

APPENDIX Q

ATHLETE SAFETY POLICY

Amendments to this Appendix Q are the responsibility of the Board of Directors.

ARTICLE 1

- 1.01** United States Synchronized Swimming (USSS) is committed to providing a safe environment for its members, athletes, coaches, officials, volunteers and employees. USSS advocates building strong self-images among youth participants, strives to promote good sportsmanship throughout the organization, and encourages qualities of mutual respect, courtesy, and tolerance.
- 1.02** When any member, athlete, coach, official, volunteer or employee is subjected to physical, sexual, emotional or verbal abuse or harassment, it undermines the mission and values of USSS. All members of the organization, employees, parents, spectators, and other invitees are expected to observe and adhere to the jurisdiction, policies and procedures of the SafeSport Code for U.S. Olympic and Paralympic movements.
- A. USSS will not accept or tolerate bullying, hazing, harassment, emotional misconduct, physical misconduct or sexual misconduct in any form by, or directed toward, any USSS member, athlete, coach, official, volunteer, employee, parent, spectator, or other person while participating in or preparing for activities or events conducted under the protection and support of USSS.
- B. Harassment and abuse are defined in various sources, such as SafeSport Code for U.S. Olympic and Paralympic movements, state statutes, case law, sports organization and professional association codes of conduct and training manuals, corporate and business workplace documents, and human rights commission materials. USSS has adopted the definitions from the Center for SafeSport for bullying, hazing, harassment, emotional misconduct, physical misconduct and sexual misconduct as defined in the Center for SafeSport Code. The Center for SafeSport Code can found at:
<https://safesport.org/files/index/tag/policies-procedures>.

ARTICLE 2

- 2.01 Athlete Safety Policy:** USSS requires training concerning the key elements of the Athlete Safety Policy for members who USSS formally authorizes, approves or appoints to a position of authority over athletes or who has frequent contact with athletes and USSS staff. USSS Covered Individuals is defined in Section 2.02, below. All information regarding training for Covered Individuals and SafeSport is available on the USSS website at <https://www.teamusa.org/usa-synchronized-swimming/resources/safesport>.
- A. USSS requires Athlete Safety Policy training to be completed before contact with athletes begins, and in any event, must be completed within 60 days of initial contact.
- 2.02 Covered Individuals.**
All USSS Covered Individuals as defined below are subject to the jurisdiction, policies and procedures of the Center for SafeSport and USSS Athlete Safety Policy.
- A. The SafeSport Code defines Covered Individuals as any individual who:
1. Currently is, or was, at the time of possible violation of the SafeSport Code within governance or disciplinary jurisdiction of USSS or who is seeking to be within the governance or disciplinary jurisdiction of USSS;
 2. Is an athlete or non-athlete participant that USSS formally authorizes, approves or appoints to a position of authority over athletes or has frequent contact with athletes; or
 3. USSS identifies as being within the Center for SafeSport's jurisdiction.

- B. USSS Covered Individuals include:
1. USSS employees, all members of the Board of Directors, support staff and consultants;
 2. All National Team Coaches, consultants, volunteers and chaperones;
 3. All National Talent, Olympic Development and Elite Camp Coaches, consultants, volunteers and chaperones;
 4. All National Team athletes currently listed in the USADA Registered Testing Pool;
 5. All members (18 years old and over) of all USSS committees, subcommittees and boards;
 6. All USSS club volunteers, employed and contract coaches, chaperones and support staff, which includes Dance, Acrobatics, Flexibility, Swimming, etc at any Training Facility);
 - a. Optional, but highly recommended: USSS club board members and coaches 15-17 years of age.
 7. All judges (Levels 1 through FINA "A" & Emeritus); and
 8. All staff, including coaches, managers and adults, traveling with athletes for the Club Option, Private Invitation, or International Club Exchange (ICE) Programs.

ARTICLE 3

3.01 Recommended Actions.

The entire synchronized swimming community shall work cooperatively to promote an environment that is free of sexual, physical, emotional and verbal abuse or harassment in any form. USSS recommends that each individual participating in a USSS activity take the following precautions to help ensure a safe environment for all members, athletes, coaches, officials, volunteers and employees as recommended in the SafeSport training.

- A. Encourage parents to become as active as possible in sponsored activities, practices, and other events. The more that parents are involved, the less likely it is for abusive situations to develop.
- B. Recognize that there are situations, such as in private coaching lessons, where adults may find themselves alone with minor athletes. Avoid being alone with a child or with any group of children in a private setting while they are participating in sponsored activities of USSS. In particular, in such circumstances, USSS recommends coaches and other adult members of the organization:
 1. Provide one-on-one training or individual coaching with the assistance of another adult or athlete.
 2. Have private conversations with minor athletes within view of others instead of in a private office.
 3. Avoid driving alone with a minor athlete in the vehicle.
 4. Avoid taking a minor athlete alone to the locker room, bathrooms, or any other private room.
 5. Avoid socializing individually with minor athletes outside of sponsored activities.
- C. Pair up minor athletes with other minor athletes of the same gender and similar age group when traveling overnight.

ARTICLE 4

4.01 Reporting Abuse and Action to U.S. Synchronized Swimming and Center for SafeSport. Refer to USSS Administrative Rule Article 24.

- A. Any individual who believes that s/he has been the victim of physical, sexual, emotional or verbal abuse or harassment by any coach, manager, independent contractor, employee, volunteer, official or other member should immediately report the matter to the Executive Director or President of USSS and/or the Center for SafeSport.
 1. Reporting may be made anonymously, and no direct fees or other costs are involved in making a report.

