



**USA TABLE TENNIS RESPONSES TO QUESTIONS POSED BY
U.S. SENATE COMMERCE, SCIENCE AND TRANSPORTATION
SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT
SAFETY, INSURANCE AND DATA SECURITY**

QUESTION ONE

What reporting protocols for child and sexual abuse allegations are currently in place to ensure that all reports receive fair, timely, and thorough review by all appropriate parties, including law enforcement?

In 2013, USA Table Tennis adopted (and since continually enhanced and amended), applied and continues to enforce a detailed, written set of SafeSport Policies and Procedures [attached as Exhibit A and found on our website, www.usatt.org] which establishes strict reporting mandates, including among other things, that all “Covered Individuals” (see answer to Question Two, below) in all matters within USATT jurisdiction immediately report any and all observed violations of the organization’s SafeSport Policies and/or observations or allegations of child physical or sexual abuse. Additionally, these persons may report suspected or alleged violations of USATT’s SafeSport Policy, including suspicions of child abuse or sexual abuse.

USATT follows a strict policy of immediately reporting all suspicions of child physical or sexual abuse to law enforcement officials, provided there is sufficient supporting evidentiary information.

USATT SafeSport Policy also requires that all Covered Individuals follow any and all applicable state mandatory reporting requirements.

USATT SafeSport Policy establishes a detailed reporting procedure, which includes the designation of an Athlete Protection Officer, who is readily available and is charged with the duty of promptly and accurately recording, investigating and reporting all allegations of SafeSport violations. The reporting process is designed to encourage participation by offering a written report form, allowing for anonymity, maintaining strict confidentiality, prohibiting any form of retaliation, and enforcing appropriate sanctions for Bad Faith allegations.

USATT SafeSport Policy also establishes detailed procedures to adjudicate appropriate cases alleging violations of the organization’s underlying SafeSport Policy. These procedures include the opportunity to empanel a fair and impartial hearing panel, the consideration of appropriate evidence, and the protection of due process rights of accused individuals.

QUESTION TWO

Are there special accommodations to account for volunteers that are separately employed by non-NGB institutions, like the case of Dr. Nassar who was employed by MSU, in these reporting practices?

USATT maintains that persons similarly situated to Dr. Nassar would be within the purview of the organization’s mandatory reporting requirements. USATT SafeSport Policies and Procedures expressly apply to: (i) any individual who currently is, or was at the time of a possible SafeSport



Code violation, with the governance or disciplinary jurisdiction of USATT, and/or who is seeking to be within the governance or disciplinary jurisdiction of USATT; (ii) all individuals, both athletes and non-athletes, USATT formally authorizes, approves, or appoints (a) to a position of authority over athletes, or (ii) to have frequent contact with athletes; (iii) national office staff; (iv) athletes USATT designates for the USADA required testing pool (RTP); (iv) table tennis umpires and referees; (v) tournament directors; (vi) medical staff trainers; (vii) persons in a position of actual, perceived or implied authority in a USATT Member Club, including (but not limited to) owners, directors, and coaches; and (viii) additional individuals USATT identifies as being within the Center's jurisdiction.

QUESTION THREE

Has your organization ever utilized an NDA to enforce confidentiality against any athlete, volunteer, or employee in the past? To the extent possible, please provide all details regarding the justification and circumstances surrounding every individual NDA used by your organization.

No.

QUESTION FOUR

Has your organization ever utilized additional binding agreements other than NDAs with athletes under your purview? To the extent possible, please provide all details regarding the justification and circumstances surrounding every individual agreement used by your organization.

NOTE: Question Four was Supplemented in a Letter from Anna Yu, dated February 7, 2018: "we are also interested (in addition to the kinds of agreements you listed), all the cases in which an NGB might have required an athlete to participate in forced binding arbitration."

No.

Under the Ted Stevens Olympic and Amateur Sports Act, NGBs are required to participate in binding arbitration where an athlete alleges that the NGB has denied him or her an opportunity to participate in certain competitions, and where a member alleges that the NGB has violated certain provisions of the Sports Act or USOC Bylaws. In these cases, it is the athlete who chooses whether or not to require an NGB to participate in binding arbitration, and the athlete is in no way obligated to participate. With that as background, in response to the request that USATT describe the cases in which USATT might have required an athlete to participate in forced binding arbitration, USATT reports that there are no situations where USATT has forced an athlete to participate in forced binding arbitration.

QUESTION FIVE

Since the recent lawsuits filed against the USOC, USAG, and MSU for organizational failures to investigate, discipline, or remove Dr. Nassar after complaints of sexual abuse, has you [sic] organization taken any additional steps to improve the transparency, efficiency and effectiveness of its criminal misconduct reporting mechanisms?

Yes.

In December of 2017, USATT's Board of Directors adopted an amended SafeSport/Athlete Protection Policy [Attached as Exhibit A] which provides the organization and its Constituents enhanced protections and more clearly defined guidance on reporting, investigating and processing matters within the scope of the policy. With that said, USATT constantly seeks to improve the organization's policies, procedures and protections that are intended to ensure the health, safety, and well-being of all persons involved in events within USATT jurisdiction.

QUESTION SIX

Please identify any circumstance in which USOC did not take any action following a report of criminal behavior from your organization. To the extent possible, please provide all details regarding the justification and circumstances involved in USOC's decision not to act.

None.

QUESTION SEVEN

In 2017, USOC engaged with a third-party consultant to assess compliance with SafeSport policies and procedures within USOC and all of its NGBs and High Performance Management Organizations (HPMO). Please describe the report issued for your organization, including any recommendations necessary for full compliance. If additional recommendations were issued, what actions were taken by your organization? Are there any remaining recommendations that your organization has yet to fully implement?

The United States Olympic Committee SafeSport Audit of USA Table Tennis, which was delivered to USATT in September of 2017, is attached as Exhibit B. The Audit, conducted by Baker Tilly, identified two areas of recommended enhancement for the USATT SafeSport program: (i) requiring all USATT employees to be SafeSport Compliant; and (ii) requiring a more consistent enforcement of the standards of compliance within the organization.

As regards finding (i), as a matter of practice, USATT had already been enforcing the recommended standard – however, the SafeSport policy at that time did not explicitly mandate so in writing. This recommendation was addressed in an amendment to the SafeSport/Athlete Protection Policy in November 2017, and incorporated into the more thorough revised/amended SafeSport/Athlete Protection Policy adopted and approved by the Board of Directors on December 15, 2017.

As regards finding (ii), as a matter of practice beginning in February, 2018, USATT began a policy of stricter enforcement of the standards of compliance within the organization. However, at the time, Baker Tilly identified certain deficiencies which USATT immediately began to rectify. On January 1, 2018 USATT completed its enhanced enforcement of the standards of compliance and continues to strictly enforce such standards throughout the organization and its Constituents.

On February 12, 2018, the United States Olympic Committee Audit Division issued a Follow Up Report on the USATT SafeSport Audit, which is attached as Exhibit C. This follow up report stated: "[t]he review found that the recommendations were implemented and considered closed. USATT was prompt to implement the recommendations in the SafeSport audit."

Respectfully Submitted,



Gordon B. Kaye, USATT Chief Executive Officer

February 16, 2018

Date

EXHIBIT A

USATT SafeSport Policies and Procedures



SAFE SPORT POLICY

December 16, 2017



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SECTION I INTRODUCTION

USA Table Tennis (USATT) is committed to improving the development and safety of athletes and participants involved in sport. Unfortunately, sport can be a high-risk environment for misconduct, including child physical and sexual abuse. While child physical and sexual abuse is one type of misconduct, it is important to remember that this policy covers many inappropriate behaviors that do not involve children at all. This policy applies regardless of the ages of the individuals involved in the alleged activity.

