**ATHLETE PROTECTION POLICY**

The following policies related 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, Zones, 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. Any individual who is banned, currently suspended or ineligible for membership is prohibited from serving as a timer, marshal, or computer operator, or otherwise being on deck at any time in connection with a USA Swimming activity.

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.

**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 Director of Safe Sport. 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 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.

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

**PROHIBITIONS AGAINST RETALIATION FOR GOOD FAITH REPORTING OF ABUSE**

307.1 No Member shall retaliate against any individual who has made a good faith report under 306.1 or 304.3.12.

307.2 For the purposes of 307.1, there shall be a rebuttable presumption that any adverse action regarding the employment, membership, or other material rights of an individual who has made a good faith report under 306.1 or 304.3.12 within 90 days of a report is retaliatory. An adverse action includes, without limitation: discharge or termination; demotion or reduction in compensation for services; or the removal of or from, or restrictions on, access to facilities, team activities or team membership privileges.

**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.

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.

**DEAL WITH A SAFE SPORT CONCERN**

**WHERE TO START WITH MY CONCERN**

When making the decision to report a concern you have, it can often feel intimidating and overwhelming. Please use these guidelines to help you on the first step “Where do I report?” Please use the provided links which will additionally help you get in touch with the appropriate people.

Please note that this is not an exhaustive list. If you are not sure who to contact with a concern please contact Safe Sport Staff at the National Office and we will be sure to talk through your concern, answer your questions and connect you with the correct people.

If you concern deals with any of the following:

                 Sexual Misconduct

                 Sexual Harassment

                 Sexually Explicit/Inappropriate Communication through Social Media

Please contact the U.S. Center for Safe Sport to make a report.  Use the [online reporting form](https://cm.maxient.com/reportingform.php?SafeSport&layout_id=0), call (720) 524-5640, or find more information at [www.safesport.org](https://www.safesport.org/).

If your concern deals with any of the following:

•   Criminal Charges

•    Use, Sale, or Distribution of illegal drugs

•   Physical Abuse

•   Inappropriate Touching

•   Lap Sitting

•   Coaches sharing hotel rooms with Athletes

•   Rubdown or Massage performed by coaches

•   Pictures or video taken in locker rooms or changing areas

Please contact Liz Hahn ehahn@usaswimming.org at the National Office or complete the online reporting form.

[LINK TO ONLINE REPORTING FORM](https://fs22.formsite.com/usaswimming/form10/index.html)

If your concern deals with any of the following:

•    Fraud

•   Deception

•   Recruiting

Please make a report through your Zone Board of Review by referencing our [Zone Directors List](https://www.usaswimming.org/Sitefinity/Content/Documents/LibraryDocuments/safe-sportdocuments/?provider=OpenAccessDataProvider&folderid=255035fa-6cbc-6a0a-9b57-ff00009030c2)

 If your concern deals with any of the following:

•    Peer to Peer Bullying

•    Adult to Athlete Bullying

•    Parent Issues

•    Violations of team rules and team code of conduct

Please make a report to your team. We have provided a [proposed letter of correspondence](https://www.usaswimming.org/docs/default-source/safe-sportdocuments/reporting/draft-email-for-club-concern.docx?sfvrsn=10)to assist you in beginning this process.