

1 Mississippi Soccer Association (MSA) PROHIBITED CONDUCT POLICY

2 A. APPLICATION

3 This Policy applies to:

- 4 • Members or license holders of MSA,
- 5 • Employees and board members of MSA and the employees and board members of
- 6 MSA members,
- 7 • Anyone within MSA governance or disciplinary jurisdiction, and

8 All definitions in this policy are taken from the SafeSport Code for the U.S. Olympic and
9 Paralympic Movement the (“SafeSport Code”), as may be amended from time to time. In
10 the event of any conflict between this Policy and the SafeSport Code, the SafeSport Code
11 will govern. The most recent SafeSport Code is always available at www.safesport.org.

12 B. PROHIBITED CONDUCT

13 1. Harassment

14 Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is
15 based upon a person’s protected status. MSA will not tolerate harassing conduct that
16 affects tangible job benefits, that unreasonably interferes with an individual’s work
17 performance, or safety, or that creates an intimidating, hostile, or offensive working
18 environment.

19 Among the types of conduct prohibited by this policy are epithets, slurs, negative
20 stereotyping, or intimidating acts based on an individual's protected status and the
21 circulation or posting of written or graphic materials that show hostility toward an
22 individual because of his or her protected status.

23 Prohibited conduct can also include jokes, kidding, or teasing about another person’s
24 protected status. While harassing conduct is unlawful only if it affects tangible job
25 benefits and/or interferes unreasonably with work performance and creates an abusive or
26 hostile work environment, this Policy forbids harassing conduct even when it does not
27 rise to the level of a violation of law.

28 2. Sexual Harassment

29 Sexual harassment deserves special mention. Unwelcome sexual advances, requests for
30 sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute
31 sexual harassment when:

- 32 • submission to such conduct is either explicitly or implicitly a term or condition of
- 33 the individual’s employment,
- 34 • submission to or rejection of such conduct by an individual serves as the basis for
- 35 an employment decision affecting that individual, or

- 36 • such conduct has the purpose or effect of unreasonably interfering with an
37 individual's work performance and creating an intimidating, hostile, or offensive
38 working environment.

39 Sexual harassment may involve individuals of the same or different gender. It may also
40 occur between individuals of any employment status.

41 Examples of conduct which may constitute sexual harassment and are prohibited by this
42 Policy include, but are not limited to:

- 43 • unnecessary touching, patting, hugging, pinching, or brushing against a person's
44 body,
45 • staring, ogling, leering, or whistling at a person,
46 • continued or repeated verbal abuse of a sexual nature,
47 • sexually explicit statements, sexual flirtations, advances, propositions, subtle
48 pressure for sexual activity, comments, questions, jokes, or anecdotes,
49 • graphic or degrading comments about a person's clothing, body, or sexual
50 activity,
51 • sexually suggestive objects, cartoons, posters, calendars, or pictures in the
52 workplace,
53 • suggestive or obscene letters, notes, or invitations,
54 • harassing use of electronic mail, electronic or instant messaging, or telephone
55 communication systems, or
56 • other physical or verbal conduct of a sexual nature.

57 3. Racial, Religious, or National Origin Harassment

58 Racial, religious, or national origin harassment deserves special mention as well, and is
59 expressly prohibited by MSA. Racial, religious, or national origin harassment includes
60 any verbal, written, or physical act in which race, religion, or national origin is used or
61 implied in a manner which would make a reasonable person uncomfortable in the work
62 environment or which would interfere with the person's ability to perform the job.
63 Examples of race, religious or national origin harassment may include, but are not limited
64 to:

- 65 • jokes, which include reference to race, religion, or national origin,
66 • the display or use of objects or pictures which adversely reflect on a person's
67 race, religion, or national origin, or
68 • use of pejorative or demeaning language regarding a person's race, religion, or
69 national origin.

70 4. Child Abuse, Including Child Sexual Abuse

71 Child abuse is prohibited. Child abuse is defined as the physical or mental injury, sexual
72 abuse or exploitation, or negligent treatment of a child. Specifically, child sexual abuse
73 includes sexual contact with a child that is accomplished by deception, manipulation,

74 force, or threat of force, regardless of the age of the participants, and all sexual
75 interactions between an adult and a child, regardless of whether there is deception, or
76 whether the child understands the sexual nature of the activity.

77 5. Sexual Misconduct and Power Imbalance

78 Sexual misconduct is prohibited. Sexual misconduct includes:

- 79 • Sexual Harassment as defined in Section B.2. of this policy,
- 80 • non-consensual touching of a sexual nature, however slight,
- 81 • watching, recording, or disseminating images of private sexual activity without
82 the consent of all parties, and
- 83 • engaging in solicitation of prostitution or prostituting or trafficking another
84 person.

85 Any sexual interaction between an athlete and an individual where there is a power
86 imbalance is prohibited. A power imbalance exists when one person has evaluative,
87 direct, or indirect authority over another. Such relationships involve an imbalance of
88 power and are likely to impair judgment or be exploitative. This section does not apply to
89 a pre-existing relationship between two spouses or life partners.

90 6. Emotional Misconduct

91 Emotional misconduct in all forms is prohibited. Emotional misconduct is a pattern of
92 deliberate, non-contact behavior that has the potential to cause emotional or
93 psychological harm to another person. Non-contact behaviors include verbal acts,
94 physical acts, or acts that deny attention or support; or any act or conduct described as
95 emotional abuse or misconduct under federal or state law (e.g., child abuse, child
96 neglect). Emotional misconduct does not include professionally accepted coaching
97 methods of skill enhancement, physical conditioning, team building, appropriate
98 discipline or improving athletic performance.

