



May 21, 2018

U.S. House of Representatives
Energy and Commerce Committee
Subcommittee on Oversight and Investigation

Dear Members of the Subcommittee:

On behalf of USA Volleyball, I want to thank this Committee for affording me an opportunity to speak with you today and to share with you our organization's commitment to the safety of our athletes. I joined USA Volleyball as its CEO in January 2017 and in that timeframe, I have been proud to lead an organization that respects all of our participants and places the highest value on the personal safety before medal counts. Even prior to my arrival, USA Volleyball has long championed a protective culture for its participants. In fact, USA Volleyball was at the forefront of athlete safety as one of the first NGBs to implement a robust background screening policy. Beginning in the 2004/2005 volleyball season, USA Volleyball started working with the nationally respected background screening company Southeastern Security Consultants, Inc. or SSCI to conduct background screens at a national level and across our regions. At that time, any individual who served in the roles of club director, club administrator, team rep, coach, chaperone, and trainer, and/or who intended to register, affiliate and/or participate with a junior volleyball club or team was required to submit to a background screen.

Not unlike the background screen policy used today, the policy of 2004 worked on a series of automatic disqualifiers. Anyone submitting to the background screen policy who was found to have convictions based on being found guilty, pled guilty or pled nolo contendere for sexual abuse, molestation, physical abuse, aggravated assault or assault of a minor, murder, manslaughter, kidnapping, and corruption of the morals of a minor were automatically disqualified for participation. In addition to the automatic disqualifiers, anyone found to have

Proud Member



falsified information on any membership application or the consent/release form, would be subject to membership revocation or denial of membership. This background screening policy was strict, well-defined, and broad, covering more than what was expected by any other organization, or what was required from any insurance carrier.

Since that time, we have maintained our relationship with SSCI and evolved our background screening policy to be even more robust. By reviewing best practices and processes used by other organizations, and through constant evaluation and consultation with SSCI and insurance representatives, USA Volleyball has strived to stay on the leading edge of background screening policies. Today's background screening policy includes an array of automatic disqualifiers. Anyone will be automatically disqualified if found guilty, entering a plea of guilty, or a plea of nolo contendere (no contest) regardless of adjudication or received court directed programs and/or other sentencing directives in lieu of a finding of guilt, for the following criminal offenses; All Sex offenses, Murder, and Homicide regardless of time limit; Felony Violence and Felony Drug offenses in the past 10 years; any misdemeanor violence offenses in the past 7 years; any multiple misdemeanor drug and alcohol offenses within the past 7 years; or any other crimes (not listed) against children in the past 7 years (the time frames associated with the categories of crime listed above are calculated based on the date of the offense). Also included is the disqualifier that any individuals found to have pending court cases for any of the disqualifying offenses will be disqualified. If the disposition of the pending case does not meet the criteria for disqualification as listed above, the individual will be cleared and reinstated. As with previous iterations of the policy, falsification of information on any membership application or the consent/release form is grounds for membership revocation or restriction of membership.

While our background screening policy is robust and has been in place for a long time, there was a recognition that even more needed to be done to protect athletes of all ages, both on and off the court. In 2010, USA Volleyball formed a commission to address participant safety, named the Special Commission on Athlete Safeguards. This commission of athletic directors, insurance representatives, coaches, coaching educators, sports professionals and USA Volleyball Board members and employees, set out to review the current trends and best practices in athlete safety and produce further recommendations for USA Volleyball to implement. The commissions' research and recommendations were provided by way of a report dated September 2010. The commission weighed in on topics such as: preventing sexual abuse, providing education to coaches and players on sexual abuse, and early recognition of behaviors leading to perceived positions of power, influence, and dependence—what we would call “grooming” today. The recommendations of the commission were extensive and included: developing a procedure for reporting sexual harassment or abuse allegations, formulating written policies that define inappropriate behavior, and providing continual education on these kinds of topics to USA Volleyball participants and parents.

In October 2010, the USA Volleyball Board fully supported the recommendations and findings of the special commission and recognized that with these recommendations, we were looking to set high standards and practices beyond the minimum requirements for athlete safety. This commission's work paved the way for USA Volleyball to establish early SafeSport policies and procedures before it was ever called “SafeSport.” Being at the forefront of athlete safety lead USA Volleyball to working internally and with the USOC towards creation and implementation of a SafeSport program. USA Volleyball fully embraced the SafeSport program and its creators from its earliest inception. In 2011, the USA Volleyball Board reviewed and discussed the latest developments with the SafeSport program at virtually every Board meeting. It was and remains to be very

important to USA Volleyball that we show our commitment to SafeSport from the very top levels of the organization down to the contributions of the seasonal intern. What follows is a brief summary of past Board action related to SafeSport.

