

WAIVERS 2020-2021



WAIVER AND RELEASE AND ASSUMPTION OF RISK AGREEMENT FOR COMMUNICABLE DISEASES INCLUDING COVID-19

In consideration of being allowed to participate in activities and events (including training, practices, meets etc.) sponsored or arranged by NATIONS CAPITAL SWIMMING, INC., a Virginia corporation (?NCAP?), or in which NCAP participates (collectively, the ?Activities?), the undersigned acknowledges, appreciates, and agrees that:

1. Participation includes possible exposure to and illness from various bacterial and viral infectious diseases including but not limited to Methicillin-resistant Staphylococcus aureus (MRSA), Severe Acute Respiratory Syndrome (SARS), Middle East Respiratory Syndrome (?MERS?), influenza, and COVID-19. While particular rules and personal discipline may reduce this risk, the risk of serious illness and death does exist, and cannot be entirely eliminated; and,
2. I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS, both known and unknown, EVEN IF ARISING FROM THE NEGLIGENCE OF THE RELEASEES, or others, and assume full responsibility for my participation in the Activities; and,
3. I willingly agree to comply with guidelines adopted by NCAP from time to time for participation as regards protection against infectious diseases. If, however, I observe and any unusual or significant hazard during my presence or participation, I will remove myself from participation and bring such to the attention of the nearest official immediately; and,
4. I, for myself and on behalf of my heirs, assigns, personal representatives and next of kin, HEREBY RELEASE AND HOLD HARMLESS NCAP, and its officers, directors, officials, agents, and/or employees, other participants, sponsoring agencies, sponsors, advertisers, and if applicable, owners and lessors of premises in or on which the Activities are held (individually and collectively ? RELEASEES?), WITH RESPECT TO ANY AND ALL ILLNESS, DISABILITY, DEATH, or loss or damage to person or property in connection with the Activities, WHETHER ARISING FROM THE NEGLIGENCE OF RELEASEES OR OTHERWISE, to the fullest extent permitted by law. This document does not limit the applicability of any other document to which I am bound waiving or releasing NCAP, and/or assuming the risks associated with my participation in the Activities.

I HAVE READ THIS WAIVER, RELEASE AND ASSUMPTION OF RISK AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND SIGN IT FREELY AND VOLUNTARILY, UNDERSTANDING THAT EXECUTION OF THIS AGREEMENT IS A CONDITION TO MY PARTICIPATION IN THE ACTIVITIES.

MEDICAL RELEASE WAIVER

I certify that I am the parent or legal guardian for my child(ren). I hereby give my permission for any supervisor, coach or other team administrator associated with the Nation's Capital Swim Club to seek and give appropriate medical attention for our child(ren) in the event of an accident, injury, illness. I will be responsible for any and all costs associated with any necessary medical attention and/or treatment.

It is intended that this document can be presented to the physician or appropriate hospital or medical representative at such times as the medical care shall be authorized. It is intended that this authorization relieve the physician, dentist, or other person rendering such care at the hospital or institution in which such care is given, from any liability resulting from the failure of me, the parent or guardian of the above-named minor, from signing a consent or authorization to render such care. It is the intent that the above named person- any supervisor, coach or other team administrator associated with the Nation's Capital Swim Club- shall act in my stead in making such decisions.

I hereby waive, release and forever discharge Nation's Capital Swim Club and associated supervisor, coach or another team administrator from all rights and claims for damages, injury, loss to person or property which may be sustained or occur during participation in Nation's Capital Swim Club activities, whether or not damages or loss is due to negligence. I hereby acknowledge that my children is (are) physically fit and capable of participation in all Swim Team activities.

LIABILITY WAIVER

By registering my child(ren) with the Nation's Capital Swim Club, I agree to participate (or allow my child(ren) and family members to participate) in the Nation's Capital Swim Club, and hereby release Nation's Capital Swim Club, its directors, officers, agents, coaches, and employees from liability for any injury that might occur to myself (or to my child(ren) and family members) while participating in the Nation's Capital Swim Club program, including travel to and from training sessions, swim meets or other scheduled team activities.

I agree to indemnify and hold harmless the above-mentioned organizations and/or individuals, their agents and/or employees, against any and all liability for personal injury, including injuries resulting in death to me, my child(ren) and/or other family members, or damage to my property, the property to my child(ren) and/or other family members, or both, while I (or my child(ren) or family members) participating in the Nation's Capital Swim Club program.

