

Harassment Policy of Dublin Crew

I. General Statement of Policy

It is the policy of Dublin Crew, Inc. ("Dublin Crew") to maintain a learning and competing environment that is free from religious, racial or sexual harassment and violence. Dublin Crew prohibits any form of religious, racial or sexual harassment and violence. It shall be a violation of this policy for any athlete, coach, board member or other club members, to include family members of all persons associated with Dublin Crew, of Dublin Crew to harass an athlete, coach, board member or other team members through conduct or communication of a sexual nature or regarding religion and race as defined by this policy. (For purposes of this policy, team members include board members, team employees, athletes, family members, volunteers, contractors and all other persons subject to the supervision and control of the Club.)

It shall be a violation of this policy for any athlete, coach, board member or other team members of Dublin Crew to inflict, threaten to inflict, or attempt to inflict religious, racial or sexual violence upon any athlete, coach, board member or other team members.

Dublin Crew will act to investigate all complaints, formal or informal, verbal or written, of religious, racial or sexual harassment or violence, and to discipline or take appropriate action against any athlete, coach, board member or other team members who is found to have violated this policy.

II. Religious, Racial and Sexual Harassment and Violence Defined

A. Sexual Harassment: Definition. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- (i) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining membership, or of obtaining a preferential or desired competitive position; or
- (ii) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's involvement with Dublin Crew; or
- (iii) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's athletic

performance or education, or creating an intimidating, hostile or offensive environment.

Sexual harassment may include but is not limited to:

- (i) unwelcome verbal harassment or abuse;
- (ii) unwelcome pressure for sexual activity;
- (iii) unwelcome, sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of athlete(s) by coaches, board members or other team members to avoid physical harm to persons or property;
- (iv) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's team membership or involvement status;
- (v) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's team membership or involvement status; or
- (vi) unwelcome behavior or words directed at an individual because of gender.

B. Racial Harassment: Definition. Racial harassment consists of physical or verbal conduct relating to an individual's race when the conduct:

- (i) has the purpose or effect of creating an intimidating, hostile or offensive working or athletic environment;
- (ii) has the purpose or effect of substantially or unreasonably interfering with an individual's athletic performance; or
- (iii) otherwise adversely affects an individual's athletic opportunities.

C. Religious Harassment: Definition. Religious harassment consists of physical or verbal conduct relating to an individual's religion when the conduct:

- (i) has the purpose or effect of creating an intimidating, hostile or offensive athletic environment;
- (ii) has the purpose or effect of substantially or unreasonably interfering with an individual's athletic performance; or
- (iii) otherwise adversely affects an individual's athletic opportunities.

D. Sexual Violence: Definition. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas.

Sexual violence may include, but is not limited to:

- (i) touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- (ii) coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
- (iii) coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or
- (iv) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

E. Racial Violence: Definition. Racial violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race.

F. Religious Violence: Definition. Religious violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion.

G. Assault: Definition. Assault is:

- (i) an act done with intent to cause fear in another of immediate bodily harm or death;
- (ii) the intentional infliction of or attempt to inflict bodily harm upon another; or
- (iii) the threat to do bodily harm to another with present ability to carry out the threat.

III. Reporting Procedures

Any person who believes he or she has been the victim of religious, racial or sexual harassment or violence by an athlete, coach, board member or other team members of Dublin Crew, to include family members of all persons associated with Dublin Crew, or any person with knowledge or belief of conduct which may constitute religious, racial or sexual harassment or violence toward an athlete, coach, board member or other team members should report the alleged acts immediately to an appropriate Dublin Crew official designated by this policy.

Dublin Crew encourages the reporting party or complainant to use the report form available from the Head Coach of each squad or available from the Team Club office, but oral reports shall be considered complaints as well.

Nothing in this policy shall prevent any person from reporting harassment or violence directly to a Club President or to the local authorities.

A. In Each Team Squad. The squad Head Coach is the person responsible for receiving oral or written reports of religious, racial or sexual harassment or violence at the squad level. Any adult Dublin Crew board member who receives a report of religious, racial or sexual harassment or violence shall inform the Executive Committee and specific Squad Head Coach immediately.

Upon receipt of a report, the Head Coach must notify Dublin Crew Executive Committee immediately, without screening or investigating the report. The Head Coach may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the Head Coach to the Executive Committee. If the report was given verbally, the Head Coach shall personally reduce it to written form within 24 hours and forward it to the Executive Committee.

Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the Head Coach. If the complaint involves the squad Head Coach, the complaint shall be made or filed directly with the President or any Executive Committee Member by the reporting party or complainant.

B. In the Club. The Executive Committee hereby designates the Second Vice President to receive reports or complaints of religious, racial or sexual harassment or violence. If the complaint involves the Second Vice President, the complaint shall be filed directly with the President.

Dublin Crew shall conspicuously post the name of the Second Vice President, including mailing addresses and telephone numbers.

C. Submission of a good faith complaint or report of religious, racial or sexual harassment or violence will not affect the complainant or reporter's future athletic participation.

