

Minor Athlete Abuse Prevention Policy

FORM Swim Team

Effective: September 1, 2021

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THIS POLICY APPLIES TO:

In-Program Contact: Any contact (including communications, interactions or activities) between an Adult Participant and any Minor Athlete(s) related to participation in sport. Examples include, but are not limited to: competition, practices, camps/clinics, training/instructional sessions, pre/post event meals or outings, team travel, video review, team- or sport-related team building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community services, sport education, competition site visits, conventions and/or summits.

Adult Participants: Any adult 18 years of age or older who is a:

- USA Swimming member, either athlete or non-athlete;
- Participating non-member (e.g., meet marshals, meet computer operators, timers, etc.);
- Authorized, approved or appointed by USA Swimming, Zones, Local Swimming Committees ("LSCs") or member clubs to have regular contact with (e.g., ongoing interactions during a 12-month period wherein the individual is in a role of active engagement) or authority over Minor Athletes; and/or
- Within the governance or disciplinary jurisdiction of USA Swimming, Zones, LSCs or member clubs.

GENERAL REQUIREMENT

USA Swimming Zones, LSCs and member clubs 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/legal guardians, coaches and other non-athlete members of member clubs on an annual basis with such written agreement to be retained by the club or LSC, as applicable.

DEFINITIONS

Athlete: A USA Swimming athlete member.

Authority: When one person's position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person (e.g., when a power imbalance exists).

Dual Relationship: When an Adult Participant has a relationship with a Minor Athlete that is outside of the sport program. Examples of Dual Relationships include, but are not limited to, family members, mental health professionals, teachers, medical professionals and family friends.

Emergency Circumstances: A serious, unexpected and possibly dangerous situation that requires quick action and cannot be avoided. Emergency circumstances include, but are not limited to: a physical, mental or emotional medical emergency involving the Minor Athlete, relative of the Minor Athlete or relative of an Adult Participant; a Minor Athlete's suicidal ideations/behavior; a report of abuse; a severe weather event; and last-minute practice changes.

Electronic Communication: Includes, but not limited to, phone calls, emails, videoconferencing, video coaching, text-messaging and social media.

Event or Facility Under Partial or Full Jurisdiction: Includes any USA Swimming sanctioned event (including all travel and lodging in connection with participation in the event) or any facility that USA Swimming, Zones, LSCs or member clubs owns, leases or rents for practice, training or competition.

In-Program: Activities related to participation in sport. Examples include, but are not limited to: competition, practices, meetings, camps/clinics, training/instructional sessions, pre/post event meals or

outings, team travel, video review, team- or sport-related team building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community services, sport education, competition site visits, conventions, conferences, summits and/or workshops.

In-Program Contact: Any contact (including communications, interactions or activities) between an Adult Participant and any Minor Athlete(s) related to participation in sport. Examples include, but are not limited to contact occurring at or related to: competition, practices, meetings, camps/clinics, training/instructional sessions, pre/post event meals or outings, team travel, video review, team- or sport-related team building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community services, sport education, competition site visits, conventions, conferences, summits and/or workshops.

In-Program Massage: Any Massage involving an Adult Participant and any Minor Athlete(s) related to participation in sport. Examples include, but are not limited to Massage occurring at or related to: competition, practices, meetings, camps/clinics, training/instructional sessions, pre/post event meals or outings, team travel, video review, team- or sport-related team building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community services, sport education, competition site visits, conventions, conferences, summits and/or workshops.

In-Program Travel: Any transportation or travel involving an Adult Participant and any Minor Athlete(s) related to participation in sport authorized or funded by the Organization. Examples include, but are not limited to transportation or travel to or related to: competition, practices, meetings, camps/clinics, training/instructional sessions, pre/post event meals or outings, team travel, video review, team- or sport-related team building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community services, sport education, competition site visits, conventions, conferences, summits and/or workshops.

Massage: Any massage, rubdown, 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.).

Minor Athlete: An athlete under 18 years of age who is a USA Swimming member or was a USA Swimming member within the previous 12 months.

Organization: FORM Swim Team

EXCEPTIONS

[Note: Exceptions apply only where specified]

Close-In-Age Exception: In-Program Contact between an Adult Participant and a Minor Athlete is permitted if:

a. The Adult Participant has no authority over the Minor Athlete; and
b. The Adult Participant is not more than four years older than the Minor Athlete.

Dual Relationship Exception: An Adult Participant has a dual role or relationship with a Minor Athlete. This exception requires written consent of the Minor Athlete's parent/legal guardian at least annually.

