

Walter Johnson Crew Club, Inc.

Policies and Procedures Regarding Conduct of  
Athletes, Coaches, and Volunteers

(Adopted by WJ Crew Board on August 8, 2016)

WJ Crew Participant Safety Handbook

Based upon a Program Supported by US Rowing

**SafeSport** | WHERE YOUR GAME PLAN STARTS



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## INTRODUCTION

Walter Johnson Crew Club, Inc. (“WJ Crew”) believes there are a lot of reasons to play sport – at any level. A life-long activity, people often play sport to have fun and spend time with friends. Sport also encourages a healthy lifestyle, builds self-confidence; athletes also do better off the field. 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. 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.

**WJ Crew believes that all forms of misconduct are intolerable and in direct conflict with the ideals of WJ Crew.**

*When we decide upon the people subject to the policy, we should state so here.*

## DEFINITIONS

### **Child, children, minor and youth**

Anyone under the age of 18. Here, “child,” “children,” “minor” and “youth” are used interchangeably.

### **Child physical abuse**

Non-accidental trauma or physical injury caused by contact behaviors, such as punching, beating, kicking, biting, burning or otherwise harming a child. Child physical abuse may also include non-contact physical misconduct as described in the Athlete Protection Policy.

### **Child sexual abuse**

Child sexual abuse involves any sexual activity with a child where consent is not or cannot be given. This includes sexual contact with a minor that is accomplished by deception, manipulation, force or threat of force regardless of whether there is deception or the child understands the sexual nature of the activity. Sexual contact between minors can also be abusive if there is a significant imbalance of power or disparity in age, development or size, such that one child is the aggressor. The sexually abusive acts may include sexual penetration, sexual touching or non-contact sexual acts such as verbal acts, sexually suggestive written or electronic communications, exposure or voyeurism.<sup>1</sup>

### **Misconduct**

Conduct which results in harm, the potential for harm or the imminent threat of harm. Age is irrelevant to misconduct. There are six primary types of misconduct in sport: emotional, physical and sexual misconduct, bullying, harassment and hazing.

### **Participants**

Participants (also referred to herein as athletes) are minors who participate in the Walter Johnson Crew Club.

### **Participant Safety Handbook**

As used here, a set of guidelines collecting policies and practices related to an organization’s strategy for recognizing, reducing and responding to child sexual abuse and other misconduct in sport.

### **Staff Members**

Staff members for purposes of this handbook are coaches and assistant coaches for WJ Crew, contractors and administrators for WJ Crew, and support staff for WJ Crew at boathouses.

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<sup>1</sup> *Id.*

**Volunteers**

Volunteers for purposes of this handbook are volunteer coaches and assistants for WJ Crew and parents of WJ Crew members serving as overnight chaperones.

# ***PART 1: STRATEGIES***

## ***Section 1: Training and Education***





## **TRAINING AND EDUCATION**

WJ Crew's policies and procedures require staff members and volunteers to report abuse and misconduct and violations of its Participant Safety Policy. To do so, staff members and volunteers 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 complete an awareness training concerning misconduct in sport before performing services for WJ Crew. Misconduct in sport includes, but is not limited to:

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

Staff members and volunteers must successfully complete the awareness training and the quiz after the training.

Those staff members and volunteers who are required to take awareness training will take athlete awareness training every two (2) years, or no more than 30 day(s) before they have contact with athletes.

<http://archive.usrowing.org/safety/safesport>

***Section 2:***  
***Screening and Hiring of Staff Members***

## **APPLICANT SCREENING**

*Staff members*, must consent to, and pass, a formal applicant screening process before performing services for WJ Crew.

Elements of our screening process include, as applicable, successful completion of an application, interview, reference check and criminal background check.

### **EDUCATION ABOUT WJ CREW'S PROTECTION POLICIES**

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

- Requiring awareness training before placement and 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 illicit 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**

Appropriate staff will interview applicants whose experience and credentials are considered a fit for available positions. During this interview, WJ Crew 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 will also provide a signed release, consistent with federal, state and local laws regulating employment practices, that allows references to speak freely about the applicant's qualifications without fear of reprisal and authorizing WJ Crew 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).

See Part 2, Sample Forms and Documents, and the Appendix for additional Applicant Screening Resources.

## **CRIMINAL BACKGROUND CHECK POLICY**

All staff member applicants will be asked to undergo a criminal background check that complies with the Fair Credit Reporting Act **before** providing services for WJ Crew. Through this criminal background check, WJ Crew 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 before he or she may perform services for WJ Crew.

On receipt of the Criminal Background Check Consent and Waiver Release form, WJ Crew will request that its vendor perform the criminal background check. As part of its criminal background check, WJ Crew 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**

WJ Crew 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.

