personnel are subject to the jurisdiction of WWSA or the WWSA Organization Member responsible for the program or event where the alleged misconduct occurred.

Appendix B

WVSA Risk Management Policy 8.2.3

U.S. Soccer Athlete and Participant Safety Policy - Standards for Organization Members

PREVENTION POLICIES:

LIMITING ONE-ON-ONE INTERACTIONS BETWEEN ADULTS AND MINORS

Soccer is a team sport. Although appropriate physical contact and one-on-one interaction between minor athletes and coaches/trainers, etc. may be conducive to improving physical skills,

U.S. Soccer and WVSA believes prudent limitations on one-on-one interactions can reduce the potential for abuse and misconduct without negatively impacting player development or unnecessarily limiting one-on-one time with trusted adults that is healthy and valuable for a child.

A. ESTABLISHING BOUNDARIES: AVOIDING GIFTS

Individuals who groom children will often provide special gifts or privileges, as one strategy to gain the child's trust and fill a need in their life, in advance of sexually abusing the child.

Accordingly, U.S. Soccer and WVSA discourages employees and volunteers from giving gifts or granting special privileges to athletes and prohibits any such gift or privilege when not available to the entire team.

B. APPROPRIATE PHYSICAL CONTACT

U.S. Soccer and WVSA adheres to the following principles and guidelines in regard to physical contact with our athletes:

1. Common Criteria for Appropriate Physical Contact

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

- the physical contact takes place in public
- there is no potential for, or actual, physical or sexual contact 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

2. 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

3. 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 "side hugs"²
- congratulatory gestures such as celebratory hugs, "jump-arounds" and pats on the back for any form of athletic or personal accomplishment

4. 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 (in a public place or circumstance)
- 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 playing surface and "dusting them off" to encourage them to continue competition

5. Supervision Generally

No minor should be left alone at a training session or at any other time until they are picked up by their parent, older sibling or other designated adult. It is recommended that the last adult in addition to the coach or athletic trainer wait at the site until the minor is picked up.

² : this does **not** include "butt-pats" or "chest bumps." This outdated means of celebration makes many athletes uncomfortable and is best replaced with a high-five or a fist bump.

C. 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, Covered Personnel are to observe the following guidelines when dealing with athletes/participants under the age of 18:

1. Interactions Should Be Observable and Interruptible

- One-on-one interactions between minors and an adult (who is not the minor's legal guardian) are permitted if they occur at an observable and interruptible distance by another adult.
- Isolated, one-on-one interactions between minors and an Adult (who is not the minor's legal guardian) are prohibited, except under emergency circumstances.

2. Interactions are Monitored

When one-on-one interactions between Adults and minors occur at our facilities, adults will monitor these interactions. Monitoring includes: knowing that the one-on-one interaction is occurring, the approximate planned duration of the interaction, and randomly dropping in on the one-on-one.

3. Meetings

- Meetings between Adults and minors at our facilities may only occur if another adult is present, except under emergency circumstances. Such meetings must occur where interactions can be easily observed and at an interruptible distance from another adult.
- If a one-on-one meeting takes place in an office, the door to the office must remain unlocked and open. If available, it will occur in an office that (if available) has windows, with the windows, blinds, and/or curtains remaining open during the meeting.
- If a mental health care professional meets with minors at our facilities, a closed-door meeting may be permitted to protect patient privacy – provided that (1) the door remains unlocked, (2) another adult is present at the facility, (3) the other adult is advised that a closed-door meeting is occurring, and (4) written legal guardian consent is obtained by the mental health care professional, with a copy provided to our organization.

4. Individual Training Sessions

An individual training session with an athlete (meaning not a team training, but training involving one athlete and one coach) may be necessary in order to further player development. Under these circumstances, the individual training session should be open and observable by others. Additionally, parent/guardian permission is required in advance of the individual training session(s), and parents/guardians are welcome to attend the individual training. Parents, guardians, and other caretakers must be allowed to observe individual training sessions. Permission for individual training sessions must be obtained at least every six months.

5. Out-of-Program Contacts

Covered Personnel are prohibited from interacting one-on-one with unrelated minor athletes in settings outside of the program (including, but not limited to, one's home, restaurants, and individual transportation), unless parent/legal guardian consent is provided for each out-of-program contact. Such arrangements are nonetheless strongly discouraged.

D. MASSAGE AND OTHER ATHLETIC TRAINING INTERACTIONS

- Any massage or other athletic training therapy or modality must be provided by a non-coach licensed athletic trainer or other certified professional. Such activities should never be done with only the minor athlete and adult in the room. Where possible without compromising an athlete's privacy, such activities should be performed in open/public areas (e.g., but not limited to, in a training room but not behind a screen) and in any event should be in an interruptible location.
- Even if a coach is a licensed professional provider, the coach shall not perform a massage or athletic training therapy or modality on an athlete under any circumstances.
- Icing and taping, though not limited to certified professionals, should, where possible without compromising an athlete's privacy, be performed in open/public areas (e.g., on the bench; in locker room with others present).
- ***Icing and taping near the intimate areas of the body (i.e. "bathing suit areas") is not permitted*** by a non-licensed medical professional and in any event cannot be done with only the minor athlete and professional alone in a room.

