

USA Swimming Code of Conduct

304.1 The mission of USA Swimming is to encourage participation and the pursuit of excellence in all aspects of swimming. USA Swimming grants the privilege of membership to individuals and organizations committed to that mission. The privilege of membership may, therefore, be withdrawn or denied by USA Swimming at any time where USA Swimming determines that a member or prospective member's conduct is inconsistent with the mission of the organization or the best interest of the sport and those who participate in it. In order to assist all members to better serve the interests of those who participate in swimming, USA Swimming has adopted this Code of Conduct.

304.2 Any member, former member, or prospective member of USA Swimming is subject to the jurisdiction of the Board of Review. Any member, former member, or prospective member of USA Swimming may be denied membership, censured, placed on probation, suspended for a definite or indefinite period of time with or without terms of probation, fined or expelled from USA Swimming for life if such person violates the provisions of the USA Swimming Code of Conduct, set forth in 304.3, or aids, abets or encourages another person to violate any of the provisions of the USA Swimming Code of Conduct. USA Swimming shall initiate an investigation of any former member of USA Swimming when a report required under 306.1 is received.

304.3 The following shall be considered violations of the USA Swimming Code of Conduct

Measures to be adjudicated by the USA Swimming National Board of Review

- .1 Violation of the right to compete provisions set forth in Article 301.
- .2 Discrimination in violation of the Amateur Sports Act which requires that USA Swimming must provide an equal opportunity to athletes, coaches, trainers, managers, administrators, and officials to participate in the sport of swimming. Athletes must be allowed to participate and compete to the fullest extent allowed by the Rules and Regulations. Discrimination against any member or participant on the basis of age, gender, race, ethnicity, culture, religion, sexual orientation, gender expression, gender identity, genetics, mental or physical disability, or any other status protected by federal, state or local law, where applicable, is prohibited.
- .3 Repeated violation of any of the Minor Athlete Abuse Prevention Policies [see page 91].
- .4 Any violation of the FINA Rules on the Prevention of Manipulation of Competition as found in the current FINA Manual, including (i) betting; (ii) manipulating competitions; (iii) corrupt conduct; (iv) misuse of inside information; (v) failure to report; and (vi) failure to cooperate.
- .5 The sale or distribution of illegal drugs or the illegal sale or distribution of any substance listed on FINA's recognized list of banned substances.
- .6 The use of illegal drugs in the presence of an athlete, by a coach, official, trainer, or a person who, in the context of swimming, is in a position of authority over that athlete.
- .7 The providing of alcohol to an athlete by a coach, official, trainer, manager, or any other person where the athlete is under the legal age allowed to consume or purchase alcohol in the state where the alcohol is provided.

.8 The abuse of alcohol in the presence of an athlete under the age of eighteen (18), by a coach, official, trainer, or a person who, in the context of swimming, is in a position of authority over that athlete.

.9 Any act of fraud, deception, or dishonesty in connection with any USA Swimming-related activity.

.10 Any non-consensual physical contact, obscene language or gesture, or other threatening language or conduct directed towards any meet official, and which is related to any decision made by such official in connection with a USA Swimming sanctioned competition.

.11 Action, other than through general advertising, by a coach, owner, officer, volunteer, representative, or employee of a swim club, or a USA Swimming or LSC employee, either through direct contact with an athlete or the encouragement of others, to recruit or otherwise encourage an athlete who is already a member of a USA Swimming member swim club to leave that club, unless the acting party receives prior written approval to recruit or encourage the athlete to change affiliation from the designated club representative of the athlete's existing USA Swimming-member swim club or contact is initiated by the athlete, the athlete's parent or authorized representative. General advertising includes any information that is: A Distributed to an identifiable general population where there is a reasonable expectation that the majority of that population are not current members of USA Swimming; or B Placed in or on any item that is sold. In the event of a violation of this section, a sanction may be imposed against any coach, owner, officer, volunteer, representative or employee of a swim club, or against any such club, or any combination thereof, as appropriate.

.12 Any other material and intentional act, conduct or omission not provided for above, which is detrimental to USA Swimming, an LSC or the sport of swimming.

Measure to be adjudicated by the U.S. Anti-Doping Agency

.13 Violation of the anti-doping provisions set forth in 303.3.

303.3 As a member National Governing Body of the United States Olympic & Paralympic Committee (USOPC), and as a member Federation of Federation Internationale de Natation (FINA), USA Swimming is obligated to adhere to the anti-doping rules of the USOPC and FINA. In addition, USOPC Bylaw Chapter XXIII, Section 2(G) provides that, as a condition of membership in the USOPC, each National Governing Body shall comply with the procedures pertaining to drug testing and adjudication of related doping offenses of the independent anti-doping organization designated by the USOPC to conduct drug testing. The USOPC has designated the United States Anti-Doping Agency ("USADA") as that organization. The current anti-doping rules of the USOPC, FINA and USADA are available at the offices of USA Swimming or on line at the following websites: WADA www.wada-ama.org FINA www.fina.org USOPC www.teamusa.org USADA www.usada.org.

As a condition of membership in USA Swimming, it is the duty of each individual member, including athletes, athlete support personnel, and other persons, to comply with all anti-doping rules of the World Anti-Doping Agency (WADA), FINA, USOPC, and USADA, including the USOPC National Anti-Doping Policy, the USADA Protocol for Doping Policy, and all other policies and rules adopted by WADA, FINA, the USOPC, and USADA.

Athlete members agree to submit, without reservation or condition, to in-competition and out-of-competition doping controls conducted by either FINA or USADA or their designees at any time and

understand that the use of methods or substances prohibited by the applicable anti-doping rules make them subject to penalties including, but not limited to, disqualification and suspensions. If it is determined that an individual member may have committed a doping violation, the member agrees to submit to the results management authority and processes of USADA, including arbitration under the USADA Protocol, or to the results management authority of FINA, if applicable or referred by USADA.

Measure to be adjudicated by the U.S. Center for SafeSport

.14 Violation of the SafeSport Code.