Information that could disqualify an applicant includes, but is not limited to, arrests, pleas of no contest and criminal convictions—especially if the underlying criminal behavior involved sex or violence.

### **Pending Court Cases**

No decision will be made on an individual's eligibility for work as a new staff member if they have 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 disqualify 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 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 the WJ Crew Board Chair.
- 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.

## **RECORDS**

Applicant records are securely retained by WJ Crew's coaching liaison for a period of four years or until the applicant is no longer affiliated with WJ Crew, whichever date is later.

***Strategy 3:***  
***Establishing Boundaries***

## **COMMITMENT TO SAFETY (Athlete Protection Policy)**

### **Overview**

WJ Crew 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.

*No person* associated with WJ Crew may engage in any of the PROHIBITED CONDUCT, described in the following section.

In the event that any person associated with WJ Crew observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or misconduct, it is the personal responsibility of each person to immediately report his or her observations to an immediate supervisor, or to the Chair of WJ Crew's Board.

This Policy applies to

- Staff members and volunteers
- WJ Crew Participants
- Parents and relatives of participants
- Chaperones

### **PROHIBITED CONDUCT**

Staff members, volunteers, parents, relatives, coaches, chaperones, and participants shall not engage in any conduct harmful to an athlete, including, but not limited to:

- Bullying
- Harassment
- Hazing
- Emotional misconduct
- Physical misconduct
- Sexual misconduct, including child sexual abuse.<sup>2</sup>

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<sup>2</sup> Prohibited conduct also includes all conduct prohibited by Maryland law, which contains the following relevant definitions:

'Abuse' means:

- The physical or mental injury of a child by any parent or other person who has permanent or temporary care, custody, or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed
- Sexual abuse of a child, whether physical injuries are sustained or not

For purposes of this prohibition, the following definitions apply.

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

#### *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<sup>3</sup>**

- (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

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'Neglect' means leaving a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate:

- That the child's health or welfare is harmed or placed at substantial risk of harm
- Mental injury to the child or a substantial risk of mental injury

'Sexual abuse' means any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care, custody, or responsibility for supervision of a child, or by any household or family member. 'Sexual abuse' includes incest, rape, sexual offense in any degree, sodomy, and unnatural or perverted sexual practices.

'Mental injury' means the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function.

### **Fam. Law § 5-701**

<sup>3</sup> Bullying, harassment, and hazing, defined below, often involve some form of emotional misconduct.



- b. physical acts, or
- 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. WJ Crew 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.

### *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.

## **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);
- (d) providing illegal drugs or non-prescribed medications to any athlete;
- (e) encouraging or permitting an athlete to return to play pre-maturely 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 well-being 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 any coach (regardless of whether employed permanently, employed on a part-time basis, or serving as a volunteer coach) and an athlete.<sup>4</sup>**

### ***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.

### ***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.

**Non-touching offenses.** Behaviors that include:

- (a) A coach discussing his or her sex life with an athlete

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<sup>4</sup> 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.

- (b) a coach asking an athlete about his or her sex life
- (c) 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
  - a. is unwelcome, offensive or creates a hostile environment, and the offending individual knows or is told this
  - b. is sufficiently severe or intense to be harassing to a reasonable person in the context.

## **Bullying**

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

### *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) **Non-physical offenses.** Behaviors that include (a) making negative or disparaging comments about an athlete’s sexual orientation, gender expression, disability, religion, skin color, 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.<sup>5</sup>

### *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 volunteer knows of misconduct, but takes no action to intervene on behalf of the athlete(s), participant(s), staff member(s), and/or volunteer(s).

## **REPORTING**

Although these policies are designed to reduce child sexual abuse and other misconduct, it can still occur. Staff members, volunteers and participants of WJ Crew shall follow the reporting procedures set forth in WJ Crew's Reporting Policy. WJ Crew 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.<sup>6</sup>

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<sup>5</sup> Activities that fit the definition of hazing are considered to be hazing regardless of an athlete's willingness to cooperate or participate.

<sup>6</sup> Maryland law also establishes separate reporting requirements, including—

**Standards for Reporting**  
**Citation: Fam. Law § 5-704**

## 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. **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 to appropriate law enforcement authorities.** Instead, it is the responsibility of each staff member and volunteer to immediately report suspicions or allegations of child physical or sexual abuse to an immediate supervisor, or the Chair of WJ Crew's Board. Complaints and allegations will be addressed under WJ Crew's Disciplinary Rules and Procedure.

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A report is required when a person has reason to believe that a child has been subjected to abuse or neglect.

