

APPENDIX J

ATHLETE RECRUITMENT/UNDUE INFLUENCE AND TRANSFER POLICY

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 by a Competitive Athlete, Athlete or Trial Athlete from one USSS club to another.

Any violation of these procedures is subject to disciplinary action and/or fines as set forth in the USSS Administrative Rules Article 24 and this Appendix J. Collegiate programs' contact with prospective athletes shall follow USSS 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 USSS sanctioned event by any athlete or any registered club.
- B. Only the athlete or his/her 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 USSS 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 USSS 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 USSS 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 USSS 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 USSS, an LSSC or the sport of synchronized swimming.

1.02 Notification of Intent to Transfer: Within 10 days of decision to transfer, the athlete (or his/her parents/guardians or custodians, if athlete is a minor) shall complete the Athlete Transfer Request Form (Sections 1 and 2) and submit to the club representative where he/she is currently registered.

1.03 Athlete Transfer Request Form and fee:

- A. Upon receipt, the current club, where the athlete is registered must complete Section 3 and send to:**

1. The club representative of the prospective new club;
 2. The Administrative Chair of the USSS Association where the athlete is currently registered;
 3. The Administrative Chair of the USSS Association of the prospective new club, if different from that in A.2 above; and
 4. The USSS National Office.
- B. A fee of \$25.00 must accompany the Athlete Transfer Request Form and is payable to USSS.

1.04 Waiting Period:

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

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

- A. When transferring between clubs within the same or different LSSCs, the athlete (or his/her parents/guardians or custodians, if athlete is a minor) shall submit a completed Athlete Transfer Request Form in accordance with USSS procedures outlined in Appendix J. LSSCs may not establish procedures for transfers which effectively deny an athlete the right to transfer from one club to another.
- B. If a member club of the LSSC has secured a court judgment against an athlete member (or his/her parents/guardians or custodians, if athlete is a minor) for non-payment of club membership dues and fees which entitle the athlete to compete attached to said club, that athlete shall be ineligible to represent any USSS member club until the judgment is paid.
- 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 USSS, that member's membership rights may be suspended only after a hearing before the National Board of Review until the judgment is satisfied.