USA WATER SKI & WAKE SPORTS
POLICIES AND PROCEDURES

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1.0 GENERAL
1.1 Policies and Procedures
1.1.1 USA Water Ski & Wake Sports Policies and Procedures (USA-WSWS) shall be established per USA-WSWS Bylaws Article VI Section 1(c) and when applicable, shall direct Board action.
1.1.2 These Policies and Procedures shall not be in conflict with USA-WSWS Bylaws.
1.1.3 These Policies and Procedures may be amended by 2/3 vote of the Board.
1.2 Fiscal Year
1.2.1 The fiscal year is the calendar year.
1.3 Principle Office
1.3.1 The principal office of USA-WSWS shall be at a location approved by the Board of Directors of USA-WSWS (hereinafter “the Board”).
1.3.2 The principal office of USA-WSWS shall be its' registered office. The registered agent of USA-WSWS at such registered office shall be the Executive Director of USA-WSWS.

MEMBERSHIP
2.1 Sport Disciplines –current:
American Barefoot Club (ABC)
American Kneeboard Association (AKA)
USA Wakeboard (USA-WB)
American Water Ski Association (AWSA)
National Collegiate Water Ski Association (NCWSA)
National Show Skiers Association (NSSA)
National Water Ski Racing Association (NWSRA)
US Hydrofoil Association (USHA)
USA Adaptive Water Ski & Wake Sports (USA-AWSWS)

NOTE: On January 22, 2005, the American Wakeboard Association changed its name to USA Wakeboard.
NOTE: On June 1, 2018 the Water Skiers with Disabilities Association (WSDA) changed its name to USA Adaptive Water Ski & Wake Sports (USA-AWSWS)

2.2 Members that do not specify a membership class shall be placed in a “No Preference” class. This class shall have neither voice nor vote on the Board.

2.3 A. Membership types and annual anniversary membership fees: effective 2020 memberships

<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambassador (Life Supporting - single payment)</td>
<td>$1500</td>
</tr>
<tr>
<td>(Ambassador Active Insurance payable yearly)</td>
<td>$35</td>
</tr>
<tr>
<td>Active (25 and Older) AA</td>
<td>$85</td>
</tr>
<tr>
<td>Under 25 Active U25</td>
<td>$55</td>
</tr>
<tr>
<td>Key</td>
<td>$19.95</td>
</tr>
<tr>
<td>Family Active (up to 6) (HOH)</td>
<td>$175</td>
</tr>
<tr>
<td>Grass Roots Active (restricted) (GRA)</td>
<td>$40</td>
</tr>
<tr>
<td>Guest</td>
<td>$10</td>
</tr>
</tbody>
</table>

Calendar year memberships:

<table>
<thead>
<tr>
<th>Membership Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clubs</td>
<td>$125</td>
</tr>
</tbody>
</table>

B. Multi-Year Memberships: Provide an option for online paperless multi-year membership renewals at a discounted cost as noted below. This option is only available for Individual Active memberships. These memberships are non-refundable.

- Two Years = $150, Regularly $160 – Save 6% ($10)
- Three Years = $216, Regularly $240 – Save 10% ($24)
- Five Years = $350, Regularly $400 – Save 12.5% ($50)
2.4 Affiliate members-current
USA Water Ski & Wake Sports Foundation (USA-WWF)
Water Sports Industry Association (WSIA)

3.0 GOVERNANCE
3.1 Determining Sport Discipline Membership
3.1.1 Membership on Dec 31 of the odd numbered years shall be used to establish Sport Discipline membership for the ensuing two (2) year time frame.
3.1.2 Annually, during membership renewal, members shall designate a primary Sport Discipline.
3.1.3 Members that do not specify a primary Sport Discipline shall be placed in the “No Preference” classification.
3.1.4 After a formal review of the membership numbers in 2016 by the USA-WSWS Bylaws Committee and with the approval of the USA-WSWS Board of Directors, the membership numbers as of December 31, 2015, shall be used for the ten year review on December 31, 2017 and going forward, for retaining Sport Discipline status.

NEW MEMBERSHIP NUMBERS 12/31/2015

<table>
<thead>
<tr>
<th>Sport Discipline</th>
<th>Actual</th>
<th>Percent SD Total</th>
<th>No Pref Allocation</th>
<th>Adjusted Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC</td>
<td>436</td>
<td>2.80</td>
<td>5</td>
<td>441</td>
</tr>
<tr>
<td>AKA</td>
<td>119</td>
<td>.77</td>
<td>1</td>
<td>120</td>
</tr>
<tr>
<td>AWSA</td>
<td>7152</td>
<td>46.01</td>
<td>82</td>
<td>7234</td>
</tr>
<tr>
<td>NCWSA</td>
<td>937</td>
<td>6.03</td>
<td>11</td>
<td>948</td>
</tr>
<tr>
<td>NSSA</td>
<td>5714</td>
<td>36.76</td>
<td>66</td>
<td>5780</td>
</tr>
<tr>
<td>NWSRA</td>
<td>281</td>
<td>1.81</td>
<td>3</td>
<td>284</td>
</tr>
<tr>
<td>USA-WB</td>
<td>739</td>
<td>4.75</td>
<td>9</td>
<td>748</td>
</tr>
<tr>
<td>USHA</td>
<td>55</td>
<td>.35</td>
<td>1</td>
<td>56</td>
</tr>
<tr>
<td>USA-AWSWS</td>
<td>112</td>
<td>.72</td>
<td>1</td>
<td>113</td>
</tr>
<tr>
<td>Total SD</td>
<td>15545</td>
<td>100.00</td>
<td>175</td>
<td>15724</td>
</tr>
<tr>
<td>No preference</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>15724</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This table contains the December 31, 2017 primary and secondary Sport Discipline membership designations and numbers that were used for Article V Section I of the USA-WSWS Bylaws for retaining Sport Discipline status.

<table>
<thead>
<tr>
<th>Sport Discipline</th>
<th>PRIMARY MEMBERS</th>
<th>SECONDARY MEMBERS</th>
<th>Adjusted Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC</td>
<td>399</td>
<td>961</td>
<td>1360</td>
</tr>
<tr>
<td>AKA</td>
<td>129</td>
<td>242</td>
<td>371</td>
</tr>
<tr>
<td>AWSA</td>
<td>6675</td>
<td>994</td>
<td>7669</td>
</tr>
<tr>
<td>NCWSA</td>
<td>855</td>
<td>479</td>
<td>1334</td>
</tr>
<tr>
<td>NSSA</td>
<td>5623</td>
<td>462</td>
<td>6085</td>
</tr>
<tr>
<td>NWSRA</td>
<td>273</td>
<td>90</td>
<td>363</td>
</tr>
<tr>
<td>USA-WB</td>
<td>472</td>
<td>1082</td>
<td>1554</td>
</tr>
<tr>
<td>USHA</td>
<td>64</td>
<td>44</td>
<td>108</td>
</tr>
</tbody>
</table>
3.2 Delegation of Board seats

3.2.1 Each Sports Discipline is guaranteed one voting Director and up to a maximum of five (5) based upon membership.

3.2.2 For purposes of determining Board seats, “No Preference” members shall be allocated to active Sport Disciplines based upon percentage of the Sport Disciplines membership to “Total” Sport Discipline membership (see Table in 3.1.4).

3.2.3 The following table, based upon the adjusted membership totals (see 3.1.4) is to be used to determine Sport Discipline Board seats effective 12/31/19: 1/19

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Director Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>0001</td>
<td>2500</td>
<td>1 Director</td>
</tr>
<tr>
<td>2501</td>
<td>5000</td>
<td>2 Directors</td>
</tr>
<tr>
<td>5001</td>
<td>7500</td>
<td>3 Directors</td>
</tr>
<tr>
<td>7501</td>
<td>10000</td>
<td>4 Directors</td>
</tr>
<tr>
<td>10001</td>
<td>Plus</td>
<td>5 Directors (maximum)</td>
</tr>
</tbody>
</table>

3.2.4 The following table lists the membership numbers that were used in the ten-year review of the Sports Disciplines on December 31, 2017. After a formal review of the membership numbers in 2016 by the USA-WSWS Bylaws Committee and with the approval of the USA-WSWS Board of Directors the membership numbers as of December 31, 2015, shall be used for the ten year review on December 31, 2017 for Sport Discipline retainage status only.

### NEW MEMBERSHIP NUMBERS 12/31/2017 FOR DIRECTOR SEAT ALLOCATIONS

<table>
<thead>
<tr>
<th>Sport Discipline</th>
<th>Actual</th>
<th>Percent SD Total</th>
<th>No Pref Allocation</th>
<th>Adjusted Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC</td>
<td>399</td>
<td>2.74</td>
<td>5</td>
<td>404</td>
</tr>
<tr>
<td>AKA</td>
<td>129</td>
<td>.88</td>
<td>2</td>
<td>131</td>
</tr>
<tr>
<td>AWSA</td>
<td>6675</td>
<td>45.76</td>
<td>84</td>
<td>6759</td>
</tr>
<tr>
<td>NCWSA</td>
<td>855</td>
<td>5.86</td>
<td>11</td>
<td>866</td>
</tr>
<tr>
<td>NSSA</td>
<td>5623</td>
<td>38.55</td>
<td>71</td>
<td>5694</td>
</tr>
<tr>
<td>NWSRA</td>
<td>273</td>
<td>1.87</td>
<td>3</td>
<td>276</td>
</tr>
<tr>
<td>USA-WB</td>
<td>472</td>
<td>3.24</td>
<td>6</td>
<td>478</td>
</tr>
<tr>
<td>USHA</td>
<td>64</td>
<td>.44</td>
<td>1</td>
<td>65</td>
</tr>
<tr>
<td>USA-AWSWS</td>
<td>97</td>
<td>.66</td>
<td>1</td>
<td>98</td>
</tr>
<tr>
<td>Total SD</td>
<td>14587</td>
<td>100.00</td>
<td>175</td>
<td>15724</td>
</tr>
<tr>
<td>No preference</td>
<td>184</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>14771</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The 2018 ten year review found that AWSA did not meet the 50% required membership retainage number to keep the guaranteed 5 seat allocation and going forward from January 1, 2018 they will receive director seating per the table in 3.2.3.
<table>
<thead>
<tr>
<th>Membership</th>
<th>Directors</th>
<th>Effective date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC</td>
<td>369</td>
<td>1</td>
</tr>
<tr>
<td>AKA</td>
<td>82</td>
<td>1</td>
</tr>
<tr>
<td>AWSA</td>
<td>6701</td>
<td>3</td>
</tr>
<tr>
<td>NCWSA</td>
<td>827</td>
<td>1</td>
</tr>
<tr>
<td>NSSA</td>
<td>5622</td>
<td>3</td>
</tr>
<tr>
<td>NWSRA</td>
<td>232</td>
<td>1</td>
</tr>
<tr>
<td>USA-WB</td>
<td>417</td>
<td>1</td>
</tr>
<tr>
<td>USHA</td>
<td>35</td>
<td>1</td>
</tr>
<tr>
<td>USA-AWSWS</td>
<td>115</td>
<td>1</td>
</tr>
<tr>
<td>AAC*</td>
<td>NA</td>
<td>3</td>
</tr>
</tbody>
</table>

*based upon the required 20% of the Director seats

3.2.5 Sports Discipline Director Seating per Article VI, Section 4(a) effective January 2010

<table>
<thead>
<tr>
<th></th>
<th>Odd Year Seating</th>
<th>Even Year Seating</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>AKA</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>AWSA</td>
<td>MW-SCR-W</td>
<td>E-S</td>
</tr>
<tr>
<td>NCWSA</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>NSSA</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>NWSRA</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>USA-WB</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>USHA</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>USA-AWSWS</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>AAC</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL DIRECTORS</td>
<td>10</td>
<td>8</td>
</tr>
</tbody>
</table>

3.2.6 Affiliated Organization Director seats
- USA-WWF One (1) seat effective 1/99
- WSIA One (1) seat effective 1/99

3.3 Delegation of Board Votes
3.3.1 As outlined in USA-WSWS Bylaws Article VI Section A.3, each Board ballot/vote shall have 100 votes. The Chairman shall have one vote; AAC Directors 20 votes; and Sport Discipline Directors a maximum of 79 votes.
3.3.2 The Chair's vote shall only be cast to break ties.
3.3.3 AAC votes shall be divided equally between the AAC Directors present unless specified otherwise in the AAC bylaws.
3.3.4 Sport Discipline votes shall be delegated to the individual Sport Disciplines based upon percentage of Sport Discipline membership.
   A The formula is the product of 79 votes times the ratio of the Sport Discipline's membership to the sum total of all Sport Disciplines members (see “Actual” column in 3.1.4).
   B Where the resulting product is less than one, the Sport Discipline shall have one vote.
   C Where the product is greater than one the product will be rounded down to the nearest integer.
   D Should the formula result in more than 79 votes, the Sport Disciplines shall resolve the difference prior to any Board votes.
   E If a Sport Discipline is not represented at a meeting their vote(s) shall not be cast.
   F Sport Disciplines shall determine how to divide their votes among their Director(s)
   G Sport Discipline votes, calculated below, shall be effective at the January 2020 Annual Board meeting for a period of two (2) years.
BASED ON 12/31/2019 MEMBERSHIP NUMBERS, WHICH IS USED IN THE FORMULA TO DETERMINE THE NUMBER OF VOTES ALLOCATED TO EACH SPORT DISCIPLINE.

