



USA CLIMBING
SAFESPORT POLICY
Revised: Decemeber 19, 2019

TABLE OF CONTENTS

I.	USA CLIMBING SAFESPORT CONTACTS.....	4
II.	INTRODUCTION AND APPLICATION.....	4
III.	ATHLETE PROTECTION	7
	A. PROHIBITED CONDUCT.....	7
	1. Sexual Misconduct	7
	2. Child Sexual Abuse	8
	3. Grooming	8
	4. Emotional Misconduct	9
	5. Physical Misconduct	9
	6. Bullying.....	9
	7. Harassment.....	10
	8. Hazing	10
	9. Willfully Tolerating Misconduct	10
	B. RULES FOR MAINTAINING HEALTHY BOUNDARIES	10
	1. Overview	10
	2. Appropriate Physical Conduct	11
	3. Inappropriate Physical Contact	12
	C. TRAVEL.....	12
	1. Application.....	13
	2. Individual Travel	13
	3. Hotel Rooms.....	14
	4. Coach and Staff Responsibilities.....	14
	5. Chaperone Responsibilities	15
	D. ADDITIONAL PRINCIPLES FOR MAINTAINING HEALTHY BOUNDARIES	15
	E. BACKGROUND CHECK AND TRAINING	16
IV.	REPORTING OF MISCONDUCT	17
	A. APPLICATION	17
	B. REPORTING BASED ON TYPES OF MISCONDUCT	17
	1. Reporting Suspected Child Abuse to Legal Authorities.....	17
	2. Reporting Sexual Misconduct	17
	3. Reporting Other Violations of USA Climbing SafeSport Policy	18
	4. Reporting Other Misconduct and Policy Violations.....	18
	C. Peer-to-Peer Sexual Abuse	18
	D. OTHER INFORMATION FOR REPORTING	18
	1. How to Report	18
	2. Reporting Form	19
	3. Confidentiality and Privacy.....	19
	4. Anonymous Reporting	19
	5. “Whistleblower” Protection	20
	6. Bad-Faith Allegations.....	20
	7. Failure to Report.....	20

V.	DISCIPLINARY PROCEDURES	21
A.	RESPONSE TO ALLEGATIONS.....	21
B.	DISCIPLINARY RESPONSE	22
C.	TEMPORARY MEASURES	23
VI.	USA CLIMBING SAFESPORT INCIDENT REPORT FORM	24

I. USA CLIMBING SAFESPORT CONTACTS

Contact USA Climbing’s national office staff to make a report of misconduct or to ask questions about the SafeSport Program.

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II. INTRODUCTION AND APPLICATION

Consistent with its mission, the welfare of participants is of paramount concern to USA Climbing. When any participant—athlete, coach, official, volunteer or staff member—is subjected to or engages in abuse or misconduct, it undermines the mission of USA Climbing and is inconsistent with the best interests of the sport.

USA Climbing is committed to promoting a safe environment for its participants, coaches, officials, volunteers and staff. USA Climbing has developed and adopted this policy to outline the efforts it will undertake to promote a safe competitive environment, in partnership with coaches, parents, athletes, and the U.S. Center for SafeSport (the “U.S. Center”).

All forms of misconduct are intolerable and in direct conflict with USA Climbing’s ideals. In this document, we identify seven primary types of misconduct:

- Sexual Misconduct, including Child Sexual Abuse and Grooming
- Emotional Misconduct
- Physical Misconduct
- Bullying
- Harassment
- Hazing
- Willfully Tolerating Misconduct

Under this Policy, a minor (a child) is defined as an individual under the age of eighteen. While child physical and sexual abuse is one type of misconduct, it is important to remember that this policy covers many inappropriate behaviors that do not involve children at all. Where not specifically pertaining to minors, this Policy applies regardless of the ages of the individuals involved in the alleged activity.

