

**USA FENCING**

**SAFE SPORT POLICY**

**Approved by the USA Fencing Board of Directors**

**July 17, 2013**

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## I. INTRODUCTION

USA Fencing is committed to improving the development and safety of athletes and participants involved in sport. Unfortunately, sport can be a high-risk environment for misconduct, including child physical and sexual abuse. 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. This policy applies regardless of the ages of the individuals involved in the alleged activity.

Here, we identify six primary types of misconduct:

- Sexual Misconduct, including Child Sexual Abuse
- Emotional Misconduct
- Physical Misconduct
- Bullying
- Harassment
- Hazing

**All forms of misconduct are intolerable and in direct conflict with USA Fencing ideals.**

## II. DEFINITIONS

### **Misconduct**

Conduct which results in harm, the potential for harm or the imminent threat of harm. Age is irrelevant to misconduct. There are six primary types of misconduct in sport: emotional, physical and sexual misconduct, bullying, harassment and hazing.

### **Child, children, minor and youth**

Anyone under the age of 18. Here, “child”, “children”, “minor” and “youth” are used interchangeably.<sup>1</sup>

### **Participants**

Participants are minors who participate in a sport activity through a club, organization or event (e.g., minor athletes, officials or referees).

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

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<sup>1</sup> Saul J, Audage NC. Preventing Child Sexual Abuse Within Youth-serving Organizations: Getting Started on Policies and Procedures. Atlanta (\*GA): Centers for Disease Control and Prevention, National Center for Injury Prevention and Control; 2007.

### **III. SAFE SPORT POLICY**

#### **A. APPLICATION**

This Policy applies to:

- USA Fencing employees, coaches, contracted staff, volunteers, board members, committee and task force members, division officers and other individuals working with athletes or other sport participants while at a USA Fencing event, whether or not they are employees of USA Fencing (collectively, “constituents”).

#### **B. COMMITMENT TO SAFETY**

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

Report obligations are set forth in USA Fencing’s Reporting Policy.

#### **C. PROHIBITED CONDUCT**

Constituents shall refrain from all forms of misconduct, which include:

- Child sexual abuse
- Sexual misconduct
- Emotional misconduct
- Physical misconduct
- Bullying
- Harassment
- Hazing

## 1. CHILD SEXUAL ABUSE

### Definitions:

- a) Any sexual activity with a minor athlete or participant where consent is not or cannot be given. This includes sexual contact with a minor athlete or participant 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 minor athlete or participant, regardless of whether there is deception or the minor athlete or participant understands the sexual nature of the activity.

**Note concerning peer-to-peer child sexual abuse:** Sexual contact between minors also can be abusive. Whether or not a sexual interaction is 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 and/or intellectual capabilities.

- b) Any act or conduct described as child sexual abuse under federal or state law.

### Exception

None

### Examples

Sexually abusive acts may include sexual penetration, sexual touching or non-contact sexual acts such as verbal acts, sexually suggestive electronic or written communications, exposure or voyeurism.

## 2. EMOTIONAL MISCONDUCT

- (1) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete or participant, regardless of age. 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.

### **Examples**

Examples of emotional misconduct prohibited by this policy include, without limitation:

- (1) **Verbal Acts.** A pattern of verbal behaviors that (a) repeatedly attack an athlete personally (e.g., calling them worthless, fat or disgusting) or (b) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.
- (2) **Physical Acts.** A pattern of physical aggressive behaviors such as (a) throwing sport equipment, water bottles, or chairs at, or in the presence of participants, or (b) punching walls, windows or other objects.
- (3) **Acts that Deny Attention and Support.** A pattern of (a) ignoring an athlete for extended periods of time or (b) routinely or arbitrarily excluding participants from practice.

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

### **3. PHYSICAL MISCONDUCT**

- (1) Contact or non-contact conduct that results in, or reasonably threaten to, cause physical harm to an athlete or participants, regardless of age; or
- (2) Any act or conduct described as physical abuse or misconduct under federal or state law (e.g., child abuse, child neglect, assault).

### **Exceptions**

Physical misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athlete performance. For example, hitting, punching, and kicking are well-regulated forms of contact in combat sports, but have no place in swimming.

### **Examples**

Examples of physical misconduct prohibited by this Policy include, without limitation:

- (1) **Contact offenses.** Behaviors that include;
  - a. Punching, beating, biting, striking, choking or slapping an athlete;

- b. Intentionally hitting an athlete with objects or sport equipment, except that hitting an appropriately garbed athlete with a fencing weapon in a non-brutal manner appropriate to the sport is not considered an offense;

(2) **Non-contact offenses.** Behaviors that include:

- a. Isolating an athlete in a confined space (e.g., locking an athlete in a small space);
- b. 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);
- c. Withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.
- d. Providing alcohol to an athlete under the legal drinking age (under U.S. law);
- e. Providing illegal drugs or non-prescribed medications to any athlete;
- f. Encouraging or permitting an athlete to return to play pre-maturely following a serious injury (e.g., a concussion) and without the clearance of a medical professional;
- g. Prescribing dieting or other weight-control methods (e.g., weigh-ins, caliper tests) without regard for the nutritional well-being and health of athlete.

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

#### **4. 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, but see Comment 1.**

#### **Exceptions**

None, but see Comment 1.

#### **Examples**

Types of sexual misconduct prohibited under this Policy 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.