<table>
<thead>
<tr>
<th>Sport Discipline</th>
<th>Actual / Total Members</th>
<th>X 79 =</th>
<th>Vote Calculation</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC</td>
<td>369 / 14400</td>
<td>X 79 =</td>
<td>2.02</td>
<td>2</td>
</tr>
<tr>
<td>AKA</td>
<td>82 / 14400</td>
<td>X 79 =</td>
<td>0.45</td>
<td>1</td>
</tr>
<tr>
<td>AWSA</td>
<td>6701 / 14400</td>
<td>X 79 =</td>
<td>36.76</td>
<td>36</td>
</tr>
<tr>
<td>NCWSA</td>
<td>827 / 14400</td>
<td>X 79 =</td>
<td>4.54</td>
<td>4</td>
</tr>
<tr>
<td>NSSA</td>
<td>5622 / 14400</td>
<td>X 79 =</td>
<td>30.84</td>
<td>31</td>
</tr>
<tr>
<td>NWSRA</td>
<td>232 / 14400</td>
<td>X 79 =</td>
<td>1.27</td>
<td>1</td>
</tr>
<tr>
<td>USA-WB</td>
<td>417 / 14400</td>
<td>X 79 =</td>
<td>2.29</td>
<td>2</td>
</tr>
<tr>
<td>USHA</td>
<td>35 / 14400</td>
<td>X 79 =</td>
<td>0.19</td>
<td>1</td>
</tr>
<tr>
<td>USA-AWSWS</td>
<td>115 / 14400</td>
<td>X 79 =</td>
<td>0.63</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>14400</td>
<td></td>
<td>79</td>
<td>79</td>
</tr>
</tbody>
</table>

3.4 USA-WSWS Honorary National Directors

3.4.1 AWSA NGB voting Directors and elected Officers shall be credited for their years of service on the AWSA NGB Board as if all service years had been on both the USA-WSWS NGB and the AWSA Sport Discipline Boards.

3.5 USOC representation

As detailed in USA-WSWS Bylaws Article VI Section A.1 (j).

3.6 IWWF representation

As detailed in USA-WSWS Bylaws Article VI Section A.1 (l).

3.7 USA-WWF representation

As detailed in USA-WSWS Bylaws Article VI Section A.1 (k).

3.8 Adding a Sport Discipline

3.8.1 As detailed in USA-WSWS Bylaws Article V Section H and the petitioning organization must have a minimum number of members nationally equal to one percent (1%) of USA-WSWS total membership at the time of application (see “Total” from the Actual column in 3.1.5).

3.8.2 Petitioning Sport Disciplines must submit their Bylaws to the Bylaws Committee for review 60 days before the Executive Committee considers their petition to become a Sport Discipline.

3.9 Duties and Responsibilities of the Executive Director

3.9.1 The Executive Director shall be responsible for writing or approving job descriptions, employing agents and/or staff, fixing terms of service and compensation, and periodically reviewing the performance of the paid professional staff of USA-WSWS.

3.9.2 The Executive Director shall be responsible for developing and maintaining an effective partnership between the paid professional staff and the volunteers acting through the Sport Disciplines.

3.9.3 The Executive Director is entrusted to conduct the business affairs of USA-WSWS with prudence, good business judgment, and in a financially responsible manner. The Executive Director, acting in his fiduciary capacity, and subject to such restrictions as may be imposed by the Board, is empowered to make whatever financial and management decisions he deems to be in the best interest of USA-WSWS, and is specifically empowered, among other things, to do the following absent contrary direction from the Board:

A. Provide the principle coordination and administration of USA-WSWS day-to-day activities and programs as approved by the Board;
B. In cooperation with the Treasurer of USA-WSWS, arrange for receipt, deposit, and disbursement of USA-WSWS funds and the handling thereof;
C. Enter into binding agreements on behalf of USA-WSWS;
D. Sign contracts and agreements, approved by the Board, in the name of USA-WSWS; and
E. Propose budgets and establish financial controls.
4.0 ELECTRONIC BALLOTING PROCEDURES OF THE BOARD OF DIRECTORS

4.1 The author of an issue for board consideration shall present the issue in resolution form to the Chairman of the Board for processing by the board. The resolution shall contain the following information:

A. Title of the resolution
B. Specific wording of the issue being presented
C. Proposed date that the issue will be effective i.e. immediately upon approval of the ballot, 1st day of the next calendar year, etc.
D. Relevant and pertinent documentation and data supporting the issue

4.2 The Chairman of the Board shall present the resolution, in electronic form, to the board for a discussion period of ten (10) days.

4.3 At the end of the discussion period, the author will review the discussion of the board and may revise the resolution to reflect the input of the board, then have the resolution re-presented to the board for further discussion, again with a ten (10) day discussion period or have the Chairman proceed to a Ballot using the original or revised wording of the issue. This decision will be the choice of the author without undue bias.

4.4 The Chairman of the Board shall prepare a Ballot, in electronic form, to be sent to the board for voting that meets the criteria outlined in section 4.1 A- D and is approved by the author of the issue. The time span for the Directors to vote on the Ballot shall be set by the Chairman.

4.5 The votes shall be counted as noted in Roberts Rules of Order Newly Revised in the following manner:

A. Yes votes will signify approval of the Ballot.
B. Votes recorded as abstentions, no response and No by the Directors to the ballot shall be recorded as No votes, disapproving the Ballot.

4.6 Upon receiving the votes of the board, the Chairman shall send by electronic mail the results of the voting for review by the board. The Directors shall have a period of five (5) days to review and verify/change their vote on the Ballot after which the Ballot will be considered ratified and placed in effect on the date approved in the Ballot. If a Director does not respond to the Ballot voting review, the Chairman shall assume that their vote has been recorded correctly.

4.7 The Chairman shall send to the Executive Director the Ballot as presented and the voting record, whether approved or disapproved, for inclusion in the corporate records of USA-WSWS.

5.0 COMMITTEE MEMBERSHIP

5.1 The President of USA-WSWS appoints committee members and the committee chair. Each Sports Discipline and the AAC shall make membership recommendations for the President’s consideration. These recommendations shall be predicated on those who are best qualified and who have the desire to serve. The President will consider such recommendations but will not be bound by them. Standing Committee appointments require Board approval.

5.2 Standing committees- require AAC participation. The following committees require 20% AAC membership and voting power.

- Executive
- Judicial
- Ethics
- Nominating
- Bylaws
- Risk Management
- Waterways
- Towboat

5.3 Special committees: The President may appoint members irrespective of Sports Discipline representation and athlete participation is recommended. The Committee Chairman can be a
voting or non-voting member of the committee. The Chairman must be a Sports Discipline or AAC representative on the committee to have a vote.

6.0 COMMITTEE OPERATION

6.1 Term
   A. The term of all standing committees is one year and starts with adjournment of the Annual Board meeting in January.
   
   B. The term of special committees is determined by the Officer establishing the committee.

6.2 Committee Reports and Recommendations
   A. Committees shall work on issues and projects as directed by the Board, an Officer, the Bylaws and Policy and Procedures Manual or those identified by the committee.
   
   B. The final report of the committee shall take the form of a written recommendation(s) to the Board. Recommendations shall be submitted in writing to the USA-WSWS Executive Director and by him to the President and members of the Board.
   
   C. Recommendations require a two-thirds approval of the committee before submittal to the Board for approval or adoption.
   
   D. Generally, the Committee Chair or his designated representative shall present the committee’s report in person at scheduled Board meetings.

6.3 Official Committee documents, including but not limited to: Board Reports, Manuals, Disciplinary Action Documents, etc., shall be maintained by the USA-WSWS Executive Director. Committee Chairmen shall maintain the balance of the Committee’s files including documentation of committee votes.

7.0 STANDING COMMITTEES

7.1 Executive
   7.1.1 Purpose:
   The Executive Committee is authorized to take administrative action only with respect to policies adopted and decisions made by the Board as it may deem necessary and advisable in order to implement such policies and decisions and to expedite the orderly transaction of the business of USA-WSWS.

   7.1.2 Membership:
   The Executive Committee shall consist of five voting members including the Chairman of the Board, President, Vice President, Treasurer and one “elite athlete” selected by the Athlete Advisory Council. The Athlete Advisory Council member shall be selected from among “elite athletes” representing Sport Disciplines with USOC Pan American Status. The President shall chair the committee. The Executive Director and the immediate past President shall be non-voting ex-officio members of the committee, and may participate in all meetings.

   7.1.3 Responsibilities:
   The Executive Committee shall be empowered to act upon all matters requiring Board attention between regular meetings of the full Board, and which cannot be deferred until the next meeting of the full Board. The Executive Committee shall have authority to act for the Board only in meetings in which all voting Executive Committee members are participating (either personally or via teleconference). During such times the Executive Committee shall possess the same powers, authority and responsibilities as the Board. The Executive Committee shall discharge its responsibilities in accordance with the following provisions:

   - Budget requests from each Sport Discipline will be sent to the USA-WSWS Executive Director by November 1 of each year for planning the budget for the following year. The Executive Committee will assist the Executive Director in preparing the budget for presentation to the USA-WSWS Board of Directors. Sport Disciplines are to be funded as equitably as possible, based on percentage of the membership per the last census of the membership database. The growth of the USA-WSWS organization will be of prime consideration in the budgetary process.

   - The Executive Committee shall review all matters pertaining to the USA-WSWS Budget and shall submit a complete budget report and recommendations for USA-WSWS Board consideration and action. They shall review and make recommendations on all matters of a
financial nature involving USA-WSWS. They shall present strategies and goals to the USA-WSWS Board for consideration and action.

The Executive Committee shall further review:

a. Sport Discipline status biennially according to the criteria established in section 3 of these Policies and Procedures;

b. requests by sport committees / organizations for USA-WSWS Sport Discipline or Affiliated Organizations status.

7.1.4 Specific Policies or Practices Governing the Committee:
Actions taken by the Executive Committee, on behalf of the Board, must be ratified by the Board at its next meeting, and if not so ratified, must be revoked and reversed to the extent reasonably possible.

7.2 Judicial
7.2.1 Purpose
The purpose of the Judicial Committee is to administer and decide grievances, disciplinary actions and appeals in accordance with the USA Water Ski & Wake Sports Bylaws.

7.2.2 Membership
There shall be a USA-WSWS Judicial Committee appointed by the President of USA-WSWS comprised of knowledgeable members of USA-WSWS (who may, but need not be members of the USA-WSWS Board) who shall serve for fixed terms.

The composition of the USA-WSWS Judicial Committee shall be as follows:

A One member certified by USA-WSWS as an official;
B One member certified by USA-WSWS as a coach;
C One (1) “elite athlete” representing a USA-WSWS Sport Discipline with USOC Pan American Status, selected by the Athlete Advisory Council;
D One USA-WSWS member-at-large; and
E One USA-WSWS Sport Discipline representative from the discipline most closely involved in the particular issue before the Judicial Committee, which representative shall be drawn from a pool of USA-WSWS Sport Discipline members designated in advance by the respective USA-WSWS Sport Disciplines. By way of illustration, in a suspension appeal by an ABC athlete, the fifth member of the Judicial Committee shall be the ABC member appointed to be the discipline representative by the ABC Board.