- B. The Center for SafeSport has the exclusive authority to investigate and resolve conduct involving sexual misconduct and prohibited conduct under the SafeSport Code that is reasonably related to the underlying allegation of sexual misconduct. Exclusive authority means only the Center for SafeSport will investigate and manage any related arbitration involving sexual misconduct; and neither USSS nor the USOC will conduct its own investigation or arbitration with respect to possible sexual misconduct, except as otherwise provided.
- C. USSS will promptly and thoroughly investigate any and all allegations of abuse or harassment (except for reports of sexual misconduct as outlined in Section 4.01 B above) in matters that are within its jurisdiction. On the written request of USSS or the USOC, the Center for SafeSport may, in its discretion, accept authority over alleged violations of any prohibited conduct under the SafeSport Code.
- D. If USSS or the Center for SafeSport determines that any coach, manager, independent contractor, employee, volunteer, official or other member has engaged in any action or conduct constituting such abuse or harassment, the individual will be subject to appropriate disciplinary action, up to and including immediate termination of any contractual relationship, decertification, or expulsion from the membership of the organization.
- E. USSS cannot guarantee complete confidentiality of complaints. However, USSS shall strive to ensure that all complaints are handled in a manner that, to the greatest degree possible, protects the rights of all parties.
- F. When necessary and appropriate, this information shall be communicated to the appropriate authorities for investigation and should be reviewed by appropriate officials, whose response shall include timely notification of such allegations to the alleged offender.
- G. Any individual accused of sexual or physical abuse may be suspended until the matter is investigated and resolved. An individual who is accused but later cleared of the charges may apply to have a suspension lifted or, if applicable, to be reinstated within the organization. Reinstatement is not a right, and no assurance is made that the individual will be reinstated to his/her former position.
- H. Any individual or member organization that fails to appropriately report, who makes a false report, or who threatens retaliation or reprisal against an individual for reporting sexual, physical, emotional or verbal abuse or harassment in any form will be subject to discipline or other action as may be within the jurisdiction of USSS.

ARTICLE 5

5.01 Background Checks and Disqualification from Service.

It is the policy of USSS that it will not authorize or sanction the participation of any member, volunteer, chaperone, coach, manager, official or employee who has routine access to athletes, who refuses to consent to a background check by USSS before s/he is allowed to have access to athletes in USSS programs that it directly controls. Further, it is the policy of USSS, that it will require its affiliates to adopt this policy as a condition of its affiliation with USSS. Background checks listed herein may also be applied to Appendix P.

- A. Background checks are required for the following individuals:
 - 1. National Team Coaches;
 - 2. National Team Chaperones;
 - 3. National Talent, Olympic Development and Elite Camp Coaches;
 - 4. FINA Judges;
 - 5. All adult personnel, including but not limited to coaches, managers and chaperones, traveling with athletes for National Team, National Talent, Olympic Development and Elite Camps, Rising Stars program, Club Option program, Private Invitations or ICE programs;
 - 6. All adult personnel, including but not limited to coaches, managers and chaperones, visiting, training, staying or working at a USOC Olympic Training Center; and
 - 7. All members of USSS Board of Directors.

- B. USSS requires background checks be completed before contact with athletes begins, and in any event, must be completed within 60 days of initial contact. Background checks are valid for two (2) years and USSS recommends reapplying prior to the expiration of the current background check. Background checks are required for individuals 18 years of age and older.
- C. A background check record or disclosure that contains convictions related to the following information will be flagged as a “Red Light” or “does not meet the criteria”:
 - 1. Any felony (any crime punishable by confinement of greater than one year);
 - 2. Any lesser crime involving force or threat of force against a person;
 - 3. Any lesser crime in which sexual relations is an element, including “victimless” crimes of a sexual nature (including pornography);
 - 4. Any lesser crime involving controlled substances (not paraphernalia or alcohol);
 - 5. Any lesser crime involving cruelty to animals; or
 - 6. Any sex offender registrant.
- D. An individual may be disqualified and prohibited from serving as a volunteer, chaperone, coach, manager, official or employee of USSS if the individual has:
 - 1. Been convicted of any offense set forth in Section 5.01 C above;
 - 2. Been adjudged liable for civil penalties or damages involving sexual or physical abuse of a minor;
 - 3. Been subject to any court order involving any sexual abuse or physical abuse of a minor including, but not limited to, domestic order or protection;
 - 4. Resigned, been terminated or asked to resign from a position, whether paid or unpaid, due to complaint(s) of sexual or physical abuse of minors;
 - 5. Had his/her parental rights terminated;
 - 6. Had a history of complaints with another organization (volunteer, employment, etc.) of sexual or physical abuse of minors; or
 - 7. Had a history of behavior that indicates that s/he may be a danger to minors participating in any USSS program or activity.
- E. USSS Board of Directors will review and assess all background check records flagged as a “Red Light” and will determine the eligibility and right to participate of any member, volunteer, chaperone, coach, manager, official or employee who has received a “Red Light” background check record.
- F. Any member, official or administrator, club or Association who has been party to, or has knowledge of, any degrading, hazing or initiation rite, without reporting it or taking action, shall be subject to suspension from participating, or holding office with any Team, club or Association that is a member of, or affiliated with, USSS.

ARTICLE 6

6.01 Compliance.

- A. USSS tracks compliance and implements periodic checks for compliance to its Athlete Safety Policy.
- B. USSS maintains and publishes a list of individuals on its website who are compliant with the SafeSport Training. Those individuals who are not compliant with the Athlete Safety Policy as outlined in Section 4.01 D above will be removed from the published list.