



SAFESPORT POLICY

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SECTION I INTRODUCTION

MISSION STATEMENT FOR USATT SAFESPORT POLICIES AND PROCEDURES

USATT is committed to building a Sport Community where participants can play, work and learn together in an atmosphere free of emotional, physical, and sexual misconduct.

THE SAFESPORT CODE FOR THE U.S. OLYMPIC AND PARALYMPIC MOVEMENTS

The USATT SafeSport Policy [the “Policy”] is based on the SafeSport Code for the U.S. Olympic and Paralympic Movements [the “Code”], effective April 1, 2020 – and as amended in the future – which is incorporated by reference as if it were fully set out in this document.

The Code is set out in its entirety on the USA Table Tennis website (www.usatt.org).

APPLICATION OF THE SAFESPORT CODE AND USATT SAFESPORT POLICIES AND PROCEDURES

The SafeSport Code and USATT SafeSport Policy apply to “Participants” as defined by the Code. In order to protect, all persons associated with USATT from all forms of abuse, USATT, in conjunction with the U.S. Center for SafeSport [the “Center”] must assess a Participant’s fitness and eligibility to be involved in amateur sport and USATT. Participation in the private associations making up the Olympic Movement is a privilege, not a right.

JURISDICTION

USATT defers jurisdiction to investigate and resolve all matters in which the Center has been vested with exclusive jurisdiction under the Code and/or in those matters where the Center has exercised its discretionary jurisdiction to investigate and resolve specific allegations against a particular Participant.

Prior to the Center expressly exercising jurisdiction over particular allegations regarding a particular Participant, USATT has the authority to implement necessary and/or appropriate measures, up to and including a suspension, to address any allegations of misconduct.

When USATT has reason to believe that the allegations fall within the Center’s exclusive jurisdiction, USATT – while able to impose measures – will not investigate or resolve those allegations.

When the allegations presented fall within the Center’s discretionary jurisdiction, USATT may investigate and resolve the matter unless and until such time as the Center expressly exercises jurisdiction over the particular allegations.

If and when the Center expressly exercises jurisdiction over particular allegation regarding a particular Participant, USATT will not issue – in response to those allegations – a suspension or other restriction that may deny or threaten to deny a Respondent’s opportunity to participate in Sport. However, USATT may implement necessary Safety Plans or other Interim Measures.

Nothing contained in this policy is intended to supersede, replace, or otherwise abrogate the USATT Bylaws, Athlete Handbook or Operations Manual, or the Ted Stevens Olympic and Amateur Sports Act.

SECTION II DEFINITIONS

The USATT SafeSport Policy expressly incorporates by reference, as if set out in this Policy, all definitions presented in the Code, Section VIII, A – M.

SECTION III SAFESPORT POLICY

A. APPLICATION

USATT SafeSport Policy Applies to All Participants as Defined by the SafeSport Code for the U.S. Olympic and Paralympic Movements, specifically:

1. Any individual who is seeking to be, currently is, or was at the time of the alleged Code and/or Policy violation:
 - a. A member or license holder of USATT and/or a USATT Affiliated Member Club;
 - b. An employee or board members of USATT and/or a USATT Affiliated Member Club;
 - c. Within the governance or disciplinary jurisdiction of USATT and/or a USATT Affiliated Member Club.
 - d. Authorized, approved, or appointed by USATT and/or a USATT Affiliated Member Club to have regular contact with or authority over Minor Athletes.

B. PROHIBITED CONDUCT

USATT SafeSport Policy Defines Prohibited Conduct consistent with the definition presented by the SafeSport Code for the U.S. Olympic and Paralympic Movements, specifically:

1) This section of the Policy sets forth expectations for Participants related to emotional, physical, and sexual misconduct in sport, including bullying, hazing, and harassment. The privilege of participation in the Olympic Movements may be limited, conditioned, suspended, terminated, or denied if a Participant's conduct is or was inconsistent with this Policy and/or the best interest of sport and those who participate in it.

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

Prohibited Conduct include:

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

A. Criminal Charge or Disposition

It is a violation of the Policy for a Participant to have a Criminal Charge or Disposition. Criminal Conduct is relevant to an individual's fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of the Policy occurred but may be considered for sanctioning purposes.

1. Definitions

a. Criminal Disposition

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

b. Criminal Charge, including Warrant for Arrest

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

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

2. Sex Offender Registry

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

3. Hearing Related to Criminal Charge or Disposition

A Participant who wishes to challenge USATT's decision related to a Criminal Charge or Disposition may request a hearing concerning the sanction only pursuant to Rule-14.

If USATT renders a Decision regarding a Participant's Criminal Charge or Disposition, and that Charge or Disposition is subsequently modified by a criminal court, the Participant may request that the matter be reopened by USATT, pursuant to Section XI(S). In instances where a pending criminal charge(s) resolves, in that the charge(s) is eventually dismissed, results in an acquittal, or results in a Criminal Disposition as defined above, a Respondent's request to reopen will always be granted and a new Decision issued.

B. Child Abuse

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

C. Sexual Misconduct

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

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

1. Sexual or Gender-related Harassment

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

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

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

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

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

- i. The frequency, nature, and severity of the conduct;
- ii. Whether the conduct was physically threatening;
- iii. The effect of the conduct on the Claimant's mental or emotional state;
- iv. Whether the conduct was directed at more than one person;
- v. Whether the conduct arose in the context of other discriminatory conduct;
- vi. Whether the conduct unreasonably interfered with any person's educational or work performance and/or sport programs or activities; and
- vii. Whether the conduct implicates concerns related to protected speech.

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

2. Nonconsensual Sexual Contact

It is a violation of the Policy for a Participant to engage in Sexual Contact without Consent. Sexual Contact is any intentional touching of a sexual nature, however slight, with any object or body part (as described below), by a person upon another person. Sexual Contact includes but is not limited to: (a) kissing, (b) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts; and (c) making another touch themselves, the Participant, or someone else with or on any of these body parts.

3. Nonconsensual Sexual Intercourse

It is a violation of the Policy for a Participant to engage in Sexual Intercourse without Consent. Sexual intercourse is any penetration, however slight, with any object or body part (as described below), by a person upon another person. Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

4. Sexual Exploitation

It is a violation of the Policy for a Participant to engage in Sexual Exploitation. Sexual Exploitation occurs when a

Participant purposely or knowingly:

- a. Allows third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images) without Consent of all parties involved in the sexual activity.
- b. Records or photographs private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without Consent of all parties in the recording or photo.
- c. Engages in voyeurism (e.g., watching private sexual activity or viewing another person's intimate parts when that person would have a reasonable expectation of privacy), without Consent of all parties being viewed.
- d. Disseminates, shows or posts images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without prior Consent of the person depicted in the images.
- e. Intentionally exposes another person to a sexually transmitted infection or virus without that person's knowledge.
- f. Engages in prostituting or trafficking another person.

