

USA WATER SKI

CODE OF CONDUCT

DISCIPLINARY PROCEDURES

APPEALS AND GRIEVANCE PROCEDURES

**FOR U.S. TEAM MEMBERS AND
U.S. TEAM STAFF MEMBERS**

EFFECTIVE JANUARY 2004

**Code of Conduct
Disciplinary Procedures
Appeals And Grievance Procedures
For
USA Water Ski
US Team Members
US Team Staff Members**

Membership on a USA Water Ski US Team is an honor, a distinction few achieve and an accomplishment universally recognized. The responsibilities are many and include obligations to do my best for my National Governing Body (NGB), the Team and myself.

To this end, I pledge to uphold the spirit of this Code of Conduct, which offers a general guide to my conduct as a member of a US Team. I recognize that this Code cannot establish a complete set of rules, which prescribes every aspect of appropriate behavior. I further recognize that I may be required to abide by the provisions of other authorities (example: USOC, Pan Am Games, IWSF), in which case the stricter provisions shall apply.

By signing this document, I agree to abide by this Code of Conduct and the Appeals and Grievance Procedures, which will be used to resolve any alleged violations. I further acknowledge that the Code of Conduct and the Appeals and Grievance Procedures apply immediately upon my selection to the Team and they shall remain in force for as long as I am a member of the Team.

I have familiarized myself with the Code, and understand that acceptance of its provisions as written (in unaltered form) is a condition of my membership on the Team.

As a Member of the Team, I pledge to:

- Act in a sportsmanlike manner consistent with the spirit of fair play and responsible conduct;
- Maintain a level of fitness and competitive readiness which will permit my performance to be at a maximum level of my abilities;
- Avoid criminal behavior and acts including the mischievous damaging and vandalizing of personal, private and public facilities or property on and away from the venue.
- Not use any medication or substance on the International Olympic Committee prohibited substances and methods list and not to use substances or procedures in violation of the USOC National Anti-Doping Programs, Pan American Sports Organization (PASO and/or USA Water Ski (USA-WS));
- Refrain from exhibiting drunkenness and from using recreational drugs;
- Refrain from conduct detracting from my ability or that of my teammates to attain peak performance;
- (This provision applies to Team Members under the age of 21) Refrain from the use or possession of alcoholic beverages, tobacco products or drugs while in the custody of the Coach, Team Manager, or their designee, or while travelling to/from Team sponsored events. NOTE: Parents may not take “responsibility in absentia” for Team Members under the age of 21;

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- Refrain from purchasing or providing alcoholic beverages to persons under the age of 21, while at or travelling to/from Team sponsored events, including all hours between scheduled event activities;
- Refrain from loaning my identification credentials to underage athletes;
- Respect the property of others, whether personal or public;
- Respect the members of my Team, other teams, spectators and officials, and engage in no form of verbal, physical or sexual harassment or abuse;
- Use my best efforts to assist other members of my Team, the Team Manager(s), Team Coaches and Team Staff Members in achieving the goals and objectives of the Team;
- Follow my individual Sport Discipline Team rules, including by way of example: those specified in the Team Agreement, Code of Conduct and U.S. Team Staff Handbook, rules regarding curfew or attendance at Team meetings or functions as may be specified in writing or by the Team Manager, Team Coach, Team Staff Member or their designee;
- Act in a way that will bring respect and honor to my Team, USA Water Ski, the sport and myself and remember that I am an ambassador for my sport and my country.

In consideration of the above, the following list illustrates conduct which is inconsistent with USA Water Ski values, and the responsibilities associated with being affiliated with the Team. This list does not establish a complete set of rules prescribing every aspect of inappropriate behavior, and is intended to illustrate a sampling of unacceptable behaviors, their relative level of severity, examples of possible penalties/repercussions of such behavior, and the specific individuals or organization with authority to impose said penalties.

LEVEL 1 INFRACTIONS

- Verbally abusive, disrespectful, offensive, racist or sexist behavior.
- Being late for curfew, or being late or absent from an official event activity (camp, seminar, meeting, competition).
- Unsportsmanlike conduct.
- Public disturbance or nuisance.
- Failure to follow the dress code as designated by the Team Manager, at an official event or activity.

Authority and Penalties/Repercussions: Sports Discipline and/or USA Water Ski International Activities Committee (IAC) Chair, Team Manager, Team Coach or their designee [See staff handbook for specifics regarding line of authority]

- Earlier curfew
- Verbal or written reprimand.
- Performance of specified task(s), such as formal written and/or oral apology or restitution.
- Denial of the privilege to participate in any or all remaining team activity(s) at the event.
- Confinement to room or other controlled area(s).

