



# USA ARCHERY SAFE SPORT POLICY AND BACKGROUND SCREEN CRITERIA AND REVIEW POLICY

**Updated: June 2022**

USA Archery (**USAA**) is committed to maintaining cooperative work, training and sports environments in which there exists mutual respect for all athletes, coaches, judges, and for all **USAA** directors, officers, employees, volunteers and contractors. **USAA** is committed to creating a safe and positive environment for its athletes and participants involved in sport, free of misconduct.

As a member organization of the U.S. Olympic & Paralympic Committee (USOPC), **USAA**, its employees, members, volunteers, coaches, judges, administrators, board members, trainers, medical personnel, club and state association directors and officers and contractors (collectively, “Covered Participants”) are required to comply with this policy (the USAA Safe Sport Policy) and the U.S. Center for SafeSport Code for the U.S. Olympic and Paralympic Movement, both as amended from time to time (the “Code”), including reporting requirements. Except as specifically noted in these documents, they apply without respect to age or competitive level. The Code serves as the benchmark by which the U.S. Center for SafeSport (the “Center”) and/or **USAA** determines whether a SafeSport Code Violation has occurred. For those violations that fall within the jurisdiction of the U.S. Center for SafeSport as defined in the Center’s Code, the Center will determine resolutions and sanctioning for the violation. Any SafeSport Code Violation that occurs outside the jurisdiction of the U.S. Center for SafeSport will be processed by **USAA** as outlined later in this document. In addition to complying with the Code, USAA is also required, either by the USOPC Bylaws and/or written agreement, to abide by all other applicable policies and procedures regarding athlete safety set forth by the USOPC, including but not limited to the USOPC Athlete Safety Policy found [HERE](#). Under such USOPC policies, the USOPC may assert jurisdiction over certain allegations or refer the matter to USAA and will be processed by USAA as set forth above.

The Code outlines prohibited conduct related to:

- Criminal Charges or Dispositions
- Child Abuse
- Sexual Misconduct
- Emotional and Physical Misconduct, including Stalking, Bullying, Hazing and Harassment
- Aiding and Abetting
- Misconduct Related to Reporting

- Misconduct Related to the U.S. Center for SafeSport’s Process
- Other Inappropriate Conduct
- Violation of Minor Athlete Abuse Prevention Policies / Proactive Policies

The definitions of prohibited conduct and other defined terms contained in the Code are incorporated herein by this reference. The Code in its full form along with reporting guidelines can be found at the U.S. Center for SafeSport website at [www.safesport.org](http://www.safesport.org).

All Covered Participants must not engage in any form of prohibited conduct.

**ADDITIONAL REQUIREMENT:** To the extent a Covered Participants has regular contact with amateur athletes who are minors (i.e., those under the age of 18), they must abide by **USAA’s** Minor Athlete Abuse Prevention Policy (the “MAAPP”) located at [www.usarchery.org](http://www.usarchery.org).

In addition to the foregoing, engaging in misconduct, which is contrary to **USAA** policy of equal employment and sports opportunity without regard to age, sex, sexual orientation, citizenship, religion, race, disability or national or ethnic origin, will not be tolerated within the **USAA**.

Other **USAA** policies, procedures and codes, including, but not limited to, the **USAA** Code of Conduct and Code of Ethics, may deal with other forms of conduct that are prohibited and that are subject to action by **USAA** for violation of such policies, procedures and codes.

## **BACKGROUND SCREENING**

At a minimum of every two (2) years the following individuals must undergo background screening:

- **USAA** employees;
- Individuals **USAA** formally authorizes or appoints to (a) serve in a position of authority over, or (b) have regular contact with athletes. This shall include, but not be limited to staff, volunteers<sup>1</sup>, instructors, coaches, judges, administrators, board members, trainers, medical personnel, club and state association directors and officers and contractors;
- Assistants, or personal care assistants who are funded, have a contractual obligation with, or are credentialed by **USAA**, or otherwise have regular contact with **USAA** athletes;
- All athletes and alternates, training partners<sup>2</sup>, and guides who are selected by **USAA** to participate in national or international teams or Delegation Events<sup>3,4</sup>;
- All athletes and alternates, training partners, and guides that are selected by **USAA** to train at any Olympic & Paralympic Training Center or USOPC High Performance Training Center;
- Individuals affiliated with the media who are authorized or credentialed by **USAA** to access a training site or attend a competition run by **USAA** if such individual has unsupervised one-on-one interactions with athletes;
- Other individuals who have regular contact with athletes as determined by **USAA**, in its sole discretion and/or as required by USOPC.