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

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

D. Emotional and Physical Misconduct

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

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

1. Emotional Misconduct

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

a. Verbal Acts

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

b. Physical Acts

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

c. Acts that Deny Attention or Support

Ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Participant from practice.

d. Criminal Conduct

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

e. Stalking

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

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

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

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

f. Exclusion

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

2. Physical Misconduct

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

Examples of physical misconduct may include, without limitation:

a. Contact violations

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

b. Non-contact violations

Isolating a person in a confined space, such as locking an Athlete in a small space; forcing an Athlete to assume a painful stance or position for no athletic purpose (e.g., requiring an athlete to kneel on a harmful surface); withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another.

c. Criminal Conduct

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

d. Exclusion

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

3. Bullying Behavior

Repeated and/or severe behavior(s) that are (a) aggressive (b) directed at a Minor, and (c) intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually. Bullying-like behaviors directed at adults are addressed under other forms of misconduct, such as Hazing and/or Harassment.

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

a. Physical

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

b. Verbal

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

c. Social, including cyberbullying

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

d. Sexual

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

e. Criminal Conduct

Bullying Behavior includes any conduct described as bullying under federal or state law.

f. Exclusion

Conduct may not rise to the level of Bullying Behavior if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons

who perceive they have incompatible views and/or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

4. Hazing

Any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, humiliate, degrade or intimidate the person as a condition of joining or being socially accepted by a group, team, or organization. Purported Consent by the person subjected to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

Examples of Hazing include:

a. Contact acts

Tying, taping or otherwise physically restraining another person; beating, paddling or other forms of physical assault.

b. Non-contact acts

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

c. Sexualized acts

Actual or simulated conduct of a sexual nature.

d. Criminal acts

Any act or conduct that constitutes hazing under applicable federal or state law.

e. Exclusion

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

5. Harassment

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

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

E. Aiding and Abetting

Aiding and Abetting occurs when one aids, assists, facilitates, promotes, or encourages the commission of Prohibited Conduct by a Participant, including but not limited to, knowingly:

1. Allowing any person who has been identified as suspended or otherwise ineligible by USATT to be in any way associated with or employed by an organization affiliated with or holding itself out as affiliated with an NGB, LAO, the USOC or the Olympic Movements;
2. Allowing any person who has been identified as suspended or otherwise ineligible by USATT to coach or instruct Participants;
3. Allowing any person who has been identified as ineligible by USATT to have ownership interest in a facility, an organization, or its related entities, if that facility/organization/related entity is affiliated with or holds itself out as affiliated with an NGB, LAO, USOC or the Olympic Movements.
4. Providing any coaching-related advice or service to an Athlete who has been identified as suspended or otherwise ineligible by USATT.
5. Allowing any person to violate the terms of their suspension or any other sanctions imposed by USATT. In addition, a Participant also violates the Policy if someone acts on behalf of the Participant to engage in Aiding or Abetting, or if the guardian, family member, or Advisor of a Participant, including Minor Participants, engages in Aiding or Abetting.

F. Misconduct Related to Reporting

1. Failure to Report

An adult Participant who fails to report actual or suspected Sexual Misconduct or Child Abuse to the Center and/or USATT, when appropriate, to law enforcement may be subject to disciplinary action under the Center's resolution procedures, USATT policies, 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 Participant; it requires reporting to the Center and/or USATT any conduct which, if true, would constitute Sexual Misconduct and/or Child Abuse. The obligation to report to the Center and/or USATT 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 and/or Child Abuse. Participants making a good faith report are not required to prove the reports are true before reporting.

2. Intentionally Filing a False Allegation

In addition to constituting misconduct, filing a knowingly false allegation that a Participant engaged in Prohibited Conduct may violate state criminal law and civil defamation laws. Any person making a knowingly false allegation in a matter over which the Center and/or USATT exercises jurisdiction shall be subject to disciplinary action by the Center and/or USATT.

- a. An allegation is false if the events reported did not occur, and the person making the report knows the events did not occur.
- b. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a Code violation.

[NOTE: The Protecting Young Victims from Abuse and SafeSport Authorization Act of 2017 requires that the Center “protect the privacy and safety of the [Claimant].” However, a Claimant may waive this provision by choosing to publicly disclose his/her own identifying information at any time.]

G. Misconduct Related to the Center’s Process

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

1. Abuse of Process

A Participant, or someone acting on behalf of a Participant, violates this Policy by directly or indirectly abusing or interfering with the Center’s and/or USATT’s process by: (a) falsifying, distorting, or misrepresenting information, the resolution process, or an outcome; (b) destroying or concealing information; (c) attempting to discourage an individual’s proper participation in or use of, the Center’s and/or USATT’s processes; (d) harassing or intimidating (verbally or physically) any person involved in the Center’s and/or USATT’s processes before, during, and/or following proceedings (including up to, through, and after any review by an arbitrator); (e) publicly disclosing a Claimant’s identifying information; (f) failing to comply with a temporary measure or other sanction; (g) distributing or otherwise publicizing materials created or produced during an investigation or Arbitration as a part of these policies or procedures, except as required by law or as expressly permitted by the Center and/or USATT; or (h) influencing or attempting to influence another person to commit abuse of process.

2. Retaliation

Retaliation against anyone for engaging in USATT’s processes is prohibited. A Participant, someone acting on behalf of a Participant, an NGB, LAO, the USOC or any organization subject to the Policy shall not take an adverse action against any person for making a good faith report of a possible Code of Conduct violation to the Center and/or USATT or other relevant organization as identified herein or for participating in any process under this Policy.

Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the Center’s and/or USATT’s processes when the action is reasonably related to the report or engagement with the Center and/or USATT. Retaliation may be present even where there is a finding that no violation occurred.

Retaliation does not include good-faith actions lawfully pursued in response to a report of a Policy violation.

H. Other Inappropriate Conduct

1. Intimate Relationship

An Adult Participant violates this Policy by engaging in an intimate or romantic relationship where a Power Imbalance exists.

An Intimate or Romantic relationship is a close personal relationship—other than a familial relationship—that exists independently and outside of the sport relationship. Whether a relationship is intimate is based on the totality of the circumstances, including: regular contact and/or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties' emotional connectedness, the exchange of gifts, ongoing physical and/or intimate contact and/or sexual activity, identity as a couple, the sharing of sensitive personal information, and/or intimate knowledge about each other's lives outside the sport relationship.

2. Exposing a Minor to Imagery

An Adult Participant violates this Code by intentionally exposing a Minor to content or imagery of a sexual nature, including but not limited to pornography, sexual comment(s), sexual gestures, and/or sexual situation(s).

