Recruiting

"Swimming is the Funnest Sport!" We all want to introduce swimming to more and more young people. We want to share our love of the sport. We all want successful programs with athletes at every level of the sport. We all want to grow our programs.

Everyone must, however be aware that there are USAS rules in place to guard against illegal recruiting or poaching of swimmers from USA Swimming member swim club. There is a process in place at the Zone level through the Zone Board of Review (ZBOR) to assess complaints in the event a club believes they are a victim of illegal recruiting. When individual(s) are found guilty of illegal recruiting, penalties are assessed and can result in loss or suspension of membership of the offending coach, fines or restoration of lost funds, and more. There has been a marked increase in complaints filed for recruiting in the Southern Zone BOR. Hearings have been conducted, and significant penalties have been assessed by the panels.

The USAS Code of Conduct Article 304.17 defines recruiting as:

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

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

B Placed in or on any item that is sold. In the event of a violation of this section, a sanction may be imposed against any coach, owner, officer, volunteer, representative or employee of a swim club, or against any such club, or any combination thereof, as appropriate.

Since many parents and swimmers do not closely read the USAS Rule Book and might not review the Code of Conduct, it is in your best interest to help them to understand what you and they can and cannot do. Ignorance of the rules is not a good defense. Ask yourself this question: If someone on my team is out there trying to recruit swimmers from another team, who is likely to be named on the complaint and held responsible? Know and follow the rules. Make sure your team knows, understands, and follows the rules.

It is important to note that when a complaint results in a hearing, the burden of proof is on the Petitioner, the standard of proof is a preponderance of the evidence (i.e., more likely than not), and the decision of the hearing panel need not be unanimous.

To learn more about the Southern Zone Board of Review and how to file a complaint, please refer to the ZBOR tab on the Southern Zone Swimming website. If you have questions about whether something constitutes illegal recruiting or not, need help opening up a discussion with someone regarding recruiting, or need help filing a complaint, please contact me or one of the Zone Directors, Clark Hammond or John Roy. We are happy to help in any way we can.

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