Examples of sexual misconduct prohibited under this policy include, without limitation:

(1) **Touching offenses.** Behaviors that include:

- a. Fondling an athlete's breasts or buttocks
- b. Exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favors
- c. Genital contact
- d. Sexual relations or intimacies between persons in a position of trust, authority and/or evaluative and supervisory control over athletes or other sports participants.

**Comment 1**

**(1) Authority and Trust.** Once the unique coach-athlete relationship is established, the authority and trust on the part of the coach over the athlete shall be assumed, regardless of age. Accordingly, sexual interaction or intimacies between a coach and an athlete or other participant are prohibited, regardless of age, both during coaching and during that period following coaching if an imbalance in power could jeopardize effective decision-making.

**Imbalance of Power.** Factors relevant to determining whether there is an imbalance of power include, but are not limited to: (a) the nature and extent of the coach's supervisory, evaluative or other authority over the athlete being coached; (b) the actual relationship between the parties; (c) the parties respective roles; (d) the nature and duration of the sexual relations or intimacies; (e) the age of the coach; (f) the age of the athlete or participant; (g) and whether the coach has engaged in a pattern of sexual interaction with other athletes or participants.

(2) **Non-touching offenses.** Behaviors that include:

- (a) a coach discussing his or her sex life with an athlete
- (b) a coach asking an athlete about his or her sex life
- (c) coach requesting or sending a nude or partial-dress photo to athlete
- (d) exposing athletes to pornographic material
- (e) sending athletes sexually explicit or suggestive electronic or written message or photos (e.g. "sexting")
- (f) deliberately exposing an athlete to sexual acts
- (g) deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)
- (h) sexual harassment; specifically, the sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, and

- a. is unwelcome, offensive or creates a hostile environment, and the offending individual knows or is told this
- b. is sufficiently severe or intense to be harassing to a reasonable person in the context.

## 5. BULLYING

- (1) An intentional, persistent and repeated pattern of committing, or willfully tolerating by another person, 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

### Exceptions

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 verbal admonitions to encourage team members to train harder and to push through a difficult training regimen.

### Examples

Examples of bullying prohibited by this Policy include, without limitation:

- (1) **Physical behaviors.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking, or slapping an athlete; (b) throwing at, or hitting an athlete with objects such as sporting equipment, except that hitting an appropriately garbed athlete with a fencing weapon in a non-brutal manner appropriate to the sport is not prohibited.
- (2) **Verbal and emotional behaviors.** Behaviors that include (a) threatening, frightening, intimidating or humiliating; (b) spreading rumors or making false statements; or (c) using electronic communications, social media, or other technology to threaten, frighten, intimidate or humiliate (“cyber bullying”).

## 6. 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

### Examples

Examples of harassment prohibited by this Policy include, without limitation:

- (1) **Physical offenses.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking choking or slapping an athlete or participant; (b) throwing at or hitting an athlete with objects including sporting equipment, except that hitting an appropriately garbed athlete with a fencing weapon in a non-brutal manner appropriate to the sport is not prohibited.
- (2) **Non-physical offenses.** Behaviors that include (a) making negative or disparaging comments about an athlete's sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; (b) displaying offensive materials, gestures, or symbols; (c) withholding or reducing playing time to an athlete based on his or her sexual orientation.

## 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.

### Exception

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

### Examples

Examples of hazing prohibited by this Policy include, without limitation:

- (1) Requiring, forcing or otherwise requiring the consumption of alcohol or illegal drugs
- (2) Tying, taping or otherwise physically restraining an athlete
- (3) Sexual simulations or sexual acts of any nature

- (4) Sleep deprivation, otherwise unnecessary schedule disruption or the withholding of water and/or food
- (5) Requiring social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule
- (6) Beating, paddling or other forms of physical assault
- (7) Excessive training requirements focused on individuals on a team

**Comment 2:** Activities that fit the definition of hazing are considered to be hazing regardless of an athlete's willingness to cooperate or participate.

It is a violation of this Safe Sport Policy if a constituent knows of misconduct, but takes no action to intervene on behalf of the athlete(s), participant(s), staff member, and/or volunteer.

#### **IV. EDUCATION AND AWARENESS**

USA Fencing staff and professional members should have a basic understanding of sexual abuse, as well as "grooming" – the most common strategy used by offenders to seduce their victims. Using a combination of attention, affection and gifts, offenders win the victim's trust (and the trust of the victim's parent or guardian where the victim is a minor), manipulate the victim into sexual activity, and keep the victim from disclosing abuse.

USA Fencing staff must complete an awareness training concerning misconduct every two years. This training focuses on the six categories of misconduct:

- Sexual misconduct, including child sexual abuse
- Emotional misconduct
- Physical misconduct
- Bullying
- Harassment
- Hazing

USA Fencing professional members must complete a training and education program as a condition of membership. By January 1, 2014, USA Fencing will implement a training and education program for all Professional members.

## V. REPORTING AND DISCIPLINE

### A. APPLICATION

This reporting policy applies to:

- USA Fencing employees, coaches, contracted staff, volunteers, board members, committee and task force members, division officers and other individuals working with athletes or other sport participants while at an USA Fencing activity or event, whether or not they are employees of USA Fencing. (collectively, “constituents”).

### B. REPORTING POLICY

Every constituent *shall* report:

1. Observed violations of USA Fencing’s Safe Sport Policy,
2. Observations or allegations of child physical or sexual abuse.

