ABILITY360 SPORTS & FINTESS CENTER

SPORT PROTECTION HANDBOOK

ABILITY360 SPORTS & FITNESS CENTER

A Member of Move United

MOVE UNITED MEMBER

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INTRODUCTION:

Ability360 Sports & Fitness Center has adopted the following Sport Protection policies as they relate specifically to Ability360-controlled activities and events, and facilities under Ability360's jurisdiction.

Engaging in sport should be an opportunity for all athletes to have fun and spend time with friends. Sport also encourages a healthy lifestyle, and builds self-confidence. Athletes often do better off the field than those who do not participate in sport. They learn goal-setting, teamwork and time management skills. Athletes are less likely to use cigarettes, drugs and alcohol; they have higher graduation rates and are more likely to attend college.

Unfortunately, sport can also be a high-risk environment for misconduct, including athlete physical and sexual abuse.

All forms of misconduct are intolerable and in direct conflict with the ideals of Ability360. Misconduct may damage an athlete's psychological well-being; athletes who have been mistreated experience social embarrassment, emotional turmoil, psychological scars, loss of self-esteem and negative impacts on family, friends and the sport. Misconduct often hurts an athlete's performance and may cause him or her to drop out of sport entirely.

Ability360 is committed to improving the development and safety of athletes and participants involved in the community we serve. Ability360 publishes this Handbook as a resource to guide Ability360 Sports & Fitness Center's development, implementation and internal review of effective athlete safety and misconduct prevention strategies.

MOVE UNITED RELATIONSHIP

Ability360 Sports & Fitness Center is a chapter member of Move United, and is required to have a written and publicly available Sport Protection Policy that meets the minimum standards of Move United.

Ability360's Sport Protection Policies shall govern individual's responsibilities for this chapter and may include additional or different policies that relate to this specific organization, but such policies may be no less restrictive than those outlined by Move United, or as otherwise required by law. Chapter members are solely responsible for their own compliance with the Protecting Young Victims from Sexual Abuse and Safe Sport Reauthorization Act of 2017 and other applicable state or federal law.

Ability360 may have Participants involved with their organization that are Individual Members of Move United. It is the responsibility of the individual member to adhere to Ability360's policies as well as those of Move United. Violation of either policy by an individual member may be investigated by Move United and may be grounds for penalties, including but not limited to, removal from the individual member program and prohibition of an individual from participating within Move United and its member organizations' activities and programs.

ACTIVITIES OUTSIDE ABILITY360 SPORTS & FITNESS CENTER

Many Participants may find themselves to be additionally involved with other various local and grassroots programs or organizations not under the authority or control of Ability360. The policies

contained in this Handbook govern activities run directly by Abiltiy360 Sports & Fitness Center. However, misconduct by a Covered Individual or a Participant (as defined below), outside of the context of Ability360 Sports & Fitness Center may also be grounds for penalties, including, but not limited to, prohibiting an individual from participating with Ability360 Sports & Fitness Center.

The policies contained in this Handbook apply to Participants and Covered Individuals (defined below), as described herein.

DEFINITIONS

A. Athlete

An individual participating as an athlete in a Ability360 Sports & Fitness event or program. Provided, however, that misconduct by a Participant directed at an "athlete" outside of the context Ability360 programs may also be grounds for Ability360 to restrict a Participant's participation with Ability360 or take other action.

B. Child Abuse

The term "child abuse" has the meaning set forth in Section 203 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341) or any applicable state law.

C. Claimant

The person who is alleged to have experienced conduct that constitutes a Handbook violation.

D. Consent

Consent is (a) informed (knowing), (b) voluntary (freely given), (c) active (not passive). Consent must be demonstrated by clear words or actions, indicating that a person who is legally and functionally competent has indicated permission to engage in mutually agreed-upon sexual activity. Consent to any one form of sexual activity does not automatically imply Consent for any other forms of sexual activity. Previous relationships or prior Consent does not imply Consent to future sexual activity. Once given, Consent can be withdrawn through clear communication. Consent cannot be obtained: (a) by force, (b) by taking advantage of the Incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was Incapacitated, (c) from someone who lacks legal capacity, (d) where a Power Imbalance exists.

1. Force

Force includes (a) the use of physical violence, (b) threats, (c) intimidation, and (d) coercion.

a. Physical violence means that a person is exerting control over another person using physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.

b. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person sporting harm.

c. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).

d. Coercion is the use of an unreasonable amount of pressure to gain intimate and/or sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear their decision not to participate in a form of Sexual Contact or Sexual Intercourse, their decision to stop, or their decision not to go beyond a certain sexual interaction, continued pressure can be coercive. Whether conduct is coercive depends on: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

2. Legal Capacity

Minors cannot Consent to conduct of a sexual nature. While the legal age of Consent varies under state and federal law, the legal age of capacity under this Handbook is 18. A three-year close-in-age exception will be applied to any policy violation between an adult and a Minor, or between two Minors, where there is no Power Imbalance. When the assessment of whether a Participant's conduct violates this Policy depends upon another individual being below a certain specified age, ignorance of their actual age is no defense. Neither shall misrepresentation of age by such person, nor a Participant's bona fide belief that such person is over the specified age, be a defense.

3. Incapacitation

Incapacitation means that a person lacks the ability to make informed, rational judgments about whether to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated because of consuming alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely because of drinking or using drugs. The impact of alcohol and other drugs varies from person to person and is evaluated under the specific circumstances of a matter. A Respondent's being impaired by alcohol or other drugs is not a defense to any violation of this Policy. The Consent construct can also be applied to other forms of non-sexual conduct, such as hazing or other forms of Physical and/or Emotional Misconduct.

E. Covered Individual

Covered Individuals are:

- Ability360 employees
- Ability360 part-time or seasonally contracted coaches/instructors, whether volunteer or paid
- Ability360 Board of Directors
- Ability360 Committee members

- Ability360 Volunteers, not included above, who Ability360 authorizes to have regular contact with athletes and/or minors
- Ability360 contractors, not included above, who Ability360 authorizes to have regular contact with athletes and/or minors
- Any other individual authorized, approved, or appointed by Abiltiy360 to have regular contact with athletes and/or minors

F. Minor or Child

An individual who is, or is believed by the Respondent to be, under the age of 18.

G. Participant

Any individual who is seeking to be, currently is, or was at the time of the alleged Handbook violation:

a. A member or license holder of Abiltiy360;

b. An employee of Ability360;

c. Within the governance or disciplinary jurisdiction of Abiltiy360;

d. Authorized, approved, or appointed by Ability360 to have regular contact with Minor Athletes; and/or

e. A Covered Individual, not otherwise listed herein.

For the purpose of evaluating whether an individual is considered a Participant per this provision, the phrase "currently is" includes the date on which the alleged misconduct was reported to Ability360, through resolution, and including the period(s) of any sanctions imposed.

H. Policy

"Policy" means the Sport Protection Policy within this Handbook.

I. Power Imbalance

A Power Imbalance refers to an unequal distribution of power and authority between individuals.

A Power Imbalance is presumed to exist, but may be rebutted, in (a) any coach-athlete relationship or (b) any other relationship where a Participant has authority or control over another person, is in a position to confer, grant, or deny a benefit or advancement to the person, or is responsible for the physical or psychological well-being of the person.

Once a coach-athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-athlete relationship (regardless of age) and is presumed to continue for Minor Individual Members after the coach-athlete relationship terminates until the athlete reaches 25 years of age.

Examples in which a Power Imbalance may also exist, but is not presumed, include relationships between an athlete and another Participant in positions such as sport specific health-care providers, sport science support staff, care or support persons, sport judges, referees or officials, or when an

Intimate Relationship existed before the sport relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship).

A Power Imbalance may also exist between one person and another based on the totality of the circumstances and depends on several factors, any one of which may be sufficient alone, including but not limited to: the nature and extent of any implied or perceived authority or control; the supervisory, evaluative, or other authority over the person; the actual relationship between the parties; the parties' respective roles; the nature and duration of the relationship; the age of the parties involved; whether there is an aggressor; whether there is a significant disparity in age, size, strength, or mental capacity; seniority; ability; public profile; gender identity or expression; sexual orientation; racial or ethnic identity; national origin; level of physical, intellectual, or other disability.

J. Respondent

A Participant who is alleged to have violated the Handbook.

K. Third-Party Reporter

Reports brought by individuals other than the Claimant are referred to as "third-party reports" and those bringing them are "third-party reporters."

L. Ward

An individual, whether an adult or a minor, who has a legal guardian.

SECTION 1: TRAINING AND EDUCATION

Ability360 requires mandatory reporting of abuse, misconduct and violations of its Handbook by Covered Individuals.

To facilitate reporting, Covered Individuals should have a basic understanding of sexual abuse, as well as "grooming," the most common strategy offenders use to seduce their victims. Using a combination of attention, affection and gifts, offenders select a victim, win the victim's trust (and the trust of the victim's parent or guardian), manipulate the victim into sexual activity, and keep the victim from disclosing abuse. Accordingly, Covered Individuals shall complete awareness training concerning misconduct in sport before performing services for Ability360.

Covered Individuals must successfully complete the training and quiz after the test in order to be eligible to participate with Ability360 has partnered with the Center on SafeSport to provide training through:

http://training.safesport.org
Password: PASSWORD

Covered Individuals are required to take awareness training, or a refresher course, as applicable, every year, the first training to commence no more than 30 day(s) before they have contact with athletes and/or minors in connection with Abiltiy360. In the case of coach/instructor selected to serve camps or events, training must be completed prior to the coach/instructor's participation in Ability360 pre-event training camp.

Training will also be made available annually to minor athletes, subject to parental consent.

SECTION 2: BACKGROUND SCREENING

APPLICANT SCREENING

Covered Individuals must consent to, and pass, a formal screening process before performing services for Ability360 or having contact with athletes or minors in their role with Ability360.

Elements of Ability360 screening process include, as applicable, successful completion of an application, interview, reference check and criminal background check.

EDUCATION ABOUT Ability360'S PROTECTION POLICIES

To deter applicants who may be at risk of abusing athletes or participants from applying for positions, Ability360 educates its applicants about its protection policies and offers applicants an early opt-out by:

- Informing applicants about Ability 360's policies and procedures relevant to prevention
- Asking applicants to review and agree to Ability360's policies and procedures before proceeding with the process
- Requiring applicants to sign a document acknowledging review of Ability360's policies and procedures
- Requiring awareness training before working with athletes, minors, and other Ability360's participants

WRITTEN APPLICATIONS

Each applicant for a position will complete an application form consisting of personal identifying information and a general release with the applicant's signature.

The written application will:

- Ask about previous work and volunteer experiences
- Ask questions intended to elicit information concerning high-risk behaviors
- Provide a written release for contacting personal references, including an indemnification clause
- Ask open-ended questions that encourage broad answers

Following a personal interview, if applicable, Ability360 will:

- Use disclosure statements to ask applicants about criminal arrests, charges or convictions
- Provide a written release for performing a criminal background check, including an indemnification clause
- Provide the applicant's name to Ability360's background check vendor

PERSONAL INTERVIEW

For employee applicants, appropriate staff will interview employee applicants whose experience and credentials are considered a fit for available positions.

In the case of Board and committee applicants, the nominating committee of the Board of Directors will interview applicants whose experience and credentials are considered a fit for available positions.

During this interview, Ability360 will ask questions to encourage discussion, clarify responses and expand on the applicant's answers to questions from the written application.

REFERENCES

References of applicants may be contacted (either by phone, email or in writing) and asked specific questions regarding the applicant's professional experiences, demeanor and appropriateness for involvement with athletes with disabilities, minors, and other Ability360 participants.

RELEASE

Applicants may be required to provide a signed release, consistent with applicable law, that allows references to speak freely about the applicant's qualifications without fear of reprisal and authorizing Ability360 to obtain information concerning an applicant's past employment, volunteer experience and information provided by the applicant during the screening process (i.e., written application and personal interview).

CRIMINAL BACKGROUND DISCLOSURES

Each applicant has the affirmative duty to disclose his or her criminal history. Failing to disclose or intentionally misrepresenting criminal history or any other information provided by an applicant during the screening process is grounds for employment, volunteer and/or membership revocation or restriction, regardless of when the offense is discovered. Furthermore:

- If an applicant is arrested, indicted, charged, has pending charges, pleads guilty or no contest, or is convicted of a crime during the screening process, the applicant is required to disclose such information immediately.
- In the event a person is serving as a Covered Individual and is arrested, indicted, charged, has pending charges, pleads guilty or not contest, or is convicted after the completion of the screening process, he or she has an affirmative duty to disclose such information immediately to his or her supervisor or an Ability360 administrator and the Sport & Fitness Center's Vice President.
- **Any applicant who has been banned by another sport organization, including, without limitation, the U.S. Center for SafeSport or a National Governing Body, as temporarily or permanently ineligible, must self-disclose this information. Failure to disclose is a basis for disqualification of applicants and/or other penalty or restriction.**

CRIMINAL BACKGROUND CHECK POLICY

All Covered Individuals, as defined above, are required to undergo a criminal background check that complies with the Fair Credit Reporting Act **before** providing services for Ability360. Through this criminal background check, Abiltiy360 will utilize reasonable efforts to ascertain past criminal history

of an applicant.

PROCESS

The Criminal Background Check Consent and Waiver Release form must be submitted and the applicant cleared by the third party provider before he or she may perform services for Ability360 or have contact with athletes or minors.

FINDINGS

Notice of criminal background check findings will be provided to:

(1) The designated staff contact at Ability360 that administers applications;
(2) In the case of Board and committees, the chair of the Board Ethics Committee or, if the chair of the Board Ethics Committee, to Abiltiy360 administration;

Ability360's criminal background check report will return a "red light" or "green light" score. A **green light** score means that the background check vendor located no records that would disqualify the applicant. A green light score, however, is not a certification of safety or permission to bypass/ignore other screening efforts. Other disqualifying factors may exist, and can be revealed through an interview, reference checks and a completed application.

A **red light** finding means the criminal background check revealed criminal records that indicate the applicant "does not meet the criteria" and is not suitable for organization employment, volunteer assignment, or other participation with Abiltiy360.

Red lights are any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, including, but 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 any pending criminal charge(s) or warrant(s) for arrest, for the following crimes:

Automatic red lights (automatic disqualification)

(1) Any felony involving:

a. Violence against a person;

b. Violent crimes involving weapons (including armed robbery and aggravated assault with a weapon);

c. Animal abuse or animal neglect.

(2) Any felony or misdemeanor involving:

a. All sexual crimes (excluding only those potential disqualifiers in 3(c) below);

b. Drug use or possession (including the use of drug paraphernalia), within the previous three years;

c. Other drug related crimes including drug distribution, intent to distribute, manufacturing, trafficking, or sale within the previous seven years;

d. Child endangerment, neglect or abuse;

e. Neglect or abuse of an elderly or disabled individual.

(3) A Covered Individual who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to participate with Ability360 in any capacity.

Potential red lights (these crimes shall cause an individual to be subject to review for disqualification, but disqualification is not necessarily automatic)

(1) Other felonies not included in Automatic red lights, above.

(2) Crimes involving vehicular bodily harm;

(3) Other misdemeanors for:

a. Drug-related crimes not covered in Automatic red lights, above;

b. Violence against a person (including crimes involving firearms);

c. Prostitution, indecent exposure, or public indecency;

d. Stalking or harassment;

e. Destruction of property, including arson, vandalism, and criminal mischief;

f. Animal abuse or neglect.

When assessing whether conduct constitutes a red light, Ability360 may assess and rely upon the original charges, amended charges, and those to which a plea was entered.

APPEAL TO CRIMINAL BACKGROUND CHECK VENDOR

Any disqualified individual has the right to dispute the accuracy of the findings of the criminal background check directly with the Ability360's approved Criminal Background Check Vendor. A disqualified individual may not appeal the disqualification or the results of the findings of the criminal background check vendor to Ability360. Ability360 is required by the policy to accept the findings of the approved criminal background check vendor.

Individuals disqualified based on the results of their criminal background check are excluded from participation in any Ability360 sanctioned events and/or activities, and any offer of employment or participation with Abiltiy360 may be rescinded. If the individual is currently participating with Ability360, that individual may be, among other things, terminated, suspended, or banned from participation with Ability360.

FREQUENCY OF CRIMINAL BACKGROUND CHECKS

Criminal background checks will be refreshed every year, or as otherwise required by law, for Covered Individuals who are 18 years of age or older and perform services for Abiltiy360.

AFFIRMATIVE DUTY TO DISCLOSE

If, during the course of employment or participation in Abiltiy360 programs, a Covered Individual is subject to any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, including, but 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 any pending criminal charge(s) or warrant(s) for arrest, it is the duty and responsibility of the Covered Individual to notify the Vice President of the Sports & Fitness Center. Covered Individuals are further required to disclose Other Potentially Disqualifying Factors, below, if such factor becomes applicable while the Covered Individual is involved in Ability360.