### **Persons Responsible for the Child**

**Citation: Fam. Law § 5-701**

Responsible persons include a parent or other person who provides temporary care, custody, or supervision of the child, including:

- A family member, including a relative to the child by blood, adoption, or marriage
- A household member, including a person who lives or is a regular presence in a home of a child at the time of the alleged abuse or neglect

**Section 4:**  
**Managing Training and Competition**



## **SUPERVISION OF ATHLETES AND PARTICIPANTS**

During training and competition, WJ Crew 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 gym or pool deck
- If an individual meeting is to take place in an office, the door should remain 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. When possible, two coaches should be present in a closed-door meeting.

#### *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 WJ Crew encourages parents and guardians to attend the training session.

### **PROHIBITED ONE-ON-ONE INTERACTIONS**

Every effort will be made to ensure that athletes will not be left unsupervised during WJ Crew activities. Except as set forth above, WJ Crew coaches, staff members and volunteers are prohibited from being alone with an individual athlete or participant in any room or building. WJ Crew recognizes that situation could arise where an athlete has a transportation issue that requires the coach to wait with the athlete until they can safely return home. In such a situation, WJ crew coaches, staff members and volunteers should make every effort to adhere to the WJ policies as outlined in this handbook, while ensuring an athlete is not left unsupervised. For example, confirming transportation issues with the entire squad, before a single rower is left at the boathouse.

## **PHYSICAL CONTACT WITH ATHLETES**

In almost all sports, coaching an athlete requires some amount and type of physical contact. Such contact may be with parts of the body that, in a non-sport context, may be inappropriate (e.g., positioning an athlete's leg or torso, or spotting an athlete to ensure they will not be injured by a fall). Physical contact is also natural and appropriate when celebrating victories and achievement or consoling athletes after a loss or injury.

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**

WJ Crew 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

### *Examples of Appropriate Physical Contact*

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 playing surface and “dusting them off” to encourage them to continue competition

### **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**

Violations of this policy must be reported as appropriate to a WJ Crew staff member or member of the WJ Crew Participant Safety 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.

## **WJ CREW ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY**

Effective communication concerning travel, training schedules and administrative issues among administrators, staff, coaches, athletes and their families is critical. However, the use of mobile devices, web-based applications, social media and other forms of electronic communications increases the possibility for improprieties and misunderstandings, and also provides would-be offenders with unsupervised access to an athlete. The improper use of mobile and electronic communications can result in misconduct and adherence to a policy for mobile and electronic communication reduces these risks.

As part of WJ Crew'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 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 athlete's parents or guardians.

### *FACEBOOK, MYSPACE, BLOGS AND SIMILAR SITES*

Coaches may not have athletes of WJ Crew's Team join a personal social media page. Athlete members and parents can friend the official WJ Crew's Team 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. All posts 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. Where the coach is a staff member and/or volunteer, email from a coach to any athlete should come from the club website email center (the coach's return email address will contain "@CLUB.com").

#### *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 club videos, posted on club or club associated websites, or offered to the club families seasonally on disc or other electronic form. It is the default policy of WJ Crew 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 the club. Imagery must not be contrary to any rules as outlined in WJ Crew's Participant Safety Handbook.

#### *REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS OR IMAGERY*

The parents or guardians of an athlete may request in writing that their child not be contacted by any form of electronic communication by coaches (photography or videography).

#### *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, administrators, officials, parents or athletes will not be tolerated and are considered violations of our Participant Safety Policy.

#### *VIOLATIONS*

Violations of WJ Crew's Electronic Communications and Social Media Policy should be reported to WJ Crew's coaching liaison, a WJ Crew board member or a member of WJ Crew's Participant Safety Committee for evaluation. Complaints and allegations will be addressed under WJ Crew's Disciplinary Rules and Procedure.

#### **LOCKER ROOMS AND CHANGING AREAS**

WJ Crew's team consists of both male and female athletes. Both female and male privacy rights must be given consideration and appropriate arrangements made.

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 in this environment than at many other times. Athlete-to-athlete problems, such as child sexual abuse and bullying, harassment, and hazing, often occur 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.

### *FACILITIES*

We practice at the Bladensburg Waterfront Park. This location has a very small changing area that is shared with the general public. As such, rowers are asked to arrive at practice dressed to row. WJ Crew instructs rowers that there are likely to be people who are not associated with WJ Crew in the changing area around the time of practice.

When we travel for competition the facilities may differ from location to location, In general, rowers are encouraged to arrive at the competition already prepared to row. Racing gear can be worn alone or under other clothing most of the time. Rowers should not anticipate that there will be convenient changing facilities at most venues.

### *MONITORING*

WJ Crew athletes are expected to arrive at practice dressed to row. As practice is frequently directly after school, rowers change into athletic wear at school. It is therefore not possible to for WJ crew to monitor changing areas. There are bathrooms at the boathouse where some athletes may change clothes occasionally. Coaches make every effort to recognize when an athlete goes to the changing area during practice and competition and, if they do not return in a timely fashion, will check on the athlete's whereabouts.

