



What is the “Safe Sport Act” and how does it impact the American Special Hockey Association and its members.

On February 14, 2018 the “Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017” was signed into law and became effective immediately. This new federal law aims to prevent sexual abuse in youth sports creates standards for all youth sport organizations, including programs offered by local leagues, churches, schools, camps, and non-profits. The Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 includes requirements for prevention training, prevention policies, and mandatory reporting. This law is broad and does not make specific accommodations for different sports or special needs.

The American Special Hockey Association (ASHA) provides our members with liability insurance. Our insurance carrier, requires compliance with this Federal Law.

Here is a brief overview of the new requirements that ASHA all youth sports organizations must take.

1. Mandatory Reporting Changes: The Act expands the list of individuals required to report child sexual abuse. The list of mandatory reporters now includes any adult who is authorized to interact with a minor or amateur athlete at an amateur sports organization facility or event. For some organizations, the Act also requires all adults to immediately report suspicions of abuse to the US Center for Safe Sport and the appropriate law enforcement agencies, as determined by state and federal law.

2. Prevention Training Requirements: All amateur sports organizations are now required to provide consistent training on prevention and reporting of child abuse to all adult members who are in regular contact with amateur athletes who are minors/or at-risk adults.

3. Prevention Policies Requirements: All amateur sports organizations are now required to establish prevention policies that include reasonable procedures to limit one-on-one interactions between an amateur athlete who is a minor and an adult without being in an observable and interruptible distance from another adult.

ASHA understands that the camaraderie and friendships our athletes form with their teammates is a primary social benefit of participation. The locker room guidelines are not meant to diminish this very important aspect of special hockey. We have updated the guidelines for the 2023/2024 Season to help ASHA Member Clubs navigate the regulations and meet the needs of their athletes.

ASHA Continues to work with the U.S. Center for SafeSport to advocate for accommodations specific to special hockey.

Basic Guidelines

Base Layer

- A strict base layer policy must be adhered to by ALL participants. All participants are required to arrive at the rink wearing their hockey base layers or shorts and t-shirts (in good condition – no holes or tears in clothing) under their street clothes.
- No participants (athletes, coaches or volunteers) are permitted to remove their “base layer” of clothing in the locker room; they must arrive already with the shirt, shorts/sweatpants, and jock for practice or use a private bathroom. Base layer clothing is not appropriate as on ice apparel.

Gender Appropriate Locker Rooms

- Gender appropriate locker rooms should be available for all practices, scrimmages and games. If separate locker rooms are not available, entrance should be staggered to accommodate privacy.
 - Coaches and monitors must be the same gender in locker rooms. (If alternatives are required, please discuss with your coach)
 - A locker room should never have a single adult inside with an athlete unless they are a parent/guardian of that athlete is present. There must be two adults at any time when an athlete is in the locker room. All activities must be observable.
 - When additional locker rooms are not readily available, or a parent/guardian cannot enter the locker room for any reason, Clubs/Teams may accommodate the athlete’s special needs/disability with a “Public Family Dressing Area”. Athletes must enter and exit with their parent or guardian, and may not remove their base layer clothing to a state of undress. If an athlete requires support and assistance, they CANNOT be left unattended by their parents or guardian in the Family Dressing Area for any reason. Parents and guardians should not dress any athletes to whom they are not related or without the express consent of an attending parent or guardian of the non-related athlete.

Safe Sport Act Compliance

- All adult participants (age 18 and older) must be compliant with the Safe Sport Act requirements to enter a locker room or be on bench during game play. The American Special Hockey Association works closely with each member team to provide for an appropriate and accessible method to comply with these regulations.
- A valid season ASHA Membership card must be present for every person entering a locker room – No Exceptions
- Parents/guardians are only permitted in the locker room if they are registered as Locker Room Coaches with the American Special Hockey Association and compliant with the Safe Sport Act requirements.
- Parents/guardians are not permitted on the bench during practices or game play, unless specifically requested by the head coach and the parent/guardian has registered with ASHA and complied with all Safe Sport Act regulations.
- Photography/video is not allowed in the locker room is not permitted (including cell phones).

Locker Room Policy

In addition to the development of our hockey athletes and enjoyment of the sport of hockey, the safety and protection of our participants is central to the American Special Hockey Association's goals. The American Special Hockey Association requests that all members respect this policy as a means to help protect its participants from physical abuse, sexual abuse and other types of misconduct, including emotional abuse, bullying, threats, harassment and hazing.

To help prevent abuse or misconduct from occurring in our locker rooms, has adopted the following locker room policy. This policy is designed to maintain personal privacy as well as to reduce the risk of misconduct in locker rooms.

There are a number of locker rooms available for program use. Some teams in our program may also occasionally or regularly travel to play games at other arenas, and those locker rooms, rest rooms and shower facilities will vary from location to location. We expect that all team and event organizers will attempt to provide information on the locker room facilities in advance of games/activities. When participating in arenas for which you are unfamiliar, we expect that parents/team representatives plan to have extra time and some flexibility in making arrangements for their child/individual to dress and undress.