PAYMENT AGREEMENT

By registering with the Nation's Capital Swim Team, I agree to the following payment policies. Upon completion of the online registration, I will pay the registration fee based upon the date of registration.

I understand if I have multiple swimmers I will receive a \$150 Discount per sibling off my Registration Fee.

I understand I have different payment options that will be charged via credit card or ACH checking. The payment options are:

Annually - Lump sum charged on August 1, 2020 (no discount given)

Monthly - 8 Equal payments charged the 1st of the month August 2020 - March 2021

I understand that any outstanding balance from the 2019 - 2020 swim season will be applied at checkout. The outstanding balance must be paid to register for the 2020 - 2021 swim season.

I understand by registering with NCAP, I am paying for my child's place on the team, not his or her attendance. Full refunds are not given at any time. Partial refund requests must be submitted in writing to Thomas Ugast, CEO, explaining the reason for the refund or departure from the team. Partial refunds not guaranteed. Under no circumstances is the registration fee refunded. Voluntary separation from the team will result in payments being discontinued, with no refund available. Past due payments must be paid before leaving the team. Athletes with injuries or families moving out of the area must submit all requested documentation before requesting any payment relief.

Late Payment: Payments are due on the 1st of each month, during the billing cycle. Accounts with amounts not paid in full by the 15th of each month may be charged a late fee of \$15. Accounts with past due balances greater than 45 days may have athletes removed from practices and meets until accounts are brought current.

Due to the current environment and the global pandemic, NCAP will utilize all means necessary to provide training programs as described, not limited to in-water training, dryland training in person or by zoom, or other opportunities deemed appropriate by our coaching staff. In-kind services will be provided to the best of our ability, as determined by the current federal, state, and local guidelines in place

DRYLAND PARTICIPATION WAIVER

By signing and registering your athlete for the 2020-2021 season, You, the Parent/Guardian, are agreeing to supervise all at-home dryland provided by Nation's Capital Swimming and our coaching staff. Outside athletes, coaches, training staff or contractors may be invited to Team dryland training, and Nation's Capital Swimming Staff will still be present to supervise.

PER USA SWIMMING:

Covered activities include Virtual dryland training/instruction under the direct supervision of a USA Swimming member coach. The training must involve live online streaming/real-time instruction or training via the internet. The instructor should be able to communicate visually and verbally with the participants at all times during instruction.

I hereby waive, release and forever discharge **Nation's Capital Swim Club** and associated supervisor, coach or another team administrator from all rights and claims for damages, injury, loss to person or property which may be sustained or occur during participation in **Nation's Capital Swim Club** activities, whether or not damages or loss is due to negligence. I hereby acknowledge that my children is (are) physically fit and capable of participation in all Swim Team activities.

SERVICE HOURS AGREEMENT

The Nation's Capital Swim Club greatly appreciates the service hours that our families put in on a yearly basis. It takes a lot of volunteers to run the swim meets and make these events possible for our swimmers. Thus, we require service hours in order to successfully run the meets we host and attend. We expect all our families to lend a helping hand in our efforts to continually support our swimmers.

By registering with the Nation's Capital Swim Club, I agree to accomplish the minimum number of service hours for my account from April 1, 2020 - March 31, 2021.

I understand if I fail to complete all the hours by April 1st, 2021, I will be charged \$125.00 per swimmer.

I understand I will not receive a discount or proration of any kind if I don't complete all the hours required. Any hours I completed under the minimum will not count towards a discount off the \$125.00 charge.

The hour requirements are based upon each swim session being approximately 3 hours. Below are the number of hours each account agrees to perform based upon the number of swimmers:

1 Swimmer = 8 Hours
2 Swimmers = 11 Hours
3 Swimmers = 14 Hours
4+ Swimmers = 17 Hours

All Service Hour sign ups will be done through Team Unify, Sign-up Genius, and other potential programs for the meets. I understand that if I have a problem with my hours recorded I should talk to the Service Hours Coordinator by emailing volunteer@nationscapitalswimming.com. I understand that the Service Hours Coordinator will be in charge of counting hours and that it is my responsibility to check in with them at the time of service for the hours to count.

This does not apply to swimmers in groups that do not compete.