### *USE OF CELL PHONES AND OTHER MOBILE RECORDING DEVICES*

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 CHANGING AREAS.

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**

Athletes are most vulnerable to misconduct during travel, particularly overnight stays. This includes a high risk of athlete-to-athlete misconduct. During travel, athletes are often away from their families and support networks, and the setting – new changing areas, locker rooms, workout facilities, automobiles and hotel rooms – is less structured and less familiar.

Travel policies guide travel practices for training and competition. Adherence to travel policies helps to reduce the opportunities for misconduct. We distinguish between travel to training, practice and local competition (“local travel”), and team travel involving a coordinated overnight stay (“overnight team travel”).

### *Local Travel*

Local travel occurs when WJ Crew 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, WJ Crew staff members, coaches and volunteers, who are not also acting as a parent, should not drive alone with an unrelated athlete and should only drive with at least two other athletes or another adult at all times, unless otherwise agreed to in writing by the athlete’s parent or guardian in advance of travel. In any case where a staff member and volunteer is involved in the athlete’s local travel, a parental release is required in advance. Efforts must be made to ensure that staff and volunteers are not alone with an athlete or participant. Such efforts may include picking the athletes up in groups.

Staff members and volunteers who are also 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.

### *Overnight Team Travel*

Overnight team travel occurs when WJ Crew sponsors, coordinates or arranges for travel so that our teams can compete locally, regionally, nationally or internationally. When team members, coaches, and families make their own arrangements for travel, food, and lodging it is not considered *overnight team travel*. Travel to the Stotesbury Cup Regatta and the Head of the Charles Regatta are examples of overnight team travel. Situations where individual team members, coaches, and families independently

choose to stay overnight in Philadelphia for the Manny Flicks regattas are not considered overnight team travel.

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.

WJ Crew makes efforts to provide adequate supervision through coaches and other adult chaperones for overnight team travel. For overnight team travel, hotels and air travel will be booked in advance by WJ Crew. Athletes will share rooms, with 2-5 athletes assigned per room depending on accommodations. WJ Crew will also notify hotel management should any special arrangements be warranted.

#### *NOTIFICATION*

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

WJ Crew will post specific travel itineraries when they become available. These will include a more detailed, hour-by-hour itinerary as well as contact information for team travel chaperones.

#### *MIXED-GENDER AND MIXED-AGE TRAVEL*

WJ Crew teams consist of male and female athletes across various ages. Athletes will only share a room with other athletes of the same sex and most often from the same squad (novice versus varsity). Athletes will also be grouped by 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. However, we rely on parents to serve as chaperones and may be limited in providing this match.

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, or sibling of that particular athlete).

#### *COACH AND STAFF RESPONSIBILITIES*

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

If a coach or volunteer transports an athlete or other organization member in their private car for team travel, a copy of the coach's or volunteer's valid driver's license is required.



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

- a. prepare athletes for team travel and make athletes aware of all expectations.
- 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 or volunteering 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 WJ Crew's policy guidelines. While these include the travel policy, it also includes all other relevant policies contained in WJ Crew's Participant Safety Handbook.

Overnight travel chaperones will undergo WJ Crew's awareness training. The lead travel chaperone should undergo a criminal background check and awareness training. Once completed he or she may have appropriate one-on-one interactions as outlined in WJ Crew'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 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 WJ Crew administrator or a member of WJ Crew's Participant Safety Committee.

**Strategy 5:**  
**Responding to Abuse, Misconduct and Policy Violations**

## REPORTING POLICY

Every WJ Crew staff member and volunteer must report:

- (1) violations of the Participant Safety Handbook,
- (2) misconduct as defined in WJ Crew's Athlete Protection Policy, and
- (3) suspicions or allegations of child physical or sexual abuse.

As a matter of policy, WJ Crew 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*

#### *Child Physical or Sexual Abuse*

Staff members and volunteers at WJ Crew are required to report suspicions or allegations of child sexual abuse by a colleague or co-worker, to:

- (1) their immediate supervisor,
- (2) a WJ Crew administrator,
- (3) a member of WJ Crew's Participant Safety Committee and,
- (4) 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 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, a WJ Crew administrator or a member of the WJ Crew Participant Safety 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 WJ Crew supervisor or a member of WJ Crew's Participant Safety 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 volunteer to report their observations to:

- (1) their immediate supervisor,
- (2) a WJ Crew administrator or
- (3) a member of WJ Crew's Participant Safety Committee.

