

**KEY FINDINGS AND RECOMMENDATIONS:
PLAYER SAFETY AND THE
UNITED STATES TENNIS ASSOCIATION**

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I. OVERVIEW

A. Scope of This Review

These Key Findings and Recommendations reflect a thorough independent review conducted by the law firm Debevoise & Plimpton LLP of the United States Tennis Association's (the "USTA") current policies and procedures for preventing, reporting, and responding to reports of abuse, including sexual misconduct. The USTA requested that in addition to reviewing all policies and procedures now in place, we also make recommendations that could help strengthen USTA's policies and procedures going forward.

The USTA is a nonprofit organization whose mission is to grow tennis to inspire healthier people and communities everywhere.¹ The USTA is also the official national governing body ("NGB") for tennis, which means it has been tasked by the United States Olympic and Paralympic Committee ("USOPC") with establishing the rules of tennis, growing the sport within the United States, and selecting the members of the U.S. Olympic and Paralympic tennis teams. The USTA has over 665,000 members across the country and administers tennis leagues, tournaments, and training programs for youth and adults. While the USTA has a broad mandate, it does not oversee all tennis or tennis programs in the United States. Aspects of the sport that fall outside the USTA's ambit include scholastic tennis programs, unaffiliated tennis clubs, and coaches privately hired by players.

Debevoise was selected to conduct this review because of the firm's decades-long experience conducting internal and independent reviews for organizations that have similarly sought to evaluate and enhance their safety policies, particularly those that protect minors. The

¹ Prior to April 2024, the USTA's mission statement was to promote and develop the sport of tennis.

review was led by David O’Neil, co-chair of Debevoise’s white collar and regulatory defense group and former head of the Criminal Division of the Department of Justice, and Mary Beth Hogan, co-chair of Debevoise’s litigation department.²

The USTA decided to engage in this review in an effort to determine whether it is currently taking all necessary and reasonable steps to safeguard athletes, especially minors participating in USTA programs. Our review focused on the effectiveness and transparency of both the ways in which the USTA currently works to keep athletes safe and prevent abuse—such as trainings, background screenings and member communications—and its policies for responding when it receives a report of misconduct. We were also asked to make recommendations on additional steps the USTA could take to prevent future misconduct.

Our review did not encompass the investigations of specific incidents involving allegations of sexual misconduct apart from reviewing whether the USTA met its obligations when abuse was reported to the USTA. Federal law grants exclusive jurisdiction to investigate such cases to the United States Center for SafeSport (“Center for SafeSport” or “SafeSport”) and prohibits the USTA from separately investigating them. Thus, for example, we did not investigate the events leading to recent litigation against the USTA in connection with a 2018 instance of sexual abuse of a then-19 year old elite player by a former USTA employee. That case involved an undisputed incident of abuse and resulted in a \$9 million award that included punitive damages against the USTA.³ We are also aware of a number of disputed allegations concerning the conduct of USTA personnel and counsel in connection with that case and

² We received invaluable assistance on this Review from our colleagues Alexa Busser Lopez and Kobie Allen.

³ *Kylie McKenzie v. United States Tennis Ass’n*, 6:22-cv-00615-PGB-LHP (M.D. Fla. May 7, 2024).

historically. Because those allegations are at the center of the litigation, which remains pending, and because our focus was more broadly on the USTA's current policies and procedures and how they could improve, we do not directly address those allegations in this report. We did, however, review materials provided to us by the attorney representing the plaintiff, and we considered the relevance of such materials in formulating our Recommendations.⁴

From the outset, the USTA pledged that our review would be independent, and the USTA honored that commitment. The USTA authorized us to speak with USTA employees and to review any documents that we deemed relevant to our review. Debevoise has not previously done work for the USTA and does not represent the USTA before any courts or other adjudicatory bodies.

B. Context for This Review: Broader Focus on Athlete Safety

Consistent with the USTA's decision to undertake our review, athlete safety has received increasing attention in Congress and across the Olympic movement. Congress has paid particular attention to athlete safety in the Olympic movement in recent years. In October 2020, the Empowering Olympic, Paralympic and Amateur Athletes Act created a congressional Commission on the State of the U.S. Olympics and Paralympics to evaluate the USOPC and the

⁴ The USTA has been a defendant in four additional lawsuits over the last two decades. One resulted in a settlement (*see W.S. & S.G. v. United States Tennis Ass'n, United States Tennis Ass'n Northern California, Burgos Tennis Found., Inc., and Normandie Burgos*, RG19048474 (Cal. Supp. 2020)) and three were dismissed as to the USTA (*see Jensen v. United States Tennis Ass'n*, 2:20-cv-02422-JWL-TJJ (D. Kan. May 10, 2022); *Doe v. Carl Hodge, Macon-Bibb County, John Drew Smith Tennis Ctr., Tattall Tennis Ctr., Middle Georgia Tennis, Middle Georgia Tennis Acad., Inc., Middle Georgia Youth Tennis & Educ. Ass'n, Inc., Tennis & Educ. Found. of Cent. Georgia, Inc., Perry Tennis Ass'n, Inc., Macon Tennis Ass'n, Inc., Georgia Tennis Ass'n, Inc., and United States Tennis Ass'n*, 2018-CV-068386 (Ga. Supp. Ct. 2018); *Doe vs. United States Tennis Ass'n, United States Prof. Tennis Ass'n, Mingus Creek Athletic Club, and Jason Bettuo*, 49D01-1309-CT-034864 (Ind. Supp. Ct. 2013)). These cases have informed certain of our Recommendations, particularly those addressing prevention of abuse and broad publication and dissemination of the USTA's Suspended or Ineligible List, which was not published prior to 2020.

Center for SafeSport and provide recommendations to improve the efficacy of their abuse prevention and resolution mechanisms. The Commission released its report on March 1, 2024.⁵ In the fall of 2023, Congresswoman Deborah Ross shared a draft bill to reform the Center for SafeSport with representatives from the NGBs, who are providing input on the draft. And on February 7, 2024, Senators Marsha Blackburn and Gary Peters reached out to every NGB to request information and insight on the Center for SafeSport.

Other NGBs and tennis organizations are engaged in similar efforts. For example, U.S. Biathlon announced in February 2024 that it had established a task force and would hire an independent third-party consultant to evaluate its athlete wellness practices and provide recommendations.⁶ The same month, USA Baseball announced that it had created a new position dedicated to overseeing SafeSport-related policies, training, and procedures.⁷ In November 2022, the Women's Tennis Association hired a new Director of Safeguarding and announced that it would issue a new safeguarding code of conduct, which will be released in 2025.⁸ The Association of Tennis Professionals also hired its own director of safeguarding in March 2023.⁹

⁵ COMM'N ON THE STATE OF U.S. OLYMPICS & PARALYMPICS, *Final Report: Passing the Torch, Modernizing Olympic, Paralympic, & Grassroots Sports in America* (2024), <https://www.csusop.org/s/CSUSOP-Final-Report-Digital.pdf>.

⁶ *Independent Third Party Audit of Athlete Health and Safety at US Biathlon*, US BIATHLON ASS'N, <https://www.usbiathlon.org/u-s-biathlon-athlete-led-panel>.

⁷ *Kyle Lubrano Appointed USA Baseball Senior Director of SafeSport and Compliance*, USA BASEBALL (Aug. 7, 2018), <https://www.usabaseball.com/news/kyle-lubrano-appointed-usa-baseball-senior-director-of-safesport-and-c-289250848>.

⁸ *See* Howard Fendrich, *Women's Tennis Works to Safeguard Against Predatory Coaches*, AP NEWS (March 20, 2023), <https://apnews.com/article/predatory-coaches-wta-tour-womens-tennis-43fa8cc190da199fa12c27257fb8ad27>.

⁹ D'Arcy Maine, *Alexander Zverev Domestic Abuse Charges: What to Know*, ESPN (Jan. 25, 2024), https://www.espn.com/tennis/story/_/id/39386940/alexander-zverev-assault-trial-domestic-abuse-charges-know.

C. Review Process

On January 4, 2024, CEO of the USTA Lew Sherr announced our review in an email to the USTA's Board of Directors and employees and the leadership of USTA's seventeen Sectional Associations. The announcement was posted on the front page of the USTA's website and disseminated by several national news websites.¹⁰ The announcement encouraged anyone with information relevant to the review to reach out to us at USTAReview@debevoise.com. We interviewed or reviewed materials provided by all those who responded to the announcement.

We interviewed all USTA employees involved in developing and enforcing the USTA's sexual misconduct policies and procedures, as well as the leadership of several USTA Sectional Associations, in order to better understand how the USTA's national policies are implemented at the regional level. We spoke with various individuals with expertise and leadership roles in safeguarding athletes in sports generally and in tennis specifically, including a former professional player and a parent of youth tennis players, to understand their perspectives on best practices for player safety. We received additional input from parents and members of the tennis community via email. We sought to speak to anyone who contacted us and also requested that they connect us with others who might have relevant information.¹¹

We reviewed hundreds of USTA documents, including draft and final policies, trainings, audit materials, and emails. We also reviewed policies, reports, and audit materials from the

¹⁰ See, e.g., *The US Tennis Association is Reviewing its Safeguarding Policies and Procedures*, AP NEWS (Jan. 4, 2024), <https://apnews.com/article/us-tennis-association-safeguarding-review-5d4d49461bfc3106fd2e738f80903152>; Matthew Futterman, *USTA Hires Attorneys to Review Handling of Sexual Abuse and Harassment Allegations*, ATHLETIC (Jan. 4, 2024), <https://theathletic.com/5179686/2024/01/04/usta-tennis-attorney-sexual-abuse-review/>.

¹¹ We received multiple emails purporting to be from four different people, raising broad-ranging complaints about the USTA and its leadership. We asked to speak to each of them and assured them that their identities would be kept confidential, but they declined to speak with us and provided us with no specifics on how the USTA could improve player safety.

Center for SafeSport, an independent body created by federal law to prevent and investigate sexual misconduct in Olympic sports, and the athlete safety policies of all of the NGBs in the Olympic movement. In particular, we reviewed and analyzed USTA’s 2023 Safe Play Conduct, Policies & Guidelines (the “Safe Play Policy”) relating to the prevention of athlete abuse, and benchmarked that against the Center for SafeSport’s model Minor Athlete Abuse Prevention Procedures (“MAAPP”), as well as the MAAPPs or equivalent policies of 51 other NGBs, Paralympic sports organizations, and the USOPC, as described in further detail in Appendix A. We also reviewed the 2023 SafeSport Code, which the USTA incorporates into its SafeSport Policy, and the USTA Employee Handbook. Finally, we reviewed the athlete safety policies of other tennis organizations outside of the Olympic movement.

D. Summary of Key Findings and Recommendations

As discussed more fully below, we arrived at the following key findings and recommendations, which are summarized here.

The USTA’s “Safe Play Policy” enumerates proactive policies for protecting tennis player safety and describes appropriate and inappropriate conduct.¹² It requires all adults whom the USTA authorizes to have authority or control over Minor Athletes¹³ to complete a training provided by the Center for SafeSport and pass a background check. The Safe Play Program also describes how violations of the Safe Play Policy can be reported and how reports are resolved.

The USTA complies with all of the requirements of the U.S. Center for SafeSport, and in several respects has policies and procedures that are more protective than the Center’s

¹² The Safe Play Policy is available at <https://www.usta.com/content/dam/usta/2024-pdfs/safe-play-policies-guidelines-and-conduct.pdf>.

¹³ “Minor Athletes” include any athlete under the age of 18 who has participated in any events, programs, activities, or competitions in the past 12 months that is partially or fully under the jurisdiction of the USTA or its Sectional Associations. *See* Safe Play Policy § III.A.

requirements. While the USTA’s jurisdiction is limited to its members, employees, board members, Sectional Associations, and those it authorizes to have regular contact with or control over Minor Athletes, the USTA has gone beyond the mandates from the Center for SafeSport by collaborating with other tennis organizations and offering trainings and free background checks to non-affiliated tennis providers.

We did, however, identify several ways to increase player safety that the USTA should consider adopting.

1. Preventing Misconduct

Policies: The USTA incorporates all of the policies required by the SafeSport Code and the SafeSport MAAPP, and in some areas exceeds the requirements imposed by SafeSport, but certain policies could be further strengthened.