OTHER POTENTIALLY DISQUALIFYING FACTORS

Even if an individual passes a criminal background check, other factors may disqualify the individual. An individual may be disqualified and prohibited from providing services for, or otherwise participating with, Ability360 if the individual has:

- Been held liable for civil penalties or damages involving sexual or physical abuse or misconduct
- Been subject to any court order involving any sexual or physical abuse or misconduct, including, but not limited to, a domestic order or protection
- A history with another organization (employment, volunteer, etc.) of complaints of sexual or physical abuse or misconduct
- Been banned by another sport organization, including, without limitation, the U.S. Center for SafeSport or a National Governing Body, as temporarily or permanently ineligible
- Resigned, been terminated or been asked to resign from a position – paid or unpaid – due to complaint(s) of sexual or physical abuse or misconduct
- A history of other behavior that indicates they may be a danger to participants in Ability360 programs; or
- Not met the job requirements

REVIEW OF DISQUALIFIERS

Abiltiy360 will review its disqualifiers every two years or as otherwise required or modified by law.

RECORDS

Records are secured at Ability360 headquarters for a period indicated by applicable law or seven years after the individual is no longer affiliated with Abiltiy360, whichever date is later.

SECTION 3: SPORT PROTECTION POLICY

COMMITMENT TO SAFETY

Overview

Abiltiy360 is committed to creating a safe and positive environment for athletes' physical, emotional and social development and to ensuring that it promotes an environment free of misconduct. Abiltiy360 recognizes that the process for training and motivating athletes will vary with each coach and athlete, but it is nevertheless important for everyone involved in sport to support the use of motivational and training methods that avoid misconduct.

Application

This Sport Protection Policy applies to Covered Individuals, Ability360 athletes, and other Ability360 participants, as discussed below.

PROHIBITED CONDUCT

This section of the Handbook sets forth expectations for Participants related to emotional, physical, and sexual misconduct in sport, including bullying, hazing, and harassment.

The privilege of participation with Abiltiy360 may be limited, conditioned, suspended, terminated, or denied if a Participant's conduct is or was inconsistent with this Handbook and/or the best interest of sport and those who participate in it.

It is a violation of the Handbook and this Policy for a Participant to engage in or tolerate: (1) Prohibited Conduct, as outlined in this Policy; (2) any conduct that would violate any current or previous U.S. Center for SafeSport (the "Center"), Ability360, or chapter standards analogous to Prohibited Conduct that existed at the time of the alleged conduct; or (3) any conduct that would violate community standards analogous to Prohibited Conduct that existed at the time of the alleged conduct, including then applicable criminal and/or civil laws.

Prohibited Conduct also includes:

A. Criminal Charges or Dispositions

B. Child Abuse

C. Sexual Misconduct

D. Emotional and Physical Misconduct, including Stalking, Bullying, Hazing, and Harassment

E. Aiding and Abetting

F. Misconduct Related to Reporting

G. Abuse of Process

H. Other Inappropriate Conduct

I. Violation of Sport Abuse Prevention Policies

A. Criminal Charges or Dispositions

It is a violation of this Policy for a Participant to be subject to a Criminal Charge analogous to Prohibited Conduct or to have or been subject to Criminal Disposition analogous to Prohibited Conduct. When assessing whether a Criminal charge or Disposition is analogous to Prohibited Conduct, Move United may rely upon the underlying allegations, original charges, amended charges, or those to which a plea was entered.

Criminal Conduct is relevant to an individual's fitness to participate in sport. The age of a Criminal Charge or Disposition is not relevant to whether a violation of the Handbook occurred, but may be considered for sanctioning purposes.

1. Criminal Charge

A Criminal Charge includes (1) being arrested and presently subject to bond obligations or conditional release, (2) any pending criminal charge(s), or (3) active warrant(s) for arrest

2. Criminal Disposition

A Criminal Disposition is any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, including, but not limited to: an adjudication of guilt or admission to a criminal violation, a plea to a charge or a lesser included offense, a please of no contest, any plea analogous to an Alford or Kennedy please, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar agreement.

3. Sex Offender Registry

A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to participate in Move United.

B. Child Abuse

It is a violation of this Policy for a Participant to engage in Child Abuse.

C. Sexual Misconduct

It is a violation of this Policy for a Participant to engage in Sexual Misconduct. Sexual Misconduct offenses include, but are not limited to:

1. Sexual or Gender-related Harassment

2. Non-consensual Sexual Contact (or attempts to commit the same)

3. Non-consensual Sexual Intercourse (or attempts to commit the same)

4. Sexual Exploitation

5. Exposing a Minor to Sexual Content/Imagery

6. Sexual Bullying Behavior

7. Sexual Hazing

8. Other Inappropriate Conduct of Sexual Nature

1. Sexual or Gender-related Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (a) and/or (b), below, are present. Sexual harassment includes harassment related to gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (a) and/or (b), below, are present.

a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of any person's employment, standing in sport, or participation in events, sports programs and/or activities; or when submission to or rejection of such conduct is used as the basis for sporting decisions affecting the individual (often referred to as "quid pro quo" harassment); or

b. Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, and/or pervasive such that it interferes with, limits, or deprives any individual of the opportunity to participate in any program or activity. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. Whether a hostile environment exists depends on the totality of known circumstances, including, but not limited to:

i. The frequency, nature, and severity of the conduct;

ii. Whether the conduct was physically threatening;

iii. The effect of the conduct on the Claimant's mental or emotional state;

iv. Whether the conduct was directed at more than one person;

v. Whether the conduct arose in the context of other discriminatory conduct;

vi. Whether the conduct unreasonably interfered with any person's educational or work performance and/or sport programs or activities; and

vii. Whether the conduct implicates concerns related to protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident that is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual contact without Consent, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

2. Nonconsensual Sexual Contact

It is a violation of this Policy for a Participant to engage in Sexual Contact without Consent. Sexual Contact is any intentional touching of a sexual nature, however slight, with any object or body part (as described below), by a person upon another person. Sexual Contact includes but is not limited to: (a) kissing, (b) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts; and (c) making another touch themselves, the Participant, or someone else with or on any of these body parts.

3. Nonconsensual Sexual Intercourse

It is a violation of this Policy for a Participant to engage in Sexual Intercourse without Consent.

Sexual Iintercourse is any penetration, however slight, with any object or body part (as described below), by a person upon another person. Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

4. Sexual Exploitation

It is a violation of this Policy for a Participant to engage in Sexual Exploitation. Sexual Exploitation occurs when a Participant purposely or knowingly:

a. Allows third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images) without Consent of all parties involved in the sexual activity.

b. Records or photographs private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without Consent of all parties in the recording or photo.

c. Engages in voyeurism (e.g., watching private sexual activity or viewing another person's intimate parts when that person would have a reasonable expectation of privacy), without Consent of all parties being viewed.

d. Disseminates, shows or posts images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without prior Consent of the person depicted in the images.

e. Intentionally exposes another person to a sexually transmitted infection or virus without that person's knowledge.

f. Engages in prostituting or trafficking another person.

5. Exposing a Minor to Sexual Content/Imagery

An adult Participant violates this Policy by intentionally exposing a Minor to content or imagery of a sexual nature, including but not limited to pornography, sexual comments, sexual gestures or sexual situations. This provision does not exclude the possibility that similar behavior between adults could constitute Sexual Harassment, as defined in this Policy.

6. Sexual Bullying Behavior

Sexual Bullying Behavior is repeated or severe behavior of a sexual nature that are (a) aggressive, (b) directed at a Minor and (c) intended or likely to hurt, control, or diminish the Minor emotionally, physically, or sexually. Sexually Bulling Behaviors directed at adults are addressed under other forms of misconduct, such as Sexual Harassment or Sexual Hazing.

Sexual Bullying Behavior also includes Bullying Behavior related to an individual or group of individuals because of that individual's or group's actual or perceived sex (including pregnancy, childbirth, breastfeeding, and related medical conditions) gender, sexual orientation, gender identity, or gender expression, even if the acts do not involve conduct of a sexual nature.

Examples of Sexual Bullying Behavior may include, without limitation, ridiculing or taunting that is sexual in nature or based on gender or sexual orientation (real or perceived), gender traits or behavior, or teasing someone about their looks or behavior as it relates to sexual attractiveness.

7. Sexual Hazing

Sexual Hazing is any conduct of a sexual nature that is intended or likely to subject another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, humiliate, degrade, or intimidate the person as a condition of joining or being socially accepted by a group, team, or organization.

Sexual Hazing also includes hazing related to gender, sexual orientation, gender identity, or gender expression, even if the acts do not involve conduct of a sexual nature.

Purported Consent by the person subjected to Sexual Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

8. Other Inappropriate Conduct of a Sexual Nature.

It is a violation of this Policy for a Participant to engage in bullying, hazing, and other inappropriate conduct of a sexual nature, as further defined in the corresponding sections below.