7.2.3 Responsibilities
The responsibilities of the Judicial Committee are set forth in the USA Water Ski & Wake Sports Bylaws. Specifically, the committee is required to investigate, conduct hearings, make preliminary rulings and issue final orders on grievances under the USA Water Ski & Wake Sports Bylaws; to investigate, preliminarily decide requests for disciplinary action under the USA Water Ski & Wake Sports Bylaws, and to recommend disciplinary action to the USA-WSWS Board of Directors for violations; and to decide appeals to the President of USA-WSWS of adverse actions taken against members.

7.2.4 Specific Policies or Practices Governing the Committee
The USA-WSWS Board of Directors shall establish policies and procedures for the operation of the Judicial Committee consistent with these bylaws. Decisions shall be made by a 2/3 vote and are subject to USA-WSWS Board of Directors Approval.
7.3 Ethics

7.3.1 PURPOSE:
USA Water Ski & Wake Sports requires its volunteers and staff to conduct business with integrity, to maintain a standard of ethical conduct consistent with the laws and regulations of the United States and other countries and jurisdictions in which USA Water Ski & Wake Sports conducts business.

7.3.2 MEMBERSHIP:
There shall be at least one representative from each USA-WSWS Sports Discipline as selected by the Sports Discipline Presidents and approved by the President of USA-WSWS, with other members appointed by the Athlete Advisory Committee, which will maintain a minimum of 20% representation in both numbers and voting power. At the discretion of the President of USA-WSWS, non-voting at large members may also be appointed.

7.3.3 RESPONSIBILITIES:
The Ethics Committee shall be responsible for the administration of the USA-WSWS Code of Conduct and Ethical Practices promulgated by the USA Water Ski & Wake Sports Board of Directors. Volunteers and staff are required to comply with the following standards as a minimum:
1. Conduct all dealings with honesty and fairness.
2. Respect the rights of all volunteers and employees to fair treatment and equal opportunity, free from discrimination and/or harassment.
3. Know, understand and comply with the laws, regulations, and code of conduct governing the conduct of USA Water Ski & Wake Sports, both domestic and foreign.
4. Ensure that all transactions are handled honestly and recorded accurately.
5. Protect information that belongs to USA Water Ski & Wake Sports, our donors, sponsors, suppliers and fellow workers.
6. Avoid conflicts of interest, both real and perceived.
7. Never use USA Water Ski & Wake Sports assets or information for personal gain.
8. Recognize that even the appearance of misconduct or impropriety can be very damaging to the reputation of USA Water Ski & Wake Sports and act accordingly.

7.3.4 PROGRAM JURISDICTION:
USA Water Ski & Wake Sports, as a National Governing Body of the USOC, is subject to the USOC Code of Ethics.

7.3.5 SPECIFIC POLICIES OR PRACTICES GOVERNING THE COMMITTEE:
Decisions shall be made by a 2/3 vote and are subject to Board Approval.

7.4 Nominating

7.4.1 Purpose:
The committee shall seek qualified candidates for the offices of Chairman of the Board, President, Vice President, Secretary and Treasurer. They shall also present qualified candidates for Honorary Directors per the established standards.

7.4.2 Membership:
There shall be at least one representative from each USA-WSWS Sports Discipline as selected by the Sports Discipline President and approved by the President of USA-WSWS, with other members appointed by the Athlete Advisory Committee, which will maintain a minimum of 20% representation in both numbers and voting power. At the discretion of the President of USA-WSWS, at-large members may also be appointed (non-voting).

7.4.3 Responsibilities:
After careful study of the qualifications of the candidates, the committee shall present a slate of nominees for the offices of Chairman of the Board, President, Vice President, Secretary and Treasurer to the Board of Directors. The Committee Chair shall conduct the election of Officers at the annual meeting of the Board of Directors.
7.4.4 Specific Policies or Practices Governing the Committee: Decisions shall be made by a 2/3 vote and are subject to Board Approval.

7.5 Bylaws

7.5.1 Purpose: The committee shall review and maintain the USA-WSWS Bylaws and the USA-WSWS Policies and Procedures Manual. They will make recommendations for changes in these documents to the USA-WSWS Board of Directors.

7.5.2 Membership: There shall be at least one representative from each USA-WSWS Sports Discipline as selected by the Sports Discipline Presidents and approved by the President of USA-WSWS, with other members appointed by the Athlete Advisory Committee, which will maintain a minimum of 20% representation in both numbers and voting power. At the discretion of the President of USA-WSWS, non-voting at large members may also be appointed.

7.5.3 Responsibilities: The committee will review the Bylaws of the Sports Disciplines to ensure that they meet the criteria and standards of USA-WSWS and are in compliance with and not in conflict with the USA-WSWS Bylaws.

The committee will review the USA-WSWS Policy and Procedures Manual to ensure that it provides the proper support, explanations and interpretations of the policies and procedures used on a daily basis and as a complimentary addition to the USA-WSWS Bylaws.

The committee shall perform such duties with respect to the USA-WSWS and Sports Disciplines Bylaws, USA-WSWS Policy and Procedures Manual and related matters as the Board may direct.

7.5.4 Specific Policies or Practices Governing the Committee: Decisions shall be made by a 2/3 vote and are subject to Board Approval.

7.6 Risk Management

7.6.1 Purpose: Risk Management, which is the management of the risks involved in the competitions of our athletes, shall be the primary concern of the committee.

7.6.2 Membership: Recommended membership includes representatives having knowledge of the activities and safety issues of USA Water Ski & Wake Sports and its Sports Disciplines and may include the Chairman of Board, President, Executive Director, legal counsel, insurance council and other consultants as needed.

The President of USA-WSWS shall appoint these members, with other members appointed by the Athlete Advisory Committee, which will maintain a minimum of 20% representation in both numbers and voting power.

7.6.3 Responsibilities: The committee shall work closely with the USA-WSWS Board of Directors, Executive Committee and the Executive Director, and with the Sports Disciplines of USA Water Ski & Wake Sports, to provide input in creating and implementing programs and activities that not only impact the Safety Directors directly, but also the athletes and their safety in every area.

7.6.4 Program Jurisdiction: The committee is responsible for all Board approved USA-WSWS Risk Management policies and shall oversee the USA-WSWS Official Safety Manual and Policy Handbook.

7.6.5 Specific Policies or Practices Governing the Committee: Decisions shall be made by a 2/3 vote and are subject to Board Approval.
7.7 Waterways

7.7.1 Purpose
The purpose of the committee is to research the possibility of and work towards complete access to all public waters for our members for usage in the sport of recreational and competitive water skiing.

7.7.2 Membership
Recommended membership includes representatives having knowledge of the water skiing activities and safety issues of USA Water Ski & Wake Sports and its Sports Disciplines and should include USA-WSWS headquarters staff representatives, and other consultants as needed in a non-voting capacity. Members should be located geographically so as to have a nationwide cross sectional view of the problems and solutions encountered by the membership in relation to water skiing on public bodies of water.

The President of USA-WSWS shall appoint five members to the committee, based upon recommendations from the Sports Disciplines and may appoint other non-voting members as noted above.

7.7.3 Responsibilities
The work of this committee encompasses a universal overview of the needs of the USA-WSWS membership concerning waterways access issues nationwide. The committee will review, update and make available an up to date Waterways Education Manual, as a resource to the general membership.

7.7.4 Specific Policies or Practices Governing the Committee
Decisions shall be made by a 2/3 vote, and are subject to Board Approval.

7.8 Towboats

7.8.1 Purpose:
The Towboat Committee shall establish performance guidelines for towboats used in USA-WSWS events. It shall also develop policy for towboat participation in USA-WSWS sanctioned events, subject to Board approval.

7.8.2 Membership:
There shall be one representative from each USA-WSWS Sports Discipline, that participates in the USA-WSWS Towboat program, as selected by the Sports Discipline Presidents and approved by the President of USA-WSWS, with other members appointed by the Athlete Advisory Committee, which will maintain a minimum of 20% representation in both numbers and voting power. At the discretion of the President of USA-WSWS, at large members may also be appointed (non-voting).

7.8.3 Responsibilities:
a. Establish towboat specifications and performance standards for towboats used in USA-WSWS events.
b. Establish testing procedures and standards for the USA-WSWS Towboat approval program.
c. Maintain and update the USA-WSWS Towboat Policy Manual.
d. Work in conjunction with the USA-WSWS Sports Disciplines’ Boat Drivers and Technical Committees.
e. Coordinate communications with towboat manufacturers.

7.8.4 Program Jurisdiction:
The committee has responsibility for the USA-WSWS Towboat program and shall maintain the USA-WSWS Towboat Policy Manual.

7.8.5 Specific Policies and Practices Governing the Committee:
Decisions shall be made by a 2/3 majority vote and are subject to Board approval.
8.0 SPECIAL COMMITTEES

8.1 International Activities

8.1.1 Purpose:
This will be the principal committee dealing with all aspects of USA Water Ski & Wake Sports participation in International competitions and our relations with organizations such as the International Waterski and Wakeboard Federation, the Pan American Sports Organization and the United States Olympic Committee. They shall make recommendations to the USA-WSWS Executive Committee and to the USA-WSWS Board of Directors regarding policies and procedures governing our participation in International competition.

8.1.2 Membership:
There shall be at least one representative from each USA-WSWS Sports Discipline as selected by each Sports Discipline President that has a recognized international competition and approved by the President of USA-WSWS, with other members appointed by the Athlete Advisory Committee, which will maintain a minimum of 20% representation in both numbers and voting power. At the discretion of the President of USA-WSWS, at large members may also be appointed (non-voting).

8.1.3 Responsibilities:
The committee shall work closely with the USA-WSWS Executive Committee in coordinating efforts to provide competent officials and competitors to international competitions. They shall also work closely with the USOC through the USA-WSWS Headquarters staff to coordinate the financial grants to support our training and competition programs for the international teams that we train and select for international competitions. They shall work with the USA-WSWS Headquarters staff to review all aspects of international activities, to assure consistency with the requirements of the Board of Directors, USA-WSWS, IWWF, PASO, and USOC. They will make recommendations to the USA-WSWS Board of Directors where conflicting requirements exist. They shall have complete oversight over all representatives of USA-WSWS participating in international competitions, including skiers, officials, coaches, managers, and other members of the official USA-WSWS delegation.

8.1.4 Program Jurisdiction:
The Committee shall review and make recommendations, together with other committees as appropriate, regarding matters being brought before USA-WSWS, IWWF, PASO, the USOC, and others that impact our participation in international competition. They shall oversee procedures for the selection of water ski teams or individual skiers who shall be the officially sponsored representatives of USA-WSWS in competitions designated as international by this committee. In such international competitions, the committee shall be responsible for overseeing all related activities, including selection of officials, team managers, coaches and assistants, as it may deem necessary, and selection of USA-WSWS teams and/or individual skiers, subject to approval by the USA-WSWS Board of Directors.

8.1.5 Specific Policies or Practices Governing the Committee:
Decisions shall be made by a 2/3 vote and are subject to USA-WSWS Board approval.

8.2 Awards

8.2.1 Purpose:
The committee shall administer all of the awards available from USA Water Ski & Wake Sports, the National Governing Body, to the membership of USA-WSWS.

8.2.2 Membership:
There shall be at least one representative from each USA-WSWS Sports Discipline as selected by each Sports Discipline President and approved by the President of USA-WSWS, with other members appointed by the Athlete Advisory Committee, which will maintain a minimum of 20% representation in both numbers and voting power. At the discretion of the President of USA-WSWS, at large members may also be appointed (non-voting).

8.2.3 Responsibilities:
The committee shall review the qualifications and selection of all of the candidates for each award available to the membership of USA-WSWS from the National Governing Body and
prepare a list of the committee selected recipients for presentation to the Board of Directors for approval.

8.2.4 Specific Policies or Practices Governing the Committee:
Decisions shall be made by a 2/3 vote and are subject to Board Approval.

8.3 Time and Place
8.3.1 Purpose:
The committee shall research and review locations within the United States as potential sites for the annual USA-WSWS Board of Directors meeting. They will make recommendations for meeting locations to the USA-WSWS Board of Directors.