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<sup>1</sup> Volunteers who only have incidental and observable contact with athletes at events are exempt from this requirement.

<sup>2</sup> International training partners staying less than 14 days are exempt from this requirement.

<sup>3</sup> Delegation Event means international sporting events as designated by the USOPC, including, but not limited to the Olympic, Paralympic, Pan American, Parapan American and Youth Olympic Games.

<sup>4</sup> Individuals referenced in this subsection shall have 45 days after reaching the age of majority (18 years of age), to come into compliance with this background screening requirement.

For purposes of clarification, **USAA** is considered to “formally authorize or appoint” an individual in instances where **USAA** has control over the authorization or appointment process.

All of the above persons will be collectively referred to as, the “Background Screening Pool”.

If you have a question regarding the Background Screening Pool, please contact [athletesafety@usarchery.org](mailto:athletesafety@usarchery.org).

In **USAA**’s discretion it may bypass the Background Screening requirement for those people who are minors (i.e., under 18 years of age).

As to members of the Background Screening Pool and that are newly taking a role, the **USAA** requires the background screening prior to the commencement of the new role.

As to members of the Background Screening Pool attending a **USAA** conducted activity or Delegation Event, **USAA** requires background screening prior to the commencement of the activity or event.

**USAA** will also perform supplemental (off-year) background screens on the Background Screening Pool.

Notwithstanding the foregoing, **USAA** in its sole discretion may require a background screen for additional individuals involved with **USAA**.

**USAA** will track all Background Screening and perform periodic checks to ensure compliance with this policy.

It is the responsibility of each event organizer, Club and State Association to monitor this policy with regard to its participants, volunteers and administrators, etc. A person may be disqualified and prohibited from working with **USAA** and/or participating in **USAA** sanctioned activities if there is a red light finding in their background screen. Notwithstanding the foregoing, due to the limitations of background screening, it is but one factor **USAA** will use in assessing the appropriateness of an individual’s level or access and/or involvement with **USAA**.

The **USAA** Background Screen Criteria and Review Process are set forth on Exhibit A and Exhibit B respectively, attached hereto.

**ADDITIONAL REQUIREMENT:** To the extent a Covered Participant has regular contact with amateur athletes who are minors (i.e., those under the age of 18), they must abide by **USAA**’s Minor Athlete Abuse Prevention Policy (the “MAAPP”) located at [www.usarchery.org](http://www.usarchery.org).

## U.S. CENTER FOR SAFESPORT TRAINING

**USAA** requires SafeSport education and training for:

- **USAA** employees;
- Individuals **USAA** formally authorizes or appoints to (a) serve in a position of authority over, or (b) have regular contact with athletes. This shall include, but not be limited to staff, volunteers, coaches, instructors, judges, administrators, board members, trainers, medical personnel, club and state association directors and officers and contractors;
- Assistants, or personal care assistants who are funded, have a contractual obligation with, or are credentialed by **USAA**, or otherwise have regular contact with **USAA** athletes;
- All athletes and alternates, training partners, and guides who are selected by **USAA** to participate in national or international teams or Delegation Events;
- All athletes and alternates, training partners, and guides that are selected by **USAA** to train at any Olympic & Paralympic Training Center or USOPC High Performance Training Center;
- Individuals affiliated with the media who are authorized or credentialed by **USAA** to access a training site or attend a competition run by **USAA** if such individual has unsupervised one-on-one interactions with athletes;

- Other individuals who have regular contact with athletes as determined by **USAA**, in its sole discretion and/or as required by USOPC.

For purposes of clarification, **USAA** is considered to “formally authorize or appoint” an individual in instances where **USAA** has control over the authorization or appointment process.

All of the above listed individuals will be collectively referred to as the “Training Pool”.

If you are under the age of 18, parental consent is required to take the training.