1. *One-on-One Interactions with Minors*. The USTA has stricter policies than the SafeSport MAAPP regarding one-on-one interactions between Adult Participants¹⁴ and Minor Athletes. The USTA requires that any one-on-one interaction be monitored, prohibits any meetings in hotel rooms, and restricts the electronic communications that are permitted between Adult Participants and Minor Athletes. Parents may consent to exceptions to these prohibitions, including travel overnight for tournaments. The USTA currently recommends that parents receive training before giving that consent, but relatively few parents complete the training and the USTA’s system to track whether parents complete training is not linked to the systems for collecting parent consent or registering for events. Given the increased risk of abuse in these situations, and as discussed in Section III.D.2, we recommend that parents be required to

¹⁴ “Participants” include all USTA members, employees, and board members of the USTA and its sectional associations, and anyone authorized by the USTA or a sectional association to have regular contact with or authority over Minor Athletes. *See* Safe Play Policy § I. “Adult Participants” include all Participants aged 18 and older. *See id.* § III.A.

undergo training before providing consent to any one-on-one contact between an unrelated adult teacher or coach and a Minor Athlete.

2. *Out-of-Program Interactions with Minors.* The USTA prohibits one-on-one, out-of-program contact¹⁵ between Adult Participants and Minor Athletes, though it does not prohibit group interactions outside of sport. As explained in Section III.A.1, in order to prevent blurred lines and opportunities for abuse, we recommend prohibiting *all* out-of-program contact with Minor Athletes absent the consent of a parent who has completed SafeSport training.

3. *Athletic Training/Treatment.* The USTA’s policies regarding athletic training are also more protective than the SafeSport MAAPP. While certain other NGBs permit non-licensed individuals, including coaches, to perform athletic training, the USTA permits only licensed or certified individuals to perform athletic training and an athlete’s coach is never permitted to perform such services. Unlike some other NGBs, however, the USTA does not require providers of athletic training, massages, or rubdowns to narrate their sessions or to use training techniques that minimize touch. As discussed in Section III.A.1, we recommend that the USTA consider adding session narration and touch-minimization to the requirements in its athletic training policy.

4. *Photos and Videos.* The USTA’s Safe Play Policy does not impose any guidelines or requirements relating to taking or sharing photos or videos of Minor Athletes. The SafeSport MAAPP recommends that photos and videos of athletes should be taken only in public view and

¹⁵ “Out-of-program” contact includes, for example, babysitting, tutoring, sharing a meal outside the context of tennis practices or events, or attending social gatherings not related to tennis. In contrast, “in-program contact” refers to contact that is related to participation in the sport, such as practices and competitions, award ceremonies, pre- or post-game meals, and team-building activities. See *MAAPP At a Glance* 2–3, U.S. CENTER FOR SAFESPORT (2022), https://uscenterforsafesport.org/wp-content/uploads/2021/03/MAAPP_At-A-Glance_Final.pdf.

observe generally accepted standards of decency, and that Adult Participants should not share or post photos or videos of Minor Athletes if the Adult Participant has not obtained the parent/guardian and Minor Athlete’s consent. Most NGBs recommend or require these provisions. As discussed in Section III.A.1, we recommend that the USTA consider adding as a requirement these restrictions on photos and videos of Minor Athletes.

We also recommend in Section III.A.2 that the USTA make information about the jurisdiction and policies of the Center for SafeSport more apparent in its Member Terms and Conditions.

Monitoring at USTA Facilities: The USTA employs security cameras at the three USTA national training facilities in Orlando, Florida; Carson City, California; and Queens, New York and has additional cameras on each court at the Orlando and Queens facilities. As discussed in Section III.A.3, the USTA should ensure that cameras are working and in widespread use, and it should have backup plans in place for when the cameras are not working, such as shutting down the court or requiring the presence another adult.

Formalizing Player Development Practices: USTA’s high performance training function, Player Development, has practices in place to reinforce the requirements of the Safe Play Policy and to minimize one-on-one travel by Minor Athletes and coaches—a situation fraught with opportunities for misconduct. In Section III.A.4, we recommend that these practices should be added to Player Development’s written procedures and treated as rules rather than guidelines. Player Development staff should also receive additional, function-specific training on real-world applications of the Safe Play Policy.

2. *Keeping Bad Actors Out of Tennis*

No organization can guarantee that abuse will not take place, but arming players and parents with information about coaches and other tennis professionals who have engaged in past

misconduct is critical to the prevention effort. The USTA was not among the first NGBs to publish an “Ineligible List;” several others, including USA Gymnastics, U.S. Bowling, and U.S. Equestrian, took this important step earlier.¹⁶ Since 2020, the USTA has made the list of tennis professionals who are suspended from or ineligible to participate in tennis due to misconduct public on its website and has in some instances taken additional steps to disseminate such information. Our Recommendations, in Section III.C, include additional steps the USTA can take to keep banned individuals out of its facilities and events and to equip parents with information.

USTA Facilities and Tournaments: The USTA has an effective Quality Control system for ensuring that individuals cannot be credentialed at national-level elite and high-performance tournaments hosted by the USTA (“National Tournaments”) if they have not passed a background screen, completed a 90-minute training video offered by the Center for SafeSport, and read and acknowledged the USTA Safe Play Policy in order to become “Safe Play Approved,” or if they are ineligible to participate in tennis. The USTA also collaborates with the Women’s Tennis Association to ensure that all known ineligible individuals in the sport are prevented from receiving event credentials at USTA professional tournaments. As detailed in Section III.C.1, we suggest that the USTA formalize several of the practices in place at National Tournaments—namely verifying coach Safe Play Approval in advance of all tournaments and

¹⁶ A report by the Energy and Commerce Committee of the U.S. House of Representatives found that as of 2018, 17 NGBs had a publicly-available list of banned individuals, 18 NGBs (including the USTA) maintained a list of banned individuals internally but did not make the list public, and 14 NGBs did not maintain a list of banned individuals internally or publicly. HOUSE COMM. ON ENERGY AND COMMERCE, *Nassar and Beyond: A Review of the Olympic Community’s Efforts to Protect Athletes from Sexual Abuse* 73–85, (Dec. 20, 2018) <https://d1dth6e84htgma.cloudfront.net/legacy/uploads/2018/12/EC-USOC-Report-12.20.18-Final-REV.pdf>.

removing all banned individuals that attend tournaments as spectators—and expand these processes to tournaments hosted by USTA Sectional Associations that include Minor Athletes. We also encourage the USTA to mandate that tournament directors certify that they have implemented the Quality Control procedures and that the USTA and Sectional Associations audit events to verify compliance.

Our Recommendations in Section III.C.1 also encourage the USTA to examine potential mechanisms for keeping ineligible individuals out of tournaments, even as spectators.

Educating the Tennis Community: The USTA’s website includes extensive information and resources about its Safe Play Program, but we recommend in Section III.C.2 that information about individuals who have engaged in misconduct should be more prominent. We also recommend that the list of individuals whom the USTA or the Center for SafeSport has determined to be ineligible to participate in USTA events should be regularly distributed to Sectional Associations and Organization Members.

Coordinating with Other Tennis Organizations: The USTA is currently working with other international tennis organizations, including the Intercollegiate Tennis Association, the professional tours, the other Grand Slam tournaments, the International Tennis Federation, and the International Tennis Integrity Agency, to develop a consistent player safeguarding regime and to share respective ineligible lists. As detailed in Section III.C.2, the USTA should continue these efforts and increase its coordination with other national tennis bodies to ensure that those found to be ineligible cannot continue to engage in misconduct by changing locations.

3. *Increasing Background Screens and SafeSport Training*

Safe Play Approval: The USTA requires all employees, board members, and adults whom the USTA authorizes to have regular contact with or control over Minor Athletes be Safe Play Approved. In addition to the individuals within the USTA’s control, the USTA has taken

steps to encourage others involved in tennis to become Safe Play Approved. In particular, even though the USTA does not certify tennis coaches, it requires the organizations who do provide such certifications—the United States Professional Tennis Association (“USPTA”) and the Professional Tennis Registry (“PTR”)—to require Safe Play Approval for all certified coaches in order for the organizations to be accredited by the USTA. In addition, to encourage more background checks of individuals involved in coaching tennis, since 2013 the USTA has paid for the background screen for anyone seeking Safe Play Approval. This initiative has the effect of increasing the number of tennis professionals who are screened and trained. As discussed in more detail in Section III.D.1, USTA should find additional ways of encouraging individuals to get Safe Play Approved, including by requiring that each USTA Organization Member¹⁷ mandates Safe Play Approval for its administrative representative, all of its tennis providers, and all staff who interact with minors.

Parent Training: Parent training also presents a significant opportunity to prevent sexual abuse of minors. Predators who abuse minors are highly skilled and often quite charismatic and popular with both children and their parents. Until parents learn the ways in which these individuals—through charm, compliments, special attention, favoritism, and gifts—can manipulate both minors and other adults, a powerful protection for minor athletes will be missing. Consistent with the Center for SafeSport, the USTA currently recommends that parents complete the Center for SafeSport’s 30-minute video parent training program. Our Recommendation, as detailed below in Section III.D.2, is that the USTA should do more. In

¹⁷ USTA offers free Organization Memberships to Community Tennis Associations, clubs, schools, parks and recreation departments, and other entities that participate in tennis. Organization Members are eligible to host USTA-sanctioned tournaments, and Community Tennis Associations can also acquire low-cost liability insurance through their USTA Organization Membership.

particular, parent training should be required in order for parents to consent to exceptions to the Safe Play Policy, and at least one parent or guardian of any child who participates in more than three USTA tournaments per year, or of any child who participates in camps or leagues organized by the USTA or the Sectional Associations, should be required to take the SafeSport parent training. Taking that training would add significantly to the protection of their Minor Athlete.

4. Staffing and Resources

The USTA will undoubtedly require additional staffing and resources devoted to the Safe Play Program in order to effectively implement our Recommendations. The USTA should also ensure that there is appropriate safety staffing at its training centers and within the organization of each of its Sectional Associations. Our Recommendations, detailed in Section III.E, encourage the USTA to increase the staffing and resources dedicated to its Safe Play Program and SafeSport compliance.

II. BACKGROUND

A. The Role and Structure of the USTA

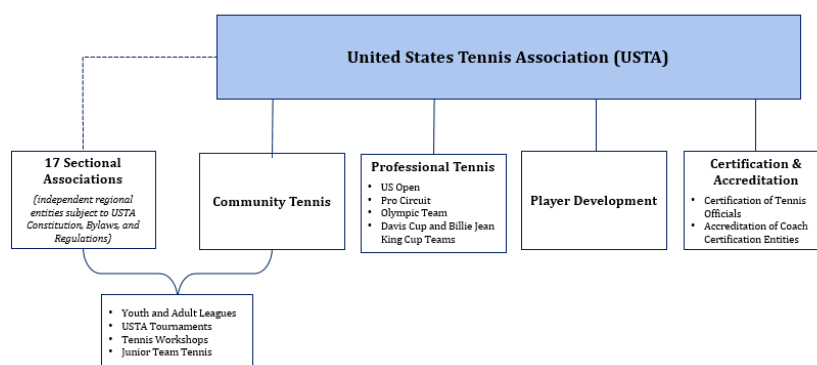
1. The USTA's Functions

Headquartered in Purchase, New York, the USTA is a 501(c)(6) nonprofit organization with 570 employees and 665,000 members. The organization is managed by a volunteer Board of Directors, at least 20% of whom must be former elite athletes and 40% of whom must have previously served as directors on the board of one of the USTA's Sectional Associations.¹⁸

The USTA has two primary pillars: Community Tennis and Professional Tennis.

¹⁸ 2023 USTA Bylaws, ¶ 27.b.

USTA Structure and Functions



Community Tennis serves as the USTA’s grassroots effort to connect more players to the sport. Community Tennis collaborates with the USTA’s Sectional Associations to run youth and adult tennis programs around the country. These programs include Junior Team Tennis, a national co-ed program for six- to eighteen-year-olds, and USTA Adult Leagues, which includes more than 300,000 adult players of all ages and ability levels. Elite and high-performance level tournaments, which represent competition levels 1–3, are organized by the USTA, while advanced/intermediate (levels 4–7) and recreational (Junior Circuit) tournaments are organized by Sectional Associations.

The USTA also has a Player Development division, which helps develop top-tier American tennis players.¹⁹ The athletes working with Player Development, almost all of whom are minors, practice with the USTA for periods ranging from two days to two months.

The USTA maintains three tennis facilities in Orlando, Florida; Carson, California; and Flushing, New York. The Orlando and Flushing facilities have courts open to the public for play or lessons and host USTA National Tournaments. The Orlando and Carson facilities provide services for athletes training with Player Development.

¹⁹ Until May 2024, Player Development was part of Community Tennis, but now is a stand-alone department that reports directly to the CEO.

Professional Tennis Operations manages the USTA’s one Grand Slam tournament—the US Open—and the approximately 90 International Tennis Federation (“ITF”) Pro Circuit tournaments that occur in the United States. Professional Tennis also manages and selects the US teams for the Olympic and Paralympic Games and for international team tournaments, the Davis Cup, and the Billie Jean King Cup.

