

United States Badminton
SafeSport Policy
Table of Contents

Introduction – Page 2

Who is Covered by this Policy? – Page 2

What is Misconduct? / Minor Athlete Abuse Prevention Policy – Pages 2-3

SafeSport – Page 3

SafeSport Training Pool – Pages 4

SafeSport Background Check Pool – Page 4-5

Reporting of Potential Abuse or Misconduct – Pages 5-6

Additional Reporting Information – Page 6 - 7

Interim Measures – Pages 7

Appeals – Page 8

INTRODUCTION

Badminton can be a life-long sporting activity. Playing badminton is fun. It helps us to lead a healthy lifestyle and help build self-confidence.

The safety of badminton participants is of paramount importance to USA Badminton (USAB). This includes not only on-court safety, but also off-court safety in any part of USAB's programs. Unfortunately, sports can also be a high-risk environment for misconduct, including sexual, physical, and emotional abuse. USAB is committed to protect its participants from this kind of abuse and other types of misconduct such as bullying, harassment, and hazing that can be harmful to all its members, especially its youth players.

This SafeSport Policy includes the various policies that apply to all USAB sanctioned programs. USAB members should use the guidelines, best practices, strategies and tools included in this Handbook to implement SafeSport practices at the local level. Together, we can create a safe environment for all members to enjoy badminton. By combining all of these elements into a comprehensive SafeSport program, USAB intends to create the safest possible environment for participation in the sport of badminton.

USA Badminton reserves the right to amend this Policy from time to time as necessary.

Nothing contained in this Policy is intended to supercede, replace, or otherwise abrogate the USA Badminton Bylaws, the Ted Stevens Olympic and Amateur Sports Act, or the U.S. Center for SafeSport Code for the U.S. Olympic and Paralympic Movements.

WHO IS COVERED BY THIS POLICY?

This Policy is applicable to the following individuals (collectively, "Covered Individuals"):

- Staff, board members and interns;
- Members;
- Athletes;
- Club owners, directors and administrators;
- Tournament directors;
- Referees, umpires line judges;
- Coaches and team managers; and
- All other individuals, athletes or non-athletes, USA Badminton formally authorizes, approves or appoints (i) to a position of authority over, or (ii) to have frequent contact with athletes, including but not limited to, athlete chaperones.

WHAT IS MISCONDUCT?

Sport offers individuals the chance to experience the joys of competition, teamwork and personal development. Every member of the badminton community has a role in creating conditions that protect the physical and emotional well-being of its athletes. What makes this challenge so complex is the human element in sport – the bonds that exist between coaches and athletes and among teammates. These can sometimes cause confusion about which actions cross the line. That is why recognizing and addressing misconduct in sport requires a team/community effort. A critical step in addressing misconduct is being able to recognize the specific actions that qualify as misconduct. Covered Individuals shall refrain from all misconduct, including the six primary types of misconduct:

- Criminal Charges or Dispositions
- Child Abuse
- Bullying Behavior
- Emotional and Physical Misconduct, including Stalking, Bullying, Hazing and Harassment
- Aiding and Abetting
- Misconduct Related to Reporting
- Misconduct Related to the U.S. Center for SafeSport’s Process
- Sexual Misconduct
- Other Inappropriate Conduct
- Violation of Minor Athlete Abuse Prevention Policies / Proactive Policies

Definitions of the foregoing, examples and exceptions may be found in the U.S. Center for SafeSport Code <https://uscenterforsafesport.org/response-and-resolution/safesport-code/>.

All forms of misconduct are intolerable and in direct conflict with the USAB and Olympic Ideals.

Additionally, to the extent a Covered Individual has regular contact with amateur athletes who are minors, they must abide by USAB’s Minor Athlete Abuse Prevention Policy located [HERE](#).

SAFESPORT

USAB, together with the United States Olympic and Paralympic Committee (USOPC), and the U.S. Center for SafeSport are committed to creating a healthy, supportive and safe environment for its community. SafeSport policies and procedures are designed to help members of the sport community recognize, respond, and to reduce misconduct in sport through education, resources, and training.

USAB and its Covered Individuals are subject to the U.S. Center for SafeSport (Center) Code <https://uscenterforsafesport.org/response-and-resolution/safesport-code/>, as may be amended from time to time, for the investigation and resolution of safe sport violations. More information on the Center can be found at <https://uscenterforsafesport.org/>.

