



Safe Sport Policy

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INTRODUCTION

There are a lot of reasons to play sport – at any level. A life-long activity, people often play sport to have fun and spend time with friends. Sport also encourages a healthy lifestyle, and builds self-confidence; athletes also do better off the field. They learn goal-setting, teamwork and time management skills. Athletes are less likely to use cigarettes, drugs and alcohol; they have higher graduation rates and are more likely to attend college.

All forms of misconduct are intolerable and in direct conflict with the Olympic Ideals supported by Oakland Strokes, Inc. (“Oakland Strokes”). Misconduct may damage an athlete’s psychological well-being; athletes who have been mistreated experience social embarrassment, emotional turmoil, psychological scars, loss of self-esteem and negative impacts on family, friends and the sport. Misconduct often hurts an athlete’s competitive performance and may cause him or her to drop out of sport entirely.

This Participant Safety Handbook consists of policies related to Oakland Sport’s strategy for recognizing, reducing and responding to child sexual abuse and other misconduct in sport involving athletes or participants. The terms “athletes” and “participants” in this Participant Safety Handbook refer to minors who participant in rowing through Oakland Sports.

The policies and practices described in this Participant Safety Handbook are designed to be in compliance with applicable law. If any such policy or practice is not in compliance, and/or in circumstances where the law of a state other than California applies and requires additional action, then it is the policy of Oakland Strokes to comply with applicable law.

In addition to complying with the policies set forth in this Participant Safety Handbook, employees of Oakland Strokes must also comply with the policies set forth in the Oakland Strokes Employee Handbook, including, without limitation, the Policy Against Harassment and Discrimination and Social Media policy. If there is any conflict between the Participant Safety Handbook and the Employee Handbook, the Employee Handbook will control.

TRAINING AND EDUCATION

Our policies and procedures require employees and/or volunteers to report abuse, misconduct and violations of its Participant Safety Handbook. To do so, employees (directors, coaches, support staff at boathouses), Board of Directors, and volunteers (volunteer coaches, parent chaperones, other volunteers) should have a basic understanding of sexual abusers, as well as “grooming,” the most common strategy offenders use to seduce their victims. Using a combination of attention, affection and gifts, offenders select a child, win the child’s trust (and the trust of the child’s parent or guardian), manipulate the child into sexual activity, and keep the child from disclosing abuse.

Accordingly, employees and/or volunteers complete an awareness training concerning misconduct in sport before performing services for the Oakland Strokes. Misconduct in sport includes:

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

Employees, coaching volunteers and/or chaperones must successfully complete the Safe Sport online training and the quiz after the test.

Those employees and/or volunteers who are required to take awareness training will take athlete awareness training every two (2) years, and shall complete the training before they have contact with athletes.

APPLICANT SCREENING

Employees and/or volunteers must consent to, and pass, a formal applicant screening process before performing services for the Oakland Strokes.

Elements of our screening process include, as applicable, an interview, reference check and criminal background check.

EDUCATION ABOUT THE OAKLAND STROKES' PROTECTION POLICIES

To deter applicants who may be at risk of abusing athletes or participants from applying for positions, the Oakland Strokes educates its applicants about its protection policies and offers applicants an early opt-out by:

- Requiring awareness training before placement and/or before working with athletes and participants
- Informing applicants about our policies and procedures relevant to prevention
- Asking applicants to review and agree to our policies and procedures before proceeding with the process
- Requiring applicants to sign a document acknowledging review of our policies and procedures

PERSONAL INTERVIEW

Appropriate staff will interview applicants whose experience and credentials are considered a fit for available positions.

REFERENCES

At their discretion, the Oakland Strokes may request references of applicants, who may be contacted (either by phone or in writing) and asked specific questions regarding the applicant's professional experiences, demeanor and appropriateness for involvement with minor athletes and participants.

BACKGROUND CHECK POLICY

All applicants for employment with Oakland Strokes must undergo a background check before providing services for Oakland Strokes. Oakland Strokes also reserves the right to periodically conduct a background check on current employees. The background check will be conducted by a third party consumer reporting agency in accordance with the applicable federal and state laws.

DUTY TO DISCLOSE

An employee or an applicant who been given a conditional offer of employment has an affirmative duty to immediately disclose:

- If he or she has been convicted of a crime,* the nature of the offense, when and where convicted, disposition of the case and any additional relevant information;
- If he or she has been arrested and out on bail or on his or her own recognizance pending trial; and
- If he or she has been banned by another sport organization, as temporarily or permanently ineligible.

*However, employees and applicants should not disclose those convictions that are expressly protected from disclosure by applicable federal or state law, including, without limitation, any conviction that has been judicially dismissed or ordered sealed pursuant to law; any conviction for marijuana-related offenses more than two years old; and any convictions that occurred while a person was subject to the process and jurisdiction of juvenile court law.

An applicant or employee will not be automatically disqualified based on a criminal conviction. Rather, the Club will conduct an individualized assessment of whether the applicant or employee's conviction history has a direct and adverse relationship with the specific duties of the job, and shall consider the nature and gravity of the offense or conduct, the time that has passed since the offense or conduct and completion of the sentence, the nature of the job held or sought, and other relevant information.

The above disclosure obligations exist at all times during the hiring process and throughout the employment relationship. Failing to promptly disclose or intentionally misrepresenting the above information is grounds for taking adverse action (e.g., denial or revocation of job offer, termination of employment), regardless of when the offense is discovered.

