



## **USA WATER POLO, INC. RULES GOVERNING ATHLETES' CONDUCT**

### **Participation is a Privilege**

Membership in USA Water Polo and participation in USA Water Polo sanctioned events are privileges, not rights. Athlete members of USA Water Polo act as representatives of our sport and organization. Thus, athlete members are expected to adhere to the highest standards of conduct and to comply with these Rules Governing Athletes' Conduct at all times. Violation of these Rules may result in a temporary or permanent suspension of an athlete's USA Water Polo membership.

### **Sportsmanship**

Athlete members of USA Water Polo are expected to demonstrate good sportsmanship. This includes, but is not limited to, avoiding the following conduct:

1. Hazing, bullying, harassing or taunting: (a) an athlete, (b) a coach, (c) a referee or (d) any person participating in, or conducting, USA Water Polo sanctioned events. As used in this Code of Conduct:

a. The term "hazing" means: (i) coercing, requiring, forcing or wilfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (A) joining a group or (B) being socially accepted by a group's members or (ii) any act or conduct described as hazing under federal or state law. Examples of hazing include, without limitation, behaviors such as: (i) requiring or forcing a person to consume alcohol or illegal drugs, (ii) tying, taping or otherwise physically restraining another person, (iii) unconsented to sexual simulations or sexual acts of any nature, (iv) sleep deprivation, otherwise unnecessary schedule disruption or the withholding of water and/or food, (v) requiring social actions (e.g. grossly inappropriate or provocative clothing) or public displays (e.g. public nudity) that are illegal or meant to draw ridicule or (vi) beating, paddling or other forms of physical assault. Activities that fit the definition of hazing are considered to be hazing regardless of a person's willingness to cooperate or participate in the activity.

b. The term "bullying" means: (i) the commission of, or wilfully tolerating another person to commit, physical or non-physical behaviors that are intended, or have the reasonable potential, to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate the target of the bullying and (ii) any act or conduct that is defined as bullying under any applicable federal or state law. Examples of bullying include, without limitation, behaviors such as: (i) hitting, pushing, punching, beating, biting, striking, kicking,

choking or slapping another person, (ii) throwing at, or hitting, another person with objects, such as sporting equipment, (iii) teasing, ridiculing or intimidating another person, (iv) spreading false rumours or making false derogatory statements about another person or (v) using electronic communications, social media, or other technology to harass, frighten, intimidate or humiliate another person. Bullying does not include reasonable attempts to establish normative team behaviors or to promote team cohesion.

c. The term “harassing” means: (i) a physical and/or non-physical behavior that is intended to (a) cause fear, humiliation or annoyance, (b) offend or degrade, (c) create a hostile environment or (d) reflect discriminatory bias in an attempt to establish dominance, superiority or power over an individual athlete or group based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression or mental or physical disability; or (ii) any act or conduct described as harassment under federal or state law. Examples of harassment include, without limitation, behaviors such as: (i) hitting, pushing, punching, beating, biting, striking, kicking, choking or slapping another person; (ii) throwing at, or hitting, another person with objects, including sporting equipment, (iii) making negative or disparaging comments about another person, including that person’s sexual orientation, gender expression, disability, religion, skin color, or ethnic traits or (iv) displaying offensive materials, gestures, or symbols.

2. Physically or emotionally abusing: (a) an athlete, (b) coach, (c) a referee or (d) any person participating in, or conducting, USA Water Polo sanctioned events.

a. The term “emotional abuse” means a deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to another person, regardless of age, including any act or conduct that is defined as emotional abuse or misconduct under any federal or state law. Such behaviors include verbal acts and acts that deny attention or support. Examples of emotional abuse include, without limitation, behaviors such as: (i) verbal behaviors that attack an athlete personally (e.g., making derogatory comments about a person’s appearance, race, sex, religion, age, disability, national origin or sexual orientation), (ii) excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose, (iii) physically aggressive behaviors, such as throwing sport equipment, water bottles or chairs at, or in the presence of, participants, or punching walls, windows or other objects, (iv) ignoring an athlete for extended periods of time or (v) arbitrarily excluding participants from practice or competitions.