Here, we identify six primary types of misconduct:

- Sexual Misconduct, including Child Sexual Abuse
- Emotional Misconduct
- Physical Misconduct
- Bullying
- Harassment
- Hazing

All forms of misconduct are intolerable and in direct conflict with USATT ideals.

SECTION II DEFINITIONS

Misconduct

Conduct which results in harm, the potential for harm or the imminent threat of harm. Age is irrelevant to misconduct. There are six primary types of misconduct in sport: emotional, physical and sexual misconduct, bullying, harassment and hazing.

Child, children, minor and youth

Anyone under the age of 18. Here, “child”, “children”, “minor” and “youth” are used interchangeably.¹

Participants

Participants are minors who participate in a sport activity through a club, organization or event (e.g., minor athletes, officials or referees).

Nothing contained in this policy is intended to supersede, replace, or otherwise abrogate the USATT Bylaws, Athlete Handbook or Operations Manual, or the Ted Stevens Olympic and Amateur Sports Act.

¹ Saul J, Audage NC. Preventing Child Sexual Abuse Within Youth-serving Organizations: Getting Started on Policies and Procedures. Atlanta (*GA): Centers for Disease Control and Prevention, National Center for Injury Prevention and Control; 2007.

SECTION III SAFE SPORT POLICY

A. APPLICATION

This Policy applies to USATT Covered Individuals:

- Any individual who currently is, or was at the time of the possible SafeSport Code violation, within the governance or disciplinary jurisdiction of USATT, and/or who is seeking to be within the governance or disciplinary jurisdiction of USATT, for example through application for membership
- All individuals, both athletes and non-athletes, USATT formally authorizes, approves or appoints (i) to a position of authority over athletes, or (ii) to have frequent contact with athletes
- National office staff
- Athletes USATT designates for the USADA required testing pool (RTP)
- Table tennis umpires and referees
- Tournament directors
- Medical staff/ trainers
- Persons in a position of actual, perceived or implied authority in a USATT Member Club, including (but not limited to) owners, directors, and coaches.
- Additional individuals USATT identifies as being within the Center's jurisdiction

B. COMMITMENT TO SAFETY

USATT 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.

USATT recognizes that the process for training and motivating athletes will vary, but it is nevertheless important for everyone involved in sport to support the use of motivational training methods that avoid misconduct.

Report obligations are set forth in USATT's Reporting Policy.

C. PROHIBITED CONDUCT

Constituents shall refrain from all forms of misconduct, which include:

- Child sexual abuse
- Sexual misconduct
- Emotional misconduct
- Physical misconduct
- Bullying
- Harassment
- Hazing

D. CHILD SEX ABUSE

Definitions:

- a) Any sexual activity with a minor athlete or participant where consent is not or cannot be given. This includes sexual contact with a minor athlete or participant that is

accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a minor athlete or participant, regardless of whether there is deception or the minor athlete or participant understands the sexual nature of the activity.

Note concerning peer-to-peer child sexual abuse: Sexual contact between minors also can be abusive. Whether or not a sexual interaction is between children constitutes child sexual abuse turns on the existence of an aggressor, the age difference between the children, and/or whether there is an imbalance of power and/or intellectual capabilities.

- b) Any act or conduct described as child sexual abuse under federal or state law.

Exception

None

Examples

Sexually abusive acts may include sexual penetration, sexual touching or non-contact sexual acts such as verbal acts, sexually suggestive electronic or written communications, exposure or voyeurism.

D. EMOTIONAL MISCONDUCT

Definitions:

- a) A pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to an athlete or participant, regardless of age. Non-contact behaviors include:
 - a. Verbal acts
 - b. Physical acts
 - c. Acts that deny attention or support
- b) Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g., child abuse, child neglect).

Exception

Emotional misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, discipline or improving athletic performance.

Examples

Examples of emotional misconduct prohibited by this policy include, without limitation:

- (1) **Verbal Acts.** A pattern of verbal behaviors that (a) repeatedly attack an athlete personally (e.g., calling them worthless, fat or disgusting) or (b) repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.
- (2) **Physical Acts.** A pattern of physical aggressive behaviors such as (a) throwing sport equipment, water bottles, or chairs at, or in the presence of participants, or (b) punching walls, windows or other objects.

- (3) **Acts that Deny Attention and Support.** A pattern of (a) ignoring an athlete for extended periods of time or (b) routinely or arbitrarily excluding participants from practice.

Note: Bullying, harassment, and hazing, defined below, often involve some form of emotional misconduct.

E. PHYSICAL MISCONDUCT

Definitions:

- a) Contact or non-contact conduct that results in, or reasonably threaten to, cause physical harm to an athlete or participants, regardless of age; or
- b) Any act or conduct described as physical abuse or misconduct under federal or state law (e.g., child abuse, child neglect, assault).

Exceptions

Physical misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athlete performance. For example, hitting, punching, and kicking are well-regulated forms of contact in combat sports, but have no place in table tennis.

Examples

Examples of physical misconduct prohibited by this Policy include, without limitation:

- (1) **Contact offenses.** Behaviors that include;
 - a. Punching, beating, biting, striking, choking or slapping an athlete; and
 - b. Intentionally hitting an athlete with objects or sport equipment.
- (2) **Non-contact offenses.** Behaviors that include:
 - a. Isolating an athlete in a confined space (e.g., locking an athlete in a small space);
 - b. 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);
 - c. Withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.
 - d. Providing alcohol to an athlete under the legal drinking age (under U.S. law);
 - e. Providing illegal drugs or non-prescribed medications to any athlete;
 - f. Encouraging or permitting an athlete to return to play pre-maturely following a serious injury (e.g., a concussion) and without the clearance of a medical professional; and
 - g. Prescribing dieting or other weight-control methods (e.g., weigh-ins, caliper tests) without regard for the nutritional well-being and health of athlete.

Note: Bullying, harassment and hazing, defined below, often involve some form of physical misconduct.

F. SEXUAL MISCONDUCT

Definitions:

- a) Any touching or non-touching sexual interaction that is (a) nonconsensual or forced, (b) coerced or manipulated, or (c) perpetrated in an aggressive, harassing, exploitative or threatening manner;
- b) Any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative; or
- c) Any act or conduct described as sexual abuse or misconduct under federal or state law (e.g. sexual abuse, sexual exploitation, rape)

Note: An imbalance of power is always assumed between a coach and an athlete, but see Comment 1.

Exceptions

None, but see Comment 1.

Examples

Types of sexual misconduct prohibited under this Policy include:

- (1) sexual assault,
- (2) sexual harassment,
- (3) sexual abuse, or
- (4) any other sexual intimacies that exploit an athlete. **Minors cannot consent to sexual activity with an adult**, and all sexual interaction between an adult and a minor is strictly prohibited.

Examples of sexual misconduct prohibited under this policy include, without limitation:

- (1) **Touching offenses.** Behaviors that include, but are not limited to:
 - a. Fondling an athlete's breasts or buttocks;
 - b. Exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favors;
 - c. Genital contact; or
 - d. Sexual relations or intimacies between persons in a position of trust, authority and/or evaluative and supervisory control over athletes or other sports participants.

Comment 1

(1) Authority and Trust. Once the unique coach-athlete relationship is established, the authority and trust on the part of the coach over the athlete shall be assumed, regardless of age. Accordingly, sexual interaction or intimacies between a coach and an athlete or other participant are prohibited, regardless of age, both during coaching and during that period following coaching if an imbalance in power could jeopardize effective decision-making.