ATHLETE PROTECTION POLICY

COMMITMENT TO SAFETY

Overview

In the event that any employee or volunteer observes inappropriate behaviors (i.e., policy violations), suspected physical or sexual abuse, or misconduct, it is the personal responsibility of each employee and volunteer to immediately report his or her observations to an immediate supervisor, the Managing Director or a member of Oakland Strokes' Coaches Liaison Committee.

Oakland Strokes is committed to creating a safe and positive environment for athletes' physical, emotional and social development and to ensuring that it promotes an environment free of misconduct.

Oakland Strokes recognizes that the process for training and motivating athletes will vary with each coach and athlete, but it is nevertheless important for everyone involved in sport to support the use of motivational and training methods that avoid misconduct.

Application

This policy applies to

- Employees, Board of Directors, and volunteers
- The Oakland Strokes' athletes and athlete's parents

Employees, Board of Directors, volunteers, athletes and participants shall refrain from all forms of misconduct, which include:

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

PROHIBITED CONDUCT

Child Sexual Abuse

- (1) Any sexual activity with a child where consent is not or cannot be given. 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.

Note concerning peer-to-peer child sexual abuse: Sexual contact between minors also can be abusive. 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 and/or intellectual capabilities.

(2) Any act or conduct described as child sexual abuse under federal or state law.

Exception

None

Examples

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

Emotional Misconduct

- (1) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete. Non-contact behaviors include:
 - (a) verbal acts
 - (b) physical acts
 - (c) acts that deny attention or support
- (2) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

Exception

Emotional misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, discipline or improving athletic performance.

Examples

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

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

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

Physical Misconduct

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

Exceptions

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

Examples

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

- (1) **Contact offenses.** Behaviors that include:
 - (a) punching, beating, biting, striking, choking or slapping an athlete;
 - (b) intentionally hitting an athlete with objects or sporting equipment;
 - (c) providing alcohol to an athlete under the legal drinking age (under U.S. law);
 - (d) providing illegal drugs or non-prescribed medications to any athlete;
 - (e) encouraging or permitting an athlete to return to play pre-maturely following a serious injury (e.g., a concussion) and without the clearance of a medical professional;
 - (f) prescribing dieting or other weight-control methods (e.g., weigh-ins, caliper tests) without regard for the nutritional well-being and health of athlete.
- (2) **Non-contact offenses.** Behaviors that include:
 - (a) isolating an athlete in a confined space (e.g., locking an athlete in a small space);
 - (b) forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface);
 - (c) withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.

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

Sexual Misconduct

- (1) Any touching or non-touching sexual interaction that is
 - (a) nonconsensual or forced,
 - (b) coerced or manipulated, or
 - (c) perpetrated in an aggressive, harassing, exploitative or threatening manner;

- (2) Any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative; or
- (3) Any act or conduct described as sexual abuse or misconduct under federal or state law (e.g. sexual abuse, sexual exploitation, rape)

Note: An imbalance of power is always assumed between a coach and an athlete.

Types of Sexual Misconduct

Types of sexual misconduct include:

- (1) sexual assault,
- (2) sexual harassment,
- (3) sexual abuse, or
- (4) any other sexual intimacies that exploit an athlete. **Minors cannot consent to sexual activity with an adult**, and all sexual interaction between an adult and a minor is strictly prohibited.

Exceptions

None

Examples

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

- (1) **Touching offenses.** Behaviors that include:
 - (a) fondling an athlete's breasts or buttocks
 - (b) exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favors
 - (c) genital contact
 - (d) sexual relations or intimacies between persons in a position of trust, authority and/or evaluative and supervisory control over athletes or other sport participants.
- (2) **Non-touching offenses.** Behaviors that include:
 - (a) a coach discussing his or her sex life with an athlete
 - (b) a coach asking an athlete about his or her sex life
 - (c) a coach requesting or sending a nude or partial-dress photo to athlete
 - (d) exposing athletes to pornographic material
 - (e) sending athletes sexually explicit or suggestive electronic or written messages or photos (e.g. "sexting")
 - (f) deliberately exposing an athlete to sexual acts
 - (g) deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)
 - (h) sexual harassment; specifically, the sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, and
 - a. is unwelcome, offensive or creates a hostile environment, and the offending

individual knows or is told this

- b. is sufficiently severe or intense to be harassing to a reasonable person in the context.

Authority and Trust

Once the unique coach-athlete relationship is established, the authority and trust on the part of the coach over the athlete shall be assumed, regardless of age. Accordingly, sexual interaction or intimacies between a coach and an athlete or other participant are prohibited, regardless of age, at all times during the coaching relationship, and also during that period following coaching if an imbalance in power could jeopardize defective decision making.

Imbalance of Power

Factors relevant to determining whether there is an imbalance of power include, but are not limited to:

- (a) the nature and extent of the coach's supervisory, evaluative or other authority over the athlete being coached
- (b) the actual relationship between the parties
- (c) the parties' respective roles
- (d) the nature and duration of the sexual relations or intimacies
- (e) the age of the coach
- (f) the age of the athlete or participant
- (g) and whether the coach has engaged in a pattern of sexual interaction with other athletes or participants

Bullying

- (1) An intentional, persistent and repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended, or have the reasonable potential, to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership
- (2) Any act or conduct described as bullying under federal or state law

Exceptions

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

For example, bullying does not include verbal admonitions to encourage team members to train harder and to push through a difficult training regimen.

Examples

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

- (1) **Physical behaviors.** Behaviors that include (a) hitting, pushing, punching, beating, biting,

striking, kicking, choking, or slapping an athlete; (b) throwing at, or hitting an athlete with, objects such as sporting equipment.

- (2) **Verbal and emotional behaviors.** Behaviors that include (a) teasing, ridiculing, intimidating; (b) spreading rumors or making false statements; or (c) using electronic communications, social media, or other technology to harass, frighten, intimidate or humiliate (“cyber bullying”).

Comment

Further discussion and policies relating to bullying can be found in the Oakland Strokes’ Anti-Bullying Policy.

Harassment

- (1) A repeated pattern of physical and/or non-physical behaviors that (a) are intended to cause fear, humiliation or annoyance, (b) offend or degrade, (c) create a hostile environment or (d) reflect discriminatory bias in an attempt to establish dominance, superiority or power over an individual athlete or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression or mental or physical disability; or
- (2) Any act or conduct described as harassment under applicable federal, state or local laws.

Exceptions

None

Examples

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

- (1) **Physical offenses.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking or slapping an athlete or participant; (b) throwing at or hitting an athlete with objects including sporting equipment.
- (2) **Non-physical offenses.** Behaviors that include (a) making negative or disparaging comments about an athlete’s sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; (b) displaying offensive materials, gestures, or symbols; (c) withholding or reducing playing time to an athlete based on his or her sexual orientation.

Hazing

- (1) Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group’s members; or
- (2) Any act or conduct described as hazing under federal or state law

Exception

Hazing does not include group or team activities that (a) are meant to establish normative

team behaviors or (b) promote team cohesion.

Examples

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

- (1) requiring, forcing or otherwise requiring the consumption of alcohol or illegal drugs
- (2) tying, taping or otherwise physically restraining an athlete
- (3) sexual simulations or sexual acts of any nature
- (4) sleep deprivation, otherwise unnecessary schedule disruption or the withholding of water and/or food
- (5) social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule
- (6) beating, paddling or other forms of physical assault
- (7) excessive training requirements focused on individuals on a team

Comment

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

WILLFULLY TOLERATING MISCONDUCT

It is a violation of this Athlete Protection Policy if an employee and/or volunteer knows of misconduct, but takes no action to intervene on behalf of the athlete(s), participant(s), employee, and/or volunteer.

REPORTING

Although these policies are designed to reduce child sexual abuse and other misconduct, it can still occur. Employees, volunteers and participants of the Oakland Strokes shall follow the reporting procedures set forth in the Oakland Strokes' Reporting Policy below.

VIOLATIONS

Violations of the Athlete Protection Policy shall be reported pursuant to our Reporting Policy and will be addressed under our Disciplinary Rules and Procedure.

SUPERVISION OF ATHLETES AND PARTICIPANTS

During training and competition, the Oakland Strokes strives to create two-deep leadership and minimize one-to-one interactions to create a safe training environment and to protect athletes and participants.

APPROPRIATE ONE-ON-ONE INTERACTIONS

Individual Meetings

An individual meeting may be necessary to address an athlete's concerns, training program, or competition schedule. Under these circumstances, coaches, employees and/or volunteers are to observe the following guidelines:

- Any individual meeting should occur when others are present and where interactions can be easily observed
- Where possible, an individual meeting should take place in a publicly visible and open area, such as the corner of the boathouse or the boathouse grounds
- If an individual meeting is to take place in an office, the door should remain unlocked and open
- If a closed-door meeting is necessary, the coach, employee and/or volunteer must inform another coach, employee and/or volunteer and ensure the door remains unlocked

Individual Training Sessions

An individual training session(s) with an athlete or participant may also be desired or necessary. Under these circumstances, written permission of a minor athlete's parents or guardians is required in advance of the individual training session(s), and the Oakland Strokes encourages parents and guardians to attend the training session.

PROHIBITED ONE-ON-ONE INTERACTIONS

Except as set forth above, minor athletes and participants will not be left unattended or unsupervised during the Oakland Strokes activities and the Oakland Strokes coaches, employees and/or volunteers are prohibited from being alone with an individual athlete or participant in any room or building.

PHYSICAL CONTACT WITH ATHLETES

Appropriate physical contact between athletes and coaches, employees, or volunteers is a productive and inevitable part of sport. Athletes are more likely to acquire advanced physical skills and enjoy their sport participation through appropriate physical contact. However, guidelines for appropriate physical contact reduce the potential for misconduct in sport.

