

# Lake Quinsigamond Community Rowing



## SAFESPORT POLICY HANDBOOK

AUGUST 2021

## **LQCR SafeSport Policies and Procedures**

As a member of the USRowing Association, LQCR abides by a SafeSport policy in effort to prevent bullying, harassment, hazing, emotional misconduct, physical misconduct and sexual misconduct within the organization. While the primary focus of SafeSport is to safeguard children, these policies extend to all age groups, and as a masters organization, LQCR, consistent with requirements of USRowing, has implemented an athlete safety program. For more information about SafeSport, go to <http://www.usrowing.org/safesport/>.

In accordance with USRowing, Lake Quinsigamond Community Rowing (LQCR) has adopted the following SafeSport policies to serve as a guide for LQCR sponsored activities, particularly with relevance to the six primary types of misconduct, including bullying, harassment, hazing, emotional misconduct, physical misconduct, and sexual misconduct. All forms of misconduct are intolerable and in direct conflict with the USRowing ideals and those of LQCR. We are committed to ensuring the safety of our participants, coaches, and volunteers. We maintain that all interactions within the organization shall be of the highest standards and free of misconduct.

### **TRAINING AND EDUCATION**

Accordingly, coaches complete an awareness training concerning misconduct in sport as a condition of involvement with LQCR.

Our policies and procedures require coaches and volunteers to report abuse, misconduct and violations of our Safety and Operations Handbook.

LQCR Staff must successfully complete the SafeSport Training Program and the subsequent test. A SafeSport Refresher Training must be completed annually thereafter. Compliance with SafeSport Training, Refresher Courses, and Background checks are monitored by Executive Director or designee and are reviewed annually. All rowers are encouraged, though not required, to complete the SafeSport Training Program.

### **APPLICANT SCREENING and BACKGROUND CHECK POLICY**

Coaches must consent to, and pass, a formal applicant screening process as a condition of involvement with LQCR.

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

### **EDUCATION ABOUT LQCR'S PROTECTION POLICIES**

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

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

## WRITTEN APPLICATIONS

Each applicant for a coach 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 board members will interview applicants whose experience and credentials are considered a fit for available positions. During this interview, LQCR 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 and adult 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 LQCR 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).

## BACKGROUND CHECKS

All coaches will be asked to undergo an CORI and SORI Background Check. Through this background check, LQCR will utilize reasonable efforts to ascertain past criminal history of an applicant. The information revealed by the background check may disqualify an applicant from serving as a coach or volunteer.

## ATHLETE PROTECTION POLICY

In the event that any board member, coach, or volunteer observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or misconduct, it is the personal responsibility of each to immediately report his or her observations to the Executive Director or Operations Manager.

LQCR is committed to creating a physically, emotionally, and socially safe and positive environment for athletes and to promote an environment free of misconduct.

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

### Application

This Policy applies to coaches, participants, and volunteers.

Coaches, participants, and volunteers shall refrain from all forms of misconduct, which include:

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

## PROHIBITED CONDUCT

### Emotional Misconduct

(1) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete. Non-contact behaviors include:

- a. verbal acts
- b. physical acts
- c. acts that deny attention or support

(2) Any act or conduct described as emotional abuse or misconduct under federal or state law.

### *Exception*

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

### *Examples*

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

(1) Verbal Acts. A pattern of verbal behaviors that (a) attack an athlete personally or (b) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.

(2) Physical Acts. A pattern of physically aggressive behaviors, such as (a) throwing sport equipment, water bottles or chairs at, or in the presence of, participants; or (b) punching walls, windows or other objects.

(3) Acts that Deny Attention and Support. A pattern of (a) ignoring an athlete for extended periods of time or (b) routinely or arbitrarily excluding participants from practice.

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

#### Physical Misconduct

(1) Contact or non-contact conduct that results in, or reasonably threatens 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.

#### Sexual Misconduct

(1) Any touching or non-touching sexual interaction that is (a) nonconsensual or forced, (b) coerced or manipulated, or (c) perpetrated in an aggressive, harassing, exploitative or threatening manner;

(2) Any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative; or

(3) Any act or conduct described as sexual abuse or misconduct under federal or state law (e.g. sexual abuse, sexual exploitation, rape)

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

#### *Types of Sexual Misconduct*

Types of sexual misconduct include:

(1) sexual assault,

(2) sexual harassment, 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.

(3) sexual abuse, or

(4) any other sexual intimacies that exploit an athlete.

#### *Exceptions*

None

#### *Comment*

(1) 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.

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

*Exception.* This section does not apply to a pre-existing relationship between two spouses or life partners.

### 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 a(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*

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 or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression or mental or physical disability; or

(2) Any act or conduct described as harassment under federal or state law

#### *Exceptions*

None

### 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.

*Comment:* Activities that fit the definition of hazing are considered to be hazing regardless of an athlete's willingness to cooperate or participate.

### **WILLFULLY TOLERATING MISCONDUCT**

It is a violation of this Athlete Protection Policy if an individual knows of misconduct, but takes no action to intervene.