***Due to the current environment and the global pandemic, NCAP will endeavor to provide volunteer opportunities to the best of our ability. In the event that volunteer opportunities are substantially impacted during the 2020-2021 Service Hours period (prior to April 1, 2021), the required number of hours may be reduced or penalties waived. Any such decision is made at the sole discretion of Thomas Ugast, CEO, and will be communicated to families through Team Unify.

SOCIAL MEDIA POLICY

The Nation's Capital Swim Club recognizes the prevalence of electronic communication and social media in today's world. Given that our athletes use social media as their primary source of communication, the Club has established a policy for acceptable use of social media and electronic communication by our athletes. This policy is essential for NCAP to provide a safe and positive environment for all its athletes, officials, parents, and coaches.

All NCAP participants agree to be filmed and photographed by the club-approved photographer(s) and videographers, and to allow the right to use names and pictures before, during, or after practices or meets such as in public psych sheets, heat sheets, and results or featured on the host club or NCAP website or social media or in a public broadcast of the event via television or webcast. Parents and guardians of minor swimmers who do not wish their swimmers to participate in interviews or have individual pictures featured on any media should inform Karyn McCannon via email at kmccannon@nationscapitalswimming.com.

ACCEPTABLE USE POLICY:

Each NCAP athlete must exhibit ethical and responsible conduct in all online communications and activities and respect the rights and privacy of all other NCAP, PVS, and USA Swimming athletes, coaches, officials, and parents. NCAP prohibits cyberbullying or cyberstalking of any athlete, coach, or official by any means or method, including but not limited to, the use of Facebook, Text Messaging, Instant Messaging, Twitter, E-Mail, and Snapchat. Cyberbullying and Cyberstalking are unacceptable and will not be tolerated.

CYBERBULLYING:

Cyberbullying is bullying that takes place using electronic technology of any kind. Cyberbullying involves the use of electronic information and communication technologies to support deliberate or repeated harassment, intimidation, and/or hostile behavior by an individual or group through personal attacks or other means that harms others, whether intentional or not.

Examples of cyberbullying include mean text messages, emails, tweets, or posts including rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles.

CYBERSTALKING:

Cyberstalking involves the use of electronic information and communication technologies to communicate words, images, or language directed at or about a specific person, causing substantial emotional distress to that person. "Harassment", "intimidation", and "hostile" mean any electronic communication that is perceived as being motivated either by any actual or perceived characteristic including race, color, ethnicity, religion, gender, sexual orientation, physical attributes, socioeconomic status, physical or mental ability or disability or any other characteristic related to athletic performance that a reasonable person should know under the any of these circumstances:

1. Will have the effect of harming another athlete or has the effect of substantially interfering with another athlete's performance or opportunities.
2. Has the effect of having a negative impact on another athlete's emotional or psychological well-being.
3. Has the effect of insulting or demeaning another athlete to cause disruption in or substantial interference with practice, any swim meet, or any other NCAP related activity.
4. Has the effect of creating a hostile environment for any athlete at any USA Swimming activity or swim meet.
5. Has the effect of substantially disrupting the training process or the orderly operation of any NCAP practice, workout, or other events or swim meets of any other club or high school.

REPORTING:

If cyberbullying or cyberstalking does occur, the incident will be dealt with promptly. Any athlete who is being bullied or stalked or is aware of any such bullying or stalking occurring is asked to talk to his or her parents or talk to a NCAP coach or administrator. When an athlete talks to his or her parents or a coach, the athlete should also show to the parents or the coach the electronic communication that constitutes the incident. Safeguarding the electronic communication

as evidence of the bullying or stalking will help NCAP conduct its investigation of any incident. While there is no time limit for reporting bullying incidents, reporting quickly gives the Club an opportunity to address the situation immediately and stop the bullying.

Upon receiving a report of cyberbullying or cyberstalking, the Head Coach of each site, with Main Office Involvement, will commence an investigation of the incident. The results of the investigation may include but are not limited to immediate temporary suspension from the Club or immediate permanent expulsion from the Club.

NCAP takes cyberbullying and cyberstalking seriously and all athletes and parents can be assured that NCAP will support them when an incident is reported. Any type of bullying and stalking is counterproductive to the team atmosphere and team spirit NCAP wants to maintain and foster on a daily basis. Again, NCAP is committed to providing a caring and supportive environment for all of our athletes.