Imbalance of Power. Factors relevant to determining whether there is an imbalance of power include, but are not limited to: (a) the nature and extent of the coach's supervisory, evaluative or other authority over the athlete being coached; (b) the actual relationship between the parties; (c) the parties respective roles; (d) the nature and duration of the sexual relations or intimacies; (e) the age of the coach; (f) the age of the athlete or participant; (g) and whether the coach has engaged in a pattern of sexual interaction with other athletes or participants.

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7. deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared); or
8. sexual harassment; specifically, the sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, and
 - i. is unwelcome, offensive or creates a hostile environment, and the offending individual knows or is told this
 - ii. is sufficiently severe or intense to be harassing to a reasonable person in the context.

G. BULLYING

Definitions:

- a) An intentional, persistent and repeated pattern of committing, or willfully tolerating by another person, physical and non-physical behaviors that are intended or have the reasonable potential, to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership; or
- b) Any act or conduct described as bullying under federal or state law

Exceptions

Bullying does not include group or team behaviors that (a) are meant to establish normative team behaviors, or (b) promote team cohesion.

For example, bullying does not include verbal admonitions to encourage team members to train harder and to push through a difficult training regimen.

Examples

Examples of bullying prohibited by this Policy include, without limitation:

- (1) **Physical behaviors.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking, choking, or slapping an athlete; (b) throwing at, or hitting an athlete with objects such as sporting equipment.
- (2) **Verbal and emotional behaviors.** Behaviors that include (a) threatening, frightening, intimidating or humiliating; (b) spreading rumors or making false statements; or (c) using electronic communications, social media, or other technology to threaten, frighten, intimidate or humiliate ("cyber bullying").

H. HARASSMENT

Definitions:

- a) A repeated pattern of physical and/or non-physical behaviors that (a) are intended to cause fear, humiliation or annoyance; (b) offend or degrade; (c) create a hostile environment or (d) reflect discriminatory bias in an attempt to establish dominance, superiority or power over an individual athlete or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression or mental or physical disability; or

- b) Any act or conduct described as harassment under federal or state law.

Exceptions

None

Examples

Examples of harassment prohibited by this Policy include, without limitation:

- (1) **Physical offenses.** Behaviors that include (a) hitting, pushing, punching, beating, biting, striking, kicking choking or slapping an athlete or participant; (b) throwing at or hitting an athlete with objects including sporting equipment.
- (2) **Non-physical offenses.** Behaviors that include (a) making negative or disparaging comments about an athlete's sexual orientation, gender expression, disability, religion, skin color, or ethnic traits; (b) displaying offensive materials, gestures, or symbols; (c) withholding or reducing playing time to an athlete based on his or her sexual orientation.

I. HAZING

Definitions:

- a) Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group's members; or
- b) Any act or conduct described as hazing under federal or state law.

Exception

Hazing does not include group or team activities that (a) are meant to establish normative team behaviors or (b) promote team cohesion.

Examples

Examples of hazing prohibited by this Policy include, without limitation:

- (1) Requiring, forcing or otherwise requiring the consumption of alcohol or illegal drugs
- (2) Tying, taping or otherwise physically restraining an athlete
- (3) Sexual simulations or sexual acts of any nature
- (4) Sleep deprivation, otherwise unnecessary schedule disruption or the withholding of water and/or food
- (5) Requiring social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule
- (6) Beating, paddling or other forms of physical assault
- (7) Excessive training requirements focused on individuals on a team

Comment 2: Activities that fit the definition of hazing are considered to be hazing regardless of an athlete's willingness to cooperate or participate.

J. WILLFULLY TOLERATING MISCONDUCT

It is a violation of this Safe Sport Policy if a Covered Individual knows of misconduct, but takes no action to intervene on behalf of the athlete(s), participant(s), staff member, and/or volunteer.

K. EDUCATION AND AWARENESS

USATT staff and professional members should have a basic understanding of sexual abuse, as well as “grooming” – the most common strategy used by offenders to seduce their victims. Using a combination of attention, affection and gifts, offenders win the victim’s trust (and the trust of the victim’s parent or guardian where the victim is a minor), manipulate the victim into sexual activity, and keep the victim from disclosing abuse.

USATT staff must complete an awareness training concerning misconduct every two years. This training focuses on the six categories of misconduct:

- Sexual misconduct, including child sexual abuse
- Emotional misconduct
- Physical misconduct
- Bullying
- Harassment
- Hazing

USATT coaches, officials, board members, committee members, club owners/operators, tournament directors and any other member that is in a position of actual, perceived or implied authority in or at a USATT sanctioned club or event must complete a training and education program as a condition of membership.

L. REPORTING AND DISCIPLINE

1. APPLICATION

This reporting policy applies to USATT Covered Individuals:

- See listing in Section III(A)

2. REPORTING POLICY

Every USATT Member and/or Covered Individual *shall* report:

1. Observed violations of USATT’s Safe Sport Policy; and/or
2. Observations or allegations of child physical or sexual abuse.

Every USATT Member and/or Covered Individual *may* report:

1. Suspected or alleged violations of USATT’s Sport Policy, including suspicions of child physical or sexual abuse.

All reported suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities, if sufficient information is provided. Every constituent shall follow applicable state mandatory reporting laws, if any, which may impose mandatory reporting obligations on persons who hold certain positions.

As a matter of policy, USATT does not investigate suspicions or allegations of child physical or sexual abuse or attempt to evaluate the credibility or validity of such allegations as a condition for reporting to the appropriate law enforcement authorities.

USATT also encourages member parents, athletes and other sport participants to report violations of USATT's Safe Sport Policy and/or allegations and suspicions of child physical and sexual abuse.

3. How to Report

USATT will take a report in the way that is most comfortable for the person initiating a report including an anonymous, in-person, verbal or written report. Regardless of how one chooses to report, it is helpful to USATT for individuals to provide, at a minimum, (1) the name of the complainant(s); (2) the type of misconduct alleged and the name(s) of the individual(s) alleged to have committed the misconduct.

a) Athlete Protection Officer

Individuals reporting child physical or sexual abuse or other misconduct may call, mail, fax or email USATT's Athlete Protection Officer, whose name and contact information can be found at <http://www.usatt.org/>. The Athlete Protection Officer may request that the reporting person submit a Reporting Form, described below.

b) Reporting Form

Individuals reporting child physical or sexual abuse or other misconduct may complete an Incident Report Form, which can be found at <http://www.usatt.org>. Information on this form includes:

- 1) The name(s) of the complainant(s)
- 2) The type of misconduct alleged
- 3) The name(s) of the individual(s) alleged to have committed the misconduct
- 4) The approximate dates the misconduct was committed
- 5) The names of other individuals who might have information regarding the alleged misconduct
- 6) A summary statement of the reasons to believe that misconduct has occurred

USATT will withhold the complainant's name on request, to the extent permitted by law.

Note: Reporting Peer-to-Peer Sexual Abuse

Approximately 1/3 of all child sexual abuse occurs at the hands of other children and the obligation to report extends to peer-to-peer child sexual abuse. Whether or not a sexual interaction between children constitutes child sexual abuse turns on the existence of an aggressor, the age difference between the children, and/or whether there is an imbalance of power or intellectual capabilities. **If Covered Individuals have any concerns that an interaction between children may constitute sexual abuse, report it *immediately* to the appropriate law enforcement authorities.**

4. CONFIDENTIALITY, ANONYMOUS REPORTING AND BAD-FAITH ALLEGATIONS

a) **Confidentiality**

To the extent permitted by law, and as appropriate, USATT will keep confidential the complainant's name on request, not make public the names of potential victims, the accused perpetrator or the people who made a report of child physical or sexual abuse to the authorities.

b) **Anonymous Reporting**

USATT recognizes it can be difficult to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. **Anonymous reports may be made without the formality of completing an Incident Report Form:**

- By completing the Reporting Form without including their name
- By expressing concerns verbally
- Through email, texts or notes.