D. Emotional and Physical Misconduct

It is a Handbook violation for a Participant to engage in emotional and/or physical misconduct, when that misconduct occurs within a context that is reasonably related to sport, which includes, without limitation:

1. Emotional Misconduct

2. Physical Misconduct

3. Bullying Behaviors

4. Hazing

5. Harassment.

1. Emotional Misconduct

Emotional Misconduct includes (a) Verbal Acts, (b) Physical Acts, (c) Acts that Deny Attention or Support, (d) Criminal Conduct, and/or (e) Stalking. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

a. Verbal Acts

Repeatedly and excessively verbally assaulting or attacking someone personally in a manner that serves no productive training or motivational purpose.

b. Physical Acts

Repeated and/or severe physically aggressive behaviors, including but not limited to, throwing sport equipment, water bottles or chairs at or in the presence of others, punching walls, windows or other objects.

c. Acts that Deny Attention or Support

Ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Participant from practice.

d. Criminal Conduct

Emotional Misconduct includes any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect).

e. Stalking

Stalking occurs when a person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) to experience substantial emotional distress.

"Course of conduct" means at least two or more acts, in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property.

"Substantial emotional distress" means significant mental suffering or anguish.

Stalking also includes "cyber-stalking," wherein a person stalks another using electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

f. Exclusion

Emotional Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improved Athlete performance. Emotional Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participant's participation.

2. Physical Misconduct

Physical Misconduct is any intentional contact or noncontact behavior that causes, or reasonably threatens to cause, physical harm to another person.

Examples of physical misconduct may include, without limitation:

a. Contact violations

Punching, beating, biting, striking, choking or slapping another; intentionally hitting another with objects, such as sporting equipment; encouraging or knowingly permitting an Athlete to return to play prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional.

b. Non-contact violations

Isolating a person in a confined space, such as locking an Athlete in a small space; forcing an Athlete to assume a painful stance or position for no athletic purpose (e.g., requiring an athlete to kneel on a harmful surface); withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another.

c. Criminal Conduct

Physical Misconduct includes any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault).

d. Exclusion

Physical Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance. For example, hitting, punching and kicking are well-regulated forms of contact in combat sports, but have no place in swimming. Physical Misconduct also does not include conduct reasonably accepted as part of sport and/or conduct reasonably accepted as part of Participant's participation.

3. Bullying Behavior

Repeated and/or severe behavior(s) that are (a) aggressive (b) directed at a Minor, and (c) intended or likely to hurt, control, or diminish the Minor emotionally, physically or sexually. Bullying-like behaviors directed at adults are addressed under other forms of misconduct, such as Hazing and/or Harassment.

Examples of bullying behavior may include, without limitation, repeated and/or severe:

a. Physical

Hitting, pushing, punching, beating, biting, striking, kicking, choking, spitting or slapping, or throwing objects (such as sporting equipment) at another person.

b. Verbal

Ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.

c. Social, including cyberbullying

Use of rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and asking others to do the same.

d. Sexual

Ridiculing or taunting based on gender or sexual orientation (real or perceived), gender traits or behavior, or teasing someone about their looks or behavior as it relates to sexual attractiveness.

e. Criminal Conduct

Bullying Behavior includes any conduct described as bullying under federal or state law.

f. Exclusion

Conduct may not rise to the level of Bullying Behavior if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

4. Hazing

Any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, humiliate, degrade or intimidate the person as a condition of joining or being socially accepted by a group, team, or organization.

Purported Consent by the person subjected to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

Examples of Hazing include:

a. Contact acts

Tying, taping or otherwise physically restraining another person; beating, paddling or other forms of physical assault.

b. Non-contact acts

Requiring or forcing the consumption of alcohol, illegal drugs or other substances, including participation in binge drinking and drinking games; personal servitude; requiring social actions (e.g., wearing inappropriate or provocative clothing) or public displays (e.g., public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water and/or food; restrictions on personal hygiene.

c. Sexualized acts

Actual or simulated conduct of a sexual nature.

d. Criminal acts

Any act or conduct that constitutes hazing under applicable federal or state law.

e. Exclusion

Conduct may not rise to the level of Hazing if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions. Hazing does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

5. Harassment

Repeated and/or severe conduct that (a) causes fear, humiliation or annoyance, (b) offends or degrades, (c) creates a hostile environment (as defined above), or (d) reflects discriminatory bias in an attempt to establish dominance, superiority or power over an individual or group based on age, race, ethnicity, culture, religion, national origin, or mental or physical disability; or (e) any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior. Conduct may not rise to the level of Harassment if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views and/or positions.

Harassment does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Athlete performance.

E. Aiding and Abetting

Aiding and Abetting is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Prohibited Conduct by a Participant. Aiding and Abetting also includes, without limitation, knowingly:

1. Allowing any person who has been identified as suspended or otherwise ineligible by Ability360 to be in any way associated with or employed by an organization affiliated with or holding itself out as affiliated with Abiltiy360;

2. Allowing any person who has been identified as suspended or otherwise ineligible by Abiltiy360 to coach or instruct Participants;

3. Allowing any person who has been identified as ineligible by Ability360 to have ownership interest in a facility, an organization, or its related entities, if that facility/organization/related entity is affiliated with or holds itself out as affiliated with Abiltiy360.

4. Providing any coaching-related advice or service to an Athlete who has been identified as suspended or otherwise ineligible by Ability360;

5. Allowing any person to violate the terms of their suspension or any other sanctions imposed by Abiltiy360. In addition, a Participant also violates this Policy if someone acts on behalf of the Participant to engage in Aiding or Abetting, or if the guardian, family member, or Advisor of a Participant, including Minor Participants, engages in Aiding or Abetting.

F. Misconduct Related to Reporting

1. Failure to Report

An adult Participant who fails to report actual or suspected Sexual Misconduct or Child Abuse to Ability360 and, when appropriate, to law enforcement may be subject to disciplinary action under Abiltiy360's resolution procedures and may also be subject to federal or state penalties.

a. The obligation to report is broader than reporting a pending charge or criminal arrest of a Participant; it requires reporting to Abiltiy360, and law enforcement if applicable, any conduct which, if true, would constitute Sexual Misconduct and/or Child Abuse. The obligation to report to Ability360 is an ongoing one and is not satisfied simply by making an initial report. The obligation includes reporting, on a timely basis, all information of which an adult Participant becomes aware, including the names of witnesses, third-party reporters, and Claimants.

b. The obligation to report includes personally identifying information of a potential Claimant to the extent known at the time of the report, as well as a duty to reasonably supplement the report as to identifying information learned at a later time.

c. Participants should not investigate or attempt to evaluate the credibility or validity of allegations involving Sexual Misconduct and/or Child Abuse. Participants making a good faith report are not required to prove the reports are true before reporting.

2. Intentionally Filing a False Allegation

In addition to constituting misconduct, filing a knowingly false allegation that a Participant engaged in Prohibited Conduct may violate state criminal law and civil defamation laws. Any person making a knowingly false allegation in a matter over which Ability360 exercises jurisdiction shall be subject to disciplinary action by Ability360.

a. An allegation is false if the events reported did not occur, and the person making the report knows the events did not occur.

b. A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds for a Handbook violation.

3. Retaliation

Retaliation against anyone for engaging in Abiltiy360's processes is prohibited. A Participant, someone acting on behalf of a Participant, a chapter, Ability360, or anyone subject to the Handbook, shall not take an adverse action against any person for making a good faith report of a possible Handbook violation to Abiltiy360 or other relevant organization as identified herein or for participating in any process under this Handbook.

Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in Ability360's processes when the action is reasonably related to the report or engagement with Ability360. Retaliation may be present even where there is a finding that no violation occurred. Retaliation does not include good-faith actions lawfully pursued in response to a report of a Handbook violation.

G. Abuse of Process

A Participant, or someone acting on behalf of a Participant, commits Abuse of Process by engaging in conduct which does, or is likely to, directly or indirectly abuse or interfere with Ability360's process. The following conduct constitutes Abuse of Process:

a. Falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;

b. Destroying or concealing information;

c. Attempting to discourage an individual's proper participation in, or use of, Ability360's processes;

d. Harassing or intimidating (verbally or physically) any person involved in Ability360's processes before, during, or following proceedings;

e. Publicly disclosing a Claimant's identifying information;

f. Failing to comply with a Temporary Measure, Sanction, or term of a Conditional or Alternative Resolution;

g. Distributing or otherwise publicizing confidential materials, except as required by law or as expressly permitted by Ability360;

h. Influencing or attempting to influence another person to commit Abuse of Process;

i. Having another individual take any part of or complete any Ability360-required training for them;

j. Using unreasonable pressure in an attempt to compel an individual to participate in Ability360's processes when the individual has made clear their decision not to participate or to stop participating;

k. Surreptitiously recording any part or stage of Ability360's process, including but not limited to: interviews, Temporary Measures hearings, and arbitrations;

l. Interfering in, attempting to interfere in, or attempting to influence the outcome of any Ability360's investigation, hearing, or process; or

m. Any other conduct which is likely to or does directly or indirectly abuse or interfere with the Ability360's process.

A Participant violates this provision if someone acts on behalf of the Participant and engages in any of the above conduct, including the guardian or family member of a Minor Participant. In such a case, the Participant and, if the party acting on behalf of the Participant is also a Participant, that person may be Sanctioned.

H. Other Inappropriate Conduct

1. Intimate Relationship

An adult Participant violates this Policy by engaging in an intimate or romantic relationship where a Power Imbalance exists. An Intimate or Romantic relationship is a close personal relationship—other than a familial relationship—that exists independently and outside of the sport relationship. Whether a relationship is intimate is based on the totality of the circumstances, including: regular contact and/or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties' emotional connectedness, the exchange of gifts, ongoing physical and/or intimate contact and/or sexual activity, identity as a couple, the sharing of sensitive personal information, and/or intimate knowledge about each other's lives outside the sport relationship.

2. Intentional Exposure of Private Areas

An adult Participant violates this Policy by intentionally exposing breasts, buttocks, groin, or genitals, or induces another to do so, to an adult where there is a Power Imbalance, or to a Minor.

3. Inappropriate Physical Contact

An adult Participant violates this Policy by engaging in inappropriate physical contact with a Participant where there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally:

a. touching, slapping, or otherwise contacting the buttocks or genitals of a Participant;

b. excessively touching or hugging a Participant;

c. kissing a Participant.

A Minor Participant violates this provision by engaging in Inappropriate Physical Contact with another person without Consent. Such inappropriate contact includes, but is not limited to, intentionally touching, slapping, or otherwise contacting the buttocks, genitals, or breasts of another, whether clothed or unclothed.

4. Sex Offender Registry

A Participant who is currently on any state, federal, territorial, or tribal sex offender registry is ineligible to participate with Abiltiy360 in any capacity.

I. Violation of Sport Abuse Prevention Policies

It is a violation of this Handbook for a Participant to violate any provisions of the Sport Abuse

Prevention Policies or other proactive policies adopted by Ability360. Pro-active policies set standards for professional boundaries, minimize the appearance of impropriety, and have the effect of preventing boundary violations and prohibiting grooming tactics.

VIOLATIONS

Violations of the Sport Protection Policy shall be reported pursuant to Ability360's Reporting Policy and will be addressed under its Disciplinary Rules and Procedure.

SECTION 4: ATHLETE ABUSE PREVENTION POLICIES

SUPERVISION OF ATHLETES AND PARTICIPANTS

During training and competition, Ability360 strives to create two-deep leadership and minimize one-on-one interactions to create a safe training environment and to protect athletes and participants. Two-deep leadership means a minimum of two adult Covered Individuals, or one Covered Individual and the parent/guardian of the relevant athlete, are present when working with an athlete.

For purposes of this Section 4, "ward" means an individual, whether an adult or a minor, who has a legal guardian.

Covered Individuals are required to abide by these Athlete Abuse Prevention Policies at all Abiltiy360-controlled activities and events, and facilities under Ability360's jurisdiction (to mean facilities owned and controlled by Ability360).

APPROPRIATE ONE-ON-ONE INTERACTIONS

One-on-one interactions between a minor/ward athlete and a Covered Individual (who is not the athlete's parent or guardian) are permitted only if they occur at an observable and interruptible distance by another adult, as described in "Individual Care or Support Session," or in emergency circumstances.

Monitoring. When one-on-one interactions between Covered Individuals and minor/ward athletes occur at Ability360 events, other Covered Individuals will monitor these interactions. Monitoring includes: knowing that the one-on-one interaction is occurring, the approximate planned duration of the interaction, and randomly dropping in on the one-on-one.

Out-of-program contacts. Covered Individuals are prohibited from interacting one-on-one with unrelated minor/ward athletes in settings outside of the Ability360 programs that are not observable and interruptible (including, but not limited to, one's home and individual transportation), unless parent/legal guardian consent is provided for each out-of-program contact. Nonetheless, such arrangements are strongly discouraged.

Individual Meetings

An individual meeting may be necessary to address an athlete's concerns, training program or competition schedule. Under these circumstances, Covered Individuals are to observe the following guidelines.

- Any individual meeting should occur when others are present and where interactions are at an observable and interruptible distance by another adult.
- Where possible, an individual meeting should take place in a publicly visible and open area, such as the corner of a field of play or preparation area.
- If an individual meeting is to take place in an office, the door should remain unlocked and open, and any windows must be uncovered.

Individual Training Sessions

An individual training session(s) with a minor/ward athlete may also be desired or necessary. Under these circumstances, written permission of a minor/ward athlete's parent or guardian is required in advance of the individual training session(s), and Ability360 encourages parents and guardians to attend the training session. Individual training sessions should be observable and interruptible by another adult at all times.

Individual Care or Support Sessions

Athletes with disabilities may require additional care or support sessions that should be administered in a private setting. Written permission of the athlete, or a ward athlete's parent or guardian, if applicable, is required in advance of such individual care or support session(s), and sessions must be conducted in compliance with this Handbook and any other applicable Ability360 policies or protocols. Individuals providing such care must have any required license(s) and must notify, if at all possible, a Covered Individual on location before any individual care or support session takes place. Such individual care or support sessions may include:

- Toileting
- Diapering
- Assistance in changing between clothing and sports equipment

PROHIBITED ONE-ON-ONE INTERACTIONS

Except as set forth above, minor/ward athletes and participants will not be left unattended or unsupervised during Ability360 activities, including being left alone during practice time, and Abiltiy360 Covered Individuals are prohibited from being alone with an individual minor/ward athlete or participant in any room or building.

VIOLATIONS

Violations of this policy must be reported to Ability360 pursuant to its Reporting Policy. Violations will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary or permanent suspension. **Some violations may constitute physical or sexual abuse that must be reported to appropriate law enforcement authorities.**

PHYSICAL CONTACT WITH ATHLETES

Appropriate physical contact between athletes and coaches is a productive and inevitable part of sport. Athletes are more likely to acquire advanced physical skills and enjoy their sport participation through appropriate physical contact. Especially in adaptive sports, athletes may require physical assistance with equipment and movement. However, guidelines for appropriate physical contact reduce the potential for misconduct in sport.

APPROPRIATE PHYSICAL CONTACT

Ability360 adheres to the following principles and guidelines in regards to physical contact with our athletes.

Common Criteria for Appropriate Physical Contact

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

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

Safety

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

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

Celebration

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

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

Consolation

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

- putting an arm around an athlete while verbally engaging them in an effort to calm them down ("side hugs")

PROHIBITED PHYSICAL CONTACT

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

- massages or rubdowns
- asking or having an athlete sit in the lap of a Covered Individual
- lingering or repeated embraces of athletes that go beyond the criteria set forth for acceptable physical contact
- slapping, hitting, punching, kicking or any other physical contact meant to discipline, punish or achieve compliance from an athlete
- "cuddling" or maintaining prolonged physical contact during any aspect of training, travel or overnight stay
- playful, yet inappropriate contact that is not a part of regular training (e.g., tickling or "horseplay" wrestling)
- continued physical contact that makes an athlete obviously uncomfortable, whether expressed or not
- any contact that is contrary to a previously expressed personal desire for decreased or no physical contact, where such decreased contact is feasible in a competitive training environment;
- physical conduct in violation of Section 3, the Sport Protection Policy, of this Handbook.

VIOLATIONS

Violations of this policy must be reported to Ability360 pursuant to its Reporting Policy. Violations will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary or permanent suspension. **Some violations may constitute physical or sexual abuse that must be reported to appropriate law enforcement authorities.**

ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA POLICY

As part of Ability360's emphasis on athlete safety, all electronic communications between a Covered Individual and athlete must be professional in nature and for the purpose of communicating information about team activities. The concept of two-deep leadership extends into cyber space. There should be no one-one-one online or digital activities between a Covered Individual and a minor/ward athlete.

Electronic communication with a minor/ward athlete should copy the athlete's parent or guardian. If a minor/ward athlete communicates to the Covered Individual privately first, said Covered Individual should copy the athlete's parent or guardian on the response.

SOCIAL MEDIA PLATFORMS

Coaches may not "friend" or "follow" Ability360 athletes through the coach's personal social media page(s) or account(s). Athletes may friend the official Ability360 page. Covered Individuals with authority over minor athletes are not permitted to maintain private social media connections with unrelated minor athletes and such Covered Individuals are not permitted to accept new personal page requests on social media platforms from athletes who are minors, unless the Covered Individual has a fan page, or the contact is deemed as celebrity contact vs. regular contact. Existing social media connections on personal pages with minor athletes shall be discontinued.

INSTANT MESSAGING, FACEBOOK MESSAGING, DIRECT MESSAGING, AND SIMILAR MEDIA

Coaches and athletes may "follow" each other. Coaches cannot "re-tweet" athlete message posts without permission of the athlete, or in the case of minors or wards, their parent or guardian. Coaches should use best judgment and professionalism in the content of their public media posting.