b. The term “physical abuse” means: (i) contact or non-contact conduct that results in, or reasonably threatens to cause, physical harm to another person or participant, regardless of age or (ii) any act or conduct described as physical abuse or misconduct under any federal or state law (e.g. child abuse, child neglect, assault). Physical misconduct does not include professionally accepted coaching methods of skill enhancement, such as demonstrating water polo skills. Examples of physical abuse include, without limitation, behaviors such as: (i) punching, beating, biting, striking, choking or slapping another person, (ii) intentionally hitting another person with objects including sporting equipment, (iii) isolating an athlete in a confined space, (iv) forcing an athlete to assume a painful stance or position for no athletic purpose (e.g. requiring an athlete to kneel on a harmful surface), (iv) withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep, (v) providing alcohol to an

athlete under the legal drinking age (under the more stringent of U.S. law or the law of the jurisdiction in which the alcohol is furnished), (vi) providing illegal drugs or non-prescribed prescription medications to another person or (vii) encouraging an athlete to return to play prematurely following a serious injury (e.g., a concussion) and without the clearance of a medical professional.

3. Using obscene gestures, or profane or unduly provocative language toward: (a) an athlete, (b) a coach, (c) a referee or (d) any person participating in, or conducting, USA Water Polo sanctioned events;

4. Publicly and unduly criticizing: (a) an athlete, (b) a coach, (c) a referee or (d) any person participating in, or conducting, USA Water Polo sanctioned events including, but not limited to, inciting others to engage in conduct in violation of these Rules; and

5. Negative recruiting by making unduly derogatory statements about the members or coaches of another team.

In addition to not engaging in the foregoing types of conduct themselves, USA Water Polo athlete members are expected to disassociate themselves from others who may be engaged in such conduct.

## **Violent Behavior**

Although water polo is a physical sport, USA Water Polo athlete members are expected to refrain from engaging in any act with the intent of causing injury to another athlete.

## **Injuries**

### Injuries During a Game

If an athlete member observes that another athlete (whether or not that athlete is affiliated with the team with which the athlete is affiliated) suffered, or the athlete him or herself suffers, a substantial blow to the head, an impact that causes a substantial and sudden movement of the head or a head injury during a game, the athlete member is required to immediately report that fact to a referee and the athlete's coach so that the game may be suspended in accordance with USA Water Polo Rule 25.3(b). Any athlete who is removed from athletic activity pursuant to the Injury provisions of USA Water Polo's Rules Governing Coaches' Conduct or USA Water Polo's Rules Governing Referees' Conduct may not resume athletic activity for the remainder of the day and until that athlete's coach receives a completed and signed Certificate in the form attached to these Rules as Exhibit 1.

### Injuries Other Than During a Game

If an athlete member observes that another athlete (whether or not that athlete is affiliated with the team with which the athlete is affiliated) suffered, or the athlete him or herself suffers, a substantial blow to the head, an impact that causes a substantial and sudden movement of the

head or a head injury other than during a game, the athlete member is required to immediately report that fact to the athlete's coach so that the coach may suspend any athletic activity in which the athlete may have been engaged to assess the athlete. Any athlete who is removed from athletic activity pursuant to the Injury provisions of USA Water Polo's Rules Governing Coaches' Conduct or USA Water Polo's Rules Governing Referees' Conduct may not resume athletic activity for the remainder of the day and until that athlete's coach receives a completed and signed Certificate in the form attached to these Rules as Exhibit 1.

## **Incident Reports**

USA Water Polo referee members are required to submit Incident Reports to USA Water Polo's Director of Referees with respect to each of the following, whenever they occur in any USA Water Polo sanctioned event: (a) any misconduct foul committed by an athlete, (b) any brutality foul committed by an athlete, (c) any red card issued to any coach or athlete and (d) any other inappropriate circumstance that materially affected any game officiated by a referee including, without limitation, any material injury to an athlete (whether or not a foul of any type was called with respect to that injury), any materially inappropriate behavior by one or more spectators, and any unprofessional behavior by a fellow referee or any game participant. Those reports are then reviewed by USA Water Polo's Director of Referees, or his/her designee. Athlete members are required to cooperate with such review including, without limitation, providing information to the reviewer upon request. Failure to cooperate with such review will subject the offending athlete to discipline including, without limitation, suspension of the offending athlete's USA Water Polo membership.

