

SAFE SPORT HANDBOOK



usaswimming.org/protect

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"Safety and security don't just happen; they are the result of collective consensus and public investment. We owe our children, the most vulnerable citizens in our society, a life free of violence and fear."

Nelson Mandela



INTRODUCTION

There are a lot of great reasons to swim – at any level. As a life-long activity, people often swim to have fun and spend time with friends. Swimming also encourages a healthy lifestyle and builds self-confidence. Swimmers even benefit from the sport out of the water. They learn goal-setting, teamwork and time management skills.

Unfortunately, sports, including swimming, can also be a high-risk environment for misconduct, including physical and sexual abuse. **All forms of misconduct are intolerable and in direct conflict with the values of USA Swimming.**

Misconduct may damage an athlete’s psychological well-being. Athletes who have been mistreated experience social embarrassment, emotional turmoil, psychological scars, loss of self-esteem and negative impacts on their relationships with family, friends and the sport. Misconduct often hurts an athlete’s competitive performance and may cause him or her to drop out of our sport entirely.

USA Swimming is committed to fostering a fun, healthy and safe sport environment for all its members. We all must recognize that the safety of swimmers lies with all those involved in the sport and is not the sole responsibility of any one person at the club, LSC, or national level.

HOW TO USE THIS HANDBOOK

We all have a role to play in creating a healthy setting for our sport. The USA Swimming Safe Sport Program raises awareness about misconduct in our sport, promotes open dialogue, and provides training and resources. When we work as a team, we can build a plan to make swimming safe - for everyone.

USA Swimming members should use the policies, guidelines, best practices, strategies and tools included in this handbook to implement Safe Sport practices at the local level. Together, we can create a safe environment for all members to enjoy the sport of swimming.

USA SWIMMING SAFE SPORT PROGRAM CONTACTS

National Office Staff

Contact National Office Staff to make a report of concerning behavior, to request a training for your club or LSC, or to ask questions about the Safe Sport Program.

Director of Safe Sport Susan Woessner swoessner@usaswimming.org
(719) 866-3589

Safe Sport Program Coordinator Liz Hoendervoogt ehoendervoogt@usaswimming.org
(719) 866-3542

USA Swimming Safe Sport Committee (2013)

Contact Safe Sport Committee members to provide feedback about the Safe Sport Program, make suggestions for future initiatives, or get general information about the Safe Sport Program.

Cecil Gordon, Chair (MA)
CJ Fiala (PV)
George Geanon (WI)
Margaret Hoelzer (PN)
John Ingram (Colorado Springs Police Department)
Bob Kizer (IL)
Meaghan Murphy (NJ)
Ron Van Pool (PN)
Greg York (PV)
John Morse, USA Swimming General Counsel, ex-officio
Malia Arrington, USOC, ex-officio

My LSC Safe Sport Chair

Contact your LSC Safe Sport Chair to bring a training program to your club or LSC, to help identify local resources in your area, and for the latest updates from the Safe Sport Program.

LSC: _____

Name: _____

Email: _____

Phone: _____

SECTION ONE: Safe Sport Program Philosophy

MISSION STATEMENT AND GUIDING PRINCIPLES

Mission Statement: *USA Swimming is committed to safeguarding the well-being of all of its members, with the welfare of its athlete members as the top priority.*

Guiding Principles

1. USA Swimming believes that every member should have a safe, healthy, fun sport environment.
2. USA Swimming believes that every young person should be protected from abuse and safe from harm.
3. USA Swimming believes that all non-athlete members share a collective responsibility to protect our membership.
4. USA Swimming will make available training for all members to increase awareness and understanding of athlete protection policies and best practices. USA Swimming will provide a process for members to recognize and respond to any Safe Sport issues that arise.
5. USA Swimming will provide resources, information, and guidance on Safe Sport related issues to all members, including coaches, parents and athletes.
6. USA Swimming will treat all allegations of abuse or concerns regarding athlete safety seriously and will respond appropriately and as prescribed by the USA Swimming Rules and Regulations.

PROGRAM FRAMEWORK



SECTION TWO: Policies and Guidelines

2013 USA SWIMMING CODE OF CONDUCT AND ATHLETE PROTECTION POLICIES

Article 304: USA SWIMMING CODE OF CONDUCT

304.1 The mission of USA Swimming is to encourage participation and the pursuit of excellence in all aspects of swimming. USA Swimming grants the privilege of membership to individuals and organizations committed to that mission. The privilege of membership may, therefore, be withdrawn or denied by USA Swimming at any time where USA Swimming determines that a member or prospective member's conduct is inconsistent with the mission of the organization or the best interest of the sport and those who participate in it.

In order to assist all members to better serve the interests of those who participate in swimming, USA Swimming has adopted this Code of Conduct.

304.2 Any member or prospective member of USA Swimming may be denied membership, censured, placed on probation, suspended for a definite or indefinite period of time with or without terms of probation, fined or expelled from USA Swimming if such member violates the provisions of the USA Swimming Code of Conduct, set forth in 304.3, or aids, abets or encourages another person to violate any of the provisions of the USA Swimming Code of Conduct.

304.3 The following shall be considered violations of the USA Swimming Code of Conduct:

.1 Violation of the right to compete provisions set forth in 301.1

through 301.4.

.2 Violation of the anti-doping provisions set forth in 303.3.

.3 Discrimination in violation of any part of the USA Swimming Rules and Regulations or the Amateur Sports Act which requires that USA Swimming must provide: "an equal opportunity to amateur athletes; coaches, trainers, managers, administrators, and officials to participate in amateur athletic competition, without discrimination on the basis of race, color, religion, age, gender, or national origin."

.4 Violation of any of the Athlete Protection Policies set forth in Article 305.

.5 Violation of any of the Sexual Misconduct Reporting Requirements set forth in Article 306.

.6 Conviction of, imposition of a deferred sentence for, or any plea of guilty or no contest at any time, past or present, or the existence of any pending charges, for (i) any felony, (ii) any offense involving use, possession, distribution or intent to distribute illegal drugs or substances, (iii) any crime involving sexual misconduct, or (iv) any criminal offense against a minor.

.7 Bullying is prohibited. For the purposes of the Code of Conduct, the term "Bullying" shall mean, regardless of when or where it may occur, the severe or repeated use by one or more USA Swimming members ("Members") of an oral, written, electronic or other technological expression, image, sound, data or intelligence of any nature (regardless of the method of transmission), or a physical act or gesture, or any combination thereof, directed at any other Member that to a reasonably objective person has the effect of: (i) causing physical or emotional harm to the other Member or damage to the other Member's property; (ii) placing the other Member in reasonable fear of harm to himself/herself or of damage to his/her property; (iii)

creating a hostile environment for the other Member at any USA Swimming activity; (iv) infringing on the rights of the other Member at any USA Swimming activity; or (v) materially and substantially disrupting the training process or the orderly operation of any USA Swimming activity (which for the purposes of this section shall include, without limitation, practices, workouts and other events of a member club or LSC). Allegations of Bullying of an athlete by a coach shall be investigated under 304.3.13.

.8 A) Any inappropriate sexual conduct or advance, or other inappropriate oral, written, visual, or physical conduct of a sexual nature directed towards an athlete by (i) a coach member or other non-athlete member, or (ii) any other adult participating in any capacity whatsoever in the activities of USA Swimming (whether such adult is a member or not).

(B) Any act of sexual harassment, including without limitation unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written, visual, or physical conduct of a sexual nature in connection with or incidental to a USA Swimming-related activity by any person participating in the affairs or activities of USA Swimming (whether such person is a member or not) directed toward any member or other person participating in the affairs or activities of USA Swimming.

.9 The sale or distribution of illegal drugs or the illegal sale or distribution of any substance listed on FINA's recognized list of banned substances.

.10 The use of illegal drugs in the presence of an athlete, by a coach, official, trainer, or a person who, in the context of swimming, is in a position of authority over, that athlete.

.11 The providing of alcohol to an athlete by a coach, official, trainer, manager or any other person where the athlete is under the legal age

allowed to consume or purchase alcohol in the state where the alcohol is provided.

.12 The abuse of alcohol in the presence of an athlete under the age of 18, by a coach, official, trainer, or a person who, in the context of swimming, is in a position of authority over that athlete.

.13 Abuse

(A) Physical abuse of an athlete by any person who, in the context of swimming, is in a position of authority over that athlete. "Physical abuse" is defined as a non-accidental injury and/or an injury primarily caused by the gross negligence on the part of the person in a position of authority over the athlete.

(B) Bullying of an athlete by a coach member or other non-athlete member who is in a position of authority over that athlete.

.14 Any act of fraud, deception or dishonesty in connection with any USA Swimming related-activity.

.15 Any non-consensual physical contact, obscene language or gesture, or other threatening language or conduct directed towards any meet official and which is related to any decision made by such official in connection with a USA Swimming sanctioned competition.

.16 Action, other than through general advertising, by a coach, owner, officer, volunteer, representative, or employee of a swim club, or a USA Swimming or LSC employee, either through direct contact with an athlete or the encouragement of others, to recruit or otherwise encourage an athlete who is already a member of a USA Swimming member swim club to leave that club, unless the acting party receives prior written approval to recruit or encourage the athlete to change affiliation from the designated club representative of the athlete's existing USA Swimming member swim club or contact is initiated by

the athlete, the athlete's parent or authorized representative. General advertising includes any information that is:

A. Distributed to an identifiable general population where there is a reasonable expectation that the majority of that population are not current members of USA Swimming, or

B. Placed in or on any item that is sold.

In the event of a violation of this section, a sanction may be imposed against any coach, owner, officer, volunteer, representative or employee of a swim club, or against any such club, or any combination thereof, as appropriate.

.17 Violation of any team misconduct rule as established by the USOC, USA Swimming, any Zone or LSC team authority.

.18 Any other material and intentional act, conduct or omission not provided for above, which is detrimental to the image or reputation of USA Swimming, a LSC or the sport of swimming.

Article 305: ATHLETE PROTECTION POLICIES

The following policies relating to Athlete Protection are mandatory components of the USA Swimming Code of Conduct:

305.1 Inappropriate touching between an athlete and an adult non-athlete member or Participating Non-Member (as defined in 401.1) is prohibited, including, but not limited to, excessive touching, hugging, kissing, sexually oriented behavior, sexually stimulating or otherwise inappropriate games, and having an athlete sit on a non-family member adult's lap.

305.2 Any rubdown or massage performed on an athlete by any adult member or Participating Non-Member, excluding the spouse, parent,

guardian, sibling, or personal assistant of such athlete, is prohibited unless such adult is a licensed massage therapist or other certified professional. Any rubdown or massage performed at a swim venue by a licensed professional must be conducted in open/public locations and must never be done with only the athlete and licensed massage therapist in the room. Even if a coach is a licensed massage therapist, the coach shall not perform a rubdown or massage of an athlete under any circumstances.

305.3 Use of audio or visual recording devices, including a cell phone camera, is not allowed in changing areas, rest rooms or locker rooms.

305.4 Employees and volunteers of USA Swimming, LSCs and member clubs who interact directly and frequently with athletes as a regular part of their duties and individuals with any ownership interest in a member club must be non-athlete members of USA Swimming and satisfactorily complete criminal background checks as required by USA Swimming. This does not apply to volunteers such as timers, marshals, computer operators, etc. who only have limited contact with athletes during a meet.

305.5 Travel

.1 Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with an athlete unless the coach is the parent, guardian, sibling, or spouse of that particular athlete.

.2 Team managers and chaperones must be members of USA Swimming and have successfully passed a USA Swimming required criminal background check.

.3 When only one athlete and one coach travel to a competition, the athlete must have his/her parent's (or legal guardian's) written permission in advance to travel alone with the coach.

.4 Clubs and LSCs shall develop their own travel policies. USA Swimming will provide a model club travel policy as an example. Club travel policies must be signed and agreed to by all athletes, parents, coaches and other adults traveling with the club.

305.6 Clubs shall establish their own action plans for implementing USA Swimming's anti-bullying policy. USA Swimming shall provide a model plan as an example which shall serve as the default for any club that fails to establish its own plan. Club anti-bullying plans must be reviewed and agreed to annually by all athletes, parents, coaches and other non-athlete members of the club.

305.7 Clubs shall establish their own electronic communication/social media policy. USA Swimming shall provide a model policy as an example, which shall serve as the default for any club that fails to establish its own policy. Club electronic communication policies should be reviewed and agreed to annually by all athletes, parents, coaches and other non-athlete members of the club.

Article 306: SEXUAL MISCONDUCT REPORTING REQUIREMENTS

306.1 It is every member's responsibility to promptly report any incident regarding sexual misconduct by a member as described in Article 304.3.8 to USA Swimming's Safe Sport staff. Reporting must occur when an individual has firsthand knowledge of misconduct or where specific and credible information has been received from a victim or knowledgeable third party. Various state laws may also require reporting to law enforcement or to a designated child protection agency.

306.2 No member shall retaliate against any individual who has made a good faith report under 306.1.

306.3 Filing a knowingly false allegation of sexual misconduct is prohibited and may violate state criminal law and civil defamation laws.

Any person making a knowingly false allegation of sexual misconduct shall be subject to disciplinary action by USA Swimming.

306.4 Neither civil nor criminal statutes of limitation apply to reports of cases of sexual abuse.

USA SWIMMING BEST PRACTICE GUIDELINES

All USA Swimming members are required to abide by the Code of Conduct. In addition to that Code, USA Swimming publishes the following Best Practice Guidelines. The Best Practice Guidelines below describe strategies for creating an open and observable environment and establishing clear boundaries between adults and athletes. Clubs are encouraged to use the Best Practice Guidelines to develop policies that can be implemented at the local level.

1. Parents should be encouraged to appropriately support their children's swimming experience.
2. All swimming practices should be open to observation by parents.
3. Two-deep Leadership: One coach member and at least one other adult who is not in the water should be present at all practices and other sanctioned club activities whenever at least one athlete is present. Clubs and coaches should evaluate their seasonal plans and map out how to best accomplish this strongly recommended guideline.
4. Open and Observable Environment: An open and observable environment should be maintained for all interactions between adults and athletes. Private, or one-on-one situations, should be avoided unless they are open and observable. Common sense should be used to move a meeting to an open and observable location if the meeting inadvertently begins in private.
5. Coaches should not invite or have an athlete(s) to their home without the permission of the athlete's parents (or legal guardian).
6. During team travel, when doing room checks, attending team

meetings and/or other activities, two deep leadership and open and observable environments should be maintained.

7. Athletes should not ride in a coach's vehicle without another adult present who is the same gender as the athlete, unless prior parental permission is obtained.
8. During overnight team travel, if athletes are paired with other athletes they shall be of the same gender and should be a similar age. Where athletes are age 13 & over, chaperones and/or team managers would ideally stay in nearby rooms. When athletes are age 12 & under, chaperones and/or team managers may stay with athletes. Where chaperones/team managers are staying in a room with athletes, they should be the same gender as the athlete and written consent should be given by the athlete's parents (or legal guardian).
9. When only one athlete and one coach travel to a competition, at the competition the coach and athlete should attempt to establish a "buddy" club to associate with during the competition and when away from the venue.
10. Communications between non-athlete adult members and athletes should not include any topic or language that is sexual or inappropriate in nature.
11. Non-athlete adult members should respect the privacy of athletes in situations such as changing of clothes, showering, etc. Non-athlete adult members should protect their own privacy in similar situations.
12. Relationships of a peer-to-peer nature with any athletes should be avoided. For example, coaches should avoid sharing their own personal problems with athletes.

13. Coaches and other non-athlete adult members should avoid horseplay and roughhousing with athletes.
14. When a coach touches an athlete as part of instruction, the coach should do so in direct view of others and inform the athlete of what he/she is doing prior to the initial contact. Touching athletes should be minimized outside the boundaries of what is considered normal instruction. Appropriate interaction would include high fives, fist bumps, side-to-side hugs and handshakes.
15. Coaches should not initiate contact with or accept supervisory responsibility for athletes' outside club programs and activities.
16. Coaches should not engage in sexual intimacies with a former athlete for at least two (2) years after the cessation or termination of professional services. Because sexual intimacies with a former athlete are frequently harmful to the athlete, and because such intimacies undermine public confidence in the coaching profession and thereby deter the public's use of needed services, coaches should not engage in sexual intimacies with former athletes even after a two-year interval except in the most unusual circumstances. The coach who engages in such activity after two (2) years following cessation or termination of the coach-athlete relationship bears the burden of demonstrating that there has been no exploitation, in light of all relevant factors, including:
 - The amount of time that has passed since the coach-athlete relationship terminated;
 - The circumstances of termination;
 - The athlete's personal history;
 - The athlete's current mental status;
 - The likelihood of adverse impact on the athlete and

others; and

- Any statements or actions made by the coach during the course of the athlete-coach relationship suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the athlete or coach.
- Both the athlete and the coach must be 18 years of age or older.

SECTION THREE: Screening and Selection

INTRODUCTION

Screening and selection procedures are the first line of defense in determining who is permitted to interact with athletes. Verifying an applicant's criminal history by completing a background check and ensuring responsible hiring using the pre-employment screen are critical pieces to providing a safe environment for swimmers. In this section you will find tools to vet which individuals are allowed to become involved with USA Swimming.

BACKGROUND CHECKS

USA Swimming's background check requirement is designed to deter individuals who should not be working with athletes from ever applying for membership. Additionally, it identifies any unsuitable criminal history of those individuals who do apply for membership. Any individual seeking non-athlete membership with USA Swimming must successfully complete a criminal background check through USA Swimming's background check vendor, AISS -a Sterling Infosystems Company. Background checks are valid for 24 months and must be renewed upon expiration to remain a member in good standing.

For full program details, including Frequently Asked Questions (FAQ), or to initiate a background check, please visit www.usaswimming.org/backgroundcheck

Search Specifics and Disqualifying Criteria

There are two background checks offered for new non-athlete members. The Level that potential members are required to pass is determined by the membership category. Individuals registering as

“Coach” or “Official” members must complete the Level II background check. Individuals registering as “Other” must complete the Level I background check.

The USA Swimming Level I criminal background check includes:

1. National Database Search for criminal convictions including sex offender search in all states, Social Security trace and identity verification, and a search of other watch lists from various national and international databases.
2. County Criminal Search in county of current residence for the previous seven years. The name provided by the applicant and all other names used by the applicant will be searched.

The USA Swimming Level II criminal background check includes:

1. National Database Search for criminal convictions including sex offender search in all states, Social Security trace and identity verification, and a search of other watch lists from various national and international databases.
2. County Criminal Search in all the counties of previous residence for the past ten years. The name provided by the applicant and all other names used by the applicant will be searched.

USA Swimming has established the following automatic membership disqualifiers and potential membership disqualifiers.

Automatic Disqualifiers: An individual will be disqualified from USA Swimming membership if a background search reveals that such individual has been convicted of, received an imposition of a deferred sentence for, or entered a plea of guilty or no contest at any time, or the existence of any pending charges for the following:

1. Any felony involving:
 - a. Violence against a person;
 - b. Violent crimes involving weapons;
 - c. Animal abuse.

2. Any felony or misdemeanor involving:
 - a. All sexual crimes, including misconduct, lewd conduct, sexual assault, rape, and register violations;
 - b. Drug use or possession, (including the use of drug paraphernalia) within the previous 3 years;
 - c. Other drug related crimes including drug distribution, intent to distribute, manufacturing, trafficking, sale, or maintaining disorderly house within the previous 7 years;
 - d. Child endangerment, neglect or abuse.

Individuals subject to disqualification under Automatic Disqualifiers may dispute the accuracy of the reported information with Sterling Infosystems, but may not dispute the consequence of disqualification if the above criteria are met.

Potential Disqualifiers: An individual will be subject to review for disqualification from USA Swimming membership if a background search reveals that such individual has been convicted of, received an imposition of a deferred sentence for, or any plea of guilty or no contest at any time, or the existence of pending charges at any time of any crime involving:

1. Other Felonies not included in Automatic Disqualifiers above;
2. Other Misdemeanors for:
 - a. Drug related crimes which are not covered in Automatic Disqualifiers above;
 - b. Violence against a person (including crimes involving firearms);
 - c. Destruction of property, including arson, vandalism, and

- criminal mischief;
- d. Animal abuse or neglect.

Individuals subject to review under Potential Disqualifiers may dispute the accuracy of the reported information with Sterling Infosystems, and may request a hearing before the USA Swimming Background Check Appeals Panel to contest the consequence of disqualification.

Note: Offenses that have already been reported to USA Swimming under its previous background check process would not trigger additional action.

PRE-EMPLOYMENT SCREENING

Clubs are responsible for hiring and supervising their own coaches and staff and managing their own volunteers. Responsible and thorough hiring practices are critical to maintaining a safe and healthy environment for our members.

The Pre-Employment Screening Program **requires** clubs to conduct three screens prior to offering employment to any potential employee. The three required screens are (1) past employment reference checks; (2) verification of highest level of education achieved; and (3) acquisition of a state motor vehicle report. Clubs are also encouraged to complete two optional screens: (1) social network search; and (2) Google media search. For full program details, including Frequently Asked Questions (FAQ), or to initiate a pre-employment screen, please visit www.usaswimming.org/preemploymentscreens.

SECTION FOUR: Training and Education

INTRODUCTION

USA Swimming is committed to raising awareness about the prevention of abuse in sport. We are proud to partner with Praesidium, Inc., an industry expert in abuse prevention, to bring customized and comprehensive training tools for coaches, volunteers and parents in the swimming community.

Our training tools will help you:

- Understand the scope and the effects of abuse in sport
- Recognize the signs of grooming behavior and boundary violations
- Understand how to establish boundaries and protect against false allegations
- Know how to react and report when you suspect abuse

USA Swimming offers three athlete protection training courses free of charge to our members. The USA Swimming Safe Sport Program offers several additional training resources at our home page:

www.usaswimming.org/protect.

MANDATORY TRAINING FOR NON-ATHLETE MEMBERS

Non-athlete members of USA Swimming are required to complete a mandatory athlete protection training program every two years. The course is free of charge and should take about an hour to complete. The course is available at www.usaswimming.org/apt.