All direct posts and messaging between coach and athlete must be for the purpose of communicating information about team activities and shall copy parents/guardians as required herein.

EMAIL, TEXTING, AND SIMILAR ELECTRONIC COMMUNICATIONS

Athletes and coaches may use email or texting to communicate. All email content between coach and athlete must be professional in nature and for the purpose of communicating information about team activities. Parents or guardians must be copied on communications from a Covered Individual to a minor/ward athlete. Where the Covered Individual is a staff member, emails to any athlete should come from the Ability360 email service (the coach's return email address will contain "@Ability360.org"). Communications to an entire team need not be copied to all parents or guardians but must at a minimum be copied to another Covered Individual.

ELECTRONIC IMAGERY

From time to time, digital photos, videos of practice or competition, and other images of athletes – individually or in groups – may be taken by individuals designated by Ability360 specifically for that purpose. These photos and/or videos may be submitted to local, state or national publications, used in Ability360 videos or publications, posted on the Ability360 or Ability360 associated websites or offered to the Ability360 athlete families seasonally on disc or other electronic form. Such imagery must be appropriate and in the best interest of the athlete and Ability360. Imagery must not be contrary to any rules as outlined in Ability360's Sport Protection Handbook or other applicable Ability360 policies.

REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS OR IMAGERY

The athlete, or the parents or guardians of a minor/ward athlete may request, in writing, that their child/ward not be contacted by any form of electronic communication by coaches, and/or that photography or videography of their athlete not be taken or shared. Ability360 will abide by all such requests, absent emergency circumstances.

MISCONDUCT

Social media and electronic communications can also be used to commit misconduct (e.g., emotional, sexual, bullying, harassment and hazing). Such communications by Covered Individuals or other Ability360 participants will not be tolerated and are considered violations of this Handbook.

VIOLATIONS

Violations of this policy must be reported to Ability360 pursuant to its Reporting Policy. Violations will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary or permanent suspension. **Some violations may constitute physical or sexual abuse that must be reported to appropriate law enforcement authorities.**

LOCKER ROOMS AND CHANGING AREAS

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

FACILITIES

Ability360 hosts camps and training sessions for athletes at third party locations throughout the year and for various sports activities.

These locations may have a changing area, locker room, or bathroom that is shared with the general public. As such, there are likely to be people who are not associated with Ability360 at these locations. **Covered Individuals are nevertheless required to abide by the Athlete Abuse Prevention Policies at such locations**.

The facilities may differ from location to location. We will work with the local host location to provide as much information about the locker room, bathroom and changing areas as early as possible, and post that information as soon as it is available.

MONITORING

Ability360 has staggered practices, with different groups arriving and departing throughout the day. While Ability360 does not generally post staff members inside or at the doors of the locker rooms and changing areas, staff members do make occasional sweeps of these areas. Staff members conduct these sweeps, with women checking on female-designated areas and men checking on male-designated areas. Coaches and staff make every effort to recognize when an athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, will check on the athlete's whereabouts.

Ability360 discourages parents from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent. If this is necessary, parents should let an Ability360 coach or staff person on site know about this in advance.

If an athlete needs assistance with his or her uniform or gear or an athlete's disability warrants assistance, then Ability360 asks that parents or guardians let an on-site coach or an administrator know beforehand that he or she will be helping the athlete, and when. However, parents must still abide by all Abiltiy360 policies regarding use of locker rooms, bathrooms, and changing areas, they may not be alone with unrelated athletes in such areas, and must abide by restrictions regarding female- and male-designated areas.

MIXED-GENDER TEAMS

Ability360 teams consists of athletes of different genders. Privacy rights must be given consideration and appropriate arrangements made. Where possible, Abiltiy360 has the male and female players dress/undress in separate locker rooms and then convene in a single meeting space before the training session or team meeting. Once the event is finished, the athletes may come to one meeting room and then the male and female players proceed to their separate dressing rooms to undress and shower (separately), if available. If separate locker rooms are not available, then the athletes will take turns using the locker room to change.

USE OF CELL PHONES AND OTHER MOBILE RECORDING DEVICES

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras increase the risk for different forms of misconduct in locker rooms and changing areas. As a result, **THERE WILL BE NO USE OF A DEVICE'S RECORDING CAPABILITIES IN THE LOCKER ROOMS OR CHANGING AREAS**. Such devices should be left outside of the locker room in a secure area, vehicle or checked with a coach or adult volunteer.

ONE-ON-ONE INTERACTIONS

Except for athletes on the same team, at no time are unrelated Covered Individuals permitted to be alone with a minor/ward athlete in a locker room or changing, except under emergency circumstances.

If Abiltiy360 is using a facility that only has a single locker room or changing area, we will designate separate times for use by Covered Individuals, if any.

UNDRESS

Under no circumstances shall an unrelated Covered Individual intentionally expose his or her breasts, buttocks, groin, or genitals to an athlete.

VIOLATIONS

Violations of this policy must be reported to Ability360 pursuant to its Reporting Policy. Violations will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary or permanent suspension. **Some violations may constitute physical or sexual abuse that must be reported to appropriate law enforcement authorities.**

TRAVEL

Ability360 has established policies to guide our travel, minimize one-on-one interactions and reduce the risk of misconduct. Adherence to these travel guidelines will increase athlete safety and improve the competitive experience while keeping travel a fun and enjoyable experience.

LOCAL AND GROUP TRAVEL

Abiltiy360 distinguishes between travel to training, practice and local competition ("local travel"), and group travel involving a coordinated overnight stay ("group travel").

Local Travel

Local travel occurs when Ability360 does not sponsor, coordinate or arrange for travel. For local travel, athletes or their parents/guardians (for minor athletes) are responsible for making all travel arrangements. In these instances, it is the responsibility of the athlete or their parents/guardians (for minor/ward athletes) to ensure the person transporting the athlete maintains all safety and legal requirements, including, but not limited to, a valid driver's license, proper insurance, well maintained vehicle and compliance with all state laws.

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

Covered Individuals who also are an athlete's parent or guardian may provide transportation for their own athlete without restriction, but must still comply with the requirements above with respect to all other athletes. We encourage parents and guardians to pick up their athlete first and drop off their athlete last in any shared or carpool travel arrangement. We also recommend completing a shared travel declaration form signed by the parents/guardians of any minor/ward athlete who is being transported as part of such a carpool arrangement.

Group Travel

Group travel is overnight travel that occurs when Ability360 sponsors, coordinates or arranges for travel so that its athletes can train or compete locally, regionally, or nationally. Because of the greater distances, coaches, staff, volunteers and chaperones will often travel with the athletes. However, no Covered Individual will engage in team travel without the proper safety requirements in place, including valid drivers' licenses, proper insurance, well-maintained vehicles and compliance with all state laws.

Ability360 makes efforts to provide adequate supervision through coaches and other adult chaperones on groups with minor/ward athletes. Ability360 policy dictates a maximum ratio of nine minor/ward athletes to one chaperone on trips and away camps.

For group travel, hotels and air travel will be booked in advance by Ability360. Athletes will share rooms, with 2-4 athletes assigned per room depending on accommodations. Ability360 will notify hotel

management should any special arrangements be warranted. For instance, we will ask hotels to block pay per view channels and remove mini-bars. Ability360 will request an additional large room or suite so that our members and athletes may socialize as a group. Meetings do not occur in hotel rooms, and we will reserve a separate space for coaches and athletes to socialize. Meetings shall be conducted in accordance with Ability360's policies regarding one-on-one interactions (i.e. all meetings shall be observable and interruptible, among other requirements). When doing room checks, attending team meetings and/or other activities, two-deep leadership (two Covered Individuals should be present) and observable and interruptible environments should be maintained.

For minor/ward athletes, Ability360 permits family members to stay at the hotel. We encourage all athletes to call parents and guardians regularly and allow for any unscheduled calls by either the athlete or parent/guardian.

Group travel policies must be signed and agreed to by all athletes, parents, and Covered Individuals traveling with Ability360. Covered Individuals who travel with the organization must successfully pass a background check and other screening requirements consistent with Ability360's policies.

Please note that regardless of the location of the event, Ability360 policies on providing alcohol to minors follows U.S. law, and parents and guardians are expected to adhere to this policy, especially when staying near or with the group. No parent should provide alcohol to minors during Ability360 travel. Violations of this policy will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including, but not limited to, temporary or permanent suspension from competition or participation with Ability360.

TRAVEL NOTIFICATION

When possible, Abiltiy360 will provide reasonable advance notice of details before group travel. Notice will include the dates, location and duration of competition. Travel notice also will include designated group hotels for overnight stays, as well as a contact person within Ability360. For minors and wards, this individual will be the point of contact to confirm your intention to travel and to help with travel details.

For minor/ward athletes, Ability360 will distribute specific travel itineraries when they become available. These will include a more detailed, hour-by-hour itinerary, as well as contact information for group travel chaperones.