Every constituent *may* report: suspected or alleged violations of USA Fencing’s Safe Sport Policy, including suspicions of child physical or sexual abuse.

**All reported suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities, if sufficient information is provided. Every constituent shall follow applicable state mandatory reporting laws, if any, which may impose mandatory reporting obligations on persons who hold certain positions.**

**As a matter of policy, USA Fencing does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations as a condition for reporting to the appropriate law enforcement authorities.**

USA Fencing also encourages member parents, athletes and other sport participants to report violations of USA Fencing’s Safe Sport Policy and/or allegations and suspicions of child physical and sexual abuse.

### C. How to Report

USA Fencing 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 Fencing 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.

## 1. Athlete Protection Officer

Individuals reporting child physical or sexual abuse or other misconduct may call, mail, fax or email USA Fencing's Athlete Protection Officer, whose name and contact information can be found at <http://www.usfencing.org/>. The Athlete Protection Officer may request that the reporting person submit a Reporting Form, described below.

## 2. Reporting Form

Individuals reporting child physical or sexual abuse or other misconduct may complete an Incident Report Form, which can be found at <http://www.usfencing.org/>. 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

USA Fencing 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 constituents have any concerns that an interaction between children may constitute sexual abuse, report it *immediately* to the appropriate law enforcement authorities.**

## **D. CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS**

### **1. Confidentiality**

To the extent permitted by law, and as appropriate, USA Fencing 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.

### **2. Anonymous Reporting**

USA Fencing 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 USA Fencing 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.

### **3. No Retaliation**

Regardless of outcome, USA Fencing will support the complainant(s) and his or her right to express concerns in good faith. USA Fencing 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.

### **4. 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.

## **E. DISCIPLINE**

USA Fencing will address allegations against constituents under relevant organizational policies.

## **VI. RESPONDING TO REPORTS OF ALLEGATIONS**

### **A. Allegations of Misconduct Other Than Child Physical or Sexual Abuse**

On receipt of an allegation of misconduct, as defined in USA Fencing's Safe Sport Policy, that does not involve child physical or sexual abuse, USA Fencing 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:

- The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual
- Formal investigation and hearing
- 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

### **B. 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 Safe Sport Policy), USA Fencing 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.

### **C. 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, USA Fencing 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, USA Fencing will provide the individual with notice and offer her/him an opportunity to contest the suspension.

USA Fencing 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:

- the suspension or termination of employment or membership by a national governing body or other sport organization
- an Incident Report Form with specific and credible information



- 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 USA Fencing.

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, USA Fencing may institute a formal investigation and hearing procedure to address serious allegations of misconduct (e.g., physical and sexual misconduct). However, USA Fencing 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, USA Fencing 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
- 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 USA Fencing'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 Executive Director who, in consultation with the General Counsel, shall constitute a Disciplinary Panel pursuant to Section 16.2(a) of the Athlete Handbook, subject to the approval of the Board of Directors pursuant to the Bylaws. The Disciplinary Panel will include at least one member of USA Fencing's Legal Resource Group.

#### **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 Disciplinary 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 Disciplinary 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 Disciplinary 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 Disciplinary Panel.

The Disciplinary 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 Disciplinary Panel shall consider:

- a) The legitimate interest of USA Fencing 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 USA Fencing's reputation
- f) Whether the individual poses an ongoing concern for the safety of USA Fencing'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 USA Fencing for a period of time. Suspensions from sport involvement with USA Fencing 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 the individual may not participate in any capacity or in any role in the business, events or activities of USA Fencing for the duration of the period of suspension.

In the event that the allegation is made against an athlete, the Panel will communicate its findings to the Disciplinary Panel as set forth in USA Fencing's Olympic Training Center Access Protocol for a determination concerning continued access to an OTC.

## **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.

### **D. 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 USA Fencing's finding. A decision rendered by the AAA shall be final and binding on all parties.

## **VII. USA FENCING – ADDITIONAL POLICIES**

The Policies below assist in reducing the risks of potential abuse:

- Screening and Background Check Program
- Club Travel Policy
- Lesson and Practice Policy
- Massage Policy
- Minor Officials Travel Policy
- Social Media and Electronic Communications Policy

### **A. Screening and Background Check Program**

The purposes of USA Fencing’s Background Check Program are as follows:

- Protect USA Fencing participants from known offenders so that such known offenders do not have access to USA Fencing members.
- Deter offenders that have not been caught from joining USA Fencing programs.
- Protect USA Fencing’s reputation as a sport where participants are protected against abuse.
- Help protect USA Fencing, USA Fencing Clubs and their respective employees and volunteers from liability that could arise from allowing a previous offender to have access to minor participants.

#### **1. USA Fencing Screening Policies**

USA Fencing’s policy includes set criteria for which a person may be disqualified and prohibited from serving as an employee or volunteer of USA Fencing or USA Fencing Clubs. Under the policy, USA Fencing will not authorize or sanction any employee or volunteer who has routine access to children unless that person consents to be screened and passes a criminal background screen conducted by USA Fencing through the Professional Membership program.