### **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.

### **REPORTING POLICY**

#### Reporting Misconduct and Policy Violations

If any coach, participant, or volunteer receives an allegation or observes misconduct or other inappropriate behavior that is not reportable to the appropriate law enforcement authorities, it is the responsibility of each person to report their observations to:

- (1) Executive Director, Casey Duva, [c.duva@regattapoint.org](mailto:c.duva@regattapoint.org)
- (2) Operations Manager, Lucas Markgren, [l.markgren@regattapoint.org](mailto:l.markgren@regattapoint.org)

#### How to Report

LQCR 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 LQCR for individuals to provide, at a minimum, (1) the name of the complainant(s); (2) the type of misconduct alleged and the name(s) of the individual(s) alleged to have committed the misconduct.

#### Reporting Form

Individuals reporting misconduct may complete an Incident Report Form. Information on this form will include:

- 1) the name(s) of the complainant(s)
- 2) the type of misconduct alleged
- 3) the name(s) of the individual(s) alleged to have committed the misconduct

- 4) the approximate dates the misconduct was committed
- 5) the names of other individuals who might have information regarding the alleged misconduct
- 6) a summary statement of the reasons to believe that misconduct has occurred

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

A copy of LQCR'S Reporting Form can be found at the end of this document.

## CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS

### Confidentiality

To the extent permitted by law, and as appropriate, LQCR will keep confidential the complainant's name on request, not make public the names of potential victims of misconduct.

### Anonymous Reporting

LQCR recognizes it can be difficult to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. Anonymous reports may be made without the formality of completing an Incident Report Form:

- by completing the Reporting Form without including their name
- by expressing concerns verbally to a LQCR Staff Member or a member of LQCR's Board of Directors
- through email, texts or notes left for a LQCR Staff Member or a member of LQCR's Board of Directors.

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

### "Whistleblower" Protection

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

## MISCONDUCT AND POLICY VIOLATIONS



LQCR Management address internally alleged policy violations and misconduct – bullying, harassment, hazing, emotional, physical and sexual – that are not reportable under relevant state or federal law.

## NOTIFICATION

Following LQCR’s notice of a credible allegation that results in the removal of a coach, participant, or other volunteer, LQCR may consider the circumstances in which it will notify other participants with whom the accused individual may have had contact. At LQCR’s discretion, as appropriate, and after consultation with counsel, LQCR may notify its coaches, participants, or other volunteers, of criminal behavior that (1) law enforcement authorities are actively investigating; or (2) that LQCR is investigating internally. Advising others of an allegation may lead to additional reports of other misconduct.

## DISCIPLINARY RULES AND PROCEDURES POLICY

While LQCR endeavors to provide support and guidance to participants on a day-to-day basis, it is also important for LQCR to have a formal procedure for disciplinary action to address alleged violations of its policies and other inappropriate behaviors.

LQCR 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, less serious misconduct might be dealt with more appropriately through dialogue and a verbal warning. In all cases, LQCR’s disciplinary procedures and actions will be proportionate, reasonable and applied fairly and equally.

On receipt of an allegation, LQCR Governance and Safety Committee, Board VP, and Board Secretary will determine in its discretion the appropriate steps to address the conduct based on the nature, scope, and extent of the allegations. LQCR’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.

## DISCIPLINARY ACTION

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

- (1) Provide the individual with guidance, redirection and instruction
- (2) Temporary suspension from duties or participation
- (3) Issue a verbal warning
- (4) Issue a written and/or final written warning
- (5) Implement a limited access agreement (e.g., limiting an individual’s access to certain functions)
- (6) Engage in restorative practices, i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred
- (7) Suspend or terminate involvement with the organization

## APPEAL

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

## COMPLIANCE MONITORING

By monitoring the interactions among coaches, volunteers, participants, and others, LQCR works to prevent, recognize and respond to inappropriate and harmful behaviors as set forth in our Operations and Safety Handbook, while reinforcing appropriate behaviors.

## MONITORING COMPLIANCE WITH POLICIES AND PROCEDURES

LQCR monitors for compliance with its policies and procedures utilizing multiple methods to observe how individuals are interacting, including without limitation, formal supervision, including regular evaluations; and informal supervision, including regular and random observation.

## RESPONDING TO INTERACTIONS

While LQCR has a formal reporting policy, coaches, volunteers, and participants should be prepared to respond immediately to inappropriate or harmful behavior, potential risk situations and potential boundary violations, redirecting inappropriate behaviors to promote positive behaviors, confront inappropriate or harmful behaviors, and report behaviors if necessary.

# LQCR Reporting Form

Lake Quinsigamond Community Rowing strongly encourages the reporting of misconduct. LQCR 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):
2. Age or Approximate Age:
3. Gender
  
4. Address (if known):
  
5. Position(s) this individual holds or held:
  - Head Coach
  - Assistant Coach
  - Volunteer
  - Official
  - Other / Not sure
  
6. Rowing Organization where individual works and/or volunteers or worked/volunteered previously:

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

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 rowing organization affiliation.

10. Name:
11. Age (or approximate age):
12. Organization (if any):
13. Contact phone number:
14. Contact Email address:
15. Gender

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. Organization (if any):
20. Relationship to victim (if any):
  - ┆ Self
  - ┆ Other family member
  - ┆ Friend or acquaintance
  - ┆ Participant, 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: