



## 22-23 USA Volleyball Acknowledgement of SafeSport and MAAPP

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I acknowledge that I have read, understand, and agree to abide by the U.S. Center for SafeSport Code and Minor Athlete Abuse Prevention Policies (MAAPP).

### SafeSport and MAAPP Frequently Reported Violations and Questions

*The following content represents some of the highlights from both the U.S. Center for SafeSport Code (Code) and the Minor Athlete Abuse Prevention Policies (MAAPP). The undersigned acknowledges having read the Code and MAAPP in their entirety and understands how both are applicable. The Code and MAAPP may be accessed by clicking the links provided.*

#### Consent

Consent is (a) informed (knowing), (b) voluntary (freely given), and (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Once given, Consent can be withdrawn through clear words or actions.

Consent cannot be obtained:

- (a) by force,
- (b) by taking advantage of the Incapacitation of another, when the person initiating sexual activity knew or reasonably should have known that the other was Incapacitated,
- (c) from someone who lacks legal capacity,
- (d) when a Power Imbalance exists.

#### 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.

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, when an Intimate Relationship existed before the sport including the period(s) of any sanctions imposed. (e.g., a relationship between two spouses or life partners that preceded the sport relationship).

#### Prohibited Conduct

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 standards promulgated by the U.S. Center for SafeSport, an NGB, an LAO, or the USOPC that are analogous to Prohibited Conduct and 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 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. Violation of Minor Athlete Abuse Prevention Policies / Proactive Policies.

### **Emotional and Physical Misconduct**

It is a Code violation for a Participant to engage in emotional 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.

- Emotional Misconduct Emotional Misconduct includes

- (a) Verbal Acts,
- (b) Physical Acts,
- (c) Acts that Deny Attention or Support,
- (d) Criminal Conduct, 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 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 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 or conduct reasonably accepted as part of Participant's participation.

## **Bullying**

Bullying Behavior Repeated 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 or Harassment.

Examples of bullying behavior may include, without limitation, repeated or severe:

- a. Physical Hitting, pushing, punching, beating, biting, striking, kicking, strangling, slapping, spitting at, 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 that is sexual in nature or 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 or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

## **Reporting Misconduct**

An Adult Participant who fails to report actual or suspected Sexual Misconduct or Child Abuse to the Center and, when appropriate, to law enforcement may be subject to disciplinary action under the Center's resolution procedures and may also be subject to federal or state penalties.

- a. The obligation to report is broader than reporting a pending charge or criminal arrest of a 16 Participant; it requires reporting to the Center any conduct which, if true, would constitute Sexual Misconduct or Child Abuse. The obligation to report to the Center is an ongoing one and is not satisfied simply by making an initial report. The obligation includes reporting, on a timely basis, all information of which an Adult Participant becomes aware, including the names of witnesses, third-party reporters, and Claimants.
- b. The obligation to report includes personally identifying information of a potential Claimant to the extent known at the time of the report, as well as a duty to reasonably supplement the report as to identifying information learned at a later time.
- c. Participants should not investigate or attempt to evaluate the credibility or validity of allegations involving Sexual Misconduct or Child Abuse. Participants making a good faith report are not required to prove the reports are true before reporting.

## **Electronic Communication**

Open and Transparent

All one-on-one electronic communications between an Adult Participant and a Minor Athlete must be Open and Transparent except:

When a Dual Relationship exists; or

When the Close-in-Age Exception applies; or

If a Minor Athlete needs a Personal Care Assistant and:

the Minor Athlete's parent/guardian has provided written consent to USA Volleyball, the Region or Club for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and

the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and

The Adult Participant Personal Care Assistant has complied with USA Volleyball's screening policy.

Open and Transparent means that the Adult Participant copies or includes the Minor Athlete's parent/guardian, another adult family member of the Minor Athlete, or another Adult Participant.

If a Minor Athlete communicates with the Adult Participant first, the Adult Participant must follow this policy if the Adult Participant responds.

Only platforms that allow for Open and Transparent communication may be used to communicate with Minor Athletes.

#### Team Communication

When an Adult Participant communicates electronically to the entire team or any number of Minor Athletes on the team, the Adult Participant must copy or include another Adult Participant or the Minor Athletes' parents/guardians.

#### Content

All electronic communication originating from an Adult Participant(s) to a Minor Athlete(s) must be professional in nature unless an exception in (1)(a) exists.

#### Requests to discontinue

Parents/guardians may request in writing that USA Volleyball or an Adult Participant subject to this policy not contact their Minor Athlete through any form of electronic communication. USA Volleyball and the Adult Participant must abide by any request to discontinue, absent emergency circumstances.

#### 5. Hours

Electronic communications must be sent only between the hours of 8:00 a.m. and 8:00 p.m. local time for the location of the Minor Athlete.

#### 6. Social Media Connections

Adult Participants, except those with a Dual Relationship or who meet the Close-in-Age Exception, are not permitted to maintain private social media connections with Minor Athletes and must discontinue existing social media connections with Minor Athletes.

✓ I acknowledge that I have read, understand, and agree to abide by the statements in this Acknowledgement of SafeSport and MAAPP waiver.

Digitally signed on Aug 11, 2022 at 11:26 AM MDT