USA Fencing shall conduct screening of its employees, member programs and independent contractors as follows:

- All members of the USA Fencing Board of Directors, each member of a USA Fencing committee/task force and division officers shall be screened through the Professional Member program upon their election or appointment to the position and then shall be re-screened every two (2) years.
- All USA Fencing employees shall be screened as a condition of their employment and then shall be re-screened every two (2) years.
- All coaches, instructors and other staff for any USA Fencing National Team event shall be screened as a condition of being selected for such position or shall have been screened by USA Fencing within the past two (2) years.

- All USA Fencing officials for sanctioned events that will have direct access to minor participants shall be screened through the Professional Member program.
- All USA Fencing sanctioned event volunteers that will have direct access to minor participants shall be screened through the Professional Member program. This does not include volunteers who do not have direct access to minor participants.

## **2. USA Fencing Club Screening Policies**

As a condition of its affiliation with USA Fencing, each Member and Affiliate Club must be in compliance with the requirements set forth below:

All Affiliate and Member Clubs employees, independent contractors and volunteers over the age of 18 must be USA Fencing Professional Members prior to such employees, independent contractors, and volunteers having access to youth participants. An approved screen through the Professional Membership program shall be valid for two years. All previously screened persons must be re-screened every two (2) years.

In addition, members of the Club Board of Directors and/or owners, program administrators, and anyone with routine access to youth participants must be USA Fencing Professional Members.

## **3. USA Fencing Criminal Background Check Disqualification Criteria**

Automatic Disqualifiers (“Red Light”): Convictions of, disclosure of convictions of, and pending dispositions for any of the following crimes will prompt a determination that an applicant “does not meet” the criminal background screening criteria and a red light determination will be issued:

- a. Any felony (any crime punishable by confinement greater than one year)
  - i. Defined on the basis of exposure to the offense for which the defendant was convicted, pled guilty, or pled nolo contendere. If pled down, then the crime to which the defendant ultimately pled.
  - ii. Defined by all crimes punishable by greater than one year in jail or prison, regardless of how characterized by jurisdiction. If range, alternate sentencing, or indeterminate sentencing, outer range >one year.
- b. Any lesser crime involving force or threat of force against a person
- c. Any lesser crime in which sexual relations is an element, including “victimless” crimes of a sexual nature (including pornography).
- d. Any lesser crime involving controlled substances (not paraphernalia or alcohol).
- e. Any crime involving cruelty to animals

#### **4. USA Fencing Background Check Appeal Procedures**

All appeals of “red light” or “adverse action letter” background checks shall be referred to an Athlete Protection Officer (APO) for initial evaluation, and when appropriate, for further action in accordance with USA Fencing policies and procedures. In the discharge of these duties, the APO shall be free to consult with the Chief Executive Officer, the President, USFA legal counsel and such other USFA officers, officials and experts as he or she deems appropriate. The APO shall be appointed by the President, after consultation with the Executive Director and with the approval of the Board. If the APO is the subject of the complaint, the President shall serve the functions assigned by this policy to the APO.

Any member of the USFA or applicant for USFA membership who is denied admission or appointment to any position on the basis of a “red light” background check or an “adverse action letter” predicated on the results of a background check shall have a right to seek review of that decision in accordance with the procedures here specified.

1. Should any individual receive a “red light” finding or an “adverse action letter” based on a USFA required background check and wish to contest any resulting USFA decision to deny his or her application for membership or to deny him or her any USFA position or appointment, that individual has a right to a review of the denial. The person who seeks review is referred to herein as “the appellant.” The appellant may act on his or her own behalf during the appeal or may be assisted by a representative.
2. Unless otherwise notified by the USFA that a shorter period is required because of nomination deadlines dictated by the USFA, the USOC, the FIE or by prevailing circumstances, the appellant shall have 10 business days from the date that he or she is informed of the decision from which the appeal is being taken to notify the Executive Director or the Athlete Protection Officer (APO) of the appeal. If the appeal is made to the Executive Director, it shall be promptly referred by him to the Athlete Protection officer.
3. Upon receipt of an appeal, the APO shall request from the appellant written consent for his or her complete background check findings to be provided to the APO and, if the appeal progresses that far, to the Board of Directors. Failure of the appellant to provide that consent within a reasonable time, as determined by the APO, shall result in dismissal of the appeal and a waiver of the appellant’s right to seek review of the decision in question.
4. The APO shall review any evidence and argument submitted by the appellant or on his or her behalf and shall undertake such additional investigation as the APO believes necessary to make an initial determination of the merits of the appeal. Upon reaching that determination, the APO shall inform the appellant thereof and shall ascertain from the appellant whether he or she wishes to proceed to a hearing by the Board of Directors.
5. If the appellant wishes to proceed, the APO shall so inform the President and Secretary of the Board of Directors and shall forward to them, his field in the matter, including (a)

all statements, documents and other evidence obtained by him, including the background check findings; (b) the arguments and evidence submitted by the appellant or on his behalf, and (c) the APO's recommendation whether the decision being appealed should be upheld or overruled and the reasons underlying that recommendation.