TRAINING FOR PARENTS

USA Swimming is proud to offer free athlete protection training to the parents of our member athletes. Parents are a critical component to our overall goal to protecting children from sexual abuse. The comprehensive online programming includes information about how offenders operate, how to recognize and respond to boundary violations, myths and facts about child sexual abuse and USA Swimming's Athlete Protection Policies and Procedures. The training program is available at www.praesidiuminc.com/armatus/reference_parents.php.

TRAINING FOR ATHLETES

USA Swimming is proud to offer free athlete protection training to all of our member athletes. The training will teach athletes about the USA Swimming Safe Sport Program and share strategies that athletes can use with adults if they ever feel uncomfortable. The training program is available at www.usaswimming.org/protect.

IN PERSON TRAINING OPPORTUNITIES USA Swimming encourages clubs and LSCs to provide Safe Sport training opportunities to their members. Consider incorporating Safe Sport training into your Swimposium, House of Delegates meeting, swim meet or other gathering. Contact USA Swimming Safe Sport staff for more information.

SECTION FIVE: Recognizing, Responding, and Reporting

I. RECOGNIZING

This section offers guidance on how to recognize abuse. Abuse can be categorized into different types, including: sexual abuse, bullying and physical abuse. A child may be subjected to one or more forms of abuse at a given time.

Sexual Abuse

Sexual misconduct includes sexual abuse, sexual harassment and rape. Every member of the sport community, especially adult staff in positions of authority, can contribute to a sport environment free from sexual misconduct by working together and being informed.

Definition Sexual misconduct involves any touching or non-touching sexual interaction that is nonconsensual or forced, coerced or manipulated, or perpetrated in an aggressive, harassing, exploitative or threatening manner. It also includes any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority. Last, any act or conduct described as sexual abuse or misconduct under federal or state law (e.g., sexual abuse, sexual exploitation, rape) qualifies as sexual misconduct.¹

Notes on Definition

- An imbalance of power is always assumed between a coach and an athlete.
- Minors cannot consent to sexual activity with an adult, and all sexual interaction between an adult and a minor is strictly prohibited.

USA Swimming Policy

Sexual Misconduct is prohibited by Articles 304.3.6, 304.3.8, of the 2013 USA Swimming Code of Conduct, and 305.1 of the Athlete Protection Policies:

304.3.6 Conviction of, imposition of a deferred sentence for, or any plea of guilty or no contest at any time, past or present, or the existence of any pending charges, for

- i. *any felony,*
- ii. *any offense involving use, possession, distribution or intent to distribute illegal drugs or substances,*
- iii. *any crime involving sexual misconduct, or*
- iv. *any criminal offense against a minor [is a violation of the USA Swimming Code of Conduct].*

¹ USOC Safe Sport Handbook. pp. 18-19. <http://safesport.org/pdf/handbook.pdf>

304.3.8

(A) Any inappropriate sexual conduct or advance, or other inappropriate oral, written, visual, or physical conduct of a sexual nature directed towards an athlete by (i) a coach member or other non-athlete member, or (ii) any other adult participating in any capacity whatsoever in the activities of USA Swimming (whether such adult is a member or not) [is a violation of the USA Swimming Code of Conduct].

(B) Any act of sexual harassment, including without limitation unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written, visual, or physical conduct of a sexual nature in connection with or incidental to a USA Swimming-related activity by any person participating in the

affairs or activities of USA Swimming (whether such person is a member or not) directed toward any member or other person participating in the affairs or activities of USA Swimming [is a violation of the USA Swimming Code of Conduct].

305.1 Inappropriate touching between an athlete and an adult non-athlete member or Participating Non-Member (as defined in 401.1) is prohibited, including, but not limited to, excessive touching, hugging, kissing, sexually oriented behavior, sexually stimulating or otherwise inappropriate games, and having an athlete sit on a non-family member adult's lap [is a violation of USA Swimming's Athlete Protection Policies and, therefore, Code of Conduct].

Examples of Sexual Misconduct

Touching examples

- Fondling an athlete's breasts or buttocks
- Exchange of reward in sport (e.g., team placement, scores, feedback) for sexual favor
- Sexual relations or intimacies between an athlete and other sport participant in a position of trust, authority and/or evaluative and supervisory control over that athlete
- Genital contact

Non-touching examples

- Sexually-oriented comments, jokes or innuendo made to or about an athlete, or other sexually harassing behavior
- A coach or non-athlete member discussing his or her sex life with an athlete
- A coach or non-athlete member asking an athlete about his or her

sex life

- A coach or non-athlete member requesting or sending a nude or partial-dress photo to athlete
- A coach or non-athlete member exposing an athlete to pornographic material
- A coach or non-athlete member sending an athlete sexually-explicit or suggestive electronic or written messages or photos (e.g., “sexting”)
- Deliberately exposing an athlete to sexual acts
- Deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)

Grooming examples

- Sexually explicit, excessive, or otherwise inappropriate use of email, text messaging, social media, or other electronic communication
- Massaging or stretching an athlete
- Excessive or inappropriate gift giving
- Any combination of above or other behaviors that establish a pattern of grooming behavior

Exception These guidelines do not apply to a preexisting relationship between two spouses or life partners.

Bullying

Sports can help individuals build self-esteem and confidence, making them stronger and better able to deal with challenges. The wide range of emotions athletes experience in practice and competition are normal, healthy components of sports. However, severe behavior or a repeated pattern of behavior by either coaches or teammates that inflicts psychological or emotional harm has no place in sports. By gaining a complete understanding of the actions that qualify as bullying,

participants can be in a stronger position to take action.

USA Swimming's Definition and Policy

Bullying is prohibited by Articles 304.3.7 and 304.3.13B of the 2013 USA Swimming Code of Conduct:

304.3.7 Bullying is prohibited. For the purposes of the Code of Conduct, the term "Bullying" shall mean, regardless of when or where it may occur, the severe or repeated use by one or more USA Swimming members ("Members") of an oral, written, electronic or other technological expression, image, sound, data or intelligence of any nature (regardless of the method of transmission), or a physical act or gesture, or any combination thereof, directed at any other Member that to a reasonably objective person has the effect of:

- i. causing physical or emotional harm to the other Member or damage to the other Member's property;*
- ii. placing the other Member in reasonable fear of harm to himself/herself or of damage to his/her property;*
- iii. creating a hostile environment for the other Member at any USA Swimming activity;*
- iv. infringing on the rights of the other Member at any USA Swimming activity; or*
- v. materially and substantially disrupting the training process or the orderly operation of any USA Swimming activity (which for the purposes of this section shall include, without limitation, practices, workouts and other events of a member club or LSC).*

Allegations of Bullying of an athlete by a coach shall be investigated under 304.3.13.

Exceptions Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, discipline or improving athletic performance. Constructive criticism about an athlete's performance does not constitute bullying.

Examples of Bullying

Verbal acts

- Repeatedly and excessively verbally attacking an athlete personally (e.g., calling them worthless, fat or disgusting)
- Repeatedly and excessively yelling at participants in a manner that serves no productive training or motivational purpose

Physical acts

- Throwing sport equipment, water bottles or chairs at, or in the presence of, participants
- Punching walls, windows or other objects

Acts that deny attention and support

- Ignoring an athlete for extended periods of time
- Routinely or arbitrarily excluding participants from practice

Clubs are required to have an action plan to address bullying in place at their club. A model plan is included in the Appendix to this handbook.