This Policy applies to the following Covered Individuals:

- USA Climbing Staff
- USA Climbing Interns
- USA Climbing Board Members
- USA Climbing National, Divisional, and Regional Coordinators
- USA Climbing Certified Coaches
- USA Climbing Certified Officials
- USA Climbing Certified Routesetters
- USA Climbing Covered Volunteers (i.e. volunteer coordinator, isolation coordinator, event organizers)
- USA Climbing National Team Contracted Medical Personnel (i.e. doctors, trainers, etc...)
- USA Climbing Contracted Massage Therapists
- USA Climbing Contractors who have regular contact with minor athletes (i.e. official National Team Chaperones)
- USA Climbing National Team Athletes in USADA's Registered Testing Pool
- Any other individual that USA Climbing formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have regular contact with any athlete

All climbing participants must promote a safe, misconduct-free environment for other participants. However, Covered Individuals have additional responsibilities in accordance with the law and with the requirements of the U.S. Center. Covered Individuals must:

- a. know the information, policies and procedures outlined in:
 - a. the U.S. Center's SafeSport Code for the U.S. Olympic and Paralympic Movement ('Code' or 'SafeSport Code') and its related policies available at <https://safesport.org/files/index/tag/policies-procedures>;
 - b. USA Climbing's rules, policies, Bylaws, and (for coaches) Coaches Code of Conduct;
- b. refrain from engaging in or willfully tolerating any of the forms of misconduct and prohibited conduct described in the U.S. Center's SafeSport Code, the USA Climbing SafeSport Policy, or (for coaches) the Coaches Code of Conduct;
- c. be subject to the U.S. Center's jurisdiction and comply with the U.S. Center's policies, procedures, and Code, including with respect to reporting suspected misconduct; and
- d. In accordance with the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (the "Safe Sport Authorization Act," at <https://www.congress.gov/bill/115th-congress/senate-bill/534>):
 - a. Report suspected child abuse, including sexual abuse, within 24 hours to the local law enforcement agency or local child protective services agency that has jurisdiction to investigate reports of child abuse or to protect child abuse victims, or to the FBI, and
 - b. Report any reasonable suspicion of child abuse, including sexual abuse, immediately to the U.S. Center.

- e. be subject to USA Climbing's jurisdiction and comply with USA Climbing's rules, policies, Bylaws, and Coaches Code of Conduct (as applicable), including with respect to reporting suspected misconduct.

Nothing contained in this policy is intended to supersede, replace, or otherwise abrogate the USA Climbing Bylaws, the USA Climbing Rulebook, or the Ted Stevens Olympic and Amateur Sports Act, or the Safe Sport Authorization Act. This Policy will be posted on the website of USA Climbing.

While USA Climbing endeavors to provide support and guidance to Youth Climbing Teams and Collegiate Climbing Teams, as well as to climbing gyms, it is also important for each Youth Climbing Team, Collegiate Climbing Team and each gym to have a formal procedure for disciplinary action to address alleged violations of its policies and other inappropriate behaviors, which is consistent with the applicable Team's or gym's governing documents and with the Safe Sport Authorization Act. Each Team, and each gym, is responsible for hiring and supervising its own coaches and staff, and for managing its own volunteers. USA Climbing does not hire, supervise, or manage a Youth Climbing Team's, Collegiate Climbing Team's or gym's employment relationship with its coaches, staff, or volunteers, as that is an independent responsibility of the Team or gym.

III. ATHLETE PROTECTION

A. PROHIBITED CONDUCT

USA Climbing utilizes the U.S. Center's definitions for prohibited conduct. For additional information, see the SafeSport Code, available at <https://safesport.org/policies-procedures>.

USA Climbing prohibits the following conduct for all Covered Individuals. These definitions are intended to complement, but not supersede, the U.S. Center's definitions in the SafeSport Code.

1. Sexual Misconduct

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

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

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

Note: An imbalance of power is always assumed between a coach and an athlete, even if the athlete is not a minor.

Types of Sexual Misconduct

Types of sexual misconduct include:

- 1) sexual assault,
- 2) sexual harassment,
- 3) sexual abuse, or
- 4) any other sexual intimacies that exploit an athlete. Minors cannot consent to sexual activity with an adult, and all sexual interaction between an adult and a minor is strictly prohibited.

Exceptions

None

2. Child Sexual Abuse

(1) Any sexual activity with a child where consent is not or cannot be given. This includes sexual contact with a child that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity. Depending on the circumstances, child abuse might include peer-to-peer activity.

