

# **SafeSport Policies and Procedures for Clemson Rowing Association**

Amended and Revised December 15th, 2020

These policies and procedures are in place solely for the purpose of retaining a permanent record of procedures and rules practiced by the Clemson Rowing Association (CRA). These are to be regarded as guidelines for the use of the organization, its members, and successors (please see the Constitution and By-Laws for the Clemson Rowing Association for official rules and procedures). These SafeSport procedures are to be updated every two years by the Executive Board to stay in compliance with US Rowing and then are to be retained for the club's permanent record. This document contains the applicable procedures for reporting, investigating, and resolving alleged misconduct and depends on the nature of the misconduct, as set forth in the Code provided by US Rowing. The procedures set forth herein will be applied to any matter over which the CRA accepts jurisdiction.

## **I. Complaint Available to All Members**

- A. Every active member of the CRA is eligible to submit a formal complaint, either anonymously or not, to the President and Executive Board. The form is available to any active member that requests the form, via any member of the Executive Board or on our website, from the official documents of the CRA. Complaints will only be considered official if submitted via this form.

## **II. Individuals to Receive Complaint**

- A. Any active Board Member may receive the official complaint. The President then has the responsibility to present said complaint to the CRA Executive Board and the Board will receive and review all instances of the complaint including the report, investigation, and resolving of the alleged misconduct.

## **III. An Internal Investigation Process**

### **A. Initiating Proceedings**

1. When the CRA Executive Board receives a report of allegations that fall within its exclusive authority or accepts jurisdiction over allegations within its discretionary authority, it will conduct a preliminary inquiry, and, if appropriate, undertake an investigation to determine whether a Participant violated the most updated version of the SafeSport Manual (a.k.a the Code) found on the CRA website.

### **B. Standard of Proof**

1. The CRA Executive Board bears the burden of gathering sufficient evidence to reach a determination, based on the preponderance of the evidence, that a Participant violated the Code. A "preponderance of the evidence" means "more likely than not."

### **C. Consolidation**

1. Matters involving more than one Claimant and/or more than one Respondent may, in the Executive Board's discretion, be consolidated into a single matter.

### **D. Methods of Resolution**

#### **1. Administrative Closures**

- a) CRA may administratively close a matter with a majority vote by the Executive Board. This may be done as a result of insufficient evidence, a

Claimant(s) who elects not to participate in the resolution process, or other factors as determined by the CRA Executive Board. The Executive Board may, upon receipt of new information or evidence, or a change in circumstances, reopen the matter for further investigation.

2. Informal Resolution

- a) A Respondent may, at any time before a matter is final, elect to resolve allegations of Prohibited Conduct by accepting responsibility for a policy violation. A Participant's doing so provides for the opportunity to informally resolve the matter, and the Executive Board will determine the appropriate sanction by majority vote. An informal resolution is not a settlement but does constitute a final and binding disposition of the matter. The outcome and/or sanctions of an informal resolution may be published by the CRA.

3. Formal Resolution

- a) A Formal Resolution occurs after the Executive Board has completed an investigation and either closes the matter or, if a violation is found, issues its Decision. The Decision is not final until a majority vote is taken by the Executive Board. A Respondent may request a hearing of the Executive Board's Decision.

#### **IV. Adjudication Process**

A. Confidentiality – Release/Use of Materials

1. The following documents and/or evidence related to the response and resolution process must remain confidential, in that they may not be disclosed outside of the proceedings, except as may be required by law and/or authorized by the CRA Executive Board: the Notice of Decision; the Investigation Report and any documents and/or evidence attached thereto, including interview statements of a Claimant, Respondent, or other witnesses; any audio recordings or transcripts of those recordings created as part of the investigative process; all documents and/or evidence submitted to or prepared by the arbitrator including any hearing transcripts. Violation of this provision, including by an advisor for an involved party, may constitute an Abuse of Process.

B. Sanctions

1. Where there is sufficient evidence through the resolution procedure to support a finding that a Participant violated the Code, the CRA Executive Board will determine whether and/or the extent to which a Participant may participate in sport and may impose one or more sanctions. One or more of the following sanctions may be imposed singularly or in combination once voted on by the Executive Board: Written warning, Probation, Suspension or other eligibility restrictions, Ineligibility, or other discretionary sanctions.

C. Financials

1. The CRA Executive Board is not responsible for any financial burden placed on the Claimant or any other participating party.

#### **V. The Appeal Process**

A. No Appeal

1. The decision determined by the Executive Board shall be considered final and binding. The parties waive any right to challenge the Executive Board's decision.

## **VI. Compliance Monitoring**

- A. Record-keeping of annual SafeSport training and background checks will be conducted every year for all "Applicable Adults", this includes all coaching staff and Executive Board members.