The USTA certifies tennis officials, but unlike many NGBs, such as U.S. Soccer and USA Basketball,²⁰ the USTA does not certify coaches in the sport. Two independent entities, the United States Professional Tennis Association (“USPTA”) and the Professional Tennis Registry (“PTR”), are responsible for certifying coaches in the United States. In most instances, competitive players hire their own coaches, and the USTA has no direct role in those player-coach relationships. Recognizing that many tennis coaches fell outside of its purview, but knowing the importance of Safe Play Approval and training, the USTA began a Coaching Accreditation Program to evaluate and approve (or disapprove) coach certification organizations in 2018. In order to obtain USTA accreditation, coach certification organizations must require all of their certified coaches to be Safe Play Approved.²¹ In an effort to make the Safe Play Approval requirement possible for coach-certification agencies, the USTA pays for the background checks of coaches certified by the accredited certification body.

²⁰ See *Coaching License Pathway*, U.S. SOCCER, <https://learning.ussoccer.com/coach>; *Coach Licenses*, USA BASKETBALL, <https://www.usab.com/coaching/coach-license>.

²¹ *USTA Coaching Accreditation Program*, USTA, <https://www.usta.com/en/home/about-usta/who-we-are/national/usta-coaching-accreditation-program.html>; *You Can Coach Tennis*, USTA, <https://www.usta.com/en/home/coach-organize/coaches/become-a-coach.html>.

PTR was accredited by the USTA in 2020.²² All PTR coaches must have current Safe Play Approval in the USTA’s system in order to appear on PTR’s registry of coaches, and if a coach is no longer Safe Play Approved—either because they failed to renew their Safe Play Approval or because the USTA has removed them from the list of Safe Play Approved individuals due to misconduct—the coach is immediately removed from the PTR website.

USPTA was initially accredited in 2019 and was given a grace period to meet the Safe Play Approval requirements, including implementing the technical systems necessary to sync the Safe Play Approval list with the USPTA’s list of coaches and rolling out Safe Play Approval mandates to its existing coaches, on the condition that it promote and strongly encourage Safe Play Approval to its membership. When its accreditation expired in 2022, USPTA still had not met USTA’s requirements with respect to Safe Play and chose not to re-apply. USPTA now requires coaches to be Safe Play Approved as a condition of certification²³ and was provisionally re-accredited in March 2024.²⁴

2. *Sectional Associations*

The USTA has seventeen Sectional Associations that oversee the sport of tennis in their respective geographic regions. These Sectional Associations are independently organized and governed, but the USTA Board may periodically review and approve of the governing documents of each Sectional Association to ensure consistency with USTA’s Constitution,

²² *USTA awards PTR full accreditation to improve tennis delivery across the U.S.*, USTA (May 28, 2020), <https://www.usta.com/en/home/coach-organize/tennis-support/tennis-industry-united/usta-awards-ptr-full-accreditation-to-improve-tennis-delivery-ac.html>; *FAQs*, PTR, <https://ptrtennis.org/faq/>.

²³ *See Certified Professional*, USPTA, https://www.uspta.com/USPTA/Membership/Membership_Types/Certified_Professional.

²⁴ *USPTA Announces Provisional Accreditation by USTA*, USPTA (Mar. 29, 2024), https://www.uspta.com/USPTA/About_USPTA/Who_We_Are/News/2024_News_Folder/USPTA_Announces_Provisional_Accreditation_by_USTA.aspx.

Bylaws, and Regulations.²⁵ Sectional Associations sanction local tournaments, organize tennis leagues, and offer support to tennis programs in their regions.

Sectional Associations are further divided into District Associations and Subdivisions. For simplicity, when we refer to individuals or programming related to USTA Sectional Associations, we also mean to include District Associations and Subdivisions of Sectional Associations.

3. *USTA Membership*

The USTA has two categories of memberships—individual memberships and organization memberships.

Individual Memberships come in two types: adult memberships, which cost \$44 annually, and junior memberships, which are free. Individual Members are eligible to play in USTA leagues and tournaments and to qualify for national ranking and rating. Junior members are also eligible to participate in Junior Team Tennis.²⁶ The USTA has more than 665,000 individual members, of which approximately 425,000 are adults and 240,000 are juniors.

The USTA also offers free Organization Memberships to Community Tennis Associations,²⁷ clubs, schools, parks and recreation departments, and other entities that participate in tennis. Organization Members are eligible to host USTA-sanctioned tournaments, and Community Tennis Associations can also acquire low-cost liability insurance through their USTA Organization Membership. To receive an Organization Membership, one individual must

²⁵ See 2023 USTA Bylaws ¶ 4.

²⁶ See *How Membership Benefits You*, USTA, <https://www.usta.com/en/home/membership/join-benefits.html>; see also *How to Sign-Up for a Junior Membership*, USTA, https://customercare.usta.com/hc/en-us/articles/4403617929748-Joining-the-USTA#h_01FHX5B01QFQC979MN2DDHEZGC.

²⁷ Community Tennis Associations are not-for-profit, volunteer-based organizations supporting programs that grow the game of tennis.

register as an administrator for the organization and the application for Organization Membership must be approved by the applicable Sectional Association.²⁸ The USTA has approximately 8,000 Organization Members.

4. *Other Tennis Entities*

The USTA is just one part of the global tennis community. At the international level, the ITF is the overarching governing body of world tennis, with over 200 national and regional member associations,²⁹ and sanctions the international team tournaments (Davis Cup and Billie Jean King Cup), the Olympics, and the Pro Circuit for the players transitioning onto or off of the professional tour. The Women’s Tennis Association (“WTA”) and the Association of Tennis Professionals (“ATP”) host the professional tennis circuits. Three of the four Grand Slam tournaments—the Australian Open, the French Open, and the US Open—are owned, organized, and governed by the respective national governing body for tennis. (Wimbledon is run by a private tennis club). The USTA hosts just one of the Grand Slams: the US Open. The three tours and the four Grand Slam hosts also created the International Tennis Integrity Agency (“ITIA”), which is an independent body established to promote the integrity in the sport of tennis worldwide.

In the United States, the USTA is also one entity among many, though it plays a prominent role. At the national level, for example, the Intercollegiate Tennis Association (“ITA”) governs collegiate tennis, and as discussed above, the USPTA and PTR certify tennis coaches.

²⁸ See 2023 USTA Bylaws ¶ 15; see also *Organizational Membership Renewal FAQ*, USTA, <https://www.usta.com/en/home/membership/organizationalmemberships/OrganizationalMembershipRenewalFAQ0.html>.

²⁹ The USTA is the national member association for the United States within the ITF.

B. The USTA’s Existing Framework for Player Safety

1. Development of the USTA Safe Play Program

The USTA has developed the player safety program over the last 13 years. Beginning in 2011, the USTA required all officials seeking certifications, all coaches, captains, and coordinators in the USTA’s Junior Team Tennis program, and all U.S.-based coaches, athletic trainers, and massage therapists working with the USTA to undergo a background screen before interacting with Minor Athletes. Then, in 2013, the USTA launched the “Safe Play Program,” containing three main elements: (1) the Safe Play Approval requirement, (2) the USTA Safe Play Conduct, Policies & Guidelines (the “Safe Play Policy”), and (3) a centralized process for reporting misconduct, maltreatment, or violations of the Safe Play Policy.

The Safe Play Program has been refined during the past eleven years, particularly with the opening of the Center for SafeSport on March 3, 2017 and the enactment of the *Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017*.³⁰ That federal law required the Center to develop mandatory policies and procedures for preventing abuse, investigate and resolve reports of abuse within the Olympic movement, promulgate trainings designed to prevent abuse, and audit NGBs’ compliance with its policies and procedures. As the NGB for the sport of tennis, the USTA is required to conform its Safe Play Policy to the policies and procedures issued by the Center for SafeSport.³¹

The Safe Play Department of the USTA is currently situated within the Strategy & Innovation unit of Community Tennis. The Safe Play Department also reports to the Legal Department, which is involved in developing athlete safety policies and responding to allegations of misconduct. The Safe Play Department includes three people, two of whom work exclusively

³⁰ Pub. L. 115–126, 132 Stat. 318 (codified at 36 U.S.C. §§ 220541 to 220543).

³¹ See 36 U.S.C. §§ 220524(a)(16), 220541(a)(1)(F)(i), 220541(h)(1)(A), 220542(a)(1).

on matters of player safety. Those individuals work with other pillars of the USTA as needed. For example, they work with Professional Tennis to make sure that players selected for international competition teams, as well as coaches, trainers and other support staff, are Safe Play Approved.

2. *Role of the Center for SafeSport*

SafeSport Policies: The Center for SafeSport has promulgated two policies that govern NGBs: the SafeSport Code and the Minor Abuse Prevent Policies (“MAAPP”). The SafeSport Code and MAAPP apply to all members, employees, and board members of an NGB and its affiliates, individuals within the governance or jurisdiction of an NGB (such as individuals who are certified by the NGB), or individuals authorized by an NGB to have regular contact with or authority over Minor Athletes.³² The SafeSport Code outlines the Center’s jurisdiction, prohibited conduct, and the process for reporting, investigating, and adjudicating prohibited conduct. The SafeSport MAAPP sets forth required and recommended misconduct prevention policies, and NGBs must incorporate *at least* the required provisions from the SafeSport MAAPP into their own policies to the satisfaction of the Center.³³ A violation of any MAAPP provision by an individual within the Center’s jurisdiction constitutes a violation of the SafeSport Code and may result in sanctions by the Center or (for non-sexual misconduct) by an NGB.³⁴

SafeSport Training: The Center offers on its website various training webinars for the prevention of athlete abuse that are appropriate for coaches, officials, parents, and youth athletes respectively.³⁵ Some of the Center’s trainings are mandatory for Participants with regular

³² See SAFESPORT CODE §§ III & VIII.J (2023), <https://uscenterforsafesport.org/2023-safesport-code/>.

³³ The Center is currently working with NGBs on the 2025 MAAPP update.

³⁴ See SAFESPORT CODE § IX.J (2023).

³⁵ See *SafeSport Courses for All*, U.S. CENTER FOR SAFESPORT, <https://uscenterforsafesport.org/training-and-education/safesport-courses-for-all/>.

contact with or authority over Minor Athletes (e.g., the SafeSport Trained Core course), whereas others are optional but encouraged (e.g., abuse prevention courses for adults, volunteers, parents, and youth athletes).

SafeSport Investigations: The Center has exclusive jurisdiction to investigate and resolve allegations of sexual misconduct and retaliation, as well as any complaints about abuse of the Center’s process.³⁶ The Center also has discretionary jurisdiction over other violations of the Code, such as non-sexual child abuse, emotional and physical misconduct, MAAPP violations, and retaliation and abuse of process related to the processes of individual NGBs.³⁷ NGBs are not permitted to conduct their own investigations if the allegations fall within the Center’s exclusive jurisdiction or if the Center accepts discretionary jurisdiction. NGBs may, however, impose temporary measures or safety plans where the Center has exclusive jurisdiction to investigate, but NGBs must report such interim measures to the Center within 72 hours of imposition.³⁸

The Center has faced criticism, particularly with respect to a lack of transparency with NGBs during investigations, its frequent use of administrative closures, and the time it takes to resolve cases.³⁹ The individuals with whom we spoke reported that administrative closures leave the USTA in a difficult position in assessing whether an individual can safely continue to participate in the sport because the USTA is given no information about the allegations

³⁶ See 36 U.S.C. § 220541(a)(1)(B); see also SAFESPORT CODE § IV.A (2023). Examples of abuse of Center process include interfering with a Center investigation, failing to comply with measures imposed by the Center, and having someone else complete mandatory SafeSport training.

³⁷ See SAFESPORT CODE § IV.B (2023).

³⁸ See SAFESPORT CODE §§ V.B & V.D (2023).

³⁹ *Id.* See, e.g., Dan Murphy & Pete Madden, *Federal Commission to Offer Major Changes for Athlete Safety*, ESPN (Feb. 28, 2024), https://www.espn.com/olympics/story/_/id/39617632/olympic-commission-congressional-report-safesport-usopc; see also *infra* Section III.B.1.

underlying the report or the reason for the administrative closure. This view appears to be widely shared by NGBs.⁴⁰ The USTA can and does take steps in some cases to protect athletes in the face of the Center’s administrative closures by keeping in place temporary measures that were imposed before the closure or by imposing new measures.

In April 2024, the Center released a list of ten improvements in response to some of these critiques.⁴¹ There have also been efforts in Congress to amend the SafeSport Authorization Act to resolve the issue of administrative closures. The USTA has supported such an amendment to the SafeSport Authorization Act and, along with other NGBs, provided feedback on a draft amendment that would, among other things, require the Center to provide NGBs with sufficient information about the allegations underlying cases administratively closed by the Center so that the NGBs can take appropriate safety measures on their own.