(2) Any act or conduct described as child sexual abuse or exploitation under federal or state law.

Note: 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.

Exception

None

3. Grooming

The process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct.

The initial stages of the grooming process can occur in public or group settings, offenders also take care to groom the community, which makes it easier to gain the trust of staff and administrators.

Grooming may involve any of the following but not limited to the following activities:

- Targeting the victim – An offender will identify a child and determine his or her vulnerabilities.
- Gaining trust–Through watching and gathering information about the child, an offender will become acquainted with his or her needs.
- Filling a need – Offenders will often lavish gifts, extra attention and affection to forge a bond with their victims.
- Isolating the child – By developing a special relationship with the child, an offender creates situations in which he or she is alone with the child.
- Sexualizing the relationship – An offender will desensitize a child by talking to, taking photos of and even creating situations in which both the offender and victim are touching or naked. The adult then uses a child’s curiosity and feelings of stimulation to engage in sexual activity.
- Maintaining control – To ensure the child’s continued participation and silence, offenders can use secrecy and blame as well as other tactics. Victims sometimes continue the relationship out of fear or shame at the thought of having to tell someone about the abuse

4. Emotional Misconduct

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

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

(2) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

Exception

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

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

5. Physical Misconduct

(1) Contact or non-contact conduct that intends to result in, or reasonably threatens to, cause physical harm to an athlete or other sport participants; or

(2) Any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault).

Exception

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

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

6. Bullying

(1) An intentional, persistent and repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended, or have the reasonable potential, to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership

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

Exception

Bullying does not include group or team behaviors that (a) are meant to establish normative team behaviors, or (b) promote team cohesion.

For example, bullying does not include respectful verbal admonitions for providing constructive feedback and encouraging team members to train harder and to push through a difficult training regimen.

7. Harassment

(1) A repeated pattern of physical and/or non-physical behaviors that (a) are intended to cause fear, humiliation or annoyance, (b) offend or degrade, (c) create a hostile environment or (d) reflect discriminatory bias in an attempt to establish dominance, superiority or power over an individual athlete or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression or mental or physical disability; or

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

Exceptions

None

8. Hazing

(1) Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group's members; or

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

9. Willfully Tolerating Misconduct

It is a violation of this Policy if a Covered Individual knows of misconduct but takes no action to intervene on behalf of the victim.

B. RULES FOR MAINTAINING HEALTHY BOUNDARIES

1. Overview

USA Climbing is committed to creating a safe and positive environment for athletes' physical, emotional and social development and to ensuring that it promotes an environment free of

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

Appropriate contact between athletes and coaches, staff members, contractors, or volunteers is a productive and inevitable part of sport. Athletes are more likely to acquire advanced physical skills, develop emotionally, and enjoy their sport participation through appropriate and healthy relationships with adults.

Accordingly, guidelines for maintaining healthy boundaries with athletes are necessary to reduce the potential for misconduct in sport.

Note that these guidelines do not supersede or amend the SafeSport Code.

2. Appropriate Physical Conduct

USA Climbing adheres to the following principles and guidelines in regards to physical contact with USA Climbing registered athletes:

a. Common Criteria for Appropriate Physical Contact

Physical contact with athletes—for safety, consolation, and celebration—has multiple criteria in common which make them both safe and appropriate. These include:

- The physical contact takes place in public;
- There is no potential for, or actual, physical or sexual intimacies during the physical contact;
- The physical contact is for the benefit of the athlete, not to meet an emotional or other need of an adult.

b. Safety

The safety of our athletes is paramount, and in many instances, we make the athletic space safer through appropriate physical contact. Examples include:

- Spotting an athlete so that he/she will not be injured by a fall or piece of equipment;
- Positioning an athlete's body so that he/she more quickly acquires an athletic skill, has a better sense of where his/her body is in space, or improves his/her balance and coordination;
- Making an athlete aware that he/she might be in harm's way because of other athletes practicing around him/her or because of equipment in use;

c. Celebration

Sports are physical by definition, and we recognize participants often express their joy of participation, competition, achievement, and victory through physical acts. We encourage these public expressions of celebration, which include:

- Greeting gestures such as high-fives and fist bumps;
- Congratulatory gestures such as “jump-arounds” and pats on the back for any form of athletic or personal accomplishment

d. Consolation

It may be appropriate to console an emotionally distressed athlete (e.g., an athlete who has been injured or has just lost a competition). Appropriate consolation includes publicly:

- Putting an arm around an athlete while verbally engaging them in an effort to calm them down (“side hugs”);
- Lifting a fallen athlete and “dusting them off” to encourage them to continue competition.

