

## USNF Misconduct Policy

The United States Naginata Federation (USNF) shall create policies and procedures for the prevention of misconduct, including but not limited to: Physical Abuse, Sexual Abuse and Harassment, Child Sexual Abuse, Verbal Abuse, Abuse of Power, and Substance Abuse (during practice or naginata-related events).

1. The USNF prohibits and does not tolerate sexual abuse or behavioral misconduct during any organization-related activity.
2. The USNF provides procedures for members, volunteers, board members, or any other victims of misconduct to report such acts. Those reasonably suspected or believed to have committed misconduct will be investigated and if deemed necessary, appropriately disciplined, up to and including termination of membership, as well as criminally prosecuted. No member, volunteer, board member, or other person, regardless of their title or position has the authority to commit or allow misconduct.
3. To create an environment that is safe and free of instances of misconduct, the USNF requires:
  - a. Background checks for Executive Committee members and Head Instructors once every five years
  - b. Mandatory reporter training related to child abuse for all Head Instructors with minors in their dojo and instructors of minors at USNF national seminars

### Definitions

#### Physical Abuse

- I. Intentional or deliberate act, without consent, causing bodily injury or trauma on another individual.
- II. Attempt to or threat of imminent violence that causes fear or apprehension in another individual.

#### Sexual Abuse and Harrassment

- I. Engaging in any sexual act, committed or attempted, imposed on an individual without their consent, consent cannot be given, or when consent was given under duress.

- II. Any action, direct or implied, threatening physical intrusion of a sexual nature towards an individual who has reasonable belief that the threat is real.
- III. Unwanted and/or inappropriate conduct (eg. touching) that is sexual in nature against an individual's body or belongings.
- IV. Any unwanted touching or handling of another individual that is or can be perceived to be sexual in nature.
- V. Creating and/or enabling a sexually hostile or intimidating environment that interferes with another's performance or ability to participate in naginata-related activities or events.

#### Child Sexual Abuse

- I. Any sexual act or touching, actual or threatened, between an adult and a minor or between minors with an age difference of three (3) or more years.
- II. Actual or attempt of exploitative behaviour, such as employing, persuading, or coercing, that subjects or causes a minor to engage in a sexual activity, witness sexual acts, or assist in sexual acts.
- III. Actual or attempt of enticing or persuading a minor to engage in a sexual activity for the purposes of taking pictures or making videos.
- IV. Owning, distributing, or producing any material depicting minors in a sexual manner.
- V. Any unwanted touching or handling of another individual that is or can be perceived to be sexual in nature.
- VI. Any inappropriate discussion of sexual topics in the presence of minor(s).

#### Verbal Abuse

- I. Language and/or communication being used to ridicule, dominate, manipulate, or degrade another individual.

#### Abuse of Power

- I. Any attempt to apply inappropriate influence over another individual's behavior or decisions.
- II. Taking advantage of an individual, federation, or organization through the misuse of power.
- III. Doing a favor or granting an advantage in exchange for, or in expectation of, a return favor (aka quid pro quo).

## Substance Abuse (during practice or naginata-related events)

- I. Abuse is the intentional non-therapeutic use of a drug, even once, to achieve a desired psychological or physiological effect. Misuse is the intentional use of a drug by an individual in a way other than prescribed by a health care provider or for whom it was not prescribed. Drug addiction is a cluster of behavioral, cognitive, and physiological phenomena that may include a strong desire to take the drug, difficulties in controlling drug use (e.g., continuing drug use despite harmful consequences, giving a higher priority to drug use than other activities and obligations), and possible tolerance or physical dependence.
- II. Use of or dependence on a substance (illegal, prescribed, or over-the-counter) that results in intoxication, impairment, or enhancing performance.
  - A. Substances are defined as a chemical element and its compounds in the natural state or the result of a manufacturing process.
- III. Owning, distributing, or producing any illegal substances.
- IV. Unwanted pressure or coercion on others to consume or obtain substances (illegal, prescribed, or over-the-counter).
- V. Use of a mind-altering substance that affects an individual's decision making capabilities which may or may not place others around them in danger.

## Reporting Procedure

The USNF will take all allegations of abuse or misconduct seriously and will promptly, thoroughly, and equitably investigate whether misconduct has taken place. The USNF will cooperate fully with any investigation conducted by law enforcement or other regulatory/protective service agencies.

Any member of the USNF should report suspected misconduct policy violations to any USNF board member. The person receiving the report must then relay the report to the USNF Executive Committee within 24 hours.

In general, the Executive Committee will form the investigative body for all reports. However, any member of the Executive Committee who has firsthand knowledge of the incident being reported or has a conflict of interest in the case will not form part of the investigative body. The investigative body must include at least three members. In the

event that fewer than three members of the Executive Committee are eligible to serve on the investigative body, the USNF Board of Directors shall have the authority to decide, by majority vote, the remaining members of the investigative body.

The person submitting a report should not conduct any investigation on their own. The person submitting a report should not confront the person accused of misconduct.

The Investigation Process document outlines in detail the full process for the investigation of all complaints.

USNF members may submit a report here: <https://forms.gle/84DHWNZsBvbtPJmW6>

### **Investigation and Follow-up**

The USNF will take all allegations of misconduct seriously and will promptly, thoroughly, and equitably investigate whether misconduct has taken place. The organization may utilize an outside third-party to conduct an investigation of misconduct. USNF will cooperate fully with any investigation conducted by law enforcement or other regulatory/protective services agencies.

The USNF will make every reasonable effort to keep the matters involved in the allegation as confidential as possible while still allowing for a prompt and thorough investigation.

### **Statement Against Retaliation and False Allegations**

The USNF prohibits retaliation made against any member, volunteer, board member, or other person who lodges a good faith complaint of misconduct or who participates in any related investigation.

The USNF prohibits making false or malicious misconduct allegations, as well as deliberately providing false information during an investigation. Making knowingly false or malicious accusations of misconduct has serious consequences for those who are wrongly accused. Anyone who violates this rule is subject to disciplinary action, up to and including termination of membership and criminal prosecution.

### **Reporting to Law Enforcement or Appropriate Child or Adult Protective Services**

The USNF is committed to following the state and federal legal requirements for reporting allegations or incidents of abuse or misconduct to appropriate law enforcement and child or adult protective services organizations. It is the policy of the USNF not to attempt to investigate or assess the validity or credibility of an allegation of sexual or physical abuse as a condition before reporting the allegation to proper law enforcement authorities or protective services organizations.

## **Supervision of Youth**

To provide a safe environment for minors, USNF recommends that a minimum of two adults supervise or be in attendance with minors during organization-related activities. The purpose is to avoid one-on-one interactions between adults and minors that are not easily observable by others. If individual meetings or activities with a minor must be held in a private setting, keep the door open. Only conduct closed door meetings or activities when another adult is put on notice and is also present during the activity and the activity area remains unlocked.

Access free training on mandatory reporting related to child abuse here:

<https://mandatedreportertraining.com/>

## **Additional Information**

U.S. Department of Health and Human Services: <https://www.childwelfare.gov/>

In February of 2018, the Safe Sport Act was signed into Federal Law. This act not only covers National Governing Boards (e.g.: US Olympics programs and other similar programs), but it now also applies to amateur sport programs such as naginata and kendo. The signing of this act now requires any suspicion of child abuse to be reported within a 24-hour period, determined by state or federal law. For more information see: <https://www.sadlersports.com/new-safe-sport-act-applies-amateur-sports-organizations/>