Locker Room Monitoring

American Special Hockey Association has predictable and limited use of locker rooms and changing areas (e.g., generally 30-45 minutes before and following practices and games). 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 some athletes uncomfortable and may even place our staff at risk for unwarranted suspicion.

American Special Hockey Association expects that team/event organizer staff will conduct a sweep of the locker rooms and changing areas before athletes arrive, and if the coaches are not inside the locker rooms, either a coach or voluntary locker room monitors (each of which has been screened) will be posted directly outside of the locker rooms and changing areas during periods of use, and leave the doors open only when adequate privacy is still possible, so that only participants (coaches and athletes), approved team personnel and family members are permitted in the locker room. Team personnel will also secure the locker room appropriately during times when the team is on the ice.

Parents in Locker Rooms

We discourage parents from entering locker rooms unless it is *truly* necessary. If parents/guardians enter the locker room or approach the bench to offer support, they may do so, only at the specific invitation of the Head Coach and also being a registered member of ASHA having met all Safe Sport Act regulations. If an athlete needs assistance with his other uniform or gear, if the athlete is or may be injured, or an athlete's disability warrants assistance, then we ask that parents/guardians let the coach know beforehand that he or she will be helping the athlete. The coach may in his or her discretion prohibit parents from a locker room. To ensure compliance and privacy protection for independent individuals, the coach shall (as needed):

1. Require that all adults entering the dressing room be registered Locker Room Coaches with verified documentation of an accepted background check and sexual abuse training.
2. Determine the need for a "Family Dressing Area" (Similar to a Family Bathroom)
3. Implement a "Skate Tying Area" outside of the dressing room (often a primary reason for parental/guardian support.)

We encourage parents to teach athletes how to get dressed so that athletes will learn as quickly as possible how to get dressed independently. In circumstances where parents are permitted in the locker room, coaches

are permitted to ask that the parents leave for a short time before the game and for a short time after the game/activity so that the coaches may address the athletes.

Mixed Gender and Mixed Needs Teams/Organizations

American Special Hockey Association consists of both male and female athletes. It is important that the privacy rights of all of our athletes are given consideration and appropriate arrangements made. Deliberately exposing a special hockey athlete or minor to inappropriate observation or nudity is a noted violation of guidelines. If an athlete requires privacy for any reason, it is expected that the parent/guardian will make arrangements in advance to reduce the risk of any unwarranted suspicion and protect the privacy of the athlete.

Where possible, American Special Hockey Association will have the male and female athletes dress/undress in separate locker rooms. This extends to individuals who require assistance from their parent/guardian to dress them. After dressing, the team can convene in a single locker room before the game or team meeting. Once the game or practice is finished, the athletes may come to one locker room for a team meeting and then proceed to their separate locker rooms to undress, if available.

If separate locker rooms are not available, then the athletes will take turns using the locker room to change. We understand that these arrangements may require that athletes arrive earlier or leave later to dress, but believe that this is the most reasonable way to accommodate and respect all of our athletes.

Cell Phones and Other Mobile Recording Devices

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras, are not permitted to be used in the locker rooms. If phones or other mobile devices must be used, they should be taken outside of the locker room.

Prohibited Conduct and Reporting

American Special Hockey Association prohibits all types of physical abuse, sexual abuse, emotional abuse, bullying, threats, harassment and hazing. Participants, employees or volunteers in the American Special Hockey Association may be subject to disciplinary action for violation of these locker room policies or for engaging in any misconduct or abuse or that violates the policies. Reports of any actual or suspected violations, you may email the appropriate authorities in your local area, The American Special Hockey Association at SafeSport@SpecialHockey.org or in the case of a dually registered team, USA Hockey at SafeSport@usahockey.org and to the American Special Hockey Association.

Abuse / Molestation Risk Management

A. Criminal Background Check on All Staff with Access to Youth

All administrators and staff with access to youth/eligible individuals including directors, officers, coaches, assistant coaches, managers etc. should have their backgrounds checked for acceptability prior to initial assignment of duties. Thereafter, a subsequent background check should be run every two year(s). Team managers and leadership are responsible for implementing, monitoring, taking corrective action, disqualifying unfit candidates, and working with third party background check vendors on all issues related to our criminal background check program. They should maintain the confidentiality of all information to protect against possible claims of slander or libel. They should work with third party vendors for assistance in interpreting background check results and to protect against possible claims under the Fair Credit Reporting Act, First Offender Act, and all other state and federal laws protecting those who undergo criminal background checks.

B. Policies to Protect Against Misconduct

The following policies should be communicated to all paid and volunteer staff:

- All forms of abuse including sexual, physical, emotional, harassment, bullying, and hazing are prohibited.