This provision does not exclude the possibility that similar behavior between Adults could constitute Sexual Harassment, as defined in the Policy.

3. Intentional Exposure of Private Areas

An Adult Participant violates this Policy by intentionally exposing breasts, buttocks, groin, or genitals, or induces Imbalance, or to a Minor.

4. Inappropriate Physical Contact

An Adult Participant violates this Policy by engaging in inappropriate physical contact with a Participant where there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally:

- a. touching, slapping, or otherwise contacting the buttocks or genitals of a Participant;
- b. excessively touching or hugging a Participant;
- c. kissing a Participant.

5. Willful Tolerance

A Participant violates this Policy by willfully tolerating any form of Prohibited Misconduct, when there is a Power Imbalance between that Participant and the individual(s) who are being subjected to the Prohibited Conduct.

SECTION IV
USATT MINOR ATHLETE ABUSE PREVENTION POLICIES

It is a violation of the USATT SafeSport Policy for a Participant to violate any provision of the Minor Athlete Abuse Prevention Policies.

As it relates to minor athletes, the Minor Athlete Abuse Prevention Policies supersede anything found in USATT's SafeSport policy.

REQUIRED PREVENTION POLICIES

A. USA Table Tennis' MAAPP Required Prevention Policies

USA Table Tennis' MAAP Policies require implementation of Prevention Policies in the following areas:

1. One-on-One Interactions, including meetings and individual training sessions;
2. Massages and rubdowns/athletic training modalities;
3. Locker rooms and changing areas;
4. Social media and electronic communications;
5. Local travel; and
6. Team travel.

B. USA Table Tennis MAAP Policies are Based on the Center's Model Policies

USA Table Tennis' MAAP Policies are based on the Center's Model Policies, which include mandatory components (which any policy must, at a minimum, include) and recommended components.

C. Implementation

The mandatory components set forth in USA Table Tennis' MAAP Policies establish a minimum standard. In implementing the required policies, USA Table Tennis may choose to implement a policy that is stricter than the Model Policy.

D. Minor athletes who become adult athletes

With the exception of athletes who are members of the same team, Minor Athletes who reach the age of majority (i.e. 18 years of age) must adhere to the provisions found in the Minor Athlete Abuse Prevention Policies when interacting with minor athletes who are 14 years of age or younger.

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 comply with these prevention policies regardless of the age of the minor athletes with whom they will interact.

E. Application of USATT's MAAP Policies

1. USA Table Tennis' MAAP Policies shall apply to:

- a. Adult members at a facility that is either partially or fully under the jurisdiction of USA Table Tennis;
- b. Adult members who have regular contact with amateur athletes who are minors;
- c. Any adult authorized by USA Table Tennis to have regular contact with or authority over an amateur athlete who is a minor; and
- d. Adult staff and board members of USA Table Tennis.

2. For the purposes of USATT's MAAP Policies, persons falling within these categories are referred to as "Applicable Adults"

ONE-ON-ONE INTERACTIONS

A. Policies for One on One Interactions

- a. Observable and interruptible
 - One-on-one interactions between a minor athlete and an Applicable Adult (who is not the minor's legal guardian) at a facility partially or fully under our jurisdiction are permitted if they occur at an observable and interruptible distance by another adult.
 - One-on-one interactions between minor athletes and an Applicable Adult (who is not the minor's legal guardian) at a facility partially or fully under our jurisdiction are prohibited, except in the circumstances described in subpart d of this section and under emergency circumstances.
- c. Meetings
 - Meetings between Applicable Adults and minor athletes at a facility partially or fully under our jurisdiction may only occur if another adult is present, except under emergency circumstances. Such meetings must occur where interactions can be easily observed and at an interruptible distance from another adult.
 - If a one-on-one meeting takes place in an office at a facility partially or fully under our jurisdiction, the door to the office must remain unlocked and open. If available, it will occur in an office that has windows, with the windows, blinds, and/or curtains remaining open during the meeting.

- d. Meetings with mental health care professionals and health care providers
 - If a mental health care professional and/or health care provider meets with minor athletes at a facility partially or fully under our jurisdiction, a closed-door meeting may be permitted to protect patient privacy provided that: (1) the door remains unlocked; (2) another adult is present at the facility; (3) the other adult is advised that a closed-door meeting is occurring; and (4) written legal guardian consent is obtained in advance by the mental health care professional and/or health care provider, with a copy provided to our organization.

- e. Individual training sessions
 - Individual training sessions between Applicable Adults and minor athletes are permitted at a facility partially or fully under our jurisdiction if the training session is observable and interruptible by another adult. It is the responsibility of the Applicable Adult to obtain the written permission of the minor's legal guardian in advance of the individual training session if the individual training session is not observable and interruptible by another adult. Permission for individual training sessions must be obtained at least every six months. Parents, guardians, and other caretakers must be allowed to observe the training session.

B. USA Table Tennis' Recommended Policies for One-on-One Interactions

1. USA Table Tennis recommends implementation of the following procedures:

- a. Monitoring
 - When one-on-one interactions between Applicable Adults and minor athletes occur at a facility partially or fully under our jurisdiction, Applicable Adults will monitor these interactions. Monitoring includes: knowing that the one-on-one interaction is occurring, the approximate planned duration of the interaction, and randomly dropping in on the one-on-one.

- b. Out-of-program contacts
 - Applicable Adults are prohibited from interacting one-on-one with unrelated minor athletes in settings outside of the program that are not observable and interruptible (including, but not limited to, one's home and individual transportation), unless parent/legal guardian consent is provided for each out-of-program contact.
 - Nonetheless, such arrangements are strongly discouraged.

MASSAGES AND RUBDOWNS/ATHLETIC TRAINING MODALITIES

A. USA Table Tennis' Mandatory MAAP Policies for Massages and Rubdowns/Athletic Training Modalities

1. Massage or rubdown/athletic training modality
 - Any massage or rubdown/athletic training modality performed at a facility or a training or competition venue must be conducted in an open and interruptible location. Any massage of a minor athlete must be done with at least one other adult present and must never be done with only the minor athlete and the person performing the massage or rubdown/athletic training modality in the room.

B. USA Table Tennis' Recommended MAAP Policies for Massages and Rubdowns/ Athletic Training Modalities

1. **USA Table Tennis recommends implementation of the following procedures:**
 - a. Written consent
 - Written consent by a legal guardian shall be provided before providing each massage or rubdown/athletic training modality on a minor athlete. Parents must be permitted to be in the room as an observer.