LEVEL 2 INFRACTIONS

- Second offense of Level 1 Infraction
- Drunkenness [if 21 or over].
- Fighting.
- Sexual harassment.

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- Pranks, jokes, or other activities, which endanger the safety of others.

Authority and Penalties/Repercussions: Sports Discipline and/or USA Water Ski IAC Chair, Team Manager, Team Coach or their designee [See staff handbook for specifics regarding line of authority]

- Any of the penalties described under Level 1 infractions.
- Being sent back to travel point of origin or homebase.

Authority and Penalties/Repercussions: Following a two-thirds (2/3) vote of the Sports Discipline and/or USA Water Ski International Activities Committee.

- Revoking of uniform or other Team supplied items.
- Probation for one (1) year.
- Suspension from all USA Water Ski Teams activities (trials, training camps, etc.) for one (1) year.
- Withholding of USOC or NGB funding for one (1) year.

ZERO TOLERANCE INFRACTIONS

- Second offense of Level 2 Infraction.
- Using recreational drugs.
- Using performance enhancing substances.
- Vandalizing public or private property.
- Theft of property.
- Breaking the law.
- Purchasing, possessing or drinking alcoholic beverages, if under 21 years old.
- Drunkenness at an official competition, event or activity.
- Possession of or taking or using illegal, banned drugs or controlled substances (includes performance enhancing substances).
- Purchasing or providing alcoholic beverages to persons under the age of 21 years.

Authority and Penalties/Repercussions: Sports Discipline and/or USA Water Ski IAC Chair, Team Manager, Team Coach or their designee [See staff handbook for specifics regarding line of authority]

- Prevented from competing or participating in an official competition, event or activity.
- Being sent back to travel point of origin or homebase. At the discretion of the person in authority, the athlete may be allowed to travel with the Team and/or remain at the official venue, if that is the most practical alternative.
- If infraction occurs before departure, privileges to travel with the Team and participate in an official competition, event or activity may be revoked.

Authority and Penalties/Repercussions: Two-thirds (2/3) vote of the Sports Discipline and/or USA Water Ski International Activities Committee.

- Any of items described under Level 2 Infractions.
- Revoking of uniform or other Team supplied items.
- Expulsion from the Team.
- Probation for two (2) years.
- Suspension from all USA Water Ski Teams activities (trials, training camps, etc.) for two (2) years.
- Withholding of USOC or NGB funding for two years.
- Any other penalty that may be deemed appropriate for the particular violation.

Section I: Disciplinary Procedures For Code of Conduct

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- 1) Introduction - These procedures will be followed when a member of the Team is accused of a violation of the Code of Conduct. These procedures are a component of the Code of Conduct and are established to ensure a fair, equitable, independent hearing, appeal and grievance procedures.
- 2) Filing a Complaint – Any member of the Team, Team Staff, support staff or official delegation (the “Complainant”) may file a Complaint with the Sports Discipline International Activities Committee (the “IAC”) relating to any dispute arising under the Code of Conduct. A Complaint must:
 - a) be submitted in writing or by electronic transmission (facsimile or e-mail) to the Chairman of the Sports Discipline International Activities Committee;
 - b) be signed [electronic signature is acceptable];
 - c) include a concise statement of the alleged grounds of noncompliance, breach of the Code of Conduct or nature of the dispute and the actions taken by the Complainant as of the submission date.
- 3) Processing the Complaint – Upon receipt of the Complaint, the Chairman of the Sports Discipline International Activities Committee (IAC Chair), or his/her designee, will promptly;
 - a) begin an investigation of the Complaint;
 - b) send the Complainant a notice acknowledging receipt of the Complaint and a copy of these Grievance Procedures;
 - c) send to the individual(s) whose conduct is the subject of the Complaint (“the Adverse Party”);
 - a notice of the filing of the Complaint;
 - an invitation to respond in writing to the Complaint;
 - a copy of these Grievance Procedures.
 - d) notify the Chair of the Athlete Advisory Council, President of the Sports Discipline and the Executive Director of USA Water Ski of the Complaint and supply each with a copy of the Complaint.
- 4) Investigation of the Complaint – The Complainant, the Adverse Party and other persons having information related to the subject matter of the Complaint shall be available in connection with the Sports Discipline IAC Chair’s investigation and shall cooperate in the collection of all relevant documents and the conduct of interviews. Failure of any party to cooperate may be commented upon in any hearing.
- 5) Resolution of the Complaint – Following the investigation, the Sports Discipline IAC Chair, or his/her designee, may attempt to resolve the dispute to the satisfaction of the parties. Any agreed upon resolution must include the written acknowledgement by the parties of that resolution. It is understood that when a Complaint is filed during an official competition or activity the Sports Discipline IAC Chair, Team Manager and/or Team Coach, or their designee shall have (upon consultation with the Chair of the Athlete Advisory Council if readily available) sole and absolute authority to evaluate the Complaint and impose those penalties deemed appropriate so long as remedies/penalties are within their level of authority.