APPROPRIATE PHYSICAL CONTACT

The Oakland Strokes adheres to the following principles and guidelines in regards to physical contact with our athletes:

Common Criteria for Appropriate Physical Contact

Physical contact with athletes – for safety, consolation and celebration – has multiple criteria in common which make them both safe and appropriate. These include:

- the physical contact takes place in public
- there is no potential for, or actual, physical or sexual intimacies during the physical contact
- the physical contact is for the benefit of the athlete, not to meet an emotional or other need of an adult

Safety

The safety of our athletes is paramount and in many instances we make the athletic space safer through appropriate physical contact. Examples include:

- spotting an athlete so that they will not be injured by a fall or piece of equipment
- positioning an athlete's body so that they more quickly acquire an athletic skill, get a better sense of where their body is in space, or improve their balance and coordination
- making athletes aware that they might be in harm's way because of other athletes practicing around them or because of equipment in use
- releasing muscle cramps

Celebration

Sports are physical by definition and we recognize participants often express their joy of participation, competition, achievement and victory through physical acts. We encourage these public expressions of celebration, which include:

- greeting gestures such as high-fives, fist bumps, and brief hugs
- congratulatory gestures such as celebratory hugs, "jump-arounds" and pats on the back for any form of athletic or personal accomplishment

Consolation

It may be appropriate to console an emotionally distressed athlete (e.g., an athlete who has been injured or has just lost a competition). Appropriate consolation includes publicly:

- embracing a crying athlete
- putting an arm around an athlete while verbally engaging them in an effort to calm them down (“side hugs”)
- lifting a fallen athlete off the playing surface and “dusting them off” to encourage them to continue competition

PROHIBITED PHYSICAL CONTACT

Prohibited forms of physical contact, which shall be reported immediately under our Reporting Policy include, without limitation:

- asking or having an athlete sit in the lap of a coach, administrator, employee or volunteer
- lingering or repeated embraces of athletes that go beyond the criteria set forth for acceptable physical contact
- slapping, hitting, punching, kicking or any other physical contact meant to discipline, punish or achieve compliance from an athlete
- “cuddling” or maintaining prolonged physical contact during any aspect of training, travel or overnight stay
- playful, yet inappropriate contact that is not a part of regular training, (e.g., tickling or “horseplay” wrestling)
- continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not
- any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment.

VIOLATIONS

Violations of this policy must be reported to a supervisor, the Oakland Strokes Executive Director, or member of the Coaches Liaison Committee and violations will be addressed under our Disciplinary Rules and Procedure. Some forms of physical contact may constitute child physical or sexual abuse that **must be reported to appropriate law enforcement authorities.**

ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

As part of the Oakland Strokes' emphasis on athlete safety, all electronic communications between a coach and athlete must be professional in nature and for the purpose of communicating information about team activities.

As with any communication, the content of any electronic communication should be readily available to share with the athlete's family. At the request of a parent or guardian, any email, electronic text, social media or similar communication will copy or include the athlete's parents or guardians.

Further discussion and policies relating to electronic communications and social media applicable to Oakland Strokes' employees are set forth be found in the Oakland Strokes' Employee Handbook.

FACEBOOK, MYSPACE, BLOGS AND SIMILAR SITES

Coaches may not have athletes of Oakland Strokes' join the coaches' personal social media page, or ask the athlete to "friend" the coach on any social media site. Athlete members and parents can "friend" the official Oakland Strokes' page and coaches can communicate to athlete members through the site. If a coach or administrator sets up a squad based site to provide communications between coaches and athletes, a minimum of two coaches and/or administrators should be members. All posts, messages, text, or media of any kind between coach and athlete must be professional in nature and for the purpose of communicating information about team activities or for team-oriented motivational purposes

TWITTER, INSTANT MESSAGING AND SIMILAR MEDIA

Coaches may not "follow" an athlete on any social media unless the athlete invites the coach to do so. Coaches cannot "re-tweet" athlete message posts. All posts between coach and athlete must be for the purpose of communicating information about team activities.

EMAIL AND SIMILAR ELECTRONIC COMMUNICATIONS

Athletes and coaches may use email to communicate. All email content between coach and athlete must be professional in nature and for the purpose of communicating information about team activities. Coaches and other employees must use the Club email account when sending any email communications related to the Club's business, including, without limitation, communications with athletes, parents and guardians.

TEXTING AND SIMILAR ELECTRONIC COMMUNICATIONS

Texting is allowed between coaches and athletes. All texts between coach and athlete must be professional and for the purpose of communicating information about team activities.

ELECTRONIC IMAGERY

From time to time, digital photos, videos of practice or competition, and other publicly obtainable images of the athlete – individually or in groups – may be taken. These photos and/or videos may be submitted to local, state or national publications, used in the Oakland Strokes videos, posted on the Oakland Strokes or the Oakland Strokes associated websites, or offered to the Oakland Strokes’ families seasonally on disc or other electronic form. It is the default policy of the Oakland Strokes to allow such practices as long as the athlete or athletes are in public view and such imagery is both appropriate and in the best interest of the athlete and the Oakland Strokes. Imagery must not be contrary to any rules as outlined in the Oakland Strokes’ Participant Safety Handbook.

REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS

The parents or guardians of an athlete may request in writing that their child not be contacted by any form of electronic communication by coaches.

MISCONDUCT

Social media and electronic communications can also be used to commit misconduct (e.g., emotional, sexual, bullying, harassment, and hazing). Such communications by coaches, staff, volunteers, administrators, officials, parents or athletes will not be tolerated and are considered violations of our Participant Safety Handbook.

VIOLATIONS

Violations of the Oakland Strokes’ Electronic Communications and Social Media Policy should be reported to your immediate supervisor, the Executive Director or a member of the Coaches Liaison Committee for evaluation. Complaints and allegations will be addressed under the Oakland Strokes’ Disciplinary Rules and Procedure.

