

# **U.S. Figure Skating Harassment and Abuse Policy – Revised (November 2013)**

(Approved by U.S. Figure Skating's Board of Directors November 9, 2013)

U.S. Figure Skating strives to provide a safe environment for its members and to protect the opportunity of its members to participate in our sport in an atmosphere that is free of harassment and abusive practices. The association will not tolerate or condone any form of harassment or abuse of any of its members including coaches, officials, directors, employees, parents, athletes, and volunteers - or any other persons - while they are participating in or preparing for a figure skating activity or event conducted under the auspices of U.S. Figure Skating.

## **Definitions**

### **1. Harassment**

Harassment is defined in various sources such as case law, state legislation, sports organization and professional association codes of conduct and training manuals, corporation and workplace documents, and human rights commission materials. U.S. Figure Skating has not adopted any specific definition of harassment, choosing instead to defer to such general sources and definitions for reference and application, depending upon the circumstances. The following, however, presents a general overview.

- Behavior: Any 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 participant or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression, or mental or physical disability.
- Environment: Creation of an environment through behavior or course of conduct that is insulting, intimidating, humiliating, demeaning, or offensive.

Harassment usually occurs when one person engages in abusive behavior or asserts unwarranted power or authority over another, whether intended or not. It includes, for example, name-calling, taunts, threats, belittling, unwelcome advances and requests for sexual favors, as well as undue pressure to perform or succeed. Harassment includes child abuse.

### **2. Child Abuse**

A legal definition of child abuse exists in each state. For purposes of enforcing this policy, U.S. Figure Skating adopts the legal definition of child abuse of the state(s) in which the child resides and where the incident of child abuse occurs. If there is a conflict between the state laws defining child abuse, the definition that provides the

child with the greatest protection will be used for enforcing this policy. A child is someone under the age of 18 or who has not attained the age of legal majority in the state in which he or she resides.

Child abuse and misconduct can be physical, sexual or emotional in nature. Child physical abuse includes physical contact - or the threat of it - that intentionally causes bodily harm or injury to a child. This includes, for example, hitting, shaking, kicking, shoving a skater into a barrier, etc., as well as forcing an individual to skate when he or she is injured, or mandating excessive exercise as a form of punishment. Child physical abuse also includes providing alcohol and drugs to a minor, knowingly permitting an athlete to return to sport prematurely following an injury, and chronic inattention to a child's basic needs and welfare.

Child sexual abuse involves any sexual activity between an adult and a minor. Sexual contact between minors can also be abusive if there is a significant imbalance of power or disparity in age, development or size, such that one child is the aggressor. The sexually abusive acts may include sexual penetration, sexual touching, and non-contact sexual acts such as taking and/or distributing sexual explicit photos or sending sexually suggestive written or electronic communications.

Child emotional abuse involves a pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to a participant. These behaviors may include, for example, patterns of verbal behavior attacking an athlete personally, or a pattern of ignoring an athlete for extended periods of time.

### **Procedures for Reporting Child Abuse**

1. Report the abuse to authorities.

In most states, you are obligated to bring this matter to the attention of local law enforcement or a public child welfare organization and make a report. In fact, not reporting the incidents in some states is against the law and the coach or witness could be liable for failure to report. Some states have a "Mandated Reporter Status." Be aware of your state laws and specific reporting requirements as people involved in certain occupations must report suspected child abuse. If you do not know which authorities to contact in your state, call the National Domestic Violence / Abuse Hotline 1-800-799-SAFE (1-800-799-7233 or 1-800 787-3224 TDD). All calls to the hotline are confidential, and callers may remain anonymous if they wish. You may also call Victims Assistance Ministry at 1-800-355-2545 or seek help directly by contacting one of the Child Protective Services or one of the Law Enforcement Agencies in your area.

2. Report the abuse to U.S. Figure Skating. Notify the U.S. Figure Skating vice chair for SafeSport or safesport@usfigureskating.org.

3. Alert the rink management, if appropriate.
4. Alert at least one of the following: the Club President, Club SafeSport Compliance Chair, or other appropriate board member.

### **Procedures for Reporting Harassment**

Harassment, as defined herein, between or among U.S. Figure Skating members, shall be reported to the chair of the Ethics or Grievance Committee as soon as is practicably possible, per GR 1.03.

Depending on the nature and/or severity of the harassment, the reporter may also choose to contact a local law enforcement agency or seek assistance from a local or state human rights commission.

### **Violation of Harassment and Abuse Policy**

Any person in violation of this policy statement will be subject to disciplinary action in accordance with Article XXV, Section 3 of the U.S. Figure Skating bylaws.

Any person convicted of child abuse in a court of law shall be permanently banned from membership in U.S. Figure Skating and from participation in U.S. Figure Skating programs and activities, in accordance with the association's Code of Ethics.

### **Retaliations or Threats of Reprisal**

Retaliation or threats of reprisal against an individual for filing a complaint under this policy or for participating or assisting in any procedure under this policy will be considered harassment for the purpose of this policy.

### **Condemnation or Groundless Allegations**

If a person in authority knows or should reasonably have known that harassment or abuse may have occurred and fails to report it or take appropriate action as set out in this policy statement, that person may be subject to disciplinary action per Article XXV, Section 3, of the U.S. Figure Skating bylaws.

Further, any person who makes groundless allegations or complaints of abuse or harassment may be subject to disciplinary action per Article XXV, Section 3, of the U.S. Figure Skating bylaws.