WJ Crew also encourages member parents, athletes and other sport participants to communicate violations of WJ Crew's Participant Safety Handbook and/or allegations and suspicions of child physical and sexual abuse to a WJ Crew administrator or member of WJ Crew's Participant Safety 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 supervisor or WJ Crew administrator with whom they are comfortable sharing their concerns. You may also report to any member of its Participant Safety Committee, which includes the following three designated Incident Review Officials (IROs):

- Mike Hicks, Safe sport coordinator [board@walterjohnsoncrew.org](mailto:board@walterjohnsoncrew.org)
- Andrew Lalley head coach, [coach@walterjohnsoncrew.org](mailto:coach@walterjohnsoncrew.org)
- Carlie Williams, Chair of Board, 301-312-0755 [chair@walterjohnsoncrew.org](mailto:chair@walterjohnsoncrew.org)

2 designated parent volunteers will be solicited to form the Incident Review Official Committee.

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*

WJ Crew 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 WJ Crew 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. WJ Crew will withhold the complainant's name on request, to the extent permitted by law.

Individuals reporting child physical or sexual abuse or other misconduct may complete an Incident Report Form. A copy of WJ Crew's Reporting Form can be found at Part 2, Sample Forms and Documents for a Sample Reporting Form

### *Confidentiality*

To the extent permitted by law, and as appropriate, WJ Crew 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*

WJ Crew 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 WJ Crew administrator or a member of WJ Crew's Participant Safety Committee
- through email, texts or notes left for a WJ Crew administrator or a member of WJ Crew's Participant Safety Committee.

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

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

### *"Whistleblower" Protection*

Regardless of outcome, WJ Crew will support the complainant(s) and his or her right to express concerns in good faith. WJ Crew 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**

WJ Crew, its staff members and 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, WJ Crew 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.<sup>7</sup>

### Immediate Suspension or Termination

When an allegation of child physical or sexual abuse is made against a staff member, youth and/or volunteer, WJ Crew 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, WJ Crew may suspend or change the assignment of a staff member and/or volunteer.

In those cases where the Ted Stevens Act may apply, the accused individual will be offered a hearing. A hearing under the Ted Stevens Act will not necessarily affect WJ Crew's ability to immediately suspend or terminate the accused individual from employment or performing services for organization.

A staff member or volunteer's failure to report to a supervisor, a WJ Crew administrator or member of the Participant Safety 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**

WJ Crew addresses internally other 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, WJ Crew administrator or member of WJ Crew's Participant Safety Committee.

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<sup>7</sup> For mandatory reporting laws, visit [www.childwelfare.gov](http://www.childwelfare.gov).

WJ Crew 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 WJ Crew's notice of a credible allegation that results in the removal of an employee, coach or other volunteer, WJ Crew may consider the circumstances in which it will notify other parents of athletes with whom the accused individual may have had contact. In WJ Crew's discretion, as appropriate, and after consultation with counsel, WJ Crew 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 WJ Crew 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**

While WJ Crew endeavors to provide support and guidance to participants on a day-to-day basis, it is also important for WJ Crew to have a formal procedure for disciplinary action to address alleged violations of its policies and other inappropriate behaviors, which is consistent with WJ Crew's Bylaws and Constitution.

### *APPLICATION*

This Disciplinary Rules and Procedure policy is used to address the following allegations against staff members, athletes, participants and/or volunteers:

- Violations of WJ Crew's policies; and/or
- Child abuse (emotional, physical or sexual) that does not involve an ongoing legal investigation or criminal prosecution.

WJ Crew will not investigate an allegation of child physical or sexual abuse if it undermines or interferes with a pending legal investigation or criminal prosecution.

### *DISCIPLINARY RULES*



WJ Crew recognizes that there are varying levels of misconduct. For example, physical and sexual misconduct are serious violations that may result in immediate dismissal. In contrast, a youth participant who tells a single sexually risqué joke constitutes less serious misconduct and depending on the circumstances, might be dealt with more appropriately through dialogue and a verbal warning. In all cases, WJ Crew's disciplinary procedures and actions will be proportionate, reasonable and applied fairly and equally.

#### *DISCIPLINARY PROCEDURE*

On receipt of an allegation, WJ Crew 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.

WJ Crew will address allegations against a staff member and/or volunteer under its Employment Policies and Procedures, Bylaws and Constitution.

WJ Crew's disciplinary response will depend on the nature and seriousness of the incident and in extreme cases, misconduct will result in immediate summary dismissal, provided that the accused individual shall be advised of their right to a hearing. If the accused individual is a minor, WJ Crew 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, WJ Crew may take the following disciplinary actions, without limitation:

- Inform the individual's direct-line supervisor or, in the case of a youth participant, the youth's parent or guardian
- Provide the individual with guidance, redirection and instruction
- Temporary suspension from practice and/or 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 or to youth)

- Provide informed supervision, where at least one staff member is informed of the allegation and is instructed to vigilantly supervise the accused participant or stakeholder 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 terminate 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), WJ Crew may immediately suspend or terminate the accused individual to ensure participant safety.