SafeSport Centralized Disciplinary Database: The Center for SafeSport maintains a public list of individuals who are either currently under investigation by the Center and are subject to temporary restrictions or who have been found in violation of the SafeSport Code and are subject to sanctions. There are currently 2,157 individuals across all Olympic sports listed in the Centralized Disciplinary Database and this list is updated daily.⁴²

SafeSport Audits: The Center also conducts two types of annual audits of each NGB. “Administrative” audits evaluate whether NGBs’ policies and procedures meet Center-

⁴⁰ See *Passing the Torch: Modernizing Olympic, Paralympic, & Grassroots Sports in America* 67, COMMISSION ON THE STATE OF U.S. OLYMPICS & PARALYMPICS (Feb. 28, 2024).

⁴¹ See Press Release, U.S. Center for SafeSport, *SafeSport Implementing Improvements to Increase Efficiency and Information Sharing* (Apr. 1, 2024), https://uscenterforsafesport.org/wp-content/uploads/2024/04/Process-Improvement-Announcement-3_28_24-FINAL.pdf.

⁴² *Centralized Disciplinary Database*, U.S. CENTER FOR SAFESPORT, <https://uscenterforsafesport.org/response-and-resolution/centralized-disciplinary-database/> (as of June 21, 2024).

sanctioned standards and requirements. “Event” audits, on the other hand, assess how policies and procedures to protect athletes are applied in event settings.⁴³ As is typical for audit regimes, the Center issues corrective actions if an audit reveals any shortcomings in an NGB’s policies and procedures or the implementation of those policies and procedures at NGB-sponsored events.⁴⁴

3. *The USTA Safe Play Program Today*

Safe Play Policy: The current USTA Safe Play Policy fully incorporates the SafeSport Code and the MAAPP. Consistent with the SafeSport Code and the MAAPP, the Safe Play Policy applies to all “Participants”—all USTA members, employees, and board members of the USTA and its Sectional Associations, and anyone authorized by the USTA or a Sectional Association to have regular contact with or authority over Minor Athletes.

Safe Play Approval: As discussed above, the USTA requires that all USTA and Sectional Association employees and directors and Adult Participants who have authority over or regular contact with Minor Athletes must be Safe Play Approved. In order to be Safe Play Approved, individuals must pass a background screen administered by the National Center for Safety Initiatives (“NCSI”), complete the SafeSport Trained Core Course, and affirm that they have read the Safe Play Policy.

The NCSI background screen reports on any felony, as well as misdemeanors involving sexual crimes, drugs, harm to a minor, violence, stalking, harassment, bullying, violation of protection orders, destruction of property, and animal abuse. Individuals who pass the background check receive a “green light” and, if they complete the SafeSport training, are “Safe

⁴³ *Audit and Compliance*, U.S. CENTER FOR SAFESPORT, <https://uscenterforsafesport.org/audit-and-compliance/>.

⁴⁴ *Frequently Asked Questions*, U.S. CENTER FOR SAFESPORT, <https://uscenterforsafesport.org/about/faqs/>.

Play Approved.” Individuals for whom the background screen identifies a criminal record or requires more information receive a “red light.” If the “red light” notice involves sexual misconduct or child abuse, the USTA reports the individual to the Center and the individual will not be Safe Play Approved. If the “red light” notice shows some lesser criminal history, the individual will not be Safe Play Approved. The ineligibility determination can be appealed, and appeals are considered by a group at USTA including members of the General Counsel’s Office, members of the Safe Play Department, and the Director of Security.⁴⁵

The USTA has systems in place to ensure that all Adult Participants who must be Safe Play Approved are current on their background screens, SafeSport Training, and Safe Play Policy Acknowledgement. Those USTA account holders also receive alerts when they must renew their Safe Play Approval. For individuals who must be Safe Play Approved but have not completed SafeSport Training, passed a background screen, or acknowledged the Safe Play Policy, USTA disables their accounts so that they cannot access certain parts of the USTA website, including the portal to register to host or officiate at a tournament or register a team for Junior Team Tennis. In addition, for individuals who fail a background screen or are suspended by the Center for SafeSport, the USTA can and does manually disable account access and suspend their USTA membership. This system enables the USTA to monitor the people who are Safe Play Approved, ensure that all Safe Play Approved individuals are up-to-date in fulfilling the requirements, and remove access to USTA programming from those who are not in compliance with Safe Play.

⁴⁵ If the matter involves an individual from Player Development or Community Tennis or an athlete, the group also includes a representative from Player Development, Community Tennis, or an athlete representative designated by the Athletes’ Advisory Council, respectively.

USTA Suspended or Ineligible List: Since 2020, the USTA has published on its website the list of individuals who are not eligible to participate in USTA programming.⁴⁶ The USTA goes beyond the Center’s Centralized Disciplinary Database by including on the Suspended or Ineligible List individuals involved in tennis but who are not within the jurisdiction of the USTA or the Center. When the USTA is able to verify via publicly available records a report of sexual misconduct by, for example, a high school tennis coach, that person is now added to the USTA’s Suspended or Ineligible List.

Responding to Reports of Misconduct: Individuals can report misconduct to the USTA in various ways: by (1) emailing or calling the USTA’s toll-free reporting hotline, (2) emailing the USTA Safe Play department, or (3) completing an online Safe Play Misconduct Reporting form. All of these reporting options are displayed on the USTA’s Safe Play website.⁴⁷ When the USTA receives a report of sexual misconduct, it submits an Incident Reporting Form to the Center for SafeSport, and depending on the circumstances, may also report the incident to law

⁴⁶ *Suspended or Ineligible Individuals*, USTA, <https://www.usta.com/en/home/safe-play/individuals-permanently-ineligible--suspended--or-other-measures.html>. Starting in 2017, the USTA included a link on its website directing players and parents to the Center’s Centralized Disciplinary Database, but did not publish its own list of known bad actors in tennis. until 2020 and did not otherwise have a process for informing players and parents about misconduct by tennis coaches. In at least one instance in 2014, the USTA instructed a Sectional Association to keep information about a coach whose USTA membership was suspended confidential due to an ongoing police investigation. Under the USTA’s current policies, an individual facing allegations of misconduct would be reported to the Center for SafeSport which, depending on the severity of the allegations, may immediately issue temporary measures including a temporary suspension that would be listed in the Centralized Disciplinary Database and added to the USTA’s Suspended or Ineligible List, which are publicly available. (See **Recommendation #13** for our suggestions on how to make the Suspended or Ineligible List more readily accessible for players and parents.)

⁴⁷ *Report Suspicious Activity*, USTA, <https://www.usta.com/en/home/safe-play/report-suspicious-activity.html>. Players can also choose to report misconduct directly to the Center for SafeSport instead of or in addition to reporting to the USTA. *Report a Concern*, U.S. CENTER FOR SAFESPORT, <https://uscenterforsafesport.org/report-a-concern/>.

enforcement if it involves criminal activity, inform third parties (such as the alleged perpetrator's non-USTA employer), and implement temporary measures to protect the complainant and potentially others. The USTA also regularly and actively monitors public sources for sexual misconduct within the sport of tennis. The USTA follows the same process of reporting when there are indications of an incident of sexual misconduct in the sport, even if none of the individuals involved are within the jurisdiction of the USTA or the Center.

Enforcing Center Sanctions: During the course of an investigation, the Center may impose temporary restrictions on the individual being investigated. Such temporary restrictions include limitations on participation (including travel or locker room restrictions or restrictions from coaching minors or attending events), no-contact orders, and temporary suspensions. The Center communicates any temporary restrictions to the USTA, which implements the measures during the pendency of the investigation. In many cases, the temporary restriction will also be added to the Centralized Disciplinary Database and the USTA Suspended or Ineligible List. When the Center makes an adverse finding against an individual within the USTA's jurisdiction, it informs the USTA of the decision and any sanctions. If the Center has determined that the individual is permanently ineligible, the USTA revokes membership (if not already revoked as a result of temporary restrictions), coordinates with the relevant Sectional Association to keep the individual out of USTA events, and informs the individual that they are prohibited from participating in the sport. The USTA Safe Play Department also implements any other sanctions required by the Center, which may, among other measures, include probation, training, prohibiting unsupervised training of minors, and no-contact orders.

To ensure that individuals who have been sanctioned due to their involvement in other sports are also appropriately restricted in tennis, each month the USTA compares all of the

individuals with USTA accounts (which includes all USTA members and many non-members, such as non-members who are Safe Play Approved) with the Center’s Centralized Disciplinary Database and the USTA’s Suspended or Ineligible List. If the USTA determines that any of its account holders is on either list, the USTA informs the Center and implements any restrictions imposed by the Center.

III. OUR FINDINGS AND RECOMMENDATIONS

We make a total of nineteen recommendations that would improve athlete safety within the USTA and in the sport of tennis more broadly. Seven of our Recommendations focus on preventing misconduct before it occurs. Nine of our Recommendations relate to individuals who are known to have engaged in misconduct. Those Recommendations are intended both to keep those individuals out of USTA facilities and events, and to promote the dissemination of information about those individuals to the broader tennis community so that they cannot go undetected. Two of our Recommendations are aimed at expanding the number of individuals who get Safe Play Approved, particularly coaches associated with USTA Organization Members, and individuals who take SafeSport training, particularly parents. Our final Recommendation calls for additional staffing and resources directed to the Safe Play Program in order to implement our Recommendations. We also discuss, but do not make any recommendations specific to, the USTA’s procedures for reporting misconduct to the Center for SafeSport and implementing Center decisions.

A. Preventing Misconduct

The USTA has strong policies for preventing misconduct. We nevertheless make seven recommendations that would enhance the USTA’s efforts to prevent misconduct against Minor Athletes by further strengthening elements of the Safe Play Policy, ensuring that members are

aware of the policies they must follow, better monitoring coaches at USTA facilities, and enhancing the procedures and staff trainings in effect within Player Development.

1. The USTA's Policies Meet or Exceed the Center for SafeSport's Requirements, But Could Go Even Further to Protect Athletes

As noted above, we reviewed all of the USTA's policies and procedures relating to athlete safety as well as the athlete safety procedures of the 51 other NGBs, Paralympic sports organizations, and the USOPC. We conclude that the USTA's policies regarding athlete safety comply with the requirements of SafeSport's model MAAPP and are substantially consistent with, or in some cases exceed, the policies in effect at peer NGBs. We nevertheless make recommendations to implement more stringent policies in two areas: out-of-program contact and athletic training practices.

One-on-One Interactions: The SafeSport's policies regarding one-on-one interactions between Minor Athlete and Adult Participants are quite comprehensive. In addition to the basic requirement that one-on-one interactions between Minor Athlete and Adult Participants must be "observable and interruptible," the USTA goes further and requires that all one-on-one interactions that occur at a USTA program, event, or facility be monitored, meaning that someone at the USTA reviews the parental consent form for the interaction, knows the time and location of the interaction, and organizes random drop-ins to the interaction.⁴⁸ The USTA also prohibits any meetings in hotel rooms, regardless of parental consent.⁴⁹ The USTA requires any physical contact between Adult Participants and Minor Athletes to occur in public and specifically lists the types of physical contact that are never permissible.⁵⁰ These mandatory USTA policies, which are only recommended by the Center for SafeSport, effectively ensure

⁴⁸ Safe Play Policy § III.B(2).

⁴⁹ Safe Play Policy § III.I(4).

⁵⁰ Safe Play Policy § III.B(5) & (6).

both that Adult Participants understand the conduct that is permissible and impermissible and that any one-on-one interactions with Minor Athletes are likely to be noticed, reducing the likelihood of abuse.

Out-of-Program Contact: The USTA bans one-on-one, out-of-program contact⁵¹ between Adult Participants and Minor Athletes without parental consent, but unlike some NGBs such as USA Gymnastics and USA Weightlifting, it does not ban all out-of-program contact. The USTA does have a robust policy regarding electronic communications between Adult Participants and Minor Athletes. In addition to requiring all electronic communications between Adult Participants and Minor Athletes to be “open and transparent,” the USTA prohibits adult participants from interacting with Minor Athletes on social media and limits the hours during which Adult Participants and Minor Athletes may exchange electronic communications.⁵²

Recommendation #1: Ban All Out-of-Program Contact Between Adult Participants and Minor Athletes Absent Parent Consent, Not Just One-on-One, Out-of-Program Contact

The USTA should consider prohibiting all out-of-program contact without specific parental consent by a parent who has been SafeSport trained, even if the out-of-program contact is not one-on-one. A more comprehensive prohibition, like the one adopted by a small number of NGBs, would draw a clear line between appropriate coaching and training relationships and potentially inappropriate relationships outside of sport.

