



# Women's Ohio State Golf Association

Policy No: 2018-02, GUIDELINE REGARDING ABUSE AND MOLESTATION

Purpose: To provide a safe environment for participants of all ages

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The Women's Ohio State Golf Association (hereinafter "WOSGA") takes the responsibility to protect contestants very seriously. The Safety Policies and Procedures contained herein are intended to protect all contestants and provide a safe environment. In conjunction with Policy No: 2017-01 Risk Management, adherence to the Guidelines contained herein shall be required for all volunteers of the WOSGA. Each Volunteer, as hereinafter defined, shall be given a copy of these Guidelines and shall sign the Guidelines acknowledging their receipt, review and comprehension of said policies. The WOSGA shall maintain a signed copy of the Guidelines for each Volunteer. The WOSGA has Zero-Tolerance for Abuse and Molestation.

## I. Definition of Volunteer:

These Guidelines shall apply to the WOSGA Executive Committee Members, Tournament Managers, Assistant Tournaments Managers, and WOSGA Day of Championship Volunteers.

## II. Screening Process:

- A) Volunteers, as defined in Section I, are required to complete the WOSGA Screening Process. This Process shall include completing an application in which Applicants, must under oath, answer the following questions:
- 1) List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.
  - 2) List all of the criminal convictions regarding crimes designated by the Ohio Revised Code as murder, assault, battery, theft or burglary, arson, fraud, and crimes against persons and property.
- B) Further, WOSGA Executive Committee Members, Tournament Managers, Assistant Tournament Managers shall submit to a criminal background check. Said criminal background check shall be every three years and shall be at the cost of the WOSGA. The WOSGA reserves the right to disqualify a Volunteer based on the results of the criminal background check. **If, at any time, a member of the WOSGA Executive Committee, Tournament Manager, or Assistant Tournament Manager has been charged with any violation as set forth in II A. 1 or 2 in the biannual period, she/he shall immediately report the same to the Executive Director.**

### III. Description of Abuse:

It is the policy of the WOSGA that all Volunteers are familiar with and understand the definition of an Abused or Endangered Child. The WOSGA has zero tolerance for abuse as defined herein, during the performance of any activity and during any tournament hosted by the WOSGA. Volunteers must understand that potential abuse could involve an adult, another contestant of the same or different age, gender, size or educational level.

To better understand the definition of Abused Child” and “Endangered Child” the following definitions are provided:

Pursuant to Ohio Revised Code § 2151.031, an “**abused child**” is defined as follows:

- A) Is the victim of "sexual activity" as defined under Chapter 2907. of the Revised Code, where such activity would constitute an offense under that chapter, except that the court need not find that any person has been convicted of the offense in order to find that the child is an abused child;
- B) Is endangered as defined in section 2919.22 of the Revised Code, except that the court need not find that any person has been convicted under that section in order to find that the child is an abused child;
- C) Exhibits evidence of any physical or mental injury or death, inflicted other than by accidental means, or an injury or death which is at variance with the history given of it. Except as provided in division (D) of this section, a child exhibiting evidence of corporal punishment or other physical disciplinary measure by a parent, guardian, custodian, person having custody or control, or person in loco parentis of a child is not an abused child under this division if the measure is not prohibited under section 2919.22 of the Revised Code.
- D) Because of the acts of his parents, guardian, or custodian, suffers physical or mental injury that harms or threatens to harm the child's health or welfare.
- E) Is subjected to out-of-home care child abuse.

Pursuant to Ohio Revised Code §2907.01(A)-(E), the following definitions are provided:

- A) "Sexual conduct" means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.
- B) "Sexual contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.
- C) "Sexual activity" means sexual conduct or sexual contact, or both.
- D) "Prostitute" means a male or female who promiscuously engages in sexual activity for hire, regardless of whether the hire is paid to the prostitute or to another.
- E) "Harmful to juveniles" means that quality of any material or performance describing or representing nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in any form to which all of the following apply:

- 1) The material or performance, when considered as a whole, appeals to the prurient interest of juveniles in sex.
- 2) The material or performance is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles.
- 3) The material or performance, when considered as a whole, lacks serious literary, artistic, political, and scientific value for juveniles.

Pursuant to Ohio Revised Code §2919.22, the definition of “**Endangering Children**” is as follows:

- A) No person, who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child under eighteen years of age or a mentally or physically handicapped child under twenty-one years of age, shall create a substantial risk to the health or safety of the child, by violating a duty of care, protection, or support. It is not a violation of a duty of care, protection, or support under this division when the parent, guardian, custodian, or person having custody or control of a child treats the physical or mental illness or defect of the child by spiritual means through prayer alone, in accordance with the tenets of a recognized religious body.
- B) No person shall do any of the following to a child under eighteen years of age or a mentally or physically handicapped child under twenty-one years of age:
  - 1) Abuse the child;
  - 2) Torture or cruelly abuse the child;
  - 3) Administer corporal punishment or other physical disciplinary measure, or physically restrain the child in a cruel manner or for a prolonged period, which punishment, discipline, or restraint is excessive under the circumstances and creates a substantial risk of serious physical harm to the child;
  - 4) Repeatedly administer unwarranted disciplinary measures to the child, when there is a substantial risk that such conduct, if continued, will seriously impair or retard the child's mental health or development;
  - 5) Entice, coerce, permit, encourage, compel, hire, employ, use, or allow the child to act, model, or in any other way participate in, or be photographed for, the production, presentation, dissemination, or advertisement of any material or performance that the offender knows or reasonably should know is obscene, is sexually oriented matter, or is nudity-oriented matter;
  - 6) Allow the child to be on the same parcel of real property and within one hundred feet of, or, in the case of more than one housing unit on the same parcel of real property, in the same housing unit and within one hundred feet of, any act in violation of section 2925.04 or 2925.041 of the Revised Code when the person knows that the act is occurring, whether or not any person is prosecuted for or convicted of the violation of section 2925.04 or 2925.041 of the Revised Code that is the basis of the violation of this division.