However, anonymous reporting may make it difficult for USATT to investigate or properly address allegations.

All reported suspicions of child physical or sexual abuse will be reported to the appropriate law enforcement authorities, if sufficient information is provided.

c) **No Retaliation**

Regardless of outcome, USATT will support the complainant(s) and his or her right to express concerns in good faith. USATT will not encourage, allow or tolerate attempts from any individual to retaliate, punish, allow or in way harm any individual(s) who reports a concern in good faith. Such actions against a complainant will be considered a violation of this policy and grounds for disciplinary action. Any allegations of retaliation should be reported using the same process as for reporting an initial concern.

d) **Bad-Faith Allegations**

A report of abuse, misconduct or policy violations that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of this policy and grounds for disciplinary action. Depending on the nature of the allegation, a person making a malicious, frivolous or bad-faith report may also be subject to civil or criminal proceedings.

5. DISCIPLINE

USATT will address allegations against constituents USATT Bylaw Articles X and X-A, and the Supplemental Hearing Procedural Rules.

M. RESPONDING TO REPORTS OF ALLEGATIONS

1. Allegations of Misconduct Other Than Child Physical or Sexual Abuse

On receipt of an allegation of misconduct, as defined in USATT's Safe Sport Policy, that does not involve child physical or sexual abuse, USATT shall determine the appropriate steps to address the conduct based on several factors, including (i) the age of the complainant or victim, (ii) the age of the accused and (iii) the nature, scope and extent of the allegations. Such steps may include, without limitation:

- The collection of additional information from the individual in question, other individuals with potential knowledge or evidence of the incident or the accused individual.
- Formal investigation and hearing.
- Retention of legal counsel or investigation services to investigate and/or make a recommendation as to whether a violation of the relevant policy has occurred and/or a recommendation as to the appropriate sanction.

2. Allegations of Serious Misconduct Including Child Physical or Sexual Abuse

Where serious allegations of misconduct are at issue (e.g., child physical and sexual abuse as defined in our Safe Sport Policy), USATT may elect in its discretion to refer the matter to the US Center for SafeSport, which may assume jurisdiction over the matter. In addition, USATT may elect in its discretion to undertake a full investigation and hearing before determining the appropriate disciplinary action. This investigation and/or hearing will in no way interfere with an ongoing criminal investigation or prosecution.

N. Procedures

1. Suspension Before Final Resolution

If the reported complaint indicates that an individual's continued employment, membership or participation poses a risk of ongoing physical or emotional harm, USATT may wish to suspend the accused individual pending final resolution of the complaint to eliminate any danger to an athlete, sport participant or other individual. In such instances, USATT will provide the individual with notice and offer her/him an opportunity to contest the suspension.

USATT may suspend the accused individual where there is a reasonable belief that the individual has committed emotional, physical or sexual misconduct. Evidence which may be found sufficient to support a reasonable belief includes, at a minimum:

- the suspension or termination of employment or membership by a national governing body or other sport organization
- an Incident Report Form with specific and credible information
- other legal documentation or report supporting a reasonable belief that the individual has committed emotional, physical or sexual misconduct, including abuse of a child (e.g., a criminal indictment).

For the purposes of this Policy, a suspension from sport involvement shall mean that for the duration of the period of suspension, the accused individual may not participate in any capacity or in any role in the business, events, or activities of USATT, including events or activities sanctioned by USATT.

Any suspension before final resolution may be appealed to the American Arbitration Association (AAA) at the written request of the accused individual within 14 days of the suspension.

2. Investigation

As appropriate, and at its discretion, USATT may institute a formal investigation and hearing procedure to address serious allegations of misconduct (e.g., physical and sexual misconduct). However, USATT anticipates that an investigation and hearing will be undertaken to address only the most serious allegations and patterns of behavior that warrant significant sanctions. Accordingly, USATT anticipates that this disciplinary procedure will be used rarely.

If an investigation is conducted, the complainant, victim and accused individual shall have the right to:

- a) Receive written notice of the report or complaint, including a statement of allegations (note: the name of the alleged victim may be redacted.)
- b) Present relevant information to the investigator(s)
- c) Legal counsel, at his or her own expense

3. Procedural Safeguards

In every case where a hearing is warranted pursuant to this Policy, an adjudication shall be conducted that shall in all cases comply with USATT's bylaws. The adjudication shall further conform to the provisions and principles set out hereafter. However, deviations in one or more of the procedural safeguards are permitted, provided the following conditions are satisfied:

- a) The individual is informed of the allegations and evidence brought against him or her
- b) The individual is given a reasonable opportunity to respond to the allegations brought forward
- c) The individual may be represented by legal counsel at his or her expense
- d) The panel member(s) who make the determination are free of conflicts of interests and render an unbiased decision
- e) There is a right to appeal the panel's decision.

4. Preliminary Determination

On receipt of a disclosure and/or additional information made pursuant to this Policy, if the Athlete Protection Officer is satisfied, in the exercise of his or her discretion, that there is a sufficient reasonable, reliable and persuasive evidence to support the complaint alleging emotional, physical or sexual misconduct, he or she shall notify the CEO who, in consultation with the General Counsel, shall refer the matter to the USATT Ethics & Grievance Committee, which will appoint a Hearing Panel pursuant to Bylaw Articles X and X-A, and the Supplemental Hearing Procedural Rules. The Hearing Panel will include at least one member of USATT's Athletes' Advisory Council.

5. Notice

The accused individual will be notified of a specific date and time to ensure that he or she is available for the hearing. Unless the Hearing Panel requires the individual

to attend the hearing in person, the individual may appear by telephone conference call. The individual has the right to be represented by legal counsel at the hearing, provided that the counsel's participation may be subject to the reasonable hearing rules related to the conduct of the hearing.

6. Timing

The Hearing Panel shall have the authority to set timelines and other rules regarding the proceeding and the conduct of the hearing, as it deems necessary. On request of the accused individual, and provided that it is necessary to expedite the proceeding to resolve a matter relating to scheduled training or competition, the Hearing Panel may render an expedited determination.

7. Evidence

At the hearing, the accused individual will be allowed to present any reasonable evidence or argument that he or she wishes the Panel to consider. The Panel may require or permit documentary evidence, such as the written report of any investigator or other fact-finder, before the hearing and that the names of any witnesses be disclosed before the hearing. The Panel may also consider another organization's determination as evidence to be considered.

If the complainant/alleged victim(s) is a minor, the investigator's or other fact-finder's report may substitute for the minor witness's direct testimony, provided that the accused had an opportunity to present and respond to relevant information collected during the investigation and before the report was transmitted to the Hearing Panel.

The Hearing Panel may proceed in the accused individual's absence if it cannot locate the individual or if the individual declines to attend the hearing.

8. Findings and Sanctions

The Panel has the discretion to impose sanctions on the individual if it finds based on a preponderance of the evidence that emotional, physical or sexual misconduct has occurred.

The Panel will communicate its finding to the individual. The Panel may impose sanctions on the individual in its findings.

Any sanctions imposed by the Panel against the individual must be proportionate and reasonable, relative to the content that is found to have occurred. The decision regarding the appropriate sanction shall be up to the panel deciding each complaint. In imposing a sanction, the Hearing Panel shall consider:

- a) The legitimate interest of USATT in providing a safe environment for its participants
- b) The seriousness of the offense or act
- c) The age of the accused individual and alleged victim when the offense or act occurred
- d) Any information produced by the accused individual, or produced on behalf of the individual, in regard to the individual's rehabilitation and good conduct
- e) The effect on USATT's reputation

- f) Whether the individual poses an ongoing concern for the safety of USATT's athletes and participants
- g) Any other information, which in the determination of the Panel, bears on the appropriate sanction

Sanctions may range from a warning and a reprimand to suspension from sport involvement with USATT for a period of time. Suspensions from sport involvement with USATT may be temporary or permanent. The most severe sanction possible to impose will be permanent suspension from sport involvement and expulsion from USOC activities and facilities.