The Center has the exclusive authority to investigate and resolve alleged Covered Individual conduct involving sexual misconduct. The Center also has discretionary jurisdiction to investigate and resolve allegations of other forms of abuse and any prohibited conduct under the Center’s Code. If the Center does not have exclusive jurisdiction or take discretionary jurisdiction over a matter, it will fall within USAB’s jurisdiction to address (e.g., employee/volunteer matters will be handled pursuant to employee policies and procedures, and issues falling under the Ted Stevens Olympic and Amateur Sports Act (the “TSOASA”) will be handled pursuant to the Hearing Procedures in the USAB Bylaws, Section 15).

In an attempt to encourage reporting, a report initiated as set forth in this Policy will be considered to be filed properly (i.e., such a filing does not have to follow the filing requirements of USAB Bylaw, Section 15.3 and 15.4).

SAFESPORT TRAINING POOL (SSTP)

To ensure the safety of its community, USAB requires safe sport training for the following individuals: (a) all USAB staff, (b) individuals USAB formally authorizes, approves or appoints to (i) a position of authority over, and (ii) to have frequent contact with athletes (including, all athlete chaperones), and (c) any non-athlete individual that USAB authorizes to train, stay or work at an Olympic Training Center (collectively, the “SafeSport Training Pool” or “SSTP”).

The USAB also encourages athletes in the US Anti-Doping Registered Testing Pool (RTP) as well as all other athletes and anyone else involved in this sport to take the training. If you are under the age of 18, parental consent is required in order to take the training.

New members of the SSTP are required to complete SafeSport Training prior to initial contact with athletes, and in any event within forty-five (45) days of the commencement of the new role. Notwithstanding the foregoing, to the extent a Covered Individual has regular contact with amateur athletes who are minors, they must abide by the policies and additional training requirements and timelines set forth in USAB’s Minor Athlete Abuse Prevention Policy located [HERE](#).

USAB will track all SSTP training and perform periodic checks to ensure compliance with this Policy.

Additionally, to the extent an individual in the SSTP has regular contact with amateur athletes who are minors, they must abide by the policy and training requirements set forth in USAB’s Minor Athlete Abuse Prevention Policy located [HERE](#).

If you have a question as to whether or not it is required of you, please contact Zuleima Martinez at zmartinez@usabadminton.org.

ADDITIONAL REQUIREMENT FOR MINOR ATHLETES WHO REACH THE AGE OF MAJORITY AND THEN OBTAIN A POSITION OF AUTHORITY: Minor Athletes who reach the age of majority and then obtain a position of authority that presents a power imbalance, such as becoming a coach or official, must also abide by the policy and training requirements policies set forth in the USAB’s Minor Athlete Abuse Prevention Policy regardless of the age of the minor athletes with whom they will interact.

SAFESPORT BACKGROUND CHECK POOL (SSBCP)

USAB shall conduct a screening background check at least every two years for those individuals it formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes (including, all athlete chaperones), (c) any non-athlete individual that USAB authorizes to train, stay, or work at an Olympic Training Center, and (d) other individuals who have regular contact with athletes as determined by USAB in its sole discretion and/or as required by USOC (collectively, the “SafeSport Background Screening Pool” or “SSBCP”). For purposes of clarification, USAB is considered to formally authorize, approve or appoint an individual in instances where USAB has control over the appointment process.

In USAB’s discretion on a case by case basis USAB may bypass this background check requirement for those

people in the SSBCP who are under 18 years of age.

If you have a question as to whether or not the background check policy applies to you, please contact Zuleima Martinez at zmartinez@usabadminton.org.

As to members of the SSBCP newly taking a role, USAB requires background screening prior to contact with athletes begins, and in any event within forty-five (45) days of the commencement of the new role.

USAB will track all SSBCP background screening and perform periodic checks to ensure compliance with this Policy.

Full Disclosure

Each member of the SSBCP has the affirmative duty to disclose his or her criminal history and prior arrests that resulted in non-convictions. Failing to disclose or intentionally misrepresenting an arrest, plea or conviction history during the screening process is a violation of this Policy, regardless of when the offense is discovered.

- If a member of the SSBCP (1) is arrested, (2) pleads or (3) is convicted of a crime other than a traffic offense during the screening process, such person is required to disclose such information immediately.
- In the event a member of the SSBCP (1) is arrested, (2) pleads 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 USAB CEO.
- **Any member of the SSBCP who has been banned by another sport organization, as temporarily or permanently ineligible, must self-disclose this information. A failure to disclose is a violation of this Policy and ground for disciplinary action.**

Affirmative Duty to Disclose

If, during the course of employment or participation in a USAB's program, a Covered Individual is accused, arrested, indicted or convicted of a criminal offense against a child, it is the duty and responsibility of the Covered Individual to report this information to the USAB CEO.

REPORTING OF POTENTIAL ABUSE OR MISCONDUCT

USA Badminton aspires to implement an effective reporting policy that results in reports of suspected abuse and misconduct. By providing this guidance on when and how to report suspected misconduct, USA Badminton seeks to remove barriers to disclosing misconduct, including child physical and sexual abuse.

