



USA Swimming & HVA Current

Minor Athlete Abuse Prevention Policies

THIS POLICY APPLIES TO:

- All USA Swimming non-athlete members and adult athlete members;
- Participating non-members (e.g., meet marshals, meet computer operators, timers, etc.);
- LSC and club adult staff and board members; and
- Any other adult authorized to have regular contact with or authority over minor athletes.

General Requirements

USA Swimming member clubs and LSCs are required to implement this Minor Athlete Abuse Prevention Policy in full. The Minor Athlete Abuse Prevention Policy must be reviewed and agreed to in writing by all athletes, parents, coaches, and other non-athlete members of member clubs on an annual basis, with such written agreement to be retained by the club.

One-on-One Interactions

1. Observable and Interruptible: One-on-one interactions between a minor athlete and an Applicable Adult (who is not the minor's legal guardian) must occur at an observable and interruptible distance from another adult unless meeting with a Mental Health Care Professional and/or Health Care Provider (see below) or under emergency circumstances.

2. Meetings

a. Meetings between a minor athlete and an Applicable Adult may only occur if another adult is present and where interactions can be easily observed and at an interruptible distance from another adult, except under emergency circumstances.

b. If a one-on-one meeting takes place, the door to the room must remain unlocked and open. If available, it must occur in a room that has windows, with the windows, blinds, and/or curtains remaining open during the meeting.

c. Meetings must not be conducted in an Applicable Adult or athlete's hotel room or other overnight lodging location during team travel.

3. Meetings with Mental Health Care Professionals and/or Health Care Providers: If

a Mental Health Care Professional and/or Health Care Provider meets with a minor athlete in conjunction with participation, including at practice or competition sites, a closed-door meeting may be permitted to protect patient privacy provided that:

- The door remains unlocked;
- Another adult is present at the facility;
- The other adult is advised that a closed-door meeting is occurring; and
- Written legal guardian consent is obtained in advance by the Mental Health Care Professional and/or Health Care Provider, with a copy provided to HVAC.

4. Individual Training Sessions: Individual training sessions outside of the regular course of training and practice between Applicable Adults and minor athletes are permitted if the training session is observable and interruptible by another adult. Legal guardians must be allowed to observe the training session.

Social Media and Electronic Communications

1. Content: All electronic communication from Applicable Adults to minor athletes must be professional in nature.

2. Open and Transparent

a. Absent emergency circumstances, if an Applicable Adult with authority over minor athletes needs to communicate directly with a minor athlete via electronic communications (including social media), the minor athlete's legal guardian must be copied. If a minor athlete communicates to the Applicable Adult (with authority over the minor athlete) privately first, said Applicable Adult must copy the minor athlete's legal guardian on any electronic communication response to the minor athlete.

b. When an Applicable Adult with authority over minor athletes communicates electronically to the entire team, said Applicable Adult must copy another adult.

3. Requests to Discontinue: Legal guardians may request in writing that their minor athlete not be contacted through any form of electronic communication by HVAC, the LSC, or by an Applicable Adult subject to this Policy. The organization must abide by any such request that the minor athlete not be contacted via electronic communication or included in any social media post absent emergency circumstances.

4. Hours: Electronic communications must only be sent between the hours of 8:00 am and 8:00 pm unless emergency circumstances exist or during competition travel.

5. Prohibited Electronic Communication: Applicable Adults with authority over minor athletes are not permitted to maintain private social media connections with

unrelated minor athletes, and such Applicable Adults are not permitted to accept new personal page requests on social media platforms from minor athletes unless the Applicable Adult has a fan page, or the contact is deemed as celebrity contact as opposed to regular contact. Existing social media connections with minor athletes must be discontinued. Minor athletes may "friend" HVAC and/or LSC's official page.

6. Applicable Adults with authority over minor athletes must not send private, instant, or direct messages to a minor athlete through social media platforms.

Travel

1. Local Travel

a. Local travel consists of travel to training, practice, and competition that occurs locally and does not include coordinated overnight stay(s).

b. Applicable Adults must not ride in a vehicle alone with an unrelated minor athlete, absent emergency circumstances, and must always have at least two minor athletes or another adult in the vehicle unless otherwise agreed to in writing by the minor athlete's legal guardian.

c. Legal guardians must pick up their minor athlete first and drop off their minor athlete last in any shared or carpool travel arrangement.