October 2011: The USOC/USA Volleyball (“USAV”) Safe Athlete Initiative begins to develop. Discussion ensued regarding the programs coming out of such initiative and how that information will be disseminated to volleyball clubs.

January 2012: Now called the Safe Sport Initiative, the Board is assured that the SafeSport Initiative, or SSI, is a significant focus of the USOC and USAV. The USOC is developing a document called the Safe Sport Handbook for the NGBs to use as a resource. The Board learns for the first time about the idea of an independent agency or “center,” much like USADA. That agency would handle complaints and reports of abusive behavior of unsafe sport environment, etc.

May 2012: The USOC launched a new SafeSport website where information was available. The website contained toolkits for many audiences, including players, parents, coaches, and clubs to use for education.

October 2012: The Board is advised regarding training under the SafeSport Initiative and that the course would be free on the SafeSport website.

January 2013: The SafeSport Initiative and the program is planned for full implementation by September 1, 2013. The Board moved to approve the concept of the implementation of the SafeSport Initiative as presented by the USOC.

May 2013: USAV is putting SafeSport programs and processes in place, and USAV is creating a SafeSport handbook and website. USAV is discussing the different levels of staff and communication contact points within each region who would be committed to implementing the SafeSport program. The Board moved to endorse the SafeSport Mission Statement and establishment of a National SafeSport Program. The Board also directed that adequate budget support be provided to the SafeSport program. The Board moved on a timeline for implementation of various levels of the SafeSport program including the designation of a SafeSport Officer for each Regional Volleyball Association by September 1, 2013.

October 2013: The Board notes that the SafeSport program is now required to be implemented by all NGBs according to the USOC. The discussion continued regarding an independent agency to receive reports but at this time, the agency is still in the development stage. In fully committing to the SafeSport program, the Board believes that changes should be made to USAV's mission statement reflecting our commitment to this program.

May 2014: USAV hired its first National SafeSport Coordinator who will be responsible for heading up USAV implementation of the SafeSport program.

October 2014: The Board recognizes that the new, independent agency for SafeSport was expected to be in place by the end of the 2014 calendar year, but no later than the second quarter of 2015. A funding request was made of NGB's based on the size of their annual budget and USAV was going to be asked to contribute \$55,000 per year to support the establishment of the agency. USAV was supportive of providing such funding for this important initiative. Also discussed by the Board was the continued topic of implementation timelines. USAV's commitment was for by December 31, 2014 to have all staff, the Board members and other major leadership entities to complete the SafeSport training course.

January 2015: USAV had over 7,000 USAV people take the SafeSport training course. The USOC is working on creating the US Center for SafeSport with a targeted opening of within 6-9 months. USAV budgeted \$55,000 as its contribution towards the U.S. Center for SafeSport in 2015.

May 2015: The Board was formally introduced to Malia Arrington, the Senior Director, Ethics and SafeSport with the USOC.

January 2016: SafeSport training requirements were reviewed in depth, and also discussed were the number of people already certified. In addition, the Board continued to review implementation timelines. USAV staff are directed for the 2016-17 season to encourage all regions to require all adults associated with the junior programs to be Safe Sport certified under the USOC program. Effective with the 2017-18 season all registered adults associated with junior programming (who are required to have a background screening) are required to be SafeSport certified.

January 2017: Shellie Pfohl and Malia Arrington from the U.S. Center for SafeSport attended the USAV Board of Directors meeting and the Board confirmed that USAV is 100 percent behind the SafeSport program and the U.S. Center for SafeSport. The Board learned of the vision and focus of the Center which had an expected opening date of the first quarter of 2017. The Center suggested adding language to USAV's Bylaws recognizing the Center.

March 2017: The Board discussed at length the changes that should be made to the USAV Bylaws adopting proposed changes to policies and procedures that reflected USA Volleyball's commitment to the SafeSport program. In addition, the Board discussed the process for submitting matters to SafeSport.

April 2017: The Board voted to officially adopt the following changes to its Bylaws: Add Article IV. SAFESPORT. As a member National Governing Body of the United States Olympic Committee, USA Volleyball is required to adhere to the safe sport rules and regulations of the USOC. Additionally, USOC Bylaw Section 8.7(l) provides that, as a condition of membership in the USOC, each NGB shall comply with the policies and procedures of the independent safe sport organization designated by the USOC to investigate and resolve safe sport violations. The USOC has designated the U.S. Center for Safe Sport as that organization. The current safe sport rules are available at the offices of USA Volleyball or on-line at the following website: <https://safesport.org>.