#### *COMPLAINANT PROTECTION*

Regardless of outcome, WJ Crew will support the complainant(s) and his or her right to express concerns in good faith. WJ Crew will not encourage or tolerate attempts to retaliate, punish or in any way harm any individual(s) who report(s) a concern in good faith. Such actions will be grounds for disciplinary action.

#### *BAD-FAITH ALLEGATIONS*

Any individual who alleges misconduct under the Participant Safety Handbook that, upon review, is determined to be malicious, frivolous or made in bad faith will be a violation of our Participant Safety Handbook. Bad-faith allegations may also be subject to criminal or civil proceedings.

#### *INVESTIGATION*

As appropriate, and at its discretion, WJ Crew may institute a formal investigation and hearing procedure to address serious allegations of misconduct (e.g., physical and sexual misconduct). However, WJ Crew 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, WJ Crew anticipates that this disciplinary procedure will be used rarely.

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*

In every case where a hearing is warranted pursuant to this Policy, an adjudication shall be conducted that shall in all cases comply with WJ Crew's Bylaws and Constitution. The adjudication shall further 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:

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

### *Preliminary Determination*

On receipt of a disclosure and/or additional information made pursuant to this Policy, if the Incident Review Official 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 Review Panel.

### *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 Review 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 Review 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 Review 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 Review Panel to consider. The Review 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. The Review Panel may also consider a local club's employment determination as evidence to be considered.

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 Review Panel.

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

Any sanctions imposed by the Review 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 Review Panel shall consider:

- a) The legitimate interest of WJ Crew 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
- d) Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct
- e) The effect on the WJ Crew's reputation
- f) Whether the individual poses an ongoing concern for the safety of WJ Crew's athletes and participants
- g) Any other information, which in the determination of the Review Panel, bears on the appropriate sanction

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

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 Review 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 Review Panel determines the accused individual did not violate the relevant policy, the Review Panel will publish a summary only at the individual's written request.

#### *APPEAL*

If the individual disagrees with the finding or sanction of the Review Panel and wishes to appeal, he or she may file an appeal with APPEAL BODY within XX days of WJ Crew's finding. On appeal, the APPEAL BODY will address the merits of WJ Crew's decision de novo, and not the process that was utilized. A decision rendered by the APPEAL BODY shall be final and binding on all parties.

## ***PART 2: SAMPLE FORMS and DOCUMENTS***

## APPLICATION FOR EMPLOYMENT

Work with counsel to ensure your job application complies with relevant law

Please answer each question fully and accurately. No action can be taken on this application unless it is complete. Use blank papers if you do not have enough room on this application. **PLEASE PRINT**, except for signature on back of this application. **PLEASE USE INK.**

Job Applied For: \_\_\_\_\_ Today's Date: \_\_\_\_/\_\_\_\_/\_\_\_\_\_

Are you seeking (circle): Full-time Part-time Temporary Summer

When are you available to work (circle): Days Evenings Nights Weekends On call

When are you available to start employment? \_\_\_\_/\_\_\_\_/\_\_\_\_\_

Salary requested: \$\_\_\_\_\_ per \_\_\_\_\_

### PERSONAL INFORMATION:

Name (Last, First, Middle) \_\_\_\_\_

Current Street Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone (\_\_\_\_\_) \_\_\_\_\_ Message Telephone (\_\_\_\_\_) \_\_\_\_\_

Social Security Number (Optional) \_\_\_\_\_

Are you at least 18 years of age (circle)? Yes No

E-mail address: \_\_\_\_\_

If hired, can you furnish proof you are eligible to work in the United States (circle)? Yes No

How did you learn of the position (circle)? Newspaper ad Walk-in Job Line Referral Other  
\_\_\_\_\_

**EMPLOYMENT HISTORY:** (Complete even if you have a resume to attach.)

Account for all periods of time including military service and any periods of unemployment. List your most current employment first. If self-employed provide company name and supply business references.

NOTE: Offered employment may be contingent upon acceptable references from current and former employers.