E. ELECTRONIC COMMUNICATIONS/SOCIAL MEDIA

Electronic communications are an ever-changing aspect of the way we communicate today. The specific rules below may reference certain forms of electronic communication, and the specific application of principles may change with regard to a given app, platform or method of communication, but regardless of the means, **the following principles apply across all manner of electronic communication and should be used to guide adult behavior when communicating with minor athletes:**

1. Content must be Professional in Nature: All electronic communications between a coach/team personnel and a minor athlete must be professional in nature (i.e. soccer-related) and for the purpose of communicating information about team activities or team-oriented communication (i.e. motivation, instruction).

- Communication or conversation regarding illegal or age inappropriate topics (drugs, alcohol use, sexually explicit language or imagery, or discussion of adult personal life, social activities, relationship or family issues) is not permitted.
- All communications must comply with the Prohibited Conduct Policy.
- U.S. Soccer actively monitors relevant social media posts and reserves the right to remove posts that violate our policies and practices for appropriate behavior and/or to notify the applicable legal guardian of prohibited posts by any athlete.

2. Communications must be Open and Transparent: The content of any electronic communication should generally be group-based and should always be readily available to share with the athlete's family, the applicable Club, and U.S. Soccer.

- Administrators, coaches, staff and/or volunteers may not use Snap Chat (or any similar app that automatically deletes the content of a communication) to communicate with minor athletes.
- If a Participating Adult needs to communicate directly with an amateur athlete who is a minor via electronic communications, another Participating Adult or the minor's legal guardian will be copied.
- If a minor athlete communicates to the Participating Adult privately first, the Participating Adult should respond to the minor athlete with a copy to another Participating Adult or the minor's legal guardian.
- Participating adult communicating electronically to the entire team will copy another Participating Adult.
- Consider using group-focused platforms under team administrative control (e.g., but not limited to Teamworks, etc.)

3. Keep Imagery Public: In posting imagery, adults are expected to be sensitive to the status of minors. This means any imagery posted to a team website or social media should be soccer-related, not private (e.g., taken in public view), and age appropriate.

- Under no circumstances should imagery depict any conduct that would violate any of the U.S. Soccer Safe Soccer Framework.
- Requests of parents/guardians of minor athletes to remove imagery in which their child is recognizable and individually featured will be honored to the extent practicable.³

The following sections apply the above principles to specific areas of electronic communication and should not be viewed as narrowing the above.

4. Prohibited Electronic Communications – Direct Messaging

- Covered Personnel are not permitted to communicate privately via electronic communications with amateur athletes who are minors, except under emergency circumstances.
- Covered Personnel are not permitted to “private message,” “instant message,” “direct message”, or send photos to a minor athlete privately, regardless of what platform is used.
- Covered Personnel are not permitted to maintain social media connections with minors; such adults are not permitted to accept new personal page requests on social media platforms from amateur athletes who are minors and existing social media connections with amateur athletes who are minors shall be discontinued. Instead, Athletes and parents can “friend” the official organization’s team page and coaches can communicate to athletes through the site or through similar group-focused methods of communication.
- Athletes and coaches employed by U.S. Soccer and WVSA may use email to communicate **provided** the coach is using only his or her “@ussoccer.org” email account and further provided all email content between coach and athlete otherwise complies with this policy. When communicating with a minor athlete through email, another staff or volunteer member or parent must be copied.

5. Requests to Discontinue

Legal guardians may request in writing that their minor child not be contacted through electronic communication by the organization or by Covered Personnel. We will abide by any such request that their child not be contacted via electronic communication, absent emergency circumstances.⁴

³ Where photos are team photos, generally no child is individually featured, but the request will nonetheless be considered in good faith.

⁴ In such an event, the legal guardian’s email will be substituted for the minor child’s email for purposes of National Team call-up communications, etc.