8.3.2 Membership:
There shall be at least one representative from each USA-WSWS Sports Discipline as selected by the Sports Discipline Presidents and approved by the President of USA-WSWS, with other members appointed by the Athlete Advisory Committee, which will maintain a minimum of 20% representation in both numbers and voting power. At the discretion of the President of USA-WSWS, non-voting at large members may also be appointed.

8.3.3 Responsibilities:
The committee will review the costs of transportation and lodging for the directors and the USA-WSWS staff and consult with the Executive Director in determining the suggested locations for the meeting.

8.3.4 Specific Policies or Practices Governing the Committee:
Decisions shall be made by a 2/3 vote and are subject to Board Approval.

9.0 MEETINGS
9.1 Board meetings
9.1.1 The immediate past President may attend Board meetings with voice, but without vote.
APPENDIX I

Policies and Procedures for Proceedings Under USA Water Ski & Wake Sports
Bylaws Article IX (Complaint and Appeal Procedures)
Effective January 26, 2020

USA-Water Ski & Wake Sports (USA-WSWS) hereby adopts the following Policies and Procedures for all proceedings under USA-WSWS Bylaws Article IX (Complaint Procedures).

1. Complaints and Appeals may be filed with USA-WSWS in accordance with Article IX of USA-WSWS’ Bylaws. Throughout these procedures (whether a Complaint or an Appeal) a party initiating the proceeding shall be referred to as a Complainant, and a party responding to the proceeding shall be referred to as a Respondent.

   a. The Complainant shall file the Complaint or Appeal with the Judicial Committee, with a copy to the USA-WSWS Executive Director.
   b. The Complaint or Appeal shall set forth in clear and concise language:
      i. the alleged violation, grievance, denial or threat to deny, or issue from which any appeal is sought;
      ii. the remedy requested; and,
      iii. whether emergency or expedited action is necessary, the reasons therefor, and the requested deadline by which any emergency or expedited action should be taken.
   c. The Complainant shall sign the Complaint or Appeal.
   d. A copy of the Complaint or Appeal shall be promptly provided by the USA-WSWS Executive Director to the party(ies) against whom the Complaint has been filed (the “Respondent(s)”), and to the Chair of the Judicial Committee. Additionally, USA-WSWS shall provide the parties (Complainant(s) and Respondent(s)) and the Chair of the Judicial Committee with all materials filed with any relevant documents otherwise in the possession of USA-WSWS.
   e. The Judicial Committee shall then appoint a Hearing Panel (which may include members of the Judicial Committee) of five (5) disinterested persons which includes a 20% representation by a qualified Athlete (as defined by the Bylaws and policies of the United States Olympic and Paralympic Committee), to investigate, administer and decide the issues raised in the Complaint or Appeal. Notice of the proposed Hearing Panel appointees shall be provided to the parties, with an opportunity to object to any appointee for a conflict of interest or actual bias or prejudice. Any dispute relating to the appointments shall be resolved by the USA-WSWS Judicial Committee chair (or the chair’s designee, in the event the chair has a conflict of interest or is otherwise disqualified).
   f. The Judicial Committee or the designated Hearing Panel may also determine that individuals not listed as either a Complainant or Respondent may also be an interested party to whom notice of the proceedings (and an opportunity to object to any appointee for a conflict of interest or actual bias or prejudice. Any dispute relating to the appointments shall be resolved by the USA-WSWS Judicial Committee chair (or the chair’s designee, in the event the chair has a conflict of interest or is otherwise disqualified).
   g. Throughout all such proceedings, all parties shall have the right to submit additional relevant documents for consideration by the Hearing Panel. Copies of all materials provided by any party shall be provided to all other parties. All parties, including any affected or intervening party, shall be eligible to participate fully in the proceedings, including any hearing.
h. All parties, including any affected or intervening party, shall be bound by the decision of the Hearing Panel, even if she/he chooses not to participate.

3. Investigation and Hearing Procedures for Complaints

a. Following its appointment, the Hearing Panel shall (after seeking input from the parties) first enter a scheduling order setting forth the procedures to be followed throughout the proceedings, which may include addressing and deciding some or all of the matters (including rendering a final decision) on an expedited basis. The scheduling order shall address the following:
   i. a date by which the Respondents shall be required to formally respond to the Complaint, and if so, the date by which that response shall be filed;
   ii. A date by which any informal or formal mediation shall be completed (if the parties agree to mediation to be conducted by a neutral third-party mutually agreeable to the parties; no mediation shall be conducted unless all parties agree);
   iii. a date by which the parties must submit and exchange all written evidence;
   iv. whether any additional discovery, if any, shall be allowed, and (if additional discovery is to be allowed) the nature and format of that discovery and the date by which it shall be completed;
   v. A date by which the parties shall raise any preliminary motions or other matters, as well as the date for any subsequent or final hearing(s);
   vi. A date by which all documents to be used at any final hearing shall be disclosed and exchanged; and,
   vii. A date by which the identity of all witnesses to be called to testify at any final hearing shall be disclosed;
   viii. A date by which any written arguments must be submitted; and,
   ix. Any other matters the Hearing Panel determines may promote the efficient administration of the matter, consistent with general principles of due process and fairness.

b. If interim measures (such as a temporary suspension or limitation of a member’s membership privileges) are requested in any Complaint proceeding under Article IX(A)(1) (prior to any assumption of jurisdiction by the U.S. Center for SafeSport over matters arising under USA-WSWS’ SafeSport Policy), or (2)(a), of USA-WSWS’ Bylaws, and the immediate consideration of that request is determined by the Hearing Panel to be necessary and appropriate, the Hearing Panel may conduct expedited proceedings and impose interim measures during the pendency of the proceeding. Interim measures may be imposed on an ex parte emergency basis, but only if the Hearing Panel determines that there is not sufficient time to hold a hearing before such interim measures should be effective (such as to protect the health, safety and wellbeing of other athletes); if ex parte emergency measures are imposed, the affected member shall have the right to a hearing on any such interim measures within 48 hours after notice to the affected member that those interim measures have been imposed. In all other cases, a hearing must be held prior to the imposition of interim measures if those interim measures limit or prohibit the affected member’s eligibility to compete or participate in a USA-WSWS sanctioned competition or as a member of a USA-WSWS team. Under all circumstances, an affected member shall have a right to a hearing in connection with the imposition of interim measures. Interim measures may include temporary suspensions or limitations on a member’s membership rights and privileges, or other measures, but no membership shall be terminated until a final
decision has been rendered in accordance with the Policies and Procedures set forth in this Appendix 1. Interim measures may be imposed before a scheduling order has been entered.

c. The Hearing Panel shall have the right to conduct its own investigation as to the matters at issue, but shall provide all parties with the results of that investigation.

d. The Hearing Panel will address preliminary motions and matters, as appropriate (e.g., issues relating to standing, statute of limitations, and so forth) before proceeding to a determination on the merits. As to all preliminary motions and matters, either the parties or the Hearing Panel shall have the right to raise any such issues. The parties shall be advised of the nature of any preliminary motions, and shall be given an opportunity to be heard (either by written submissions, oral presentations or arguments, or a combination thereof, as determined in the sole discretion of the Hearing Panel) relevant to those preliminary motions and matters. The Hearing Panel shall issue a written decision on all such issues, as determined by a majority of the Hearing Panel.

e. Following the resolution of any preliminary motions and other matters, a hearing shall then be had on any matters which remain unresolved. At any hearing, all parties shall be given an opportunity to be heard, including the submission of evidence and the presentation of witnesses (unless the Hearing Panel determines that the presentation of evidence or witnesses is not relevant to the matters at issue), and the presentation of arguments relevant to the matters at issue. In the case of expedited proceedings, the Hearing Panel may dispense with the procedures set forth in this paragraph, except that all proceedings must comply with general principles of due process and fairness.

f. At any preliminary or final hearing, any party may require that a record be made of those proceedings by a certified court reporter, by reasonable prior notice to the Hearing Panel and other parties. The cost shall be borne solely by the party requiring that a record be made.

g. Hearings may be held in person, or by video or telephonic conference, at the discretion of the Hearing Panel.

4. Hearing Procedures for Appeals

a. Appeals shall be determined solely based on the record presented in the proceeding from which the appeal arises. The record shall consist of any written evidence or information presented to or considered by the decision maker in the underlying proceeding, any record of that proceeding (including any preliminary motions or matters) by a certified court reporter, and any written decision(s) rendered in that proceeding.

b. Following its appointment (using the member selection procedures in 2 E), the Hearing Panel shall (after seeking input from the parties) first enter a scheduling order setting forth the procedures to be followed throughout the proceedings. The scheduling order shall address the following:

   i. whether the Respondents shall be required to formally respond to the Appeal, and if so, the date by which that response shall be filed;

   ii. a date by which the parties must agree upon and submit all documents and information making up the record on appeal;

   iii. A date by which the parties shall raise any preliminary motions or other matters, as well as the date for any subsequent or final hearing(s); and,
iv. Any other matters the Hearing Panel determines may promote the efficient administration of the matter, consistent with general principles of due process and fairness.

The Hearing Panel shall have the right to amend the scheduling order from time to time, in its discretion.

C. The Hearing Panel will address preliminary motions and matters, as appropriate (e.g., issues relating to standing, statute of limitations, and so forth) before proceeding to a determination on the merits. As to all preliminary motions and matters, either the parties or the Hearing Panel shall have the right to raise any such issues. The parties shall be advised of the nature of any preliminary motions, and shall be given an opportunity to be heard (either by written submissions, oral presentations or arguments, or a combination thereof, as determined in the sole discretion of the Hearing Panel) relevant to those preliminary motions and matters. The Hearing Panel shall issue a written decision on all such issues, as determined by a majority of the Hearing Panel.

d. Following the resolution of any preliminary motions and other matters, a hearing shall then be had on any matters which remain unresolved. At any hearing, all parties shall be given an opportunity to be heard, (either by written submissions, oral presentations or arguments, or a combination thereof, as determined in the sole discretion of the Hearing Panel). In the case of expedited proceedings, the Hearing Panel may dispense with the procedures set forth in this Paragraph 5, except that all proceedings must comply with general principles of due process and fairness.

e. At any preliminary or final hearing, any party may require that a record be made of those proceedings by a certified court reporter, by reasonable prior notice to the Hearing Panel and other parties. The cost shall be borne solely by the party requiring that a record be made.

f. Hearings may be held in person, or by video or telephonic conference, at the discretion of the Hearing Panel.

5. Any further appeal of a final decision rendered as to any Complaint or Appeal shall be pursuant USA-WSWS Bylaws Article IX(E).
The USA-WS Bylaws approved at the BOD meeting in August 1998 to have a provision whereby each Sport Discipline shall develop and implement a set of Bylaws. These Bylaws must be reviewed by the USA-WS Bylaws committee to ensure compliance with the USA-WS Bylaws. They will then require USA-WS BOD approval. As of this writing, it is anticipated Sport Disciplines will have one year to complete this process.

In May 2019, The USA-WSWS Board of Directors changed the requirements on membership disciplinary actions and the Appeals and Grievance process. Those revisions are listed below and the wording herein is now required to be in each Sports Disciplines Bylaws. These changes are required to made by the end of January 2020 and will be a requirement for all Sports Disciplines in the future.

To assist in this effort the Bylaws committee has prepared the following list of items that must be addressed in your Bylaws to be in compliance with the USA-WSWS Bylaws. XXXX equals the name and XXX the abbreviation of the Sport Discipline. The numbers in ( ) reference the appropriate USA-WSWS Bylaws section and where appropriate, sample and/or the required language has been provided.

**NAME**
Must include reference to being a “Sport Discipline” of USA-WSWS

Sample: The name of the organization shall be XXXX the abbreviation of which shall be XXX. This organization is a Sport Discipline of USA Water Ski & Wake Sports Inc, the abbreviation of which is USA-WSWS. USA-WSWS is the national governing body of water skiing in the United States.

**MEMBERSHIP**
Must include statement that membership is open to all USA-WSWS members without prejudice. (Article V. A)

Sample: Membership in XXX shall be open to any individual member of USA-WSWS, without discrimination on the basis of race, color, religion, age, or sex: subject only to payment of dues as the USA-WSWS and XXX may prescribe from time to time.

