

USA BASKETBALL
SAFESPORT PROGRAM HANDBOOK

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Introduction

The safety of its participants is of paramount importance to USA Basketball.

This SafeSport Program Handbook includes the various SafeSport policies that apply to “Covered Individuals,” as defined below. “Designees,” for purposes of these policies, are (i) USA Basketball staff members; (ii) USA Basketball Board members; (iii) individuals that USA Basketball formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes (collectively, “Designees”). Designees include, but are not limited to, all National Team coaches, National Team support staff, and other National Team volunteers, including (without limitation) those acting as chaperones for athletes. For the avoidance of doubt, these policies do not directly apply to USA Basketball’s constituent members; however, USA Basketball strongly encourages its constituent members to adopt similar SafeSport programs and policies.

This Handbook also provides information on USA Basketball’s Screening and Background Check Program; the procedures for any person to report suspected abuse or misconduct (including protections from any retaliation or repercussions for such reporting); and the procedures and means by which USA Basketball responds to allegations of abuse and misconduct.

Through this SafeSport Program, USA Basketball is committed to creating the safest possible environment for participation in basketball.

For purposes of these policies, a “Covered Individual” is any individual who: (a) currently is, or was at the time of a possible violation of the SafeSport Code, rules, or regulations of the U.S. Center for SafeSport (or of USA Basketball’s SafeSport policies), within the governance or disciplinary jurisdiction of USA Basketball or who is or was seeking to be within the governance or disciplinary jurisdiction of USA Basketball (e.g., through application for a coach license), (b) is an athlete or non-athlete participant that USA Basketball formally authorizes, approves or appoints to a position of authority over athletes or to have frequent contact with athletes or (c) USA Basketball identifies as being within the U.S. Center for SafeSport’s jurisdiction. USA Basketball has so designated the following individuals as “Covered Individuals:”

- USA Basketball staff
- USA Basketball Board members
- Individuals USA Basketball formally authorizes, approves or appoints to a position of authority over, or to have frequent contact with athletes, including (without limitation):
 - USA Basketball National Team coaches
 - USA Basketball National Team support staff, and other National Team volunteers, including (without limitation) those acting as chaperones for athletes

- All USA Basketball coach licensees and pending applicants
- Any other individual participating in the activities or affairs of USA Basketball

In addition, any person who is a “Covered Individual” under these policies and/or the rules of the U.S. Center for SafeSport (whether or not a USA Basketball member), is subject to the rules, policies, and procedures of the U.S. Center for SafeSport and will submit, without reservation or condition, to the jurisdiction of the U.S. Center for SafeSport for the resolution of any alleged violations of those rules, policies, or procedures, as they may be amended from time to time. To the extent any USA Basketball rule is inconsistent with the rules of the U.S. Center for SafeSport, such USA Basketball rule is hereby superseded. The rules, policies, and procedures of the U.S. Center for SafeSport can be found at: <https://safesport.org/>.

A violation of any of the U.S. Center for SafeSport’s rules will also be considered a violation of USA Basketball’s rules. USA Basketball will mirror and enforce any sanction imposed by the Center, whether permanent or temporary.

Section I -- USA Basketball SafeSport Policies

USA Basketball 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 Basketball has implemented policies 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 and set forth boundaries for appropriate and inappropriate conduct:

- Sexual Misconduct Policy
- Physical Abuse Policy
- Emotional Abuse Policy
- Bullying, Threats and Harassment Policy
- Hazing Policy
- Locker Room Policy
- Social Media, Mobile and Electronic Communications Policy
- Travel Policy

All USA Basketball participants, including coaches and players, should familiarize themselves with each form of misconduct and refrain from engaging in misconduct and/or violating any of these policies.

Additionally, USA Basketball encourages its constituent members to adopt similar policies, which are intended to provide a safe environment for participants and reduce the potential risk of abuse.

In the event that anyone participating in the activities or affairs of USA Basketball observes inappropriate behaviors (i.e., policy violations), including 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 a USA Basketball representative, as described in Section IV of this Handbook. Reporting parties should not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations before reporting to USA Basketball.

In addition to reporting within USA Basketball, anyone participating in the activities or affairs of USA Basketball must also report suspected child physical or sexual abuse to appropriate law enforcement authorities when required under applicable law.

USA Basketball has **ZERO TOLERANCE** for abuse and misconduct. How USA Basketball responds to an allegation of abuse or misconduct is described in Section V of this Handbook.

