



LAKESHORE

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This policy and procedure rescinds any previous material covering this subject matter.

I. PURPOSE

To establish a policy related to Lakeshore Foundation's commitment to ensuring a safe environment for athlete participants.

II. POLICY

Lakeshore Foundation is committed to providing an environment that ensures safety for all of the athlete participants it serves. This applies to our role as a community membership organization with sport teams, our role as a US Olympic and Paralympic Training Site, and our role as a Performance Partner Sport Organization with the USOPC for wheelchair rugby.

With this commitment, Lakeshore Foundation **prohibits the following misconduct** from any of its employees, contractual staff, coaches, volunteers or participant athletes.

1. Prohibited Conduct

- Bullying
- Hazing
- Harassment (including sexual harassment)
- Emotional Misconduct
- Physical Misconduct
- Sexual Misconduct (including child sexual abuse)
- Violations of the Safe Sport Code

Definitions. Additional detail about each type of misconduct defined below may be found in the SafeSport Code (www.uscenterforsafesport.org)

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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; or
- (2) Any act or conduct described as bullying under federal or state law. This includes but is not limited to cyberbullying.

Hazing

Five examples of prohibited conduct are outlined in the Safe Sport code: contact acts, non-contact acts, sexualized acts, criminal acts and exclusion. More information is available at uscenterforsafesport.org

- (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.

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 intellectual or physical disability; or
- (2) Any act or conduct described as harassment under federal or state law.

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

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Physical Misconduct

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

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.

Prohibited misconduct shall include, without limitation, the following:

Romantic or sexual relationships, which began during the sport relationship, between athletes or other participants and those individuals (i) with direct supervisory or evaluative control, or (ii) are in a position of power and trust over the athlete or other participant. Except in circumstances where no imbalance of power exists, coaches have this direct supervisory or evaluative control and are in a position of power and trust over those athletes or participants they coach.

The prohibition on romantic or sexual relationships does not include those relationships where it can be demonstrated that there is no imbalance of power. For example, this prohibition does not apply to a pre-existing relationship between two spouses or life partners.

2. Criminal Background Checks

Lakeshore Foundation shall require criminal background checks for all employed and contracted staff and volunteers who work closely with athlete participants. This includes staff, whether employed by Lakeshore Foundation or not, who work in a position of authority over or have frequent contact with USA Wheelchair rugby team athletes.

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3. Education & Training

Lakeshore Foundation shall require Safe Sport education and training for applicable employees, contractual staff, coaches, volunteers or participant athletes. For further information please refer to the Education and Training Section of the Minor Athlete Abuse Prevention Policy (MAAP) posted on both www.lakeshore.org and www.usawr.org.

4. Reporting

The process for issuing a complaint or accusation of misconduct from a Lakeshore Foundation employee, contractual staff member, coach, volunteer or participant athlete will be to report such to the Chief Program Officer and/or the Director of Human Resources. Complaints may be anonymous; however, to assist in investigation, they will be encouraged to be made with the identity of the accuser or reporter being identified. This process will be included in the education and training described above. Lakeshore Foundation will establish and ensure a reporting process for any complaint issued and the findings. If the complaint is associated with Lakeshore's role as a Performance Partner Sport Organization with the USOPC for wheelchair rugby, reports shall be made to the Team Leader in Sport Performance at the USOPC as well as any applicable legal agencies. If the complaint is associated with Lakeshore's role as an Olympic and Paralympic Training Site, reports shall be made to the Director, Training Sites and Community Partnerships at the USOPC as well as any applicable legal agencies. If a complaint is associated with Lakeshore's role as a community membership organization with sports teams, report shall be made to the President of Lakeshore Foundation as well as any applicable legal agencies. There is no fee to file a report. In addition to reporting any to Lakeshore Foundation any violations that have occurred, individuals can report violations directly to the U.S. Center for SafeSport at <https://uscenterforsafesport.org/report-a-concern/>.

Please note that in addition to the prohibited conduct contained in this policy, this reporting policy includes but is not limited to violations of section 3 of the Minor Athlete Abuse Prevention Policy (MAAPP) which addresses:

- a. one on one interactions
- b. massage and rubdowns/athletic training modalities
- c. locker room and changing areas
- d. social media and electronic communication
- e. local travel
- f. team travel

The MAAPP can be found on www.usawr.org/about and www.lakeshore.org/activity/usa-wheelchair-rugby/

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5. Enforcement

- a. Lakeshore Foundation shall have a grievance process, as referenced in the previous section, which is materially free of bias and conflicts of interest, to address allegations of misconduct following the report or complaint of misconduct which has not been adjudicated under a criminal background check.
- b. In cases where the Ted Stevens Act applies, each Training Site shall comply with the Act's requirements.
- c. The grievance process, whether by policy or operation of law, shall include the opportunity for review by a disinterested individual or body.

6. Retaliation

Lakeshore Foundation encourages reporting of all perceived incidents. It is the policy of Lakeshore Foundation to promptly and thoroughly investigate such reports. Lakeshore Foundation prohibits retaliation against any individual who reports or participates in an investigation of such reports.

7. Other

These minimum standards may be amended from time to time by the USOPC. In implementing an athlete safety program, Lakeshore Foundation shall be guided by the principle that supporting the health and safety of its athletes is a key element of its managerial capabilities.

Lakeshore Foundation understands that failure to meet the minimum standards as set forth in this policy may result in disciplinary action by the USOPC including, without limitation, the termination of the Training Site Designation, or change in status as a Performance Partner.