LOCKER ROOMS AND CHANGING AREAS

A. USA Table Tennis' Mandatory MAAP Policies for Locker Rooms and Changing Areas

- a. Non-exclusive facility
 - If our organization uses a facility not fully under our jurisdiction (for, e.g., training or competition or similar events) and the facility is used by multiple constituents, Applicable Adults in categories 1 through 4 are nonetheless required to adhere to the rules set forth herein.
- b. Use of recording devices
 - Use of any device's (including a cell phone's) recording capabilities, including voice recording, still cameras and video cameras in locker rooms, changing areas, or similar spaces at a facility under our organization's jurisdiction is prohibited.
 - Exceptions may be made for media and championship celebrations, provided that such exceptions are approved by USA Table Tennis or the LAO and two or more Applicable Adults are present.

- c. Undress
 - Under no circumstances shall an unrelated Applicable Adult at a facility under our organization’s jurisdiction intentionally expose his or her breasts, buttocks, groin, or genitals to a minor athlete.
- d. One-on-one interactions
 - Except for athletes on the same team, at no time are unrelated Applicable Adults permitted to be alone with a minor athlete in a locker room or changing area when at a facility under our partial or full jurisdiction, except under emergency circumstances.
 - If our organization is using a facility that only has a single locker room or changing area, we will designate separate times for use by Applicable Adults, if any.
- e. Monitoring
 - Our organizations must regularly and randomly monitors the use of locker rooms and changing areas at facilities under our jurisdiction to ensure compliance with these policies.

B. USA Table Tennis' Recommended Policies for Locker Rooms and Changing Areas

- 1. USA Table Tennis recommends the implementation of the following procedures:
 - a. Under no circumstances shall an unrelated Applicable Adult at a facility under our organization’s jurisdiction expose his or her breasts, buttocks, groin, or genitals to a minor athlete.
 - b. To minimize the risk of bullying and hazing, our organization uses locker room monitors to ensure that minor athletes are not left unsupervised in locker rooms and changing areas.
 - c. Applicable Adults make every effort to recognize when a minor athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, will check on the minor athlete’s whereabouts.
 - d. We discourage parents from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent when other minor athletes are changing in the same locker room or changing area. If this is necessary, parents should let a coach or administrator know about this in advance.

SOCIAL MEDIA & ELECTRONIC COMMUNICATIONS

A. USA Table Tennis' Mandatory MAAP Policies for Social Media and Electronic Communications

1. Content

All electronic communication originating from Applicable Adults to minor athletes must be professional in nature.

a. Open and transparent

- Absent emergency circumstances, if an Applicable Adult with authority over minor athletes needs to communicate directly with a minor athlete via electronic communications (including social media), another Applicable Adult or the minor's legal guardian will be copied.
- If a minor athlete communicates to the Applicable Adult (with authority over the minor athlete) privately first, said Applicable Adult should respond to the minor athlete with a copy to another Applicable Adult or the minor's legal guardian.
- When an Applicable Adult with authority over minor athletes communicates electronically to the entire team, said Applicable Adult will copy another adult.
- Minor athletes may "friend" the organization's official page.

b. Requests to discontinue

- Legal guardians may request in writing that their minor athlete not be contacted through any form of electronic communication by the organization or by the Applicable Adults subject to this policy. The organization will abide by any such request that their minor athlete not be contacted via electronic communication, absent emergency circumstances.

B. USA Table Tennis' Recommended for Social Media and Electronic Communications

1. USA Table Tennis recommends the implementation of the following procedures:

a. Hours

Electronic communications will generally only be sent between the hours of 8:00 a.m. and 8:00 p.m., unless emergency circumstances exist, or while traveling internationally or during competition travel.

b. Monitoring

- The organization monitors its social media pages and removes any posts that violate the organization's policies and practices for appropriate behavior.
- The organization will inform the legal guardian of a minor athlete of any prohibited posts, as well as the organization's administrator.

c. Prohibited electronic communications

- Applicable Adults with authority over minor athletes are not permitted to maintain private social media connections with unrelated minor athletes and such Applicable Adults are not permitted to accept new personal page requests on social media platforms from amateur athletes who are minors, unless the Applicable Adult has a fan page, or the contact is deemed as celebrity contact vs. regular contact. Existing social media connections on personal pages with minor athletes shall be discontinued.

LOCAL TRAVEL

A. USA Table Tennis' Mandatory MAAP Policies for Local Travel

1. Transportation

Applicable Adults who are not also acting as a legal guardian, shall not ride in a vehicle alone with an unrelated minor athlete, absent emergency circumstances, and must have at least two minor athletes or another adult at all times, unless otherwise agreed to in writing by the minor athlete's parent/legal guardian in advance of each local travel.

B. USA Table Tennis Recommended Policies for Local Travel

1. USA Table Tennis recommends the implementation of the following procedures:

a. Shared or Carpool Travel Arrangement

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

b. Parents/legal guardians receive education concerning child abuse prevention before providing consent for their minor athlete to travel alone with an Applicable Adult who is subject to these policies.

TEAM TRAVEL

A. USA Table Tennis' Mandatory MAAP Policies for Team Travel

For the Purposes of USA Table Tennis' MAAP Policies Team Travel is defined as travel to a competition or other team activity that the organization plans and supervises.

1. Team/competition travel

When only one Applicable Adult and one minor athlete travel to a competition, the minor athlete must have his/her legal guardian's written permission in advance and for each competition to travel alone with said Applicable Adult.

2. Hotel rooms

Applicable Adults shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the Applicable Adult is the legal guardian, sibling, or is otherwise related to the minor athlete). However, a parent/legal guardian may consent to such an arrangement in advance and in writing. Furthermore, a parent/legal guardian may consent in advance and in writing to the minor athlete sharing a hotel room or other sleeping arrangement with an adult athlete.

3. Meetings

Meetings shall be conducted consistent with the organization's policy for one-on-one interactions (i.e., any such meeting shall be observable and interruptible).

B. USA Table Tennis' Recommended Policies for Team Travel:

1. USA Table Tennis recommends the implementation of the following procedures:

a. Team travel policies must be signed and agreed to by all minor athletes, parents, and Applicable Adults traveling with the organization.

b. Applicable Adults who travel with the organization must successfully pass a criminal background check and other screening requirements consistent with the organization's policies.

c. During team travel, when doing room checks, attending team meetings and/or other activities, two-deep leadership (two Applicable Adults should be present) and observable and interruptible environments should be maintained.

d. Meetings should not be conducted in a hotel room.

e. Parents/legal guardians receive education concerning child abuse prevention before providing consent for their minor athlete to travel alone with an Applicable Adult who is subject to these policies.

V. REPORTING AND DISCIPLINE

A. APPLICATION

USATT SafeSport Reporting Policy Applies to All Participants as Defined by the SafeSport Code for the U.S. Olympic and Paralympic Movements.

