



Cal North
Athlete and Participant Safety Policy

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PURPOSE:

Cal North is committed to creating and maintaining a sports environment in which all youth and adult participants may participate in youth sports activities, programs, and competitions free from all forms of emotional, psychological, physical, and sexual misconduct. Consistent with U.S. Soccer Bylaw 212, Cal North is also required to, among other obligations, (1) comply with applicable law and, in particular, California Assembly Bill 506 and the Ted Stevens Olympic and Amateur Sports Act (the "Sports Act"); (2) if the member recruits, trains, fields or funds soccer players, it must establish a risk management program to promote the safety and protect the welfare of participants; and (3) adopt policies prohibiting sexual abuse. Effective February 14, 2018, Public Law 115-126, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (the "SafeSport Act"), amends the Sports Act, and requires applicable amateur sports organizations (as such term is defined in the SafeSport Act, 36 U.S.C. § 220530(b)) to:

- Comply with the SafeSport Act's reporting requirements and prohibit retaliation by the applicable amateur sports organization against any individual who makes a report (36 U.S.C. § 220530(a)(1));
- Establish reasonable procedures to limit one-on-one interactions between an amateur athlete who is a minor and an adult (who is not the minor's legal guardian) at a facility under the jurisdiction of the applicable amateur sports organization (36 U.S.C. § 220530(a)(2));
- Offer and provide consistent training to adult members in regular contact with minor amateur athletes and, subject to parental consent, to members who are minors, regarding prevention and reporting of child abuse (36 U.S.C. § 220530(a)(3)); and
- Prohibit retaliation, by the applicable amateur sports organization, against any individual who makes a report of suspected child abuse. (36 U.S.C. § 220530(a)(4)).



The purpose of this policy is to require an Athlete and Participant Safety/Safe Soccer program as part of each Organization Member's risk management program and set out standards for such a program.

US SOCCER POLICY 212-3 (approved 10/19/2018)

Pursuant to the SafeSport act and US Soccer Policy 212-3, *The Cal North Athlete and Participant Safety Policy* includes the six components listed below:

1. Prohibited Conduct Policy
2. Appropriate Background Screening
3. Education and Training
4. Reporting
5. Limiting One-on-One Interactions - Required Policies
6. Enforcement



(1) Cal North Code of Conduct Prohibiting Misconduct

The Cal North Code of Conduct applies to all activities under the jurisdiction of Cal North.

This includes at least:

1. Covered Organization employees and board members;
2. Members of Cal North (at the District, League, Club and Team level);
3. Any adult individuals Cal North authorizes, approves or appoints to have regular contact with Youth Participants;
4. Any subcontractor, supplier, customer or third party and their employees in their dealings with Cal North;
5. All Youth Participants and
6. All ancillary volunteers

Collectively, the above will be referred to as Participants (adult or youth).

Covered Organization is defined as Cal North and all its member organizations.

A **Youth Participant** is defined as an individual who is under the age of nineteen (19) as of January 1.

An **Adult Participant** is defined as an individual eighteen (18) years of age and older who is associated with Cal North and who has direct contact with, or supervision of, Youth Participants.

An **Ancillary Volunteer** is defined as an individual who is eighteen (18) years of age and older who is associated with Cal North but who has minimal direct contact with and no supervision of Youth Participants.

Regular contact is defined as recurring, repeated or periodic contact between an adult and minors or a person with supervisory or decision-making authority over an adult who has recurring, repeated or periodic contact with minors.



Cal North Athlete and Participant Safety Policy

Cal North is committed to maintaining an environment that is free from all forms of discrimination, including harassment, on the basis of any legally protected status. Accordingly, Cal North does not permit any form of unlawful harassment, discrimination or intimidation against any Participant. Protected status includes race, color, age, religion, marital status, sex, ancestry, national origin, citizenship, veteran's status, pregnancy, disability, sexual orientation, gender identification, protected activity, or any other characteristic protected by federal, state or local law. The policy also prohibits harassment on the basis of the protected status of an individual's relatives, friends or associates.

Cal North is also committed to maintaining an environment that is free from all forms of child abuse and neglect, sexual abuse, sexual misconduct, emotional misconduct, physical misconduct, bullying and hazing.