For the purposes of this Policy, a suspension from sport involvement shall mean that, for the duration of the period of the suspension, the accused individual may not participate in any capacity or in any role in any business, events, or activities conducted or sanctioned by USATT or by any Member Club or Affiliate Club. No Member Club or Affiliate Club shall affiliate itself with any individual suspended from sport involvement or allow such individual to participate in any capacity in any of its business, events, or activities.

In the event that the allegation is made against an athlete, the Athlete Protection Officer will communicate its findings to the Hearing Panel.

9. Confidentiality

The conduct of the hearing will be private. If the Panel determines that the individual has violated policy, it may publish its decision or a brief summary of its decision, unless the accused is a minor. However, if the individual appeals, the summary of the panel's decision will not be disclosed until an appellate decision has been made.

If the Panel determines the accused individual did not violate the relevant policy, the panel will publish a summary only at the individual's written request.

O. APPEAL

If the individual disagrees with the finding or sanction of the Panel and wishes to appeal, he or she may file an appeal with the AAA within 14 days of USATT's finding. A decision rendered by the AAA shall be final and binding on all parties.

P. USATT – ADDITIONAL POLICIES

The Policies below assist in reducing the risks of potential abuse:

- Screening and Background Check Program
- Club Travel Policy
- Lesson and Practice Policy
- Massage Policy
- Minor Officials Travel Policy
- Social Media and Electronic Communications Policy

1. Screening and Background Check Program

The purposes of USATT's Background Check Program are as follows:

- Protect USATT athletes and participants from known offenders so that such known offenders do not have access to USATT members in connection with USATT sanctioned events or activities.
- Deter offenders that have not been caught from joining USATT programs.
- Protect USATT's reputation as a sport where participants are protected against abuse.
- Help protect USATT, USATT clubs, and their respective employees and volunteers from liability that could arise from allowing a previous offender to have access to athletes and participants.

2. USATT Screening Policies

USATT's screening policy includes set criteria for which a person may be disqualified and prohibited from serving as an employee or volunteer of USATT or USATT Clubs. Under the policy, USATT will not authorize or sanction any employee or volunteer who has routine access to athletes and participants unless that person consents to be screened and passes a criminal background screen conducted by USATT through the headquarters office.

USATT shall conduct screening of its employees, member volunteers and independent contractors as follows:

- All members of the USATT Board of Directors, each member of a USATT committee/task force shall be screened upon their election or appointment to the position and then shall be re-screened every two (2) years.
- All USATT employees shall be screened as a condition of their employment and then shall be re-screened every two (2) years.
- All coaches, instructors and other staff for any USATT National Team event shall be screened as a condition of being selected for such position or shall have been screened by USATT within the past two (2) years.
- All individuals ages 18 and over who are designated as Certified Coaches, , or who are acting as coaches or instructors of athletes or participants at USATTT clubs, their events or activities, or at USATT sanctioned events or activities, shall be screened as a condition of certification.
- All persons ages 18 and over acting as officials or administrative personnel at USATT sanctioned event shall be screened a minimum of once every two (2) years.

3. USATT Club Screening Policies

As a condition of its affiliation with USATT, each Member and Affiliate Club must be in compliance with the requirements set forth below:

- All Club employees and independent contractors, including but not limited to coaches and instructors, must be, at a minimum, a USATT “Contributor” member and must be screened prior to such individuals having access to athletes and participants.

In addition, all Club owners, directors, managers, and program administrators, and all other affiliated persons ages 18 and over having frequent contact with minors, athletes, or participants at the Club or its events or activities, must be, at a minimum, a USATT “Contributor” Member and must be screened prior to such individuals having access to athletes and participants..

An approved screen of Club personnel through those programs shall be valid for two years. All previously screened persons must be re-screened every two (2) years.

4. USATT Criminal Background Check Disqualification Criteria

Automatic Disqualifiers (“Red Light”): Convictions of, disclosure of convictions of, and pending dispositions for any of the following crimes will prompt a determination that an applicant “does not meet” the criminal background screening criteria and a red light determination will be issued:

- a. Any felony (any crime punishable by confinement greater than one year)
 - i. Defined on the basis of exposure to the offense for which the defendant was convicted, pled guilty, or pled *nolo contendere*. If pled down, then the crime to which the defendant ultimately pled.
 - ii. Defined by all crimes punishable by greater than one year in jail or prison, regardless of how characterized by jurisdiction. If range, alternate sentencing, or indeterminate sentencing, outer range >one year.
- b. Any lesser crime involving force or threat of force against a person
- c. Any lesser crime in which sexual relations is an element, including “victimless” crimes of a sexual nature (including pornography).
- d. Any lesser crime involving controlled substances (not paraphernalia or alcohol).
- e. Any crime involving cruelty to animals
- f. Any Sex Offender Registrant
- g. Any lesser crime involving harm to a minor

5. USATT Background Check Appeal Procedures

All appeals of “red light” or “adverse action letter” background checks shall be referred to an Athlete Protection Officer (APO) for initial evaluation, and when appropriate, for further action in accordance with USATT policies and procedures. In the discharge of these duties, the APO shall be free to consult with the Chief Executive Officer, the President, USATT legal counsel and such other USATT

officers, officials and experts as he or she deems appropriate. The APO shall be appointed by the President, after consultation with the Chair of the Board and with the approval of the Board. If the APO is the subject of the complaint, the CEO shall serve the functions assigned by this policy to the APO.

Any member of the USATT or applicant for USATT membership who is denied admission or appointment to any position on the basis of a “red light” background check or an “adverse action letter” predicated on the results of a background check shall have a right to seek review of that decision in accordance with the procedures here specified.

- a. Should any individual receive a “red light” finding or an “adverse action letter” based on a USATT required background check and wish to contest any resulting USATT decision to deny his or her application for membership or to deny him or her any USATT position or appointment, that individual has a right to a review of the denial. The person who seeks review is referred to herein as “the appellant.” The appellant may act on his or her own behalf during the appeal or may be assisted by a representative.
- b. Unless otherwise notified by the USATT that a shorter period is required because of nomination deadlines dictated by the USATT, the USOC, the ITTF-NA, THE ITTF, or by prevailing circumstances, the appellant shall have 10 business days from the date that he or she is informed of the decision from which the appeal is being taken to notify the CEO or the Athlete Protection Officer (APO) of the appeal. If the appeal is made to the CEO, it shall be promptly referred by him to the Athlete Protection officer.
- c. Upon receipt of an appeal, the APO shall request from the appellant written consent for his or her complete background check findings to be provided to the APO and, if the appeal progresses that far, to the Board of Directors. Failure of the appellant to provide that consent within a reasonable time, as determined by the APO, shall result in dismissal of the appeal and a waiver of the appellant’s right to seek review of the decision in question.
- d. The APO shall review any evidence and argument submitted by the appellant or on his or her behalf and shall undertake such additional investigation as the APO believes necessary to make an initial determination of the merits of the appeal. Upon reaching that determination, the APO shall inform the appellant thereof and shall ascertain from the appellant whether he or she wishes to proceed to a hearing by the Board of Directors.
- e. If the appellant wishes to proceed, the APO shall so inform the Chair and Secretary of the Board of Directors and shall forward to them, his field in the matter, including (a) all statements, documents and other evidence obtained by him, including the background check findings; (b) the

arguments and evidence submitted by the appellant or on his behalf, and (c) the APO's recommendation whether the decision being appealed should be upheld or overruled and the reasons underlying that recommendation.