Sexual Misconduct Policy

It is the policy of USA Basketball that there shall be no sexual misconduct involving any athlete or other participant involved in any of its programs by any Covered Individual.

Sexual misconduct is defined as:

(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, exploitive, or threatening manner;

(2) Any sexual interaction between an athlete and an individual with evaluative, direct, or indirect authority, because 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).

Sexual misconduct includes, among other things, sexual abuse of a minor. Sexual abuse of a minor occurs when an adult touches a minor for the purpose of causing the sexual arousal or gratification of either the minor or the adult. Sexual abuse of a minor also occurs when a minor touches an adult for the sexual arousal or sexual gratification of either the minor or the adult, if the touching occurs at the request or with the consent of the adult.

Sexual contact between or among minors can also be abusive if there is a significant disparity in age, development, or size, or if there is the existence of an aggressor, or where there 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.

Sexual misconduct can occur between adults or to an adult. Sexual misconduct 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.

Sexual misconduct can also include non-touching offenses, such as sexually harassing behaviors, including (without limitation): 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 photo to minor; an adult exposing minors to pornographic material; an adult sending minors sexually explicit electronic messages or photos (e.g. "sexting"); an adult deliberately exposing a minor to sexual acts; or an adult deliberately exposing a minor to inappropriate nudity.

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

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

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.

Neither consent of the minor to the sexual contact, mistake as to the athlete's age, nor the fact that the sexual contact did not take place at a basketball function are defenses to a complaint of sexual abuse or misconduct.

Any Covered Individual, including, without limitation, USA Basketball staff members, Board members, Designees and athletes, who engages in any act of sexual abuse or misconduct may be subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

Physical Abuse Policy

It is the policy of USA Basketball that there shall be no physical abuse involving any athlete or other participant involved in any of its programs by any Covered Individual. 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 and includes physical abuse. 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 with a participant, physical abuse also includes providing alcohol to a participant under the legal drinking age 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 basketball skill, including physical conditioning, team building and appropriate discipline.

Anyone participating in the activities or affairs of USA Basketball, including, without limitation, USA Basketball staff members, Board members, Designees and athletes, who engages in any act of physical abuse may be subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities.

Emotional Abuse Policy

It is the policy of USA Basketball that there shall be no emotional abuse of any athlete or other participant involved in any of its programs by a Covered Individual. 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 by, e.g., calling them worthless, fat, or disgusting; or (ii) repeatedly and aggressively target 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 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.

Any Covered Individual, including, without limitation, USA Basketball staff members, Board members, Designees and athletes, who engages in any act of emotional abuse may be 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 Policy

USA Basketball supports an environment for participation in basketball conducive to the enjoyment of basketball 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 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 Basketball activities or events.

Examples of bullying include, without limitation, *physical behaviors*, including punching, kicking or choking a participant; and *verbal and emotional behaviors*, including, without limitation, 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).

Any Covered Individual, including, without limitation, USA Basketball staff members, Board members, Designees and athletes, who violates this Bullying, Threats and Harassment Policy may be subject to appropriate disciplinary action including but not limited to suspension, permanent suspension, and/or referral to law enforcement authorities. The severity and pattern 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 Basketball activities or events.

Any Covered Individual, including, without limitation, USA Basketball staff members, Board members, Designees and athletes, who violates this Bullying, Threats and Harassment Policy may be subject to appropriate disciplinary action, including but not limited to suspension, permanent suspension and/or referral to law enforcement authorities. The severity and pattern of the threatening behavior and/or result shall be taken into consideration when disciplinary decisions are made.

Harassment

Harassment in sport 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.

Sexual Harassment is a form of harassment prohibited by this policy. It shall be a violation for anyone participating in the activities or affairs of USA Basketball to harass an individual through conduct or communications of a sexual nature or to retaliate against anyone that 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 individual being harassed are the same sex and whether or not the individual 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 basketball 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.

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 individual(s).

Any Covered Individual, including, without limitation, USA Basketball staff members, Board members, Designees and athletes, who violates this Bullying, Threats and Harassment Policy may be subject to appropriate disciplinary action, including but not limited to, suspension, permanent suspension and/or referral to law enforcement authorities. The severity and pattern of the harassing or sexually harassing behavior and/or result shall be taken into consideration when disciplinary decisions are made.