6. Social Media (Including Texting, WhatsApp, GroupMe and Similar Apps)

- **Keep personal pages personal.** Administrators, coaches, staff and/or volunteers may not invite or allow minor athletes to join a personal social media page unless they are directly related to that athlete and have the permission of the athlete's parent/guardian. Athletes should be reminded that initiating a "friend" request to administrators/coaches/staff/volunteers is not permitted.
 - Administrators, coaches, staff and/or volunteers are encouraged to set their social media pages to private settings.
 - Similarly, those who work with minor athletes are reminded that they set an example for the minor athletes. If a page is not private, U.S. Soccer and WVSA expects administrators, coaches, staff and/or volunteers who work with minor athletes to refrain from posting inappropriate, off-color content or content that would violate the Prohibited Conduct Policy or otherwise commenting on posts that would.
- **Choose Apps that support group-based communication.** Apps such as TeamWorks™ and GroupMe™ often provide a helpful way to communicate, but again, individual messages should be avoided.
- **Respect reasonable "soccer" hours:** Real-time electronic communications (e.g., texting via SMS, apps, etc.) between coaches and athletes on a group basis is generally allowed between **8 am - 9 pm**, unless there is a specific safety- or soccer- related need to communicate.

F. LOCKER ROOMS/CHANGING AREAS

Athletes (especially minors) are particularly vulnerable in locker rooms and changing areas due to various stages of dress/undress and because athletes are less supervised than at many other times. The risk of athlete-to-athlete problems, such as child sexual abuse and bullying, harassment, and hazing, is present when coaches or staff members are not monitoring athletes. This is especially true in locker rooms. Adherence to a locker room and changing areas policy enhances privacy and reduces the likelihood of misconduct.

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

1. Use of Cell Phones and Other Mobile Recording Devices Prohibited

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, **USE OF A DEVICE'S RECORDING CAPABILITIES IN THE LOCKER ROOMS, REST ROOMS, and CHANGING AREAS OR SIMILAR SPACES IS PROHIBITED**. Exceptions may be made for media and championship celebrations, provided that such exceptions are approved by the Federation and two or more adults are present.⁵

2. Undress

Under no circumstances shall an unrelated Adult at a facility under our organization's jurisdiction be undressed (disrobed or partial or full nudity where private body parts are exposed) in front of minor athletes.

3. Isolated One-On-One interactions / Monitoring

- At no time are unrelated Adults permitted to be alone with a minor in a locker room, rest room, or changing area when at a facility under our jurisdiction, except under emergency circumstances.
- If our organization is using a facility that has access to a single set of such facilities, times will be designated for use by each respective group (e.g., adults, minors, etc.)
- Locker rooms, rest rooms, and changing areas at facilities under our jurisdiction should be regularly and randomly monitored to ensure compliance with these policies.
- Adults make every effort to recognize when an athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, we will check on the athlete's whereabouts.
- We discourage parents from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent. If this is necessary, parents should let a coach or administrator know about this in advance.

4. Non-Exclusive facility

If our organization uses a facility not under its jurisdiction (for, e.g., training or competition or similar events) and the facility is used by multiple constituents, Covered Personnel are nonetheless required to adhere to the rules set forth here.

⁵ For example, senior national teams comprised primarily of adults may allow the use of recording devices by members of the media or Federation communications department personnel with player consent, e.g., at the half, post-game, etc.

G. LOCAL TRAVEL

Local travel consists of travel to training, practice, and competition that does not include coordinated overnight stay(s).

1. Transportation

- U.S. Soccer and WWSA generally does not arrange for local travel for individual players from home to training/practice/competition.
- Participants who are not also acting as a legal guardian, shall not ride in a vehicle alone with an unrelated athlete who is a minor, absent emergency circumstances, and may 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/legal guardian in advance of each local travel.
- In any case where a staff member and/or volunteer is involved in a minor athlete's local travel, a parental release is required in advance. Parents/legal guardians are advised to consult the Center's Parental Toolkit concerning child abuse prevention before providing consent for their minor to travel alone with an unrelated adult.

2. Shared or Carpool Travel Arrangement

We encourage parents/legal guardians to pick up their minor athlete first and drop off their minor athlete last in any shared or carpool travel arrangement.

H. TEAM TRAVEL/OVERNIGHT STAYS

Team travel is travel that requires overnight stays away from home and occurs when a team/club sponsors, coordinates or arranges for travel so that teams can compete locally, regionally, nationally or internationally. Because of the greater distances, coaches, staff, volunteers and chaperones will often travel with the athletes.

1. Participating Adult Requirements

Participating Adults who travel with a team (whether coach, trainer, referee, staff member, or volunteer/parent) must successfully pass a criminal background check and other screening requirements consistent with U.S. Soccer's and WWSA screening policies and complete the Core SafeSport Training.

2. Travel to Competition

When only one Participating Adult and one minor athlete travel to a competition, (including, but not limited to, youth referees) the minor athlete must provide evidence of his/her legal guardian's written permission in advance, and for each competition, before traveling alone with the Participating Adult.

3. Travel Arrangements

For team travel, hotels and air travel will be booked in advance by U.S. Soccer, WVSA or the applicable Development Academy Club. Athletes typically will share rooms, with 2-4 athletes assigned per room depending on accommodations. U.S. Soccer and WVSA will also notify hotel management should any special arrangements be warranted.