B. ATHLETE PROTECTION OFFICER

1. USATT shall designate an Athlete Protection Officer (“APO”), who shall be appointed by the CEO, after consultation with the Chair of the Board, and with the approval of the Board.
2. The APO’s name and contact information shall be posted on USATT’s website in a prominent position.
 - a. Current Name and Contact Information for USATT APO:
 - i. Mark Thompson (Mark.Thompson@USATT.org) (719-329-4200)
3. Unless otherwise specifically stated in the USATT SafeSport Policy or in the SafeSport Code, in all SafeSport matters reported under the Policy or Code, USATT’s Athlete Protection Officer is charged with the responsibility of preliminary investigation, evaluation and processing of such a report or complaint in accordance with the procedures set out in the USATT SafeSport Policy.
4. In the discharge of his or her required duties, the APO shall be free to consult with the Chief Executive Officer, the Chair of the Board, USATT legal counsel, outside counsel, and such other USATT officers, officials and experts as he or she deems appropriate.
5. With the approval of the CEO, the APO shall have the authority on behalf of USATT to retain an independent Special Investigator to undertake the APO’s duties in a SafeSport report or complaint if such is deemed appropriate and/or necessary for any reason including potential conflicts of interest.
6. If the APO is the subject of a Report or Complaint under this Policy, the CEO shall appoint an independent Special Investigator to undertake the duties of the APO.

B. REPORTING POLICY

THERE ARE NO FEES WHATSOEVER ASSOCIATED WITH SUBMITTING AN ATHLETE-SAFETY REPORT TO THE US CENTER FOR SAFESPORT – OR TO USATT.

1. Child Abuse

An adult participant who learns of information and reasonably suspects that a child has suffered an incident of child abuse, including sexual abuse shall immediately make a report of the suspected abuse to: (i) Law Enforcement; (ii) the US Center for SafeSport; and the (iii) the USATT Athlete Protection Officer.

a. Law Enforcement

i. The agency designated by the Attorney General, consistent with federal requirements set forth in Section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. Section 20341).

ii. Applicable State Law Enforcement agency; learn more about this requirement by visiting <https://www.childwelfare.gov/topics/responding/reporting>.

b. US Center for SafeSport

i. Through the USCSS online reporting form: www.safesport.org.

ii. By Phone at 720-531-0340 during regular business hours (Monday-Friday, 9:00 am MT – 5:00 pm MT.)

Reporting such conduct to the Center does not satisfy an Adult Participant’s obligation to report to law enforcement or other appropriate authorities consistent with Section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. Section 20341).

2. Sexual Misconduct

USATT and the US Center for SafeSport encourages ANYONE who experiences or becomes aware of an incident of Sexual Misconduct to immediately report the incident to: (i) the Center; (ii) law enforcement if the matter involves possible criminal conduct; and (iii) the USATT Athlete Protection Officer.

If an Adult Participant reasonably suspects that an incident(s) of Sexual Misconduct has occurred, they must immediately report the incident(s) to the US Center for SafeSport and the USATT Athlete Protection Officer.

3. Emotional and Physical Misconduct

Adult Participants are required to report to the USATT Athlete Protection Officer any and all emotional and physical misconduct (including bullying, stalking, hazing and harassment) prohibited under the Code and/or the USATT SafeSport Policy.

4. Criminal Disposition

Adult Participants are required to report to the Center and the USATT Athlete Protection Officer Criminal Charge(s) and Disposition(s) involving sexual misconduct or misconduct involving Minors.

5. Misconduct Related to Process

Adult Participants are required to report to the US Center for SafeSport and the USATT Athlete Protection Officer any suspected incident(s) of:

- a. Aiding and Abetting;
- b. Abuse of Process; and/or
- c. Retaliation

C. HOW TO REPORT

1. HOW TO REPORT TO THE US CENTER FOR SAFESPORT

USATT encourages Participants to report all potential SafeSport violations directly to the **US Center for SafeSport (www.SafeSport.org)**. Please note that it is mandatory to report allegations of child abuse, sexual abuse and/or sexual misconduct to the Center.

2. HOW TO REPORT TO USATT

USATT 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 one chooses to report, it is helpful to USATT 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.

USATT will immediately report any allegations of child abuse or inappropriate sexual acts towards a minor directly to the appropriate law enforcement officials. USATT will also immediately report any allegation of inappropriate sexual conduct or any allegations of inappropriate conduct towards a minor to the US Center for SafeSport.

a) Athlete Protection Officer

Individuals reporting child physical or sexual abuse or other misconduct may call, mail, fax or email USATT's Athlete Protection Officer, Mark Thompson (mark.thompson@usatt.org) whose contact information can also be found at <https://www.teamusa.org/usa-table-tennis/safesport>. The Athlete Protection Officer may request that the reporting person submit a Reporting Form, described below.

b) Reporting Form

Individuals reporting child physical or sexual abuse or other misconduct may complete an Incident Report Form, which can be found at <https://www.teamusa.org/usa-table-tennis/safesport>. Information on this form includes:

- 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

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

Note: Reporting 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 Covered Individuals have any concerns that an interaction between children may constitute sexual abuse, report it *immediately* to the appropriate law enforcement authorities.**

3. CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS

a) Confidentiality

To the extent permitted by law, and as appropriate, USATT 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 or sexual abuse to the authorities.

b) Anonymous Reporting

USATT 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
- Through email, texts or notes.

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

All reported suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities, if sufficient information is provided.

c) No Retaliation

Regardless of outcome, USATT will support the complainant(s) and his or her right to express concerns in good faith. USATT will not encourage, allow or tolerate attempts from any individual to retaliate, punish, allow or in way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of this policy and grounds for disciplinary action. Any allegations of retaliation should be reported using the same process as for reporting an initial concern.

d) 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 this 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.

4. DISCIPLINE

USATT will address allegations against constituents under USATT Bylaw Articles X and X-A, and the Supplemental Hearing Procedural Rules of the Ethics and Grievance Committee.

D. RESPONDING TO REPORTS OF ALLEGATIONS

USATT shall refer each allegation of misconduct to the US Center for SafeSport, which may, at its sole discretion, assume jurisdiction over the matter.

USATT may also contact any law enforcement agency that is conducting its own investigation to inform that agency that the USATT and/or the US Center for SafeSport is also investigating, to ascertain the status of the criminal investigation, and to determine the extent to which any evidence collected by law enforcement may be available to USATT in its investigation.

At the request of law enforcement, USATT may delay its investigation temporarily while an external law enforcement agency is gathering evidence. USATT will resume its investigation when notified that law enforcement has completed the evidence gathering stage of its criminal investigation. USATT may also provide some or all of its case information, documentation, or evidence to law enforcement.