- f. Upon receipt of the appeal, the Chair and Secretary shall place the matter on the agenda of the Board of Directors for consideration as expeditiously as practical in light of other business demanding its time and attention, being mindful of how the passage of time may affect the efficacy of its final decision in the matter. If the Board has previously provided for the hearing of background check appeals by a committee of the Board, and has constituted and populated such a committee, then the Chair and Secretary shall refer the matter and provide the file to that committee.
- g. The Board (or the designated committee in its stead) shall review the file and conduct a hearing at which it shall take such additional evidence and argument as the appellant, the APO and officers and officials of the USATT may choose to present. The decision shall be reversed if a majority of the members of the Board (or of the designated committee) present and voting concludes either (a) by a preponderance of the evidence that the background check results were based on erroneous information; or (b) that to a reasonable degree of certainty the applicant does not pose a danger to the individuals with whom he or she is expected to come into contact by virtue of the class of membership, the position or the appointment that was denied on the basis of the "red light" or "adverse action letter."
- h. The CEO shall communicate the results of the appeal to the appellant with copies to the Board Chair, APO, legal counsel and any other person or organization necessary to effect any change in the appellant's status resulting from the decision on appeal.
- i. If the appellant disagrees with the outcome of the appeal, he or she may file a demand for arbitration with the American Arbitration Association as provided in the Bylaws. The award obtained in the arbitration shall be final and binding on all parties.
- j. The intentional submission of false information or evidence in connection with any proceeding provided herein shall be grounds for disciplinary action in accordance with USATT disciplinary procedures.

Q. USATT MEMBER CLUB TRAVEL POLICY

Some USATT participation involves overnight travel for youth to regional and national events. A travel policy provides guidelines so that care is taken to minimize one-on-one interactions between minors and adults while traveling. Further, the policy directs how minor players will be supervised between and during travel to and from competitions. Adherence to travel policies helps to reduce the opportunities for misconduct.

1. Local Travel

- The employees, coaches, and/or volunteers of a local program or team, who are not also acting as a parent/guardian, should not drive alone with an unrelated minor and should only drive with at least two other athletes or another adult at all times, unless otherwise agreed to in writing by the minor's parent.
- Where an employee, coach and/or volunteer is involved in an unrelated minor athlete's local travel, efforts should be made to ensure that the adult personnel are not alone with the unrelated athlete.
- It is recognized that in some limited instances, it will be unavoidable for an employee, coach or volunteer of a local program or team to drive alone with an unrelated minor athlete. However, efforts should be made to minimize these occurrences and to mitigate any circumstances that could lead to allegations of abuse or misconduct.

2. Organization/Club Travel

- Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the coach is the parent, guardian or sibling of the athlete).
- Coaches, staff, volunteers and chaperones will often travel with the athletes. No employee, coach or volunteer will engage in team travel without the proper safety requirements in place and on record, including valid drivers' licenses, automobile liability insurance as required by applicable state law, vehicle in safe working order and compliance with all state laws. All chaperones or team managers shall have been screened in compliance with the USATT Screening Policy and all team drivers shall have been screened and the screen shall include a check of appropriate Department of Motor Vehicle records.
- The Club shall provide adequate supervision through coaches and other adult chaperones (for example, a recommended number would include at least one coach or adult chaperone for every five to eight athletes). If a club team is composed of both male and female athletes, then it is recommended that chaperones are arranged of the same gender.
- Athletes should share rooms with other athletes of the same gender, with the appropriate number of athletes assigned per room depending on accommodations.
- Regular monitoring and curfew checks should be made of each room by at least two properly screened adults. All coaches, staff, volunteers and chaperones travelling with a team shall be familiar with the Safe Sport Program Handbook to monitor compliance with all Safe Sport Policies.

- Individual meetings between an athlete and coach may not occur in hotel sleeping rooms.
- All athletes shall be permitted to make regular check in phone calls to parents. Team personnel shall allow for any unscheduled check in phone calls initiated by either the athlete or parents.
- The team shall make every effort to accommodate reasonable parental requests when a child is away from home without a parent.
- Specific travel itineraries will be distributed to parents when they are available and will include a detailed itinerary as well as contact information for all team personnel and chaperones.
- If disciplinary action against an athlete is required while the athlete is traveling without his/her parents, parents will be notified before any action is taken
- No coach or chaperone shall at any time be under the influence of alcohol or drugs while performing their coaching and/or chaperoning duties.
- In all cases involving travel, parents have the right to transport their minor athlete and have the minor athlete stay in their hotel room.

3. USATT Lesson and Practice Policy

- All table tennis practices and lessons should be open to observation by parents.
- Open and Observable Environment – An open and observable environment should be maintained for all interactions between adults and minor athletes. Private, or one-on-one situations, should be avoided unless they are open and observable, including meetings.

4. USATT Policy On Massage

- a. Subject to Paragraph (e) below, only USATT members who hold an appropriate certification as a healthcare provider (MD, DO, DC, certified athlete trainer (ATC), physical or occupational therapist, or massage therapist (LMT, CMT) and who are appointed by USATT to a team or sponsored event in an official capacity as a healthcare provider can provide massage therapy to team members.
- b. Any athlete who is a minor must have a signed consent form, release or waiver of liability from his/her parents to be eligible for massage therapy services from the designated USATT staff. The appropriate form will be provided to all athletes in settings covered by this policy by USATT prior to the beginning of the covered trip, competition or camp. Any USATT member who engages in massage of a minor in violation of this policy shall be deemed acting in a manner detrimental to the welfare, interests or character of the USATT and shall be subject to disciplinary action that can result in suspension, expulsion or denial of membership.
- c. Under no circumstances will an athlete be required to be naked to receive massage services from the designated staff. At a minimum, all athletes will wear shorts and females will additionally wear a bra or top. In all cases, the athlete will also be appropriately draped during the massage.
- d. Although the USATT has no authority over private activities involving USATT members in private settings, it nevertheless recommends due diligence by

all members of USATT to avoid unprofessional conduct, exploitation or abuse involving massage.

- e. Nothing in this policy is meant to prohibit ad hoc massage of athletes in exigent circumstances by others (for example a coach or teammate) in a public setting when the personnel designated in Section 1 are not immediately available (for example, massage of the extremities due to cramping during a bout).
- f. Any USATT member who provides massages in violation of this policy may be subject to disciplinary action as described above.

R. USATT SOCIAL MEDIA AND ELECTRONIC COMMUNICATIONS POLICY

As part of USATT's emphasis on participant safety, communications involving our minor participants should be appropriate, productive, and transparent. Effective communication concerning practice, event and administrative issues among coaches, administrators, athletes and their families is critical.

However, the use of mobile devices, web-based applications, social media, and other forms of electronic communications increases the possibility for improprieties and misunderstandings and also provides potential offenders with unsupervised and potentially inappropriate access to participants. The improper use of mobile and electronic communications can result in misconduct. Adherence to the Social Media and Electronic Communications Policy helps reduce these risks.

All electronic communication between coach and athlete must be for the purpose of communicating information about table tennis activities. Coaches, athletes and all administrators must follow common sense guidelines regarding the volume and time of day of any allowed electronic communication. All content between coaches and athletes should be readily available to share with the public or families of the athlete or coach. If the athlete is under the age of 18, any email, text, social media, or similar communication must also copy or include the athlete's parents.