As a condition of membership in USA Volleyball and a condition for participation in any competition or event sanctioned by USA Volleyball or its Regions, each NGB member and each athlete, coach, trainer, agent, athlete support personnel, medical or para-medical personnel, team staff, official and other person who participates in USA Volleyball or USA Volleyball events (whether or not a USA Volleyball member), agrees to comply with and be bound by the safe sport rules of the U.S. Center for Safe Sport and to submit, without reservation or condition, to the jurisdiction and rules of the U.S. Center for Safe Sport for the resolution of any alleged violations of those rules, as such rules may be amended from time to time. To the extent any USA Volleyball rule is inconsistent with the rules of the U.S. Center for Safe Sport, such rule is hereby superseded.

This brief summary of the SafeSport program evolution at the USA Volleyball Board level reflects the priority that our organization has placed on athlete safety for years. This priority was not suddenly created in response to recent headlines or as a result of mounting public scrutiny. USA Volleyball has valued the safety and well-being of all USA Volleyball participants for years and will continue to do so diligently.

As is evident, the implementation of SafeSport is an ever-continuing process. We will never stop striving for ways to do more to protect participants. For example, for many years we have utilized an electronic, internal system that precluded anyone banned or suspended for some period of time from being able to obtain membership with USA Volleyball or participate in USA Volleyball sanctioned events. The information was never secret, and anyone could make an inquiry to USA Volleyball regarding any current or prior participant. Furthermore, the system was kept up-to-date in real time insuring that it contained the latest information. Following the USA Gymnastics Dr. Larry Nassar situation, however, and in keeping with current best practices,

USA Volleyball began posting a public list of suspended members on our website. I believe this adds value to the process and is important for all our participants and the public to see.

There is no doubt that the events of recent headlines have shaken the Olympic movement. USA Volleyball garnered its own media headlines a few months ago. A hearing panel of our Ethics and Eligibility Committee found that volleyball club owner, Rick Butler, violated USA Volleyball's code of conduct and rules by committing acts of sexual misconduct with minors in the past. The panel voted unanimously to ban Mr. Butler from USA Volleyball for life.

There are many reasons the Butler matter received a lot of media attention. Mr. Butler is a well-known private volleyball club owner and coach in the Chicagoland suburb of Aurora, IL. This club, Sports Performance Volleyball Club, is not owned or operated by USA Volleyball however it's athletes and coaches are required to be members of USA Volleyball if they wish to participate in USA Volleyball sanctioned events. In 1995, allegations of sexual misconduct were brought forth by three women that took place while they were members and players at his privately-owned club. The women claimed that Mr. Butler had a sexual relationship with them in the 1980's while he was their coach and while they were under the age of 18. As a result of those allegations, USA Volleyball's Ethics and Eligibility Committee (the "Committee") held a hearing and found that Mr. Butler had violated our rules and the Committee voted to ban him for life. There was a provision in such ban allowing him to apply for reinstatement after five years, provided he could never coach junior girls as part of USA Volleyball.

After the five years passed, and upon Mr. Butler's request for reinstatement, USA Volleyball voted to conditionally reinstate Mr. Butler's membership in the year 2000 under the limitation of Mr. Butler's inability to ever coach junior girls in USA Volleyball sanctioned events. To be clear, regardless of all the headlines surrounding this matter, since the year 1995, Mr. Butler has been banned from coaching junior girls under USA

Volleyball, a condition of his lifetime ban that has never changed. Furthermore, these allegations are a result of Mr. Butler's activities as a club director and coach for his privately-owned club and not a part of the USA Volleyball national team programs.

As I was not with the organization at the time, I cannot speak to the decisions of the past and as to why Mr. Butler was allowed to be conditionally reinstated in 2000. However, I can say with all certainty that today, this would never have been allowed.

The story of Rick Butler did not end there. In late 2016, several brave women came forward to USA Volleyball to provide new allegations against Mr. Butler for sexual misconduct dating back to the 1980's. Based on these brave women's claims, USA Volleyball filed new charges against Mr. Butler in December 2016. Mr. Butler, through legal counsel, fought vehemently to derail the adjudication process.

In January 2018, USA Volleyball's Ethics and Eligibility Committee held a hearing regarding these allegations and based on the new information, Mr. Butler was once again found to have violated our rules. As a result, Mr. Butler was banned from total participation in USA Volleyball for life without the possibility of reinstatement.

While Mr. Butler had been banned for life from membership with USA Volleyball, he continued to receive membership and support from the Junior Volleyball Association ("JVA") and the American Athletics Union ("AAU") – organizations that do not fall under the jurisdiction of USA Volleyball. Following the 2018 ban, I felt an obligation to send communications on behalf of USA Volleyball to both the JVA and AAU denouncing their continued affiliation with Rick Butler. Since sending those communications, I am happy to say that both the AAU has permanently suspended Mr. Butler from membership and the JVA has done so indefinitely.