1. Allegations of Misconduct Other Than Child Physical or Sexual Abuse

On receipt of an allegation of misconduct, as defined in USATT's SafeSport Policy, that does not involve child physical or sexual abuse, USATT shall determine 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. Such steps may include, without limitation:

- a) The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual;
- b) Formal investigation and hearing; and/or
- c) Retention of legal counsel or investigation services to investigate and/or make a recommendation as to whether a violation of the relevant policy has occurred and/or a recommendation as to the appropriate sanction.

2. Allegations of Serious Misconduct Including Child Physical or Sexual Abuse

Where serious allegations of misconduct are at issue (e.g., child physical and sexual abuse as defined in our SafeSport Policy), **USATT shall refer the matter to the US Center for SafeSport**, which may assume jurisdiction over the matter. In addition, USATT may elect in its discretion to undertake a full investigation and hearing before determining the appropriate disciplinary action. This investigation and/or hearing will in no way interfere with an ongoing criminal investigation or prosecution.

E. PROCEDURES

1. Suspension Before Final Resolution

If the reported complaint indicates that an individual's continued employment, membership or participation poses a risk of ongoing physical or emotional harm, USATT may wish to suspend the accused individual pending final resolution of the complaint to eliminate any danger to an athlete, sport participant or other individual. In such instances, USATT will provide the individual with notice and offer her/him an opportunity to contest the suspension.

USATT may suspend the accused individual where there is a reasonable belief that the individual has committed emotional, physical or sexual misconduct. Evidence which may be found sufficient to support a reasonable belief includes, at a minimum:

- a) the suspension or termination of employment or membership by a national governing body or other sport organization
- b) an Incident Report Form with specific and credible information
- c) other legal documentation or report supporting a reasonable belief that the individual has committed emotional, physical or sexual misconduct, including abuse of a child (e.g., a criminal indictment).

For the purposes of this Policy, a suspension from sport involvement shall mean that for the duration of the period of suspension, the accused individual may not participate in any capacity or in any role in the business, events, or activities of USATT, including events or activities sanctioned by USATT.

Any suspension before final resolution may be appealed to the American Arbitration Association (AAA) at the written request of the accused individual within 14 days of the suspension.

2. Investigation

As appropriate, and at its discretion, USATT may institute a formal investigation and hearing procedure to address serious allegations of misconduct (e.g., physical and sexual misconduct). However, USATT 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, USATT 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 (note: the name of the alleged victim may be redacted.)
- b) Present relevant information to the investigator(s)
- c) Legal counsel, at his or her own expense

3. Procedural Safeguards

In every case where a hearing is warranted pursuant to this Policy, an adjudication shall be conducted that shall in all cases comply with USATT's bylaws. 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 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 panel's decision.

4. Preliminary Determination

On receipt of a disclosure and/or additional information made pursuant to this Policy, if the Athlete Protection Officer 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 CEO who, in consultation with the General Counsel, shall refer the matter to the USATT Ethics & Grievance Committee, which will appoint a Hearing Panel pursuant to Bylaw Articles X and X-A, and the Supplemental Hearing Procedural Rules of the Ethics and Grievance Committee. The Hearing Panel will include at least one member of USATT's Athletes' Advisory Council.

5. 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 Hearing 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.

6. Timing

The Hearing 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 Hearing Panel may render an expedited determination.

7. Evidence

At the hearing, the accused individual will be allowed to present any reasonable evidence or argument that he or she wishes the Panel to consider. The 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 Panel may also consider another organization's 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 Hearing Panel.

The Hearing Panel may proceed in the accused individual's absence if it cannot locate the individual or if the individual declines to attend the hearing.

8. Findings and Sanctions

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

Any sanctions imposed by the 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 Hearing Panel shall consider:

- a) The legitimate interest of USATT 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 USATT's reputation
-
- f) Whether the individual poses an ongoing concern for the safety of USATT's athletes and participants
 - g) Any other information, which in the determination of the Panel, bears on the appropriate sanction

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

For the purposes of this Policy, a suspension from sport involvement shall mean that, for the duration of the period of the suspension, the accused individual may not participate in any capacity or in any role in any business, events, or activities conducted or sanctioned by USATT or by any Member Club or Affiliate Club. No Member Club or Affiliate Club shall affiliate itself with any individual suspended from sport involvement or allow such individual to participate in any capacity in any of its business, events, or activities.

In the event that the allegation is made against an athlete, the Athlete Protection Officer will communicate its findings to the Hearing Panel.

9. Confidentiality

The conduct of the hearing will be private. If the 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 Panel determines the accused individual did not violate the relevant policy, the panel will publish a summary only at the individual's written request.

10. Appeal

If the individual disagrees with the finding or sanction of the Panel and wishes to appeal, he or she may file an appeal with the AAA within 14 days of USATT's finding. A decision rendered by the AAA shall be final and binding on all parties.

VI. SAFESPORT COMPLIANCE - TRAINING AND SCREENING

A. USATT POLICY ON SAFESPORT COMPLIANCE

1. In order to become **SafeSport Compliant** an individual must:
 - a) Successfully complete the introductory SafeSport Tutorial as presented by the US Center for SafeSport (the “SafeSport Tutorial”); and
 - b) Successfully clear the Criminal Background Screening Process (the “Screening”) as administered by the independent entities retained by USATT for such purposes.
2. Once an individual becomes SafeSport Compliant, in order to maintain a status of SafeSport Compliance, an individual must:
 - a) Undertake and complete a SafeSport Tutorial Refresher Course (the “Refresher”) on an annual basis, i.e. every year; and
 - b) Undergo and clear the Criminal Background Screening Process on a biennial basis, i.e., every two years.

B. PERSONS WHO MUST BE SAFESPORT COMPLIANT

1. The following persons must be SafeSport Compliant:
 - a) All persons authorized, approved or appointed by USATT:
 - (i) to a position of authority over athletes, or
 - (ii) to have frequent contact with athletes;
 - b) All USATT office staff, members of the Board of Directors, and Committee Members;
 - c) All USATT Certified Coaches;
 - d) All Persons acting in what could reasonably be considered a coaching capacity at a USATT Affiliated Member Club;
 - e) All Athletes USATT designates for the USADA required testing pool (RTP);
 - f) All athletes and alternates, training partners, guides, medical personnel, or other team leaders who are selected by USATT to participate in national or international competitions or Delegation Events;
 - h) All USATT National Team Coaches, Leaders and/or Chaperones;
 - i) All Tournament Officials, including umpires and referees, at USATT Sanctioned Events;

j) All Tournament Directors for USATT Sanctioned Events;

k) All medical staff and/or persons serving as medical trainers at USATT Affiliated Clubs or USATT Sanctioned Events;

l) All persons in a position of actual, perceived or implied authority in a USATT Affiliated Member Club, including (but not limited to) owners, directors, and employees; and

m) All persons credentialed as a member of the working media for USATT Sanctioned Events.