USATT SAFE SPORT ABUSE REPORTING FORM



USATT SAFE SPORT ABUSE REPORTING FORM

Reporting Abuse

USATT recognizes it can be difficult for an athlete, teammate, friend or family member to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. You may remain anonymous if you wish. However, where appropriate, the investigative process may require further input and anonymous reporting may make it difficult for USATT to move forward with an investigation.

USATT requires reporting of physical, sexual or other misconduct by any member and strongly encourages reporting of any concerns relating to safe sport. USATT appreciates your willingness to report inappropriate behavior. By submitting this form, you are giving permission to USATT's Safe Sport Program staff to contact you. Out of respect for the importance of this issue and to encourage honest and effective reporting, knowingly making a false or vindictive report will not be tolerated and may be a violation of USATT'S Code of Conduct.

A report of abuse, misconduct or policy violation that is malicious, frivolous or made in bad faith is prohibited. Such reports will be considered a violation of USATT's SafeSport policies and grounds for disciplinary action. Depending on the nature of the allegation, a person making a malicious, frivolous or bad-faith report may also be subject to civil or criminal proceedings.

* Must be completed

Date: _____

Person Being Reported

Provide as much information as possible about the person you are reporting.

First Name * _____

Last Name * _____

Position or Role * _____

Age or Approximate Age * _____

Gender (circle one): Male Female

Club Affiliation * _____

Position(s) this individual holds or held (circle or insert all that apply):

Head Coach

Assistant Coach

Athlete

Official

Other _____

Alleged Misconduct Information

Please provide as much specific information as you are able.

Type of Misconduct (circle or insert all that apply) *

Bullying

Emotional

Hazing

Physical

Harassment

Sexual

Other _____

Location(s) where the incident(s) took place: *

City, state, specific location, etc. (or "Unknown") _____

Date(s) or Approximate Date(s) of Misconduct: * _____

Description of Alleged Misconduct: * _____

Please include as much detail as possible (use separate sheet if necessary)

Knowledge of victim(s) involved in alleged offense (circle one):

I can identify the victim(s) involved

I cannot identify the victim(s) involved.

Victim or Victims

Please identify the victim below. If you wish the victim to remain anonymous (whether the victim is yourself or someone else), then please enter the name as *Anonymous*. You may also be unaware of who the victim is. In this case, please enter, "*Unknown*."

First Name (or *Anonymous* or *Unknown*): * _____

Last Name (or *Anonymous* or *Unknown*): * _____

Age or Approximate Age * _____

Gender:

Male

Female

Additional Information: _____

Fill this section out if additional victims are involved.

First Name (or *Anonymous* or *Unknown*):* _____

Last Name (or *Anonymous* or *Unknown*):* _____

Age or Approximate Age* _____ Gender: Male Female

Additional Information: _____

(use separate sheet if necessary)

Your Name and Relationship to the Victim(s)

At your option, you may identify yourself and your relationship to the victim. Alternatively, you may remain anonymous if you wish. However, where appropriate, the investigative process may require further input, and therefore anonymous reporting may make it difficult for USATT to move forward with an investigation.

First Name (or *Anonymous* or *Unknown*):* _____

Last Name (or *Anonymous* or *Unknown*):* _____

Age or Approximate Age* _____ Gender: Male Female

Phone: (_____) _____ - _____

E-Mail Address: _____

Relationship to Victim:

Self

Parent/Guardian

Other Family Member

Friend or Acquaintance

Club Member

Coach or Volunteer

Prefer Not to Say

Other _____

Individuals That May Have Additional Information

List anyone who may be able to provide *additional information* regarding the alleged offense. We will not identify you when we contact these individuals.

First Name (or *Anonymous* or *Unknown*):* _____

Last Name (or *Anonymous* or *Unknown*):* _____

Age or Approximate Age* _____

Gender: Male Female

Phone: (_____) _____ - _____

E-Mail Address: _____

Relationship to Victim:

Self

Parent/Guardian

Other Family Member

Friend or Acquaintance

Club Member

Coach or Volunteer

Prefer Not to Say

Other _____

Additional Information

Please provide any other information that you feel would be helpful to an investigation of the alleged offense you have reported

EXHIBIT B

**United States Olympic Committee SafeSport Audit of USA
Table Tennis
(September 2017)**



United States Olympic Committee

United States Olympic Committee SafeSport Audit of USA Table Tennis

October 2017

This information has been prepared pursuant to a client relationship exclusively with, and solely for the use and benefit of the United States Olympic Committee (USOC) and is subject to the terms and conditions of our related contract. Baker Tilly disclaims any contractual or other responsibility to others based on its use and, accordingly, this information may not be relied upon to create a Baker Tilly responsibility by anyone other than the USOC. Per the USOC Bylaws and Performance Partnership Agreements, the USOC has the right to conduct audits of National Governing Bodies and High Performance Management Organizations.



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United States Olympic Committee
USOC SafeSport Audit of USA Table Tennis

United States Olympic Committee SafeSport Audit of USA Table Tennis¹

¹ To consider the report in its entirety, please refer also to the detailed management response that will appear here [[Governance Documents](#)] within 90 days of the date of this report.



Executive Summary

Summary Observations

It shall be the policy of the United States Olympic Committee (USOC) that each National Governing Body (NGBs) adopt a Minimum Standards Policy for Athlete Safety Programs (Athlete Safety Standards) by December 31, 2013².

We noted the following opportunities to enhance the design of USA Table Tennis' (USATT) compliance with the Athlete Safety Standards:

- > **Athlete Safety Standards - Application of the SafeSport Policy** – USA Table Tennis' SafeSport-related documentation and administrative materials does not specifically indicate that the overall policy applies to employees.
- > **Athlete Safety Standards - Criminal Background Checks and Education and Training Testing** – Requiring criminal background checks and education and training is not consistently enforced by USATT. The following exceptions were identified during our testing:
 - Five individuals selected for testing (50% of the selected individuals) did not have criminal background checks conducted during the testing period (i.e., May 1, 2016 through April 30, 2017); however, evidence was provided that one of the individuals completed the criminal background check prior to issuing the audit report.
 - Five individuals selected for testing (50% of the selected individuals) did not complete education and training requirements during the testing period (i.e., May 1, 2016 through April 30, 2017).

Background and Approach

USOC engaged Baker Tilly Virchow Krause (Baker Tilly), to assist the USOC in the completion of SafeSport audits, to assess compliance with SafeSport policies and procedures at the USOC and all of its NGBs and High Performance Management Organizations (HPMOs).

Baker Tilly performed a review of USATT to evaluate compliance with the Athlete Safety Standards. The following activities were performed for this review of USATT:

- > Developed and executed an audit program that included:
 - Holding a virtual entrance meeting to discuss and document USATT's SafeSport program and processes.

² Effective June 20, 2017 the USOC replaced the Athlete Safety Standards with the NGB Athlete Safety Policy. Due to the timing of this audit, fieldwork was performed in accordance with the Athlete Safety Standards.



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- Selecting a sample of 10 from the required individuals to ensure a background check was performed and education and training was completed. See **Appendix A** for a list of documents reviewed.
 - Reviewing USATT's athlete safety policy and determining whether the following was addressed:
 - Required misconduct is prohibited and defined;
 - Reporting procedures are documented; and
 - The grievance process is documented and complies with Athlete Safety Standards.
 - Identifying which individuals are required to undergo a criminal background check and complete education and training.
- > Conducted a virtual exit meeting, if requested, following delivery of the draft report, to discuss audit findings and recommendation(s) with USATT. See **Appendix B** for a list of individuals interviewed.
- > Identified specific observations and recommendations regarding opportunities to enhance compliance with Athlete Safety Standards. Observations include the following attributes: criteria, condition, cause, effect and recommendation, as set out in the International Professional Practices Framework (IPPF) Standards and Practice Advisory 2410-1.



