**OYHA Adopts the USA Hockey SafeSport Sexual, Physical and Emotional Abuse Policies, 2013**

**USA Hockey SafeSport Sexual, Physical and Emotional Abuse Policies**

USA Hockey is committed to creating a safe and positive environment for its participants’ physical, emotional, and social development and ensuring it promotes an environment free from abuse and misconduct. As part of this program USA Hockey has implemented policies below addressing certain types of abuse and misconduct, and certain policies intended to reduce, monitor and govern the areas where potential abuse and misconduct might occur.

**The Policies below address the following types of abuse and misconduct:**

• Sexual Abuse

• Physical Abuse

• Emotional Abuse

• Bullying, Threats and Harassment

• Hazing

The above Policies set forth some of the boundaries for appropriate and inappropriate conduct.

**The Policies below are implemented to reduce the risks of potential abuse:**

• Locker Room Policy

• Electronic Communications Policy

• Travel Policy

All USA Hockey members shall familiarize themselves with each form of misconduct and shall refrain from engaging in misconduct and/or violating any of these policies. In the event that any of USA Hockey’s or any of its Member Programs’ employees or volunteers observe inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or any other type of abuse or misconduct, it is the personal responsibility of each such person to immediately report their observations to the appropriate person as described in Section IV of this Handbook.

**In addition to reporting within USA Hockey, such persons must also report suspected child physical or sexual abuse to appropriate law enforcement authorities when required under this Policy and/or under applicable law. Employees and volunteers should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for reporting to appropriate law enforcement authorities.**

USA Hockey has **ZERO TOLERANCE** for abuse and misconduct. How USA Hockey and its Member Programs respond to an allegation of abuse or misconduct is described in Section V of this Handbook.

**SEXUAL ABUSE**

It is the policy of USA Hockey that there shall be no sexual abuse of any participant involved in any of its Member Programs, whether such participant is an adult or a minor, by an employee, volunteer, independent contractor or another participant. Sexual abuse of a minor occurs when an adult employee, volunteer, independent contractor or other participant touches a minor for the purpose of causing the sexual arousal or gratification of either the minor or the employee, volunteer, independent contractor or other participant. Sexual abuse of a minor also occurs when a minor touches an employee, volunteer, independent contractor or other participant for the sexual arousal or sexual gratification of either the minor or the employee, volunteer, independent contractor or other participant, if the touching occurs at the request or with the consent of the employee, volunteer, independent contractor or other participant. Sexual contact between or among children also can be abusive if there is a significant disparity in age, development, or size, rendering the younger child incapable of giving informed consent, if there is the existence of an aggressor, or where these is an imbalance of power and/or intellectual capabilities. The sexually abusive acts may include sexual penetration, sexual touching, or non-contact sexual acts such as exposure or voyeurism. Neither consent of the minor to the sexual contact, mistake as to the participant’s age, nor the fact that the sexual contact did not take place at a hockey function are defenses to a complaint of sexual abuse. Sexual abuse may also include non-touching offenses, such as sexually harassing behaviors; an adult discussing

his/her sex life with a minor; an adult asking a minor about his/her sex life; an adult requesting or sending nude or partial dress photos to a minor; exposing minors to pornographic material; sending minors sexually explicit electronic messages or photos (e.g. “sexting”); deliberately exposing a minor to sexual acts; or deliberately exposing a minor to inappropriate nudity.

Sexual abuse may also occur between adults or to an adult.

Sexual abuse includes sexual interactions that are nonconsensual or accomplished by force or threat of force, or coerced or manipulated, regardless of the age of the participants. Without limiting the above, any act or conduct described as sexual abuse, sexual misconduct or child sexual abuse under applicable federal or state law constitutes sexual abuse under this Policy.