ONE-ON-ONE INTERACTIONS

I. Observable and Interruptible

All one-on-one In-Program Contact interactions between a Minor Athlete and an Adult Participant must occur at an observable and interruptible distance from another adult, except:

a. In emergency circumstances;
b. When a Dual Relationship exists; and/or
c. When the Close-In-Age Exception applies.

Meetings and Individual Training Sessions

I. Meetings
   a. Meetings between a Minor Athlete and an Adult Participant may only occur if another adult is present and where interactions can be easily observed and at an interruptible distance from another adult.
   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 Adult Participant or Athlete's hotel room or other overnight lodging location during In-Program Travel.

II. Meetings with Licensed Mental Health Care Professionals and/or Health Care Providers
If a licensed mental health care professional and/or health care provider meets one-on-one with a Minor Athlete at an Event or Facility Under Partial or Full Jurisdiction of the Organization in conjunction with participation, the meeting must be observable and interruptible by another adult, except if:
   a. The door remains unlocked;
   b. Another adult is present at the facility;
   c. The other adult is advised that a closed-door meeting is occurring although the Minor Athlete's identity does not need to be disclosed;
   d. The Organization is notified that the licensed mental health care professional and or health care provider will be meeting with a Minor Athlete; and
   e. The licensed mental health care professional and/or health care provider obtains consent consistent with applicable laws and ethical standards, which can be withdrawn at any time.

III. Individual Training Sessions
   a. In-Program one-on-one individual training sessions outside of the regular course of training and practice between Adult Participants and Minor Athletes must be observable and interruptible by another adult, except:
      i. When a Dual Relationship exists; and/or
      ii. When the Close-In-Age Exception applies.
   b. The Adult Participant providing the individual training session must receive advance, written consent from the Minor Athlete's parent/legal guardian at least annually, with a copy provided to the Organization Name, which can be withdrawn at any time.
   c. Parents/legal guardians must be allowed to observe the individual training session.

ELECTRONIC COMMUNICATIONS

I. Content

All Electronic Communication from Adult Participants to Minor Athletes must be professional in nature.

II. Open and Transparent

a. If an Adult Participant communicates one-on-one with a Minor Athlete via Electronic Communications, the Minor Athlete's parent/legal guardian must be copied or included. If a Minor Athlete communicates to the Adult Participant privately first, said Adult Participant must copy or include the Minor Athlete's parent/legal guardian on any Electronic Communication response to the Minor Athlete. Adult Participants must only use Electronic Communication platforms that allow for Open and Transparent communication.
b. The following exceptions apply to Section II(a):
    i. In emergency circumstances;
    ii. When a Dual Relationship exists; and/or
    iii. When the Close-In-Age Exception applies.
c. When an Adult Participant communicates electronically to the entire team or any number of Minor Athletes on the team, said Adult Participant must copy another Adult Participant.

III. Requests to Discontinue

Parents/legal guardians may request in writing that their Minor Athlete not be contacted through any form of electronic communication by the Organization or by an Adult Participant 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.

IV. Hours

Electronic communications must only be sent between the hours of 5:00 a.m. and 9:00 p.m. local time for the location of the Minor Athlete, unless emergency circumstances exist, or during competition travel.

V. Prohibited Electronic Communication

a. Adult Participants are not permitted to maintain private social media connections with Minor Athletes and such Adult Participants are not permitted to accept new personal page requests on social media platforms from Minor Athletes, unless the Adult Participant 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", "like" or "follow" the Organization's official page.
b. Adult Participants must not send private, instant or direct messages to a Minor Athlete through social media platforms.
c. The following exceptions apply to Section V:
    i. When a Dual Relationship exists; and/or
    ii. When the Close-In-Age Exception applies.

IN-PROGRAM TRAVEL AND LODGING

I. Transportation

a. During In-Program Travel, observable and interruptible environments must be maintained.
b. An Adult Participant must not transport a Minor Athlete one-on-one during In-Program Travel and must always transport at least two Minor Athletes or another Adult Participant, except:
    i. In emergency circumstances;
    ii. When a Dual Relationship exists;
    iii. When the Close-In-Age Exception applies; and/or
    iv. The Minor Athlete's parent/legal guardian has provided, at least annually, written consent for the Adult Participant to transport the Minor Athlete one-on-one, which can be withdrawn at any time.
c. Adult Participants, including team managers and chaperones, who travel with the Organization must be USA Swimming non-athlete members of USA Swimming.

[Recommended]
Adult Participants who are parents/legal guardians of Minor Athletes must pick up their Minor Athlete first and drop off their Minor Athlete last in any shared or carpool travel arrangement.