Mr. Butler's history with USA Volleyball has been highlighted here for several reasons. First, the eventual outcome of his lifetime ban emphasizes USA Volleyball's commitment to protect all of our participants. Although the process was not easy, the outcome was right and our efforts were recently applauded by the CEO of Champion Women, Ms. Nancy Hogshead-Makar, one of the nation's most vocal advocates for women's rights in the Olympic movement. In a letter addressed to me on April 2, 2018, Ms. Hogshead-Makar wrote in part, "we are reaching out to you today to thank you banning Rick Butler from volleyball for his sexual predation of young girls. It took a lot to be the first organization to ban him, and we are grateful for your strong commitment to the victims and the safety of all athletes . . . We are optimistic that these efforts will make a difference the next time a sports organization has to make the call to investigate, hold a hearing and ban a member if necessary." A copy of this letter in its entirety has been provided to you for your reference.

The second reason I highlighted this history is because during this process, we learned a lot of important things that I believe are important to share:

1. The women who came forward are incredibly brave. They endured terrible things and it must be very difficult for them to have to relive their past. Yet USA Volleyball fosters a culture that encourages any victim to come forward and know that they will have a voice, they will be heard, it will be a safe environment and that USA Volleyball will act if necessary.
2. Based on my observations, for the women who came forward, the process served as a sense of healing for them. By testifying and seeing that the resulting lifetime ban, they know that they have made a difference. We need to continue strongly encourage other victims to share their instances so

that we can continue to eradicate our organization of any predators. USA Volleyball prominently displays messaging on our website and our digital platforms to report and stop abuse (see attached messaging on www.USAVolleyball.org). These links take members directly to a site where they can:

- a) File a report of sexual misconduct or abuse,
- b) Easily obtain Safesport resources
- c) View the current list of suspended members from USA Volleyball
- d) Link directly to the homepage for the U.S. Center for SafeSport

In addition, SafeSport messaging is displayed at all of our major events.

3. Abuse of athletes, and especially minor athletes, is a critical problem, and we must work together to stop this. No one organization can do this alone, and the NGBs themselves face limits. For example, USA Volleyball does not control all volleyball in the U.S., rather, we only control those activities that are organized or sanctioned by USA Volleyball. So, unfortunately, if we ban someone for life, that person can join another organization and continue to coach, officiate, or whatever other activity he or she was involved in previously. We need to work together to stop perpetrators throughout all sports at all levels.

4. USA Volleyball fully supports the U.S. Center for SafeSport. The Center officially opened about a year ago, and we feel that having a professional, independent organization dedicated to SafeSport is a huge step forward. We at USA Volleyball are prepared to help the Center any way we can.

5. We are grateful to our law enforcement professionals, who work tirelessly to protect us. USA Volleyball has fully embraced the mandatory reporting rules for any claim of sexual misconduct and hope that we can continue to support law enforcement in their quest for timely investigations and rulings. Our priority it to make volleyball safe for all of our members.

We at USA Volleyball take our obligations to protect our participants very seriously. We feel that the policies that we began instigating in our program years ago put us in a prominent position to take decisive action and convey our culture of safety, care, trust and transparency. At USA Volleyball, we want to create the safest and most enjoyable atmosphere for volleyball players of all ages and I look forward to a day when there is no sexual abuse or other misconduct in sport. I will do everything I can to make this a reality, and I look forward to working with others to bring this goal closer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jamie Davis', with a stylized flourish at the end.

Jamie Davis

CEO

Special Commission on Athlete Safeguards Recommendations



USA Volleyball
September, 2010

Special Commission Members

Chair, Dr. Cecile Reynaud – former women’s collegiate coach, former USA Volleyball Board of Directors and Executive Committee Member, CAP clinician, Past President of Refuge House (local domestic and sexual violence center), Sport Management faculty member at Florida State University, 850-644-4298 (office) 850-212-4646 (cell) reynaud@fsu.edu

Judy Sweet – former NCAA President, former Director of Athletics at UC San Diego, consultant for Alden & Associates, Inc., jmssd@san.rr.com

Kim Oden – former club player, former high school coach, former collegiate athlete, former USA National Team player, kioden@sfhs.com

Jon Lee – USAV Board member, former regional commissioner, attorney, 509-326-1800, JLee@leeisserlis.com

Mike Price - ESIX insurance broker for USA Volleyball, 678-324-3333, mprice@esixglobal.com