As to members of the Training Pool newly taking a role, the **USAA** requires completion of the education and training prior to contact with an amateur athlete who is a minor begins, or within forty-five (45) days beginning a new role subjecting the adult to this policy. Notwithstanding the foregoing, to the extent an individual has regular contact with amateur athletes who are minors, they must abide by the policies and additional training requirements and timelines set forth in **USAA**’s Minor Athlete Abuse Prevention Policy (the “MAAPP”) located at [www.usarchery.org](http://www.usarchery.org).

**USAA** also encourages its athletes and anyone else involved in this sport to take the training. If you are under the age of 18, parental consent is required to take the training.

**USAA** will perform periodic checks to ensure compliance with this policy. If you have a question on the Training Pool requirements, please contact [athletesafety@usarchery.org](mailto:athletesafety@usarchery.org).

**ADDITIONAL REQUIREMENTS:** To the extent a Covered Participants has regular contact with amateur athletes who are minors (i.e., those under the age of 18), they must abide by **USAA**’s Minor Athlete Abuse Prevention Policy (the “MAAPP”) located at [www.usarchery.org](http://www.usarchery.org).

**MINOR ATHLETES WHO REACH 18 YEARS OF AGE AND THEN OBTAIN A POSITION OF AUTHORITY:** Minor athletes who reach 18 years of age and then obtain a position of authority that presents a power imbalance, such as becoming a coach or official, must also abide by the policies and additional training requirements set forth in the MAAPP regardless of the age of the minor athletes with whom they will interact.

**USAA** will track all U.S. Center for SafeSport Training and perform periodic checks to ensure compliance with this policy.

It is the responsibility of each event organizer, Club and State Association to monitor this policy and the Code with regard to its participants, volunteers and administrators, etc.

## **WILLFULLY TOLERATING SAFESPORT CODE VIOLATIONS**

Willfully tolerating violations of the SafeSport Code is unacceptable and a violation of this policy and the Code. It is a violation of the Code if a party knows of misconduct but takes no action to report it. You may file a report of misconduct as set forth in the Reporting section below.

## **FALSE AND MALICIOUS ACCUSATIONS**

Any person who makes a false, frivolous or malicious complaint of misconduct (as contrasted with complaints which, even if erroneous, are made in good faith) will be subject to disciplinary action. Depending on the nature of the allegation, a person making a false, frivolous or malicious report may also be subject to civil or criminal proceedings.

## **REPORTING, COMPLAINTS, INVESTIGATIONS, AND DISCIPLINE**

Every Covered Participant must report violations of the Code (including violations of any Minor Athlete Abuse Prevention Policies) and suspicions or allegations of misconduct. All cases of suspected emotional, physical or sexual

abuse of a minor (under the age of 18) must be reported to law enforcement immediately. Filing a report with the Center and/or **USAA** does not satisfy this obligation.

**USAA** and the U.S. Center for SafeSport recognize that it can be difficult to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. **Anonymous reports may be made in writing as set forth below and there isn't any filing fee.** However, an anonymous report may limit **USAA's** ability to investigate and respond to a report. Thus, **USAA** strongly encourages those making a report to provide their name and contact information.

**TO REPORT TO THE U.S. CENTER FOR SAFESPORT** – Please visit <https://safesport.org/report-a-concern> to report a concern. If possible, please copy **USAA** at [athletesafety@usarchery.org](mailto:athletesafety@usarchery.org), so that **USAA** may implement any necessary interim measures, if applicable.

Please report all issues falling outside of the Center's authority to **USAA** at [athletesafety@usarchery.org](mailto:athletesafety@usarchery.org).

**TO REPORT TO USAA:** Please visit [www.usarchery.org](http://www.usarchery.org) to download and complete the **USAA** Athlete Safety Reporting Form and submit to [athletesafety@usarchery.org](mailto:athletesafety@usarchery.org). If any party is alleged to have violated the Code, or if **USAA** receives a complaint or a report that is required to be referred to the U.S. Center for SafeSport, **USAA** shall report and refer such matter to the U.S. Center for SafeSport which shall have jurisdiction and authority over such matter; provided that such referral shall not supersede any local, state, or federal reporting requirements or jurisdiction.