Hazing Policy

It is the policy of USA Basketball that there shall be no hazing of any athlete involved in any of its programs by any Covered Individual.

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*, (a) requiring or forcing (including through peer pressure) the consumption of alcohol or illegal drugs; (b) tying, taping, or physically restraining a participant; (c) sexual simulations or sexual acts of any nature; (d) sleep deprivation, or the withholding of water and/or food; (e) social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule; (f) beating, paddling, or other forms of physical assault.

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 reasonably designed 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.

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).

Any Covered Individual, including, without limitation, USA Basketball staff members, Board members, Designees and athletes, who violates this Hazing Policy may be subject to appropriate disciplinary action, including but not limited, to suspension, permanent suspension and/or referral to law enforcement authorities.

Locker Room Policy

Locker room and changing area settings may create an environment where extra diligence is required due to athletes being in various stages of dress/undress and because they are often less supervised than at other times. Athlete-to-athlete problems, such as sexual abuse, bullying, harassment or hazing, often occur when a coach or other responsible adult is not in a position to observe – this is especially true in locker rooms. Adherence to a locker room policy enhances privacy and reduces the likelihood of misconduct.

Locker Room Supervision

For USA Basketball events or activities involving minors, and when reasonably practicable, USA Basketball shall provide at least one responsible screened adult be present to monitor the locker room during all team events to ensure that only coaches, athletes, and approved team personnel (including, without limitation, support staff and other volunteers) are permitted in the locker room (or other changing area) and to supervise the conduct in the locker room. Any individual meetings between a minor participant and a coach or other adult in a locker room shall require that a second responsible adult be present. The responsible adult that monitors and supervises the locker room shall have been screened in compliance with Section III of this Handbook.

Further, responsible adults must also secure the locker room appropriately during times when minor participants are on the court.

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras, and video cameras increase the risk for some forms of abuse or misconduct. As a result, the use of a mobile device's recording capabilities in the locker rooms is not permitted at any USA Basketball event, provided that it may be acceptable to take photographs or recordings in a locker room in such unique circumstances as a victory celebration, team party, etc., where all persons in the locker room are appropriately dressed and have been advised that photographs or recordings are being taken.

Social Media, Mobile and Electronic Communications Policy

As part of USA Basketball's emphasis on participant safety, communications involving our athlete participants should be appropriate, productive, and transparent. Effective communication concerning travel, practice or game schedules, and administrative issues among coaches, administrators, players 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, Mobile and Electronic Communications Policy helps reduce these risks.

All electronic communication between a Covered Individual and an athlete, including email, text messaging and the use of social media, must be for the purpose of communicating information about team activities or other basketball-related content. Covered Individuals must follow common sense guidelines regarding the volume and time of day of any allowed electronic communication with athletes.

Abuse and Misconduct

Social media and other means of electronic communication can be used to commit abuse and misconduct (e.g., emotional and sexual misconduct, bullying, harassment, and hazing). Such communications by anyone participating in the activities or affairs of USA Basketball will not be tolerated and are considered violations of USA Basketball's SafeSport Program.

Travel Policy

A significant portion of sports participation involves overnight travel for teams to games and tournaments. Athletes are most vulnerable to abuse or misconduct during travel, particularly overnight stays. This includes a greater risk of player to player misconduct. During travel, players may be away from their families and support networks, and the setting – unfamiliar locker rooms, automobiles, and hotel rooms – is less structured and less familiar. This Travel Policy provides guidelines so that care is taken to minimize one-on-one interactions between athletes and Covered Individuals while traveling. Further, the policy directs how athletes will

be supervised between and during travel to and from practice and competitions. Adherence to this Travel Policy helps to reduce the opportunities for misconduct.

The following policies should be in effect for all USA Basketball National Team program travel that involves athletes when reasonably practicable:

- Regardless of gender, no USA Basketball staff member or Covered Individual should share a hotel room or other sleeping arrangement with an athlete (unless such individual is the parent, guardian or sibling of the player).
- Players should share rooms with other players of the same gender, with the appropriate number of players assigned per room depending on accommodations.
- Individual meetings between a player and a coach, trainer, or other Designee should not occur in hotel sleeping rooms unless the door to the room remains open.
- USA Basketball should provide same-sex chaperones for any international National Team travel, as well as domestic travel, as necessary.
- Regular monitoring and curfew checks should be made of each athlete's room.
- No USA Basketball staff member or Covered Individual should drive alone with an unrelated minor player.
- No USA Basketball staff member or Covered Individual should 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, a vehicle in safe working order, and compliance with all state laws.
- All USA Basketball staff members and Covered Individuals travelling with a team should be familiar with the SafeSport Program Handbook to monitor compliance with all SafeSport Policies.
- No USA Basketball staff member or Covered Individual should be impaired by alcohol or drugs while performing their respective duties.
- All players should be encouraged to make regular check-in phone calls to parents, and team personnel (including, without limitation, support staff and other volunteers) should allow unscheduled check-in phone calls initiated by either the player or parents.
- The team should make every effort to accommodate reasonable parental requests when a minor is away from home without a parent.
- Specific travel itineraries should be distributed to parents when they are available and will include a detailed itinerary as well as contact information for all team personnel (including, without limitation, support staff and other volunteers) and chaperones.

Section II -- Education and Awareness Training

Education is a key component of any abuse and misconduct prevention strategy. Awareness training provides relevant participants with information necessary to more effectively monitor their organization, minimize the opportunities for physical and sexual abuse and other types of misconduct, and respond to concerns. It is also a strong public statement that the organization places a priority on the safety of its participants.

USA Basketball's policies and procedures require USA Basketball staff members and Designees to report abuse, misconduct, and violations of its safety policies (see [Section IV](#), Reporting of Concerns of Abuse). To do so, staff members and Designees should have a basic understanding of sexual abuse and misconduct and the strategies that offenders use to target their victims. Often, using a combination of attention, affection and gifts, offenders target a victim, win the victim's trust (and the trust of victim's caregiver(s)), manipulate the victim into sexual activity, and keep the victim from disclosing abuse.

It is the policy of USA Basketball that, before having contact with athletes, those participants who (1) have direct contact with or supervision over athletes; (2) are responsible for enforcing abuse and misconduct policies; or (3) are in managerial or supervisory roles of a USA Basketball program, shall complete appropriate training about physical abuse, sexual abuse and other types of misconduct. This includes all USA Basketball staff members and Designees that will have routine access to athletes, including but not limited to National Team managers, National Team locker room monitors, and any National Team travel chaperones. Mandatory training requirements may be satisfied by reviewing the United States Olympic Committee's SafeSport training materials (described below) or attending an in-person training session offered by USA Basketball.

To prevent physical abuse, sexual abuse and other types of abuse and misconduct, the training shall:

- Describe what constitutes, and potential effects of, physical and sexual abuse
- Describe what constitutes, and potential effects of, all forms of abuse and misconduct (emotional, physical, and sexual; bullying, harassment, and hazing)
- Identify risk opportunities for physical and sexual abuse
- Address common myths about offenders
- Outline patterns, behaviors, and methods of operation of sexual predators
- Identify risk opportunities for abuse and misconduct in sport
- Identify policies, practices, and procedures to recognize, reduce, and report misconduct

USA Basketball has adopted the United States Olympic Committee's SafeSport training materials, which include a series of online training videos in the following subjects:

- Lesson 1: The Coach-Athlete Relationship
- Lesson 2: Bullying & Harassment
- Lesson 3: Hazing
- Lesson 4: Emotional Misconduct
- Lesson 5: Physical Misconduct
- Lesson 6: Sexual Misconduct
- Lesson 7: Sexual Abuse
- Lesson 8: Grooming
- Lesson 9: Minimizing High-Risk Opportunities
- Lesson 10: Local Travel
- Lesson 11: Overnight Travel
- Lesson 12: The Signs & Symptoms of Abuse
- Lesson 13: The Barriers to Reporting Abuse
- Lesson 14: Reporting and Responding to Misconduct & Abuse

The training videos in total are approximately 90 minutes long.

Section III -- Screening and Background Check Program

Purposes of a Screening Policy:

- Protect USA Basketball participants from known offenders.
- Protect USA Basketball's reputation as a sport where participants are safe from abuse.
- Help protect USA Basketball from liability that could arise from allowing a previous offender to have access to participants.

USA Basketball's Screening Policy includes set criteria for which a person may be disqualified and prohibited from serving as a USA Basketball Board member, Committee member or Designee. Under the policy, USA Basketball will not authorize or sanction any USA Basketball Board member, Committee member, Designee or other coaching or support staff for any USA Basketball National Team, select team, or camp/clinic unless that person consents to be screened and passes a criminal background screen conducted by USA Basketball. All USA Basketball staff members will also be subject to criminal background screens, conducted in accordance with USA Basketball employment policies and related law.