MIXED-GENDER AND MIXED-AGE TRAVEL

Ability360 groups are sometimes made up of male and female athletes across various ages. Athletes will only share a room with other athletes of the same sex and age group. Athletes will be grouped by age and sex for the purposes of assigning an appropriate chaperone. Ability360 will make every effort to provide these groups at least one chaperone of the same sex.

Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with an athlete (unless the coach is the parent, guardian, sibling or spouse of that particular athlete). Where an adult is registered both as a coach and an athlete member of a Ability360 group or camp, and is functioning primarily as a coach, he or she may share sleeping arrangements with another registered coach.

COACH AND STAFF RESPONSIBILITIES

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

If a coach or staff member transports an athlete or other organization member in their private car or a vehicle rented or owned by ABILITY360 for group travel, a copy of the coach's or staff member's valid driver's license, vehicle registration and proof of insurance is required and must be on file with Ability360 in advance.

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

a. prepare athletes for group travel and make athletes aware of all expectations.
b. familiarize themselves with all travel itineraries and schedules before the initiation of group travel
c. conform to, and monitor for others' adherence, the Sport Protection Policy and all policies during group travel
d. encourage athletes to participate in regular, at least daily, scheduled communications with their parents/guardians, if applicable
e. help athletes be on time for all group commitments (as possible)
f. assist with group travel logistical needs (as possible)
g. support chaperones and/or participate in the monitoring of athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
h. ensure athletes are complying with hotel room restrictions based on gender or age bracket requirements
i. make certain that athletes are not alone in a hotel room with any adult apart from a family member; this includes coaches, staff and chaperones
j. not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their coaching duties
k. immediately report any concerns about physical or sexual abuse, misconduct, or policy violations
l. notify parents before taking any disciplinary action against a minor athlete if the athlete is traveling without his or her parents
m. immediately address and report any concerns about sexual and physical abuse, misconduct or policy violations as required under this Handbook and applicable law.

CHAPERONE RESPONSIBILITIES

Chaperones accompany group travel to ensure that the athletes, coaches, staff and volunteers adhere to the Ability360's policy guidelines. While these include the travel policy, it also includes all other relevant policies contained in Ability360's Sport Protection Handbook.

Chaperones must have undergone a criminal background check and awareness training, as outlined in this Handbook.

If a chaperone will be operating a private car for group travel, a copy of the chaperone's valid driver's license, vehicle registration and proof of insurance is required and must be on file with Ability360.

Chaperones will monitor the activities of all coaches, staff members, volunteers and athletes during group travel. Specifically, chaperones will:

a. familiarize themselves with all travel itineraries and schedules before group travel
b. encourage athletes to participate in regular, at least daily, scheduled communications with their parents/guardians, as applicable
c. help athletes be on time for all group commitments (as possible)
d. assist coaches, staff and other volunteers with group travel logistical needs (as possible)
e. monitor athletes for adherence to curfew restrictions set based on age and competition schedule as listed in travel itinerary
f. ensure athletes comply with hotel room restrictions based on gender or age bracket requirements
g. not use drugs or alcohol in the presence of minors or be under the influence of alcohol or drugs while performing their chaperone duties
h. make certain that athletes are not alone in a hotel room with any adult, including coaches, staff and chaperones, apart from a family member or guardian
i. immediately address and report any concerns about sexual and physical abuse, misconduct or policy violations as required under this Handbook and applicable law.

VIOLATIONS

Violations of this policy must be reported to Ability360 pursuant to its Reporting Policy. Violations will be addressed under the Disciplinary Rules and Procedure and may result in the sanctions as set forth therein, including temporary or permanent suspension. **Some violations may constitute physical or sexual abuse that must be reported to appropriate law enforcement authorities.**

SECTION 5: RESPONDING TO ABUSE, MISCONDUCT AND POLICY VIOLATIONS

REPORTING POLICY

REPORTING

Note: Nothing in this policy shall be construed to require a victim of child abuse or other misconduct to self-report.

No one should investigate suspicions or allegations of child abuse or other Prohibited Conduct, or attempt to evaluate the credibility or validity of allegations as a condition of reporting to Ability360 or to appropriate authorities.

A. Reporting Requirements related to:

1. Child Abuse

A Covered Individual who learns of information and reasonably suspects that a child has suffered an incident of child abuse, including sexual abuse, shall immediately make a report of the suspected abuse to *both* Law Enforcement and Ability360:

a. Law Enforcement

i. The agency designated by the Attorney General, consistent with federal requirements set forth in section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).

ii. Any applicable state law enforcement agencies.

Learn more about this requirement by visiting:

https://www.childwelfare.gov/topics/responding/reporting

b. Ability360

i. By Phone at (480) 386-4566, during regular business hours (Monday-Friday, 9:00 AM MT – 5:00 PM MT.)

ii. Directly to the Ability360 Incident Review Official: Gus LaZear

Reporting such conduct to Ability360 does not satisfy an Adult Participant's obligation to report to law enforcement or other appropriate authorities consistent with section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).

2. Sexual Misconduct

Ability360 eencourages *anyone* who experiences or becomes aware of an incident of Sexual Misconduct involving a Participant to immediately report the incident to Ability360 (and/or to law enforcement if the matter involves possible criminal conduct).

Covered Individuals ***must*** promptly report possible Sexual Misconduct directly to Ability360 whenever such Participants become aware of conduct that could constitute Sexual Misconduct.

3. Emotional and Physical Misconduct

Covered Individuals are required to report to Abiltiy360 any emotional and physical misconduct (including bullying, stalking, hazing, and harassment) prohibited under this Handbook, and violations of other proactive policies. Reports can be made to:

a. Law Enforcement

i. The agency designated by the Attorney General, consistent with federal requirements set forth in section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).

ii. Any applicable state law enforcement agencies.

Learn more about this requirement by visiting:

https://www.childwelfare.gov/topics/responding/reporting

b. Ability360

i. By Phone at (480) 386-4566, during regular business hours (Monday-Friday, 9:00 AM MT – 5:00 PM MT.)

ii. Directly to the Ability360 Incident Review Official: Gus LaZear

Reporting such conduct to Ability360 does not satisfy an Adult Participant's obligation to report to law enforcement or other appropriate authorities consistent with section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341).

4. Other Misconduct and Abuse of Disabled Individuals

Covered Individuals are required to report to Abiltiy360 all other Prohibited Conduct or Handbook violations. **Covered Individuals may also be required to report abuse of disabled individuals to a state agency in certain jurisdictions.**

B. Anonymous Reports

Reports may be made anonymously to Ability360. Anonymity means Ability360 will not know the personally identifying information of the reporter. It does not mean that the underlying information will be protected. However, an anonymous report may limit Ability360's ability to investigate and respond to a report, and if an Adult Participant reports anonymously, it may not be possible for Abiltiy360 to verify that mandatory reporting obligations have been satisfied. *Consequently, Ability360 strongly encourages Covered Individuals to provide their name and contact information when reporting.*

C. Confidentiality for Third-Party Reporters

Unless necessary to Abiltiy360's investigation or resolution of a matter, Ability360 does not disclose a Third-Party Reporter's personally identifying information.

D. Reporting Options for Claimants

A Claimant may choose to make a report to Ability360 to pursue resolution under these procedures and may also choose to make a report to law enforcement and/or pursue available civil or administrative remedies. A Claimant may pursue one, some, or all of these options at the same time.

A Claimant who wishes to pursue criminal action in addition to, or instead of, making a report under these procedures should contact law enforcement and/or legal counsel directly.

E. Claimant's Request for Anonymity

A Claimant may request that personally-identifying information not be shared with a Respondent. Ability360 will seek to honor the Claimant's request(s) if it is possible to do so while also protecting the health and safety of the Claimant and the sporting community.

If the Claimant's request for anonymity can be honored

If Ability360 determines a Claimant's request that personally-identifying information not be shared with Respondent can be honored, the Center may take other appropriate steps designed to eliminate the reported conduct, prevent its recurrence, and remedy its effect on the Claimant and sporting community. Those steps may include offering appropriate remedial measures to the Claimant, providing targeted training or prevention programs, and/or providing or imposing other remedies tailored to the circumstances as a form of alternative resolution.

If the Claimant's request for anonymity cannot be honored

If Ability360 determines it cannot honor a Claimant's request(s) that personally-identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no disciplinary action be taken, Ability360 may direct appropriate actions, which may include, without limitation: (i) imposing a no contact directive or other temporary measure; (ii) initiating an investigation; and (iii) arranging, imposing, or extending any other appropriate remedial and/or protective measures.