In the event that an Incident Report is filed with respect to the behavior of a USA Water Polo athlete member, following the foregoing review, and after affording the athlete member with an opportunity to present evidence to the reviewer, the USA Water Polo athlete member will be advised as to whether or not the USA Water Polo athlete member is being assessed a "point." Any USA Water Polo athlete member who receives: (a) two (2) points in any ninety (90) day period shall automatically be suspended as an USA Water Polo athlete member for a period of two (2) weeks from the date upon which the athlete member receives notice that the athlete member has received a second point within a ninety (90) day period, (b) three (3) points in any six (6) month period shall automatically be suspended as an USA Water Polo athlete member for a period of ninety (90) days following the date upon which the athlete member receives notice that the athlete member has received a third point within a six (6) month period, (c) four (4) points in any twelve (12) month period shall automatically be suspended as an USA Water Polo athlete member for a period of ninety (90) days following the date upon which the athlete member receives notice that the athlete member has received a fourth point within a twelve (12) month period and (d) five (5) points in any twenty-four (24) month period shall automatically be suspended as an USA Water Polo athlete member for a period of ninety (90) days following the date upon which the athlete member receives notice that the athlete member has received a fifth point within a twenty-four (24) month period. The foregoing penalties are cumulative, meaning that suspensions served as a result of the accumulation of points are additive to one another, for example, the ninety (90) day suspension served on account of an athlete member's receipt of three points within any six month period shall not be credited against the additional ninety (90) day suspension that an athlete member would be required to serve upon the athlete member's

receipt of a fourth point within a one year period, even if the six month and one year periods overlapped. The foregoing penalties are in addition to any penalties that may be imposed as a result of the filing of a grievance against such athlete.

## **Drugs and Alcohol**

USA Water Polo athlete members shall not: (a) commit a doping violation as defined by the International Olympic Committee, the World Anti-Doping Agency, The United States Anti-Doping Agency, the United States Olympic Committee or the Federation Internationale de Natation or (b) use or provide alcohol or drugs in violation of local, state, or national laws.

## **Sexual Misconduct**

USA Water Polo athlete members shall not engage in any sexual conduct that violates any applicable law including, without limitation, child sexual abuse. Sexual conduct includes: (a) sexual touching and (b) non-contact sexual acts such as verbal acts (e.g. an athlete discussing his or her sex life with another athlete or asking an athlete about his or her sex life), sexually suggestive electronic or written communications, exposure or voyeurism. In the event that any USA Water Polo athlete member suspects that a violation of this Rule has occurred, that athlete member is required to report such suspicion to USA Water Polo's Chief Executive Officer. As a matter of policy, USA Water Polo does not investigate reports of inappropriate sexual relationships or attempt to evaluate the credibility or validity of any such reports prior to informing an appropriate law enforcement authority and the U.S. Center for SafeSport of the substance of such reports.

## **Registration**

Athletes may not register as USA Water Polo athlete members under more than one name or more than one time. Athlete members may not participate in USA Water Polo sanctioned events unless they are properly named on the team roster for that event.

## **Reporting Rules Violations**

Any person who believes that a violation of USA Water Polo's Rules Governing Athletes' Conduct has occurred may report such violation by submitting a written grievance to USA Water Polo at the following address:

Mai Lam  
USA Water Polo, Inc.  
2124 Main Street, Suite 240  
Huntington Beach, California 92648  
Fax: (714) 960-2431  
E-Mail: [mlam@usawaterpolo.org](mailto:mlam@usawaterpolo.org)

All grievances must: (a) identify the athlete against whom the grievance is being filed, (b) provide the details of the complained of conduct, (c) request the imposition of a specific

sanction, such as the suspension of the athlete member's USA Water Polo membership and (d) include either a filing fee in the sum of \$100.00 or a request that the filing fee be waived for reasons of financial hardship. Any request for a waiver of the filing fee will be acted upon by USA Water Polo's Chief Executive Officer and, if the requested waiver is not approved, the filing fee must be paid prior to the time that USA Water Polo takes any further action on account of the grievance. Notwithstanding the foregoing, the following persons need not pay the filing fee referred to above: (a) a referee with respect to any Rule violation that is alleged to have occurred during, or in close proximity to, any game officiated by that referee, or (b) any official of a tournament with respect to any Rule violation that is alleged to have occurred during, or in close proximity to, the tournament for which that official was responsible.