ACCEPTABLE COMMUNICATION POLICY:

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, 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, or other athletes??

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, INSTAGRAM, BLOGS, AND SIMILAR SITES & APPS

Coaches may have personal Facebook (or other social media site) pages, but they are not permitted to have any athlete members of the Club join their personal page as a ?friend.? A coach should not accept any ?friend? requests from an athlete. In addition, the coach should remind the athlete that this is not permitted.

The Club has an official Facebook page that athletes and their parents can ?friend? for information and updates on team-related matters. Coaches are encouraged to set their pages to ?private? to prevent athletes from accessing the coach?s personal information.

TWITTER

The Club has an official Twitter page that coaches, athletes, and parents can follow for information and updates on team-related matters. Coaches and athletes may follow each other on Twitter. Coaches cannot retweet an athlete's message post. Coaches and athletes are not permitted to ?direct message? each other through Twitter.

TEXTING AND EMAIL

Subject to the general guidelines mentioned above, texting and emailing is allowed between coaches and athletes. This communication shall be used for the purpose of communicating information directly related to team activities.

Request to Discontinue all electronic Communications

The parents or guardians of an athlete may request in writing to the Main Office that their child not be contacted by coaches through any form of electronic communication. Please contact Karyn McCannon at kmccannon@nationscapitalswimming.com

FAMILY CODE OF CONDUCT

?When coaches, swimmers and swimming parents work together as partners in performance - 100% committed and focused on helping the swimmer to realize their full potential, amazing- incredible things are not only possible - but inevitable.?
- Wayne Goldsmith, Swimming World 3/15/15

The Nation?s Capital Swim Club has put together a Code of Conduct for our families. This is to help facilitate a nurturing environment for our swimmers and supportive environment for our coaching staff. As parents, it is absolutely essential to give our coaching staff the respect and authority they deserve to run their group. By working together in a partnership with them, our club can successfully help your swimmer achieve their full potential.

PARENTS CODE of CONDUCT:

- Set the right example for our children by showing respect and common courtesies at all times to the team members, coaches, competitors, officials, parents, and for all facilities and other property used during practice or competition.
- Respect the integrity of swim officials by assuming decisions are based on honest, objective evaluations of performance. Only coaches may approach meet officials for clarification of rulings.
- Understand that opposing teams, including their swimmers, coaches, and fans, want the same positive experiences for their swimmers as we do. Help NCAP achieve our goals by avoiding criticism either verbally or by a gesture. Look for opportunities to build rapport with teams that we compete and work with.
- Demonstrate good sportsmanship during all practices, competitions and team activities. Promote good sportsmanship by setting an example and by helping others to do likewise.
- Realize that swimmers become easily confused when coached by parents and benefit most from positive reinforcement of the professional coaching staff?s instructions and advice. Your unconditional love and support before and after races will help them best.
- Recognize that NCAP coaches are professionals and allow them to coach your child without interference during workouts and meets, including not being present on deck during practice or competitions unless you are working at the meet.
- Support your professional coaches as they strive to do what is best for each NCAP swimmer.
- Communicate concerns you may have with your swimmer?s coach or site Head Coach in private. Additionally, parents are prohibited from contacting a meet director or entering a meet without the Coach?s consent.
- Maintain open and honest communication among all members of the NCAP family. We reach our common goals by working together.
- Refrain from taking pictures or videotaping at practices. **Photos and Videos are prohibited by anyone other than a coach or hired professional for training purposes only.** All individuals are background checked for these purposes. At swim meets, there is nothing prohibiting you from video-taping or photographing your own child from the spectator section. However, some venues may have specific guidelines regarding this within the facility, so please check upon arrival.

- Insist that your child refrain from using alcohol, tobacco, drugs, other prohibited substances, violence, abusive or foul language, inappropriate sexual conduct, or any other behavior deemed dishonest, discourteous, offensive or disrespectful of others. This is a violation of the USA Swimming Code of Conduct and can lead to dismissal for the Club and USA Swimming.