Any violation of this Policy by a Participant may subject the Participant to disciplinary action. Appropriate action also will be taken against any subcontractor, supplier, or customer found in violation of this Policy.

A. Harassment

Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status. Cal North will not tolerate harassing conduct that affects any Participant, including conduct that affects an employee's tangible job benefits, that unreasonably interferes with a Participant's work performance or safety, or that creates an intimidating, hostile, or offensive environment.

Among the types of conduct prohibited by this policy are epithets, slurs, negative stereotyping or intimidating acts based on an individual's protected status and the circulation or posting of written or graphic materials that show hostility toward an individual because of his or her protected status.



Prohibited conduct can also include jokes, kidding, or teasing about another person's protected status. While harassing conduct is unlawful only if it affects tangible job benefits and/or interferes unreasonably with work performance and creates an abusive or hostile work environment, this Policy forbids harassing conduct even when it does not rise to the level of a violation of law.

B. Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute sexual harassment.

Sexual harassment may involve individuals of the same or different gender.

Examples of conduct which may constitute sexual harassment and are prohibited by this Policy include, but are not limited to:

- unnecessary touching, patting, hugging, pinching, or brushing against a person's body;
- staring, ogling, leering, or whistling at a person;
- continued or repeated verbal abuse of a sexual nature;
- sexually explicit statements, sexual flirtations, advances, propositions, subtle pressure for sexual activity, comments, questions, jokes, or anecdotes;
- graphic or degrading comments about a person's clothing, body or sexual activity;
- sexually suggestive objects, cartoons, posters, calendars, or pictures;
- suggestive or obscene letters, notes or invitations;
- harassing use of electronic mail, electronic or instant messaging, or telephone communication systems; or
- other physical or verbal conduct of a sexual nature.



C. Racial, Religious, or National Origin Harassment

Racial, religious, or national origin harassment is expressly prohibited by Cal North. Racial, religious, or national origin harassment includes any verbal, written, or physical act in which race, religion, or national origin is used or implied in a manner which would make a reasonable person uncomfortable. Examples of race, religious or national origin harassment may include, but are not limited to:

- jokes, which include reference to race, religion, or national origin;
- the display or use of objects or pictures which adversely reflect on a person's race, religion, or national origin; or
- use of pejorative or demeaning language regarding a person's race, religion, or national origin.

D. Child Sexual Abuse

Any sexual activity with a child is prohibited. This includes sexual contact with a child that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the Participants, and all sexual interactions between an adult and a child, regardless of whether there is deception, or the child understands the sexual nature of the activity.

E. Sexual Misconduct

Any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority is prohibited. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative. This section does not apply to a pre-existing relationship between two spouses or life partners.



F. Emotional Misconduct

Emotional misconduct in all forms is prohibited. Emotional misconduct is a pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to another person. Non-contact behaviors include verbal acts, physical acts, or acts that deny attention or support; or any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect). Emotional misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athletic performance.

G. Physical Misconduct

Physical misconduct in all forms is prohibited. Physical misconduct is defined as contact or non-contact conduct that results in, or reasonably threatens to cause, physical harm to another person; or any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault). Physical misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athletic performance. For example, hitting and punching are well-regulated forms of contact in combat sports but have no place in soccer.

H. Bullying

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



I. Hazing

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

J. Procedures for Complaints, Investigations and Corrective Action

All Participants are responsible for ensuring that misconduct is avoided. Cal North cannot act to eliminate misconduct unless it has notice of the conduct. Participants are charged with reporting any concerns.



(2) Appropriate Background Screening

All Adult Participants are required to undergo the Cal North approved background screening process and must be cleared prior to regular contact with a Youth Participant.

Cal North is using the California Department of Justice (DOJ) screening process to fingerprint all Adult Participants. The DOJ is mandated to maintain the statewide criminal record repository for the State of California and uses arrest and corresponding disposition information that is reported by California law enforcement, district attorney offices and courts. Once a person has been fingerprinted, all arrest reports are provided to Cal North for review. The DOJ process only covers arrests and dispositions that are made within California.