3. Inappropriate Physical Contact

Prohibited forms of physical contact, which shall be reported immediately under the Reporting of Misconduct section of this policy include, without limitation:

- Lingering or repeated embraces of athletes that go beyond the criteria set forth for acceptable physical contact;
- Slapping, hitting, punching, kicking, or any other physical contact meant to discipline, punish or achieve compliance from an athlete;
- “Cuddling” or maintaining prolonged physical contact;
- Playful, yet inappropriate contact that is not a part of regular training (e.g., tickling);
- Continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not;
- Any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment;
- Any contact that is designed to meet an emotional or other need of any adult.

C. TRAVEL

Travel is a standard aspect of USA Climbing competitive seasons, and USA Climbing has established policies to guide travel planning so as to minimize private one-on-one interactions between a Covered Individual and an athlete, and to promote healthy and professional boundaries between Covered Individuals and athletes. All Covered Individuals must adhere to these travel guidelines in order to increase athlete safety and improve the competitive experience while keeping travel a fun and enjoyable experience.

1. Application

a. Local and Team Travel

Local travel occurs when USA Climbing does not sponsor, coordinate, or arrange for travel. Team travel is overnight travel that occurs for a USA Climbing-sponsored event, such as a regional, divisional, national or international championship. Team travel is not coordinated or arranged by USA Climbing. For local and team travel, athletes or their parents/guardians (for minor athletes) are responsible for making all travel arrangements and for ensuring that the person transporting the athlete maintains all safety and legal requirements, including, but not limited to, a valid driver's license, proper insurance, well maintained vehicle, and compliance with all state laws. On occasion for team travel, USA Climbing might recommend a hotel and request a block of rooms for the convenience of USA Climbing members. However, USA Climbing members and/or their families remain responsible for making the ultimate arrangements.

During team travel, we encourage family members to stay in the same hotel as their athlete(s). If family members do not stay in the same hotel, we encourage all athletes to call parents and guardians regularly. Covered Individuals shall allow for any unscheduled calls by either the athlete or parent/guardian.

b. USA Climbing-Coordinated Travel

Where USA Climbing coordinates travel, such as for National Team participation at a National Team training camp or at an international competition, USA Climbing will provide for supervision of minor athletes through coaches and other adult chaperones. For USA Climbing-coordinated travel, athletes may be expected to share rooms, depending on accommodations. Travel arrangements are to be made with a goal of minimizing private one-on-one interactions between a Covered Individual and an athlete, and to promote healthy and professional boundaries between Covered Individuals and athletes.

2. Individual Travel

USA Climbing discourages travel arrangements that place a Covered Individual in a private one-on-one situation with a minor. However, the nature of our sport and competition structure means that individual athletes may sometimes need to travel overnight without other athletes. In an effort to minimize private, one-on-one interactions, Covered Individuals shall not travel alone with an unrelated minor athlete, unless: (1) exigent circumstances require such interactions; or (2) the minor athlete's parent or guardian has provided his/her written consent.

Alternatives to one-on-one travel between a Covered Individual and an athlete include, if consistent with other requirements of this USA Climbing SafeSport Policy:

1. Traveling with an additional athlete or Covered Individual, where possible; and
2. Encouraging parents/guardians to travel with their athlete (for athletes under age 18).

In the event that only one minor athlete and one coach travel to a competition, the coach shall obtain written permission from the minor athlete's parent or guardian in advance of the trip.

3. Hotel Rooms

Covered Individuals shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the Covered Individual 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. This does not necessarily preclude large group sleeping arrangements such as shared bunk or camping arrangements, so long as otherwise consistent with USA Climbing's SafeSport Policy.