Time in Position	Name and complete address of employer (street, city, state, zip)	Name and Title Of Last Supervisor	Salary or Wage	Reason for Leaving

Your title: \_\_\_\_\_ Employer telephone (    ) \_\_\_\_\_

Key Duties: \_\_\_\_\_

Time in Position	Name and complete address of employer (street, city, state, zip)	Name and Title Of Last Supervisor	Salary or Wage	Reason for Leaving

Your title: \_\_\_\_\_ Employer telephone (    ) \_\_\_\_\_

Key Duties: \_\_\_\_\_



Time in Position	Name and complete address of employer (street, city, state, zip)	Name and Title Of Last Supervisor	Salary or Wage	Reason for Leaving

Your title: \_\_\_\_\_ Employer telephone (    ) \_\_\_\_\_

**EDUCATION:**

School	Name and Complete address of School (Street, City, State, Zip)	Course Of Study	Graduated Yes or No	Grade Completed	Diploma/ Degree
High School					
College					
College					
Other: (BS, Tech, Trade, Military)					

**SKILLS:**

If you are an experienced operator of any business machines or equipment, please list.

\_\_\_\_\_

If you are an experienced operator of any heavy-duty machines or equipment, please list.

\_\_\_\_\_

Do you transcribe dictation from a recording device (circle)? Yes No

Word Processing (specify equipment): \_\_\_\_\_

Data Entry (specify equipment): \_\_\_\_\_

What computer software do you know how to use? \_\_\_\_\_

What skills or additional training do you have that are related to the job for which you are applying?

\_\_\_\_\_

**GENERAL: YOU MUST ANSWER ALL QUESTIONS IN THIS SECTION.**

1. Have you ever been convicted under any criminal law; including any plea of "guilty", "no contest" or "deferred adjudication" (excluding minor traffic violations)? Yes  No

If yes, when, where, and what was the disposition? \_\_\_\_\_

2. Do you have charges or prosecutions that are pending? Yes  No

3. Have you ever been fired from a job, or asked to resign? Yes  No  If yes, please explain:

\_\_\_\_\_

4. Do you have any relatives currently employed by this organization? Yes  No

5. May we contact your present employer? Yes  No  If no, please explain:

\_\_\_\_\_

6. For driving jobs only: Do you have a valid driver's license? Yes  No

License No \_\_\_\_\_ Class \_\_\_\_\_ State \_\_\_\_\_ Expires: \_\_\_\_\_

7. Professional License: National  State  Both

License (specify) \_\_\_\_\_ License No: \_\_\_\_\_ By \_\_\_\_\_ Expires \_\_\_\_\_

**REFERENCES:**

*Give three references, business or faculty, who are familiar with your qualifications*

NAME	COMPLETE ADDRESS (Street, City, State, Zip)	PHONE	OCCUPATION

*AFFIDAVIT, CONSENT AND RELEASE*  
**PLEASE READ EACH STATEMENT CAREFULLY BEFORE SIGNING**

I certify that all information provided in this employment application is true and complete. I understand that any false information or omission may disqualify me from further consideration for employment and may result in my dismissal if discovered at a later date.

I authorize the investigation of any or all statements contained in this application. I also authorize, whether listed or not, any person, school, current employer, past employers and organizations to provide relevant information and opinions that may be useful in making a hiring decision. I release such persons and organizations from any legal liability in making such statements. A copy of this Affidavit signed by me can be used as my authorization for release of information from my former employers, schools or persons named in this application.

I understand I may be required to successfully pass a drug screening examination. I hereby consent to a pre- and/or post-employment drug screen as a condition of employment, if required.

**I UNDERSTAND THAT THIS APPLICATION, VERBAL STATEMENTS BY MANAGEMENT, OR SUBSEQUENT EMPLOYMENT DOES NOT CREATE AN EXPRESSED OR IMPLIED CONTRACT OF EMPLOYMENT NOR GUARANTEE EMPLOYMENT FOR ANY DEFINITE PERIOD OF TIME. IF EMPLOYED, I UNDERSTAND THAT I HAVE BEEN HIRED AT THE WILL OF THE EMPLOYER AND MY EMPLOYMENT MAY BE TERMINATED AT ANY TIME, WITH OR WITHOUT REASON AND WITH OR WITHOUT NOTICE.**

I have read, understand and, by my signature, consent to these statements.

Signature \_\_\_\_\_ Date \_\_\_\_\_

***For WJ Crew Board use only:***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## REFERENCE FORM

<b>Candidate Name:</b>	
<b>Position:</b>	
<b>Date:</b>	
<b>Reference Name:</b>	
<b>Reference Position/Organization:</b>	