Every Covered Individual **must** report reasonable suspicions or allegations of: (1) violations of this Policy (2) violations of the Minor Abuse Prevention Policies and (3) any child physical or sexual abuse to either the Center or the USAB as set forth below.

USAB also encourages member parents, athletes and other sport participants to communicate any allegations and suspicions of misconduct.

All cases of suspected emotional, physical or sexual abuse of a minor (under the age of 18) must be reported to law enforcement immediately. Filing a report with the Center and/or USAB does not satisfy this obligation.

Please report all issues falling within the Center’s authority (see, Section titled SafeSport above) to the Center. And if possible, please copy USAB, so that USAB may implement any necessary interim measures.

TO REPORT TO THE U.S. CENTER FOR SAFESPORT - <https://uscenterforsafesport.org/report-a-concern/>

Please report all issues falling outside of the Center’s authority to USAB.

TO REPORT TO USAB – click [here](#)

In the event you file with USAB and the issue is not within its jurisdiction, USAB will forward the report falling under the Center’s jurisdiction to the Center. USAB will address all other matters.

REPORTING TO EITHER THE CENTER OR USAB MAY BE MADE ANONYMOUSLY. **However, anonymous reporting will make it difficult for USA Badminton to investigate or properly address allegations. Thus, USAB strongly encourages those making a report to provide their name and contact information.**

THERE ARE NO FILING FEES ASSOCIATED WITH INITIATING A REPORT.

All suspicions/allegations of child physical or sexual abuse will be reported to the appropriate law enforcement authorities. As a matter of policy, USAB does not investigate suspicions/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.

In some cases a person may be hesitant about reporting suspected abuse because they are unsure about the credibility of the person making the allegation, are unsure about the credibility or validity of the facts on which the allegations are based, or are concerned about the potential consequences of a false report. It is critical that one should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for or prior to reporting such concerns.

ADDITIONAL REPORTING INFORMATION

To Whom to Report

Suspicious or allegations of child physical or sexual abuse may, and in many cases must, be made to the appropriate law enforcement authorities.

To read more about mandatory reporting and state reporting laws, visit:

http://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm

For state toll-free child abuse reporting numbers, visit:

http://www.childwelfare.gov/pubs/reslist/rl_dsp.cfm?rs_id=5&rate_chno=W-00082

To search the definitions of child abuse by state, visit:

http://www.childwelfare.gov/systemwide/laws_policies/state/

In order to further protect USAB programs and athletes, and if possible, please copy USAB, so that USAB may implement any necessary interim measures.

Confidentiality

To the extent permitted by law, and as appropriate, USAB will, on request, keep confidential the complainant's name. In addition, to the extent permitted by law, and as appropriate USAB will 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.

"Whistleblower" Protection

Regardless of outcome, it is the policy of USAB to support the complainant(s) and his or her right to express concerns in good faith. USAB, through its member clubs' programs will not allow or tolerate attempts from any individual, group or organization 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 the USAB's SafeSport policy and grounds for disciplinary action.

Bad-Faith Allegations

A report of abuse, misconduct or SafeSport Handbook violation that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of the USAB SafeSport policy 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.

INTERIM MEASURES

If the reported complaint indicates that a Covered Individual's continued employment, membership or participation poses a material risk of ongoing physical or emotional harm, USAB may institute interim measures and/or preliminarily suspend the accused individual pending final resolution of the complaint to eliminate any potential for danger to an athlete, sport participant or other individual. Except for employee/volunteer issues (over which USAB has absolute discretion), where the measure materially affects the right to participate (e.g., suspension), USAB will provide the Covered Individual with notice and offer her/him an opportunity to contest the suspension

Interim measures may include, but are not limited to, measures such as: altering training schedules, providing or requiring chaperones, implementing limitations on contact and/or one-on-one interactions, suspensions, etc. USAB may modify an interim measure at any time. The Covered Individual to whom the interim measure applies may be required to arrange and pay for some or all of the measures.

Notification

Following notice of a credible allegation that results in the removal of an employee, coach or other volunteer, USAB, the member club program will determine the appropriate matter under the applicable circumstances in which it will notify parents of other athletes with whom the accused individual may have had contact. As appropriate, USAB, its member club's programs may notify its staff members, 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 is being investigated internally by USA Badminton.

Appeals

Any Ted Stevens Olympic and Amateur Sports Act suspension before final resolution may be appealed to the American Arbitration Association (AAA) at the written request of the accused individual within 30 days of the suspension as further detailed in USAB Bylaws, Section 15.14.