4. Coach and Staff Responsibilities

During travel (as in other situations), Coaches and staff are expected to encourage athletes, coaches and staff to adhere to policy guidelines, including, without limitation, this Travel section and the other requirements of this USA Climbing SafeSport Policy. During travel and when not practicing, training, competing, or preparing for competition, Coaches and staff are expected to monitor the activities of athletes, fellow coaches and staff for compliance with USA Climbing policies.

Specifically, to the extent applicable, Covered Individuals who are coaches and/or staff shall:

1. Prepare athletes for team travel and make athletes aware of all expectations;
2. Familiarize themselves with all travel itineraries and schedules before the initiation of team travel;
3. Conform to, and monitor for others' adherence to all USA Climbing policies during team travel;
4. Encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians;
5. Help athletes be on time for all team commitments;
6. Assist with team travel logistical needs;
7. Support chaperones and/or participate in the monitoring of athletes for adherence to curfew restrictions as listed in travel itinerary;
8. Ensure athletes are complying with hotel room restrictions based on gender or age bracket requirements;
9. Take reasonable steps to monitor that athletes are not alone in a hotel room with any adult apart from a family member/guardian; this includes coaches, staff, and chaperones, except as set forth in this policy;
10. Abstain from the use of tobacco while in the presence of athletes and discourage its use, and refrain from the consumption of alcohol or other behavior-altering substances while responsible for minors;

11. Immediately report any concerns about emotional, sexual, or physical abuse, misconduct, or policy violations to the U.S. Center or USA Climbing's Chief Executive Officer;
12. Notify parents before taking any disciplinary action against a minor athlete if the athlete is traveling without his or her parents.

5. Chaperone Responsibilities

Official USA Climbing chaperones or Team Managers may be selected to accompany National Team travel.

If an official National Team chaperone will be operating a private car for team travel, a copy of the chaperone's valid driver's license must be submitted to USA Climbing prior to travel.

Official National Team chaperones shall monitor the activities of all coaches, staff members, volunteers, and athletes during team travel. Specifically, official National Team chaperones shall:

1. Familiarize themselves with all travel itineraries and schedules before team travel;
2. Monitor for adherences to USA Climbing policies during team travel;
3. Encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians;
4. Help athletes be on time for all team commitments;
5. Assist coaches, staff, and other volunteers with team travel logistical needs;
6. Monitor athletes for adherence to curfew restrictions as listed in travel itinerary;
7. Monitor for athlete compliance with hotel room restrictions based on gender or age bracket requirements;
8. Abstain from the use of tobacco while in the presence of athletes and discourage its use, and refrain from the consumption of alcohol or other behavior-altering substances while responsible for minors;
9. Take reasonable steps to monitor that athletes are not alone in a hotel room with any adult apart from a family member/guardian; this includes coaches, staff, and chaperones;
10. Immediately report any concerns about emotional, sexual, or physical abuse, misconduct, or policy violations to the U.S. Center or to USA Climbing's Chief Executive Officer.

D. ADDITIONAL PRINCIPLES FOR MAINTAINING HEALTHY BOUNDARIES

The following principles should guide Covered Individuals in structuring their contact with minors so as to maintain healthy boundaries:

- Avoid the perception of impropriety;
- Avoid one-on-one interactions with athletes, and if such meetings are necessary, do so in a public space;
- Do not photograph athletes in an intimate or compromising position or situation;
- Do not facilitate an athlete's use of alcohol, tobacco, or controlled substances;
- Use legitimate fair bases for giving athletes attention;

- Do not give any athletes special gifts or favors;
- Always be aware of the power dynamic between coaches, staff, etc. and athletes;
- Do not engage in discussions with athletes that could not comfortably be discussed with parents or another adult;
- Do not use foul or offensive language;
- Consider your conversations with others when athletes are present;
- Maintain professional boundaries when communicating with athletes through text messaging, e-mail, or social media;
- Do not post images of athletes on public social media sites without the parents' written consent;
- Model appropriate behavior and exercise discretion when using social media;
- Do not expose athletes to pornographic material.