Any USA Hockey member who engages in any act of sexual abuse or misconduct is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

**PHYSICAL ABUSE**

It is the policy of USA Hockey that there shall be no physical abuse of any participant involved in any of its Member Programs by any employee, volunteer, independent contractor or other participant. Physical abuse means physical contact with a participant that intentionally causes or has the potential to cause the participant to sustain bodily harm or personal injury. Physical abuse also includes physical contact with a participant that intentionally creates a threat of immediate bodily harm or personal injury. Physical abuse may also include intentionally hitting or threatening to hit an athlete with objects or sports equipment. In addition to physical contact or the threat of physical contact of a participant, physical abuse also includes the providing of alcohol to a participant under the age of consent and the providing of illegal drugs or non-prescribed medications to any participant. Without limiting the above, any act or conduct described as physical abuse or misconduct under applicable federal or state law constitutes physical abuse under this Policy.

Physical abuse does not include physical contact that is reasonably designed to coach, teach, demonstrate or improve a hockey skill, including physical conditioning, team building and appropriate discipline. Permitted physical conduct may include, but is not necessarily limited to, shooting pucks at a goaltender, demonstrating checking and other hockey skills, and communicating with or directing participants during the course of a game or practice by touching or moving them in a non-threatening, non-sexual manner.

Any USA Hockey member who engages in any act of physical abuse is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

**EMOTIONAL ABUSE**

It is the policy of USA Hockey that there shall be no emotional abuse of any participant involved in any of its Member Programs by an employee, volunteer, independent contractor or other participant. 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 verbal acts, physical acts or acts that deny attention or support. Examples of emotional abuse prohibited by this Policy include, without limitation: ***a pattern of*** (a) verbal behaviors that (i) attack a participant personally (e.g., calling them worthless, fat, or disgusting); or (ii) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive motivational purpose; and (b) physically aggressive behaviors, such as (i) throwing sport equipment, water bottles, or chairs at or near participants; or (ii) punching walls, windows, or other objects. Emotional abuse does not include generally-accepted and age appropriate coaching methods of skill enhancement, physical conditioning, motivation, team building, appropriate discipline, or improving athletic performance.

A USA Hockey member who engages in any act of emotional abuse is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

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

**BULLYING, THREATS AND HARASSMENT**

USA Hockey supports an environment for participation in hockey conducive to the enjoyment of hockey that is free from threats, harassment, and any type of bullying behavior. The purpose of this Policy is to promote consistency of approach and to help create a climate in which all types of bullying, harassing or threatening behavior are regarded as unacceptable.

**Bullying**

Bullying is the use of coercion to obtain control over another person or to be habitually cruel to another person. Bullying involves an intentional, persistent or repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended to cause fear, humiliation, or physical harm in an attempt to socially exclude, diminish, or isolate another person. Bullying can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture. Bullying behavior is prohibited in any manner in connection with any USA Hockey sanctioned activities or events.

Examples of bullying prohibited by this Policy include, without limitation **physical behaviors**, including punching, kicking or choking; and **verbal and emotional behaviors**, including, the use of electronic communications (i.e., “cyber bullying”), to harass, frighten, degrade, intimidate or humiliate. While other team members are often the perpetrators of bullying, it is a violation of this Policy if a coach or other responsible adult knows or should know of the bullying behavior but takes no action to intervene on behalf of the targeted participant(s).

A USA Hockey participant or parent of a participant who engages in any act of bullying is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior and/or result shall be taken into consideration when disciplinary decisions are made.

**Threats**

A threat to harm others is defined as any written, verbal, physical or electronically transmitted expression of intent to physically injure or harm someone else. A threat may be communicated directly to the intended victim or communicated to a third party. Threatening behavior is prohibited in any manner in connection with any USA Hockey sanctioned activities or events.

Any USA Hockey participant or parent of a participant who engages in any act of threatening or harassing behavior is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities. The severity and pattern, if any, of the threatening behavior and/or result shall be taken into consideration when disciplinary decisions are made.

**Harassment**

Harassment includes ***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.