LOCKER ROOMS AND CHANGING AREAS

The following guidelines are designed to maintain personal privacy as well as to reduce the risk of misconduct in locker rooms and changing areas.

FACILITIES

The following is a description of our practice and competition facilities to allow athletes and their families to plan their use:

We practice at the Tidewater Boating Center, 4675 Tidewater Avenue, Oakland, CA 94601. This location has a changing area and locker room dedicated to our athletes and teams.

Our home competitions will be held at: either the Tidewater Boating Center or the San Pablo Reservoir. The San Pablo Reservoir location does not have a designated changing area.

MONITORING

The Oakland Strokes has predictable and limited use of locker rooms and changing areas (e.g., immediately before and following practices and competitions). This allows for direct and regular monitoring of locker room areas. While constant monitoring inside of locker rooms and changing areas might be the most effective way to prevent problems, we understand that this would likely make athletes uncomfortable and may even place our staff at risk for unwarranted suspicion.

We conduct a sweep of the locker rooms and changing areas before athletes arrive. Since the changing area faces the erg room, there are employees available outside of the locker rooms and changing areas during periods of use. Also, we make occasional sweeps of the locker rooms and changing areas. Employees conduct these sweeps, with women checking on female-designated areas, and men checking on male-designated areas.

Coaches and staff 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.

We discourage parents 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 the coach or administrator know about this in advance.

If an athlete needs assistance with his or her uniform or gear (for example, if an athlete's disability warrants assistance), then we ask that parents let the coach or an administrator know beforehand that he or she will be helping the athlete.

MIXED-GENDER TEAMS

If the team consists of male and female athletes, whether based on assigned sex at birth or gender identity, each athlete's rights must be given consideration and appropriate arrangements will be made to provide equal access to locker rooms and changing facilities, and to address privacy concerns.

USE OF CELL PHONES AND OTHER MOBILE RECORDING DEVICES

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras increase the risk for different forms of misconduct in locker rooms and changing areas. As a result, **THERE WILL BE NO USE OF A DEVICE'S RECORDING CAPABILITIES IN THE LOCKER ROOMS OR CHANGING AREAS.**

Violations of this policy will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary suspension from competition.

TRAVEL

Travel will be a standard aspect of our competitive season and the Oakland Strokes has established policies to guide our travel, minimize one-on-one interactions and reduce the risk of misconduct. Adherence to these travel guidelines will increase athlete safety and improve the competitive experience while keeping travel a fun and enjoyable experience.

LOCAL AND TEAM TRAVEL

We distinguish between travel to training and practice (“local travel”), and team travel involving a coordinated transport and/or overnight stay (“team travel”).

Local Travel

Local travel occurs when the Oakland Strokes does not sponsor, coordinate, or arrange for travel. For local travel, athletes or their parents/guardians (for minor athletes) are responsible for making all travel arrangements. In these instances it is the responsibility of the athlete or their parents/guardians (for minor athletes) to ensure the person transporting the athlete maintains all safety and legal requirements, including, but not limited to, a valid driver’s license, proper insurance, well maintained vehicle, and compliance with all state laws.

In an effort to minimize one-on-one interactions, the Oakland Strokes employees, coaches and/or volunteers, who are not also acting as a parent, should not drive alone with an unrelated athlete and should only drive with at least two other athletes or another adult at all times, unless otherwise agreed to in writing by the athlete’s parent or guardian in advance of travel. In any case where an employee and/or volunteer is involved in the athlete’s local travel, a parental release is required in advance. Efforts must be made to ensure that staff and/or volunteers are not alone with an athlete or participant, by, e.g., picking the athletes up in groups.

Coaches, employees and volunteers who are also an athlete’s guardian may provide shared transportation for any athlete(s). We encourage guardians to pick up their athlete first and drop off their athlete last in any shared or carpool travel arrangement. We also recommend completing a shared travel declaration form signed by the parents/guardians of any minor athlete who is being transported as part of such a carpool arrangement.

Team Travel

Team travel is travel to competitions and/or overnight travel that occurs when the Oakland Strokes sponsors, coordinates or arranges for travel so that our teams can compete locally, regionally, nationally or internationally. Because of the greater distances, coaches, staff, volunteers and chaperones will often travel with the athletes. However, no coach, employee, or volunteer will engage in team travel without the proper safety requirements in place, including valid drivers’ licenses, proper insurance, well-maintained vehicles and compliance with all state laws.

The Oakland Strokes makes efforts to provide adequate supervision through coaches and other adult chaperones.

For team travel, hotels and air travel will be booked in advance by The Oakland Strokes. Athletes will share rooms, with 2-5 athletes assigned per room depending on accommodations. The Oakland Strokes will also notify hotel management should any special arrangements be warranted. For instance, we may ask hotels to block pay per view channels.

We encourage family members who wish to stay in the team hotel to do so. If family members do not stay in the team hotel, we encourage all athletes to call parents and guardians regularly and allow for any unscheduled calls by either the athlete or parent/guardian.