Jennifer Waller – ESIX, 678-324-3333, jwaller@esixglobal.com,

Randy Rodebaugh - SSCI background screening for USA Volleyball, 866-996-7412, rrodebaugh@ssci2000.com

Dr. Kristen Dieffenbach- Assistant Professor in Athletic Coaching Education, West Virginia University, 304-293-0847, Kristen.dieffenbach@mail.wvu.edu,

Dr. Larry Lauer - The Institute for the Study of Youth Sport – Michigan State University, lauerl@msu.edu

Marge Mara – Senior Director, USA Volleyball, 719-228-6800, Margie.mara@usav.org

Susan Barkley – Manager, National Database Development, 719-228-6800, susan.barkley@usav.org

USA Volleyball Vision

USA Volleyball (USAV) is the National Governing Body (NGB) for the sport of volleyball in the United States and is recognized as such by the Federation International de Volleyball (FIVB) and the United States Olympic Committee (USOC). The vision of USA Volleyball is to be acknowledged as the world leader in volleyball. In order to accomplish this mission, the following goals are to be achieved:

- **Competitive Success:** To win gold medals in every international competition;
- **Sport Growth:** To achieve full participation in volleyball at all levels and in all geographical areas;
- **Sport Enhancement:** To improve support services necessary for the quality and conduct of programs to ensure recognition as the authority and expert for volleyball;
- **International Representation:** To have influential positions on all international boards and commissions;
- **Recognition:** To receive consistent recognition of volleyball coaches and athletes as top world performers;
- **Administration:** To develop and maintain a structure which will effectively and efficiently assist in achieving the vision and mission of the Corporation; and
- **Finances:** To develop, implement and maintain a financial plan to achieve the vision and mission of the Corporation.

USA Volleyball is committed to and works toward opportunity for all to participate. It is an advocate for all Americans-endeavoring to assure universal access to opportunities at all levels of the game.

Thus USA Volleyball will diligently:

- Work toward provision of ample opportunity, quality opportunity and equality of access for every resident of this diverse nation.
- Act to expand opportunity for under-represented groups and aggressively recruit participation from those groups.
- Make its daily decisions concerning resources, players, coaches, officials, administrators, and employees on the basis of individual merit and excellence of performance regardless of age, class, ancestry, color, national origin, race, religious creed, disability or handicap, gender, or sexual orientation.
- Exercise its corporate will to encourage constituent organizations to act in accordance with the foregoing principles.

USA Volleyball believes that volleyball has so many positive things to offer those who participate. First, and most importantly, whether one is a gifted athlete or a recreational player, volleyball is FUN! It is a lifetime sport enjoyed by players from 8 to 80. Participation in volleyball is not only good exercise, but also involves team cooperation and spirit. We are committed to introducing our sport to all of America.

PROPOSED RECOMMENDATIONS

Over 10 years ago USA Volleyball recognized the importance of instituting safe conduct practices for its sanctioned events, activities and most importantly its youth membership. USAV embarked on a mission to develop a background screening process that would be mandatory for ALL members that have contact with junior participants. This program is now recognized as one of the top background screening programs for amateur sports organizations. In a continuing effort to set the standard for the protection of its members and athletes, USAV has established a new commission for athlete safeguards.

This commission was established to provide recommendations to USA Volleyball on Athlete Safeguards. These recommendations are intended to give USA Volleyball as well as the Regions, Clubs & Leadership additional tools which should help to protect their athletes and coaches. The Commission recommends USA Volleyball consider adding a statement in their vision and goals to reflect their commitment to the safety of their members. The recommendations include a responsible hiring process for coaches, continual age appropriate education for athletes as well as coaches dealing with a variety of issues which impact participants, reporting of unacceptable behavior by those involved with USAV sponsored activities as well as encouraging everyone to be vigilant about protecting USAV members. Information should be posted on the USA Volleyball, Region and Club websites. Additional links can be provided for more information and additional resources (i.e., hiring a new coach, educational material for athletes, stepping up to help others, etc.) This educational effort should be an ongoing process by USA Volleyball through various forms of communication with the membership.

1. SCREENING & ACKNOWLEDGEMENT OF RESPONSIBILITIES

- a. Conduct responsible hiring procedures
 - i. Define/write positions descriptions including functions & qualification (provide template as an example if needed)
 - ii. Obtain written application with signature of completion which includes a request for employment history and 3 reference sources
 - iii. Conduct face-to-face interviews where applicable for potential employees and volunteers working with junior members (see Screening Volunteers to Prevent Child Abuse publication for questions – link below p. 11 / 6)
<http://www.cdc.gov/ncipc/dvp/preventingchildsexualabuse.pdf>
- b. Review USAV sexual abuse and sexual harassment policy by the club director with potential applicant in the pre-employment interview.