6. Upon receipt of the appeal, the President and Secretary shall place the matter on the agenda of the Board of Directors for consideration as expeditiously as practical in light of other business demanding its time and attention, being mindful of how the passage of time may affect the efficacy of its final decision in the matter. If the Board has previously provided for the hearing of background check appeals by a committee of the Board, and has constituted and populated such a committee, then the President and Secretary shall refer the matter and provide the file to that committee.
7. The Board (or the designated committee in its stead) shall review the file and conduct a hearing at which it shall take such additional evidence and argument as the appellant, the APO and officers and officials of the USFA may choose to present. The decision shall be reversed if a majority of the members of the Board (or of the designated committee) present and voting concludes either (a) by a preponderance of the evidence that the background check results were based on erroneous information; or (b) that to a reasonable degree of certainty the applicant does not pose a danger to the individuals with whom he or she is expected to come into contact by virtue of the class of membership, the position or the appointment that was denied on the basis of the "red light" or "adverse action letter."
8. The Executive Director shall communicate the results of the appeal to the appellant with copies to the President, APO, legal counsel and any other person or organization necessary to effect any change in the appellant's status resulting from the decision on appeal.
9. If the appellant disagrees with the outcome of the appeal, he or she may file a demand for arbitration with the American Arbitration Association as provided in the Bylaws. The award obtained in the arbitration shall be final and binding on all parties.
10. The intentional submission of false information or evidence in connection with any proceeding provided herein shall be grounds for disciplinary action in accordance with USFA disciplinary procedures.



## **B. USA Fencing Member Club Travel Policy**

Some USA Fencing participation involves overnight travel for youth fencers to regional and national events. A travel policy provides guidelines so that care is taken to minimize one-on-one interactions between minors and adults while traveling. Further, the policy directs how minor players will be supervised between and during travel to and from competitions. Adherence to travel policies helps to reduce the opportunities for misconduct.

### **1. Local Travel**

- The employees, coaches, and/or volunteers of a local program or team, who are not also acting as a parent/guardian, should not drive alone with an unrelated minor and should only drive with at least two other athletes or another adult at all times, unless otherwise agreed to in writing by the minor's parent.
- Where an employee, coach and/or volunteer is involved in an unrelated minor athlete's local travel, efforts should be made to ensure that the adult personnel are not alone with the unrelated athlete.
- It is recognized that in some limited instances, it will be unavoidable for an employee, coach or volunteer of a local program or team to drive alone with an unrelated minor athlete. However, efforts should be made to minimize these occurrences and to mitigate any circumstances that could lead to allegations of abuse or misconduct.

### **2. Organization/Club Travel**

- Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the coach is the parent, guardian or sibling of the athlete).
- Coaches, staff, volunteers and chaperones will often travel with the athletes. No employee, coach or volunteer will engage in team travel without the proper safety requirements in place and on record, including valid drivers' licenses, automobile liability insurance as required by applicable state law, vehicle in safe working order and compliance with all state laws. All chaperones or team managers shall have been screened in compliance with the USA Fencing Screening Policy and all team drivers shall have been screened and the screen shall include a check of appropriate Department of Motor Vehicle records.
- The Club shall provide adequate supervision through coaches and other adult chaperones (for example, a recommended number would include at least one coach or adult chaperone for every five to eight athletes). If a club team is composed of both male and female athletes, then it is recommended that chaperones are arranged of the same gender.
- Athletes should share rooms with other athletes of the same gender, with the appropriate number of athletes assigned per room depending on accommodations.

- Regular monitoring and curfew checks should be made of each room by at least two properly screened adults. All coaches, staff, volunteers and chaperones travelling with a team shall be familiar with the Safe Sport Program Handbook to monitor compliance with all Safe Sport Policies.
- Individual meetings between an athlete and coach may not occur in hotel sleeping rooms.
- All athletes shall be permitted to make regular check in phone calls to parents. Team personnel shall allow for any unscheduled check in phone calls initiated by either the athlete or parents.
- The team shall make every effort to accommodate reasonable parental requests when a child is away from home without a parent.
- Specific travel itineraries will be distributed to parents when they are available and will include a detailed itinerary as well as contact information for all team personnel and chaperones.
- If disciplinary action against an athlete is required while the athlete is traveling without his/her parents, parents will be notified before any action is taken
- No coach or chaperone shall at any time be under the influence of alcohol or drugs while performing their coaching and/or chaperoning duties.
- In all cases involving travel, parents have the right to transport their minor athlete and have the minor athlete stay in their hotel room.

**C. USA Fencing Lesson And Practice Policy**

- All fencing practices and lessons should be open to observation by parents.
- Two-deep leadership – One professional member and at least one other adult should be present at all practices, lessons, and other sanctioned activities whenever at least one minor athlete is present.
- Open and Observable Environment – An open and observable environment should be maintained for all interactions between adults and minor athletes. Private, or one-on-one situations, should be avoided unless they are open and observable, including meetings.

**D. USA Fencing Policy On Massage**

1. Subject to Paragraph 5 below, only US Fencing members who hold an appropriate certification as a healthcare provider (MD, DO, DC, certified athlete trainer (ATC), physical or occupational therapist, or massage therapist (LMT, CMT) and who are appointed by USA Fencing to a team or sponsored event in an official capacity as a healthcare provider can provide massage therapy to team members.
2. Any athlete who is a minor must have a signed consent form, release or waiver of liability from his/her parents to be eligible for massage therapy services from the designated US Fencing staff. The appropriate form will be provided to all athletes in settings covered by this policy by US

Fencing prior to the beginning of the covered trip, competition or camp. Any US Fencing member who engages in massage of a minor in violation of this policy shall be deemed acting in a manner detrimental to the welfare, interests or character of the US Fencing and shall be subject to disciplinary action that can result in suspension, expulsion or denial of membership.