2. Team Travel

a. Definition: Team travel is travel to a competition or other team activity that the organization plans and supervises.

b. During team travel, when doing room checks using two-deep leadership, two Applicable Adults should be present. Observable and interruptible environments must be maintained.

c. When only one Applicable Adult and one minor athlete travel to a competition, the minor athlete's legal guardian must provide written permission in advance and for each competition for the minor athlete to travel alone with the said Applicable Adult.

d. Team Managers and Chaperones who travel with HVAC or the LSA must be USA Swimming members in good standing.

e. Applicable Adults must not share a hotel room, other sleeping arrangement, or overnight lodging location with an athlete.

f. Minor athletes should be paired to share hotel rooms or other sleeping arrangements with other minor athletes of the same gender and similar age.

g. Meetings during team travel must be conducted consistent with the One-on-One Interactions section of this Policy (i.e., any such meeting must be observable and interruptible). Meetings must not be conducted in an individual's hotel room or other overnight sleeping location.

Locker Rooms and Changing Areas

1. Requirement to Use Locker Room or Changing Area: The designated locker room or changing area must be used when an athlete or Applicable Adult changes, in whole or in part, into or out of a swimsuit when wearing just one suit (e.g., deck changing is prohibited).

2. Use of Recording Devices: Use of any device's (including a cell phone's) recording capabilities, including voice recording, still cameras, and video cameras in locker rooms, changing areas, or similar spaces by a minor athlete or an Applicable Adult, is prohibited.

3. Undress: An unrelated Applicable Adult must not expose his or her breasts, buttocks, groin, or genitals to a minor athlete under any circumstance. An unrelated Applicable Adult must not request an unrelated minor athlete to expose the minor athlete's breasts, buttocks, groin, or genitals to the unrelated Applicable Adult under any circumstance.

4. One-on-One Interactions: Except for athletes on the same team or athletes attending the same competition, at no time are unrelated Applicable Adults permitted to be alone with a minor athlete in a locker room or changing area, except under emergency circumstances. If the organization is using a facility that only has a single locker room or changing area, separate times for use by Applicable Adults must be designated.

5. Monitoring

a. HVAC will regularly and randomly monitor the use of locker rooms and changing areas to ensure compliance with this Policy. Every effort will be made to recognize when a minor athlete goes to the locker room or changing area during practice and competition, and, if the minor athlete does not return in a timely fashion, to check on the minor athlete's whereabouts. Locker rooms and changing areas may be monitored by use of the following methods:

b. Conducting a sweep of the locker room or changing area before athletes arrive;

c. Posting staff directly outside the locker room or changing area during periods of use;

d. Leaving the doors open when adequate privacy is still possible; and/or

e. Making occasional sweeps of the locker rooms or changing areas with women checking on female locker rooms and men checking on male locker rooms.

6. Legal Guardians in Locker Rooms or Changing Areas: Legal guardians are discouraged from entering locker rooms and changing areas. If a legal guardian does enter a locker room or changing area, it must only be a same-sex legal guardian, and the legal guardian should notify a coach or administrator in advance.

Massages and Rubdowns / Athlete Training Modalities

1. Definition: In this section, the term "Massage" refers to any massage, rubdown, or athletic training modality, including physical modalities (e.g., stretching, physical manipulation, injury rehabilitation, etc.) and electronic or instrument-assisted modalities (e.g., stim treatment, dry needling, cupping, etc.).

2. General Requirement: Any Massage performed on an athlete must be conducted in an open and interruptible location and must be performed by a licensed massage therapist or other certified professional. However, even if a coach is a licensed massage therapist, the coach must not perform a rubdown or massage of an athlete under any circumstance.

3. Additional Minor Athlete Requirements

a. Written consent by a legal guardian must be obtained in advance by the licensed massage therapist or other certified professional, with a copy provided to HVAC.

b. Legal guardians must be allowed to observe the massage.

c. Any Massage of a minor athlete must be done with at least one other adult present and must never be done with only the minor athlete and the person performing the massage in the room.

d. Any Massage of a minor athlete must only occur after a proper diagnosis from a treating physician and be done in the course of care according to the physician's treatment plan.