Athletic Training: The USTA goes beyond the SafeSport MAAPP’s required athletic training policies by authorizing only licensed or certified individuals to perform athletic training modalities, massages, or rubdowns and prohibiting an athlete’s coach from performing such

⁵¹ “Out-of-program contact” includes any contact that is not part of competition, practices, camps/clinics, and celebrations and award ceremonies. See Safe Play Policy § III.A. (defining in-program contact).

⁵² Safe Play Policy § III.E(7) & (9).

services.⁵³ These requirements ensure that athletic training can only be performed by a trained professional and prevent coaches from blurring the line between coaching and training. Other NGBs have added additional protections around athletic training, massages, and rubdowns that have not been incorporated by the USTA: thirteen NGBs require and twenty NGBs recommend that providers narrate what they are doing during sessions; and six NGBs require, and 22 NGBs recommend, that providers use techniques to minimize the physical touch required during sessions.

Recommendation #2: Require Providers of Athletic Training, Massages, and Rubdowns to Narrate Sessions and Minimize Touch

The USTA should consider supplementing its policies relating to athletic training with additional provisions that require providers of athletic training, massages, and rubdowns to narrate their steps during sessions. The USTA should also add a provision requiring providers to use as little touch as possible to achieve the objectives of the training session. These provisions should also extend to medical providers to the extent consistent with and permitted by medical laws and regulations, the standard of care, and other authorities.

Photos and Videos: Most NGBs incorporate as a recommendation, and some incorporate as a requirement, the SafeSport MAAPP's recommendation that photos and videos of Minor Athletes should only be taken in public view and observe generally accepted standards of decency and Adult Participants should not share or post photos or videos of Minor Athletes without the consent of the Minor Athlete and his or her parent. The USTA does not incorporate this provision into its Safe Play Policy as either a requirement or recommendation. Imposing restrictions on photographing and taking video of Minor Athletes could reduce the opportunity for inappropriate interactions and exploitation of Minor Athletes.

⁵³ Safe Play Policy § III.C(e).

Recommendation #3: Impose Restrictions on Taking and Sharing Photos and Videos of Minor Athletes

The USTA should consider adding as a requirement the SafeSport MAAPP’s suggestion that photos and videos of Minor Athletes may only be taken in public and observe generally accepted standards of decency. The USTA should also consider prohibiting Adult Participants from sharing photos or videos of Minor Athletes without the consent of the Minor Athlete and Minor Athlete’s parent.

2. *The USTA Informs Members that They Must Follow the Safe Play Policy, But Does Not Make Members Aware of the Role and Jurisdiction of the Center for SafeSport*

The USTA Membership Terms and Conditions put individual members on notice that they are subject to the Safe Play Program, that they must comply with the USTA’s athlete abuse prevention policies, and that they must be Safe Play Approved in order to participate in certain USTA programs.⁵⁴ The Terms and Conditions also make clear that failing to comply with the Safe Play Program will subject members to discipline, including loss of member benefits, suspension, or expulsion. The Terms and Conditions do not, however, refer members to the SafeSport Code, alert members that they are within the jurisdiction of the Center for SafeSport, or provide any information about the Center.

Recommendation #4: Include the SafeSport Code in Member Terms and Conditions

The USTA should consider adding a provision to the Member Terms and Conditions making it clear that USTA members are within the jurisdiction of the Center for SafeSport and are required to abide by the SafeSport Code. The Terms and Conditions should also include a link to the SafeSport Code.

⁵⁴ *USTA Membership Terms & Conditions*, USTA, <https://www.usta.com/en/home/membership/membership-terms.html>.

3. *The USTA Uses Cameras Both for Instructional Purposes and to Monitor Courts at USTA Facilities. The Reliability of Those Cameras Can Be Improved, and the USTA Should Formalize Policies Relating to Camera Monitoring of Practices*

Each of the courts at the Orlando and Queens facilities has a camera on the court in addition to the security cameras throughout the facilities. On the courts used by Player Development in Orlando, the courtside cameras are turned on all day. Because of frequent lightning, however, cameras are not always working. This creates a risk that training sessions will occur on courts without functioning cameras. We understand that the USTA has continued to install additional security cameras throughout the campus and is currently seeking to revitalize its security camera system to reduce downtime.

Recommendation #5: Do Not Permit USTA Coaches to Hold Practices on Courts with Malfunctioning Cameras at USTA Training Centers

The USTA should ensure that safety measures on courts at USTA facilities used by Player Development or USTA teaching pros, such as cameras, are functioning normally and cannot be tampered with or turned off. If a practice court's camera is not functioning, the court should not be used for practices with Player Development or USTA teaching pros until the camera is working again, or another adult should be present for the duration of the training session.

4. *The USTA Prioritizes Wellbeing for the Athletes Who Train with Player Development But Could Take Further Steps to Ensure Player Safety*

The USTA has implemented several measures to protect the players who train with the USTA's Player Development program at its training facilities. Athletes in the highest tier of the program (of which there are typically between 20 and 40) are assigned an individual tennis coach as well as a broader support team including a mental coach, a strength coach, and a trainer. The objective is not only to provide balanced and effective training support, but also to reduce the

sole dependency that can form with one-on-one player-coach relationships and to ensure players have various trusted persons on whom they can rely for support.

Travel is also planned with safety in mind. When Minor Athletes travel with coaches, Player Development collects parental consent forms authorizing the trip.⁵⁵ During travel, one coach is responsible for no more than four players (no more than three players internationally). In most cases, multiple coaches take multiple groups of players to the same tournaments, so it is rare that only one USTA coach is present. In addition, coaches who are new to the USTA are paired with another coach for their first few trips. None of these best practices, however, are reflected in written policies.

Recommendation #6: Player Development Should Prohibit One-on-One Travel and Should Formalize Its Policies for Travel with Minor Athletes

In addition to capping the maximum number of Minor Athletes that a coach can travel with, the USTA should implement a minimum number of Minor Athletes with whom a coach can travel in order to reduce the likelihood of one-on-one interactions. The USTA should also send more than one coach or other staff member on trips when possible, and when multiple coaches are taking groups of players, those coaches should be instructed to coordinate as much as possible so that multiple coaches are involved in all or most interactions. Player Development should also formalize its Minor Athletes travel policies in writing.

The USTA dedicates resources to other aspects of wellbeing, including mental health. Player Development has a curriculum at its training centers for mental skills and performance, which in recent years has evolved into an overarching mental health and wellbeing initiative for players. The USTA also has a grant program through which it often reimburses athletes who see

⁵⁵ As discussed below in **Recommendation #18**, the USTA should consider making parent training a prerequisite to give consent for a Minor Athlete to travel with a coach.

a therapist. Athletes who train with Player Development also use a wellness app developed by the USTA's head of strength and conditioning that asks players to log their sleeping, eating, and stress level. The USTA's mental skills specialist receives every input regarding stress for players at both national training centers, and if someone is reporting high stress levels, the mental skills team addresses the situation. Player Development's systems to diffuse the influence of any one coach and to monitor player mental health are excellent mechanisms for improving the safety of players that are being trained by the USTA.

In addition to SafeSport training, Player Development staff members receive an annual training from the Safe Play Department that includes an update on the Safe Play Program and the Center for SafeSport and provides staff members with an opportunity to ask questions about how to implement the Safe Play Program in practice. Given that much of the SafeSport training is geared towards team sports, and tennis is generally an individual sport, interactive tennis-specific Safe Play trainings are extremely valuable supplements.

Recommendation #7: Incorporate More Function-Specific Staff Trainings

To build upon department-wide Safe Play trainings, the USTA should also implement annual small-group trainings sessions by function. Coaches, athletic trainers, administrators, and other staff members each have different kinds of interactions with Minor Athletes, and discussing Safe Play in a small group setting that is focused on their real-world experiences would assist staff members in understanding what is and is not appropriate and how to identify and report problematic behavior.

B. Responding to Misconduct

1. Reporting to the Center

We reviewed summary information regarding all the complaints of sexual misconduct that have been received by the USTA from 2018 through 2023, either directly from individuals

or from the Center. In every instance in which the USTA learned of a complaint of sexual misconduct, the USTA reported the complaint to the Center for SafeSport. More than half of the reports were submitted to the Center the same day that the USTA received the allegation, and more than 80% were submitted within two days.⁵⁶

Of the 343 reports to the Center of potential SafeSport Code violations by individuals participating in tennis from 2018 through 2023, the Center found that it did not have jurisdiction or declined jurisdiction approximately 40% of the time, administratively closed the case or placed the case on administrative hold approximately 38% of the time, and made a conclusion as to whether there was a violation of the SafeSport Code approximately 22% of the time.⁵⁷ In the tennis-related cases that reached a final merits determination, the Center found a violation of the SafeSport Code in almost every instance.

We also reviewed the Centralized Disciplinary Database for the number of tennis-affiliated individuals that have been sanctioned by the Center. The USTA accounts for a disproportionately small percentage of the individuals disciplined by the Center for SafeSport. Only 73 out of 2,157 individuals (or 3.4%) in the Centralized Disciplinary Database are in any way affiliated with the USTA.⁵⁸ We sought to understand throughout the review what accounted

⁵⁶ The USTA also reports instances of sexual misconduct that may constitute criminal activity to law enforcement, if law enforcement is not already aware. *See* Safe Play Policy § VI.B.

⁵⁷ Across all sports, the Center for SafeSport has reported that it had no jurisdiction or declined jurisdiction 41% of the time, administratively closed or placed cases on administrative hold 43% of the time, and made a finding 15% of the time. *Response & Resolution Data* 6–7, U.S. CENTER FOR SAFESPORT, https://uscenterforsafesport.org/annualreport_datapage/.

⁵⁸ *Centralized Disciplinary Database*, U.S. CENTER FOR SAFESPORT, <https://uscenterforsafesport.org/response-and-resolution/centralized-disciplinary-database/> (as of June 21, 2024). Ten NGBs have more individuals on the Centralized Disciplinary Database than the USTA—some significantly more. For example, US Soccer Federation has 425 individuals (20%), USA Gymnastics has 291 (13%), USA Swimming has 212 individuals (10%), and USA Hockey has 210 individuals (10%).

for the relatively small number of interactions with SafeSport given the USTA’s broad membership. In particular, we sought to determine whether there was a pattern of underreporting or any systemic obstacles to an individual in tennis who had experienced abusive conduct from reporting the incident to the Center. The information we received, including the documents and interviews, did not support such a finding. In any event, our Recommendations are intended to bolster the identification and remediation of any instances of reportable conduct to the extent such instances have not historically reached the Center.

2. Responsiveness During Center Investigations

When the Center is conducting an investigation of misconduct, it periodically reaches out to the relevant NGB for information. NGBs are required to respond to requests from the Center within 72 hours. We reviewed the USTA’s internal data from 2018 to 2023 regarding its interactions with the Center during investigations and the 2023 SafeSport audit of the USTA to determine whether the USTA has been compliant with the Center’s requests. The 2023 SafeSport audit concluded that the USTA responded to Center inquiries within 72 hours 100% of the time.⁵⁹ The USTA’s internal data demonstrates that the USTA’s response time to the Center is often significantly less than 72 hours.

3. Interim Measures

Many of the instances of misconduct that the USTA reports to the Center involve individuals who are not within the USTA’s control (as opposed to individuals within the USTA’s control such as USTA-employed coaches or officials or USTA volunteers) but instead simply have a USTA membership or individuals who are involved in tennis but have no connection to

⁵⁹ U.S. CENTER FOR SAFESPORT, 2023 EVENT AUDIT REPORT OF US TENNIS ASSOCIATION, at 7 (Aug. 25, 2023), <https://uscenterforsafesport.org/wp-content/uploads/2023/11/USTA-Final-Audit-Report-10.30.pdf>.

the USTA. When the USTA does not have a relationship with the respondent other than membership, the only temporary measure the USTA typically takes is to remove the individual's access to their USTA account. When the individual is an employee, contractor, or volunteer of the USTA or its programs, the USTA imposes additional temporary measures, including suspending employment, removing access to USTA facilities, and prohibiting the individual from interacting with USTA players. Whether or not the individual is within the USTA's control, in cases where the Center for SafeSport imposes its own temporary measures, including temporary suspensions, the USTA implements the measures and makes them public on its Suspended or Ineligible List.

4. Implementing Center Determinations

Based upon our review, when the Center informs the USTA of an adverse finding against an individual within the purview of the USTA, the USTA promptly implements that Center's directive. This includes adding the individual to the USTA's Ineligible List, removing the individual's Safe Play Approval and permissions to areas of the website that are only accessible to Safe Play Approved individuals, and informing the relevant Sectional Association of the Center's determination. In certain instances, the USTA also informs the tennis organization with which the individual is affiliated of the adverse action.