Any allegation of bullying of an athlete by a coach will be investigated by a three-coach panel named by the USA Swimming President as required by Article 405.2.3.

Physical Abuse

Almost all sports involve strenuous physical activity. In practices and competition, athletes regularly push themselves to their maximum effort. While these efforts are a necessary part of improving performance, activity that physically harms an athlete is unacceptable. One of the best ways to promote safe conditions is to understand exactly where the boundaries lie and take a team approach to monitoring athletes.

Definition

Physical abuse is defined as a non-accidental injury and/or an injury primarily caused by the gross negligence on the part of a person in a position of authority over the athlete²

USA Swimming Policy Physical abuse is prohibited by Article 304.3.13A of the 2013 USA Swimming Code of Conduct:

304.3.13A Physical abuse of an athlete by any person who, in the context of swimming, is in a position of authority over that athlete [is considered a violation of the USA Swimming Code of Conduct].

Exceptions

Physical misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athlete performance.

Examples of Physical Misconduct

Contact examples

- Punching, beating, biting, striking, choking or slapping an athlete
- Intentionally hitting an athlete with objects or sporting equipment
- Encouraging or permitting an athlete to return to practice or competition prematurely or without the clearance of a medical professional, following a serious injury or concussion.
- Prescribed dieting or other weight-control methods (e.g., weigh-ins, caliper tests) without regard for the nutritional well-being and health of the athlete

Non-contact examples

- Isolating an athlete in a confined space (e.g., locking an athlete in a small space)
- Forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface)
- Withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.

Any allegation of physical abuse of an athlete by a coach will be investigated by a three-coach panel named by the USA Swimming President as required by 405.2.3.

² USOC Safe Sport Handbook. pp. 18-19. <http://safesport.org/pdf/handbook.pdf>

II. RESPONDING

You have a responsibility as a coach or other non-athlete member, and as an adult, to protect the children within your care. They cannot protect themselves. They rely on you to keep them safe. If you observe a boundary violation, policy violation, or suspicious or inappropriate interactions, this section will help you know how to respond.

Responding to Code of Conduct Violations

- 1. Interrupt the action and speak directly to the person involved.** Try to begin the conversation with something positive, and then describe the actions you've seen that concern you and suggest what should be done. Interrupting doesn't mean you are accusing anyone of molesting a child. You are just making sure that everyone follows the rules that keep kids safe.
- 2. Share your concerns with the head coach, team manager or Club Board President.** If you see something, say something. If you don't speak up, nothing will change and the situation could get dangerous. Tell your supervisor exactly what you've observed. Arrange a time when you can speak with leadership privately and without distractions. Share your observations and concerns with as much detail as you can and explain why you are concerned and what you would like to see changed.
- 3. Contact USA Swimming Safe Sport Staff and make a report.** Safe Sport staff Liz Hoendervoogt or Susan Woessner will listen to your concerns, gather information and take appropriate action.

719 866-4578

athleteprotection@usaswimming.org

- 3. Report anonymously through the USA Swimming online reporting form.** In the event you are reluctant to report (due to uncertainty regarding the appropriateness of the conduct, fear of retaliation from supervisors or other club members, or any other reason), make use of an anonymous method, like the online reporting form available [here](#).

Bottom line? It's better to report than to regret. Don't talk yourself out of taking action. You could be the one person preventing a child from being sexually abused.

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Responding to "Red Flag" Behavior

Sometimes we recognize behavior that is not a USA Swimming Code of Conduct violation but is still concerning behavior that needs to be addressed, such as an adult who has poor boundaries with athletes. Texting athletes frequently, discussing marital problems with the athletes or buying gifts for a certain athlete are examples of poor boundaries.

Always respond quickly, if you witness or become aware of the behavior.

A child's safety may be in jeopardy and a delay in action could allow abuse to occur. Red-flags can quickly lead to abuse. That means you need to respond right away, no matter how busy you are. Similarly to a

Code of Conduct violation, your concerns should be shared with the head coach, team manager or Club Board President.

If you are in a leadership position at your club and you witness 'red flag' behavior or such behavior is reported to you, follow these guidelines to address it:

1. Find out as much as you can about the situation, if red flag behavior is reported to you.

Get as much information as you can from the person making the report and from any others who may have relevant information, like co-workers. You may also find it helpful to review personnel records to determine if this is a first time report or a recurrence.

2. Address next steps internally.

Because your and/or the club's actions can have serious legal implications, it's always a good idea to review what you've learned with your supervisor and/or the Board and to discuss what steps should be taken next.

3. Based on what you find out, take the necessary disciplinary action.

Follow your club's progressive disciplinary procedure for dealing with policy violations, or otherwise address the behavior as necessary.

4. Thoroughly document what you learned from your investigation and what actions you took in response.

Documentation can be crucial if you must later prove that you exercised due diligence in acting on a report of inappropriate or suspicious behavior.

5. Decide who else needs to know about the situation.

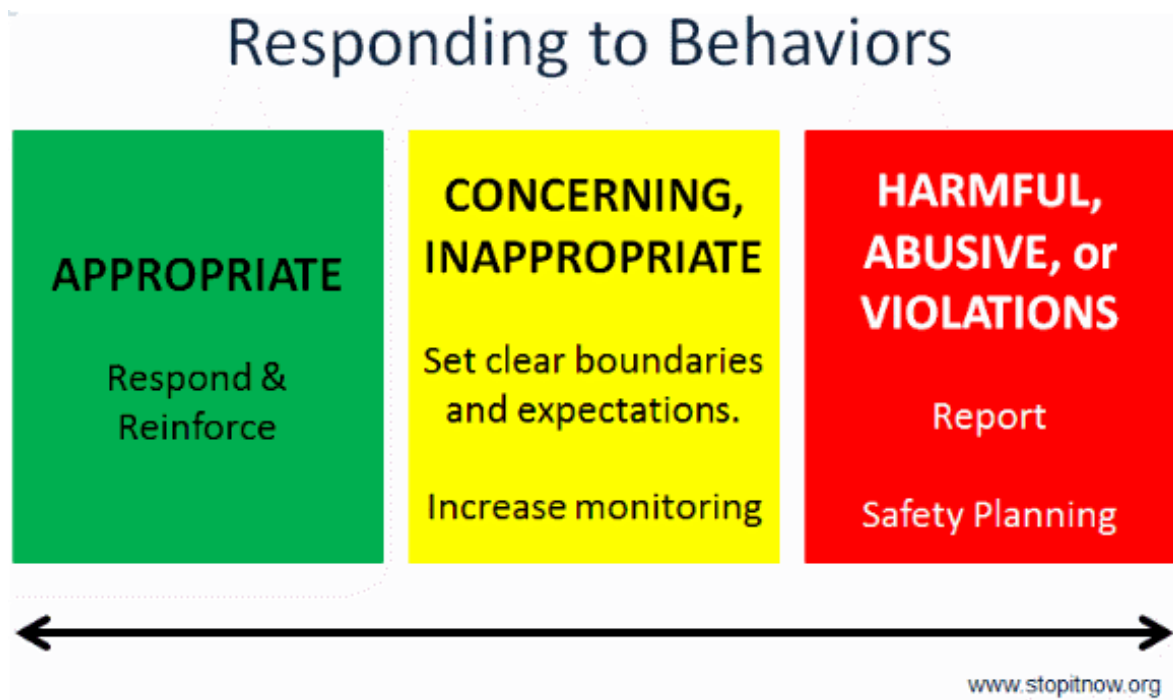
You may need to advise other coaches or the parents of the children involved. Other coaches may have heard rumors or have questions that you can put to rest. Parents may need information to allay any fears they may have and to discuss the situation with

their children. Most people appreciate being in the know directly, rather than hearing stories through the rumor mill.