3. Under no circumstances will an athlete be required to be naked to receive massage services from the designated staff. At a minimum, all athletes will wear shorts and females will additionally wear a bra or top. In all cases, the athlete will also be appropriately draped during the massage.
4. Although the US Fencing has no authority over private activities involving US Fencing members in private settings, it nevertheless recommends due diligence by all members of US Fencing to avoid unprofessional conduct, exploitation or abuse involving massage.
5. Nothing in this policy is meant to prohibit ad hoc massage of athletes in exigent circumstances by others (for example a coach or teammate) in a public setting when the personnel designated in Section 1 are not immediately available (for example, massage of the extremities due to cramping during a bout).
6. Any USA Fencing member who provides massages in violation of this policy may be subject to disciplinary action as described above.

#### **E. USA FENCING TRAVEL POLICIES FOR MINOR OFFICIALS**

##### **1. Section 1 – Policies for both the Minor Officials & Supervisors**

The following policies apply to persons under the age of 18 who serve as officials at USA Fencing events (“Minor Officials”).

1. For each National event attended by a Minor Official under 18 years of age that requires travel, the Minor Official and his or her parent/guardian on file with USA Fencing must complete the Travel Authorization for Minor Officials form, and must indicate the Supervisor (a parent or guardian, designated family member, or designated USA Fencing Professional member) who will be responsible for the Minor Official during the USA Fencing Travel. The form must be completed for each National event and given to the hiring official and the National Office *prior to making travel arrangements*.
2. Regardless of gender, a Supervisor shall not share a hotel room or other sleeping arrangement with a Minor Official (unless the Supervisor is the parent, guardian, sibling or relative of that particular Minor Official).
3. When a Minor Official is not traveling with a parent, guardian, sibling or relative, during USA Fencing Travel, the Minor Official shall always room with Minor Officials or fencing club mates of a similar age, when reasonably possible, and always with a minor official of the same gender; when a Minor Official cannot room with another Minor Official of the same gender, the Minor Official will have a single room and no roommates; USA Fencing will cover half the single room cost at the USA Fencing negotiated volunteer staff rate.
4. Curfews shall be established by the Supervisor each day of the event.

5. The Supervisor (if not the parent/guardian) should carry a signed Minor Officials Medical Treatment Authorization & Consent Form for each Minor Official.

## **2. Section 2 – Policies for the Minor Official**

To ensure the propriety of the Minor Official and the Supervisor, there will be no males in a female's room and no females in a male's room at any time (except for a parent, guardian, sibling or relative).

- a. *Behavior.* During overnight USA Fencing Travel, Minor Officials shall:
  - i. Be quiet and respect the rights of all tournament officials, USA Fencing staff and other guests in the hotel;
  - ii. Stay in the assigned hotel room; and
  - iii. Acknowledge that the needs and interests of USA Fencing come first.
- b. *Financial.* During overnight USA Fencing Travel, Minor Officials are responsible for any:
  - i. Incidental charges at the hotel.
  - ii. If placed in a single room, the minor will cover half the room cost at the USA Fencing negotiated volunteer staff rate.

## **3. Section 3 – Policies for the Supervisor. The Supervisor shall be:**

- a. Assigned and shall assume responsibility for the Minor Official for the entire duration of the National Event.
- b. The point of contact in an emergency situation to head referee, bout committee chair, and USA Fencing staff;
- c. Provided Minor Official's personal medical insurance and emergency contact information prior to the beginning of the event and shall keep such information available throughout the duration of the event
- d. Responsible for ensuring that the Minor Official is not participating in unsafe or unsupervised activities;
- e. Be responsible for checking-in with Minor Official multiple times each day;
- f. Responsible for making a written report of travel policy or code of conduct violations to USA Fencing Official Commission, and the National Office, in addition to the parent or legal guardian of the subject Minor Official.

## **F. USA FENCING SOCIAL MEDIA AND ELECTRONIC COMMUNICATIONS POLICY**

As part of USA Fencing's emphasis on participant safety, communications involving our minor participants should be appropriate, productive, and transparent. Effective communication concerning practice, event and administrative issues among coaches, administrators, athletes and their families is critical.

However, the use of mobile devices, web-based applications, social media, and other forms of electronic communications increases the possibility for improprieties and misunderstandings and also provides potential offenders with unsupervised and potentially inappropriate access to participants. The improper use of mobile and electronic communications can result in misconduct. Adherence to the Social Media and Electronic Communications Policy helps reduce these risks.

All electronic communication between coach and athlete must be for the purpose of communicating information about fencing activities. Coaches, athletes and all administrators must follow common sense guidelines regarding the volume and time of day of any allowed electronic communication. All content between coaches and athletes should be readily available to share with the public or families of the athlete or coach. If the athlete is under the age of 18, any email, text, social media, or similar communication must also copy or include the athlete's parents.

**VIII. FORMS**

**A. USA FENCING SAFE SPORT ABUSE REPORTING FORM**



**USA FENCING SAFE SPORT ABUSE REPORTING FORM**

**Reporting Abuse**

USA Fencing 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 USA Fencing to move forward with an investigation.

USA Fencing requires reporting of physical, sexual or other misconduct by any member and strongly encourages reporting of any concerns relating to safe sport. USA Fencing appreciates your willingness to report inappropriate behavior. By submitting this form, you are giving permission to USA Fencing's Safe Sport 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 USA Fencing'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 USA Fencing'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

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**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 \_\_\_\_\_

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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)

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

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

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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)

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**YOUR NAME AND RELATIONSHIP TO 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 USA Fencing to move forward with an investigation.