- c. Conduct periodic background screenings (including criminal & sex offender registry) as required by the USAV background screening policy or as mandated by each state for anyone associated with a junior team.
- d. Require IMPACT certification prior to beginning the season or as early as possible (online course & exam)
- e. All staff and volunteers associated with USA Volleyball should sign a statement agreeing not to engage in any physical, psychological or sexual abuse or harassment **AND** to accept responsibility to report any suspicion of violations of other personnel (Include this statement in the USA Volleyball membership application form, employee handbook & coaches code of conduct.)

2. EDUCATION & AWARENESS

- a. Continually provide educational materials (via USA publications, electronic newsletters & websites) for administrators, coaches, staff, athletes and parents regarding inappropriate behavior, alcohol and drug abuse, proper athlete conduct including dating/relationship rules, hazing, bullying and other topics of importance in protecting the youth in our organization. (See STEP UP! Program link in resources.)
- b. Provide administrators, coaches, athletes and other personnel with continuing education about how power, dependence, “love” and sexual attraction can influence coach-athlete relationships.
- c. Provide a educational toolkit for administrators, staff, coaches and volunteers on how to respond when an athlete discloses abuse as well as the correct procedure for filing a complaint.
- d. Distribute & discuss age appropriate educational material for all athletes and their parents at the beginning of the season.
 - i. Public service video (use high profile individuals such as current/past national team members or coaches)
 - ii. Power Point presentations on USA Volleyball/Region/Club websites
 - iii. Written material, brochures, etc.
 - iv. Include touching policy guidelines (p. 48, *Risk Management Guide*)
 - v. How to say “no” comfortably (p. 49, *Risk Management Guide*)
- e. Develop and distribute clear rules to coaches, officials and athletes that prohibit coach-athlete dating and/or sexual relationships.
- f. Review resources provided and educate coaches and parents on emotional development of young females and how coach’s actions and behaviors can affect young women both positively & negatively.

3. **INAPPROPRIATE BEHAVIOR**

- a. Formulate a written policy that details inappropriate behavior.
<http://www.cdc.gov/ncipc/dvp/preventingchildsexualabuse.pdf> (p. 15/10)
 - i. The policy should clearly define sexual abuse and harassment and explain the sanctions for sexual harassment including reporting procedures.
 - ii. The policy should include rules that prohibit coach-athlete dating and/or sexual relationships. Specify the length of time that should pass after the cessation of a coach-athlete relationship.
 - iii. Require “two deep” adult involvement in all activities with athletes. This calls for at least two screened adults to be present with athletes and discourage individual contact with athletes such as rides home from practice or competition, practices, meetings held in private rooms, etc. Private lessons may be conducted if a parent is present or another screened adult. This is meant to protect the coach or administrator as well as the athlete.
 - iv. Include disciplinary action and consequences associated with inappropriate behavior.

4. **REPORT OF COMPLAINTS**

- a. Develop a procedure for reporting sexual harassment or abuse allegations.
 - i. Offer athletes, parents, coaches and other personnel multiple avenues to report cases
 - ii. Designate point person(s) for reporting (neutral person outside the team setting), club directors, regional commissioners, or USA Volleyball National Office. Be aware of Child Protective Services mandates in your specific state.
 - iii. Confirm confidentiality & privacy protection of all parties including complainant, witnesses, or those confirming evidence.
 - iv. Explain how informal/formal complaint procedures work
 1. Consider resolution or alternatives to formal hearings and investigations
 - v. Suggest personal counseling (not a substitute for complaint process)
 - vi. Establish time frames for reporting and for complaint procedure
 1. Take immediate action
 2. Timely notifications, advisement, investigation, resolution
 - vii. Assign investigators (outside consultants or law enforcement officials) & provide training with guidelines to ensure proper procedures for a fair and effective investigation.
 - viii. Confirm protection against retaliation

- ix. Refer to legal counsel as necessary (if a claim is made with the insurance company is established, an attorney may be assigned)
 - 1. Involved local authorizes when obligated