**GOVERNANCE**
Must describe the method that will be used to select the USA-WSWS Director(s) allocated to the Sport Discipline. It should also address selection of alternates should the Sport Discipline choose to provide for alternates. (Article VI.2(a))

Must provide for athlete participation on the Board and on standing committees. (Article IV. A 7)
If the Sport Discipline is a Pan Am Sport Organization (PASO), the Bylaws must provide for “eligible athlete” participation on the Board and on standing committees and this participation must be 20% of the membership and voting power.  (Article IV. A 7)

The Sport Discipline Board must include among its members the Executive Director of USA-WSWS, or his designated representative(s) (in a non-voting ex-officio capacity).

Must include a provision for the Board accepting and annually signing the USA-WSWS Code of Conduct and Ethics Statement.  (USA-WSWS Policies and Procedures Manual Appendix III)

Sample: The Board shall subscribe to the USA-WSWS written Code of Conduct and Ethics which includes the requirement that each Officer, member of the Board, and each committee representative, annually agree in writing to abide by such code.

It is recommended, but not required that the Bylaws include a method or process for selecting the Sport Disciplines representatives to USA-WSWS committees, standing and special.  It should also provide for selection of alternatives should the Sport Discipline decide to provide for alternates.  It is strongly recommended, but not required, that the Bylaws include an “indemnification” statement.

Sample: The members of the Board, as a board and individually, and the members for each permanent standing committee, as a committee and individually, are specifically held harmless by XXX and USA-WSWS and its membership for all actions taken in good faith on behalf of XXX and USA-WSWS, including omissions, unless found culpable in a court of law of willful malfeasance, illegal activity or gross negligence, in which case XXX and/or USA-WSWS shall be entitled to recover any payments, costs or expenses incurred in the defense, compromise or settlement of any claims or suits against such member prior to such finding.

It is recommended, but not required, that where the Board has authority to revise the Bylaws, that the Bylaws also provide a mechanism for the membership to appeal the revision(s).

MANDATORY LANGUAGE TO BE INSERTED IN ALL SPORT DISCIPLINE BYLAWS

[Sport Discipline/acronym] hereby adopts the following Policies and Procedures for all proceedings under [Sport Discipline’s] Bylaws Article ### (Complaint Procedures).

1. **Complaints.**

[Sport Discipline/acronym] shall have exclusive jurisdiction over complaints relating to the following:

   a. The application or interpretation of any of [Sport Discipline’s] rules of competition including administrative rules relating thereto;

   b. Any alleged or actual denial, or threat to deny, an individuals’ opportunity to compete or participate (including as an athlete, coach, manager or otherwise) in a USA-WSWS sanctioned competition or as a member of an official U.S. team designated to participate in international competition relating to [Sport Discipline’s] activities.
2. **Manner of Filing, Notice and Binding Nature of the Proceedings.**

A complaint may be filed by any person who claims direct and actual harm as a result of the actions complaint of. The complainant shall file a Complaint with the **XXXX ACRONYM President**, with a copy to all members of [Sport Discipline’s] Executive Committee, and also with a copy to the Executive Director of USA-WSWS.

The Complaint shall set forth in clear and concise language, preferably in numbered paragraphs: (i) the alleged violation, grievance, denial or threat to deny, and (ii) the remedy requested. The complainant shall sign the complaint.

Promptly following receipt of the Complaint, the President shall send a copy of the Complaint, together with all materials filed with the Complaint and any relevant documents otherwise in the possession of **XXXX ACRONYM** to the party(ies) against whom the Complaint has been filed (the “Respondent(s)”).

Following receipt of the Complaint, the Executive Committee shall promptly designate a Hearing Panel (which may be the Executive Committee itself) to investigate and decide the Complaint (subject to ratification or amendment of the Hearing Panel’s decision by the [Sport Discipline’s] Board of Directors. The parties shall be given notice of the hearing panel appointees, and a reasonable opportunity to object to any hearing panel appointees because of any conflicts of interest or actual bias or prejudice. The Hearing Panel shall designate a chair to preside over all matters and hearings relating to the Compliant. If the Hearing Panel determines that any individual(s) not listed as either as a Complainant or Respondent are interested parties to whom notice of the proceedings (and an opportunity to be added or intervene as a party) should be given, the Hearing Panel Chair shall provide notice of the proceedings (which shall include a copy of the complaint and all other materials and relevant documents to the third-party(ies); the third-party(ies) shall thereafter inform the Hearing Panel of their intent to participate in the proceedings within a time period established by the Hearing Panel, except that the proceedings shall continue even in the absence of any such third-party(ies) who do not give notice of their intent to participate.

Throughout all such proceedings, all parties shall have the right to submit additional relevant documents for consideration by the Hearing Panel. Copies of all materials provided by any party, or any other communications, shall be provided to all other parties, and there shall be no *ex parte* communications between the parties and the Hearing Panel. All parties, including any affected or intervening party, shall be eligible to participate fully in the proceedings, including any hearing. All parties, including any affected or intervening party, shall be bound by the decision of the Hearing Panel, even if she/he chooses not to participate, subject only to the ratification or amendment of the Hearing Panel’s decision by the [Sport Discipline's] Board of Directors.

3. **Administration.**

The Complaint and all proceedings relating thereto shall generally be administered consistent with the principles of due process for such proceedings as set forth in the USA-WSWS Bylaws and related Policies and Procedures.
The Hearing Panel shall provide a written report of its decision, and the basis therefor, to the [Sport Discipline's] President, with a copy to the Executive Committee and USA-WSWS Executive Director. Upon receipt of the decision, the President shall present the decision at the next regularly scheduled meeting of the Board of Directors (or a special meeting of the Board of Directors, if determined necessary by the Executive Committee). At that Board of Directors meeting, the interested parties (including any intervening third-party(ies)) shall have the opportunity to provide written and oral presentations as to why they believe the Hearing Panel’s decision should be ratified or amended, following procedures as established by the Executive Committee. After considering the matter, the Board of Directors shall ratify the Hearing Panel’s decision or may (upon a two-thirds vote of the directors in attendance) amend the decision. The Board of Director’s decision may be made in writing, or may be made a part of the minutes of the meeting, and shall be deemed final when made, and the time for filing any appeal from the Board of Director’s decision shall commence when that decision is made. The President shall notify the interested parties (including any intervening third-party(ies)) of the decision of the Board of Directors.

4. **Appeals.**

Any appeal from a decision of the [Sport Discipline’s] Board of Directors resulting in any membership restriction, suspension or termination shall be to the USA-WSWS Judicial Committee in accordance with Article IX of the USA-WSWS’ Bylaws.

Any appeal from any other decision of the [Sport Discipline’s] Board of Directors shall by through the appeals arbitration process established and maintained by the United States Olympic Committee.

5. **Other Complaints.**

USA-WSWS shall have the sole and exclusive jurisdiction with respect to all other complaints, which shall be administered as set forth in Article IX of USA-WSWS’ Bylaws and related Policies and Procedures.

**MEETINGS**

Must provide for a minimum of one Annual Board of Directors meeting. (Article VII. D)

Must provide for a minimum of one Annual Membership meeting.

**501C3 CLAUSES REQUIRED BY THE IRS**

The following three sections are strongly recommended, especially if the intent is to incorporate the Sport Discipline, Federation or Region. These will be required for IRS approval of the Bylaws.

**INDEMNIFICATION STATEMENT**

The members of the XXXX, as a Sport Discipline, Federation or Region and individually, and the members for each permanent standing committee, as a committee and individually, are specifically held harmless by the XXXX and its membership for all actions taken in good faith on behalf of XXXX, including errors and omissions, unless found culpable in a court of law of willful malfeasance, illegal activity or gross negligence, in which case XXXX shall be entitled to recover any payments, costs or expenses incurred in the defense, compromise or settlement of any claims or suits against such member prior to such finding.
SAVINGS CLAUSE
Failure of literal or complete compliance with any provision of the Bylaws or Policies and Procedures in respect of dates and times of notice, or the sending or receipt of the same, or errors in phraseology of notice of proposals, which in the judgment of the Board at meetings held do not cause substantial injury to the rights of members, shall not invalidate the actions or proceedings of the members at any meeting.

DISSOLUTION
Section 1. XXXX may dissolve only by an affirmative vote of the XXXX Board in the manner and proportions described below. Each member of the Board shall be given notice of a special meeting called for the purpose of dissolution in the manner prescribed herein for special meetings. At a special meeting of the Board, three-quarters (3/4) of all then current directors must approve the proposed dissolution. Within ninety (90) days following Board approval of the dissolution, either voting by mail (USPS or electronically) or in person at the called meeting, must approve the proposed dissolution. In the event of dissolution, the disposal of the assets of XXXX shall devolve upon the Board. No part of the assets, income, or net earnings of XXXX shall inure to the benefit of any XXXX members or Directors or any other individual.

Section 2. Upon dissolution of the corporation, the Board of Directors shall dispose of all assets in such manner as qualifies as exempt at the time under section 501c3 of the Internal Revenue Code, or the corresponding code of any future federal tax code.
APPENDIX III
CODE OF CONDUCT AND ETHICS
USA WATER SKI & WAKE SPORTS
EFFECTIVE JANUARY 26, 2020

USA Water Ski & Wake Sports (USA-WSWS) is committed to providing a safe and ethical environment for all of its members, affiliated clubs, athletes, volunteers and employees (collectively “Colleagues” for purposes of this Code of Conduct and Ethics). USA-WSWS has adopted this Code of Conduct and Ethics (“Code of Conduct”) which governs all members, affiliated clubs, athletes, volunteers and employees in USA-WSWS activities.

I. PRINCIPLES OF ACCEPTABLE AND ETHICAL CONDUCT

As a part of this Code of Conduct, all Colleagues must:

1. Be knowledgeable of, and abide by USA-WSWS’s Bylaws, Policies (including USA-WSWS’s SafeSport policies), Competition Rules, and other member requirements which may be adopted from time to time.
2. Resolve all alleged ethical and conduct violations in a fair, direct and prompt manner.
3. Preserve USA-WSWS’ stewardship role for water ski and wake sports.
4. Handle and engage in all USA-WSWS activities honestly and ethically, and in accordance with this Code of Conduct of Conduct.

Additionally, all Colleagues must exercise any duties and responsibilities undertaken on behalf of USA-WSWS (such as being an official, coach, director, officer, committee representative, or as an employee) (a) in good faith, (b) with the care an ordinarily prudent person in a like position would exercise under similar circumstances, and (c) in a manner that the Colleague reasonably believes to be in the best interests of USA-WSWS. This Code of Conduct establishes minimum standards of acceptable conduct, and all Colleagues are expected to seek clarification or direction from the Ethics Committee Chair (who shall respond in consultation with the Ethics Committee) if they are uncertain about what is required or if they have any questions as to how this Code of Conduct may apply to their circumstances.

This Code of Conduct is intended to set forth the principles and procedures for defining, preventing, and addressing violations of USA-WSWS’ ethical and conduct standards, consistent with USA-WSWS’ Bylaws, Competition Rules, and other member requirements which may be adopted from time to time. The standards set forth in this Code of Conduct are mandatory, and must be followed by all USA-WSWS Colleagues. This Code of Conduct applies to all USA-WSWS Members and all other Colleagues. USA-WSWS national team athletes will also be required to sign a team Code of Conduct and U.S. Team Agreement, which will apply in addition to this Code of Conduct (and which extend from this Code of Conduct to the extent that any higher or stricter standard applies under the team Code of Conduct or U.S. Team Agreement). USA-WSWS employees may also be subject to additional requirements as set forth in USA-WSWS’ employee policies.

II. SCOPE OF THE CODE OF CONDUCT

The standards set forth in the Code of Conduct are mandatory; they must be followed by all Colleagues.

III. LEADERSHIP RESPONSIBILITIES

USA-WSWS Colleagues holding positions of leadership must exercise their responsibility in a manner that ensures that Colleagues have sufficient information to comply with applicable laws, regulations, and policies, provides the resources required to resolve ethical concerns, creates a
culture that promotes the highest standards of ethics and conduct, and never sacrifices ethical and compliant behavior in the pursuit of other organization objectives.