INDIVIDUAL TRAVEL

The nature of our sport and competition structure means that individual athletes may sometimes need to travel overnight without other athletes. Under these circumstances, we encourage minimizing one-on-one time between a coach and athlete by:

- (1) Traveling with an additional coach or chaperone
- (2) Inviting parents/guardians to travel with their athlete (for athletes under age 18)

For individual travel, we attempt to provide alternative guidelines. Depending on the nature of the travel and competition, these guidelines may include:

- (1) Compressing the travel schedule to reduce the number of nights athletes are away from home
- (2) Providing regular organizational check-in phone calls to the traveling athlete and coach
- (3) Encouraging more frequent and unscheduled check-in phone calls initiated by parents/guardians (for minor athletes)
- (4) Complying with reasonable parental requests when a child is a way from home without a guardian

When only one athlete and one coach travel to a competition, the athlete must have his or her parents' or legal guardian's written permission in advance to travel alone with the coach. Wherever possible, we strongly encourage a parent or legal guardian to travel with their athlete.

TRAVEL NOTIFICATION

When possible, The Oakland Strokes will provide reasonable advance notice before team travel. Notice will include the dates, location and duration of competition. Travel notice will also include designated team hotels for overnight stays as well as a contact person. This individual will be the point of contact to confirm your intention to travel and to help with travel details.

The Oakland Strokes will post specific travel itineraries when they become available. These will include a more detailed, hour-by-hour itinerary as well as contact information for team travel chaperones.

MIXED-GENDER AND MIXED-AGE TRAVEL

The Oakland Strokes is made up of male and female athletes across various ages. Athletes will only share a room with other athletes of the same sex and age group. Athletes will also be grouped by age and sex for the purposes of assigning an appropriate chaperone. We will make every effort to provide these groups at least one chaperone of the same sex. However, we rely on parents to serve as chaperones and may be limited in providing this match.

Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with an athlete (unless the coach is the parent, guardian, or sibling of that particular athlete).

COACH AND STAFF RESPONSIBILITIES

During team travel, coaches and employees will help athletes, fellow coaches and employees adhere to policy guidelines, including, without limitation, the Travel Policy, Locker Rooms and Changing Areas Policy and Reporting Policy.

The Oakland Strokes will arrange for team travel by use of busses and/or rental cars. If a coach or employee transports an athlete or other organization member in their private car for team travel, a copy of the coach's or employee's valid driver's license is required.

When not practicing, training, competing, or preparing for competition, coaches and staff will monitor the activities of athletes, fellow coaches and staff during team travel. Coaches and staff will:

- (1) prepare athletes for team travel and make athletes aware of all expectations.
Supplemental information will be given to parents/guardians of athletes who are considered inexperienced travelers, new or relatively new to team travel, or who are under the age of 14
- (2) familiarize themselves with all travel itineraries and schedules before the initiation of team travel
- (3) conform to, and monitor for others' adherence, the Athlete Protection Policy and all policies during team travel
- (4) encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- (5) help athletes be on time for all team commitments (as possible)
- (6) assist with team travel logistical needs (as possible)
- (7) support chaperones and/or participate in the monitoring of athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary

- (8) ensure athletes are complying with hotel room restrictions based on gender or age bracket requirements
- (9) make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones
- (10) not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their coaching duties
- (11) immediately report any concerns about physical or sexual abuse, misconduct, or policy violations
- (12) notify parents before taking any disciplinary action against a minor athlete if the athlete is traveling without his or her parents.

CHAPERONE RESPONSIBILITIES

Chaperones accompany team travel to ensure that the athletes, coaches, staff, and volunteers adhere to the Oakland Strokes' policy guidelines. While these include the travel policy, it also includes all other relevant policies contained in the Oakland Strokes' Participant Safety Handbook.

If a chaperone has not undergone a background check and the Oakland Strokes' awareness training, the chaperone will not be permitted to have any one-on-one interactions with athletes or other youth participants. If a chaperone has undergone a criminal background check and awareness training, he or she may have appropriate one-on-one interactions as outlined in the Oakland Strokes' Safe Sport Policy.

If a chaperone will be operating a private or rental car for team travel, a copy of the chaperone's valid driver's license is required.

Chaperones will monitor the activities of all coaches, employees, volunteers and athletes during team travel. Specifically, chaperones will:

- (1) familiarize themselves with all travel itineraries and schedules before team travel
- (2) monitor for adherences to the Oakland Strokes policies during team travel
- (3) encourage minor athletes to participate in regular, at least daily, scheduled communications with their parents/guardians
- (4) help athletes be on time for all team commitments (as possible)
- (5) assist coaches, staff and other volunteers with team travel logistical needs (as possible)
- (6) monitor athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
- (7) ensure athletes comply with hotel room restrictions based on gender or age bracket requirements
- (8) not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their chaperone duties
- (9) make certain that athletes are not alone in a hotel room with any adult apart from a

- family member; this includes coaches, staff and chaperones
- (10) immediately report any concerns about sexual and physical abuse, misconduct or policy violations to an Oakland Strokes administrator or a member of the Oakland Strokes' Coaches Liaison Committee.

REPORTING POLICY

REPORTING POLICY

Every Oakland Strokes employee and/or volunteer must immediately report:

- (1) Suspicions or allegations of child physical or sexual abuse,
- (2) Misconduct as defined in the Oakland Strokes' Athlete Protection Policy, and
- (3) Any other violations of the Participant Safety Handbook.