6. Use the situation to strengthen training, monitoring and supervision, and enhance your policies.

Red flag incidents can teach us a great deal, if we let them. Use what happened in this situation to ask yourself, “How could this happen?” as well as, “What did we do well?” Maybe you’ll see that your coaches need more training on how to supervise children or how to respond if they see a red flag. Don’t let an incident go by without learning something from it so you can do an even better job in the future.

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III. REPORTING

USA SWIMMING REPORTING POLICY

Article 306.1: *It is every member's responsibility to promptly report any incident regarding sexual misconduct by a member as described in Article 304.3.8 to USA Swimming's Safe Sport staff. Reporting must occur when an individual has firsthand knowledge of misconduct or where specific and credible information has been received from a victim or knowledgeable third party. Various state laws may also require reporting to law enforcement or to a designated child protection agency.*

When to Report:

It's critical for clubs, coaches, staff members, volunteers and parents to report suspicions or allegations of child sexual abuse to the proper officials and appropriate law enforcement authorities. By working together, we can create safe conditions for our sport and protect athletes.

The guiding principles for reporting Code of Conduct violations are:

- The safety and well-being of the athlete must take priority;
- Reports of Code of Conduct violations are required without delay to the USA Swimming Safe Sport Program Staff; and
- Reports of red flag behavior or boundary violations should be made without delay to the head coach, team manager or Board of Directors of your club.

The appropriate people should always be informed when a person has reasonable grounds for concern that a member may have violated the Code of Conduct or a member is being abused.

How to report: A report can be made by telephone, letter, [email](#), or

with USA Swimming's [online reporting form](#); all of which may be done so anonymously.

More information on reporting is available [here](#).

USA Swimming Safe Sport Program Staff

Director of Safe Sport Susan Woessner

swoessner@usaswimming.org

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719 332-0184

Safe Sport Program Coordinator Liz Hoendervoogt

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INTRODUCTION

APPENDIX: Policies

USA Swimming rules require that clubs develop, adopt and implement policies relating to: (1) Travel; (2) Electronic Communication; and (3) Anti-bullying. Additionally, clubs may choose to adopt the optional Locker Room Monitoring Policy.

USA Swimming has developed the following model policies to assist clubs in developing their own policies. Clubs are not required to adopt the model policy as drafted or in full, except where noted in the Model Team Travel policy. The policies are intended to serve as a potential starting place for clubs. Clubs are encouraged to adapt the policies to fit the unique structure, personnel and needs of the club.

Clubs should provide copies of their policies to all members. Clubs are additionally encouraged to review the policies annually with athletes and their parents and allow for open dialogue and question/answer regarding each policy so that clear expectations are set.

REQUIRED POLICIES

- Appendix A Team Travel Policy
- Appendix B Electronic Communication Policy
- Appendix C Anti-Bullying Policy

OPTIONAL POLICY

- Appendix D Locker Room Monitoring Policy

APPENDIX A

Team Travel Policy for **HERSHEY AQUATIC CLUB**

Purpose: During travel, athletes are often away from their families and support networks, and the setting – new changing areas, locker rooms, workout facilities, automobiles and hotel rooms – is less structured and less familiar. The purpose of a Team Travel Policy is to establish standards of behavior and manage expectations of the club and its members, thereby providing a sense of structure and familiarity while in an otherwise less familiar setting.

Team Travel is defined as overnight travel to a swim meet or other team activity that is planned and supervised by the club or LSC.

Section 1 - USA Swimming Required Policies

Club and LSC travel policies must include these policies. These items are Code of Conduct stipulations in the USA Swimming Rulebook.

- a. Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with an athlete (unless the coach is the parent, guardian, sibling, or spouse of that particular athlete). (Article 305.5.A)
- b. Team managers and chaperones must be members of USA Swimming and have successfully passed a USA Swimming-administered criminal background check. (Article 305.5.B)
- c. When only one athlete and one coach travel to a competition, the athlete must have his/her parents' (or legal guardian's) written permission in advance to travel alone with the coach. (Article 305.5C)
- d. Club travel policies must be signed and agreed to by all athletes, parents, coaches and other adults traveling with the club. (Article

305.5.D)

Section 2 - Recommended Policies

- a. During team travel, when conducting room checks and attending team meetings and/or other activities, two-deep leadership and open and observable environments should be maintained.
- b. Athletes should not ride in a coach's vehicle without another adult present who is the same gender as the athlete, unless prior parental permission is obtained.
- c. During overnight team travel, if athletes room with other athletes they shall be of the same gender and should be a similar age. Where athletes are age 13 & over, chaperones and/or team managers should stay in nearby rooms. When athletes are age 12 & under, chaperones and/or team managers may stay with athletes. Where chaperones/team managers are staying in a room with athletes, they should be the same gender as the athlete and written consent should be given by athlete's parents (or legal guardian).
- d. When only one athlete and one coach travel to a competition, the coach and athlete should attempt to establish a "buddy" club to associate with during the competition and when away from the venue.
- e. To ensure the propriety of the athletes and to protect the staff, there should be no male athletes in female athlete's rooms and no female athletes in male athlete's rooms (unless the other athlete is a sibling or spouse of that particular athlete).
- f. A copy of the Club Code of Conduct must be signed by the athlete

and his/her parent or Legal guardian.

- g. Team or LSC officials should obtain a signed liability release and/or indemnification form for each athlete.
- h. Team or LSC officials should carry a signed medical consent or authorization to treat form for each athlete.
- i. Curfews shall be established by the team or LSC staff each day of the trip.
- j. Team members and staff traveling with the team will attend all team functions, including meetings, practices, meals, meet sessions, etc. unless otherwise excused or instructed by the head coach or his/her designee.
- k. The directions and decisions of coaches/chaperones are final.
- l. Swimmers are expected to remain with the team at all times during the trip. Swimmers are not to leave the competition venue, the hotel, a restaurant or any other place at which the team has gathered without the permission of the coach or chaperone.
- m. When visiting public places such as shopping malls, movie theatres, etc., swimmers will stay in groups of no less than three persons. 12 & under athletes will be accompanied by a chaperone.
- n. The head coach or his/her designee shall make a written report of travel policy or code of conduct violations to the appropriate club or LSC leadership and the parent or legal guardian of any affected minor athlete.

Section 3 - Other Policies to Consider

The following, organized by topic, is a bullet-point list of additional travel policies to consider. Teams and LSCs may want to utilize some of these policies based on their individual preferences and needs.

Safety

- a. Additional guidelines to be established as needed by the coaches;
- b. Supervised team room provided for relaxation and recreation;
- c. Respect the privacy of each other; and
- d. Only use hotel rooms with interior entrances.

Behavior

- a. Be quiet and respect the rights of teammates and others in hotel;
- b. Be prompt and on time;
- c. Develop cell phone usage guidelines;
- d. Develop computer use guidelines including social media;
- e. Respect travel vehicles;
- f. Establish travel dress code;
- g. Use appropriate behavior in public facilities;
- h. Establish two different curfews – in own rooms and lights out;
- i. Must stay in assigned hotel room; and

j. Needs and wellbeing of the team come first.

Financial

- a. No room service without permission;
- b. Swimmers responsible for all incidental charges;
- c. Swimmers responsible for any damages or thievery at hotel;
- d. Must participate in contracted group meals; and
- e. Communicate travel reimbursement information and policies.