In exercising any duties and responsibilities undertaken on behalf of USA-WSWS, officers, directors, committee persons and employees of USA-WSWS are subject to the laws of the State of Florida relating to the exercise of those duties in good faith, with ordinary and prudent care, and in a manner reasonably believed to be in the best interests of USA-WSWS. No such person shall be personally responsible to USA-WSWS for monetary damages for breach of fiduciary duty to USA-WSWS unless any such damages result from (a) a breach of loyalty, (b) acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law, or (c) transactions from which the director, officer, or committee member directly or indirectly derives an improper personal benefit.

IV. OPEN COMMUNICATIONS

USA-WSWS recognizes that open and honest communication is essential to achieving the productive and transparent environment necessary to protect the integrity of sport. All USA-WSWS Colleagues are encouraged to create an environment and culture in which asking questions and challenging the status quo is encouraged and rewarded.

V. LEGAL AND REGULATORY COMPLIANCE

USA-WSWS requires all Colleagues to abide by all applicable United States federal, state, and local laws, including the Ted Stevens Olympic and Amateur Sports Act, and foreign laws, as applicable. The Code of Conduct operates in tandem with the policies and procedures of USA-WSWS, USA-WSWS’s staff, and with all applicable U.S. and foreign laws and regulations. Where more than one set of laws, regulations, local customs, or norms exist, USA-WSWS Colleagues shall use the highest standard of behavior or the most restrictive requirement that applies.

All questions regarding conflicts of law, such as a conflict between any United States and foreign law, or regarding the legality of any action should be directed immediately to the USA-WSWS Executive Director and President for information and guidance.

VII. CONFLICTS OF INTEREST

USA-WSWS has instituted a strict policy regarding conflicts of interest. All USA-WSWS Colleagues must refrain from any activity or investment that creates, or that might appear to create, a Conflict of Interest. This policy requires all Conflicts of Interest, either actual or perceived, to be immediately reported following the procedures detailed below. This policy is intended to supplement but not replace all applicable state and federal laws governing conflicts of interest in nonprofit or charitable organizations.

Specifically, all Colleagues must be free from any influence which might interfere with the proper and efficient discharge of their duties, or which might be inconsistent with their loyalty to USA-WSWS. It is also the duty of USA-WSWS employees and volunteers not to use their position with USA-WSWS for personal advantage or gain. To that end:

A. Colleagues shall not accept monetary compensation other than normal salaries and business expense reimbursement for services within the scope of their duties to USA-WSWS. In addition, no Colleagues, except for athletes speaking on the subject of their competitive experiences, shall accept honoraria for speaking engagements where the subject of the discussion relates to activities of a USA-WSWS sports discipline.
B. It is normal and acceptable for a Colleague to be provided meals, lodging and event clothing when acting in an official capacity at a USA-WSWS sanctioned event. It is also normal and expected that members and staff of a competition team representing a USA-WSWS sports discipline will be provided travel expenses and clothing. It is expected that exceptions to this rule will be made where no actual or perceived conflict of interest exists. USA-WSWS Colleagues shall submit requests for exceptions to the Chairman of the Ethics Committee who, in consultation with the Ethics Committee, shall have the authority to approve or disapprove of any such request.

C. No Colleague shall engage in outside activities that are in clear and direct conflict with the interests of the USA-WSWS.

D. Colleagues shall attempt to remain free from obligations to, or relationships with, any person or concern with which USA-WSWS has a business or other relationship. Where a Colleague has such an obligation or relationship, he or she shall disclose it to the Ethics Committee Chairman, who in consultation with the Ethics Committee, shall have the authority to approve or disapprove of the obligation or relationship. The Ethics Committee could request the individual to:

1. Excuse himself or herself from any formal or informal discussions related to the relationship between the USA-WSWS and the person or concern; and

2. Abstain from voting and from seeking to influence the vote on any matter related to the person or concern.

E. USA-WSWS volunteers and employees shall not use assets, intellectual property or confidential information for personal gain.

VIII. GIFTS

USA-WSWS has instituted a strict policy regarding gifts. All USA-WSWS Colleagues must refrain from accepting or offering any gift in violation of this Code of Conduct. This policy requires all improper gifts to be immediately reported following the procedures detailed below. This policy is intended to supplement but not replace all applicable state and federal laws governing conflicts of interest in nonprofit or charitable organizations.

Except as permitted in this Code of Conduct, no Colleague shall accept any gift as a result of their position, including travel and entertainment. The gift policy will also apply to the purchase of goods and services at a price less than would be available to them if it were not for their position with USA-WSWS. Specifically:

A. Gifts which the recipient reasonably and in good faith believes to have a value of less than $150, and provided that the cumulative value of gifts from one source in any calendar year does not exceed $300, may be accepted. In no event, however, may any such gift influence or appear to influence the recipient in the discharge of his or her official duties. No gift with a value of less than $50 will count toward the $300 annual limit.

B. The following gifts shall be permitted:

1. Gifts from relatives.
2. Gifts from personal friends, unless the gift is provided because of a USA-WSWS affiliation.
3. Gifts from USA-WSWS.
4. Gifts provided as a result of the recipient’s outside business or employment activities.
5. Awards or prizes given to competitors in contests or events open to the public.
6. Honorary degrees and other bona fide, non-monetary awards presented in recognition of service.
7. Gifts of personal hospitality.
8. Commemorative plaques or trophies.
9. Food or refreshments offered as a part of a meal.
10. Hospitality (e.g., tours, event tickets, meals) provided to groups in conjunction with USA-WSWS board and committee meetings.
11. Gifts of tickets to athletic events shall also be permitted. This exception shall only apply to spectator events and shall not apply to events in which the recipient participates (e.g., the exception will not apply to a gift of lift tickets). Any gift of tickets with a value in excess of $150 must be disclosed to the Chairman of the Ethics Committee no later than thirty (30) days after the event in question unless it is exempt by virtue of one of the exceptions listed above.

Questions regarding the application of the gift policy will be addressed by the Ethics Committee. The Committee will have the authority to waive the application of the gift policy on a case by case basis, if no actual or perceived conflict of interest exists.

Care must also be taken not to influence, or appear to influence, the decision-making processes of third parties through gift giving. To that end, the same restrictions that apply to the receipt of gifts shall apply to the delivery of gifts to third parties.

IX. USA-WSWS INFORMATION

All USA-WSWS Colleagues are responsible for the integrity and accuracy of organization documents, communications and financial records. USA-WSWS records serve as a basis for managing its activities and are important in meeting its obligations to vendors, sponsors, government regulators, creditors, the Board, and its members.

USA-WSWS shall maintain a system of internal controls to assure appropriate authorization, recording and accountability of USA-WSWS’s assets. USA-WSWS shall maintain high standards of accuracy and completeness in documenting, maintaining, and reporting financial information. USA-WSWS shall also comply with tax and financial reporting requirements. All USA-WSWS financial documentation must reflect actual USA-WSWS funds, assets, and transactions. It must also conform to accounting principles generally accepted in the United States of America.

All responses to requests by internal auditors, legal staff, independent accountants, the Board, and outside counsel, must be complete and truthful. Colleagues must include all relevant information, even if the request does not specifically ask that that be done.

It is a violation of this Code of Conduct to alter or falsify information on any record or document, to intentionally make a false or exaggerated claim to anyone, or to mislead anyone about USA-WSWS activities. USA-WSWS documents and records must be retained according to the law, and our own
record retention policies. No one may remove or destroy records before the specified date without first obtaining permission as outlined in USA-WSWS’s records management policy.

X. CONDUCT

Any one or more of the following shall constitute violations of this Code of Conduct or the USA-WSWS Code of Conduct of Ethics:

A. **Drugs and Alcohol.** All USA-WSWS athletes must adhere to IWWF, USOC, USADA and WADA anti-doping protocols, policies and procedures. This includes participation in out of competition testing as required by the IWWF, USOC USADA and WADA Rules.

B. **Athlete Team Agreements.** All members of USA-WSWS teams must also adhere to the requirements and obligations set forth in any athlete team Code of Conduct and U.S. Team Agreement.

C. **Equal Treatment.** USA-WSWS strictly prohibits unlawful discrimination or unlawful harassment of any kind. Treating someone in an unlawful discriminatory or harassing manner is a violation of this Code of Conduct.

D. **SafeSport Policy.** Any violation of the USA Water Ski & Wake Sports SafeSport Policy (to be implemented shall be a violation of this Code of Conduct.

E. **Fraud, Deception.** Any act of fraud, deception, improper use of USA-WSWS assets, or dishonesty in connection with any USA-WSWS-related activity.

F. **Inappropriate Conduct.** Any non-consensual physical contact, obscene language or gesture, or other defamatory, demeaning, or threatening language (whether written or oral) or conduct directed towards a Colleague is a violation of this Code of Conduct.

G. **Conduct Detrimental.** Any other material and intentional wrongful act, conduct or failure to act not provided for above, which is detrimental to the image or reputation of USA-WSWS or its Objects and Purposes.

H. **Disclosure of Confidential Information.** Any intentional or reckless disclosure of material USA-WSWS confidential information.

I. **Retaliation.** Any retaliation against any person who reports or participates in an investigation of a possible violation of our Code of Conduct.

J. **Failing to Report Violations and False Accusations.** Any knowing or intentional failure to report a violation of this Code of Conduct or USA-WSWS’ Code of Conduct of Ethics, or any false accusation which is knowing or intentional.

XI. RESOLVING ETHICAL AND CONDUCT ISSUES

Colleagues have an obligation to be familiar with this Code of Conduct. Lack of awareness or misunderstanding of an ethical or conduct standard is not itself a defense to a charge of unethical conduct that violates the Code of Conduct. USA-WSWS Colleagues should direct all conduct and ethics questions and concerns to the Ethics Committee or to other appropriate authorities in order to choose a proper response.

XII. WHISTLEBLOWER POLICY

A "whistleblower" as defined by this policy is any USA-WSWS Colleague who reports an activity to one or more of the parties specified in this policy that they consider to be illegal, dishonest, unethical...
or in conflict with the interests of USA-WSWS. Reports should be made as set forth below. All Colleagues must exercise sound judgment to avoid baseless allegations. A Colleague who intentionally files a false report of wrongdoing will be subject to sanctions up to and including termination.

"Whistleblower" protections provide confidentiality and prevent retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense, disclosure of identity may be required. USA-WSWS will not retaliate against a whistleblower. Any "whistleblower" who believes he or she is being retaliated against must contact the USA-WSWS Executive Director immediately, with copies to USA-WSWS’ President and the chair of the committee having jurisdiction (Ethics Committee or Judicial Committee). The right of the "whistleblower" to protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. USA-WSWS Colleagues with any questions regarding this policy should contact the Ethics Committee.

XIII. INVESTIGATION AND ADJUDICATION

Jurisdiction for investigating and adjudicating alleged violations under this Code of Conduct is as follows:

A. Jurisdiction over issues arising under USA-WSWS’ SafeSport Policy shall be as set forth in the Bylaws of USA-WSWS and its SafeSport policy.

B. Jurisdiction over other issues arising under Article IX (Complaint and Appeal Procedures) of the USA-WSWS shall be as set forth in the Bylaws of USA-WSWS.

C. Jurisdiction over all other issues arising under Article VIII (Conflict of Interest and Ethical Practice) or otherwise relating to this Code of Conduct shall be with the USA-WSWS Ethics Committee.

D. Alleged violations involving USA-WSWS employees may be addressed if/as appropriate by USA-WSWS’ Executive Director and USA-WSWS’ President.

When Colleagues believe that a violation has occurred, they should report it to the USA-WSWS Executive Director, with copies to USA-WSWS’s President and the chair of the committee having jurisdiction (Ethics Committee or Judicial Committee). Where jurisdiction is unclear, the chair persons shall communicate and determine how to proceed.

In certain circumstances, issues may be resolved informally, such as by bringing it to the attention of the individual and seeking an informal resolution of the issue. If that occurs, a report shall still be made documenting the agreed upon resolution.

If an informal resolution is not appropriate or proper, the Authority or Committee having jurisdiction shall undertake a formal proceeding pursuant to procedures adopted in accordance with USA-WSWS’ Bylaws (or by the U.S. Center for SafeSport if/as applicable). Any formal investigation or proceedings by the Ethics Committee shall generally follow the same procedures as are applicable to Complaints over which the Judicial Committee has jurisdiction.

