

## USA Swimming Insurance Program – Covered Activities for Practice

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**UPDATED MARCH 27, 2020**

Many questions have been posed about insurance and providing online instruction to athletes. Below is information that answers basic questions about USA Swimming's insurance coverage. Additionally, we would like to offer practical advice for those trying to maintain a connection with their athletes.

First and foremost, all Safe Sport policies, including MAAPP, apply and remain paramount. Second, our staff continues to work with our insurer on covered activities, and they have agreed to provide insurance for covered remote dryland activity.

The USA Swimming Operational Risk Team has advocated for accommodations relative to Dry Land training to help club leadership and coaches maintain training regimens during periods of public facility closure. The key modification to the program is the addition of virtual dryland training included in the definition of 'Covered Activities' under the participant accident insurance program.

The updated verbiage going into effect reads as follows (Bolding added for emphasis):

### **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. **Coverage does not extend to recorded videos/sessions** where there is no live or real-time interaction, and the recordings are accessible by someone other than your clients/members.*

### **Required Protocol:**

- **Members:** Only registered USA Swimming members may participate in the training
- **Supervision ratio:** The Coach/Instructor to athlete ratio shall be no greater than 1:8 (1 coach per 8 athletes)
- **Recommended exercise:** Training shall consist primarily of body weight or light resistance exercises
- **Spatial limitations:** Coach shall ensure the athlete is in an open space free from obstruction prior to training.
- **Content:** All content must be professional in nature.
- **Timing of training:** All video training must take place between the hours of 8:00 am – 8:00 pm and may not take place on a social media platform. (You may use Zoom, Google, Skype, etc.)
- **Parent/3<sup>rd</sup> party Adult involvement:** If there is only one minor athlete and coach conducting the training, the minor's legal guardian must be present and able to observe the training and video.
  - For any group setting, at least one other adult, in addition to the coach, must be present and able to view the video activity during the training session.
  - Parents should sign a release for at home dryland training.

Please contact Steve Levine with further questions: [slevine@usaswimming.org](mailto:slevine@usaswimming.org) or 720-201-4685.

For questions regarding Sport Development, please contact Joel Shinofield:  
[jshinofield@usaswimming.org](mailto:jshinofield@usaswimming.org) or 719-216-3045.

*For those looking to conduct other types of training, not covered by this policy, we recommend that you seek local counsel to develop waivers/disclaimers or explore other insurance options through local agents that suit your needs.*

### **MARCH 23, 2020**

Under USA Swimming member clubs' insurance program with K&K Insurance, covered activities include: Swimming practices, dry land training activities, camps or learn to swim programs where all swimmers or participants are members of USA Swimming, Inc. ... and are conducted under direct and active supervision of a member coach. Dryland training activities means weight training, running, calisthenics, exercise machine training, and any other activity for which an insured has received approval from USA Swimming, Inc., or its authorized representative.

*Additional 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. **Coverage does not extend to recorded videos/sessions where there is no live or real-time interaction, and the recordings are accessible by someone other than your clients/members.***

To assist you with preparing various training activities for your clubs, please keep in mind the following:

#### **The following activities are not covered by insurance:**

- Dryland training that does not have direct and active supervision of a member coach.
- Unsupervised dryland training by a third-party provider who has not registered as a non-athlete member, completed USA Swimming's background screening, and Athlete Protection Training
- A swim or dryland practice by a coach who has an expired membership
- Any other activity that is not listed in the definition above

#### **The following activities will void your insurance:**

- Not having a USA Swimming member coach in good standing (including the expiration of membership or membership credentials) affiliated with the club
- Not having a USA Swimming member coach supervising organized workouts with a direct line of sight
- Having swimmers in the USA Swimming member club's lanes who are not USA Swimming members (except for a tryout)

#### **How does COVID-19 affect coverage, if at all?**

- The insurance industry has not taken a position on this issue yet
- Each COVID-19 claim will be handled on an individual, fact-specific basis
- There is no exclusion for communicable diseases in the policy (i.e., it may be covered, depending on a fact-specific analysis)

- The insurer will question if the spread of disease at a practice or a meet is accidental or reasonably foreseeable by the club and coaches

If a swim or dryland practice is held in accordance with the above definition of a covered activity and local health department and governmental guidelines, then it should be considered a covered activity. Note however the terms and conditions of the insurance policy take precedence over this written explanation.