USA Swimming Athlete Protection Policies

Article 305: Athlete Protection Policies

The following policies related to Athlete Protection are mandatory components of the USA Swimming Code of Conduct:

- 305.1: Inappropriate touching between an athlete and an adult non-athlete member or Participating Non-Member (as defined in 401.1) is prohibited, including, but not limited to, excessive touching, hugging, kissing, sexually-oriented behavior, sexually stimulating or otherwise inappropriate games, and having an athlete sit on a non-family member adult's lap.

- 305.2: Any rubdown or massage performed on an athlete by any adult member or Participating Non-Member, excluding the spouse, parent, guardian, sibling, or personal assistant of such athlete, is prohibited unless such adult is a licensed massage therapist or other certified professional.

Any rubdown or massage performed at a swim venue by a licensed professional must be conducted in open/public locations and must never be done with only the athlete and licensed massage therapist in the room. Even if a coach is a licensed massage therapist, the coach shall not perform a rubdown or massage of an

athlete under any circumstances.

- 305.3: Use of audio or visual recording devices, including a cell phone camera, is not allowed in changing areas, rest rooms, or locker rooms.
- 305.4: Employees and volunteers of USA Swimming, Zones, LSCs, and member clubs who interact directly and frequently with athletes as a regular part of their duties and individuals with any ownership interest in a member club must be non-athlete members of USA Swimming and satisfactorily complete criminal background checks as required by USA Swimming. This does not apply to volunteers such as timers, marshals, computer operators, etc., who only have limited contact with athletes during a meet. Any individual who is banned, currently suspended, or ineligible for membership is prohibited from serving as a timer, marshal, or computer operator or otherwise being on deck at any time in connection with a USA Swimming activity.
- 305.5: Travel Policies
 - a. Regardless of gender, a coach shall not share a hotel room or other sleeping arrangement with an athlete unless the coach is the parent, guardian, sibling, or spouse of that particular athlete.
 - b. Team managers and chaperones must be members of USA Swimming and have successfully passed a USA Swimming-required criminal background check.
 - c. When only one athlete and one coach travel to a competition, the athlete must have his/her parent's (or legal guardian's) written permission in advance to travel alone with the coach.
 - d. Clubs and LSCs shall develop their own travel policies. USA Swimming will provide a model club travel policy as an example. Club travel policies must be signed and agreed to by all athletes, parents, coaches, and other adults traveling with the club.
- 305.6: Clubs shall establish their own action plans for implementing USA Swimming's antibullying policy. USA Swimming shall provide a model plan as an example which shall serve as the default for any club that fails to establish its own plan. Club anti-bullying plans must be reviewed and agreed to annually by all athletes, parents, coaches, and other non-athlete members of the club.
- 305.7: Clubs shall establish their own electronic communication/social media policy. USA Swimming shall provide a model policy as an example, which shall serve as the default for any club that fails to establish its own policy. Club electronic communication policies should be reviewed and agreed to annually by all athletes, parents, coaches, and other non-athlete members of the club.

Article 306: Sexual Misconduct Reporting Requirements

- 306.1: It is every member's responsibility to promptly report any incident regarding sexual misconduct by a member as described in Article 304.3.7 to USA Swimming's Director of Safe Sport. Reporting must occur when an individual has firsthand knowledge of misconduct or where specific and credible information has been received from a victim or knowledgeable third party. Various state laws may also require reporting to law enforcement or to a designated child protection agency.

- 306.2: Filing a knowingly false allegation of sexual misconduct is prohibited and may violate state criminal law and civil defamation laws. Any person making a knowingly false allegation of sexual misconduct shall be subject to disciplinary action by USA Swimming.

- 306.3: Neither civil nor criminal statutes of limitation apply to reports of cases of sexual abuse.

Article 307: Prohibitions Against Retaliation for Good Faith Reporting of Abuse

- 307.1: No Member shall retaliate against any individual who has made a good faith report under 306.1 or 304.3.12.

- 307.2: For the purposes of 307.1, there shall be a rebuttable presumption that any adverse action regarding the employment, membership, or other material rights of an individual who has made a good faith report under 306.1 or 304.3.12 within 90 days of a report is retaliatory. An adverse action includes, without limitation: discharge or termination; demotion or reduction in compensation for services; or the removal of or from, or restrictions on, access to facilities, team activities, or team membership privileges.