USA Basketball Screening:

USA Basketball shall conduct screening of its Board members, Committee members, Designees, and other coaching and support staff for any USA Basketball National Team, select team, or camp/clinic, as follows:

- All members of the USA Basketball Board of Directors, and each member of a USA Basketball Committee shall be screened upon their election or appointment to the position and then shall be re-screened every four (4) years.
- All Designees and other coaching and support staff for any USA Basketball National Team, select team, or camp/clinic, shall be screened as a condition of being selected for such position prior to the commencement of each such event or program.

The following shall serve as a basis under which a person may be disqualified or prohibited from serving as a USA Basketball Board member, Committee member, Designee or other coaching or support staff for any USA Basketball National Team, select team, or camp/clinic:

- Convictions of, deferred sentences and adjudications, pleas of guilty or no contest, and pending charges for any of the following crimes. For purposes of this Screening Policy, diversion agreements are considered pending charges unless and until the agreement is fulfilled and the charges are dismissed.:
 - i. Any felony (or any crime punishable by confinement greater than one year).
 - ii. Any lesser crime involving force or threat of force against a person.

- iii. Any lesser crime of a sexual nature, or in which sexual relations is an element, or classified as a sex offense including but not limited to “victimless” crimes of a sexual nature such as prostitution, pornography, and indecent exposure, and sex offender registrants.
 - iv. Any lesser crime involving controlled substances.
 - v. Any lesser crime involving harm to a person including but not limited to child endangerment, neglect or abuse.
 - vi. Any lesser crime involving cruelty to animals.
- In addition to the criteria above, the following additional criteria shall also serve as a basis under which a person may be disqualified or prohibited from serving as a USA Basketball Board member, Committee member, Designee or other coaching or support staff for any USA Basketball National Team, select team, or camp/clinic:
 - (1) Being adjudged liable for civil penalties or damages involving sexual or physical abuse of children.
 - (2) Being subject to any court order involving any sexual abuse or physical abuse of a person, including but not limited to domestic order or protection.
 - (3) Having had their parental rights terminated.
 - (4) Having a history with another organization (volunteer, employment, etc.) of complaints of sexual or physical abuse of a person.
 - (5) Having resigned, been terminated or been asked to resign from a position, whether paid or unpaid, due to complaint(s) of sexual or physical abuse.
 - (6) Three or more convictions of, deferred sentences and adjudications, pleas of guilty or no contest, and/or pending charges for alcohol-related offenses within the past three years.

USA Basketball’s criminal background check report will return a “red light” or “green light” finding. A green light finding means that the background check vendor located no disqualifying records. A red light finding means the criminal background check revealed a disqualifying criminal record that suggests the individual may be unsuitable to be a USA Basketball Board member, Committee member, Designee or other coaching or support staff for any USA Basketball National Team, select team, or camp/clinic.

Individuals who are subject to disqualification under a “red light” finding may challenge the accuracy of the information reported by the criminal background check vendor.

Additionally, any disqualified individual has the right to seek an exemption from disqualification from the USA Basketball Exemption Panel. In order to successfully obtain an exemption, the individual must demonstrate that the conviction or charge does not violate the spirit of SafeSport and that he or she poses no risk to the sport and its athletes.

In order to seek an exemption from disqualification, please contact SafeSport@usabasketball.com.

Section IV -- Reporting of Concerns of Abuse

An effective reporting policy encourages reports of suspected abuse and misconduct, does not in any way deter victims or witnesses from reporting abuse and misconduct, and is a key element to helping prevent abuse and misconduct from occurring. Potential abusers are more likely to avoid involvement in a program where there is little reluctance to report suspected abuse. When sport stakeholders are untrained about how and when to report suspected abuse, they may feel ill-prepared, powerless and lost when it comes to responding to and reporting misconduct. By providing this guidance on when and how to report suspected misconduct, USA Basketball seeks to remove barriers to disclosing misconduct, including child physical and sexual abuse.

In this policy on Reporting Concerns of Abuse is:

- The **Reporting Policy**, which describes who must report violations or suspicions of potential or actual abuse or misconduct.
- The **Reporting Procedure**, which includes:
 - To Whom to Report
 - How to Report to USA Basketball;
 - Anonymous Reporting;
 - “Whistleblower” Protection; and
 - Bad Faith Allegations.
- **How Reports are Handled.**
- **Notification** to parents of other participants.