Detailed Report

The tables below represent opportunities to enhance the design and effectiveness of USATT's compliance with the Athlete Safety Standards.

| 1. Athlete Safety Standards - Application of the SafeSport Policy | |
|---|---|
| Criteria | The Athlete Safety Standards state that the policy shall apply to (1) NGB employees; (2) athletes the NGB designates for the USADA required testing pool (RTP); and (3) individuals the NGB formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes. |
| Condition | USA Table Tennis' SafeSport-related documentation and administrative materials does not specifically indicate that the overall policy applies to employees. |
| Cause | USATT may not have updated its SafeSport-related documentation and administrative materials to align with requirements in the Athlete Safety Standards. |
| Effect | <p>USATT may not be in compliance with the Athlete Safety Standards. USATT must be in compliance with the Athlete Safety Standards to be a member in good standing. Noncompliance with the Athlete Safety Standards can result in disciplinary action by the USOC including withdrawal of high performance funding.</p> <p>Additionally, athletes may have contact with employees who are not aware of SafeSport misconduct and the potential impact to athletes' well-being.</p> |
| Recommendation | <p>USATT must update their SafeSport-related documentation and administrative materials to include the policy applies to USA Table Tennis' employees. Compliance with these requirements must be completed within 90 days of receipt of the final audit report.</p> <p>For example, the following language could be used in place of the current policy language, "The policy shall apply to (1) NGB employees; (2) athletes the NGB designates for the USADA required testing pool (RTP); and (3) individuals the NGB formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes."</p> |
| Management response | We agree with the condition and recommendation and will respond to the USOC with a detailed plan to ensure compliance with the current NGB Athlete Safety Policy. Our plan will be submitted to the USOC within the 90 day timeline referenced above. |



| 2. Athlete Safety Standards - Criminal Background Checks and Education and Training Testing | |
|---|--|
| Criteria | The Athlete Safety Standards state each NGB/HPMO shall require criminal background checks and education and training for those individuals it formally authorizes, approves, or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes. |
| Condition | <p>Requiring criminal background checks and education and training is not consistently enforced by USATT. The following exceptions were identified during our testing:</p> <ol style="list-style-type: none">1. Five individuals selected for testing (50% of the selected individuals) did not have criminal background checks conducted during the testing period (i.e., May 1, 2016 through April 30, 2017); however, evidence was provided that one of the individuals completed the criminal background check prior to issuing the audit report.2. Five individuals selected for testing (50% of the selected individuals) did not complete education and training requirements during the testing period (i.e., May 1, 2016 through April 30, 2017). |
| Cause | USATT may not be consistently tracking and monitoring compliance with the criminal background checks and education and training requirements of the Athlete Safety Standards. |
| Effect | <p>Individuals the USATT formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes may not be in compliance with the SafeSport program because they have not completed criminal background checks and/or education and training prior to having contact with athletes. USATT must be in compliance with the Athlete Safety Standards to be a member in good standing. Noncompliance with the Athlete Safety Standards can result in disciplinary action by the USOC including withdrawal of high performance funding.</p> <p>Also, athletes may have contact with individuals who are unaware of SafeSport misconduct and the potential impact to athletes' well-being and/or have contact with individuals who have a criminal history, which could put athletes at SafeSport-related misconduct risk.</p> |
| Recommendation | USATT must require that individuals it formally authorizes, approves, or appoints (a) to a position of authority over, or (b) |



2. Athlete Safety Standards - Criminal Background Checks and Education and Training Testing

| | |
|----------------------------|---|
| | <p>to have frequent contact with athletes complete criminal background checks and education and training requirements in a timely manner and before they have contact with athletes to provide assurance that they are educated on the requirements of the Athlete Safety Standards. The USATT must consistently track and verify criminal background checks and education and training requirements are met for all Required Individuals. Compliance with these requirements must be completed within 90 days of receipt of the final audit report.</p> <p>USATT should review the testing results and require all necessary individuals to complete the necessary requirements (i.e., criminal background check and/or education and training).</p> |
| Management response | <p>We agree with the condition and recommendation. USATT expects to be in substantial compliance by January 1, 2018. USATT further expects that if it is in substantial compliance by January 1, 2018, that will be within 90 days of the issuance of the Final audit report.</p> |



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Report Appendices



Appendix A: Documents Reviewed

We reviewed the following documents:

- > Athlete Safety Standards Program Questionnaire
- > Bylaws of United States Table Tennis Association, Inc.
- > Population listing of “required individuals” (i.e., covered individuals required to undergo background check and training)
- > USA Table Tennis SafeSport Policies and Procedures



Appendix B: Personnel Interviewed

We interviewed the following personnel:

- > Gordon Kaye, Executive Director
- > Dennis Taylor, General Counsel

EXHIBIT C

**United States Olympic Committee Audit Division Follow-Up
Report of USATT SafeSport Audit
(February 2018)**

United States Olympic Committee

Audit Division



Report for:
USA Table Tennis

Follow-up on:
SafeSport Audit

Dated:
February 12, 2018



UNITED STATES OLYMPIC COMMITTEE
1 Olympic Plaza
Colorado Springs, CO
80909

February 12, 2018

Gordon Kaye
Chief Executive Officer
USA Table Tennis

Dear Gordon,

During the second and third quarter of 2017, Baker Tilly Virchow Krause (Baker Tilly) performed a SafeSport audit of USA Table Tennis (USATT). The purpose of the follow-up review is to report on the status of recommendations from the SafeSport audit of USATT dated October 2017. Our methodology was limited to communication with the USATT and a review of various policies provided by the organization. The Audit Division did not perform additional audit work to verify action was taken. However, SafeSport will be tested during the routine audit process going forward.

The review found that the recommendations were implemented and are considered closed. USATT was prompt to implement the recommendations in the SafeSport audit.

We thank you and your staff for assisting in the follow-up review.

Sincerely,

Bridget Toelle, CPA, CIA
Senior Director, Audit

Ellen Senf
Staff Auditor

cc: Scott Blackmun
Rick Adams
Gary Johansen
Chris McCleary
Anne Cribbs
Dennis Taylor



SafeSport Follow-up Report

USA Table Tennis

| Follow-up Status | Recommendation | Management Response | Follow-up Action |
|------------------|---|--|---|
| Implemented | USATT must update their SafeSport-related documentation and administrative materials to include the policy applies to USA Table Tennis' employees. For example, the following language could be used in place of the current policy language, "The policy shall apply to (1) NGB employees; (2) athletes the NGB designates for the USADA required testing pool (RTP); and (3) individuals the NGB formally authorizes, approves or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes." | We agree with the condition and recommendation and will respond to the USOC with a detailed plan to ensure compliance with the current NGB Athlete Safety Policy. | USATT updated its website and revised its policy, in December 2017 to address the recommendation. |
| Implemented | USATT must require that individuals it formally authorizes, approves, or appoints (a) to a position of authority over, or (b) to have frequent contact with athletes complete criminal background checks and education and training requirements in a timely manner and before they have contact with athletes to provide assurance that they are educated on the requirements of the Athlete Safety Standards. USATT must consistently track and verify criminal background checks and education and training requirements are met for all Required Individuals. USATT should review the testing results and require all necessary individuals to complete the necessary requirements (i.e., criminal background check and/or education and training). | We agree with the condition and recommendation. USATT expects to be in substantial compliance by January 1, 2018. USATT further expects that if it is in substantial compliance by January 1, 2018 that it will be within 90 days of the issuance of the final audit report. | USATT has implemented a process to ensure all required individuals complete SafeSport education and background checks before they have contact with athletes. |