Examples of harassment prohibited by this Policy include, without limitation such non-physical offenses as (a) making negative or disparaging comments about a participant’s sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; (b) displaying offensive materials, gestures, or symbols; and (c) withholding or reducing playing time to a participant based on his/her sexual orientation, gender expression, disability, religion, skin color or ethnic traits.

Sexual harassment is a type of harassment prohibited by this Policy. It shall be a violation for any employee, volunteer, independent contractor or other participant to harass a participant(s) through conduct or communications of a sexual nature or to retaliate against anyone that reports sexual harassment or participates in a harassment investigation. USA Hockey and/or its Affiliate organizations shall investigate all indications, informal reports and formal grievances of sexual harassment by any employee, volunteer, independent contractor or other participant and appropriate corrective action shall be taken. Corrective action includes taking all reasonable steps to end the harassment, to prevent harassment from recurring and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

Unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature may constitute sexual harassment, even if the harasser and the participant being harassed are the same sex and whether or not the participant resists or submits to the harasser, when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a participant’s participation in any activity; or

2. Submission to or rejection of such conduct by a participant is used as the basis for decisions affecting the participant; or

3. Such conduct is sufficiently severe, persistent or pervasive such that it limits a participant’s ability to participate in or benefit from a hockey related program or activity or it creates a hostile or abusive environment.

Any conduct of a sexual nature directed by a minor toward an adult or by an adult to a minor is presumed to be unwelcome and shall constitute sexual harassment. Acts of verbal or physical aggression, intimidation or hostility based on sex, but not involving conduct of a sexual nature may also constitute sexual harassment. Legitimate non-sexual touching or other non-sexual

conduct is **not** sexual harassment.

While other team members are often the perpetrators of harassment or sexual harassment, it is a violation of this Policy if a coach or other responsible adult knows or should know of the harassment or sexual harassment but takes no action to intervene on behalf of the targeted participant(s).

A USA Hockey participant or parent of a participant who engages in any act of harassing or sexually harassing behavior is subject to appropriate disciplinary action, including but not limited to, suspension, permanent suspension, and/or referral to law enforcement authorities. The severity and pattern, if any, of the harassing or sexually harassing behavior and/or result shall be taken into consideration when disciplinary decisions are made.

**HAZING**

There shall be no hazing of any participant involved in any of USA Hockey’s Member Programs by any employee, volunteer, independent contractor or other participant. Hazing includes any conduct which is intimidating, humiliating, offensive, or physically harmful. The hazing

conduct is typically an activity that serves as a condition for joining a group or being socially accepted by a group’s members.

Examples of hazing prohibited by this Policy include, ***without limitation***, requiring or forcing (including through peer pressure) the consumption of alcohol or illegal drugs; tying, taping, or physically restraining a participant; sexual simulations or sexual acts of any nature; sleep deprivation, or the withholding of water and/or food; social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule; beating, paddling, or other forms of physical assault. The activity known as “Locker Boxing” (fighting with helmet and gloves) is also a form of hazing that can produce head trauma in children and young adults and is prohibited in any USA Hockey Member Program.

Activities that fit the definition of hazing are considered to be hazing regardless of a person’s willingness to cooperate or participate.

Hazing does not include group or team activities that are meant to establish normative team behaviors, or promote team cohesion, so long as such activities do not have reasonable potential to cause emotional or physical distress to any participant. Examples of activities that do not constitute hazing include directing or allowing a younger player to pick up pucks or move nets after practice or bring or fill water bottles, or giving older players first preference in team assignments, responsibilities, accommodations, facilities, or equipment.

While other team members are often the perpetrators of hazing toward their teammates, it is a violation of this Policy if a coach or other responsible adult knows or should know of the hazing but takes no action to intervene on behalf of the targeted participant(s).

A USA Hockey participant or parent of a participant who violates this Hazing Policy is subject to appropriate disciplinary action, including but not limited, to suspension, permanent suspension and/or referral to law enforcement authorities.