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Protecting Athletes

We believe that the experience of children and young athletes in all organized sports should be guided by what is best for the safe and healthy development of the young person. Young athletes who participate in organized sports activities have a unique opportunity for learning. In working with each child, it is essential that we are mindful of their physical, emotional, and developmental needs. We must also be particularly diligent in recognizing the unique vulnerabilities that are an inherent part of childhood. It is the responsibility of all adults to not only recognize these vulnerabilities, but to develop the knowledge and skills needed to create and maintain a safe and child-centered sports environment.

We recognize the important role that USA Swimming plays in providing leadership and creating an organizational culture that is focused on the safety and wellbeing of young people. The protection of children requires that all adults work together to support young athletes. As the child's first and enduring resource for safety, parents and guardians play a critical role in athlete protection. When parents participate they are able to help educate other adults about the needs of the child, and help prepare the child to participate in sports programs in a way that promotes safety, enjoyment, and learning.

Adults, including coaches, officials, staff, facility workers, volunteers, chaperones, and others who interact with children, are in also positions of great trust and influence. The ability to use this position of trust to support the well-being of children is critical. The overwhelming majority of these adults fulfill their roles in a positive and responsible manner. Nonetheless, we must also understand that a few adults may seek to use the trust and authority that comes with their access and status to take advantage of a child.

USA Swimming strives to continually improve the programs and services it offers to its members and among these some of the most important relate to the safeguards for protecting young athletes. Because we aspire to foster safe and positive environments within all our member clubs, we believe it is especially important to provide our member adult leaders with policies and best practice guidelines that help define elements of appropriate behavior and conduct.



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Policies and Best Practice Guidelines for Athlete Protection

In order to provide a positive experience and a safe environment for athletes, all non-athlete adult members of USA Swimming should maintain professionalism and avoid any appearance of impropriety in their relationships with athletes. Coaches, in particular, should recognize the influence, power and position of trust they have with athletes and should use these only in an athlete's best interest.

This document provides specific mandatory policies and best practice guidelines that are strongly recommended.

Policies

The following Policies from the USA Swimming Code of Conduct are mandatory for all USA Swimming members.

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.

The following policies in the USA Swimming Code of Conduct Article 304 specifically pertain to Athlete Protection:

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

304.3.5 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.

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

304.3.7 Any sexual conduct, advance, or other inappropriate sexual oriented behavior or action 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 affairs or activities of USA Swimming (whether such adult is a member or not). Any nonconsensual physical sexual conduct, or pattern of other sexual harassment in connection 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.



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- 304.3.12 Physical abuse of an athlete by any person who, in the context of swimming, is in a position of authority over that athlete.
- 304.3.17 Any other material and intentional act, conduct, or omission not provided for above, which is detrimental to the image or reputation of USA Swimming, an LSC, or the sport of swimming .

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

**Article 305
Athlete Protection Policies**

- 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, 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
 - 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).

In order to clarify the intent of Article 305.5.A, the Board of Directors of USA Swimming, at its meeting on November 21, 2010, made the following interpretation:

For the purposes of Article 305.5.A, where an adult is registered both as a coach and an athlete member of USA Swimming, and is functioning primarily as a coach, he/she may share sleeping arrangements with another registered coach.
 - B Team managers and chaperones must be members of USA Swimming and have successfully passed a USA Swimming-administered criminal background check.



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- 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.
- D 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.

The following policies related to sexual misconduct reporting are mandatory components of the USA Swimming Code of Conduct:

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 304.3.7 to USA Swimming's Athlete Protection Officer. 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 False reporting of sexual misconduct made in bad faith is prohibited.
- 306.4 Neither civil nor criminal statutes of limitation apply to reports of cases of sexual abuse.

You can report one of three ways to the USA Swimming Athlete Protection Officer, Susan Woessner:

- 1) Online at www.usaswimming.org/report
- 2) Via email to swoessner@usaswimming.org
- 3) Via phone at **(719) 866-3589**



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Best Practice Guidelines

The following Best Practice Guidelines are strongly recommended for all USA Swimming members.

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 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.



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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 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 the two 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:

1. The amount of time that has passed since the coach-athlete relationship terminated;
2. The circumstances of termination;
3. The athlete's personal history;
4. The athlete's current mental status;
5. The likelihood of adverse impact on the athlete and others; and
6. 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.
7. Both the athlete and the coach must be 18 years of age or older.

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V14*

Responding To Reports of Red-Flags



As a supervisor, you may receive two types of reports: reports of abuse and reports of red-flags, like policy violations or inappropriate or suspicious behaviors. For reports of abuse, contact your local law enforcement agency and your Athlete Protection Officer. For reports of red-flags, consider these guidelines:

1. Respond quickly.

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.

2. Find out as much as you can about the situation.

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.

3. Review your findings with management.

Because your 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.

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

Follow your organization's progressive disciplinary procedure for dealing with policy violations.

5. 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 red-flag or report of inappropriate or suspicious behavior.

6. 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.

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

Incidents 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.

Preventing False Allegations



There are six things you can do to prevent false allegations:

1. Follow the policies.

Your team's policies and USA Swimming's Code of Conduct, Athlete Protection Policies, and the Best Practice Guidelines specify ways to decrease the risk of inappropriate interactions between coaches and athletes and of false allegations. You should familiarize yourself with these and make sure that you and your colleagues follow them at all times.

