



***LAKE ERIE SWIMMING***

- ▶ Each year throughout the United States:
  - • Approximately 3 million children are reported to state child protective services agencies
  - • Approximately one million of those reports are substantiated
  - • Child neglect is the most commonly reported form of maltreatment
  - • The most common victims of physical and emotional abuse are infants, toddlers, preschool children, and young adolescents



- ▶ 2008 data from NCANDS states approximately 772,000 children were found to be victims of child abuse and neglect. Of this number:
  - -71.1% suffered neglect
  - -16.1% were physically abused
  - -**9.1% were sexually abused**
  - -7.3% were emotionally/psychologically maltreated
  - -2.2% experienced medical neglect
  - -9% experienced other types, such as abandonment, threats of harm to the child, congenital drug addiction

Statistics from Child Maltreatment, 2008



- ▶ Child sexual abuse is characterized by deception, force, or coercion.\*
- ▶ Abuse typically occurs within a long term, ongoing relationship between an offender and a victim, escalates over time, and lasts an average of four years.\*\*



- ▶ One in three girls and one in seven boys will be sexually abused at some point during their childhood\*
- ▶ Between 85–95% of child victims know their perpetrator\*\*
- ▶ 88% are never reported to authorities\*\*
- ▶ Approximately 70% of the time the child does not tell anyone while the abuse is going on\*\*\*



# USA Swimming Athlete Protection

- ▶ Policies for Athlete Protection are mandatory for all members and are incorporated by reference into Section 304.3.4 of the USA Swimming Code of Conduct.



# What Clubs, Parents and Volunteers Need to know.

- ▶ USA Swimming increased  
the Protection Standards for  
all athletes.



# Article 305

- ▶ ARTICLE 305
- ▶ ATHLETE PROTECTION POLICIES
- ▶ The following policies related to Athlete Protection are mandatory components of the USA Swimming Code of Conduct:
- ▶ Some are effective immediately (no date specified) other have specific implementation dates





# USA Swimming Code of Conduct

- ▶ .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.



# USA Swimming Code of Conduct

- ▶ .2 Any rubdown or massage performed on an athlete by any adult non-athlete 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.



▶ (Continued)

## .2 (Continued)

- ▶ Any rubdowns 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 rubdowns and/or massage of an athlete under any circumstances.



# Solution

- ▶ Don't do it
- ▶ Get a Licensed Massage Therapist or fellow swimmer of same gender.
- ▶ Keep activity in open public area



# USA Swimming Code of Conduct

- ▶ .3 Use of audio or visual recording, including the use of a cell phone camera, is not allowed in changing areas, rest rooms or locker rooms.
- ▶ Solution
- ▶ Difficult to monitor, re-enforce with all athletes and adult. Post where possible.



- ▶ .4 Employees and volunteers of USA Swimming, 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.

*(effective January 1, 2011)*



# Coming Soon

- ▶ Background checks involve two levels depending on member involvement.
  - Level 1 – Coaches and officials, this is a more complete search
  - Level 2 – for all other non-athlete members of USA Swimming, not as extensive a search



# Coming Soon

- ▶ Do Not sign up for any background screening test, now.
- ▶ Pam Cook will advise when the appropriate screening is available





# USA Swimming Code of Conduct

- ▶ .5 Travel
- ▶ 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).



# USA Swimming Code of Conduct

- ▶ .5 Travel
- ▶ B. Team managers and chaperones must be members of USA Swimming and have successfully passed a USA Swimming-administered criminal background check.  
*(effective January 1, 2011)*
- ▶ *(Chaperone is an adult that has designated responsibility for athlete supervision on trips) ck definition*



# USA Swimming Code of Conduct

## ▶ .5 Travel

- ▶ C. When only one athlete and one coach travel to a competition, the athlete must have his/her parents' (or legal guardian's) written permission in advance to travel alone with the coach.



# USA Swimming Code of Conduct

## ▶ .5 Travel

- ▶ 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. *(effective January 1, 2011)*



# Best Practices related to Athlete Protection

- ▶ 1. Parents should be encouraged to appropriately support their children's swimming experience.
- ▶ 2. All swimming practices should be open to observation by parents.



# Best Practices related to Athlete Protection

- ▶ 3. Two-deep Leadership: One coach member and at least one other adult who is not in the water should be present at all practices and other sanctioned club activities whenever at least one athlete is present. Clubs and coaches should evaluate their seasonal plans and map out how to best accomplish this strongly recommended guideline.