C. Keeping Known Bad Actors Out of Tennis

One of the biggest concerns parents and players have relates to individuals who are known to have engaged in misconduct—either due to an adverse action by the Center or a criminal prosecution—but attempt to continue participating in tennis. We make nine recommendations to better prevent known bad actors from participating in the sport. Five of these recommendations would help the USTA better keep suspended and ineligible individuals

from attending USTA facilities or events, and four would help the USTA spread the word about suspended and ineligible individuals to the broader tennis community.

1. The USTA's Procedures for Keeping Suspended and Ineligible Individuals Out of USTA Facilities and Events Need to Be Strengthened

(a) USTA National and Sectional Association Tournaments

The USTA has a formal Quality Control system in place at all of its National Tournaments, which has been reviewed and approved by the Center for SafeSport.⁶⁰ The Quality Control procedures require the tournament director to confirm that all tournament staff and officials are Safe Play Approved and “bump up” the names of all staff and officials against the USTA’s Ineligible List and the Center for SafeSport’s Centralized Disciplinary Database to ensure that no prohibited individuals are permitted to participate.⁶¹ These Quality Control procedures also require the tournament director to email all event participants, including athletes, parents, staff, and officials, information about the Safe Play Program and how to report violations of the Safe Play Policy. Finally, these Quality Control procedures require tournament directors to ensure that there is signage at the event describing the Safe Play Policy and designating certain areas as adult-only, player-only, athletic training area, or locker room.

In addition to these written Quality Control procedures, the USTA requires all players signing up for National Tournaments to identify their coach if one is accompanying them. At some National Tournaments, tournament directors ask players to identify their coaches at the time of registration so that the coach’s Safe Play Approval can be verified in advance; at others, coaches arriving at a tournament are required to show their proof of Safe Play Approval at

⁶⁰ *U.S. Tennis Association 2023 Event Audit Report*, CENTER FOR SAFESPORT (Nov. 9, 2023), <https://uscenterforsafesport.org/wp-content/uploads/2023/11/USTA-Final-Audit-Report-10.30.pdf>.

⁶¹ At the US Open, coaches names are also “bumped up” against the WTA/ATP “Do Not Credential List.”

check-in. If the coach is not Safe Play Approved, the coach will not be given coaching credentials, which authorize individuals to access practice courts. The tournament director is responsible for occasionally monitoring practice courts to ensure that only players and credentialed coaches are accessing the area.

The USTA's Quality Control system is effective at ensuring all credentialed coaches are Safe Play Approved, but that does not completely or always prevent individuals on the Ineligible List or Centralized Disciplinary Database lists from attending tournaments. Players are not required to have a coach, so a player could decline to list a coach he or she knows is ineligible to attend. Tournaments do not typically require ordinary attendees to identify themselves, so an ineligible individual may appear as a spectator, particularly at a public facility. While such a person would not have access to restricted areas that are limited to players and Safe Play Approved coaches, their presence could be upsetting and pose risks to player safety. Indeed, we learned during the course of our review that some tennis coaches who were charged with or convicted of crimes involving sexual misconduct later appeared at USTA-sanctioned tournaments as spectators, causing players and parents to feel unsafe. The USTA in recent years has asked banned individuals to leave USTA events and has called the police to remove banned individuals on several occasions, but there is not a uniform procedure in place that tournament directors are instructed to follow when they become aware that a banned individual is attending an event as a spectator.

Recommendation #8: Formalize the Requirement to Verify Coaches' Safe Play Approval and the Procedure for Removing Banned Spectators in the Quality Control Procedures

The USTA should add to its current practice of verifying that coaches are Safe Play Approved before granting coaching credentials to USTA tournaments. Specifically, the USTA's written policies should require players to identify their coach, if they have one, at the time of

registration so that the tournament director can confirm that the coach is Safe Play Approved and is not on the Ineligible List or the Centralized Disciplinary Database. Confirming coaches in advance would give coaches who are not Safe Play Approved time to become Safe Play Approved before the tournament. Because things may change between registration and a tournament, the USTA should also memorialize a process for confirming on-site, when necessary, that coaches are Safe Play Approved and not on the Ineligible List or the Centralized Disciplinary Database.

The USTA should also add to its Quality Control system a process for removing banned individuals who appear as spectators. Tournament directors should have a copy of the Ineligible List with them during the tournament, and participants should be informed that they can and should inform the tournament director if they notice a banned individual at the event. Upon identifying a banned individual, the tournament director should request that the person leave, and if the person refuses, the tournament director should call the police. The tournament director should also report the presence of any banned individual to the USTA Safe Play Department after the event.

Several of these Quality Control procedures are in place at intermediate and recreational tournaments, which are hosted by Sectional Associations (“Sectional Association tournaments”). All Sectional Association tournament staff and volunteers are required to be Safe Play Approved, and all Safe Play Approved individuals are checked against the Ineligible List and Centralized Disciplinary Database on a monthly basis.⁶² In addition, Sectional Association tournament directors are required to send the same email of information regarding the Safe Play Program to event participants and hang signage about Safe Play and about restricted areas at the tournaments

⁶² See Section II.B.3.

themselves. Certain of the Quality Control procedures, however, are not currently in place for Sectional Association tournaments. Most notably, since players are not required to have coaches, and given that many mid-level and lower-level players do not have coaches, Sectional Association tournaments do not typically keep track of who is participating in the tournaments in a coaching capacity.

Recommendation #9: Apply the National Tournament Quality Control Procedures to Sectional Association Tournaments that Include Minor Athletes

The USTA should consider expanding all elements of its Quality Control system—including the additional elements described in **Recommendation #8**—to level 4–7 Sectional Association tournaments that include Minor Athletes. This is especially important because many of the players in Sectional Association tournaments are more recreational and mid-skill players, such that they may interact less frequently with the USTA and may not otherwise be aware of the Safe Play Program, Safe Play Approval, and the Suspended or Ineligible List. Sectional Association tournaments represent a significant opportunity to confirm the status of coaches in the sport and educate players and their families. Expanding the Quality Control process to these Sectional Association tournaments would also be consistent with the Center for SafeSport’s expansion of event audits to the lower-level tournaments.⁶³

There is currently no system in place for ensuring that tournament directors implement the Quality Control procedures. While the Center for SafeSport conducts an audit of a USTA event each year, the USTA and Sectional Associations do not have a formal process of auditing events themselves.

⁶³ *SafeSport Implementing Improvements to Increase Efficiency and Information Sharing*, SAFESPORT (Apr. 1, 2024), <https://uscenterforsafesport.org/process-improvements/>.

Recommendation #10: Require Tournament Directors to Certify Compliance with the Quality Control Procedures and Audit Tournaments for Compliance

The USTA should require tournament directors to submit a simple report to the Safe Play Department after each event certifying that all Quality Control procedures were implemented. Representatives of the USTA and the Sectional Associations should also conduct random audits of tournaments to verify compliance with the Quality Control procedures. The Safe Play Department should review the reports submitted by the tournament directors and the audits and should develop an evaluation procedure so that any tournament directors who repeatedly fail to implement the Quality Control procedures are not authorized to serve as tournament directors in the future.

Even if the USTA implements **Recommendation #8** and instructs tournament directors to remove banned individuals from tournaments, in practice, it may be difficult for the typical park or tennis club hosting a tournament to monitor everyone who attends—ordinarily, family members and friends of players are not required to “check in” to watch public tournaments. It is difficult to keep out banned individuals from large-scale tournaments as well; almost one million spectators attend the US Open each year, for example, and as at most sporting events, the USTA does not check the identity of attendees.

Recommendation #11: Consider Ways to Exclude Banned Individuals from Attending USTA Events as Spectators

Despite the logistical difficulties associated with keeping banned individuals out of public events, the USTA should consider forming a task force to consider how it may do so now or how it may be able to do so in the future. Advances in technology in the coming years may yield feasible tools for identifying banned individuals as they attempt to enter an event. The task force should also explore what legal bases Sectional Associations may have to keep suspended

individuals out of tournaments that occur in public places where they have little control over access to the event, such as local parks.

(b) USTA Facilities

At the USTA's largest facility, the National Campus in Orlando, Florida, more than 2,000 individuals per week come in to play tennis or other racquet sports. Members of the public can rent courts for their own use or take lessons with the National Campus teaching pros. Elite players who train with Player Development also attend practices at the National Campus. Members of the public are not allowed to bring their own coaches to the USTA National Campus, which means the risk of a banned individual coaching at the facility is minimal. While everyone visiting the National Campus is supposed to check in at the welcome desk or at the Player Development desk, however, that does not always happen in practice.

Recommendation #12: Increase Security of USTA Facilities

The USTA should consider ways to ensure that it is aware of the identities of everyone who visits its training centers. Training center front desk staff should have the SafeSport Centralized Disciplinary Database and the USTA Suspended or Ineligible List in order to confirm that no banned individuals are permitted access to the facilities.

2. *The USTA Makes the Suspended or Ineligible List Public, But Should Increase Communication to the Tennis Community about Suspended and Ineligible Individuals*

(a) USTA Website

During the course of our review, the USTA made several positive changes to its website to make the information about the Safe Play Program more accessible. Previously, finding information about Safe Play was not easy and required clicking through three to four links. Now, beginning at the homepage of USTA.com, a player or parent can find the Safe Play page by clicking on the "Safe Play" menu at the top of the page. Parents can also navigate to the Safe

Play Resources page, a subset of the Safe Play page, by navigating from the USTA.com homepage to “Play,” then to “Player Parents,” and then finding a link to SafeSport training (but not the Safe Play homepage including the Safe Play Approved list and the Suspended or Ineligible List). Though the Safe Play webpage is now prominent on the home page, none of the links define Safe Play, so users must already know or guess that it refers to USTA’s athlete safety program.

The USTA’s Safe Play webpage includes information about the Safe Play Policy, Safe Play Approved individuals, how to report misconduct, and the Suspended or Ineligible List. During our review, the USTA also added a section to the Safe Play page highlighting SafeSport trainings available to everyone, including parents, adult athletes, and volunteers.

Recommendation #13: Make the Suspended or Ineligible List Easier to Find on the USTA Website

The Safe Play menu should remain prominent on the USTA homepage, and the Suspended or Ineligible List should be added to the Safe Play menu. On the Safe Play page itself, the Suspended or Ineligible List should be made more prominent so that parents can easily identify it.

(b) Sectional Associations

We find that the USTA’s Sectional Associations incorporate the USTA’s Safe Play Policy and generally implement its procedures relating to Safe Play Approval, reporting misconduct, and enforcing suspensions. As an example, a leader from one Sectional Association described removing individuals from the Sectional Association’s district council because the council member failed to become Safe Play Approved.

There is, however, a lack of consistent guidance from the USTA to its Sectional Associations. When the Center for SafeSport suspends an individual, the USTA will alert the

Sectional Association in which the individual is active, but the USTA may or may not alert all of the other Sectional Associations that a new name has been added to the Suspended or Ineligible List. There is a monthly call of the seventeen executive directors of the Sectional Associations, but the call only sometimes includes a member of the USTA Safe Play Department or an agenda item relating to Safe Play. Consistent sharing of information to and among Sectional Associations is crucial in order to avoid the problem of “passing the trash”: when individuals who have engaged in misconduct in one location move to a new area where they are unknown and repeat the bad behavior all over again.

Much of the Sectional Associations’ implementation of the Safe Play Program is done on a case-by-case basis rather than as part of an organized national procedure. For example, when a tennis coach is suspended by the Center for SafeSport, some Sectional Associations have a policy of alerting the coach’s employer (even if the employer is not affiliated with the USTA in any way), but it was not apparent from our review whether this is a USTA-wide procedure or a practice done at the discretion of the Sectional Association.

Recommendation #14: Increase Communication with and Oversight of Sectional Associations on the Topic of Player Safety

The USTA should consider establishing a regular cadence for distributing information to all of the Sectional Associations about updates to the Safe Play Policy and best practices for enforcing the Safe Play Policy and procedures. The USTA should also distribute the Suspended or Ineligible List to all Sectional Associations every time a name is added, regardless of whether the newly added individual is known to participate in tennis in a certain geographical region. Increased dissemination of the Suspended or Ineligible List would reduce the risk that a tennis professional could move from region to region to avoid detection.

The USTA should also consider creating template letters for the Sectional Associations to use when communicating with or about individuals who have been suspended by the Center or are not in compliance with Safe Play. Providing templates would promote consistency across the sections and ensure that the USTA is able to communicate effectively. The USTA should consider creating templates for the following scenarios (among others for which a template would be useful):

- An individual that must be Safe Play Approved has fallen out of compliance;
- An individual has been suspended by the Center and the Sectional Association is implementing the suspension;
- An individual has been found circumventing or attempting to circumvent their suspension or other conditions imposed by the Center;
- An individual has been suspended by the Center and the Sectional Association is alerting organizations that are not affiliated with the USTA but that employ or are otherwise affiliated with the individual;
- A player or parent inquiries about the implications of the suspension of a coach or other tennis professional.

