

**2011 USA Convention Report  
Drew Walden General Chair  
09/13/2011 - 09/18/2011  
Location: Jacksonville, Florida**

**I) Items for immediate action for the LSC:**

**(Send to Wisconsin rules committee to clean up and update the Wisconsin By-laws.)**

- 1) R-14 – All Open Water Competitions seeking sanction or approval must complete the USA Swimming application and send to the LSC sanction officer. The LSC sanction officer must submit this application to USA Swimming for review and approval.
- 2) R-17 – Meet announcements for sanctioned or approved meets must contain the following clause - *Use of audio or visual recording devices, including a cell phone, is not permitted in changing areas, rest rooms or locker rooms*
- 3) R-29 – Anyone with SWIMS access must be an individual member of USA Swimming.
- 4) R-43 – Update the LSC By-laws, sections **604, 605, and 607** with the information contained in R-43 as it relates to your LSC.

**II) (Presentation to Wisconsin House of Delegates for clarification and discussion)**

**R-24 ADOPTED EFFECTIVE JANUARY 1, 2012**

**Location:** Page 90 **304.3 Code of Conduct**

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

.7 Any inappropriate sexual conduct, or advance, or other inappropriate sexually oriented behavior or action oral, written, visual or physical conduct of a sexual nature directed towards an athlete by (i) a coach member or other non-athlete member, or (ii) any other adult participating in any capacity whatsoever in the affairs or activities of USA Swimming (whether such adult is a member or not). Any act of sexual harassment, including without limitation unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature nonconsensual physical sexual conduct, or pattern of unwelcome advances or other sexual harassment in connection with or incidental to a USA Swimming-related activity by any person participating in the affairs or activities of USA Swimming (whether such person is a member or not) directed toward any member or other person participating in the affairs or activities of USA Swimming.

**R-27 ADOPTED/AMENDED EFFECTIVE JANUARY 1, 2012**

**Location:** Page 91 **Article 304.3 Code of Conduct**

Page 93 **Article 403.1 Jurisdiction of the LSC Board of Review**

Page 94 **Article 403.2 Jurisdiction of the National Board of Review**

**304.6** Bullying is prohibited. For these purposes, the term “bullying” shall mean, regardless of when or where it may occur, the severe or repeated use by one or more USA Swimming members (“Members”) of an oral, written, electronic or other technological expression, image, sound, data or intelligence of any nature (regardless of the method of transmission), or a physical act or gesture, or any combination thereof, directed at any other Member that to a reasonably objective person has the effect of: (i) causing physical or emotional harm to the other Member or damage to the other Member’s property; (ii) placing the other Member in reasonable fear of harm to himself/herself or of damage to his/her property; (iii) creating a hostile environment for the other Member at any USA Swimming activity; (iv) infringing on the rights of the other Member at any USA Swimming activity; or (v) materially and substantially disrupting the training process or the orderly

operation of any USA Swimming activity (which for the purposes of this section shall include, without limitation, practices, workouts and other events of a member club or LSC).

*Re-number remaining items*

**C403.1 JURISDICTION OF THE LSC BOARD OF REVIEW** – In matters involving a member or members of only one LSC, matters arising in regional or zone competition and any complaint alleging violations of 304.3.13 304.3.14 through 304.3.17 304.3.18 inclusive of the USA Swimming Code of Conduct. .... *no further change*

**403.2 Jurisdiction of the National Board of Review**

**.1 Original and Exclusive Jurisdiction** – The National Board of Review has original and exclusive jurisdiction to hear:

C Any complaint under 304.3.1 through 304.3.12 304.3.13 against any member of USA Swimming, including any athlete, coach, manager, official, member of any committee, or a Participating Non-Member; or 0.6

**R-28 ADOPTED EFFECTIVE JANUARY 1, 2012**

**Location: Page 92 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 304.3.5 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.

**306.2** No member shall retaliate against any individual who has made a good faith report under 306.1.

**306.3** Filing a knowingly false allegation False reporting of sexual misconduct made in bad faith 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.

**306.4** Neither civil nor criminal statutes of limitation apply to reports of cases of sexual abuse.

Adoption of an Athlete Protection officer to the board of directors.

III) Central Zone:

1. Conflict of the 14-Under Zone meets with the Wisconsin 13-over State meet and the impact that it may have with Wisconsin's Long Course Championship calendar.
2. Dave Anderson voted on as the Central Zone Coach representative to the National Board of Directors.
3. Speedo Sectionals meets dates and locations.  
2012 SC 9-11 March--- RecPlex, WI—**will be swum Long Course**  
2012 LC 19-22 July-- University of Iowa  
2013 SC--- Waukesha, WI  
2013 LC--- University of Minnesota

IV) **Athlete Protection Training** - New

· 502.6.1 All non-athlete members of USA Swimming must have satisfactorily completed criminal background checks and athlete protection education as required by USA Swimming.

· In order to renew for 2012, all non-athlete members will be required to complete an online athlete protection training course through Praesidium, Inc.

· The course will be launched September 13-15 in conjunction with an athlete protection presentation at the 2011 USAS Convention in Jacksonville, FL.

· The course will be available online and accessed through the USA Swimming website. It will take about an hour to complete and is free of charge. Non-athlete members are required to complete this course every two years.

· Athlete Protection Training will be accessed and additional program information available at

[www.usaswimming.org/protect](http://www.usaswimming.org/protect)