# Best Practices related to Athlete Protection

- ▶ 4. Open and Observable Environment: An open and observable environment should be maintained for all interactions between adults and athletes. Private, or one-on-one situations, should be avoided unless they are open and observable. Common sense should be used to move a meeting to an open and observable location if the meeting inadvertently begins in private.



# Best Practices related to Athlete Protection

- ▶ 5. A coach may not host a minor athlete in his/her home, without the permission of the athlete's parent or legal guardian, unless it is in a group setting with other adults present.





# Best Practices related to Athlete Protection

- ▶ 6. During team travel, when doing room checks, attending team meetings and/or other activities, two-deep leadership and open and observable environments should be maintained.



# Best Practices related to Athlete Protection

- ▶ 7. Athletes should not ride in a coach's vehicle without another adult present who is the same gender as the athlete, unless prior parental permission is obtained.



# Best Practices related to Athlete Protection

- ▶ 8. During overnight team travel, if athletes are paired with other athletes they should be of the same gender and similar age. Chaperones and/or team managers would ideally stay in nearby rooms.



# Best Practices related to Athlete Protection

- ▶ 9. When only one athlete and one coach travel to a competition, at the competition the coach and athlete should attempt to establish a “buddy” club to associate with during the competition and when away from the venue.



# Best Practices related to Athlete Protection

- ▶ 10. Where a chaperone or team manager is included, the chaperone(s) or team manager(s) should be of the same gender as the athletes and written consent should be given by the athletes' parents (or legal guardian).



# Best Practices related to Athlete Protection

- ▶ 11. Communications between non-athlete adult members and athletes should not include any topic or language that is sexual or inappropriate in nature.



# Best Practices related to Athlete Protection

- ▶ 12. Non-athlete adult members should respect the privacy of athletes in situations such as changing of clothes, showering, etc. Non-athlete adult members should protect their own privacy in similar situations.



# Best Practices related to Athlete Protection

- ▶ 13. Relationships of a peer-to-peer nature with any athletes should be avoided. For example, coaches should avoid sharing their own personal problems with athletes.
- ▶ 14. Coaches and other non-athlete adult members should avoid horseplay and roughhousing with athletes.





# Best Practices related to Athlete Protection

- ▶ 15. When a coach touches an athlete as part of instruction, the coach should do so in direct view of others and inform the athlete of what he/she is doing prior to the initial contact. Touching athletes should be minimized outside the boundaries of what is considered normal instruction. Appropriate interaction would include high fives, fist bumps, side-to-side hugs and handshakes.



# Best Practices related to Athlete Protection

- ▶ 16. Coaches should not initiate contact with or accept supervisory responsibility for athletes outside club programs and activities.
- ▶ 17. Coaches should not engage in sexual intimacies with a former athlete for at least two years after the cessation or termination of professional services.



# Athlete Protection Officer

- ▶ USA Swimming has hired a Athlete Protection Officer to oversee Swimming's programs and educational efforts for its members.
- ▶ Susan Woessner, Athlete Protection Officer
- ▶ [swoessner@usaswimming.org](mailto:swoessner@usaswimming.org)
- ▶ 719-866-3589



# Athlete Protection

- ▶ By USA Swimming Board action earlier this year, it is USA Swimming's policy to report any such incident involving a minor, to law enforcement.



- ▶ The USA Swimming's House of Delegates added Article 306 to the USA Swimming rulebook, which reads in part, *"It is every member's responsibility to promptly report any incident regarding sexual misconduct by a member ... to USA Swimming's Athlete Protection Officer. 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...."* Failure to report, retaliation against any individual who reports in good faith, and reporting in bad faith were added as Code of Conduct violations.



# Mandatory Reporting Rule

- ▶ **ARTICLE 306  
SEXUAL MISCONDUCT REPORTING  
REQUIREMENTS**



# SEXUAL MISCONDUCT REPORTING REQUIREMENTS

- ▶ .1 It is every member's responsibility to promptly report any incident regarding sexual misconduct by a member as described in Article 304.3.5 to USA Swimming's Athlete Protection Officer. 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.



# SEXUAL MISCONDUCT REPORTING REQUIREMENTS

- ▶ .2 No member shall retaliate against any individual who has made a good faith report under 306.1.
- ▶ .3 False reporting of sexual misconduct made in bad faith is prohibited.
- ▶ .4 Neither civil nor criminal statutes of limitation apply to reports of cases of sexual abuse.