Reporting Child Physical or Sexual Abuse

Child Physical or Sexual Abuse

Employees and/or volunteers at the Oakland Strokes are required to immediately report suspicions or allegations of child physical or sexual abuse prohibited by this Participant Safety Handbook, to:

- (1) Their immediate supervisor, the Oakland Strokes Executive Director, or a member of the Oakland Strokes' Coaches Liaison Committee and,
- (2) where applicable, appropriate law enforcement authorities and/or child protective services.
 - Alameda County Social Services - Child Abuse Hotline at (510) 259-1800.
 - Oakland Police - Criminal Investigation Division (510) 238-3744

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 and/or child protective services.

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 employee and/or volunteer 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 an immediate supervisor, the Oakland Strokes Executive Director or a member of the Oakland Strokes' Coaches Liaison Committee.

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, child protective services, and the Oakland Strokes Executive Director and/or a member of the Oakland Strokes' Coaches Liaison Committee immediately.

Reporting Other Misconduct and Policy Violations

If any employee and/or volunteer receive an allegation or observes misconduct or other inappropriate behavior, such as grooming, that is not reportable to the appropriate law enforcement authorities or child protective services, it is the responsibility of each employee and/or volunteer to report their observations to their immediate supervisor, Oakland Strokes Executive Director, or a member of Oakland Strokes' Coaches Liaison Committee,

The Oakland Strokes also encourages member parents, athletes and other sport participants to communicate violations of the Oakland Strokes' Participant Safety Handbook and/or allegations and suspicions of child physical and sexual abuse to the Oakland Strokes Executive Director or a member of the Oakland Strokes' Coaches Liaison Committee. Parents may also report to the appropriate law enforcement authorities and/or child protective services.

REPORTING PROCEDURE

To Whom to Report

Employees and volunteers may report to any supervisor, the Oakland Strokes Executive Director or a member of the Oakland Strokes' Coaches Liaison Committee with whom they are comfortable sharing their concerns. An employee and/or volunteer may, and in many cases must, also report any allegation of child physical or sexual abuse to relevant law enforcement authorities, or child protective services.

Supervisors, managers and Coaches Liaison Committee members who receive any reports or complaints under this Reporting Policy must immediately inform the Executive Director.

How to Report

The Oakland Strokes will take a report in the way that is most comfortable for the person initiating a report including an anonymous, in-person, verbal or written report. Regardless of how you choose to report, it is helpful to the Oakland Strokes for individuals to provide, at a minimum, (1) the name of the complainant(s); (2) the type of misconduct alleged and the name(s) of the individual(s) alleged to have committed the misconduct and any witnesses.

Reporting Form

Individuals reporting child physical or sexual abuse or other misconduct may complete an Incident Report Form. Information on this form will include:

- (1) the name(s) of the complainant(s)
- (2) the type of misconduct alleged
- (3) the name(s) of the individual(s) alleged to have committed the misconduct
- (4) the approximate dates the misconduct was committed
- (5) the names of other individuals who might have information regarding the alleged misconduct
- (6) a summary statement of the reasons to believe that misconduct has occurred

The Oakland Strokes will withhold the complainant's name on request, to the extent permitted by law.

A copy of the Oakland Strokes' Reporting Form can be found on our website.

ANONYMOUS REPORTING AND WHISTLEBLOWER PROTECTION

Anonymous Reporting

The Oakland Strokes 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. **Anonymous reports may be made without the formality of completing an Incident Report Form:**

- by completing the Reporting Form without including their name
- by expressing concerns verbally to the Oakland Strokes Executive Director or a member of the Oakland Strokes' Coaches Liaison Committee
- through email, texts or notes left for the Oakland Strokes Executive Director or a member of the Oakland Strokes' Coaches Liaison Committee.

However, anonymous reporting may make it difficult for the Oakland Strokes to investigate or properly address allegations.

"Whistleblower" Protection

Regardless of outcome, the Oakland Strokes will support the complainant(s) and his or her right to express concerns in good faith. The Oakland Strokes will not encourage, allow or tolerate attempts from any individual 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 our Participant Safety Handbook and grounds for disciplinary action.

Bad-Faith Allegations

A report of abuse, misconduct or policy violations that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of our Participant Safety Handbook and grounds for disciplinary action. Depending on the nature of the allegation, a person making a malicious, frivolous or bad-faith report may also be subject to civil or criminal proceedings.

HOW REPORTS ARE HANDLED

When the Oakland Strokes receives reports under this Reporting Policy, the Oakland Strokes will promptly undertake a fair, timely, and thorough investigation of the allegations in accordance with applicable law. The investigation will be handled in as confidential a manner as possible consistent with a fair, timely, and thorough investigation. However, we cannot promise complete confidentiality. Our duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

The Oakland Strokes may, and in many cases must, immediately report suspicions or allegations of child physical or sexual abuse to the appropriate law enforcement authorities and/or child protective services. Such reporting is not conditioned on completion of an internal investigation. The Oakland Strokes will coordinate with such law enforcement authorities and/or child protective services to ensure that its internal investigation does not undermine or interfere with any pending criminal investigation or prosecution.

For mandatory reporting laws, visit www.childwelfare.gov and www.alamedasocialservices.org.

Immediate Suspension or Termination

When an allegation of child physical or sexual abuse is made against an employee, youth and/or volunteer, the Oakland Strokes may immediately remove that individual from contact with any children in the program until the allegation has been investigated by an official agency. As necessary, the Oakland Strokes may suspend or change the assignment of an employee and/or volunteer.