(c) Organization Members

We found that it is not clear to all parents and players in the sport of tennis which facilities, events, and individuals are overseen by the USTA and which are not. As discussed in Section II.A.3, Organization Members are eligible to host USTA-sanctioned tournaments, and when they do so they must follow the USTA's Safe Play Policy. The USTA currently has no other authority over Organization Members, but parents and players may believe that the USTA has approved of and has oversight over the Organization Member and rely on that belief.

Recommendation #15: Mandate that USTA Organization Members Implement Restrictions Imposed by the Center for SafeSport and Inform Organizational Members of Misconduct Determinations

Organization Members should be required, as a condition of membership, to certify that they have implemented any actions imposed by the Center, up to and including permanent bans from participation. When the USTA is aware that an individual who has received an adverse finding by the Center is affiliated with an Organizational Member, the USTA should inform the Organization Member of the Center's determination. The USTA should also consider sending the Suspended or Ineligible List to its Organization Members at regular intervals, even if the USTA has no reason to believe that banned individuals are associated with any Organization Members, so that Organization Members can identify whether any of their tennis coaches have been involved in misconduct and take appropriate action.

(d) Other Tennis Bodies

The USTA currently receives information from other tennis organizations in an effort to keep bad actors out of the sport. As discussed above, the WTA shares with the USTA in advance of USTA professional tournaments a list of individuals to add to the USTA's "Do Not Credential" list, which the USTA incorporates into its own list of individuals who are not permitted to work at, volunteer at, or receive coaching or other credentials at the event. The USTA is also participating in additional efforts to exchange information among international tennis bodies. The WTA and ITF have been spearheading a new working group to determine how best to share information about bad actors across borders while navigating the privacy laws of various jurisdictions. The ITIA (which focuses on anti-doping and anti-corruption) has also participated in discussions about how best exchange information between international tennis entities in order to safeguard athletes, and the various international tennis bodies recently created a safeguarding working group. The USTA is participating in these conversations. The USTA

and the Intercollegiate Tennis Association also exchange information about tennis officials who have been disciplined for misconduct, and each entity reciprocates any discipline, suspensions, or revocations of credentials imposed by the other.

While these initiatives will be useful in identifying tennis coaches who have engaged in misconduct at the professional level and in the most elite settings, more can be done. The USTA shares information about banned individuals with the national tennis associations of other countries whenever information is requested, and at least once has shared information about a banned individual with another country's tennis association proactively, but there is no formal system for exchanging information. Because tennis coaches may move from country to country (including after an adverse action is taken against them in one country), the lack of dialogue between national tennis bodies could create a gap that could be exploited by banned individuals.

Recommendation #16: Continue Sharing Information with Other Tennis Organizations About Banned Individuals and Begin Coordinating with Additional Organizations

The USTA should continue its efforts to increase information sharing with other international tennis bodies such as the ITIA and should continue collaborating with Congress and other NGBs to improve safeguarding governance within the Olympic movement. It should also endeavor to build relationships with national tennis associations around the world and to both send and receive information about tennis professionals. Such collaboration would improve the USTA's ability to ferret out bad actors in the sport before misconduct occurs in the United States and help prevent individuals who are banned for misconduct in the United States from working with minors abroad.

D. Increasing Safe Play Approval and SafeSport Training

We make two recommendations for how the USTA can continue to increase the number of individuals involved in tennis who are Safe Play Approved and increase the number of parents who take SafeSport training.

- 1. The USTA Ensures That All Required Adult Participants Are Safe Play Approved and Has Effectively Expanded the Number of Tennis Professionals that Are Safe Play Approved, and Should Continue to Build on Those Efforts*

As described in Section III.B.3, consistent with the SafeSport MAAPP and the USTA Safe Play Policy, the USTA requires all Adult Participants who have regular contact with or authority over athletes, all USTA-certified officials, all USTA employees and board members, and all Sectional Association employees and board members to be Safe Play Approved and has effective systems in place to remind individuals to assist individuals in keeping their Safe Play Approval up to date and remove access from individuals who fail to do so. Any USTA staff member who fails to renew their Safe Play Approval is removed from their duties involving minors until their Approval is renewed.

The USTA has also successfully increased the number of individuals in tennis who are Safe Play Approved beyond those required by the Safe Play Policy by requiring the coach certification bodies, the USPTA and PTR, to make Safe Play Approval mandatory for their coaches in order to be accredited by the USTA. While this does not bring all certified tennis coaches into the jurisdiction of the Center for SafeSport (unless the coach is otherwise a “Participant”), it is a positive step in ensuring that many tennis professionals are subject to background screens, review the USTA Safe Play policy, and complete SafeSport training.

In addition, since 2013, in an effort to have more people in the sport undergo Safe Play training and background checks, the USTA has paid for the background screen for any individual involved in tennis who wishes to become Safe Play Approved. Currently, over 25,000

individuals are Safe Play Approved. This effort to expand Safe Play Approval has resulted in the training and background checks of over 3,000 individuals, including teachers, school tennis coaches and parents, who otherwise would not have been required to be Safe Play Approved by either the USTA or the coach certifying organizations.

Recommendation #17: Require Organization Members to Mandate that All of Their Tennis Professionals and All Staff who Interact with Minor Athletes Are Safe Play Approved

The USTA should consider requiring that its Organization Members mandate that their administrative representative to the USTA, all tennis professionals and all staff members who interact with minors be Safe Play Approved as a condition of Organization Membership. This recommendation is broad because all tennis professionals, whether or not they work with minors, should be aware of potentially problematic behaviors and should be educated on how to report any such behavior they may observe. Under this model, the USTA would not promote or endorse any tennis clubs that do not require all of their tennis providers and all staff members who interact with Minor Athletes to be Safe Play Approved.⁶⁴

We recognize that monitoring Organization Member compliance with this requirement would be quite onerous because the USTA would need information about the staff of over 8,000 tennis organizations around the country, and in practice the USTA may need to rely on the attestation of its Organization Members that they are in compliance. At a minimum, however, the USTA should require that the administrative representative of each Organization Member be Safe Play Approved and regularly confirm that the administrator maintains his or her Safe Play

⁶⁴ USTA Middle States has implemented a “Premier Provider Program,” which highlights tennis providers in the region that, among other things, require all coaches and staff members to be Safe Play Approved. See *USTA Middle States Premier Providers*, USTA, <https://www.usta.com/en/home/about-usta/usta-awards/middlestates/usta-middle-states-premier-providers.html>.

Approval. Such a requirement would ensure that a responsible individual at each USTA organization member is aware of the USTA's expectations regarding appropriate and inappropriate conduct. We understand that this recommendation may be more difficult to implement for certain categories of Organization Members, particularly public parks and recreation departments and universities, but encourage the USTA to work with those Organization Members to overcome any logistical or bureaucratic obstacles.

2. *The USTA Should Require Parents to Complete SafeSport Training in Order to Consent to Exceptions to the Safe Play Policy or When Their Children Frequently Participate in USTA Programming*

Various interactions between Minor Athletes and Adult Participants, including some exceptions to the Safe Play Policy such as one-on-one or out-of-program contact between Minor Athletes and Adult Participants, are permitted by the USTA, but only with parental consent.⁶⁵ For example, Adult Participants are not permitted to transport a Minor Athlete one-on-one without advance, written consent from a parent. The USTA *recommends* that parents receive SafeSport training before consenting, but parent training is not *required* in any circumstances. The USTA has recently improved its technology to be able to track whether parents have completed training, but that tracking is not linked to the systems in which a parent can provide consent or register Minor Athletes for USTA events. Though the USTA and some of its Sectional Associations have made efforts to increase the number of parents who receive SafeSport or other abuse prevention training and send periodic emails with information and links to parent training, the fact that parent training is not mandatory is a gap that should be closed.

⁶⁵ For example, parents can consent to their Minor Athlete children participating in one-on-one coaching sessions, traveling one-on-one with a coach, and interacting with a coach one-on-one outside of the tennis program.

Parents are often unaware of the ways in which coaches may manipulate both minor athletes and their parents, and it may be particularly difficult to identify problematic behavior when a parent is hopeful that a coach will help progress their child’s success in the sport. Predators who abuse minors are highly skilled and often quite charismatic and popular with both children and their parents. Until parents are educated about the ways in which these individuals—through charm, compliments, special attention, favoritism, and gifts—can manipulate both minors and other adults, a powerful protection for minor athletes will be missing.

Recommendation #18: Mandate Parent Training in Order to Give Parent Consent or to Register Frequent Minor Athletes for USTA Programs

The USTA should consider making parent training mandatory in order to provide consent to interactions that are otherwise prohibited by the Safe Play Policy. In addition to the SafeSport parent training, the USTA should consider developing tennis-specific training and public service announcements featuring, if possible, professional tennis players dedicated to preventing abuse.

The USTA should also consider making parent training a requirement for parents who have children participating in more than three USTA tournaments annually or are participating in camps and leagues sanctioned by the USTA or the Sectional Associations. Since the vast majority of young tennis players do not have USTA coaches, practice at USTA facilities, or otherwise interact with the USTA, events provide the greatest opportunity to educate parents that the USTA otherwise would not be able to reach.

E. Staffing and Resources

As noted in Section II.B.3, the USTA currently has three employees dedicated to developing and implementing the Safe Play Program and monitoring compliance. The USTA’s three physical campuses do not have staff members designated exclusively to overseeing athlete

safety. Topics specific to Safe Play, such as ensuring that campus staff members are Safe Play Approved, are overseen by the Safe Play Department, and general safety and security issues at the campuses are overseen by campus staff with input from the Safe Play Department. All staff at the national campuses are Safe Play Approved and therefore have received training about their reporting obligations. The individuals who oversee the facilities have procedures in place dedicated to athlete safety, such as periodically checking locker rooms, monitoring courts, and ensuring that all interactions with Minor Athletes are observable and interruptible, but no one is exclusively responsible for understanding the USTA's Safe Play policy, confirming that it is implemented in practice, and resolving any issues that may arise relating to athlete safety.

Recommendation #19: Direct Additional Staffing and Resources to the Safe Play Program

In order to ensure it has capacity to implement our Recommendations, the USTA should consider adding one or more additional employees at the national level whose responsibilities focus exclusively on topics of athlete safety, including revising policies, coordinating with USTA training centers, USTA Sectional Associations, and other tennis and Olympic entities, monitoring Safe Play Approvals and other trainings, responding to misconduct and reporting to the Center for SafeSport, and ensuring that suspensions are enforced. The Safe Play Department should be a shared service of the various USTA functions and should report directly to the Chief Legal Officer. Implementing our Recommendations will also require the USTA to direct additional funding to the Safe Play Department.

The USTA should also consider mandating that each USTA Sectional Association and USTA facility have an employee whose responsibilities specifically include Safe Play compliance and athlete safety. The compliance professional from each Sectional Association and facility would receive additional training, attend regular meetings with the other Safe Play point people, and work closely with the Safe Play Department at USTA headquarters to ensure

that Safe Play policies and procedures are disseminated throughout the Sectional Associations and facilities.

IV. CONCLUSION

We set out to review the USTA's current player safety policies and procedures and have now completed that work. The USTA's current Safe Play Program complies with, and in some respects exceeds, the requirements imposed nationally by the Center for SafeSport. We have nevertheless made Recommendations to further enhance safety in ways we believe will strengthen prevention and compliance efforts.

We presented our Recommendations to the USTA Board of Directors on June 21, 2024, and the Board expressed its intention to incorporate our Recommendations into the USTA's Safe Play Program.

V. APPENDIX: Comparison of USTA and Other NGBs' Minor Athlete Abuse Prevention Policies

MAAPP Provision	USTA/Other NGB Implementation
One-on-One Interactions Policies	
<p><i>Requirement for one-on-one interactions to be observable and interruptible, unless a dual relationship, close-in-age, or adult participant personal care assistant exception applies</i></p>	<p>The Center's 2022 MAAPP requires all one-on-one In-Program Contact between an Adult Participant and a Minor Athlete to be observable and interruptible, except for emergencies.</p> <ul style="list-style-type: none"> • Nearly all of the NGBs (including USTA) adopt this provision without any changes. • Two NGBs have further requirements: US Figure Skating requires at least two Adult Participants be present if one-on-one interactions cannot be conducted in an observable and interruptible manner, and USA Baseball requires additional staff present when an Adult Participant meets with a Minor Athlete.
<p><i>Additional one-on-one provisions</i></p>	<p>The Center's 2022 MAAPP lists the general types of prohibited conduct from the SafeSport Code.</p> <ul style="list-style-type: none"> • All NGBs include the Center's list of prohibited conduct. • Three NGBs go beyond MAAPP requirements by including examples of permissible and/or prohibited contact beyond the main categories listed in the Center's MAAPP: USTA, US Soccer Federation, and USA Diving.
Meetings & Training Sessions Policies	
<p><i>Meetings with licensed mental health care professionals and health care providers (other than athletic trainers)</i></p>	<p>The Center's 2022 MAAPP requires one-on-one meetings with a Minor Athlete and a licensed mental health care professional or licensed health care provider to be observable and interruptible, unless the door remains unlocked, another adult is present at the facility and notified that the meeting is occurring, the NGB is notified of the meeting, and the provider obtains consent consistent with applicable laws and ethical standards.</p> <ul style="list-style-type: none"> • Nearly all of the NGBs (including USTA) adopt this provision without any changes. • One NGB imposes additional requirements: USA Weightlifting mandates that at least one other individual is present for all procedures and treatments by mental healthcare professionals.