5. PRIVACY PROTECTION AND LEGAL RIGHTS

- a. Ensure that procedures for reporting sexual harassment or abuse protect the privacy of all parties involved as much as possible until litigation or administrative hearings have been completed.
 - i. Informal procedures may involve initial discussion of alleged incidents with athletes, clarification of circumstances and perceptions, counseling and resolution accepted by the harassed person without formal hearings and investigations. (This point strengthens the position to have a written reporting procedure which reports directly to the national office and to train ONE individual on how to handle reports with may include law enforcement intervention. Another alternative would be to hire an independent counseling firm to handle reported claims & ESIX would favor this approach)
 - ii. Procedures must protect against retaliation before, during and after a hearing or appeals process. (USAV's policy requires a coach to be made "inactive" until the allegation has been reconciled. ESIX would not suggest the inclusion of an appeal committee, but rather follow the current USAV/SSCI appeal process.)
- b. Coaches or athletes cannot be denied their right to pursue legal redress in a court of law. There are federal and state statutes of limitations involving these rights that might apply.
- c. Keep all information confidential, secure and unbiased.
- d. Refer to legal counsel when necessary

References

- *The Season of Hope – A Risk Management Guide for Youth-Serving Nonprofits* (2004). Patterson, John B. & Oliver, Barbara B.; Nonprofit Risk Management Center, Washington, D.C.
- Preventing Sexual Abuse Within Youth-Serving Organizations: Getting Started on Policies and Procedures <http://www.cdc.gov/ncipc/dvp/preventingchildsexualabuse.pdf>
- Staff Screening Tool Kit: Building a Strong Foundation Through Careful Staffing http://nationalserviceresources.org/files/legacy/filemanager/download/ProgramMgmt/Staff_Screen_tool.pdf
- Little League Baseball Child Protection Program <http://www.littleleague.org/learn/programs/childprotection.htm>

Educational Links

- STEP UP! <http://www.stepupprogram.org/>
- Respect in Sport <http://www.respectinsport.com>
- Safe2Tell <http://www.safe2tell.org>
- Rape, Abuse & Incest National Network (RAINN) <http://www.rainn.org>
- Mom's Team <http://www.momsteam.com/team-of-experts/parents-can-protect-their-children-against-sexual-abuse-in-sports>
- Women's Sports Foundation <http://www.womenssportsfoundation.org/Content/Articles/Issues/Coaching/S/Sexual-Harassment--Sexual-Harassment-and-Sexual-Relationships-Between-Coaches-Other-Athletic-Personn.aspx>
- WomenSport International http://www.sportsbiz.bz/womensportinternational/taskforces/harassment_brochure.htm

CHAMPIONWOMEN

Advocacy for Girls &
Women in Sports

April 2, 2018

Mr. Jamie Davis
CEO USA Volleyball
4065 Sinton Road, Suite 200
Colorado Springs, CO 80907

Nancy Hogshead-Makar
904-384-8484
Internet Address:
Hogshead@ChampionWomen.org

Re: Thank You for Banning Rick Butler from USAV

Dear Mr. Davis,

You may recall hearing from us at Champion Women last year regarding Rick Butler. *Champion Women* has now written 135 letters with supporting materials to as many relevant members of the volleyball community we could muster, to ensure the safety of club, high school, and college athletes.

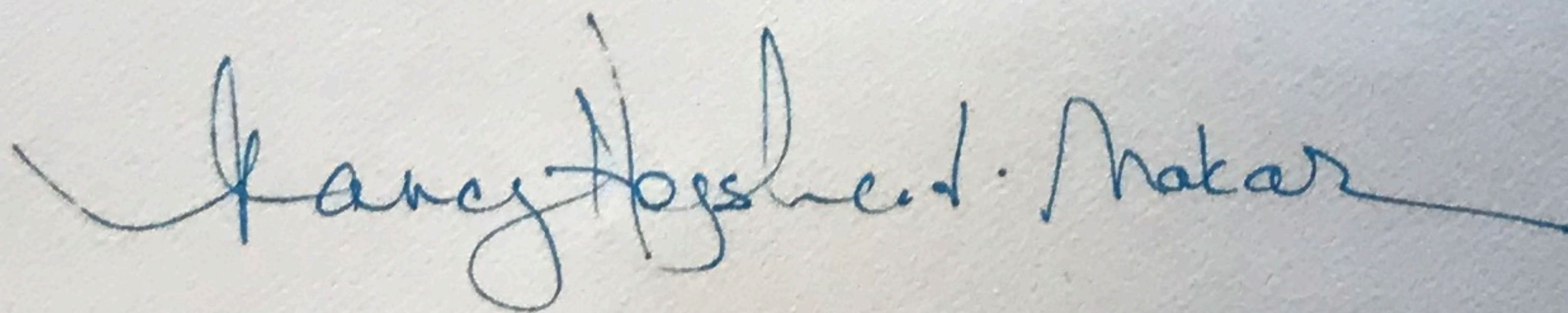
We are reaching out to you today to thank you for banning Rick Butler from volleyball for his sexual predation of young girls. It took a lot to be the first organization to ban him, and we are grateful for your strong commitment to the victims and the safety of all athletes. Thanks to your actions, he is no longer a member of the AAU or the JVA. (Yay!)