BASIC RESPONSIBILITIES: What to do help your swimmer reach their potential

- Practice teamwork with all parents, swimmers, and coaches by supporting the values of Discipline, Loyalty, Commitment, and Hard Work. Represent NCAP with excellence, respect, team spirit, good sportsmanship, and politeness. Maintain self-control at all times. Refrain from inappropriate behavior that detracts from a positive image of the team or is detrimental to our performance objectives.
- Assist the coaches in conducting effective practices by ensuring swimmers arrive and leave on time. Strive to build confidence in your swimmer. Support our philosophy of creating independent swimmers in order to develop athletes who possess a strong sense of confidence, self-belief, resilience and self-reliance. Encourage swimmers to carry their equipment, pack their bags, and take responsibility of their sport.
- Arrive at meets in time for volunteer or swimmer check in, stretching and warm-ups. Share the burden among parents by volunteering to help at meets.
- Know your role. Swimmers- Swim / Coaches- Coach / Officials- Officiate / Parents -Parent. Do not coach your child at practice, during meets, or outside the pool. Help your children learn values and positive character traits that will sustain them throughout their lives. When it comes to loving and supporting your child- particularly in public- winning and losing make no difference.
- Assist the coaches by not talking with or motioning to swimmers during practices unless clearing it with a coach first.
- Do not compare your swimmer to others in the pool, other teams, or siblings. Every swimmer is different and develops differently and independently from one another. Our coaches design and develop their program structures with a lot of thought, research and experience behind it. Our mission as a club is focused on your swimmer's long-term development and building them into well rounded athletes.
- Do not interrupt or confront the coaching staff on the pool deck during practice or meets.
- Trust and support your swimmer's and coach's decisions around goal-setting, training commitments, swim event entries, and meet schedules. Do not impose your ambitions on your child and do not expect best time at every meet.
- Get involved...be an official, help time, plan a group social. Find something you enjoy
- Know and uphold NCAP's rules, regulations, codes of conduct, management, and coach directives that are designed to maximize the experience for all swimmers and parents.

SWIMMER CODE OF CONDUCT

The Nation's Capital Swim Club has put together a Code of Conduct for our swimmers in order to foster a positive competitive environment for all its members. All Nation's Capital Swim Club Swimmers agree to the following standards of conduct outlined below in conjunction with the Swimmer Code of Conduct as a member of USA Swimming. (Article 304, USA Swimming Rulebook)

- When representing NCAP, everyone is expected to behave in an exemplary manner. The reputation of NCAP, as well as the other athletes with you, is dependent on your behavior.
- Any inappropriate use of cell phones, social media, or other devices is prohibited, especially in private areas such as the locker room or hotel room. **Cell phones cannot be out in the locker room at any time.**
- Swimmers will not taunt, "boo", or show any unsportsmanlike conduct towards other teams, parents, swimmers, or officials at any time.
- Any bullying or allegations of bullying of any athlete shall be investigated and disciplinary action will be at the discretion of the coaching staff. Swimmers are expected to learn and understand the NCAP Communications Policy of Cyber bullying and shall comply to the standards set forth by the team.
- Any act of fraud, deception or dishonesty in connection with any swimmer will be investigated by the team and appropriate actions taken.
- Any non-consensual physical contact, obscene language or gesture, or other threatening language will not be tolerated.

- First impressions are very important to the swimmer's personal image, to NCAP, to PVS, and to the sport of swimming. If the team attends special functions, travels by air, etc., appropriate attire is required (no jeans, t-shirts, etc). Check the coach if unsure what to wear. During competitions, swimmers will wear NCAP attire, and may not wear apparel that represents any other teams.
 - NCAP swimmers are expected at all times to follow the directions of the coaching staff. At no time will disrespectful attitudes be tolerated from any swimmer.
 - No thievery or misuse of other swimmer's property will be tolerated.
 - The consumption of alcohol, the use of tobacco, or the use of any non-prescribed drugs or illegal substances of any kind will not be tolerated. In addition, any team member found or suspected to be in the presence of others (regardless of team affiliation) partaking in any of the above activities will be subject to the same punishments and probable expulsion from the NCAP.
 - The NCAP coaching staff holds the final word on any rules, regulations, or disciplinary actions. As most practice groups rent the use of space, all rules set forth by the facility must be followed at all times.
 - Failure to comply with this Code of Conduct may result in, but not limited to, any or all of the following actions: Swimmer will not be allowed to participate in team activities, Swimmer may not be allowed to participate in upcoming team trips, or possible suspension or expulsion from Nation's Capital Swim Club.
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By registering with the Nation's Capital Swim Club, you and your family agree to read the policies and abiding by them at all times, or risk dismissal from the program.

- The Nation's Capital Swim Club