2. Keep your boundaries with swimmers clear.

Your swimmers look up to you. They may hang on your every word, watch your every move, and crave your attention. As the adult in the situation and as the person holding the power, you are responsible for managing your relationship with your swimmers. This means you set the limits, you are the role model.

Tips for Establishing Healthy Boundaries:

Do:

- Use the types of physical contact authorized by USA Swimming and your club
- Use appropriate language with athletes and other adults
- Consider what your behavior would look like to others

Don't:

- Engage in inappropriate verbal or physical interactions with athletes
- Engage in unmonitored or unauthorized electronic communications (texts, emails, social networking, etc.) with athletes
- Discuss details of your personal life with athletes
- Discuss sexual or other private behaviors
- Give gifts to athletes (unless you give something to everyone)
- Go to an athlete's home unless another adult is present

3. Avoid time alone time with a lone swimmer.

Try to keep your interactions with swimmers in the presence of others, in open and observable areas. That way everyone can see your behavior.

- When situations come up where you must be with a lone swimmer, keep your office door open and your windows free from obstructions
- Avoid unnecessary physical contact
- Keep your conversations strictly about coaching issues
- Don't make a habit of being alone with the same swimmer

Preventing False Allegations



4. Treat all swimmers with courtesy and respect.

Regardless of the strength of a particular swimmer, or how well they are or are not swimming, all swimmers must be treated with courtesy and respect. Research has shown that ridicule and humiliation adversely affect athletic performance and are contrary to USA Swimming.

5. Don't pick favorites.

Child molesters often pick favorites. Then the molester takes advantage of the relationship to get their own needs met.

You'll want to avoid this behavior. Not all swimmers are equal and everyone on the team knows the top performers. But that doesn't mean you don't also spend time developing the talents of the other swimmers on the team. Recognizing and nurturing the talent of one athlete should not come at the expense of recognizing and nurturing the talent of the others on your team.

6. Respond directly to anything unusual and tell your supervisor and your Club Board President.

If you find yourself in an uncomfortable situation with an athlete, you should respond directly to the athlete and address the situation. Then, let your supervisor know so that he/she can document the situation and be prepared for future questions about the interaction. Letting your supervisor know keeps the situation in the open and gives a heads up if a parent expresses concern.

How To Respond When An Athlete Discloses Abuse



You may find yourself in a situation where a swimmer confides in you that he or she has been sexually abused by a teacher, family member, another athlete, or even by a coach. If this happens, follow these four steps:

Step 1: Listen.

Do your best to stay calm and let her talk. Don't pry but you can ask a few questions that will help you understand what happened.

Step 2. Reassure.

Your swimmer may be scared, angry, confused and crying. You can reassure her with a few simple comments like:

"I know how hard this is to talk about."

"You are very brave for bringing this out."

"Don't worry, you are doing the right thing by letting someone know."

"This isn't your fault. You've done nothing wrong."

"I'm very sorry this has happened to you."

Step 3. Protect.

Make sure your swimmer is safe. Do not let the accused person have any further contact with her and tell her you will do everything you can to keep her safe. Let her know you must share what she has told you with others who can help.

Step 4. Report.

Write down as quickly as you can everything the swimmer shared with you in as much detail as possible, using the swimmer's actual words, not your own interpretation.

USA Swimming requires that its members promptly report any incident regarding sexual misconduct to USA Swimming's Athlete Protection Officer. Your Club may also have its own reporting policies and in most states the law requires you to report suspected abuse to the police or child protection authorities.



Responding To Violations

You have a responsibility as a coach, 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, here are the four steps you can take:

Step 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.

Step 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.

Step 3. Contact the Athlete Protection Officer at 719.866.3589 or swoessner@usaswimming.org.

USA Swimming's Athlete Protection Officer will listen to your concerns, gather information and take appropriate action.

Step 4. You can report your concerns anonymously to Praesidium at 1.800.743.6354.

Sometimes people don't act on red flags because they are afraid to tell administrators or fear retaliation. This is especially true if the person about whom they have a concern is in a supervisory position over them. In this case, make use of an anonymous method, like calling the Praesidium hotline.

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.



Know Your APCs

Child molesters need three things to abuse children: **Access, Privacy, and Control**. There are usually specific red flags displayed when an adult is trying to gain access, privacy, and control. Look for the following:

Access

- Finds jobs and does volunteer work just to be around children all the time.
- Takes lower paying or less responsible positions just to be around kids.
- Befriends single parents and spends lots of time with the kids.
- Goes above and beyond the call of duty to spend extra time with kids.
- Breaks rules to be around kids.
- Grooms parents and the swim community into permitting increased access to children.

Privacy

- Looks for opportunities to be alone with children, such as taking them to the bathroom; offering private lessons; meeting in private spaces out of the sight of others; or staying late on a job or premises where there are children.
- Ignores policies and breaks rules regarding privacy with children.
- Discourages other adults from participating in or monitoring his or her activities with children.
- Invites children over to his house without other adults present.
- Communicates privately with children via e-mail messages, instant messages, texting, or social networking sites such as Facebook or Twitter.

Control

- Becomes overly physical or becomes progressively more physically inappropriate.
- Spends too much time with a child or is overly involved in the child's private life.
- Encourages children to break or "stretch" rules (smoking, drinking, looking at pornography, using drugs).
- Gives special gifts, especially without permission.
- Treats children as if they were peers (uses inappropriate language or swears, tells off-color jokes, talks to kids about personal topics).
- Wants to keep secrets with children.
- Threatens or intimidates a child.