REPORTING POLICY

It is the policy of USA Basketball that Covered Individuals must report to the appropriate USA Basketball representative (as set forth below): (1) suspicions or allegations of child physical or sexual abuse, (2) actual or perceived violations of the Sexual Misconduct, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, or Hazing Policies, and (3) any other actual or perceived violations of the USA Basketball SafeSport Program Handbook. If USA Basketball receives a report of physical or sexual misconduct involving a minor, USA Basketball will make a report to the proper law enforcement authorities. This may not absolve the original reporter of his or her duty to report physical or sexual misconduct toward a minor to law enforcement authorities. Many states have reporting requirements, and you should determine whether you have a personal obligation to report to law enforcement authorities.

In addition, Covered Individuals are required to report to the U.S. Center for SafeSport any conduct of which they become aware that could constitute (a) sexual misconduct; (b) misconduct that is reasonably related to the underlying allegations of sexual misconduct; or (c) retaliation related to an allegation of sexual misconduct. More information regarding the requirements of the U.S. Center for SafeSport can be found at: <https://safesport.org/>.

In some cases an individual may be hesitant about reporting suspected abuse because they are unsure about the credibility of the person making the allegation, are unsure about the credibility or validity of the facts on which the allegations are based, or are concerned about the potential consequences of a false report. It is critical that reporting parties not attempt to evaluate the credibility or validity of child physical or sexual abuse allegations as a condition for or prior to reporting their concerns.

Additional considerations regarding reporting sexual abuse or misconduct include:

Grooming

Because sexual abusers “groom” children for abuse – the process used by offenders to select a child, to win the child’s trust (and the trust of the child’s parent or guardian), to manipulate the child into sexual activity and to keep the child from disclosing abuse – it is possible that an individual participating in the activities or affairs of USA Basketball may witness behavior intended to groom a child for sexual abuse. All questions or concerns related to inappropriate, suspicious or suspected grooming behavior should be directed to USA Basketball.

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

REPORTING PROCEDURE

To Whom to Report

All reports of violations of any of the USA Basketball SafeSport policies or any violations of this SafeSport Program Handbook shall be made to USA Basketball, and/or to the U.S. Center for SafeSport, if applicable. Additionally, suspicions or allegations of child physical or sexual abuse may, **and in some cases must**, be made to the appropriate law enforcement authorities. A compilation of information on when a person must make a report to law enforcement authorities can be found at:

www.childwelfare.gov
http://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm
http://www.childwelfare.gov/systemwide/laws_policies/state/

How to Report to USA Basketball

Reports to USA Basketball may be made by emailing SafeSport@usabasketball.com or calling (719) 590-4800.

USA Basketball 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. If reporting by email, **it is strongly encouraged that the following information be included:**

- 1) the name(s) and contact information 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 name(s) of the alleged victim(s);
- 5) the approximate dates the misconduct was committed;
- 6) the names of other individuals who might have information regarding the alleged misconduct;
- 7) a summary statement of the reasons to believe that misconduct has occurred

Anonymous Reporting

Anonymous reporting may make it difficult for USA Basketball to investigate or properly address misconduct or abuse. However, USA Basketball 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.

“Whistleblower” Protection

Regardless of outcome, it is the policy of USA Basketball to support the complainant(s) and his or her right to express concerns in good faith. USA Basketball will not encourage, allow or tolerate attempts from any individual, group or organization to retaliate, punish, allow or in any way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of the USA Basketball’s SafeSport Program and grounds for disciplinary action. However, this “Whistleblower” protection is not intended to shield complainants from discipline for engaging in other misconduct.

Bad-Faith Allegations

Submitting a knowingly false allegation is prohibited and may violate state and criminal civil defamation laws. Such reports will be considered a violation of the USA Basketball SafeSport Program and grounds for disciplinary action.

HOW REPORTS ARE HANDLED

Suspicious or Allegations of Child Physical or Sexual Abuse

Reporting to Law Enforcement and/or Child Protective Services

USA Basketball shall not attempt to evaluate the credibility or validity of allegations of child physical or sexual abuse as a condition for or prior to reporting to appropriate law enforcement authorities. As necessary, however, a person receiving a report may ask a few clarifying questions of the person making the report to adequately report the suspicion or allegation to law enforcement authorities.