E. BACKGROUND CHECK AND TRAINING

Covered individuals must submit to criminal background screening pursuant to USA Climbing's Screening and Criminal Background Check Policy, separately posted on USA Climbing's website: <http://www.usaclimbing.org/Officials/Coaches/SafeSport.htm>

Additionally, Covered Individuals are also required to complete awareness training to reinforce to concepts covered under this Policy, Core training must be taken by the Covered Individuals and then a refresher course may be taken on an annual basis to stay in good standing. All members of USA Climbing's Board of Directors also are required to complete the same awareness training as Covered Individuals. Training is based on the U.S. Center's information.

Except as otherwise required for Coach Certification or other certification under the Rulebook, criminal background checks, education, and training must be completed before contact with athletes begins or within 45 days of an individual taking a new role.

USA Climbing tracks and performs periodic and yearly checks for compliance of its background screening and education/training requirements.

IV. REPORTING OF MISCONDUCT

A. APPLICATION

Although this USA Climbing SafeSport Policy is designed to protect the USA Climbing community from misconduct, we recognize that there may be instances where such misconduct still occurs. Covered Individuals shall follow the reporting procedures set forth in this policy. Other individuals in a position to observe inappropriate conduct, including other volunteers, athletes, and parents, are also encouraged to make reports hereunder. Nothing in this Policy shall be construed to prohibit any individual from also making a direct report to law enforcement or child protective services. In the case of reasonable suspicion of child abuse, appropriate law enforcement or child protective services authorities should be contacted immediately, without waiting to investigate or evaluate the credibility or validity of the allegations. Under the laws of most states, most Covered Individuals who come into contact with minors are mandatory reporters of child abuse; failure to report suspected child abuse is a crime in most jurisdictions. It is also the responsibility of each Covered Individual to immediately report suspicions or allegations of child abuse to USA Climbing's Chief Executive Officer.

B. REPORTING BASED ON TYPES OF MISCONDUCT

1. Reporting Suspected Child Abuse to Legal Authorities.

USA Climbing will report suspected child abuse or neglect (including sexual misconduct) to the proper authorities in all instances and without exception, unless it is aware that authorities have already been notified.

Covered Individuals must report suspected child abuse or neglect (including sexual misconduct) within 24 hours to the appropriate legal authorities as described above in Section II(d), which is separate from notification to the U.S. Center or USA Climbing. For state-by-state reporting information, see www.childwelfare.gov. In addition, Covered Individuals must report any reasonable suspicion of child abuse, including sexual abuse, immediately to the U.S. Center.

2. Reporting Sexual Misconduct

Covered Individuals must immediately provide notification directly to the U.S. Center of conduct of which they become aware that could constitute (a) sexual misconduct, (b) misconduct that is reasonably related to an underlying allegation of sexual misconduct, or (c) retaliation related to an allegation of sexual misconduct as set forth in the Code. In the event the disclosure is initially made to USA Climbing, USA Climbing will forward the information to the U.S. Center.

Notification to the U.S. Center and/or USA Climbing DOES NOT satisfy any legal reporting requirements under state or federal law. Covered Individuals are required to report suspected sexual misconduct to legal authorities prior to notifying the U.S. Center.

3. Reporting Other Violations of USA Climbing SafeSport Policy

Covered Individuals must provide notification directly to USA Climbing of conduct that could constitute misconduct under these SafeSport Policies and Minor Athlete Abuse Prevention Policies (MAAPP), other than sexual misconduct described above. In accordance with its Bylaws, USA Climbing may request that the U.S. Center accept jurisdiction of other violations of USA Climbing's SafeSport Policy and MAAPP. If USA Climbing determines it is appropriate to do so, USA Climbing will forward information about the misconduct to the U.S. Center. If the U.S. Center refers the matter back to USA Climbing for any reason, then USA Climbing's Judicial Committee has jurisdiction to review the matter under USA Climbing's Bylaws, Article 15 <http://www.usaclimbing.org/Officials/Documents.htm> and USA Climbing's Judicial Committee Procedures on the USA Climbing website: <http://www.usaclimbing.org/Assets/2018+Judicial+Committee+Procedures.pdf>

Notification to USA Climbing DOES NOT satisfy any legal reporting requirements under state or federal law. If the suspected conduct may also be criminal, persons are required to report to legal authorities prior to notifying USA Climbing.