99 7. Physical Misconduct

100 Physical misconduct in all forms is prohibited. Physical misconduct is defined as contact
101 or noncontact conduct that results in, or reasonably threatens to, cause physical harm to
102 another person; or any act or conduct described as physical abuse or misconduct under
103 federal or state law (e.g., child abuse, child neglect, assault). Physical misconduct does
104 not include professionally accepted coaching methods of skill enhancement, physical
105 conditioning, team building, appropriate discipline or improving athletic performance.
106 For example, hitting and punching are well-regulated forms of contact in combat sports
107 but have no place in soccer.

108 8. Bullying

109 Intentional, persistent, and repeated pattern of committing or willfully tolerating physical
110 and non-physical behaviors that are intended, or have the reasonable potential, to cause

111 fear, humiliation, or physical harm to socially exclude, diminish or isolate the targeted
112 athlete(s), as a condition of membership are prohibited. Bullying does not include group
113 or team behaviors that (a) are meant to establish normative team behaviors, or (b)
114 promote team cohesion.

115 9. Hazing

116 Coercing, requiring, forcing, or willfully tolerating any humiliating, unwelcome or
117 dangerous activity that serves as a condition for (a) joining a group or (b) being socially
118 accepted by a group's members are prohibited. Purported consent by the person subject
119 to hazing is not a defense, regardless of the person's willingness to cooperate or
120 participate. Hazing does not include group or team activities that (a) are meant to
121 establish normative team behaviors or (b) promote team cohesion.

122 10. Retaliation

123 Retaliation against a person for reporting prohibited conduct or for participating in an
124 investigation of a report of misconduct under this policy, is prohibited. Retaliation
125 means any adverse action, or threat to take an adverse action including, but not limited to
126 threatening, intimidating, harassing, coercing, or any other action or conduct with the
127 potential effect of dissuading a reasonable person from reporting under this policy or
128 participating in the investigation of a report.

129 11. Aiding and Abetting

130 Aiding and abetting is prohibited. Aiding and abetting is defined as:

- 131 • knowingly assisting, in any way, the commission of prohibited conduct under this
132 policy or
- 133 • allowing any person who has been suspended or ruled ineligible by the U.S.
134 Center for SafeSport to participate, in any capacity, in MSA's programs.

135 12. Abuse of Process

136 Abuse of process is prohibited. Abuse of process is defined as interfering with the U.S.
137 Center for SafeSport's ("the Center's") process by:

- 138 • falsifying, misrepresenting, concealing, or destroying information,
- 139 • attempting to discourage a person's participation in the Center's process,
- 140 • publicly disclosing a claimant (or victim's) information,
- 141 • failing to comply with a temporary measure or other sanction,
- 142 • distributing or publicizing materials created or produced by the Center except as
143 expressly permitted by the Center, or
- 144 • having another person complete any Center required training for them.

145 13. Misconduct Related to Reporting

146 Misconduct related to reporting is prohibited. Misconduct related to reporting is defined
147 as:

- 148 • Failing to report allegations to the Center or to law enforcement under Section B
149 of this Policy, or
- 150 • Filing a knowingly false allegation that someone engaged in prohibited conduct.

151 C. REPORTING OBLIGATIONS:

152 Everyone covered by this policy as set forth under Section A is required to report prohibited
153 conduct. This section shall not be interpreted to require a victim of abuse to make a report.

154 1. Reporting to Law Enforcement and the U.S. Center for SafeSport

155 Any allegation of child abuse, as defined by Section 4 herein, including child sexual
156 abuse, must be reported within 24 hours to:

- 157 • Local law enforcement, any other agency as required by state law, and
- 158 • The U.S. Center for SafeSport, at [https://uscenterforsafesport.org/report-a-](https://uscenterforsafesport.org/report-a-concern/)
159 [concern/](https://uscenterforsafesport.org/report-a-concern/) or 833-587-7233.

160 2. Reporting to the U.S. Center for SafeSport

161 The following allegations must be reported within 24 hours to the U.S. Center for
162 SafeSport, at <https://uscenterforsafesport.org/report-a-concern/> or 833-587-7233:

- 164 • Sexual misconduct as defined by Section B.5. herein,
- 165 • Retaliation as defined by Section B.10. herein,
- 166 • Aiding and abetting as defined by Section B.11. herein, when it relates to the
167 Center's process, and
- 168 • Abuse of process as defined by Section B.12. herein, when it relates to the
169 Center's process.

170 3. Reporting to MSA

171 All other allegations of conduct prohibited by this policy or the Code, as well as
172 violations of MSA's Minor Athlete Abuse Prevention Policy ("MAAPP") must be
173 reported to MSA as soon as possible in accordance with MSA's Grievance, Dispute, and
174 Appeal Policy.

175 C. ENFORCEMENT AND RESOLUTION

176 Any allegation of prohibited conduct reported under Section B.3. herein shall be addressed
177 by MSA, subject to a grievance process set forth in MSA's Grievance, Dispute, and Appeal
178 Policy that is materially free of bias and conflicts of interest, and which includes the

179 opportunity for review by a disinterested individual or group and a right to appeal a final
180 decision subject to the terms set forth in U.S. Soccer Bylaw 704.