Anyone who violates this Code of Conduct is subject to disciplinary measures, which may include termination of employment, suspension or expulsion from USA-WSWS. Disciplinary measures may also be taken with respect to senior staff who condone improper conduct by their associates or who do not take measures to correct problems that are brought to their attention.

This policy serves as a framework to guide ethical conduct, but by no means covers every
situation. If you are unclear about the requirements of this policy, please consult your supervisor or contact the Chairman of the Ethics Committee. You have a responsibility to ask questions if you have doubts about a situation or proposed course of action.

The following people shall be required to deliver an annual certification (which can be satisfied by email statement) to the Executive Assistant of USA-WSWS regarding compliance with this Code of Conduct

1. USA-WSWS and Sport Disciplines board of directors.
3. Employees of USA-WSWS.
USA-Water Ski & Wake Sports (USA-WSWS) hereby adopts the following Statement of Policy relating to USOC’s National Anti-Doping Policies and related USADA protocols.

It is the duty of all members of USA-WSWS to comply with all anti-doping rules of the International Water Ski & Wake Sports Federation (IWWF), the U.S. Anti-Doping Agency (USADA), and the United States Olympic Committee (USOC) including the USADA Protocol for Olympic and Paralympic Movement Testing (USADA Protocol), and all other policies and rules adopted by IWWF, USADA, and the USOC National Anti-Doping Policy. Members agree to submit to drug testing by IWWF and/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 suspension. If it is determined that a 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 IWWF and/or USA-WSWS, if applicable or referred by USADA.
APPENDIX V

USA WATER SKI & WAKE SPORTS

SAFESPORT HANDBOOK

VERSION V 7/1/2019
SAFESPORT PROGRAM HANDBOOK

Effective April 2019
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INTRODUCTION

USA Water Ski & Wake Sports (USA-WSWS) strives to provide a safe environment for its members and is committed to create an atmosphere that is free of harassment and abusive practices. **USA-WSWS and its affiliated Sport Disciplines will not tolerate any form of harassment, abuse or misconduct and will uphold a zero tolerance policy.**

There are many positive reasons to participate in one of USA-WSWS’s nine Sport Disciplines, but like all sports, it can also be a high-risk environment for misconduct: emotional, physical, sexual, bullying, harassment and hazing. *All forms of harassment, abuse and misconduct are unacceptable and in direct conflict with USA-WSWS values and ideals.*

Misconduct may damage an athlete’s psychological well-being. Athletes who have been mistreated experience social embarrassment, emotional turmoil, psychological scars, and loss of self-esteem. Misconduct may also have a negative impact on family, friends and the sport. Misconduct often hurts an athlete’s competitive performance and may cause him or her to drop out of the sport entirely.

This SafeSport Handbook includes various policies that apply to all USA-WSWS members, clubs, programs, events and activities, and specifically includes abuse prevention policies relating to youth athletes and participants. It also acts as an educational tool for USA-WSWS members. This handbook focuses on the following:

- Recognizing and reducing circumstances for potential abuse to occur
- Information on USA-WSWS’s required screening and background check program
- The availability and procedures for any person to report suspected abuse or misconduct (including protections from any retaliation or repercussions for such reporting)
- The procedures and means by which USA-WSWS and its sport disciplines, member clubs and programs should respond to allegations of abuse and misconduct

Through the USA-WSWS SafeSport Program, USA-WSWS is committed to providing the safest possible environment for all participants.
SAFE SPORT: ANTI-HARASSMENT AND ABUSE POLICY

What is SafeSport?

SafeSport is an initiative of the United States Olympic Community and its National Governing Bodies to recognize, reduce and respond to misconduct in sport. USA-WSWS has adopted this policy as a part of that effort, and as a part of its effort to prevent harassment or abuse from occurring. This policy defines what conduct is prohibited, outlines the training that is available to help prevent misconduct (and who is required to complete that training), and outlines what action should be taken when suspicions or allegations of misconduct occur. Individuals should not attempt to evaluate the credibility or validity of any harassment or abuse allegations before taking action under this policy; rather, this policy should be followed whenever those circumstances arise. This is particularly important in cases involving the harassment or abuse of minors.

Who does this Policy apply to?

This policy applies to all “Covered Individual,” who are defined to include the following persons:

- Persons who are members of USA-WSWS, including coaches, volunteers, officials, athletes and others;
- All USA-WSWS office staff and board members;
- Members of any national or international team staff.

Further information regarding the requirements for Covered Individuals, such as background screening and SafeSport training, are found in the “USA Water Ski SafeSport Certification Requirements” attachment to this policy.

Covered Individuals shall be subject to the jurisdiction of USA-WSWS and/or the U.S. Center for SafeSport with respect to the investigation and resolution of any allegations that such Covered Individual may have violated this policy, and are subject to any actions taken by the U.S. Center for SafeSport or USA-WSWS relating to the enforcement of this policy.

More information about the SafeSport initiative and programs can be found at www.safesport.org.
PROHIBITED CONDUCT

Sexual Abuse and Misconduct: It is the policy of USA-WSWS that there shall be no sexual abuse or misconduct. This includes any sexual activity where consent is not or cannot be given is prohibited.

USA-WSWS members and Covered Individuals shall not engage in sexual harassment or abuse, which includes, and is not limited to, nonconsensual sexual solicitation, physical advances or contact, or verbal or nonverbal conduct that is sexual in nature. This prohibition includes sexual contact that is accomplished by deception, manipulation, force or threat of force (regardless of the age of the participants), and all sexual interactions between an adult and a minor (regardless of whether there is a deception or the minor understands the sexual nature of the activity. Inappropriate touching or contact is prohibited, which includes, but not limited to, nonconsensual touching, hugging, kissing, sexually oriented behavior, sexually suggestive electronic or written communications, sexually stimulating or otherwise inappropriate games.

Any act or conduct described as sexual abuse or misconduct under federal or state law is also prohibited.

Sexual misconduct also includes any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority.

Note:
- An imbalance of power is always assumed between a coach and an athlete, regardless of age.
- Minors cannot consent to sexual activity with an adult. All sexual interaction between an adult and a minor is strictly prohibited.

Examples of Sexual Abuse and Misconduct

<table>
<thead>
<tr>
<th>Touching Offenses</th>
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<tbody>
<tr>
<td>• Fondling an athlete’s breasts or buttocks</td>
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<tr>
<td>• Exchange of reward in sport (e.g., team placement, scores, feedback, free lessons/water time, etc.) for sexual acts</td>
</tr>
<tr>
<td>• Genital contact – whether or not either party is clothed</td>
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<tr>
<td>• Sexual relations or intimacies between participants in a position of trust, authority and/or evaluative and supervisory control over athletes or other sport participants</td>
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<tr>
<th>Non-touching Offenses</th>
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<tr>
<td>• Sexually-oriented comments, jokes or innuendo made to or about an athlete, or other sexually harassing behavior</td>
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<tr>
<td>• An authority figure discussing his or her sex life with an athlete</td>
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<td>• An authority figure asking an athlete about his or her sex life</td>
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<td>• An authority figure requesting or sending a nude or partial-dress photo to athlete</td>
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<td>• Exposing athletes to pornographic material</td>
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<tr>
<td>• Sending athletes sexually-explicit or suggestive electronic or written messages or photos (e.g., “sexting”)</td>
</tr>
</tbody>
</table>
- Deliberately exposing an athlete to sexual acts
- Deliberately exposing an athlete to nudity (except in situations where locker rooms and changing areas are shared)
- Sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature

### Physical Abuse and Misconduct

It is the policy of USA-WSWS that there shall be no physical abuse or misconduct.

Physical abuse includes:
- Physical contact with a participant that intentionally causes, or has the potential to cause, the participant to sustain bodily harm or personal injury.
- Physical contact with a participant that intentionally creates a threat of immediate bodily harm or personal injury. Physical abuse may also include intentionally hitting or threatening to hit an athlete with objects or sports equipment.
- Providing of alcohol to a participant under the age of 21 and the providing of illegal drugs or non-prescribed medications to any participant.
- Any act or conduct described as physical abuse or misconduct under federal or state law (e.g., child abuse, child neglect and assault).

Physical misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athlete performance.

#### Examples of Physical Abuse and Misconduct

<table>
<thead>
<tr>
<th>Contact Offenses</th>
<th>Non-contact Offenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Punching, beating, biting, striking, choking or slapping an athlete</td>
<td>Isolating an athlete in a confined space (e.g., locking an athlete in a small space)</td>
</tr>
<tr>
<td>Intentionally hitting an athlete with objects or sporting equipment</td>
<td>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)</td>
</tr>
<tr>
<td>Providing alcohol to an athlete under the legal drinking age (under U.S. law)</td>
<td>Withholding, recommending against or denying adequate hydration, nutrition, medical attention or sleep.</td>
</tr>
<tr>
<td>Providing illegal drugs or non-prescribed medications to any athlete</td>
<td>Prescribed dieting or other weight-control methods (e.g., public weigh-ins, caliper tests for humiliation purposes)</td>
</tr>
<tr>
<td>Encouraging or permitting an athlete to return to play prematurely or without the clearance of a medical professional, after a serious injury (e.g., a concussion)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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31101067.1
**Emotional Abuse and Misconduct:** It is the policy of USA-WSWS that there shall be no emotional abuse or misconduct.

Emotional abuse involves a pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to a participant. These behaviors may include verbal acts, physical acts or acts that deny attention or support.

Emotional abuse does not include generally accepted and age-appropriate coaching methods of skill enhancement, physical conditioning, motivation, team building, appropriate discipline or improving athletic performance.

### Examples of Emotional Abuse and Misconduct

<table>
<thead>
<tr>
<th>Verbal Acts</th>
<th>A pattern of verbal behaviors that attack a participant personally (e.g., calling them worthless, fat or disgusting) or repeatedly and excessively yelling at a particular participant or participants in a manner that serves no productive training or motivational purpose.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Acts</td>
<td>A pattern of 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.</td>
</tr>
<tr>
<td>Acts that Deny Attention &amp; Support</td>
<td>A pattern of ignoring a participant for extended periods of time or routinely or arbitrarily excluding a participant from practice.</td>
</tr>
</tbody>
</table>

**Bullying, Threats and Harassment:** It is the policy of USA-WSWS that there shall be no bullying, threats and harassment.

Bullying is the use of coercion to obtain control over another person or to be habitually cruel to another person. Bullying involves an intentional, persistent or repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended to cause fear, humiliation, or physical harm in an attempt to socially exclude, diminish, or isolate another person. Bullying can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture.

A threat to harm others is defined as any written, verbal, physical or electronically transmitted expression of intent to physically injure or harm someone. A threat may be communicated directly to the intended victim or communicated to a third party.

Harassment in sport includes any pattern of physical and/or non-physical behaviors that (a) are intended to 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 participant or group.
based on gender, race, ethnicity, culture, religion, sexual orientation, gender expression, or mental or physical disability. Harassment also includes the creation of an environment through behavior or course of conduct that is insulting, intimidating, humiliating, demeaning or offensive. Harassment usually occurs when one person engages in abusive behavior or asserts unwarranted power or authority over another, whether intended or not. It includes, for example, name-calling, taunts, threats, belittling, unwelcome advances and requests for sexual acts, as well as undue threats to perform or succeed. Harassment includes child abuse.

**Examples of Bullying**

<table>
<thead>
<tr>
<th>Physical Bullying</th>
<th>• Punching, kicking or choking an athlete</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verbal and Emotional Bullying</td>
<td>• Cyber bullying – Using electronic communication to harass, frighten, degrade, intimidate or humiliate</td>
</tr>
<tr>
<td></td>
<td>• Using words to harass, frighten, degrade, intimidate or humiliate</td>
</tr>
</tbody>
</table>

**Examples of Threats**

<table>
<thead>
<tr>
<th>Direct Threat</th>
<th>• Communicating an intent to cause physical harm to another</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indirect Threat</td>
<td>• Communicating an intent to cause harm through a third party</td>
</tr>
</tbody>
</table>

**Examples of Harassment**

<table>
<thead>
<tr>
<th>Environment</th>
<th>• Harassing environment created by: name-calling, taunts, threats, belittling, unwelcome advances and requests for sexual acts, as well as undue threats to perform or succeed.</th>
</tr>
</thead>
</table>
| Sexual Harassment                 | • Unwanted deliberate touching  
• Unwanted sexual teasing, jokes, remarks, or questions  
• Unwanted letters, telephone calls, or materials of a sexual nature |

**Hazing: It is the policy of USA-WSWS that there shall be no hazing.**

Hazing includes any conduct which is intimidating, humiliating, offensive, or physically harmful. The hazing conduct is typically an activity that serves as a condition for joining a group or being socially accepted by a group’s members.

