

The Constitution and By-Laws of the Yosemite Marlins Swim Club

- 1.1 Name:** The team shall be known as the Yosemite Marlins Swim Club. (YMSC)
- 1.2 Objectives:** To promote and develop competitive swimming and water polo in Yosemite Union School District (YUSD), to foster interest in aquatics as lifetime sports and expand educational opportunities for YUSD students and our mountain area community.
- 1.3 Sports:** Swimming and water polo teams will represent the Yosemite Marlins Swim Club in USA Swimming competitions.

Article II: ORGANIZATION

- 2.1 Organization:** The Yosemite Marlins are run as a service to the community by the YUSD. The Yosemite Marlins are to be run under the direction of the Head Coach with guidance from the Athletics or Aquatics Director.
- 2.2 Guidelines:** Yosemite Marlins Swim Club will operate under the policies and regulations of YUSD. It will also adhere to USA Swimming and US Water Polo rules.

Article III: MEMBERSHIP

- 3.1 Membership:** All athletes, whose dues are currently paid in full, are considered members of the Yosemite Marlins.

Articles IV: FINANCES

- 4.1 Management:** The financial affairs of the Yosemite Marlins will be administered by the Athletic or Aquatics Director, under the direction of the Assistant Superintendent for Business and Finance. The policies established by the YUSD Board of Trustees and the Superintendent will be followed.
- 4.2 Duties:** The staff of the Yosemite Marlins Swim Club will process all entries to Yosemite Marlins activities, keep up to date financial records, and handle all revenue and expenses as per the policies of YUSD.
- 4.3 Fees:** The Yosemite Marlins shall pay any and all appropriate membership dues or fees, prior to any annual meeting.
- 4.4 Dues:** Members shall pay all dues and entry fees in advance. Athletes with unpaid balances may be withheld from practice and/or competition, until the balance is paid.
- 4.5 Standing:** Good standing is maintained by having met all the financial and training commitments specific to that team or group. All monthly dues and meet entry fees shall be paid in advance. Students will meet all behavior and conduct expectations of the Yosemite Marlins.

Article V: COMMITTEE ASSIGNMENT

- 5.1 Committees:** As committees are needed, they shall be established on an ad-hoc basis by the Athletic or Aquatics Director, or his/her staff.
- 5.2 Types:** The committees will be established as support organizations for aquatics competitions, training, awards ceremonies, fund-raising and/or information dissemination.

- 5.3 **Appointment:** The Athletic or Aquatics Director will appoint members in good standing to the various ad-hoc committees.

Article VI: TEAM STRUCTURE

- 6.1 **Teams:** The Yosemite Marlins will be organized under the direction of the Yosemite Marlins Head Coach(es)
- 6.2 **Practice:** Practice schedules will be posted and all parties will adhere to this schedule. The Head Coach will have all schedules approved by the Athletic or Aquatics Director.
- 6.3 **Handbook:** The Yosemite Marlins handbook will be published and revised annually. This handbook will include a description of all teams and qualifying criteria.
- 6.4 **Eligibility:** A student must meet the criteria of a group to be included in that group. Each group and sub-group within the Yosemite Marlins has individual qualifying criteria for that group. The eligibility criteria shall be published annually in the handbook for that team.

Articles VII: COMPETITION

- 7.1 **General:** All competitions shall be run in accordance with the currently published rules and the meet information approved by the sanctioning body.
- 7.2 **Sanctions:** All competitions shall be sanctioned by the appropriate USA or State Federation.
- 7.3 **Ceremonies:** The National Anthem shall be played at the opening ceremonies for all championship level meets.
- 7.4 **Meets:** The Head Coach will develop a schedule of meets for the Yosemite Marlins. Once approved by the Athletic or Aquatics Director, this schedule will be the responsibility of the Head Coach to execute.
- 7.5 **Officials:** It is the responsibility of the Head Coach to secure all needed personnel to run meets and practices for the Yosemite Marlins. Volunteers will be used as needed. The use of parents of the Yosemite Marlins members will be a necessity for successful operation of the organization.
- 7.6 **Results:** After each competition, results shall be sent to all specified USA officials, all appropriate media contacts and to all participating teams.

Article VIII: COACHING STAFF

- 8.1 **Head Coach:** The Head Coach will report to the Athletic or Aquatics Director and may be assigned additional duties as deemed necessary to meet the objectives of the Yosemite Marlins.
- 8.2 **Head Assistants:** It is recommended that there be a minimum of one coach who works under the Head Coach. Each will be in charge of specific areas such as age group team and novice team. Each Assistant coach works under the Head Coach.
- 8.3 **Assistant Coaches:** These individuals will be hired as needed to maintain an athlete to coach ratio that does not exceed 25:1. The ratio is a

function of average daily attendance, not group roster size. They work under the Head Coach(es) in teaching fundamentals of swimming.

Article IX: CONSTITUTIONAL PROCEDURES

- 9.1 Amendments:** The Constitution of the Yosemite Marlins teams will be reviewed by the YUSD Board of Trustees annually.
- 9.2 Property:** All property of the Yosemite Marlins teams shall be owned and maintained by the YUSD. In the event of the dissolution of the club, all property shall remain with the District.
- 9.3 Correspondence:** Please address all correspondence to:

Athletic or Aquatics Director
YUSD Baker Swim Complex
50200 Road 427
Oakhurst, CA. 93644
Phone: (559) 683-4667
Email: mchenowith@yosemiteusd.com

Team Travel Policy for Yosemite Marlins Swim Club

Purpose: Athletes are most vulnerable to misconduct during travel, particularly overnight stays. This includes a high risk of athlete-to-athlete misconduct. 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.