2. All persons falling within the categories above shall have forty-five days (45 days) after reaching the age of majority (18 years of age) to become SafeSport Compliant.

C. MAAPP REQUIREMENT FOR CERTAIN ADULTS TO COMPLETE THE SAFESPORT TUTORIAL

1. Under the Minor Athlete Abuse Prevention Policies (“MAAPP”) as adopted by USATT, all adult members of USATT, who are not otherwise required to become SafeSport Compliant, but who have regular contact with minor-aged amateur athletes at a USATT Member Club and/or a USATT Sanctioned Event or Tournament must successfully complete the introductory SafeSport Tutorial:

a) at the time regular contact with a minor-age amateur athlete begins; or

b) within forty-five (45) days of becoming a USATT member; or

c) upon beginning a new role subjecting the adult to this policy.

2. After successfully completing the introductory SafeSport Tutorial, all persons who are subject to this requirement, must take and complete the SafeSport Tutorial Refresher Course on an annual basis, i.e. every year.

D. MAAPP REQUIREMENT THAT USATT OFFER SAFESPORT TRAINING TO MINOR AGED MEMBERS WHO ARE AMATEUR ATHLETES

1. USA Table Tennis shall, subject to parental consent, annually offer and give training to USATT members who are minors regarding the prevention and reporting of child abuse.

E. EXEMPTIONS TO THE TRAINING AND SCREENING REQUIREMENTS

1. Exemptions from the Training and Screening Requirements of USATT’s SafeSport Policy may be made on a case-by-case basis for victims/survivors. Requests may be made directly to the U.S. Center for SafeSport, ngbservices@safesport.org, or to USA Table Tennis.

2. The Center will work with USA Table Tennis regarding appropriate accommodations for persons with disabilities to satisfy the training requirements herein.

F. USATT POLICY ON CRIMINAL BACKGROUND SCREENING

1. The Purpose of USATT's Criminal Background Screening Process

The purpose of USATT's Background Check Process is to:

- a) Protect USATT members, athletes and participants so that known offenders do not have access to USATT members in connection with USATT sanctioned events or activities;
- b) Deter offenders that have not been caught from joining USATT programs;
- c) Continue USATT's reputation as a sport where participants are protected against abuse; and
- d) Help protect USATT, USATT clubs, and their respective employees and volunteers from liability that could arise from allowing a known offender to have access to members, athletes and participants.

G. USATT BACKGROUND SCREENING PROCESS – CRITERIA

1. Full background screens will include at least the following search components:
 - a. Social Security Number validation;
 - b. Name and address history records;
 - c. Two independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam and Puerto Rico;
 - d. Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
 - e. County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
 - f. National Sex Offender Registry database search of all available states, plus DC, Guam and Puerto Rico;
 - g. Multiple National Watch Lists;
 - h. SafeSport Disciplinary Records; and
 - i. Comprehensive International Records search U.S. citizens who have lived outside of the United States for six consecutive months in any one country, during the past seven years.

2. Supplemental (off-year) background screening will include at least the following search components:

- a. Multi-Jurisdictional criminal database covering 50 states plus DC, Guam and Puerto Rico;
- b. Sex Offender Registry database searches of all available states, plus DC, Guam and Puerto Rico; and
- c. SafeSport Disciplinary Records.

3. Background screening for media personnel, and those that must be conducted by third-party vendors/contractors, will be conducted using a name-based or fingerprint-based record search in any combination that shall include at least:

- a. Social Security Number validation;
- b. Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam and Puerto Rico;
- c. Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
- d. County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
- e. National Sex Offender Registry database search of all available states, plus DC, Guam and Puerto Rico; and
- f. SafeSport Disciplinary Records.
- g. Background Screening Review Process

H. USATT CRIMINAL BACKGROUND SCREENING PROCESS – CRIMINAL RESOLUTIONS TRIGGERING A RED LIGHT REVIEW

1. USATT initiated background screening that results in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty¹, for any of the below criminal offenses will be subject to a Red Light Review regarding an individual's level of access and involvement in USATT:

¹ For the purposes of this section, a "disposition or resolution of a criminal proceeding, other than an adjudication of not guilty" shall include, but is not limited to: an adjudication of guilt or admission to a criminal violation; a plea to the charge or a lesser included offense; a plea of no contest, any plea analogous to an Alford or Kennedy plea; the disposition of the proceeding through a diversionary program; deferred adjudication; deferred prosecution; disposition of supervision; conditional dismissal; juvenile delinquency adjudication or similar arrangement; the existence of an ongoing criminal investigation; a warrant for arrest; or any pending charges.

- a. Any felony; and
 - 1) For purposes of these procedures, the term “felony” shall refer to any criminal offense punishable by imprisonment for more than one year.
- b. Any misdemeanor involving:
 - 1) All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;
 - a) Any participant that has been convicted of, received an imposition of a deferred sentence for, or any plea of guilty or no contest for any sexual crime, criminal offense of a sexual nature, and/or is a sex offender registrant must report this to USATT. USATT will report the same to USOPC;
 - 2) Any drug related offenses;
 - 3) Harm to a minor and vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
 - 4) Violence against a person (including crimes involving firearms and domestic violence);
 - 5) Stalking, harassment, blackmail, violation of a protection order and/or threats;
 - 6) Destruction of property, including arson, vandalism, and criminal mischief; and
 - 7) Animal abuse or neglect.

I. USATT CRIMINAL BACKGROUND SCREENING PROCESS – RED LIGHT REVIEW BY ATHLETE PROTECTION OFFICER

1. Red Light Review – Determination of Affiliation, Access, or Participation

- a. After receiving notification of a Red Light Review, USATT’s Athlete Protection Officer (APO) will determine if and to what degree the individual will be:
 - 1) affiliated with the USATT;
 - 2) granted access to an Olympic Training Center; or
 - 3) permitted to participate in a Delegation Event.