II. Lodging

a. An Adult Participant must not share hotel room, sleeping arrangement or overnight lodging location with an Athlete.
b. During In-Program Travel, all In-Program Contact in a hotel room, sleeping arrangement or overnight lodging location between an Adult Participant and a Minor Athlete must be observable and interruptible.
c. During In-Program Travel, when doing room checks, two-deep leadership (two Adult Participants should be present) and observable and interruptible environments must be maintained.
d. The following exceptions apply to II(a), (b) and (c):
    i. When a Dual Relationship exists, the Adult Participant is not a coach, and the Minor Athlete's parent/legal guardian has provided advance, written consent for the lodging arrangement; and/or
    ii. When the Close-In-Age Exception applies and the Minor Athlete's parent/legal guardian has provided advance, written consent for the lodging arrangement.
e. Minor Athletes should be paired to share a hotel room, sleeping arrangement or overnight lodging location with other Minor Athletes of the same competition category and of similar age.

III. Written Consent

A Minor Athlete's parent/legal guardian must provide written consent, at least annually, for all In-Program Travel and lodging during In-Program Travel, which can be withdrawn at any time.

IV. Meetings

a. Meetings during In-Program Travel must be conducted consistent with the One-on-One Interactions section of this Policy (e.g., any such meeting must be observable and interruptible).
b. Meetings must not be conducted in an Adult Participant or athlete's hotel room or other overnight lodging location during In-Program Travel.

Locker Rooms and Changing Areas

I. Requirement to Use Locker Room or Changing Area

The designated locker room or changing area must be used when an athlete or Adult Participant changes, in whole or in part, into or out of a swimsuit when wearing just one suit (e.g., deck changing is prohibited).

II. Observable and Interruptible

All In-Program Contact between Adult Participants and Minor Athletes in a locker room, changing area or similar space must be observable and interruptible, except:

a. In emergency circumstances;
b. A Dual Relationship exists; and/or
c. The Close-In-Age exception applies.

III. Private or Semi-Private Space for Minor Athletes

The Organization must provide a private or semi-private place for Minor Athletes that need to change clothes or undress at Events or Facilities Under Partial or Full Jurisdiction of the Organization.

IV. 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 Adult Participant is prohibited.

V. Undress

Adult Participants must not change clothes or behave in a manner that intentionally or recklessly exposes his or her breasts, buttocks, groin or genitals to a Minor Athlete under any circumstance. An Adult Participant must not request a Minor Athlete to expose the Minor Athlete's breasts, buttocks, groin or genitals to the Adult Participant under any circumstance. Nothing in this section shall be construed to apply to areas of the body exposed while wearing swimwear which conforms to the current concept of the appropriate for the individual's competition category.

VI. Showers

a. Adult Participants must not shower with Minor Athletes unless:
    i. The Adult Participant meets the Close-in-Age Exception; and/or
    ii. The shower is part of a pre- or post-activity rinse while wearing swimwear.
b. Parents/legal guardians may request in writing that their Minor Athlete(s) not change or shower with Adult Participants during In-Program Contact. The Organization must abide by such a request.

VII. Monitoring

The Organization must regularly and randomly monitor the use of locker rooms and changing areas to ensure compliance with this Policy. Locker rooms and changing areas may be monitored by use of the following methods:

a. Conducting a sweep of the locker room or changing area before athletes arrive;
b. Posting staff directly outside the locker room or changing area during periods of use;
c. Leaving the doors open when adequate privacy is still possible; and/or
d. Making occasional sweeps of the locker rooms or changing areas with women checking on female locker rooms and men checking on male locker rooms.

Every effort must 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.

VIII. Parents/legal guardians in Locker Rooms or Changing Areas

If a parent/legal guardian enters a locker room or changing area, it must only be a parent/legal guardian of the same competition category and the parent/legal guardian should notify a coach or administrator in advance.

Massages, Rubdowns and Athletic Training Modalities

I. General Requirement

Any In-Program Massage performed on an athlete must be conducted in an observable 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.

II. Additional Minor Athlete Requirements

a. Written consent by a parent/legal guardian must be obtained in advance at least annually by the licensed massage therapist or other certified professional which can be withdrawn at any time.
b. Parent/legal guardians must be allowed to observe the Massage, except for competition or training venues that limit credentialing.
c. Any Massage of a Minor Athlete must be done with at least one other Adult Participant physically 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 be performed with the Minor Athlete fully or partially clothed, ensuring that the breasts, buttocks, groin or genitals are always covered. Nothing in this section shall be construed to apply to areas of the body exposed while wearing swimwear which conforms to the current concept of the appropriate for the individual's competition category.
e. [Recommended] 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.