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

These items are Code of Conduct stipulations in the USA Swimming Rulebook.

- a. Club travel policies must be signed and agreed to by all athletes, parents, coaches and other adults traveling with the club. (305.5.D)
- b. Team managers and chaperones must be members of USA Swimming and have successfully passed a USA Swimming-administered criminal background check. (305.5.B)
- c. 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). (305.5.A)
- d. 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. (305.5C)

Section 2 - General Policies

- a. 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.
- 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 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).
- d. 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.
- e. To ensure the propriety of the athletes and to protect the staff, there will 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. Team officials should obtain a signed Liability Release and/or Indemnification Form for each athlete.
- g. Team officials should carry a signed Medical Consent or Authorization to Treat Form for each athlete.
- h. Curfews shall be established by the team staff each day of the trip.
- i. 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.
- j. The directions & decisions of coaches/chaperones are final.
- k. 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/knowledge of the coach or chaperone.
- l. 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.
- m. The Head Coach or his/her designee shall make a written report of travel policy or code of conduct violations to the appropriate club leadership and the parent or legal guardian of any affected minor athlete.

Section 3 - Other Policies

Safety

- a. Respect the privacy of each other;
- b. Must wear seat belts and remain seated in vehicles;

Behavior

- a. Be quiet and respect the rights of teammates and others in hotel;
- b. Be prompt and on time;
- c. Respect travel vehicles;
- d. Use appropriate behavior in public facilities;
- e. Must stay in assigned hotel room;

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;

General

- a. Parent(s) responsible for getting swimmer(s) to stated departure point

Code of Conduct / Honor Code

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

- a. Team members will display proper respect and sportsmanship toward coaches, officials, administrators, teammates, fellow competitors and the public at all times.
- b. 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.
- c. The possession or use of alcohol or tobacco products by any athlete is prohibited.
- d. The possession, use, or sale/distribution of any controlled or illegal substance or any form of weapon is strictly forbidden.
- e. No "deck changes" are permitted. Athletes are expected to use available change facilities.

- f. 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 Yosemite Marlins Swim Club. Athlete behavior must positively reflect the high standards of the club.

Discipline

- 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.

Electronic Communication Policy of the Yosemite Marlins Swim Club

PURPOSE

The Yosemite Marlins Swim 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 method 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 regarding Athlete Protection.

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

- drugs or alcohol use;
- sexually oriented conversation; sexually explicit language; sexual activity
- the adult's personal life, social activities, relationship or family issues, or personal problems; and
- 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 always use in communication is to ask: "Is this communication something that someone else would find appropriate or acceptable in a face-to-face meeting?" or "Is this something you would be comfortable saying out loud to the intended recipient of your communication in front of the intended recipient's parents, the coaching staff, the board, or other athletes?"

With respect to electronic communications, a simple test that can be used in most cases is whether the electronic communication with swimmers is 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 a matter of record and 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 as a representative of the Club. 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. In addition, 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.

TWITTER

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.

TEXTING

Subject to the general guidelines mentioned above, texting is allowed between coaches and athletes during the hours from 7am until 9pm unless extenuating circumstances deem otherwise. 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 7am and 9pm unless extenuating circumstances deem otherwise. 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.

Action Plan of the Yosemite Marlins Swim Club to Address Bullying

PURPOSE

Bullying of any kind is unacceptable at Yosemite Marlins Swim 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, all athletes and parents should know that incidents will be dealt with promptly and effectively. Anyone who knows that bullying is happening is expected to tell a coach, board member or athlete/mentor.

WHAT IS BULLYING?

The USA Swimming Code of Conduct prohibits bullying. Generally, bullying is the use of aggression, whether intentional or not, which hurts another person. Bullying results in pain and distress.

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 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).

REPORTING PROCEDURE

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

- Talk to your parents;
- Talk to a Club Coach, Board Member, or other designated individual;
- Write a letter or email to the 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 make sure that memories are fresh and behavior can be accurately recalled and the bullying behavior can be stopped as soon as possible.

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.
 - c. Listen without blaming.
 - d. Don't call the act "bullying" while you are trying to understand what happened.
 - e. It may be difficult to get the whole story, especially if multiple athletes are involved or the bullying involves social bullying or cyber bullying. Collect all available information.
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. It is sometimes not easily recognized. If the targeted child feels like there is a power imbalance, there probably is.
 - § 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

3. 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:
 - i. 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.
 - ii. 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.
4. Address bullying behavior
 - a. Make sure the child knows what the problem behavior is. 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:
 - i. Sometimes children bully to fit in or just to make fun of someone is a little different from them. In other words, there may be some insecurity involved.

- ii. 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:
 - i. Write a letter apologizing to the athlete who was bullied.
 - ii. Do a good deed for the person who was bullied, for the Club, or for others in your community.
 - iii. Clean up, repair, or pay for any property they damaged.
- e. Avoid strategies that don't work or have negative consequences:
 - i. Zero tolerance or “three strikes, you're out” strategies don't work.
Suspending or removing from the team swimmers who bully does not reduce bullying behavior. Swimmers may be less likely to report and address bullying if suspension or getting kicked off the team is the consequence.
 - ii. Conflict resolution and peer mediation 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.

Source: www.stopbullying.gov – a federal government website managed by the U.S. Department of Health & Human Services