MAAPP Provision	USTA/Other NGB Implementation
<p><i>Recommended monitoring of meetings and training sessions</i></p>	<p>The Center’s 2022 MAAPP recommends that another Adult Participant monitor each meeting or training session if it takes place between an Adult Participant and a Minor Athlete at a facility partially or fully under the NGB’s jurisdiction. The Center defines “monitoring” as “reviewing the parent/guardian consent form, knowing that the meeting or training session is occurring, knowing the approximate planned duration of the meeting or training session, and dropping in on the meeting or training session.”</p> <ul style="list-style-type: none"> • Eighteen NGBs adopt the Center’s provision as a recommendation only. • Nine NGBs (including USTA) require this provision. • Twenty-six NGBs neither recommend nor require this provision.
<p>Athletic Training Modalities, Massages, and Rubdowns Policies</p>	
<p><i>Athletic training modalities, massages, or rubdowns</i></p>	<p>The Center’s 2022 MAAPP requires that all in-program athletic training modalities¹, rubdowns, and massages of Minor Athletes are observable and interruptible, conducted with another Adult Participant physically present for the treatment, have documented parental consent (obtained at least annually), performed with the Minor Athlete fully or partially clothed (i.e., ensuring that the breasts, buttocks, groin, or genitals are always covered), and that the parents/guardians are allowed in the room to observe unless limited by competition/training venue credentials.</p> <ul style="list-style-type: none"> • Nearly all of the NGBs (including USTA) adopt this provision without any changes. • Two NGBs prohibit massages and rubdowns of Minor Athletes in some or all circumstances: USA Golf and USTA Track & Field.

¹ Athletic training modalities are methods of treatment, pieces of equipment, or interventional strategies to help remedy various conditions or injuries. Examples of athletic training modalities are ice packs and heating pads, cold or hot water immersion, electronic stimulation, and ultrasound therapy.

MAAPP Provision	USTA/Other NGB Implementation
<i>Recommended narration of techniques/steps</i>	<p>The Center’s 2022 MAAPP recommends that providers narrate the steps in a massage, rubdown, or athletic training modality before taking them, seeking assent of the Minor Athlete throughout the process.</p> <ul style="list-style-type: none"> • Twenty-two NGBs implement this provision as a recommendation. • Eleven NGBs require this provision. • Twenty NGBs (including USTA) neither recommend nor require this provision.
<i>Recommended techniques to reduce touch</i>	<p>The Center’s 2022 MAAPP recommends that, when possible, techniques should be used to reduce physical touch of Minor Athletes during massages, rubdowns, or athletic training modalities.</p> <ul style="list-style-type: none"> • Twenty-two NGBs implement this provision as a recommendation. • Six NGBs require this provision. • Twenty-five NGBs (including USTA) neither recommend nor require this provision.
<i>Recommended use of licensed providers only</i>	<p>The Center’s 2022 MAAPP recommends that only licensed providers should administer a massage, rubdown, or athletic training modality.</p> <ul style="list-style-type: none"> • Nineteen NGBs implement this provision as a recommendation. • Nineteen NGBs (including USTA) require this provision. • Fifteen NGBs neither recommend nor require this provision.
<i>Recommended prohibition of coaches conducting massages</i>	<p>The Center’s 2022 MAAPP recommends that coaches, regardless of whether they are licensed massage therapists, should not massage Minor Athletes.</p> <ul style="list-style-type: none"> • Seventeen NGBs implement this provision as a recommendation. • Nineteen NGBs (including USTA) require this provision.

MAAPP Provision	USTA/Other NGB Implementation
	<ul style="list-style-type: none"> Seventeen NGBs neither recommend nor require this provision.
<p><i>Additional requirements and recommendations regarding athletic training modalities, rubdowns, and massages</i></p>	<p>Several NGBs include additional provisions regarding athletic training modalities, rubdowns, and massages.</p> <ul style="list-style-type: none"> USA Basketball strongly encourages the documentation of any of these treatments. USA Gymnastics recommends that an Adult Participant who does not personally perform treatments should be placed as a monitor in the same room. USA Gymnastics requires: (1) member clubs to develop and publish a massage policy consistent with the USAG Policy; (2) an on-site method of reporting misconduct or other policy deviations; (3) that athletes must self-apply ice to the breasts, buttocks, or genitalia; and (4) that no taping of the breasts, buttocks, or genitalia is performed. US Rowing recommends both that treatment rooms are kept at a suitable temperature and that practitioners should seek to ensure they never place themselves between the athlete and the door. USA Swimming requires that any massages of a Minor Athlete occur with at least one other Adult Participant in the room and only after a proper diagnosis from a treating physician and be done in the course of care according to the physician’s treatment plan. US Figure Skating strongly encourages parents/legal guardians to attend evaluations and treatments when traveling with their Minor Athlete. The USOPC permits minor first-aid treatment, permits coaches to tape extremities while avoiding intimate areas, and permits staff to assist Paralympic Minor Athletes who cannot put on/adjust recovery modalities—as long as additional criteria is followed.
Locker Rooms & Changing Areas Policies	
<p><i>Exception for media coverage of championship celebrations to the</i></p>	<p>The Center’s 2022 MAAPP requires that NGBs prohibit recording devices in locker rooms, except for media coverage of championship celebrations with certain conditions.</p> <ul style="list-style-type: none"> Forty-five NGBs (including USTA) implement this provision without changes.

MAAPP Provision	USTA/Other NGB Implementation
<i>prohibition of recording devices in locker rooms</i>	<ul style="list-style-type: none"> Seven NGBs exclude the exception for championship celebrations. Further, USA Track & Field requires that Minor Athletes are given a chance to opt-out before permitting media coverage.
<i>Additional provisions for locker rooms & changing areas: minimum clothing requirements</i>	<p>The Center’s 2022 MAAPP authorizes NGBs to implement stricter provisions than those set forth in the Center’s model policy, subject to approval by the Center.</p> <ul style="list-style-type: none"> Three NGBs impose more stringent minimum clothing requirements in locker rooms and changing areas: USA Judo, USA Hockey, and US Speedskating.
Electronic Communications Policies	
<i>Parental requests to discontinue</i>	<p>The Center’s 2022 MAAPP requires NGBs and Adult Participants to cease direct electronic communications with Minor Athletes if their parents/guardians request in writing that the NGB or an Adult Participant subject to the MAAPP not to contact their Minor Athlete through any form of electronic communication.</p> <ul style="list-style-type: none"> All NGBs implement this provision. Further, USA Diving requires the NGB and member clubs to maintain a list of those Minor Athletes whose parents/guardians requested a discontinuance of electronic communications.
<i>Recommended hours of electronic communication</i>	<p>The Center’s 2022 MAAPP recommends that electronic communications are only sent between the hours of 8 AM and 8 PM local time for the location of the Minor Athlete.</p> <ul style="list-style-type: none"> Twenty NGBs implement this provision as a recommendation. Twelve NGBs (including USTA) require this provision, though some adjust the permissible communication hours. Twenty-one NGBs neither recommend nor require this provision.

MAAPP Provision	USTA/Other NGB Implementation
<p><i>Recommended prohibition of social media connections</i></p>	<p>The Center’s 2022 MAAPP recommends that Adult Participants must not be permitted to maintain private social media connections with Minor Athletes, and should discontinue existing social media connections with Minor Athletes, unless a dual relationship or close-in-age exception exists.</p> <ul style="list-style-type: none"> • Twenty-one NGBs implement this provision as a recommendation. • Fifteen NGBs (including USTA) require this provision. One NGB (USA Hockey) only applies this provision to coaches. • Sixteen NGBs neither recommend nor require this provision.
<p><i>Additional provisions for electronic communications</i></p>	<p>The Center’s 2022 MAAPP authorizes NGBs to implement stricter provisions than those set forth in the Center’s model policy, subject to approval by the Center.</p> <ul style="list-style-type: none"> • Six NGBs—USTA, US Soccer, USA Track & Field, USA Triathlon, USA Baseball, and the Lakeshore Foundation/National Wheelchair Rugby Association—require the NGB or LAO to monitor the official social media page and remove any inappropriate posts. • USA Gymnastics requires that all communications platforms be able to record or maintain the communications. • USA Basketball requires that the content of any electronic communication should be readily available to share with the athlete’s family, USA Basketball or an affiliate (i.e., USOPC). • US Figure Skating recommends that that Adult Participants save content of all electronic communications with a Minor Athlete for three years and be readily available to share with minor’s parents or USFS representatives. • USA Track & Field and USA Hockey recommend that Adult Participants only send electronic communications to Minor Athletes through official NGB-email addresses when possible. • US Soccer requires that Adult Participants use their “@ussoccer.org” email address if using email to communicate.

MAAPP Provision	USTA/Other NGB Implementation
	<ul style="list-style-type: none"> • USA Baseball requires that electronic communications come from an account that can be monitored by USA Baseball.
Transportation Policies	
<i>Recommended carpooling arrangements</i>	<p>The Center’s 2022 MAAPP recommends that parents/guardians pick up their Minor Athlete first and drop off their Minor Athlete last in any shared or carpool travel arrangement.</p> <ul style="list-style-type: none"> • Thirty-four NGBs (including USTA) implement this provision as a recommendation. • Two NGBs—USA Hockey and USA Volleyball—require this provision. • Seventeen NGBs neither recommend nor require this provision.
Lodging Policies	
<i>Additional lodging provisions</i>	<p>The Center’s 2022 MAAPP authorizes NGBs to implement stricter provisions than those set forth in the Center’s model policy, subject to approval by the Center.</p> <ul style="list-style-type: none"> • Six NGBs (including USTA) explicitly prohibit meetings in hotel rooms. • US Figure Skating and USA Softball recommend that meetings not occur in hotel rooms. • USA Gymnastics forbids sharing of communal lodging (e.g., AirBnB, Vrbo). • The USOPC requires parental consent for communal lodging arrangements.
Miscellaneous Recommendations to Keep Minor Athletes Safe	
<i>Recommended prohibition for out-of-program contact</i>	<p>The Center’s 2022 MAAPP recommends that Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not have out-of-program contact with Minor Athlete(s) without legal/parent guardian consent, even if the out-of-program contact is not one-on-one.</p> <ul style="list-style-type: none"> • Twenty-six NGBs (including USTA) implement this provision as a recommendation.

MAAPP Provision	USTA/Other NGB Implementation
	<ul style="list-style-type: none"> • Eight NGBs require this provision. Within those eight, USA Gymnastics completely prohibits out-of-program contact; and USA Weightlifting further strongly encourages not to have out-of-program contact even if parental consent is given. • Three NGBs prohibit certain forms of out-of-program contact, such as one-on-one out-of-program contact. • Sixteen NGBs neither recommend nor require this provision.
<i>Recommended prohibition from gifting</i>	<p>The Center’s 2022 MAAPP recommends that Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not give personal gifts to Minor Athlete(s); but permits gifts that are equally distributed to all athletes that serve a motivational or educational purpose.</p> <ul style="list-style-type: none"> • Twenty-six NGBs implement this provision as a recommendation. • Eleven NGBs (including USTA) require this provision. • Sixteen NGBs neither recommend nor require this provision.
<i>Recommended general photo/video policy</i>	<p>The Center’s 2022 MAAPP recommends that: (1) photos and videos of athletes may only be taken in public view and must observe generally accepted standards of decency, and that (2) Adult Participants should not share or post photos or videos of Minor Athletes if the Adult Participant has not obtained the Parent/Guardian and Minor Athlete’s consent.</p> <ul style="list-style-type: none"> • Twenty-six NGBs implement this provision as a recommendation. • Nine NGBs require this provision. • USA Gymnastics has several additional requirements, including that photos and videos must appropriately serve the best interests of the athlete, parents/guardians must be made aware such photography/recording and where they will be displayed, and old photos and videos from websites, social media accounts, and brochures should be removed at least annually. • Seventeen NGBs (including USTA) neither recommend nor require this provision.