

**APPENDIX A By-Laws**  
**USA DIVING, INC.**  
**POLICY REGARDING**

**Hazing, Harassment, Intimidation, Menacing, Bullying and Cyberbullying**

The Board of Directors of USA Diving, Inc., in its commitment to providing a positive and productive Safe Sport environment has adopted this policy in the spirit of and concert with the USOC Safe Sport initiative. Hazing, harassment, intimidation, menacing or bullying and acts of cyber bullying by members, towards any member is strictly prohibited. Retaliation against any person, who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Persons whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. USA Diving may also make referrals to law enforcement officials.

**Definitions**

“Third parties” include, but are not limited to, volunteers, parents, contractors or others engaged in USA Diving business and competitions.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a person for the purpose of initiation or as a condition or precondition of membership in, or affiliation with, any club or team or activity, (i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a person); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; assignment of pranks to be performed or other such activities intended to degrade or humiliate. It is not a defense against hazing that the person subjected to hazing consented to or appeared to consent to the hazing.

“Harassment or intimidation” means any act that substantially interferes with a person benefits, opportunities or performance in the sport of diving, having the effect of:

1. Physically or emotionally harming a person or physically damaging a person’s property;
2. Knowingly placing a person in reasonable fear of physical harm to the person or damage to the person’s property;
3. Creating a hostile environment including interfering with the psychological wellbeing of the person and may be based on, but not limited to, the protected class of the person.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income or disability.

“Bullying” is aggressive behavior that is intentional, often repeated over time, and involves an imbalance of power or strength. Anyone who sees an act of bullying, and who then encourages it, is engaging in bullying. Bullying can take on various forms, including:

1. Physical bullying – when one person engages in physical force against another person, such as by hitting, punching, pushing, kicking, pinching, or restraining another;
2. Verbal bullying – when someone uses their words to hurt another, such as by belittling or calling another hurtful names;
3. Nonverbal or relational bullying – when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, or gossip. This type of bullying also includes intimidating another person by using gestures; and
4. Sexualized bullying – when bullying involves behaviors that are sexual in nature. Examples of sexualized bullying behaviors include sexting, bullying that involves exposures of private body parts, and verbal bullying involving sexualized language or innuendos.

“Cyber bullying” is the intentional and overt act of aggression toward another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve:

1. Sending mean, vulgar, or threatening messages or images;
2. Posting sensitive, private information about another person;
3. Pretending to be someone else in order to make that person look bad; and
4. Intentionally excluding someone from an online group.

“Retaliation” means hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying toward a person in response to a person for actually or apparently reporting or participating in the investigation of hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying or retaliation.

“Menacing” includes, but is not limited to, any act intended to place a person in fear of imminent serious physical harm.

All questions regarding this policy or reporting acts in violation of the policy should be directed to the USA Diving Safe Sport Coordinator at 317-237-5252.