Based on the above, and in accordance with WOSGA 2017-01 Risk Management, no Volunteer shall be isolated with a juvenile participant in any championship activity, initiate any type of conversation, either verbally, digitally or by any means about sexual topics, engage in off-site social activities (one on one) with the contestant. Such activities, include, but are not limited to, meetings to play another sport, invitations to parties not related to the championship, meeting with one or more participants to see a movie, engage in telephone conversations, texting, emails, social networking, or any other form of communication that are not related to championship activities.

All Volunteers are prohibited from possessing any sexually oriented magazines, cards, photographs, videos, films while in the presence of any juvenile.

All Volunteers are prohibited from encouraging any juvenile to participate in any sexually explicit websites and/or chat rooms.

All Volunteers are prohibited from providing alcohol or illegal drugs to any juvenile.

#### **IV. Reporting Procedures:**

- A) In order to maintain a safe and secure environment for all contestants, especially juveniles, (individuals under the age of 18), each Volunteer shall have a mandatory duty to report any questionable circumstance, act, omission, report from a contestant, or situation that is a violation of these Guidelines. The failure to report a questionable circumstance, act, omission, report from a contestant or situation that is a violation of these Guidelines shall be grounds for disqualification as a Volunteer.
- B) All Volunteers, whether they personally observe the questionable circumstance, act, omission, or situation or if said circumstance, act, omission or situation is personally reported to said Volunteer, said Volunteer shall immediately report the questionable circumstance, act, omission or situation to the highest ranking WOSGA Volunteer at the event.
- C) If the highest-ranking Volunteer personally observes the questionable circumstance, act, omission, or personally hears the report from a contestant, that individual shall immediately commence the investigative process of set forth in Section V. Thereafter, based on the facts determined during the investigative process, there shall be contact with the local law enforcement agency or local Children Services Agency.
- D) In the case of a questionable circumstance, act, omission, or report from a contestant, and if said individual is a juvenile, the Executive Director of the WOSGA shall immediately contact the juvenile's parent, guardian, custodian, person having custody or control, or person in loco parentis. The Executive Director shall also disclose any information obtained by the investigative process and shall inform the parent, guardian, custodian, person having custody or control, or person in loco parentis of any report to any local law enforcement agency or children service agency.
- E) In the case of a questionable circumstance, act, omission, or report from a contestant regarding a Volunteer, that individual shall be immediately disqualified and shall not be permitted to be at the tournament site or any future tournament site until such time as there has been a full investigation and said investigation exonerates the Volunteer.
- F) Mandated reporters include, but are not limited to, teachers, daycare staff, social workers, school personnel, physicians, dentists, nurses, psychologists, speech pathologists, children services staff, coroners, attorneys and persons rendering spiritual treatment in accordance with tenets of well-organized religions acting in official or professional capacity. Although Volunteers, as defined herein are not mandatory reporters, they are still under a duty to report any type of abuse.
- G) The Ohio Revised Code provides immunity from civil or criminal liability for those who make reports in good faith of possible abuse. The identity of the referral source is typically confidential the County Children Services will not release the identification of the referral source to the family.

**V. Investigative Procedures:**

- A) The WOSGA, while understanding the need for investigation, also is mindful of the possibility of false allegations being made. In the case of report regarding a questionable circumstance, act, omission, or personal report whether by a Volunteer or a contestant, the WOSGA shall immediately interview the parties involved and gather information regarding the incident.
- B) If, at the conclusion of the investigation, there is a possibility that there was a violation of Ohio Revised Code §§2151.031, 2907.01(A)-(E), 2929.22 or any violation of the Guidelines as set forth in Section III, it shall be mandatory that a report be made to the local law enforcement agency or local Children Services Agency. With the exception of the immediate disqualification of a Volunteer pending a further investigation, the WOSGA will take no further action and shall cooperate with the local law enforcement agency or local Children Services Agency.

**VI. Continuing Duty of WOSGA to Provide Training and Education Regarding Abuse and Molestation:**

All Volunteers, with the exception of WOSGA Day of Championship Volunteers, shall be required to participate in on line Sexual Abuse Training on a yearly basis. The Executive Director shall determine the most cost-effective manner of providing said training and shall notify the Volunteers in a timely manner. The WOSGA shall bear the cost of the on line annual training.

**VII. Modification of Guidelines**

The WOSGA Executive Board reserves the right to amend or modify these Guidelines on a yearly basis.

I have read, reviewed and understand the Guidelines of the WOSGA regarding Abuse and Molestation.

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Name and Position

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Date

Approved by a majority vote of the Executive Committee: 03/20/2018