First Name (or *Anonymous* or *Unknown*):\* \_\_\_\_\_

Last Name (or *Anonymous* or *Unknown*):\* \_\_\_\_\_

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 _____

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#### INDIVIDUAL(S) WHO 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*):\* \_\_\_\_\_

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 \_\_\_\_\_

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ADDITIONAL INFORMATION

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

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**B. TRAVEL AUTHORIZATION FOR MINOR OFFICIALS**

**TRAVEL AUTHORIZATION  
FOR MINOR OFFICIALS**

“USA Fencing Travel” is defined as travel to or from a USA Fencing National Event. A “Minor Official” is a fencing official under eighteen years of age. USA Fencing Travel by a Minor Official must be supervised by a parent, legal guardian or designated family member of the Minor Official, or a designated USA Fencing Professional member who has passed a background check (each, a “Supervisor”).

For each National Event attended by a Minor Official under 18 years of age that requires travel, the Minor Official must complete this Travel Authorization for Minor Officials form, and must indicate the Supervisor (a parent, legal guardian, designated family member or designated USA Fencing Professional member) who will be responsible for the Minor Official during the USA Fencing Travel. The form must be completed for each such event and submitted to the hiring official and the National Office, prior to making travel arrangements. If a parent, legal guardian or designated family member is designated as the Supervisor, the parent, legal guardian, or designated family member must travel with the Minor Official to and from the National Event. If a USA Fencing Professional member is Minor Official designated as the Supervisor, the designated USA Fencing Professional will be responsible for the Minor Official from the time the Minor Official arrives at the designated hotel or location of the USA Fencing National event until the Minor Official departs for the airport to return home.

Minor Official’s Name: \_\_\_\_\_

Committee: \_\_\_\_\_

Event Date(s): \_\_\_\_\_

Location: \_\_\_\_\_

Departure Date: \_\_\_\_\_

Return Date: \_\_\_\_\_

Responsibility for the Minor Official (*check one*):

Parent/Legal Guardian: \_\_\_\_\_

Designated Family Member: \_\_\_\_\_

Relationship: \_\_\_\_\_

USFA Professional Member: \_\_\_\_\_



Phone: \_\_\_\_\_

Email: \_\_\_\_\_

DESIGNATED SUPERVISOR:

As the parent/guardian, designated family member, or designated USA Fencing Professional member (the "Supervisor"), I understand and will comply with the following guidelines. A signature on this document constitutes unconditional agreement to comply with the stipulations of the document.

Policies for the Official Supervisor. The Official Supervisor shall be:

- g. Assigned and shall assume responsibility for the Minor Official for the entire duration of the event
- h. The point of contact in an emergency situation for the Minor Official;
- i. Provided Minor Official's personal medical insurance and emergency contact information prior to the beginning of the event and shall keep such information available throughout the event;
- j. Responsible for ensuring that the Minor Official is not participating in unsafe or unsupervised activities;
- k. Be responsible for checking-in with Minor Official multiple times each day;
- l. Responsible for overseeing established curfew; and
- m. Responsible for making a written report of travel policy or Honor Code violations to USA Fencing's National Office and the Fencing Officials Commission, in addition to the parent or legal guardian of the Minor Official.

I hereby agree to comply with the policies set forth above in connection with supervision of the Minor Official listed above during the USA Fencing National Event referenced above.

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Supervisor's Name (Print)

Date: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### C. Travel Policy for Officials Who Are Minors

#### Travel Policy

for

Officials who are Minors

As a fencing member/official under eighteen years of age (“Minor Member/Official”) and parent of a Minor Member/Official, respectively, of USA Fencing, we understand and agree to comply with the following USA Fencing policies. Signatures on this document constitute unconditional agreement to comply with the stipulations of the document.

“USA Fencing Travel” is defined as travel to or from a USA Fencing National event. USA Fencing Travel by a Minor Official must be supervised by a parent/guardian of the Minor Official or a designated family member or a designated USA Fencing Professional member who has successfully passed a background check, (each, a “Supervisor”).

#### Section 1 – Policies for both the Minor Official & Supervisor

6. The Travel Policy for Minor Officials and Minor Officials Medical Treatment Authorization & Consent must be signed and agreed to by the Minor Official and his or her parent/guardian and on file with USA Fencing.
7. For each National event attended by a Minor Official under 18 years of age that requires travel, the Minor Official must complete the Travel Authorization for Minor Officials form, and must indicate the Supervisor (a parent or guardian, designated family member, or designated USA Fencing Professional member) who will be responsible for the Minor Official during the USA Fencing Travel. The form must be completed for each National event and given to the hiring official and the National Office *prior to making travel arrangements*.
8. Regardless of gender, a Supervisor shall not share a hotel room or other sleeping arrangement with a Minor Official (unless the Supervisor is the parent, guardian, sibling or relative of that particular Minor Official).
9. When a Minor Official is not traveling with a parent, guardian, sibling or relative, during USA Fencing Travel, the Minor Official shall always room with Minor Officials or fencing club mates of a similar age, when reasonably possible, and always with a minor official of the same gender; when a Minor Official cannot room with another Minor Official of the same gender, the Minor Official will have a single room and no roommates; USA Fencing will cover half the single room cost at the USA Fencing negotiated volunteer staff rate.
10. Curfews shall be established by the Supervisor each day of the event.