General

- a. Establish fair trip eligibility requirements;
- b. Establish age guidelines for travel trips;
- c. Parent(s) responsible for getting swimmer(s) to stated departure point; and
- d. Requirements for families to attend "Team Travel Meets."

Section 4 - Code of Conduct / Honor Code

LSCs and clubs are encouraged to create a Code of Conduct or Honor Code as a companion document to the team travel policies.

Recommended:

- a. All team members, team staff and parents of minors are apprised in writing of this Code of Conduct and the attached USA

Swimming Code of Conduct. A signature on this document constitutes unconditional agreement to comply with the stipulations of both documents.

- b. Team members will display proper respect and sportsmanship toward coaches, officials, administrators, teammates, fellow competitors and the public at all times.
- c. Team members and staff will refrain from any illegal or inappropriate behavior that would detract from a positive image of the team or be detrimental to its performance objectives.
- d. The possession or use of alcohol or tobacco products by any athlete is prohibited.
- e. The possession, use, sale or distribution of any controlled or illegal substance or any form of weapon is strictly forbidden.
- f. No “deck changes” are permitted. Athletes are expected to use available change facilities.
- g. Team members are reminded that when competing in meets, traveling on trips, and attending other meet-related functions, they are representing both themselves and the **HERSHEY AQUATIC CLUB**. Athlete behavior must positively reflect the high standards of the club (or LSC).

For Consideration:

- a. Failure to comply with the Honor Code as set forth in this document may result in disciplinary action. Such discipline may include, but may not be limited to:

- i. Dismissal from the trip and immediate return home at the athlete's expense;
 - ii. Disqualification from one or more events, or all events of competition;
 - iii. Disqualification from future team travel meets;
 - iv. Financial penalties;
 - v. Dismissal from the team; and/or
 - vi. Proceedings for a LSC or USA Swimming National Board of Review.
- b. Swimmers are to refrain from inappropriate physical contact at team activities and events.
- c. Swimmers are to refrain from use of inappropriate language.

APPENDIX B

Electronic Communication Policy of the **HERSHEY AQUATIC CLUB**

PURPOSE The **HERSHEY AQUATIC CLUB** (the “Club”) recognizes the prevalence of electronic communication and social media in today’s world. Many of our swimmers use these means as their primary methods of communication. While the Club acknowledges the value of these methods of communication, the Club also realizes that there are associated risks that must be considered when adults use these methods to communicate with minors.

GENERAL CONTENT

All communications between a coach or other adult and an athlete must be professional in nature and for the purpose of communicating information about team activities. The content and intent of all electronic communications must adhere to the USA Swimming Code of Conduct.

For example, as with any communication with an athlete, electronic communication should not contain references or relate to any of the following:

- drug or alcohol use;
- sexually oriented conversation, sexually explicit language and/or sexual activity;
- the adult’s personal life, social activities, relationship or family issues or personal problems; and/or
- inappropriate or sexually explicit pictures.
- Note: Any communication concerning an athlete's personal

life, social activities, relationship or family issues or personal problems must be transparent, accessible and professional.

Whether one is an athlete, coach, board member or parent, the guiding principle to use in communication is:

- “Is this communication something that someone else would find appropriate or acceptable in a face-to-face meeting?”
- “Is this something I would be comfortable saying out loud to the intended recipient of my communication in front of the intended recipient’s parents, the coaching staff, the board or other athletes?”
- “Is this something I would be comfortable with if it were on the front page of my local newspaper?”

With respect to electronic communications, electronic communications with swimmers should be **Transparent, Accessible and Professional**.

Transparent: All electronic communication between coaches and athletes should be transparent. Your communication should not only be clear and direct, but also free of hidden meanings, innuendo and expectations.

Accessible: All electronic communication between coaches and athletes should be considered part of the Club’s records. Whenever possible, include another coach or parent in the communication so that there is no question regarding accessibility.

Professional: All electronic communication between a coach and an athlete should be conducted professionally. This includes word choices, tone, grammar and subject matter that model the standards

and integrity of a staff member.

If your communication meets all three of the **T.A.P.** criteria, then it is likely your method of communication with athletes will be appropriate.

FACEBOOK, MYSPACE, BLOGS AND SIMILAR SITES Coaches may have personal Facebook (or other social media site) pages, but they are not permitted to have any athlete member of the Club join their personal page as a “friend.” A coach should not accept any “friend” request from an athlete, and the coach should remind the athlete that this is not permitted. Coaches and athletes are not permitted to “private message” each other through Facebook. Coaches and athletes are not permitted to “instant message” each other through Facebook chat or other IM method.

Coaches are encouraged to set their pages to “private” to prevent athletes from accessing the coach’s personal information.

If the Club has an official Facebook page, athletes and their parents can “friend” the Club for information and updates on team-related matters.

TWITTER

Best Practice: The Club has an official Twitter page that coaches, athletes and parents can follow for information and updates on team-related matters. Coaches are not permitted to follow athletes on Twitter. Likewise, athletes are not permitted to follow coaches on Twitter. Coaches and athletes are not permitted to “direct message” each other through Twitter.

Alternative Option: Coaches and athletes may follow each other on Twitter. Coaches and athletes are not permitted to “direct message” each other through Twitter.

TEXTING

Subject to the general guidelines mentioned above, texting is allowed between coaches and athletes during the hours from 7:00 a.m. until 9:00 p.m (*times should be established with consideration to the start of morning practice*). Texting only shall be used for the purpose of communicating information directly related to team activities.

EMAIL Athletes and coaches may use email to communicate between the hours of 7:00 a.m. and 9:00 p.m (*times should be established with consideration to the start of morning practice*). When communicating with an athlete through email, a parent, another coach or a board member must also be copied.

REQUEST TO DISCONTINUE ALL ELECTRONIC COMMUNICATIONS

The parents or guardians of an athlete may request in writing that their child not be contacted by coaches through any form of electronic communication.

APPENDIX C

Anti-Bullying Policy of the **HERSHEY AQUATIC CLUB**

PURPOSE Bullying of any kind is unacceptable at **HERSHEY AQUATIC CLUB** (the “Club”) and will not be tolerated. Bullying is counterproductive to team spirit and can be devastating to a victim. The Club is committed to providing a safe, caring and friendly environment for all of our members. If bullying does occur, incidents will be dealt with promptly and effectively. Anyone who knows that bullying is happening is expected to tell a coach, team manager or board member.

Objectives of the Club’s Anti-Bullying Policy:

1. To make it clear that the Club will not tolerate bullying in any form.
2. To define bullying and educate all coaches, swimmers, parents and board members of the types of behavior that constitute bullying.
3. To inform all coaches, swimmers and parents that there is a policy and protocol, should any bullying issues arise.
4. To make clear the responsibility of all Club members to report bullying.
5. To spread the word that the Club takes bullying seriously and that all swimmers and parents can be assured that they will be supported when bullying is reported.

WHAT IS BULLYING?

The USA Swimming Code of Conduct defines bullying in 304.3.7. Bullying is the severe or repeated use by one or more USA Swimming members (“Members”) of oral, written, electronic or other technological expression, image, sound, data or intelligence of any nature (regardless of the method of transmission), or a physical act or gesture, or any combination thereof, directed at any other member that to a reasonably objective person has the effect of:

- i. causing physical or emotional harm to the other Member or damage to the other Member’s property;
- ii. placing the other Member in reasonable fear of harm to himself/herself or of damage to his/her property;
- iii. creating a hostile environment for the other Member at any USA Swimming activity;
- iv. infringing on the rights of the other Member at any USA Swimming activity; or
- v. materially and substantially disrupting the training process or the orderly operation of any USA Swimming activity (which for the purposes of this section shall include, without limitation, practices, workouts and other events of a member club or LSC).

