

APPENDIX J

ATHLETE RECRUITMENT/UNDUE INFLUENCE AND TRANSFER POLICY (Housekeeping – January 30, 2022)

Amendments to this Appendix J are the responsibility of the Governance Committee. The Governance Committee can modify this Appendix by recommending changes to the Board of Directors for approval.

PURPOSE

The following policies apply to athlete recruitment, undue influence and the subsequent transfer from one USA Artistic Swimming (“USAAS”) club to another by a:

- A. Youth or Adult Competitive Athlete;
- B. Youth or Adult Athlete;
- C. Youth or Adult Trial Athlete; or
- D. Youth or Adult Life Member.

Any violation of these procedures is subject to disciplinary action and/or fines as set forth in the USAAS Administrative Rules Article 24 and this Appendix J. Collegiate programs’ contact with prospective athletes shall follow USAAS Rule CO 1.7.

ARTICLE 1

1.01 Initiating Contact:

- A. Absolutely no recruitment and/or contact regarding recruitment or transfer is allowed during or at any USAAS sanctioned event by any athlete or any registered club.
- B. Only the athlete (or their parents/guardians or custodians, if athlete is a minor) shall make the initial contact for recruitment or transfer between the athlete and the prospective new club.
- C. Any action, other than those allowable actions as defined in 1.01 D below, by a coach, club representative, official or other USAAS member, either through direct contact with an athlete or encouragement of others, to recruit or otherwise encourage an athlete who is already a member of a USAAS club to leave that club, shall be seen as an act of undue influence. Such actions are prohibited and may be subject to discipline.
- D. Allowable actions are defined as:
 - 1. General advertising and/or distribution of educational materials to an unidentifiable population where there is reasonable expectation that the majority of that population are not current USAAS members.
 - 2. Prior written approval to recruit from the athlete’s current club affiliation.
- E. Examples of Undue Influence include, but are not limited to:
 - 1. Personal contact by coaches, club representatives, officials or other USAAS members in an attempt to persuade transfer.
 - 2. Offers of inducements such as free transportation, waived registration fees, reduced club fees, invitations to attend practices or private club functions.
 - 3. Any other material or intentional action, conduct or omission not provided for above, which is detrimental to the image of USAAS, a Local Artistic Swimming Committee (“LASC”) or the sport of artistic swimming.

1.02 Notification of Intent to Transfer and Fee: Within 10 days of decision to transfer, the athlete (or their parents/guardians or custodians, if athlete is a minor) shall complete and

submit to the National Office a fee and transfer form indicating the date of last competition in an affiliated status. Contact the National Office for information on the fee and transfer form. The Athlete Transfer Request Form and fee are required whether the athlete intends to transfer representation from one (1) club to another, from one (1) club to unaffiliated status, or from unaffiliated status to club representation.

1.03 Waiting Period:

The waiting period before competing for a new club is contained in USAAS Administrative Rules, Article 21, Section 21.01.

1.04 Delinquent Dues and Fees owed to original Club at Time of Transfer:

- A. When transferring between clubs within the same or different LASCs, the athlete (or their parents/guardians or custodians, if athlete is a minor) shall submit a completed Athlete Transfer Request Form in accordance with USAAS procedures outlined in this Appendix J. LASCs may not establish procedures for transfers which effectively deny an athlete the right to transfer from one club to another.
- B. If a club of an LASC has secured a court judgment against an athlete member (or their parents/guardians or custodians, if athlete is a minor) for non-payment of club membership dues and fees which would entitle the athlete to compete affiliated with said club, that athlete shall be ineligible to represent any club until the judgment is paid. However, the athlete may compete as “Unaffiliated” according to USAAS Administrative Rules, Article 21, Section 21.02.
- C. **Delinquent dues and fees.** If any member or the legal representative of any member has secured a court judgment against any other member for non-payment of financial obligations due such member in the normal and usual course of activities or business associated with membership in and of USAAS, that member’s membership rights may be suspended only after a hearing before the National Board of Review until the judgment is satisfied.