Cal North is also using the JDP background check process to perform national criminal checks on participating adults. The national data sources include but are not limited to: Department of Corrections, sex offender registries, criminal records, U.S. Youth Soccer's Disciplinary Action and Risk Management Report (DARM), and U.S Center for SafeSport's Centralized Disciplinary Database.

Based on the DOJ and JDP reports, a status of CLEARED or FAILED is assigned to a participating adult using the criteria below.

- A participating adult receiving a report without any information is assigned a CLEARED status.
- A participating adult receiving a report containing information regarding a conviction or arrest is assigned a FAILED status.
- A participating adult assigned a FAILED status may register for an appeal hearing. Appeals will be evaluated on a case by case basis.



The following are taken into consideration in determining the appeal results:

- Type of Crime
- Date of Crime
- Recidivism
- Background information by the individual
- Court documentation

Minors are not subject to the Cal North background screening process, but guardians are required to complete the Minor Risk Management Self Disclosure Form, and the minor must be approved by their League of registration prior to participating in the capacity of a team administrator. Minors are approved until their eighteenth (18th) birthday at which point they must complete the Cal North background screening process.



(3) Education & Training

Organization Member Employees, Board Members and Adult Participants, as a condition to participation, and Youth Participants, subject to parental consent, must complete SafeSport training. The Education and Training includes the below:

A. Initial Training for Adult Participants: Core Center for SafeSport Training

Pursuant to USOC and U.S. Center for SafeSport Policy, and as contemplated by the SafeSport Act, all Employees, Board Members and Adult Participants are required to complete the U.S. Center for SafeSport's Core SafeSport Training (i.e., the Center's online training).

B. Refresher Course(s) for Adult Participants

In addition to the initial training, a refresher course is required on an annual basis effective the calendar year following the completion of the initial training.

C. Training for Youth Participants

Subject to parental consent, Youth Participants each year will be offered and provided training regarding the prevention of child abuse.

D. Training for Parents

Parents of Youth Participants each year will be offered and provided training regarding the prevention of child abuse.



(4) Reporting

Under the SafeSport Act and AB 506, all Adult Participants and Ancillary Volunteers are Mandatory Reporters and legally responsible to report suspicion of abuse. Failure to do so in the State of California is a crime, and punishable by up to six months in jail and/or fines of up to \$1,000.

Please note, the law requires that a person have a “reasonable suspicion” that a child has been the subject of child abuse or neglect. Definite proof that a child may be subject to abuse or neglect is not required.

When physical or sexual abuse is suspected, Mandatory Reporters must submit a report to each of the below:

- Appropriate local law enforcement or county child welfare agency pursuant to your county of residence requirements, e.g. Police or Sheriff’s Department, County Probation Department, or County Welfare Department/County Child Protective Services.
- Cal North State Risk Manager
 - Email reporting@calnorth.org.
- National Governing Body (NGB)
 - US Soccer Integrity Hotline Number: (312) 528 - 7004
 - US Soccer: <https://www.ussoccer.com/integrity-hotline>
 - US Center for SafeSport: <https://www.safesport.org/report-a-concern>

All other forms of misconduct such as violation of one-on-one interaction policies, emotional abuse, bullying, hazing, or harassment must be reported to the Mandatory Reporter’s League or Club Risk Manager.



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All reports of misconduct are taken with utmost sensitivity and as discreetly as possible. Reporting may be made anonymously at no cost. Cal North does not tolerate retaliation of any kind. No individual who makes a good faith report will be subject to retaliation, including harassment, or any adverse employment or participation consequence, as a result of making a report.

In the event you make a report of suspected child abuse to law enforcement, the U.S. Center for SafeSport, or another authority, we encourage you not to make an anonymous report simply because an anonymous report will not provide you with evidence that you discharged your mandatory reporting obligation.



(5) Prevention Policies Limiting 1-On-1 Interactions

The majority of child sexual abuse is perpetrated in isolated, one-on-one situations. By reducing such interactions between children and adults, you reduce the risk of child sexual abuse. However, one-on-one time with trusted adults is also healthy and valuable for a child. Policies concerning one-on-one interactions protect children while allowing for these beneficial relationships.