Other Misconduct and Policy Violations

When a SafeSport-related allegation is reported, USA Basketball may initiate an investigation into the alleged misconduct and potential policy violation(s) and may seek disciplinary action, as provided for in Section V below. Alternatively, USA Basketball may refer the matter to the U.S. Center for SafeSport for investigation and/or adjudication under the Center's policies and procedures.

NOTIFICATION

Upon receipt of a credible allegation involving SafeSport-related misconduct, USA Basketball may notify its staff members, Board members, Designees, the U.S. Center for SafeSport, and/or parents of any allegation that law enforcement authorities and/or USA Basketball are actively investigating, as appropriate.

Section V -- Responding to Abuse and Other Misconduct

In response to allegations of abuse or misconduct, the following procedures and guidelines shall apply. By following these procedures, USA Basketball can provide a fair and reasonable process for handling reports of abuse by members.

In this policy on Responding to Abuse and Other Misconduct is:

- USA Basketball’s procedures to investigate and conduct appropriate disciplinary proceedings following reports of suspicions or allegations of abuse or misconduct, or, in appropriate cases, to refer such matters to the U.S. Center for Safe Sport;
- The importance of maintaining confidentiality with respect to the complaint, complainant, victim, accused, and other information related to the report and incident(s) until “notice” is given about a suspension or the outcome of any proceeding(s);
- The circumstances in which an emergency hearing is appropriate and the procedures following an emergency suspension; and
- A general summary of the procedures for a full hearing, including sanctions that may be issued by a Hearing Panel.

INVESTIGATION AND/OR DISCIPLINARY PROCEEDINGS

Upon a report or other notice of credible information or allegations that a person who may be subject to the jurisdiction of USA Basketball (1) may have engaged in actual or suspected child physical or sexual abuse; (2) may have violated any of the Sexual Misconduct, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, or Hazing Policies; or (3) may have violated any of the provisions of the USA Basketball SafeSport Program Handbook, USA Basketball shall conduct an investigation and/or disciplinary proceedings to determine the appropriate discipline that may be imposed. Any investigation shall be conducted by a designee of the USA Basketball Executive Director/CEO. Alternatively, if the matter involves misconduct in the jurisdiction of the U.S. Center for SafeSport, specifically (a) sexual misconduct; (b) misconduct that is reasonably related to the underlying allegations of sexual misconduct; or (c) retaliation related to an allegation of sexual misconduct, USA Basketball will refer the matter to the U.S. Center for Safe Sport. USA Basketball will also report matters involving child abuse or neglect to the U.S. Center for SafeSport.

Notwithstanding the foregoing, if USA Basketball receives a report of physical or sexual misconduct involving a minor, USA Basketball will make a report to the proper law enforcement authorities. Further, USA Basketball shall not conduct any investigation or hearing procedure in response to allegations of child physical or sexual abuse if it in any way interferes with a pending legal investigation or criminal prosecution.

USA Basketball recognizes that there are varying levels of misconduct. For example, physical and sexual misconduct are serious violations that may result in permanent ineligibility to

participate in USA Basketball programs. In contrast, a youth participant who tells a single risqué joke constitutes less serious misconduct and depending on the circumstances, might be dealt with more appropriately through dialogue and a verbal warning. In all cases, USA Basketball's disciplinary procedures and actions shall be proportionate and reasonable; provided, however, that USA Basketball will mirror and enforce any sanction by the Center, whether permanent or temporary. Similarly, depending on the nature of the incident reported, an investigation may or may not be conducted, and the extent of that investigation may likewise vary. Some cases may require extensive interviews, while others may, on their face, may require no investigation and a simple warning.

However, USA Basketball will address any allegations of misconduct and impose any discipline against its staff members in accordance with its employment policies and procedures and other documents governing the employment.

IMPORTANCE OF CONFIDENTIALITY

The substance of any investigation and/or disciplinary proceedings must be kept confidential until a final decision has been rendered, to the greatest extent possible. An investigator shall not discuss the investigation with anyone except for the purposes of conducting the investigation, and except as requested by law enforcement or child protection authorities. Hearings should be closed and confidential, to the extent possible, other than for notification of the outcome. Participants in the hearing, including the Hearing Panel, alleged offender, USA Basketball representative, victim, and any witnesses, shall be required to keep the proceedings confidential, except as requested by law enforcement or child protection authorities. The hearing panel shall only discuss the proceedings, including testimony and other evidence presented, amongst themselves and shall deliberate among themselves to reach a decision.