Upon USA Water Polo's receipt of the grievance and filing fee (if required and not waived as provided above), USA Water Polo's Chief Executive Officer will review the grievance and determine whether it is based upon conduct that, pursuant to rules adopted by the United States Olympic Committee, is required to be referred to the U.S. Center for SafeSport (the "Center"). If, in USA Water Polo's Chief Executive Officer's discretion, the conduct alleged in the grievance is such as to be required to be referred to the Center, USA Water Polo's Chief Executive Officer shall refer the grievance to the Center, to be administered pursuant to such procedures as the Center may adopt from time to time. If, in USA Water Polo's Chief Executive Officer's discretion, the conduct alleged in the grievance is such as to not require referral to the Center, USA Water Polo's Chief Executive Officer nonetheless may refer the grievance to the Center, to be administered pursuant to such procedures as the Center may adopt from time to time. If, USA Water Polo's Chief Executive Officer does not refer the grievance to the Center, USA Water Polo's Chief Executive Officer shall appoint a hearing panel consisting of three (3) individuals to hear the grievance. In the event that the grievance is sustained, the Hearing Panel or the Center, as applicable, may, in its sole and absolute discretion, depending upon the severity of the conduct that led to the filing of the grievance, direct that the \$100.00 filing fee be refunded to the party filing the grievance.

As a condition of membership in USA Water Polo and any competition or event sanctioned by USA Water Polo, each USA Water Polo athlete shall comply with, and be bound by, the safe sport rules policies and procedures of the Center and to submit, without any reservation or condition, to the Center's jurisdiction for the resolution of any alleged violations of the Center's rules, policies and procedures, as they may be amended from time to time. With respect to complaints referred to the Center, to the extent that any rule or procedure that may be adopted by USA Water Polo (including any rule or procedure in these Rules) is inconsistent with a rule or procedure adopted by the Center, the rule or procedure adopted by the Center shall govern.

All grievances will administered by USA Water Polo in confidence with the following exceptions: (a) the party against whom the grievance was filed shall be provided with a copy of the grievance and any evidence offered in support of the grievance; (b) if the grievance is referred to the Center, the Center shall be provided with a copy of the grievance and any evidence offered in support of, or in opposition to, the grievance; and (c) if the grievance is upheld, the penalty imposed upon the party against whom the grievance was filed may be disclosed as may be necessary or convenient, in USA Water Polo's sole and absolute discretion, to those persons who may need to know of the existence of such penalty in order to enforce such penalty.

A brief description of the procedures that will be followed in connection with the filing of a grievance that is referred to a USA Water Polo hearing panel is posted on USA Water Polo's website. The procedures followed by the Center with respect to grievances referred to the Center are posted on the Center's website at <https://safesport.org>. Parties considering the filing of a grievance are urged to review those procedures prior to doing so.

## **Enforcement**

Alleged violations of these Rules may be brought to the attention of USA Water Polo as provided in Article 14 of the Bylaws of USA Water Polo, Inc. and shall be addressed by the Center or a hearing panel appointed as provided in these Rules. The Center or the hearing panel, as applicable, may impose such sanctions as they deem appropriate including, but not limited to, placing the offending athlete member on probation, suspending the athlete member's USA Water Polo membership for a period of time, or permanently barring the athlete member from membership in USA Water Polo, depending upon the severity of the violation and the history, if any, of any previous violations of these Rules, or other rules promulgated by USA Water Polo, by the athlete member.

Athlete members are required to cooperate with respect to USA Water Polo's enforcement of its rules. This includes, but is not limited to: (a) cooperating with any investigation that may be conducted by the Center, (b) participating in grievance proceedings in which they are witnesses to the conduct that is the subject of the grievance, (c) providing complete and truthful testimony at grievance hearings, (d) identifying athletes who are alleged to have committed violations of these Rules and (e) enforcing any penalty that may be imposed for a violation of USA Water Polo's rules. The failure to cooperate with regard to the foregoing is a violation of these Rules and any athlete failing to cooperate with regard to the foregoing is subject to sanctions including, without limitation, the suspension of that athlete's USA Water Polo membership.