- b. In the discharge of these duties, the APO shall be free to consult with the Chief Executive Officer, the Chair of the Board, USATT legal counsel and such other USATT officers, officials and experts as he or she deems appropriate.
- c. The APO shall immediately provide written notice to the person against whom an adverse determination has been issued due to a Red Light Review. This notice shall identify: (i) the relevant criminal disposition at issue; and (ii) the level of access and/or involvement in USATT that will be permitted and/or denied to the relevant person. This notice shall be designated a “Red Light Review – Adverse Action Letter”.
- d. USATT will notify the USOPC of any decision reached by USATT, which has the effect of allowing an individual covered by USATT’s Background Screening Policy to reside, train or compete at an Olympic Training Center or participate in a Delegation Event, if the individual’s background screen was flagged for any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty for any of the below crimes:
 - 1) Any felony involving:
 - a) Violence against a person within the previous ten (10) years;
 - b) Violent crimes involving weapons (including armed robbery and aggravated assault with a weapon) within the previous ten (10) years; and
 - c) Animal abuse, cruelty or neglect.
 - 2) As well as any felony or misdemeanor involving:
 - a) All sexual crimes and criminal offenses of a sexual nature to include, but not limited to: rape, child molestation, sexual battery, lewd conduct, possession or distribution of child pornography, possession and distribution of obscene material, and any sex offender registrant (excluding prostitution, indecent exposure, and public indecency);
 - b) Drug offenses including: drug distribution, intent to distribute, manufacturing, trafficking, or sale within the previous 7 years (excluding crimes for drug use or possession); and
 - c) Harm to a minor or vulnerable person, including, but not limited to: offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, providing alcohol to a minor, and DUI with a minor.

2. Appeal of APO Decision on Red Light Review

- a. An individual who receives an “Red Light Review – Adverse Action Letter” has a right to appeal the decision set out in such Letter. An individual seeking review (the “Appellant”) may act on his or her own behalf during the appeal or may be assisted by a representative.

- i. Unless exigent circumstances otherwise require, the Appellant shall have ten (10) business days from the date that he or she is informed of the decision in the Adverse Action Letter to submit a Notice of Appeal to the APO. The Notice of Appeal must contain the Appellant's express written consent for the use of the Appellant's Criminal Background Screening Results by all persons associated with the consideration of the appeal.
 - ii. The Appellant shall present all evidence in support of the appeal to the APO, including the identity and contact information of all witnesses proffered on Appellant's behalf. The APO may elect to speak with witnesses and hear further argument on behalf of the Appellant in consideration of the appeal.
 - iii. After full consideration of the evidence presented the appeal, the APO shall issue a decision either affirming or overturning the previous decision contained in the Adverse Action Letter, in whole or part.
- b. If the Appellant is dissatisfied with the APO's ruling on appeal, within ten (10) business days of that decision, the Appellant can request in writing to the CEO a full hearing from a three-person panel as designated by USATT's Ethics and Grievance Committee. This Hearing Panel is empowered to consider all evidence and information presented on behalf of the Appellant, including testimony and evidence compiled by the APO.
 - i. The Hearing Panel is not bound by the findings of fact or decisions made by the APO, rather, after full consideration of the evidence, the Hearing Panel is empowered to make its own decision based upon a preponderance of the evidence and a standard of whether a reasonable person could conclude that, due to confirmed findings of the Criminal Background Screen previously compiled, the Appellant poses an unacceptable level of risk for other persons associated with USATT.
 - ii. The Hearing Panel shall issue a written opinion on its decision.
- c. If the Appellant disagrees with the decision of the Hearing Panel and outcome of the appeal, he or she may file a demand for arbitration with the American Arbitration Association as provided in USATT's Bylaws. The award obtained in the arbitration shall be final and binding on all parties.
- d. The intentional submission of false information or evidence in connection with any proceeding provided herein shall be grounds for disciplinary action in accordance with USATT disciplinary procedures.



USATT SAFESPORT ABUSE REPORTING FORM

Reporting Abuse

USATT 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. You may remain anonymous if you wish. However, where appropriate, the investigative process may require further input and anonymous reporting may make it difficult for USATT to move forward with an investigation.

USATT requires reporting of physical, sexual or other misconduct by any member and strongly encourages reporting of any concerns relating to SafeSport. USATT appreciates your willingness to report inappropriate behavior. By submitting this form, you are giving permission to USATT's SafeSport Program staff to contact you. Out of respect for the importance of this issue and to encourage honest and effective reporting, knowingly making a false or vindictive report will not be tolerated and may be a violation of USATT'S Code of Conduct.

A report of abuse, misconduct or policy violation that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of USATT's SafeSport policies 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.

* Must be completed

Date:

Person Being Reported

Provide as much information as possible about the person you are reporting.

First Name * _____ Last Name* _____

Position or Role* _____ Age or Approximate Age* _____

Gender (circle one): Male Female

Club Affiliation * _____

Position(s) this individual holds or held (circle or insert all that apply):

Head Coach

Assistant Coach

Athlete

Official

Other _____

Alleged Misconduct Information

Please provide as much specific information as you are able.

Type of Misconduct (circle or insert all that apply) *

Bullying	Emotional	Hazing	Physical
Harassment	Sexual	Other_____	

Location(s) where the incident(s) took place: * _____

City, state, specific location, etc. (or "Unknown") _____

Date(s) or Approximate Date(s) of Misconduct: * _____

Description of Alleged Misconduct: * _____

Please include as much detail as possible (use separate sheet if necessary)

Knowledge of victim(s) involved in alleged offense (circle one):

I can identify the victim(s) involved I cannot identify the victim(s) involved.

Victim or Victims

Please identify the victim below. If you wish the victim to remain anonymous (whether the victim is yourself or someone else), then please enter the name as Anonymous. You may also be unaware of who the victim is. In this case, please enter, "Unknown."

First Name (or Anonymous or Unknown): * _____

Last Name (or Anonymous or Unknown): * _____

Age or Approximate Age * _____ Gender: Male Female

Additional Information: _____

Fill this section out if additional victims are involved.

First Name (or Anonymous or Unknown):* _____

Last Name (or Anonymous or Unknown):* _____

Age or Approximate Age* _____ Gender: Male Female

Additional Information: _____

(use separate sheet if necessary)

Your Name and Relationship to the Victim(s)

At your option, you may identify yourself and your relationship to the victim. Alternatively, you may remain anonymous if you wish. However, where appropriate, the investigative process may require further input, and therefore anonymous reporting may make it difficult for USATT to move forward with an investigation.

First Name (or Anonymous or Unknown):* _____

Last Name (or Anonymous or Unknown):* _____

Age or Approximate Age* _____ Gender: Male Female

Phone: (_____) _____ - _____

E-Mail Address: _____

Relationship to Victim:

Self Parent/Guardian Other Family Member

Friend or Acquaintance Club Member Coach or Volunteer

Prefer Not to Say Other _____

Individuals That May Have Additional Information

List anyone who may be able to provide additional information regarding the alleged offense. We will not identify you when we contact these individuals.

First Name (or Anonymous or Unknown):* _____

Last Name (or Anonymous or Unknown):* _____

Age or Approximate Age* _____ Gender: Male Female

Phone: (_____) _____ - _____

E-Mail Address: _____

Relationship to Victim:
Self Parent/Guardian Other Family Member
Friend or Acquaintance Club Member Coach or Volunteer
Prefer Not to Say Other _____

Additional Information

Please provide any other information that you feel would be helpful to an investigation of the alleged offense you have reported