In such cases, Ability360 will make reasonable efforts to protect the privacy of the Claimant. However, actions that may be required as part of any investigation will involve speaking with the Respondent and others who may have relevant information, in which case the Claimant's identity may have to be disclosed. In such cases, Ability360 will notify the Claimant that Ability360 intends to proceed with an investigation, but the Claimant is not required to participate in the investigation or in any other actions taken by Ability360.

F. Privacy

Ability360 is committed to protecting the privacy of all individuals involved in the investigation and resolution of reported allegations. With respect to any report under these procedures, Abiltiy360, in its discretion, will make reasonable efforts to protect the privacy of individuals involved in Ability360s process, while balancing the need to gather information to assess a report and to take steps to eliminate Prohibited Conduct.

Information will be shared as necessary with Ability360 staff and counsel, witnesses, and the parties. It may also be necessary for Ability360 to notify law enforcement of an allegation of misconduct.

Parental/Guardian Notification

The Center reserves the right to notify guardians of Claimants regarding any health or safety risk.

HOW REPORTS ARE HANDLED

Suspicions or Allegations of Child Physical or Sexual Abuse and Abuse of Disabled Persons

***Ability360 w*ill report all suspicions or allegations of child physical or sexual abuse to appropriate law enforcement authorities. Ability360 will also report abuse of disabled persons to law enforcement as required by law or on its own initiative. Ability360 will not attempt to evaluate the credibility or validity of the allegations as a condition for reporting to appropriate law enforcement authorities**. As necessary, however, Ability360 may ask a few clarifying questions of the person making the report to adequately report the suspicion or allegation to law enforcement authorities.

Immediate Suspension or Termination

When an allegation of physical or sexual abuse, or other misconduct, is made against a Participant, Ability360 may immediately remove that individual from contact with Ability360 participants until the allegation has been investigated by an official law enforcement agency, Ability360 makes further inquiry, or otherwise.

NOTIFICATION

Following Ability360's notice of a credible allegation of misconduct by a Participant, Ability360 may consider the circumstances in which it will notify parents or guardians of athletes with whom the accused individual may have had contact. In Ability360's discretion, as appropriate, Ability360 may notify its staff members, contractors, volunteers, parents, and/or athletes of any allegation of child physical or sexual abuse or other criminal behavior or misconduct that (1) law enforcement authorities are actively investigating; or (2) Ability360 is investigating internally. Advising others of an allegation may lead to additional reports of child physical or sexual abuse and other misconduct.

DISCIPLINARY RULES AND PROCEDURE

RECEIPT OF ALLEGATIONS

On receipt of an allegation of misconduct or other violation of this Handbook, Ability360 will determine in its discretion the appropriate steps to address the conduct based on several factors, including (i) the age of the Claimant, (ii) the age of the Respondent, and (iii) the nature, scope and extent of the allegations. In addition to reporting to law enforcement as required or as Ability360 may determine, possible responses include emergency suspension, further investigation, or other disciplinary action. Ability360 may undertake a formal investigation in its discretion and may investigate allegations of child physical or sexual abuse, or other misconduct, that have been reported to law enforcement if such investigation does not interfere with any ongoing criminal investigation or prosecution for the same. If the Respondent is a minor, Ability360 will contact his or her parents or guardians.

Ability360 will address allegations against a staff member under its employment policies.

EMERGENCY SUSPENSION

In certain cases, Ability360 may temporarily suspend the Respondent pending final resolution of the complaint to eliminate any potential danger to an athlete, sport participant or other individual. Such temporary suspension is not subject to contest or appeal. The determination to temporarily suspend an individual shall be made by the Vice President of the Sports & Fitness Center.

An emergency suspension may prohibit the Respondent from participating in any capacity or in any role in the business, events or activities of Ability360 during the suspension, or impose other appropriate restrictions.

INVESTIGATION

As appropriate, and at its discretion, Ability360 may institute a formal investigation of the allegations.

DISCIPLINARY ACTION

In cases where Ability360 determines that an investigation is not necessary, or after investigation if applicable, Ability360 Sports & Fitness Center administration shall determine the appropriate disciplinary action in each case, if any. Sanctions for violations of the Sport Protection Handbook will be proportionate and reasonable under the circumstances. Ability360 may take the following disciplinary actions, without limitation:

- Inform the Respondent's direct-line supervisor or in the case of a minor, the minor's parent or guardian
- Provide the Respondent with guidance, redirection and instruction
- Temporary suspension from competition or participation
- Issue a verbal warning
- Issue a written warning
- Implement a limited access agreement (e.g., limiting an individual's access to certain facilities)
- Engage in restorative practices (i.e., creation of a respectful and safe dialogue when a misunderstanding or harm has occurred)
- Suspend or terminating employment, membership, or participation

Ability360 will notify a Respondent in writing of Ability360s administration's decision. A copy of such decision shall be sent to Move United.

ADMINISTRATIVE CLOSURE

Ability360 may administratively close a matter after exercising jurisdiction. Ability360 reserves the right to reopen a report that is Administratively Closed should new evidence, allegations or circumstance present itself.

Administrative Closures include the following:

- **No Applicable Policy:** The alleged violation, even if true, would not rise to the level of a Handbook violation

- **Previously Adjudicated:** The specific allegations reported are confirmed to have been appropriately adjudicated and/or formally resolved, and no new information that materially changes the determination and outcome of the previous adjudication has been presented.

- **Unsupported Allegations:** The reported Claimant(s) deny that they have experienced misconduct, and there is no corroborative evidence to support the allegation(s).

APPEAL

A Respondent shall have the option, within 10 days of the date of written notice of any disciplinary action, to appeal Ability360's decision to the Chair of Ability360's Ethics Committee, or his/her designee. Any appeal must be in writing and clearly state the grounds for appeal.

The Chair of the Ethics Committee, or his/her designee, may ask additional questions of the Respondent, Claimant, or other witnesses. The decision of the Chair of the Ethics Committee, or his/her designee, is final and binding. A copy of such decision shall be sent to Move United.

SECTION 6: MONITORING ABILITY360'S STRATEGY

By monitoring the interactions among staff, volunteers, athletes and others, Ability360 works to prevent, recognize and respond to inappropriate and harmful behaviors as set forth in our Sport Protection Handbook, while reinforcing appropriate behaviors.

MONITORING COMPLIANCE WITH POLICIES AND PROCEDURES

Ability360 monitors for compliance with its policies and procedures, including without limitation, its Awareness Training, Travel, Locker Room and Changing Areas and Physical Contact Policies.

MONITORING METHODS

Ability360 utilizes multiple monitoring methods to observe how individuals are interacting, including without limitation (1) formal supervision, including regular evaluations; and (2) informal supervision, including regular and random observation (e.g., roving and checking interactions throughout practices), and (3) maintaining frequent contact with staff members, volunteer and athletes who interact off-site.

RESPONDING TO INTERACTIONS

While Ability360 has a formal reporting policy, staff members and volunteers should be prepared to respond immediately to inappropriate or harmful behavior, potential risk situations and potential boundary violations.

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

PART 2: FORMS and DOCUMENTS

ONLINE INTAKE FORM

Ability360 strongly encourages the reporting of misconduct. Ability360 appreciates your willingness to report inappropriate behavior.

Ability360 Sport Protection Reporting

Offender Information

This section is about the individual you are reporting. Please provide as much information as possible.

Name of Individual you are reporting (First & Last):

Gender:

- Male
- Female

Address:

Street Address City State / Province / Region

City, State required

Position(s) this individual holds or held:

- Head Coach/ Instructor
- Assistant Coach
- Employee
- Volunteer
- Other/ Not sure

Organizaton where individual works and/or volunteers or worked/volunteered previously:

Incident Information

This section asks questions about the incident or incidents you are reporting. Please provide as much specific information as you are able.

Type of Offense (i.e. what happened?):

Where did the incident or incidents take place? (City, State and any other available location information)

Please Describe what happened: (Including... Who, What, When, Where)

Victim Information

This section is for information about the victim or victims. If you are the victim and wish to remain anonymous, you may do so. In that case, please enter only your age, city, state, and chapter affiliation.

Name:

Age (or approximate age):

Chapter/Organizational Affiliation (if any):

Contact phone number (Note, if this person is under 18, please provide contact information for his/her parent or guardian):

Contact Email address (if this individual is under 18, please provide contact information for parent or guardian):

Gender

- Male
- Female

Reporter's Information

You may remain anonymous if you wish. However, providing your information is vastly helpful to a swift and effective investigation. A person reporting alleged misconduct should not fear any retribution and/or consequence when filing a report he or she believes to be true.

Name:

Phone Number:

Email Address

Chapter Affiliation (if any):

Relationship to victim (if any):

- Self

- ○ Parent/Guardian
- ○ Other Family Member
- ○ Friend or Acquaintance
- ○ Chapter Member, Coach or Volunteer
- ○ Other or Prefer not to say

Other Information

If you have any other information that you feel would be helpful to an investigation of the alleged offense you have reported, please enter it here:

Submit