All alleged violations over which the U.S. Center for SafeSport Response and Resolution Office does not exercise either exclusive or discretionary authority and falls within **USAA's** jurisdiction will be processed according to the **USAA** Disciplinary Proceedings and Grievance Policy. If an alleged violation occurs when a team sponsored by **USAA** or the USOPC is traveling to or from, or participating at, a competition and it is necessary to expedite the proceeding in order to resolve a matter relating to the competition, such matter shall be resolved pursuant to the expedited procedures set forth in the **USAA** Disciplinary Proceedings and Grievance Policy, which requires that such complaints shall be heard and decided prior to the start of the event, if applicable.

An independent hearing panel will determine whether a violation of the Code has occurred and if so, what discipline is warranted. Such discipline may include but is not limited to immediate dismissal from a **USAA** training camp, event or program, or a **USAA** or USOPC sponsored team; being precluded from participating at **USAA** or USOPC sanctioned events or other competitions; and being sent home at such person's own expense.

## FURTHER INFORMATION

For guidance and questions regarding the Code please contact the U.S. Center for SafeSport at [www.safesport.org](http://www.safesport.org). For guidance and questions regarding **USAA's** Safe Sport Policy, background screening, or U.S. Center for SafeSport training please contact **USAA** at [athletesafety@usarchery.org](mailto:athletesafety@usarchery.org).

# Exhibit A

## BACKGROUND SCREENING SEARCH CRITERIA

Full background screens will include at least the following search components:

- Social Security Number validation;
- Name and address history records;
- Two independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam and Puerto Rico;
- Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
- County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
- National Sex Offender Registry database search of all available states, plus DC, Guam and Puerto Rico;
- Multiple National Watch Lists;
- SafeSport Disciplinary Records;
- Comprehensive International Records search U.S. citizens who have lived outside of the United States for six consecutive months in any one country, during the past seven years; and
- Motor Vehicle Records of at least a 3-year history in the state of licensure (if driving is required for position).

Supplemental (off-year) background screening will include at least the following search components:

- Multi-Jurisdictional criminal database covering 50 states plus DC, Guam and Puerto Rico;
- Sex Offender Registry database searches of all available states, plus DC, Guam and Puerto Rico; and
- SafeSport Disciplinary Records.

Background screening for media personnel, and those that must be conducted by third-party vendors/contractors, all such searches will be conducted using a name-based or fingerprint-based record search in any combination that shall include at least:

- Social Security Number validation;
- Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam and Puerto Rico;
- Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
- County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
- National Sex Offender Registry database search of all available states, plus DC, Guam and Puerto Rico; and
- SafeSport Disciplinary Records.

## Exhibit B

# BACKGROUND SCREENING REVIEW PROCESS

**USAA** initiated background screening that result in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty<sup>5</sup>, for any of the below criminal offenses will be subject to **USAA**'s determination as to the individual's level of access and involvement in **USAA**:

1. Any felony<sup>6</sup>; and
2. Any misdemeanor involving:
  - a. All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant<sup>7</sup>;
  - b. Any drug related offenses;
  - c. Harm to a minor and vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
  - d. Violence against a person (including crimes involving firearms and domestic violence);
  - e. Stalking, harassment, blackmail, violation of a protection order and/or threats;
  - f. Destruction of property, including arson, vandalism, and criminal mischief; and
  - g. Animal abuse or neglect.

## BACKGROUND SCREENING PROCEDURES

- A. Individuals will receive two separate Green Light/Red Light notifications: one for their criminal check and one for their driving history check (if applicable). In the event of a Red Light, **USAA**'s background screening provider will send an adverse action letter to the individual.
- B. After receiving notification of a Red Light, the **USAA** Board of Justice, or in some cases the USOPC will determine if and to what degree the individual will be: (a) affiliated with the **USAA**, (b) granted access to an Olympic & Paralympic Training Center, (c) permitted to participate in a Delegation Event, or (d) granted driving privileges in accordance with the Background Screening Policy and these procedures.

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<sup>5</sup> A "disposition or resolution of a criminal proceeding, other than an adjudication of not guilty" shall include, but is not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an Alford or Kennedy plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement, or the existence of an ongoing criminal investigation, a warrant for arrest, or any pending charges.

<sup>6</sup> For purposes of these procedures, the term "felony" shall refer to any criminal offense punishable by imprisonment for more than one year.