REPORTING PROCEDURE

An athlete who feels that he or she has been bullied should do one or more of the following things:

- Talk to his or her parents;
- Talk to a Club coach, Board member or other designated individual;
- Write a letter or email to a Club coach, Board member or other designated individual;

- Make a report to the USA Swimming Safe Sport staff.

There is no express time limit for initiating a complaint under this procedure, but every effort should be made to bring the complaint to the attention of the appropriate club leadership as soon as possible to stop the bullying behavior as soon as possible and to make sure that memories are fresh and behavior can be accurately recalled.

HOW WE HANDLE BULLYING

If bullying is occurring during team-related activities, we **STOP BULLYING ON THE SPOT** using the following steps:

1. Intervene immediately. It is ok to get another adult to help.
2. Separate the kids involved.
3. Make sure everyone is safe.
4. Meet any immediate medical or mental health needs.
5. Stay calm. Reassure the kids involved, including bystanders.
6. Model respectful behavior when you intervene.

If bullying is occurring at our club or it is reported to be occurring at our club, we address the bullying by **FINDING OUT WHAT HAPPENED** and **SUPPORTING THE KIDS INVOLVED** using the following approach:

FINDING OUT WHAT HAPPENED

1. First, we get the facts.

- a. Keep all the involved children separate.
- b. Get the story from several sources, both adults and kids, and gather all available information regarding the circumstances under which the incident occurred.

c. Listen without blaming.

d. Don't call the act "bullying" while you are trying to understand what happened.

2. Then, we determine if it's bullying. There are many behaviors that look like bullying but require different approaches. It is important to determine whether the situation is bullying or something else.

a. Review the USA Swimming definition of bullying;

b. To determine if the behavior is bullying or something else, consider the following questions:

- What is the history between the kids involved?
- Have there been past conflicts?
- Is there a power imbalance? Remember that a power imbalance is not limited to physical strength and can include things like the "popularity" of the kids involved.
- Has this happened before? Is the child worried it will happen again?

c. Remember that it may not matter "who started it." Some kids who are bullied may be seen as annoying or provoking, but this does not excuse the bullying behavior.

d. Once you have determined if the situation is bullying, support all of the kids involved.

SUPPORTING THE KIDS INVOLVED

1. Support the kids who are being bullied

a. Listen and focus on the child. Learn what's been going on and

show you want to help. Assure the child that bullying is not their fault.

- b. Work together to resolve the situation and protect the bullied child. The child, parents, and fellow team members and coaches may all have valuable input. It may help to:
 - Ask the child being bullied what can be done to make him or her feel safe. Remember that changes to routine should be minimized. He or she is not at fault and should not be singled out. For example, consider rearranging lane assignments for everyone. If bigger moves are necessary, such as switching practice groups, the child who is bullied should not be forced to change.
 - Develop a game plan. Maintain open communication between the Club and parents. Discuss the steps that will be taken and how bullying will be addressed going forward.
- c. Be persistent. Bullying may not end overnight. Commit to making it stop and consistently support the bullied child.

2. Address bullying behavior

- a. Make sure the child who engaged in the bullying behavior understands why his or her behavior is unacceptable. Young people who bully must learn their behavior is wrong and harms others.
- b. Show kids that bullying is taken seriously. Calmly tell the child that bullying will not be tolerated. Model respectful behavior when addressing the problem.
- c. Work with the child to understand some of the reasons he or she bullied. For example:
 - a. Sometimes children bully to fit in or to make fun of someone who is different from them. In other words, there may be some insecurity involved.

- b. Other times kids act out because something else—issues at home, abuse, stress—is going on in their lives. They also may have been bullied. These kids may be in need of additional support.
- d. Involve the kid who bullied in making amends or repairing the situation. The goal is to help them see how their actions affect others. For example, the child can:
 - a. Write a letter apologizing to the athlete who was bullied.
 - b. Do a good deed for the person who was bullied, for the Club, or for others in your community.
 - c. Clean up, repair, or pay for any property they damaged.
- e. Avoid strategies that don't work or have negative consequences:
 - a. Zero tolerance or “three strikes, you're out” are generally unsuccessful strategies. Swimmers may be less likely to report and address bullying if suspension or getting kicked off the team is the consequence.
 - b. Similarly, conflict resolution and peer mediation often don't work for bullying. Bullying is not a conflict between people of equal power who share equal blame. Facing those who have bullied may further upset kids who have been bullied.
- f. Follow-up. After the bullying issue is resolved, continue finding ways to help the child who bullied to understand how what they do affects other people. For example, praise acts of kindness or talk about what it means to be a good teammate.

3. Support bystanders who witness bullying. Every day, kids witness bullying. They want to help, but don't know how. Fortunately, there are a few simple, safe ways that athletes can help stop bullying when they see it happening:

- a. Be a friend to the person being bullied.

- b. Tell a trusted adult – your parent, coach or club board member.
- c. Help the kid being bullied get away from the situation. Create a distraction, focus the attention on something else or offer a way for the target to get out of the situation. “Let’s go, practice is about to start.”
- d. Set a good example by not bullying others.
- e. Don’t give the bully an audience. Bullies are encouraged by the attention they get from bystanders. If you do nothing else, just walk away.

APPENDIX D

LOCKER ROOM MONITORING POLICY for **HERSHEY AQUATIC CLUB**

PURPOSE The following guidelines are designed to maintain personal privacy as well as to reduce the risk of misconduct in locker rooms and changing areas.

FACILITIES

The following is a description of our practice and competition facilities to allow athletes and their families to plan their use:

We practice at: the VISTA School Pool and the Derry Township Recreational Center.

This location has:

*Derry Township Recreational Center has a **changing area that is shared with the general public. As such, there are likely to be people who are not associated with **HERSHEY AQUATIC CLUB** in the changing area around the time of practice.***

*VISTA School Pool has a small changing area and locker room dedicated to our swimmers during the hours of the **HERSHEY AQUATIC CLUB** practice schedule.*

MONITORING

General Policy Considerations

Coaches and staff make every effort to recognize when an athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, we will check on the athlete's whereabouts.

We discourage parents from entering locker rooms and changing areas

unless it is truly necessary. In those instances, it should only be a same-sex parent. If this is necessary, parents should let the coach or administrator know about this in advance.

If an athlete needs assistance with his or her uniform or gear (for example, a child under the age of eight), or an athlete's disability warrants assistance, then we ask that parents let the coach or an administrator know beforehand that he or she will be helping the athlete.

HERSHEY AQUATIC CLUB has staggered practices, with different groups arriving and departing throughout the day. It is therefore not practical to constantly monitor locker rooms and changing areas over this extended course of time. While we do not post [staff, coach, parent, other adult] inside or at the doors of the locker rooms and changing areas, we do make occasional sweeps of these areas. [Staff, coach, parent, other adult] conduct these sweeps, with women checking on female locker rooms, and men checking on male locker rooms.

USE OF CELL PHONES AND OTHER MOBILE RECORDING DEVICES

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras increase the risk for different forms of misconduct in locker rooms and changing areas. The USA Swimming Athlete Protection Policies prohibit the use of such devices in the locker room or other changing area:

Article 305.3 *Use of audio or visual recording devices, including a cell phone camera, is not allowed in changing areas, rest rooms or locker rooms.*