For instance, depending on the ages in travel parties, we may ask hotels to block pay per view channels or clear mini-bar areas. Depending on the size of the group, we may also request an additional large room or suite so that our members and athletes may socialize as a group.

Meetings do not occur in individual hotel rooms, and we will reserve a separate space for adults and athletes to socialize and/or to support appropriate athletic training appointments.

4. Hotel Rooms

Adults shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the Participating Adult is the legal guardian, sibling, or is otherwise related to the minor athlete). In addition, no Adult Participant should enter the hotel room or other sleeping arrangement with a minor athlete unless necessary for the safety of the minor (e.g., in the event of emergency). Team meetings should never be conducted in a hotel room used for sleeping.

5. Meetings/Supervision

- Meetings will be conducted consistent with the organization's policy for one-on-one interactions – i.e., any such meeting shall be observable and interruptible.
- Meetings may not be conducted in a hotel room used for sleeping.
- During team travel, when doing room checks, attending team meetings and/or other activities, two-deep leadership and observable and interruptible environments should be maintained.

6. Mixed-Gender and Mixed-Age Travel⁶

Athletes may only share a room with other athletes of the same age group (e.g., minors with minors, adults with adults). Athletes will also be further grouped by age (and gender, if applicable) for the purposes of assigning an appropriate chaperone. We will make every effort to provide these groups at least one chaperone of the same gender.⁷

Regardless of gender or age, a coach shall not share a hotel room or other sleeping arrangement with an athlete (unless coach is parent, guardian, sibling or spouse of that particular athlete).⁸

⁶ Generally speaking, U.S. Soccer and WVSA does not operate mixed-gender teams. In the event of such a team in the future, however, athletes may only share a room with other athletes of the same gender.

⁷ Teams relying on parents to serve as chaperones and may be limited in providing this match in gender.

⁸ In the event of Referee travel, an adult referee shall not share a hotel room or other sleeping arrangement with a youth/minor referee (unless the adult is the parent, guardian, sibling or spouse of that particular youth referee).

7. Coach and Staff Responsibilities

During team travel, coaches and staff members will help athletes, fellow coaches and staff members adhere to policy guidelines in this Handbook.

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

Coaches and staff will:

- 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 to familiarize themselves with all travel itineraries and schedules before the initiation of team travel
- conform to, and monitor for others' adherence, all policies during team travel
- encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- ensure athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones
- not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their coaching/staff duties (this applies 24/7 throughout a camp or travel trip)
- immediately report any concerns about physical or sexual abuse, misconduct, or policy violations to U.S. Soccer and WVSA and the appropriate authorities.

Appendix C

Additional Resources Available

Minor Athlete Abuse Prevention Policies (MAAPPs) One-Pagers

Additionally, the Center has created one-page summaries of each topic of the Minor Athlete Abuse Prevention Policies. The MAAPP Policies were first provided to you in the Fall of 2018 as template policies designed to support U.S. Soccer members in meeting their obligations under the SafeSport Act and USSF Policy 212-3 (which require applicable U.S. Soccer organization members to have reasonable policies limiting one-on-one interactions between adults and minor athletes). The full policies can still be found at www.safesoccer.com and as a reminder, your organization must have these implemented by September. These new one-pagers are meant to be tools for you and your members to use in order to create your own MAAPP and to be sure they are hitting all of the key areas of compliance. Links to all one-pagers are below:

[One-on-One Guidelines One Pager –
https://safesport.org/files/details/132](https://safesport.org/files/details/132)

[Massage and Rubdown Athletic Training Modalities Guidelines One Pager -
https://safesport.org/files/details/136](https://safesport.org/files/details/136)

[Social Media Guidelines One Pager-
https://safesport.org/files/details/131](https://safesport.org/files/details/131)

[Locker Rooms/Changing Area Guidelines One Pager -
https://safesport.org/files/details/135](https://safesport.org/files/details/135)

[Local Travel Guidelines One Pager –
https://safesport.org/files/details/133](https://safesport.org/files/details/133)

[Education and Training Guidelines One Pager -
https://safesport.org/files/details/137](https://safesport.org/files/details/137)

[Who and Where Prevention Policies Apply One Pager -
https://safesport.org/files/details/134](https://safesport.org/files/details/134)

[Team Travel Guidelines One Pager –
https://safesport.org/files/details/130](https://safesport.org/files/details/130)

**[Safe soccer Link from US Soccer -
https://www.safesoccer.com/](https://www.safesoccer.com/)

** [Link to WVSA SafeSport Policy
https://usys-assets.ae-admin.com/assets/958/15/safesportwvsa.pdf](https://usys-assets.ae-admin.com/assets/958/15/safesportwvsa.pdf)