Prevention policies apply to, but are not limited to the below:

- Adults at a facility under the jurisdiction of a Covered Organization
- Adult members who have regular contact with amateur athletes who are minors
- An adult authorized by a Covered Organization to have regular contact with or authority over an amateur athlete who is a minor
- Staff and board members of a Covered Organization
- Adult Participants and Ancillary Volunteers

Collectively, the above will be referred to as **Adults**.

One-on-one interactions between minors and an Adult (who is not the minor's legal guardian) at any activity under Cal North's jurisdiction are permitted, if they occur at an observable and interruptible distance by another adult. Cal North requires that there be, to the greatest extent possible, at least two (2) mandated reporters present whenever there are Adults in contact with, or supervising, children.



Isolated, one-on-one interactions between minors and an Adult (who is not the minor's legal guardian) are prohibited, except when:

- The circumstance is an emergency; or
- The minor needs an Adult Participant Personal Care Assistant (PCA) and:
 - The minor's legal guardian has provided written consent to Cal North for the Adult Participant PCA to work with the minor; and
 - The Adult Participant PCA has complied with Cal North's education and training policy; and
 - The Adult Participant PCA has complied with Cal North's Background Screening policy.

A. MEETINGS

Meetings between Adults and minors may only occur if another adult is present, except under emergency circumstances. Such meetings must occur where interactions can be easily observed and at an interruptible distance from another adult.

If a one-on-one meeting takes place in an office, the door to the office must remain unlocked and open. If available, it will occur in an office that has windows, with the windows, blinds, and/or curtains remaining open during the meeting.

B. MEETINGS WITH MENTAL HEALTH CARE PROFESSIONALS

If a mental health care professional meets with minors, a closed-door meeting may be permitted to protect patient privacy – provided that (1) the door remains unlocked, (2) another adult is present at the facility, (3) the other adult is advised that a closed-door meeting is occurring, and (4) written legal guardian consent is obtained by the mental health care professional, with a copy provided to Cal North.



C. INDIVIDUAL TRAINING SESSIONS

Individual training sessions between Adults and minors are permitted if the training session is observable and interruptible by another adult. The Adult must obtain the written permission of the minor's legal guardian in advance of the individual training session. Parents, guardians, and other caretakers must be allowed to observe the training session. Permission for individual training sessions must be obtained at least every six months.

D. MONITORING

When one-on-one interactions between Adults and minors occur, adults will monitor these interactions. Monitoring includes: knowing that the one-on-one interaction is occurring, the approximate planned duration of the interaction, and randomly dropping in on the one-on-one.

E. OUT OF PROGRAM CONTACTS

Adults are prohibited from interacting one-on-one with unrelated minor athletes in settings outside of the program (including, but not limited to, one's home, restaurants, and individual transportation), unless parent/legal guardian consent is provided for each out-of-program contact. Such arrangements are nonetheless strongly discouraged.

F. MASSAGES AND RUBDOWNS

Any massage or rubdown performed by an Adult on a minor athlete at any event under Cal North's jurisdiction is prohibited unless such Adult is a licensed massage therapist, and has acquired written consent by the minor's legal guardian. Consent must be provided before providing each massage or rubdown on a minor athlete. Parents must be permitted to be in the room as an observer.

Any massage or rubdown performed by a licensed professional must be conducted in open and interruptible locations. Any massage of a minor athlete must be done with at least one other adult present and must never be done with only the minor athlete and licensed massage therapist in the room.



Even if a coach is a licensed massage therapist, the coach shall not perform a rubdown or massage of an athlete under any circumstances.

G. LOCKER ROOMS, REST ROOMS AND CHANGING AREAS

a. Use of recording devices

Use of any device's (including a cell phone's) recording capabilities, including voice recording, still cameras, and video cameras in locker rooms, rest rooms, changing areas, or similar spaces at a facility under our organization's jurisdiction is prohibited. Exceptions may be made for media and championship celebrations, provided that such exceptions are approved by the Covered Organization and two or more adults are present.

b. Undress

Under no circumstances shall an unrelated Adult at a facility under our organization's jurisdiction be undressed (disrobed or partial or full nudity where private body parts are exposed) in front of minor athletes.

c. Isolated one-on-one interactions

At no time are unrelated Adults permitted to be alone with a minor in a locker room, rest room, or changing area when at a facility under our jurisdiction, except under emergency circumstances. If our organization is using a facility that has access to a single set of such facilities, we will designate times for use by Adults, if any.

d. Monitoring

Our organization regularly and randomly monitors the use of locker rooms, rest rooms, and changing areas at facilities under our jurisdiction to ensure compliance with these policies.