We especially appreciate how you disassociated with the AAU and JVA, when their reasons for banning him Rick Butler, and their status conferred upon him, did not signify their serious commitment to the safety of athletes.

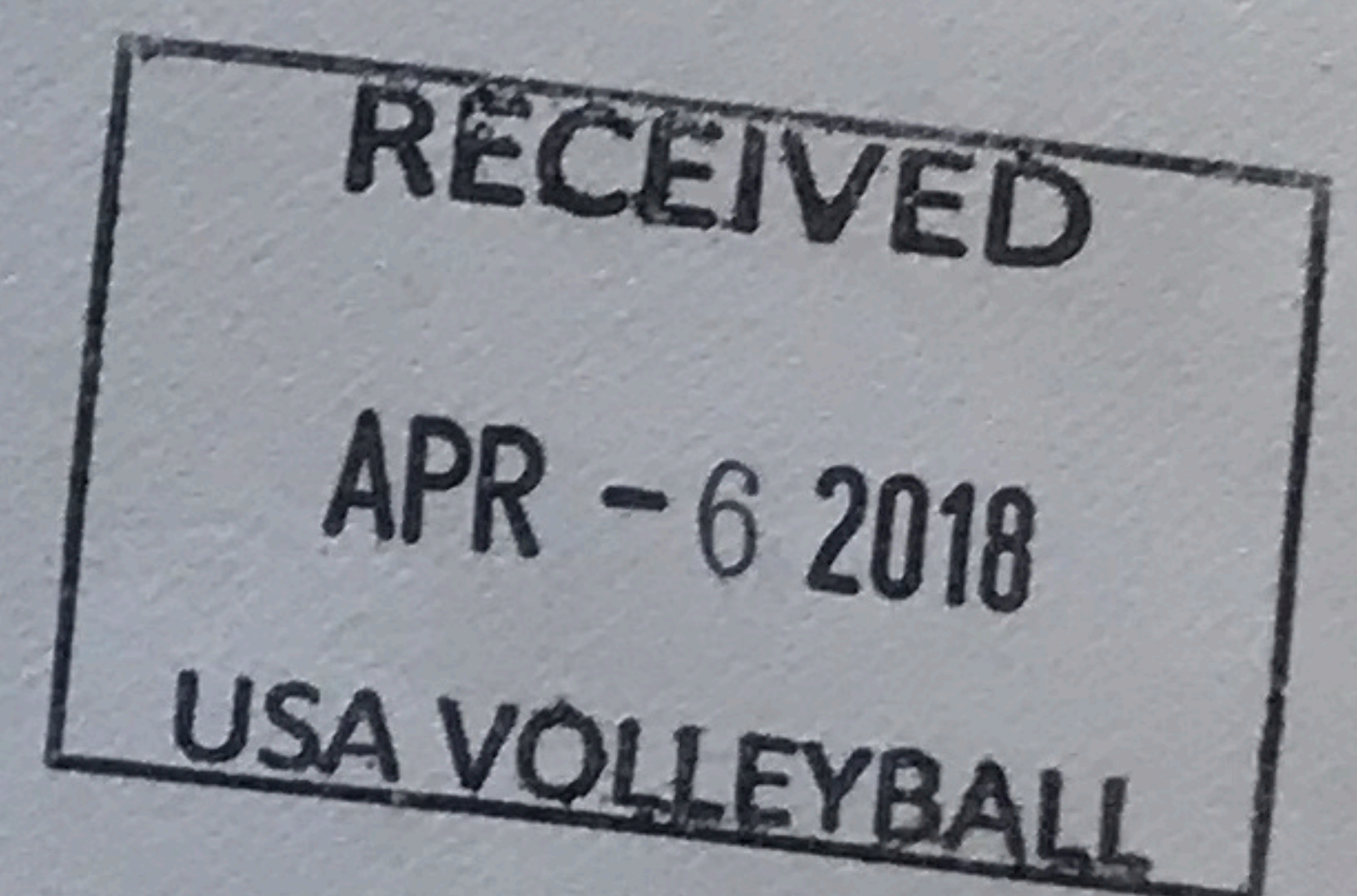
We are optimistic that these efforts will make a difference the next time a sports organization has to make the call to investigate, hold a hearing and ban a member if necessary.

If you need any help with taking further action, please do not hesitate to reach out to us.

Sincerely,



Nancy Hogshead-Makar, J.D.
CEO, Champion Women



uits from FIVB in Itapema and AVP in Austin plus what's next



at's New