Recommended Questions	Questions to Avoid with References
When did (candidate) work for your company?	Any question that relates to race or ethnicity.
Could you confirm starting and ending employment dates? When did s/he leave the company?	Any question that tends to identify the candidate's age if it is not a job requirement. (ex: do you know when the candidate graduate from high school?)
Were you asked to be a reference by (candidate)?	Any question attempting to identify the candidate's nationality, lineage, ancestry, national origin.
What was her/his position? Can you describe the job responsibilities?	Any question related to the candidate's children, child care, ages of the candidate's children, or other subjects that are likely to be perceived by covered group members, especially women, as discriminatory.
Did (candidate) supervise other employees? How effectively? If I spoke to those employees, how do you think they would describe (candidate's) management style? How would you describe her/his supervisory/management skills?	Are there any health-related reasons why (candidate) may not be able to perform on the job?
How did (candidate) handle conflict? How about pressure? Stress?	Does (candidate) have any physical or mental defects which preclude them from

	performing certain kinds of work?
Did you act as (candidate's) supervisor? If (candidate) did not report to you, what was your working relationship? Did you evaluate (candidate's) performance? What was noted as needing improvement during this performance review? What do you consider (candidate's) key strengths?	Has (candidate) been hospitalized in the last five years?
How would you describe (candidate's) punctuality?	Has (candidate) recently had a major illness?
Could you rate (candidate's) reliability on a scale of 1-10, 10 being the best?	How many days was (candidate) absent from work because of illness last year?
What was his/her biggest accomplishment while working at your company?	Has (candidate) ever filed for workers' compensation insurance?
How would you describe (candidate's) ability to work as part of a team?	Any inquiry that is not job-related or necessary for determining and applicant's potential for employment.
(Candidate) is being considered for the following position; do you think he/she is a good fit? Why?	Is (candidate) a citizen of the U.S.?
What haven't we discussed that you feel is vital for me to know about (candidate)?	Has (candidate) ever worked for your company under a different name?
Would you re-hire this person? Why or why not?	

## REFERENCE INFORMATION

Candidate name: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

Reference Name: \_\_\_\_\_

Position/Organization: \_\_\_\_\_

1. In what capacity do you know the candidate?  
\_\_\_\_\_
2. How long have you known him/her? \_\_\_\_\_
3. What are his/her strengths?  
\_\_\_\_\_
4. In which areas could he/she improve?  
\_\_\_\_\_
5. What would be the ideal role for him/her?  
\_\_\_\_\_
6. Please describe candidate's interaction in a team setting.  
\_\_\_\_\_
7. Would you rehire him/her? \_\_\_\_\_
8. Is there any other information you feel would be helpful for us to know about him/her?  
\_\_\_\_\_





## **REPORTING FORM**

*Source: USA Swimming*

WJ Crew strongly encourages the reporting of misconduct. WJ Crew appreciates your willingness to report inappropriate behavior.

**This section is about the individual you are reporting. Please provide as much information as possible.**

1. Name of Individual you are reporting (First & Last):

Comments:

2. Age or Approximate Age:

3. Gender

Male  Female

4. Address (City, State required):

5. Position(s) this individual holds or held:

- Head Coach
- Assistant Coach
- Club Employee
- Volunteer
- Official
- Other / Not sure

6. Club where individual works and/or volunteers or worked/volunteered previously:

Comments:

**This section asks questions about the incident or incidents you are reporting. Please provide as much specific information as you are able.**

7. Type of Offense (i.e. what happened?)

8. Where did the incident or incidents take place? (City, State and any other available location information)

Comments:

  


9. Please Describe what happened: (Including... Who, What, When, Where)

Comments:

  


**This section is for information about the victim or victims. If you are the victim and wish to remain anonymous, you may do so. In that case, please enter only your age, city, state, and Club affiliation.**

10. Name:

Comments:

11. Age (or approximate age):

Comments:

12. Club affiliation (if any):

Comments:

  


13. Contact phone number (Note, if this person is under 18, please provide contact information for his/her parent or guardian):

14. Contact Email address (if this individual is under 18, please provide contact information for parent or guardian):

15. Gender

Male

Female

**Your Information: You may remain anonymous if you wish. However, providing your information is vastly helpful to a swift and effective investigation. A person reporting alleged misconduct should not fear any retribution and/or consequence when filing a report he or she believes to be true.**

16. Name:

17. Phone Number:

18. Email Address:

19. Club Affiliation (if any):

20. Relationship to victim (if any):

Self

Parent/Guardian

Other family member

Friend or acquaintance

Club member, coach or volunteer

Other or prefer not to say

### Other Information

21. If you have any other information that you feel would be helpful to an investigation of the alleged offense you have reported, please enter it here:

## INCIDENT REPORT FORM

<b>Incident:</b>	
<b>Reported By:</b>	
<b>Date:</b>	
<b>Individuals (s) Involved:</b>	

<b>Investigated By:</b>	
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<b>Location of Incident:</b>	
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<b>Summary of Complaint:</b>	
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## INCIDENT REPORT FORM

<b>Statements Provided By:</b>	
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<b>Conclusion:</b>	
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<b>Recommendation:</b>	
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**ACTION TAKEN:**

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