4. Reporting Other Misconduct and Policy Violations

a. Grooming

Because sexual abusers “groom” children for abuse – the process used by offenders to select a child, to win the child's trust (and the trust of the child's parent or guardian), to manipulate the child into sexual activity and to keep the child from disclosing abuse – it is possible that a staff member and/or volunteer may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected grooming behavior shall also be reported under this Policy.

C. 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. All questions and concerns about an interaction between children which may constitute sexual abuse shall also be reported under this Policy.

D. OTHER INFORMATION FOR REPORTING

1. How to Report

Both the U.S. Center and USA Climbing will take a report in the way that is most comfortable for the person initiating a report including an anonymous, in-person, verbal or written report. Regardless of how you choose to report, it is helpful to USA Climbing for individuals to provide,

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

2. Reporting Form

Individuals reporting under this Policy may, but are not required to, complete an Incident Report Form. Information on this form may include:

- 1) the name(s) of the complainant(s)
- 2) the type of misconduct alleged
- 3) the name(s) of the individual(s) alleged to have committed the misconduct
- 4) the approximate dates the misconduct was committed
- 5) the names of other individuals who might have information regarding the alleged misconduct
- 6) a summary statement of the reasons to believe that misconduct has occurred

A copy of USA Climbing's Incident Reporting Form can be found on the website of USA Climbing, and is appended below.

3. Confidentiality and Privacy

While USA Climbing seeks to respect the privacy of individuals who entrust us with sensitive information where possible, we cannot keep information pertaining to potential child abuse confidential by law. However, USA Climbing will treat such matters with as much confidentiality and sensitivity as is possible under the circumstances. Information will only be shared on an as-needed basis with the concerned parties. Parents/guardians of participants may be notified, as necessary, of any possible health or safety risk.

USA Climbing expects all Covered Individuals to maintain professionalism and respect the privacy of the individuals involved in these matters, and requires that a Covered Individual with information about suspected abuse will limit his/her communications on this topic to the required reporting outlined above or other communications as necessary to facilitate the safety and wellbeing of the impacted individual.

4. Anonymous Reporting

USA Climbing recognizes it can be difficult for an athlete, teammate, friend or family member to report an allegation of misconduct and strives to remove as many barriers to reporting as possible.

Anonymous reports may be made without the formality of completing an Incident Report Form:

- by completing the U.S. Center or USA Climbing Reporting Forms without including the reporting person's name;
- by expressing concerns verbally to USA Climbing's Chief Executive Officer; or
- through email or handwritten notes to USA Climbing's Chief Executive Officer.

Anonymous reporting may make it difficult for USA Climbing to investigate or properly address allegations. All suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities.

5. "Whistleblower" Protection

Regardless of outcome, USA Climbing will support the complainant(s) and his or her right to express concerns in good faith. USA Climbing will not encourage, allow or tolerate attempts from any individual to retaliate, punish, allow or in any way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of USA Climbing's SafeSport Policy and grounds for disciplinary action.

6. 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 USA Climbing's 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.

7. Failure to Report

A Covered Individual's failure to report as required under this Policy is a violation of this Policy and grounds for termination of the Covered Individual's association with USA Climbing.

V. DISCIPLINARY PROCEDURES

A. RESPONSE TO ALLEGATIONS

Upon receipt of an allegation of violation of the USA Climbing SafeSport Policy, USA Climbing will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused, and (iii) the nature, scope and extent of the allegations. If the accused individual is a minor, USA Climbing will contact his or her parents or guardians. If the alleged victim is a minor, USA Climbing will contact his or her parents or guardians and will act in accordance with state mandatory reporting laws. USA Climbing also may begin proceedings on its own initiative, for example where a gym or Team has terminated a Coach and USA Climbing believes that review of the Coach's continuing eligibility for certification is warranted.