EMERGENCY HEARINGS

Upon receipt of a credible and reasonably substantiated allegation of misconduct and when such allegation suggests that the accused individual's continued participation with USA Basketball poses a risk of ongoing harm to athlete(s), USA Basketball may submit a grievance and request for emergency hearing to its SafeSport Hearing Panel, which Panel shall include at least 20% athlete representation, as required by the USOC, to determine whether the accused individual should be suspended from participation pending the outcome of a full hearing before the Hearing Panel. A panel of three from the SafeSport Hearing Panel shall be convened, which Panel shall include at least 20% athlete representation, as required by the USOC. If an emergency hearing is ordered, the Hearing Panel shall conduct the hearing and publish its results within twenty-one (21) days. Until such time as the Hearing Panel makes a decision, the substance of all proceedings shall be confidential and not subject to disclosure to anyone other than the parties to the hearing and the witnesses.

For the purposes of this Policy, a suspension from involvement in USA Basketball 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 activities or affairs of USA Basketball.

FULL HEARINGS

It is recognized that not all discipline necessarily requires a hearing. There may be discipline imposed for minor violations where a reprimand, training or other sanction may be imposed and a hearing would not be necessary. However, in cases where USA Basketball seeks to suspend or otherwise limit an individual's opportunity to participate in the activities or affairs of USA Basketball, USA Basketball shall provide notice to such individual of the allegations made and offer such individual a hearing on the allegations. If the individual chooses a hearing, a panel of three from the SafeSport Hearing Panel will conduct a hearing to determine whether the accused individual violated USA Basketball's SafeSport Program Handbook, including its Sexual Misconduct, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, or Hazing Policies. The Panel shall include at least 20% athlete representation, as required by the USOC

The accused individual shall have the right to (1) receive written notice of the report or complaint, including a statement of the allegations; (2) present relevant information to the Hearing Panel; and (3) be represented by legal counsel (at the party's own expense).

In connection with any hearing the accused individual must be given a reasonable opportunity to respond to the allegations brought forward. This may or may not include cross examination of the victim.

A hearing date shall be scheduled no more than 60 days and no fewer than 45 days after notice has been issued.

Notice of the allegation and hearing shall be provided via certified mail, return receipt requested, and email, to the individual's address and email address on file with USA Basketball. The individual shall have ten (10) days to respond, either accepting the proposed sanction, or requesting a hearing.

The hearing shall be closed and confidential, to the extent possible, other than for notification of the outcome.

FINDINGS AND SANCTIONS

The Hearing Panel has the discretion to impose sanctions on the accused individual if it finds that the accused individual has violated the USA Basketball SafeSport Program Handbook, including its Sexual Misconduct, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, or Hazing Policies based on a preponderance of the evidence.

The Hearing Panel will communicate its findings in writing to the parties. Any sanctions imposed by the Hearing Panel must be proportionate and reasonable, relative to the findings and conclusions of the panel as to what has occurred. The decision regarding the appropriate disciplinary action shall be up to the Hearing Panel deciding each complaint. Appropriate

discipline may range from a warning and a reprimand to suspension from involvement in USA Basketball for a period of time or permanently.

Either party shall have a right to appeal the Hearing Panel's decision. A notice of appeal, which shall include the basis of the party's appeal, and a \$300 filing fee must be delivered to the Board of Directors within ten (10) days of the issuance of the written decision from the Hearing Panel; provided, however, that USA Basketball will mirror and enforce any sanction by the U.S. Center for Safe Sport, whether permanent or temporary. Sanctions imposed by the Center shall be appealed against the Center, pursuant to the Center's policies and procedures, and not through the appeal procedures above.

For appeals of decisions of USA Basketball's SafeSport Hearing Panel, the Board of Directors shall appoint a panel of three from its members for the SafeSport Appeal Panel, which Panel shall include at least 20% athlete representation, as required by the USOC. Any appeal shall take place "on the papers," meaning that the SafeSport Appeal Panel shall consider only the record and documents from the hearing below, and the appeal briefs of the parties.

The appellee shall have the opportunity to file a response, and the appellant a reply. In total, three briefs (the appeal, the response, and the reply) will be submitted to the SafeSport Appeal panel, along with the record below.