- Prohibited sexual abuse physical acts include genital contact whether or not either party is clothed; fondling of a participant's breast or buttocks; sexual penetration; sexual assault, exchange of a reward in sport for sexual favors; lingering or repeated embrace that goes beyond acceptable physical touch; tickling, wrestling, or massage; and continued physical contact that makes a participant uncomfortable.
- Prohibited sexual abuse verbal acts include making sexually oriented comments, jokes and innuendo; staff member discussing his or her sex life with participant; asking about a participant's sex life; requesting or sending a nude or partial dress photo; exposing participants to pornographic material; voyeurism; and sexting with a participant.
- Any type of grooming behavior is prohibited.
- Prohibited forms of physical abuse include punching, beating, biting, striking, choking, slapping, or intentionally hitting a participant with objects or sports equipment; providing alcohol to a participant under legal drinking age; providing illegal drugs or non-prescribed medications to any participant; encouraging or permitting a participant to return to play after injury or sickness prematurely without clearance of a medical professional; prescribing dieting or other weight control methods for humiliation purposes; isolating a participant in a confined space; forcing participant to assume a painful stance or position for no athletic purpose; withholding, or denying adequate hydration, nutrition medical attention, or sleep.
- Prohibited emotional abuse includes a pattern of verbally attacking a participant personally such as calling them worthless, fat or disgusting; physically aggressive behaviors such as throwing or hitting objects; and ignoring a participant for extended periods of time or excluding them from practice.
- Bullying includes an intentional, persistent, or repeated pattern of committing or willfully tolerating (e.g., staff not preventing) physical, nonphysical, or cyber bullying behaviors that are intended to cause fear, humiliation, physical harm in an attempt to socially exclude, diminish, or isolate another person emotionally, physically, or sexually. It is often not the staff, but instead, other participants who are the perpetrators of bullying. However, it is a violation if the staff member knows or should have known of the bullying behavior but takes no action to intervene on behalf of the targeted participants.
- Prohibited hazing includes any contact which is intimidating, humiliating, offensive or physically harmful. Hazing typically is an activity that serves as a condition for joining a team of being socially accepted by team members.
- Two deep leadership is required where two adults (e.g., any combination of staff or parents) should be present at all times so that a minor participant can't be isolated with a single unrelated adult, except in the case of an emergency.
- All electronic communications including email, texting, social media, etc. between the staff member and a minor participant should be limited strictly to the legitimate activities of the organization.
- Any overnight travel exposure should prohibit adults spending the night in the same room as an unrelated minor participant; require grouping of participants of the same sex and age group in rooms; and provide adequate oversight with a same-sex chaperone for each group.
- Take off/pick up of athletes by staff should be strongly discouraged because of the difficulty in limiting one-on-one contact.

C. Recognizing Grooming

Grooming is the process of which sexual predators pave the way for sexual abuse by gradually gaining the trust of and conditioning of minors, parents, and administrators. The steps in the grooming process are as follows:

- Identify a vulnerable child whose needs are not being met such as lack of attention by parents, lack of spending money, etc.
- Fill the missing needs of the child by providing attention, transportation, help with homework, special favors, confiding in secrets, spending money, gifts, etc. to create a "special bond".
- Gain trust of family by spending disproportionate amount of time with them.
- Isolate the victim to create one on one opportunities.

- Gradually use boundary invasions that start off with inappropriate electronic communications and photo sharing, tickling, wrestling, massages, alcohol, drugs, pornography, etc. that lead to nudity and sexual activity.
- Maintain control and silence with threats of fear and shame.

D. Awareness

All administrators, staff and parents are to report all concerns, complaints, allegations, and policy violations to the appropriate local authority or the American Special Hockey Association within 24 hours. If the person to whom the report is being made, is the alleged abuser, the report should be made to the league's president.

Administrators should immediately perform an investigation with the results brought to the attention of the board of directors. The investigation should include a gathering of all pertinent facts in a fair, respectful, and confidential manner including an interview with both the accuser and accused.

After the investigation, the Administrators should determine if the alleged acts were appropriate, but unappreciated; inappropriate, but not illegal; or illegal. If the Administrators has reasonable cause to believe that child sexual or physical abuse has occurred, law enforcement should be immediately notified within 24 hours. At that point, the Administrators should immediately cease all investigation and let law enforcement do its job. The suspected staff member should be suspended pending the outcome of the investigation.

Staff members may be required by state and federal law to independently and directly report to law enforcement, within 24 hours, any suspicions of child sexual or physical abuse and may have criminal and civil liability for failure to do so. All persons reporting suspected cases should be given immunity from civil lawsuits if acting in good faith.

Short of an illegal act, the board should decide the appropriate action and can perform additional follow up investigation. Depending on the nature of the act, the board may decide to give an oral or written reprimand, suspend, or terminate the staff member.

The organization is prohibited from retaliating in any way against a staff member who makes a good faith report of suspicion of any form of misconduct. ***Note: Employees have more legal rights than volunteers. Always consult with an attorney before taking action against an employee.***

No Waiver of Discretion

Nothing in this program shall be construed as a waiver or limitation of the league discretion to disqualify an applicant for an employment or volunteer position, when in the sole opinion of the board, such disqualification is in the best interest of the league or its program participants.