Steps taken by USA Climbing, depending on the circumstances, may include one or more of the following:

- The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual;
- Other steps to investigate the allegations and to provide the accused an opportunity to respond to the allegations;
- Retention of legal counsel or an investigator to determine 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;
- Notification to staff members, contractors, volunteers, parents, and/or athletes of any allegation of child physical or sexual abuse or other criminal behavior that (1) law enforcement authorities are actively investigating; or (2) that USA Climbing is investigating internally. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct;
- Suspension of the accused individual pending final resolution of the complaint to eliminate any danger to an athlete, sport participant or other individual; and/or
- Formal investigation;
- Referral to the Judicial Committee for a hearing under Bylaws Article 15;
- Take Temporary Measures in the interest of athlete safety, even if the U.S. Center for SafeSport and/or the Judicial Committee is also addressing the matter.

In the event USA Climbing undertakes an investigation, USA Climbing will endeavor to avoid interfering with a pending law enforcement investigation or legal proceeding. USA Climbing will forward information on the allegation to the U.S. Center for its sole review and processing where required by the Bylaws.

By virtue of participation with USA Climbing teams, USA Climbing athletes, or USA Climbing events, individuals are deemed to have consented to disclosure to any third party, including to the climbing gym or climbing program where an individual is employed or seeking to be employed, of information regarding the results of any background check, any allegations against the individual, and any decision by USA Climbing to provisionally or conclusively deny, suspend or condition the individual's coaching certification, to the extent that disclosure of such information is related to USA Climbing's efforts to promote athlete and other member safety and well-being.

B. DISCIPLINARY RESPONSE

USA Climbing's disciplinary response will depend on the nature and seriousness of the incident. Sanctions for misconduct will be reasonable under the circumstances and USA Climbing (or a Hearing Panel where a hearing is held under Bylaws Article 15) may take the following disciplinary actions, without limitation:

- Inform the individual's direct-line supervisor and in the case of a minor, the minor's parent or guardian;
- Provide the individual with guidance, redirection and instruction;
- Temporarily disqualify the individual;
- File a formal incident report;
- Issue a verbal warning;
- Require participation in mediation to resolve disputes surrounding the allegation;
- Issue a written and/or final written warning;
- Implement a limited access agreement (e.g., limiting an individual's access to certain buildings or to youth);
- Provide informed supervision, where at least one staff member is informed of the allegation and is instructed to supervise vigilantly the accused individual in his or her interactions with the program and/or organization;
- Engage in restorative practices (i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred);
- Suspend or terminate employment, membership, certification or qualification.

C. TEMPORARY MEASURES

USA Climbing may temporarily suspend an accused individual, pending investigation and/or final resolution of a complaint, to eliminate any danger to an athlete, sport participant or other individual.

VI. USA CLIMBING SAFESPORT INCIDENT REPORT FORM

USA Climbing strongly encourages the reporting of misconduct and appreciates your willingness to report inappropriate behavior. USA Climbing will treat reports with as much confidentiality and sensitivity as is possible under the circumstances.. Please provide as much specific information as possible, with the understanding that you may not have information in response to every question.

Reports by phone may be made by contacting USA Climbing as follows:

Marc Norman
Chief Executive Officer
Marc@usaclimbing.org
801-971-7713

Sharlee Holland
Membership Services and Safesport Manager
Sharlee@usaclimbing.org
801-628-5098

This section is about the individual you are reporting.

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

2. Age (or approximate age):

3. Gender:

4. Address (Please include city and state, if known):

5. Position(s) this individual holds or held (i.e. head coach, assistant coach, gym employee, volunteer, official, athlete, other/not sure):

6. Gym where individual works, volunteers, trains or has worked, volunteered, or trained previously:

This section asks questions about the incident or incidents you are reporting.

7. Please describe what happened, including where the incident occurred and whether there were any witnesses to the incident:

This section is for information about the alleged victim(s).

8. Name of the alleged victim:

9. Approximate age:

10. Gender:

11. Gym affiliation (if any):

12. Phone number for the alleged victim (Note: if the alleged victim is under 18 years old, please provide contact information for his/her parent or guardian):

13. E-mail address for the alleged victim (Note: if the alleged victim is under 18 years old, please provide contact information for his/her parent or guardian):

Reporter's Information

16. Your name¹:

17. Your phone number:

18. Your e-mail address:

19. Your gym affiliation (if any):

20. Your relationship to the alleged victim (if any) (i.e. self, parent/guardian, other family member, friend or acquaintance, gym member, coach, volunteer, other):

Other information

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

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