# Pre-Employment Screening

- ▶ USA Swimming Clubs, are now be required to conduct specific pre-employment screenings prior to hiring any coach, employee or volunteer who would be in a supervisory position over athletes.
- ▶ (Specific procedures will follow from USA Swimming)



# Registration Implications



# What Does This Mean for LE Non-Athlete Members?

- ▶ “All non-athlete members of USA Swimming must have satisfactorily completed a criminal background check and athlete protection education as required by USA Swimming.”  
(502.4.2)
  - Coaches and Officials – Level 2
  - Other – Level 1
- ▶ Effective 1 / 1 / 2011, “ A coach member of USA Swimming must be at least 18 years of age.”  
(502.4.4)



# New Procedures – When???

- ▶ New background check is not yet in place
- ▶ New athlete protection education is currently being developed
- ▶ A roll schedule for each LSC starting 1/1/2011 is being considered.
- ▶ Between now and 12/31/2010 here's what we do.....



# Non Athlete: New Coaches

- ▶ All **NEW** coaches registering between now and 12/31/2010 must pass the current background check before they can be a coach on deck. New coach procedure has not changed.
- ▶ When the new background screen is implemented, you will be required to take it to maintain Coach status.



# Non-Athlete: Existing Coaches

- ▶ **FOR ANY EXISTING COACHES WHOSE BACKGROUND CHECK EXPIRES ON OR BEFORE 12/31/2010:** DO NOT initiate a renewal background screen until the new procedure for CBCs (criminal background check) takes effect.
- ▶ Your background screen which expires between now and 12/31/10 will be extended to 12/31/10.
- ▶ No matter when your current background screen expires, you will have to take the new background screen to maintain Coach status.



# Non-Athlete: Officials

- ▶ Do not initiate a background check at this time
- ▶ Once the new background check is in place, you will be required to complete it to maintain your 2011 Non-Athlete – Official membership.



# Non-Athlete : Other

- ▶ Do not initiate a background check at this time
- ▶ Once the new background check is in place, you will be required to complete it to maintain your 2011 Non-Athlete - Other membership.





# Non-Athlete Cards

- ▶ For those non-athletes who need to be on the pool deck before mid-Oct. and have an invalid coach card, I have printed 2010 cards that say TEMP on the bottom. These cards will only be good until 12/31/10.
- ▶ In mid-October, 2011 cards will be issued for any non-athlete that has registered – new or renewal
- ▶ The card will have the word TEMPORARY at the bottom (unless a coach has a safety cert expiring before 1/1/2011)
- ▶ Once the new procedure is in place and LE has an enforcement date for the new procedure, non-athletes will comply with the new system and cards will be issued in a different color with the word “TEMPORARY” removed.



# USA Swimming Contacts

- ▶ Registration Process – Cathy Durance,  
Member Services  
([cdurance@usaswimming.org](mailto:cdurance@usaswimming.org))
- ▶ Program Requirements – Susan Woessner,  
Athlete Protection Officer  
([swoessner@usaswimming.org](mailto:swoessner@usaswimming.org) )
- ▶ For now, I suggest you contact me  
([pamswim@aol.com](mailto:pamswim@aol.com) )



# What Does This Mean for LE Non-Athlete Members?

- ▶ “All non-athlete members of USA Swimming must have satisfactorily completed a criminal background check and athlete protection education as required by USA Swimming.”  
(502.4.2)
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# New Procedures – When???

- ▶ New background check is not yet in place
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- ▶ A roll out schedule for each LSC starting 1/1/2011 is being considered.
- ▶ Between now and 12/31/2010 here's what we do.....



# Non Athlete: New Coaches

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# Non-Athlete: Existing Coaches

- ▶ **FOR ANY EXISTING COACHES WHOSE BACKGROUND CHECK EXPIRES ON OR BEFORE 12/31/2010: DO NOT** initiate a renewal background screen until the new procedure for CBCs (criminal background check) takes effect. You will receive more information at that time about what to do
- ▶ Your background screen which expires between now and 12/31/10 will be extended to when the new background check system is in place



# Non-Athlete: Officials

- ▶ Do not initiate a background check at this time
- ▶ Once the new background check system is in place, you will be required to complete it to maintain your 2011 Non-Athlete – Official membership.



# Non-Athlete : Other

- ▶ Do not initiate a background check at this time
- ▶ Once the new background check system is in place, you will be required to complete it to maintain your 2011 Non-Athlete - Other membership.





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