



CALIFORNIA AMATEUR HOCKEY ASSOCIATION SAFESPORT CHANGES AND UPDATE 2018 - 2019

Summary:

In 2017, the sobering impact of the U.S.A. Gymnastics abuse case resulted in revised legislation of two existing federal statutes: (1) the Victims of Child Abuse Act of 1990 and (2) the Amateur Sports Act of 1978. These revisions combined are known as the **Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017** (<https://www.usef.org/forms-pubs/ZeXEaZoEt-k/fact-sheet-protecting-young-victims>).

The new federal legislation will have the following impact on NGB organizations (an NGB - “National Governing Body” - is an amateur sports organization that is recognized by the United States Olympic Committee). **It is critical to understand that this does not just apply to travel hockey programs. This applies to ALL USA HOCKEY PROGRAMS AND FACILITIES RUNNING USA HOCKEY PROGRAMS..... if your program requires USA Hockey registration, this law applies to you.**

What changes for this season?

In a nutshell, nothing has changed (yet) in the SafeSport education platform. As outlined below, the USOC and the US Center for SafeSport will develop any policy and procedural changes to ensure our compliance as an NGB.

However, the SafeSport Act of 2017 is now federal law, and all members of the organization must comply.

While the highlighted changes below indicate the key components of the new legislation, they will affect our membership immediately in the following ways:

1. Liability to report
2. Who must report
3. Accountability of the member organization (each program)

What has changed for CAHA?

1. A required Member Program Acknowledgement:

The responsible party for each CAHA member organization will be required to sign an acknowledgement stating that they understand the terms and conditions of SafeSport and commit to complying with them. **This acknowledgement will be required by October 31 annually.** *The responsible party is a program President, Manager, Owner, Executive, etc. – the person holding the highest office of responsibility in a program. Normally (but not always) this is the person who is the registered voting member in CAHA elections.*

2. Duty to Report:

- a. **All member programs must report all SafeSport activity within their organization to the CAHA SafeSport Coordinator.** What does this mean? All NGB’s now have increased reporting responsibilities. If you plan to handle a SafeSport issue internally, the first step is to report it to your program’s SafeSport coordinator, who will report it to the CAHA SafeSport Coordinator.



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There are no exceptions to this reporting requirement. All NGB's will be audited regularly for SafeSport activity, and every incident that is reported within an organization, must be reported to CAHA.

- b. Mandatory duty to report all known or suspected instances of physical or sexual abuse. What does this mean? Keep reading.
- c. Definition of a Mandatory Reporter – who must report? Keep reading.

Victims of Child Abuse Act of 1990 (now part of the SafeSport Act of 2017)

- Duty to Report. Extends the duty to report suspected child abuse, including sexual abuse, within 24 hours to certain adults who are authorized to interact with minor or amateur athletes at an event sanctioned by an NGB. *This means that any individual who holds a designated position or role that interacts with minors in a youth sports organization (referred to as a "covered individual" and "mandatory reporter") IS REQUIRED to report any known or suspected case of child abuse within 24 hours to both CPS or local law enforcement, as well as the U.S. Center for SafeSport.*
- Criminal Penalties. An individual who is required, but fails, to report suspected child sexual abuse is subject to criminal penalties. *This means that there are federal criminal penalties for non-reporting of information. There are also civil penalties for non-reporting in the State of California.*

There are educational materials and reporting tools and guidelines on the CAHA Webpage to guide you in compliance with reporting requirements.

Amateur Sports Act of 1978 (now part of the SafeSport Act of 2017)

- Expands the purpose of the USOC: "to promote a safe environment in sports that is free from abuse, including emotional, physical, and sexual abuse, of any amateur athlete." *This will result in broader oversight and heightened governance dedicated to ensuring athlete safety in terms of any abuse as defined under SafeSport.*
- Center Designation. Designates the US Center for SafeSport (the "Center") to serve as the independent national safe sport organization and to exercise jurisdiction over the USOC and NGB, and to exercise such jurisdiction with regard to safeguarding athletes from abuse, including emotional, physical and sexual abuse, in sports. *The U.S. Center for SafeSport will both govern the SafeSport process and will also develop the policies and procedures and training criteria for compliance. *This is where future changes to the SafeSport program will come from.*
- The Center will develop policies and procedures including but not limited to:
 - **Mandatory Reporting:** While we will follow state and federal law at all times, we can expect uniform reporting procedures in the future.



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- **One-on-One Interactions:** We can expect policies that address limiting one-on-one interactions between a minor athlete and an adult (who is not the minor's legal guardian) at a facility under the jurisdiction of an NGB.
- **Prohibit Retaliation:** We can expect policies that prohibit retaliation by any NGB against any individual who makes a report.
- **Oversight Procedures:** We can expect both regular and random audits of each NGB to ensure that consistent SafeSport training and education regarding prevention of child abuse is offered and given to all adult members who are in regular contact with minor athletes, and also offered to all to minors (subject to parental consent).
- **Mandatory Education**
 - Each program must provide and offer Awareness Training for Administrators, Staff, and Parents (“to all adult members who are in regular contact with amateur athletes who are minors”).
 - Each program must provide and offer Awareness Training for Minors (with Parental Consent).

** These materials have not yet been developed outside of the existing SafeSport modules. These materials will be available for use in the coming months through USA Hockey and the U.S. Center for SafeSport. Any member of USA Hockey, any parent, any player, can take the online SafeSport training at any time.*

For more information on CAHA SafeSport: <http://caha.com/view.pl?p=safesport/index.htm>

For more information on the U.S. Center for SafeSport:
<https://www.usahockey.com/reportingtouscenterforsafesport>

For more information on USA Hockey SafeSport: <https://www.usahockey.com/safesportprogram>