An employee or volunteer's failure to report to a supervisor, the Oakland Strokes Executive Director or a member of the Oakland Strokes' Coaches Liaison Committee is a violation of this policy and grounds for termination of an employee and/or dismissal of a volunteer.

NOTIFICATION

Following The Oakland Strokes' notice of a credible allegation that results in the removal of an employee, coach or other volunteer, the Oakland Strokes may consider the circumstances in which it will notify other parents of athletes with whom the accused individual may have had contact. In the Oakland Strokes' discretion, as appropriate, and after consultation with counsel, the Oakland Strokes may notify its employees, contractors, volunteers, parents, and/or athletes of any allegation of child physical or sexual abuse or other criminal behavior that (1) law

enforcement authorities are actively investigating; or (2) that the Oakland Strokes is investigating internally. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.

DISCIPLINARY RULES AND PROCEDURE

While the Oakland Strokes endeavors to provide support and guidance to participants on a day-to-day basis, it is also important for the Oakland Strokes to have a formal procedure for disciplinary action to address alleged violations of its policies and other inappropriate behaviors, which is consistent with the Oakland Strokes' Bylaws and Constitution.

Nothing in this Participant Safety Handbook or this policy is intended to alter the at-will status of employment with Oakland Strokes. Either you or Oakland Strokes may terminate the employment relationship at any time with or without cause and with or without prior notice. Oakland Strokes reserves the right to terminate any employment relationship, to demote, or to otherwise discipline an employee without resort to any disciplinary procedures.

DISCIPLINARY RULES

The Oakland Strokes recognizes that there are varying levels of misconduct. For example, physical and sexual misconduct are serious violations that may result in immediate dismissal. In contrast a youth participant, adult chaperone or staff member who tells a single sexually 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, the Oakland Strokes' disciplinary procedures and actions will be proportionate, reasonable and applied fairly and equally.

DISCIPLINARY PROCEDURE

On receipt of an allegation, the Oakland Strokes will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused and (iii) the nature, scope, and extent of the allegations.

The Oakland Strokes' disciplinary response will depend on the nature and seriousness of the incident and in extreme cases, misconduct will result in immediate termination of employment or membership. If the accused individual is a minor, the Oakland Strokes will contact his or her parents or guardians.

Sanctions for violations of the Participant Safety Handbook will be proportionate and reasonable under the circumstances. In addition to day-to-day guidance, the Oakland Strokes may take the following disciplinary actions, without limitation:

- Inform the individual's direct-line supervisor or, in the case of a youth participant, the youth's parent or guardian
- Provide the individual with guidance, redirection and instruction
- Temporary suspension from competition
- File a formal incident report

- Issue a verbal warning
- Issue a written and/or final written warning
- Implement a limited access agreement (e.g., limiting an individual's access to certain buildings or to youth)
- Provide informed supervision, where at least one employee is informed of the allegation and is instructed to vigilantly supervise the accused participant or stakeholder in his or her interactions with the program and/or organization
- Engage in restorative practices, i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred
- Suspend or terminate employment or membership

ONGOING EMPLOYMENT AND/OR PARTICIPATION

On receipt of a credible and specific allegation of child abuse or other serious misconduct (e.g., physical and sexual abuse as defined in our Athlete Protection Policy), the Oakland Strokes may immediately suspend or terminate the employment or membership of the accused individual to ensure participant and/or workplace safety.

COMPLAINANT PROTECTION

Regardless of outcome, the Oakland Strokes will support the complainant(s) and his or her right to express concerns in good faith. The Oakland Strokes will not encourage or tolerate attempts to retaliate, punish or in any way harm any individual(s) who report(s) a concern in good faith. Such actions will be grounds for disciplinary action.

BAD-FAITH ALLEGATIONS

Any individual who alleges misconduct under the Participant Safety Handbook that, upon review, is determined to be malicious, frivolous or made in bad faith will be a violation of our Participant Safety Handbook. Bad-faith allegations may also be subject to criminal or civil proceedings.

MONITORING

By monitoring the interactions among staff, volunteers, athletes, and other, Oakland Strokes works to prevent, recognize and respond to inappropriate and harmful behaviors as set forth in our Participant Safety Handbook, while reinforcing appropriate behaviors.

MONITORING COMPLIANCE WITH POLICIES AND PROCEDURES

Oakland Strokes monitors for compliance with its policies and procedures, including without limitation its Awareness Training, Travel, Locker Room and Changing Areas, and Physical Contact Policies.

MONITORING METHODS

Oakland Strokes utilizes multiple monitoring methods to observe how individuals are interacting, including without limitation (1) formal supervision, including regular evaluations; and (2) informal supervision, including regular and random observation (e.g., roving and checking interactions throughout practices), and (3) maintaining frequent contact with employees, volunteer and athletes who interact off-site.

RESPONDING TO INTERACTIONS

While Oakland Strokes has a formal reporting policy, employees and volunteers should be prepared to respond immediately to inappropriate or harmful behavior, potential risk situations and potential boundary violations.

Employees and volunteers will redirect inappropriate behaviors to promote positive behaviors, confront inappropriate or harmful behaviors, and report behaviors if necessary.

REPORTING

Employees and volunteers are required to report policy violations, misconduct and physical and sexual abuse consistent with Oakland Strokes' Reporting Policy.