The agreed upon resolution along with the written acknowledgment shall be sent by the Sports Discipline IAC Chair to the full Sports Discipline IAC for review before being forwarded to the Executive Committee of the Sports Discipline and the Sports Discipline Board of Directors for ratification. The resulting decision shall then be forwarded to the USA Water Ski IAC for resolution and then on to the USA-Water Ski Board of Directors for approval.

Decision and Penalties – If the Sports Discipline IAC Chair, and/or his/her designee, is unable to resolve the dispute, the matter shall be immediately referred to the entire Sports Discipline IAC for resolution and imposition of penalties. Decisions of the Sports Discipline IAC must be by two-thirds (2/3) vote of the committee and all votes on these matters must include at least twenty percent 20% athlete representation.

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The Sports Discipline IAC may impose any one or more of the penalties indicated in the Code of Conduct. The decision of the Sports Discipline IAC shall be binding on all parties. The decision of the Sports Discipline IAC shall be reviewed and approved by the Executive Committee of the Sports Discipline and the Sports Discipline Board of Directors.

- 6) The resulting decision shall then be forwarded to the USA Water Ski IAC for resolution and then on to the USA Water Ski Board of Directors for approval.
- 7) The decision of the USA Water Ski Board of Directors shall be binding upon all of the parties involved and shall be binding on all of the USA Water Ski Sports Disciplines U.S. Teams as defined by USA Water Ski the NGB for the sport.
- 8) Appeals may be made of the decision through the Appeals and/or Grievance procedures outlined in the following Section II - TITLED: Appeals and Grievance Procedures.
- 9) The parties involved should reference USA Water Ski Bylaws Article IX for the definition of a Grievance and the definition of an Appeal.

Section II: Appeals and Grievance Procedures

- A. The USOC Code of Conduct and Grievance Procedures apply when the event is an Olympic event, Pan Am event or a protected event sanctioned or approved by USA-WS. A protected event is defined as an individual event that will produce a result or score on a currently recognized International Standings List (as approved and recognized by the NGB) that can be used to qualify for Team selection by the athlete.
- B. Any decision of a Sports Discipline made pursuant to the Code of Conduct, may be appealed to the Sports Discipline per the Sports Disciplines Bylaws for Appeals and/or Grievance procedures. After a decision has been rendered by the Sports Discipline, and if the athlete disagrees with the decision of the Sports Discipline, the decision may be appealed to the President of USA -WS and the Executive & Finance Committee of USA Water Ski at any time within a period of thirty (30) days of the decision having been communicated to the athlete by the Sports Discipline, by the athlete providing written notice to the President of the Sports Discipline and the President of USA Water Ski of the decision being appealed together with his reasons for appealing the decision. (see definition of Appeal and Grievance in the USA-WS Bylaws Article IX)
- C. Upon receipt and validation of the Appeal and/or Grievance by the President of USA Water Ski and the Executive & Finance Committee of USA Water Ski, the Appeal and/or Grievance shall be handled according to the USA Water Ski Bylaws, Article IX Grievances, Disciplinary Action and Appeals.
- D. The decision of the USA Water Ski Board of Directors shall be binding upon all of the parties and is not subject to further appeal, unless permitted by the USOC. The decision shall be binding on all of the USA Water Ski Sports Disciplines US Teams as defined by USA Water Ski the NGB for the sport.
- E. General – All notices, reports and decisions under these Appeals and/or Grievance Procedures shall be in writing and delivered in person, by registered or certified mail or other form of delivery, creating a record of receipt.

PARTICIPANT'S AFFIRMATION

I have read, understand and accept this Code of Conduct Disciplinary Procedures and the Appeals and/or Grievance Procedures document. I agree to the rules, guidelines, jurisdiction and procedures stated in these documents as a condition of being named and remaining a Team Member or Team Staff Member of a U.S. Team.

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Name of US Team Sports Discipline

Signature

Date

Print Name

Parent/Legal Guardian Affirmation (if under 18)

Relationship

Date