<sup>7</sup> Any participant that has been convicted of, received an imposition of a deferred sentence for, or any plea of guilty or no contest for any sexual crime, criminal offense of a sexual nature, and/or is a sex offender registrant must report this to **USAA**. **USAA** will report the same to USOPC.

- C. To request a secondary background screen review, please email [athletesafety@usarchery.org](mailto:athletesafety@usarchery.org) any time after receiving a Red Light notification. Upon receipt the Board of Justice may request supplemental documentation prior to scheduling a hearing and/or rendering a decision. Failure to provide the requested documentation within 30 days will be considered withdrawal of the request.
- D. In the event a Red Light appeal is reviewed and approved by the Board of Justice and the same issue produces a Red Light in subsequent background screens, a Board of Justice Review Panel will not be required; provided no new criminal charges or findings have arisen.
- E. **USAA** will notify the USOPC of any decision reached by **USAA**, which has the effect of allowing a participant covered by **USAA**'s Background Screening Policy to reside, train or compete at an Olympic & Paralympic Training Center or participate in a Delegation Event, if the individual's background screen was flagged for any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty for any of the below crimes:

Any felony involving:

- 1. Violence against a person within the previous ten (10) years;
- 2. Violent crimes involving weapons (including armed robbery and aggravated assault with a weapon) within the previous ten (10) years; and
- 3. Animal abuse, cruelty or neglect.
- 4. As well as any felony or misdemeanor involving:
- 5. All sexual crimes and criminal offenses of a sexual nature to include, but not limited to: rape, child molestation, sexual battery, lewd conduct, possession or distribution of child pornography, possession and distribution of obscene material, and any sex offender registrant (excluding prostitution, indecent exposure, and public indecency);
- 6. Drug offenses including drug distribution, intent to distribute, manufacturing, trafficking, or sale within the previous 7 years (excluding crimes for drug use or possession); and
- 7. Harm to a minor or vulnerable person, including, but not limited to: offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, providing alcohol to a minor, and DUI with a minor.

## BACKGROUND SCREENING REVIEW PANEL

**USAA**'s Background Screening Review Panel shall consist of the Board of Justice (and/or their designees).

- A. The **USAA** Review Panel will conduct a hearing. The individual will be notified of a specific date and time so that they may participate if they wish.

Unless the Review Panel requires the individual to attend the hearing in person, the individual may appear by telephone conference call. The individual has the right to be represented by legal counsel at the hearing.

At the hearing the individual will be allowed to present any evidence or argument that they wish the Review Panel to consider. The Review Panel may require that evidence and the names of any witnesses be disclosed prior to the hearing.

Upon the request of the individual, and if it is necessary to expedite the proceeding to resolve a matter relating to training or a competition that is scheduled, the Review Panel may render an expedited determination.

- B. A determination of the individual's involvement with **USAA** will be made based on a majority vote of the Review Panel and may include interim measures. In rendering its finding, the Review Panel shall consider the following:



- a. The legitimate interest of **USAA** in providing a safe environment for athletes and other individuals involved in the sport;
  - b. The seriousness of the criminal offense or act;
  - c. The time which has elapsed since the occurrence of the criminal offense or act;
  - d. The age of the person at the time of occurrence of the criminal offense or act;
  - e. The bearing, if any, the criminal offense or act has on the individual's ability to perform the necessary functions of their role or otherwise be a representative of the **USAA**;
  - f. Any information produced by the individual, or produced on behalf of the individual with respect to the individual's rehabilitation and good conduct;
  - g. Any voluntary restrictions on access proposed by the individual;
  - h. Any other information, which in the determination of the Review Panel, would bear on whether or not the individual should represent **USAA**.
- C. The Review Panel will communicate its finding to the individual. If the individual disagrees with the finding of the Review Panel, they may appeal the decision by filing a demand for arbitration with the American Arbitration Association ("AAA") within thirty (30) days of the Review Panel's decision. A decision rendered by the AAA shall be final and binding on all parties.

## **PAYMENT INFORMATION**

In cases where the **USAA** directly assigns or nominates an individual to serve in a Delegation Event role or to be a member of the official Games Delegation, or **USAA** staff, payment for the background screening will be the responsibility of **USAA** or other third party. In all other instances, payment for the background screening will be arranged by the individual