To minimize the risk of bullying and/or hazing, our organization uses locker room monitors to ensure that minors are not left unattended in locker rooms, rest rooms, and changing areas.



Adults must make every effort to recognize when an athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, we will check on the athlete's whereabouts.

Parents are discouraged from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent. If this is necessary, parents should let a coach or administrator know about this in advance. Unrelated parents are not permitted to enter locker rooms and changing areas.

H. SOCIAL MEDIA & ELECTRONIC COMMUNICATIONS

All electronic communication originating from Adult Participants to amateur athletes who are minors must be professional in nature.

a. Open and transparent

If an Adult Participant needs to communicate directly with an amateur athlete who is a minor via electronic communications, another Adult Participant and the minor's legal guardian should be copied.

If a minor athlete communicates to the Adult Participant privately first, the Adult Participant should respond to the minor athlete with a copy to another Adult Participant and the minor's legal guardian.

An Adult Participant communicating electronically to the entire team will copy another Adult Participant.

Amateur athletes who are minors may "friend" the organization's official page.

b. Prohibited electronic communications

Adult Participants are not permitted to communicate privately via electronic communications with amateur athletes who are minors, except under emergency circumstances.



Adult Participants are not permitted to “private message,” “instant message,” “direct message”, or send photos via any social media platform to a minor athlete privately.

Adult Participants are not permitted to maintain social media connections with minors; such adults are not permitted to accept new personal page requests on social media platforms from amateur athletes who are minors and existing social media connections with amateur athletes who are minors shall be discontinued.

c. Requests to discontinue

Legal guardians may request in writing that their child not be contacted through any form of electronic communication by the organization or by the organization’s Adult Participants. The organization will abide by any such request that their child not be contacted via electronic communication, absent emergency circumstances.

d. Hours

Electronic communications will only be sent between the hours of 8:00 a.m. and 8:00 p.m. Exceptions for emergencies and while team travels can be made.

e. Monitoring

Cal North monitors its social media pages and removes any posts that violate the organization’s policies and practices for appropriate behavior.

Cal North will inform the legal guardian of a minor athlete of any prohibited posts, as well as the organization’s administrator.



I. LOCAL TRAVEL

a. Transportation

The organization does not arrange for local travel.

Adult Participants who are not also acting as a legal guardian, shall not ride in a vehicle alone with an unrelated athlete who is a minor, absent emergency circumstances, and may only drive with at least two other minor athletes or another adult at all times, unless otherwise agreed to in writing by the minor athlete's parent/legal guardian in advance of each local travel.

b. Shared or Carpool Travel Arrangement

We encourage parents/legal guardians to pick up their minor athlete first and drop off their minor athlete last in any shared or carpool travel arrangement.

We encourage parents/legal guardians to receive education concerning child abuse prevention before providing consent for their minor to travel alone with a Participating Adult.

J. TEAM TRAVEL

It is highly encouraged that parents/legal guardians receive education concerning child abuse prevention before providing consent for their minor to travel alone with a Participating Adult.

Two-deep leadership and observable and interruptible environments should be maintained during team travel.

a. Team/competition travel

Team travel policies must be signed and agreed to by all minor athletes, parents, and Adult Participants traveling with the team.

Adult Participants who travel with the team must successfully pass a DOJ criminal background check and other screening requirements consistent with the organization's policies.



b. Hotel rooms

Adult Participants shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the Adult Participant is the legal guardian, sibling, or is otherwise related to the minor athlete).

c. Meetings

Meetings shall be conducted consistent with the Organization's policy for one-on-one interactions – i.e., any such meeting shall be observable and interruptible.

Meetings shall not be conducted in a hotel room.

(6) Enforcement

Violation of the Cal North Athlete and Participant Safety Policy is subject to a grievance process that is materially free of bias and conflicts of interest, that addresses allegations of misconduct following the report or complaint of misconduct. This grievance process includes the opportunity for review by a disinterested individual or body and a right to appeal a final decision rendered by Cal North.