11. The directions and decisions of the Supervisor are final.
12. The Supervisor (if not the parent/guardian) should carry a signed Minor Officials Medical Treatment Authorization & Consent Form for each Minor Official.

Section 2 – Policies for the Minor Official

- c. To ensure the propriety of the Minor Official and the Supervisor, there will be no males in a female’s room and no females in a male’s room at any time (except for a parent, guardian, sibling or relative).
- d. *Behavior.* During overnight USA Fencing Travel, Minor Officials shall:
  - i. Be quiet and respect the rights of all tournament officials, USA Fencing staff and other guests in the hotel;
  - ii. Stay in the assigned hotel room; and
  - iii. Acknowledge that the needs and interests of USA Fencing come first.
- e. *Financial.* During overnight USA Fencing Travel, Minor Officials are responsible for any:
  - i. Incidental charges at the hotel.
  - ii. If placed in a single room, the minor will cover half the room cost at the USA Fencing negotiated volunteer staff rate.

Section 3 – Policies for the Supervisor. The Supervisor shall be:

- n. Assigned and shall assume responsibility for the Minor Official for the entire duration of the National Event.
- o. The point of contact in an emergency situation to head referee, bout committee chair, and USA Fencing staff;
- p. Provided Minor Official’s personal medical insurance and emergency contact information prior to the beginning of the event and shall keep such information available throughout the duration of the event
- q. Responsible for ensuring that the Minor Official is not participating in unsafe or unsupervised activities;
- r. Be responsible for checking-in with Minor Official multiple times each day;
- s. Responsible for making a written report of travel policy or code of conduct violations to USA Fencing Official Commission, and the National Office, in addition to the parent or legal guardian of the subject Minor Official.

I hereby agree to the policies set forth above in connection with all USA Fencing Travel.

\_\_\_\_\_

\_\_\_\_\_

Minor Official’s Signature

Minor Official’s Name (Print)



Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Minor Official's DOB: \_\_\_\_\_

Minor Official's Gender (M/F): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Parent's/Guardian's Signature

Parent's/Guardian's Name (Print)

Date: \_\_\_\_\_

Relationship: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**D. Minor Officials Medical Treatment Authorization and Consent**

Confidential

**MINOR OFFICIALS MEDICAL TREATMENT AUTHORIZATION AND CONSENT**

This form grants temporary authority to a designated adult ("Supervisor") to provide and arrange for medical care for the fencing official under eighteen years of age ("Minor Official") in the event of an emergency, where the Minor Official is not accompanied by either parents or legal guardians, and it may not be feasible or practical to contact them. This form should be carried by the Supervisor of the Minor Official.

Minor

Full Legal

Name: \_\_\_\_\_

Home Address:

\_\_\_\_\_

Date of Birth: \_\_\_\_\_ Gender: Female \_\_\_\_\_ Male \_\_\_\_\_

Information for Medical Treatment

Physician's Name and Location of Practice:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Physician's Phone # (if known): (\_\_\_\_) \_\_\_\_\_

Medical Insurer/Health Plan: \_\_\_\_\_ Policy #: \_\_\_\_\_

Allergies to Medications:

\_\_\_\_\_

Allergies (Other):

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Please note all conditions for which the child is currently receiving treatment:

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Note any other significant medical information:

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#### AUTHORIZATION AND CONSENT OF PARENT(S) OR LEGAL GUARDIAN(S)

I do hereby state that I have legal custody of the aforementioned Minor. I grant my authorization and consent for \_\_\_\_\_ (hereafter "Supervisor") to administer general first aid treatment for any minor injuries or illnesses experienced by the Minor. If the injury or illness is life threatening or in need of emergency treatment, I authorize the Supervisor to summon any and all professional emergency personnel to attend, transport, and treat the minor and to issue consent for any X-ray, anesthetic, blood transfusion, medication, or other medical diagnosis, treatment, or hospital care deemed advisable by, and to be rendered under the general supervision of, any licensed physician, surgeon, dentist, hospital, or other medical professional or institution duly licensed to practice in the state in which such treatment is to occur. I authorize the Designated Supervisor to act as my agent to receive, procure, store, and issue any medications which are prescribed for the Minor. I agree to assume financial responsibility for all expenses of such care.

It is understood that this authorization is given in advance of any such medical treatment, but is given to provide authority and power on the part of the Supervisor in the exercise of his or her best judgment upon the advice of any such medical or emergency personnel.

By signing below, I release and hold harmless USA Fencing and its directors, officers, employees, members, volunteers, other participants and agents, of and from, and do discharge and waive, any and all claims, demands, losses, damages, and liabilities related to providing, obtaining or consenting to medical care and obtaining protected health information pursuant to this authorization and consent.

This authorization is effective through: \_\_\_\_\_.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Parent / Legal Guardian Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Name of Event: \_\_\_\_\_

Dates of Event: \_\_\_\_\_

Witness Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Confidential

NOTARY FORM

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_ a Notary Public, do hereby certify that on this \_\_ day of \_\_\_\_\_, 201\_, personally appeared before me \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and swore and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed, and that the statements contained therein are true and correct.

\_\_\_\_\_

Notary Public, State of \_\_\_\_\_

Name, Typed or Printed: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_