D. Use of formal reporting forms is not mandatory.

E. Dublin Crew will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with Dublin Crew's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

IV. Investigation

By authority of Dublin Crew, the Second Vice President, upon receipt of a report or complaint alleging religious, racial or sexual harassment or violence, shall immediately undertake or authorize an investigation. The investigation may be conducted by Dublin Crew officials or by a third party designated by Dublin Crew. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether alleged conduct constitutes a violation of this policy, Dublin Crew should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

In addition, Dublin Crew may take immediate steps, at its discretion, to protect the complainant, athletes, coaches, board members or other team members pending completion of an investigation of alleged religious, racial or sexual harassment or violence.

The investigation will be completed as soon as practicable. Dublin Crew Second Vice President shall make a written report to the President upon completion of the investigation. If the complaint involves the President, the report may be filed directly with the Executive Committee. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

During some seasons the position of Second Vice President may not be filled. If so, an alternative individual should be designated by the Executive Committee.

V. Dublin Crew Action

A. Upon receipt of a report, Dublin Crew will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Dublin Crew action taken for violation of this policy will be consistent with requirements of applicable collective

bargaining agreements, state and federal law and Dublin Crew policies.

B. The result of Dublin Crew's investigation of each complaint filed under these procedures will be reported in writing to the complainant by Dublin Crew in accordance with state and federal law regarding data or records privacy.

VI. Reprisal

Dublin Crew will discipline or take appropriate action against any athlete, coach, board member or other team members, to include family members of all persons associated with Dublin Crew, who retaliates against any person who reports alleged religious, racial or sexual harassment or violence or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

VII. Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the state Department of Human Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law.

VIII. Harassment or Violence as Abuse

Under certain circumstances, alleged harassment or violence may also be possible abuse under state law. If so, the duties of mandatory reporting under such statutes may be applicable. Nothing in this policy will prohibit Dublin Crew from taking immediate action to protect victims of alleged harassment, violence or abuse.

IX. Dissemination of Policy and Training

A. This policy shall be conspicuously posted throughout each Team Squad in areas accessible to athletes and staff members.

B. This policy shall be posted on the team's web site.

C. Dublin Crew will develop a method of discussing this policy with contractors, coaches, athletes, parents and volunteers.

D. This policy shall be reviewed at least annually for compliance with state and federal law.

This " Team Board Policy Prohibiting Harassment and Violence" was prepared by the Dublin Crew Executive Committee, January, 2006.

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

HARASSMENT OR INTIMIDATION (BULLYING) REPORTING FORM

Directions: Harassment and intimidation (bullying) are serious and will not be tolerated. This is a form to report alleged harassment and intimidation (bullying) that occurred on club property; at a club-sponsored activity or event off club property; on a club bus; or on the way to and/or from club events*, during the current competition season. If you are a student victim, the parent/guardian of a student victim, or a close adult relative of a student victim, and wish to report an incident of alleged harassment or intimidation (bullying), complete this form and return it to the Head Coach at the athlete's victim's squad. Contact the club for additional information or assistance at any time.

Harassment and intimidation (bullying) means conduct, including verbal conduct, that creates a hostile athletic environment by substantially interfering with an athlete's athletic benefits, opportunities, or performance, or with an athlete's physical or psychological well-being, and is motivated by an actual or a perceived personal characteristic such as race, national origin, marital status, sex, sexual orientation, gender identity, religion or disability, or is threatening or seriously intimidating.

Today's date: _____ / _____ / _____ Squad: _____

PERSON REPORTING INCIDENT

Name: _____

Telephone: _____ E-mail: _____

Place an **X** in the appropriate box:

- Student
- Parent/guardian
- Close adult relative
- Other (specify): _____

1. Name of student victim: _____

Age: _____ Squad: _____

2. Complete known information. If you do not know, write "unknown."

Name(s) of alleged offender(s) (If known): _____

Age: _____ Squad: _____

Other means of identifying _____

3. On what date(s) did the incident happen?:

_____ / _____ / _____

_____ / _____ / _____

_____ / _____ / _____

4. Where did the incident happen (choose all that apply)?

- On club property
- At a club-sponsored activity or event off club property
- On a club bus
- On the way to/from club events

5. Place an **X** next to the statement(s) that best describes what happened (choose all that apply):

- Hitting, kicking, shoving, spitting, hair pulling, or throwing something
- Getting another person to hit or harm the athlete
- Teasing, name-calling, making critical remarks, or threatening, in person or by other means
- Demeaning and making the victim of jokes
- Inappropriate sexual advances or comments
- Making rude and/or threatening gestures
- Excluding or rejecting the student
- Intimidating (bullying), extorting, or exploiting
- Spreading harmful rumors or gossip
- Other (specify) _____

6. What did the alleged offender(s) say or do?

(Attach a separate sheet if necessary)

7. Why did the harassment or intimidation (bullying) occur?

(Attach a separate sheet if necessary)

8. Did a physical injury result from this incident? Place an **X** next to one of the following:

- No
- Yes, but it did not require medical attention
- Yes, it required medical attention

9. If there was a physical injury, do you think there will be permanent effects? Yes No