**Examples of Hazing**

| Hazing                            | • Requiring or forcing (including through peer pressure) the consumption of alcohol or illegal drugs  
• Tying, taping, or physically restraining a participant;  
• Sexual simulations or sexual acts of any nature  
• Sleep deprivation, or the withholding of water and/or food  
• Social actions or public displays (e.g. public nudity) that are illegal |

or meant to draw ridicule

• Beating, paddling, or other forms of physical assault.

**Willfully Tolerating Misconduct:** It is a violation of this USA-WSWS policy if an instructor, coach, official, or any other member or affiliate of USA-WSWS knows of misconduct, but takes no action to intervene on behalf of the athlete(s), participant(s), staff member and/or volunteer.
ATHLETE PROTECTION POLICIES AND GUIDELINES

One-on-one Interactions

The one-on-one interaction policies in this section apply to all of the following persons:

1) Adult members at a facility that is either partially or fully under the jurisdiction of a Covered Organization;
2) Adult members who have regular contact with amateur athletes who are minors;
3) Any adult authorized by a Covered Organization to have regular contact with or authority over an amateur athlete who is a minor; and
4) Adult staff and board members of a Covered Organization.
(Collectively “Applicable Adult” for the purposes of one-on-one interaction policies.)

One-on-one interactions - General:

One-on-one interactions between a minor athlete and an adult (who is not the minor’s parent or legal guardian) at a facility under USA-WSWS’ jurisdiction (such as at sanctioned events) are permitted if they occur at an observable and interruptible distance by another adult, except in emergency circumstances. However, individual training sessions between minor athletes and an adult (who is not the minor’s parent or legal guardian) may also be conducted if the adult has obtained written permission from the minor’s parent or legal guardian in advance of the individual training session (to be renewed at least every six months).

a. Observable and interruptible
   - One-on-one interactions between a minor athlete and an Applicable Adult (who is not the minor’s legal guardian) at a facility partially or fully under our jurisdiction are permitted if they occur at an observable and interruptible distance by another adult.
   - One-on-one interactions between minor athletes and an Applicable Adult (who is not the minor’s legal guardian) at a facility partially or fully under our jurisdiction are prohibited, except in the circumstances described in subpart d of this section and under emergency circumstances.

b. Meetings
   - Meetings between Applicable Adults and minor athletes at a facility partially or fully under our jurisdiction may only occur if another adult is present, except under emergency circumstances. Such meetings must occur where interactions can be easily observed and at an interruptible distance from another adult.
   - If a one-on-one meeting takes place in an office at a facility partially or fully under our jurisdiction, the door to the office must remain unlocked and open. If
available, it will occur in an office that has windows, with the windows, blinds, and/or curtains remaining open during the meeting.

c. **Meetings with mental health care professionals and health care providers**
   - If a mental health care professional and/or health care provider meets with minor athletes at a facility partially or fully under our jurisdiction, a closed-door meeting may be permitted to protect patient privacy provided that: (1) the door remains unlocked; (2) another adult is present at the facility; (3) the other adult is advised that a closed-door meeting is occurring; and (4) written legal guardian consent is obtained in advance by the mental health care professional and/or health care provider, with a copy provided to our organization.

d. **Individual training sessions**
   - Individual training sessions between Applicable Adults and minor athletes are permitted at a facility partially or fully under our jurisdiction if the training session is observable and interruptible by another adult. It is the responsibility of the Applicable Adult to obtain the written permission of the minor's legal guardian in advance of the individual training session if the individual training session is not observable and interruptible by another adult. Permission for individual training sessions must be obtained at least every six months. Parents, guardians, and other caretakers must be allowed to observe the training session.

**Changing Area Policy:**

Minor athletes may be particularly vulnerable in changing areas, locker rooms and restrooms because of various states of dress/undress, and because they may be less supervised than at other times. Adherence to a changing area policy, including proper supervision of the changing areas, enhances privacy and reduces the likelihood of misconduct. To protect against abuse or misconduct which may occur in changing areas:

- Where a changing area for USA-WSWS athletes is available to minor athletes, at least one responsible adult shall be present to monitor the changing area to ensure that only athletes, coaches, approved team personnel and family members are permitted in the changing area and to supervise the conduct in the changing area. Where possible, two responsible adults who have been properly screened pursuant to USA-WSWS’ Screening and Background Check policy shall be present.
- No audio or video recording will be allowed in changing areas, including recording by cell phones and other mobile devices with video or audio recording capabilities, or still and video cameras.

If our organization uses a facility not fully under our jurisdiction (for, e.g., training or competition or similar events) and the facility is used by multiple constituents, Applicable Adults in categories 1 through 4 are nonetheless required to adhere to the rules set forth herein.
Under no circumstances shall an unrelated Applicable Adult at a facility under our organization’s jurisdiction intentionally expose his or her breasts, buttocks, groin, or genitals to a minor athlete.

Except for athletes on the same team, at no time are unrelated Applicable Adults permitted to be alone with a minor athlete in a locker room or changing area when at a facility under our partial or full jurisdiction, except under emergency circumstances. If our organization is using a facility that only has a single locker room or changing area, we will designate separate times for use by Applicable Adults, if any.

**Travel Policy:**

USA-WSWS has sport disciplines where teams are formed to travel to compete in national and international competitions. In addition, USA-WSWS has member clubs that may also form teams to travel and compete in various events. USA-WSWS prohibits all types of physical abuse, sexual abuse, emotional abuse, bullying, threats, harassment and hazing, all as described in the USA-WSWS SafeSport Handbook. USA-WSWS has established policies to guide our travel, minimize one-on-one interactions and reduce the risk of abuse or misconduct. Adherence to these travel guidelines will increase athlete safety and improve the athletes experience while keeping travel a fun and enjoyable experience.

Applicable Adults who are not also acting as a legal guardian, shall not ride in a vehicle alone with an unrelated minor athlete, absent emergency circumstances, and must have at least two minor athletes or another adult at all times, unless otherwise agreed to in writing by the minor athlete’s parent/legal guardian in advance of each local travel.

- When only one Applicable Adult and one minor athlete travel to a competition, the minor athlete must have his/her legal guardian’s written permission in advance and for each competition to travel alone with said Applicable Adult.
- Applicable Adults shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the Applicable Adult is the legal guardian, sibling, or is otherwise related to the minor athlete). However, a parent/legal guardian may consent to such an arrangement in advance and in writing. Furthermore, a parent/legal guardian may consent in advance and in writing to the minor athlete sharing a hotel room or other sleeping arrangement with an adult athlete.

Meetings shall be conducted consistent with the organization’s policy for one-on-one interactions (i.e., any such meeting shall be observable and interruptible). Meetings shall be conducted consistent with the organization’s policy for one-on-one interactions (i.e., any such meeting shall be observable and interruptible).

We distinguish between travel to training, practice and local tournaments ("local travel") and team travel involving an overnight stay ("team travel").
Local Travel

Local travel occurs when USA-WSWS does not sponsor, coordinate or arrange for travel.

- Athletes and/or their parents/guardian are responsible for making all arrangements for local travel. The team and its coaches, managers or administrators should avoid responsibility for arranging or coordinating local travel. It is the responsibility of the parents/guardians to ensure the person transporting the minor athlete maintains the proper safety and legal requirements, including but not limited to: a valid driver’s license, automobile liability insurance, a vehicle in safe working order, and compliance with applicable state laws.

- Absent emergency circumstances, the employees, coaches and/or volunteers of USA-WSWS or one of its teams, who are not also acting as a parent, shall not drive alone with an unrelated minor player.

Social Media, Blogging and Internet Guidelines:

USA-WSWS encourages athletes, staff and members to post comments on social media platforms, websites and applications. These postings must respect USA-WSWS and its officials and members, including other athletes, and must conform to this SafeSport policy as well as USA-WSWS’ Code of Conduct and all applicable sport discipline rules. All postings should be dignified and in good taste, should respect the privacy of others, and should not contain vulgar or obscene words or images.

All electronic communications between coaches, team staff and minor athletes must be professional in nature and for the purpose of communicating information about team activities. Absent emergency circumstances, if an Applicable Adult with authority over minor athletes needs to communicate directly with a minor athlete via electronic communications (including social media), another Applicable Adult or the minor’s legal guardian will be copied. If a minor athlete communicates to the Applicable Adult (with authority over the minor athlete) privately first, said Applicable Adult should respond to the minor athlete with a copy to another Applicable Adult or the minor’s legal guardian. When an Applicable Adult with authority over minor athletes communicates electronically to the entire team, said Applicable Adult will copy another adult.

Coaches, team staff and minor athletes must follow common sense guidelines regarding the volume and time of day of any allowed electronic communications. It is recommended that electronic communications will generally only be sent between the hours of 8:00 a.m. and 8:00 p.m., unless emergency circumstances exist, or while traveling internationally or during competition travel.

At the written request of a minor athlete, or her/his parent or guardian, any electronic communication shall include a copy to the parent or guardian. Legal guardians may request in writing that their minor athlete not be contacted through any form of electronic communication by the organization or by the Applicable Adults subject to this policy.
organization will abide by any such request that their minor athlete not be contacted via electronic communication, absent emergency circumstances.

Minor athletes may “friend” the organization’s official page.

**Massage, rubdown, athletic training interactions:**

Any massage, rubdown or athletic training interaction at a training or competition venue under USA-WSWS’ jurisdiction (such as at sanctioned events) must be conducted in an open and interruptible location. Any massage or rubdown of a minor athlete must be done with at least one other adult present and must never be done with only the minor athlete and the person performing the massage or rubdown in the room.

**Screening and Background Check Program**

USA-WSWS has implemented a background screen program, which is applicable to the persons listed in the attached “USA Water Ski SafeSport Certification Requirements” chart. These background checks have been implemented to promote a safe, nurturing and supportive environment for USA-WSWS athletes and members, including an environment that is safe and appropriate for minors. This background screen program also discourages the presence of those who may seek to harm athletes, and help protect USA-WSWS member clubs, programs, events and all members from liability that could arise from allowing a previous offender to have access to minor participants. Although no background screen program can guarantee that incidents of abuse or other violations will not occur, it is intended as a preventative risk management tool for the benefit of all participants.

**USA-WSWS requires screening of the following members:**

- USA-WSWS board of directors and sport discipline boards of directors
- All USA-WSWS certified instructors/coaches
- Any participant (athlete) or staff of national or international teams (Team USA representing USA-WSWS
  - Includes coaches, team leaders, managers, medical support staff or persons in position of influence or authority
- Show ski team show directors and assistant directors
- Junior development coaches and leadership
- Employees of USA-WSWS

USA-WSWS has adopted the U.S. Center for SafeSport’s training materials as the official education and certification program and as an available resource to its members. The above listed adults are required to complete training concerning child abuse prevention. This must be completed immediately for the above listed adults, and:

- Before regular contact with an amateur athlete who is a minor begins; or
- Within the first 45 days of initial membership, or upon beginning a new role subjecting the adult to this policy.
Screening Policy
It is USA-WSWS's policy that prior to the hiring of staff, awarding certification of instructors or designating any member into a position of influence or authority that each individual give consent to and passes a formal applicant screening process before performing or participating in USA-WSWS events and activities.

The background screen components will include a review of all criteria required under United States Olympic Committee criteria, including social security number validation, name and address history records, multi-jurisdictional criminal history searches, sex offender and national watch list checks, county criminal records for each location where the individual lives or has lived in the last seven years, federal district court records, and SafeSport disciplinary records. This background check is in addition to any motor vehicle records checks that may be required for USA-WSWS drivers.

Disqualifiers include the following:

A person should be disqualified and prohibited from serving as a volunteer if the person has been found guilty of the following crimes. Guilty means that a person was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. This recommendation does not apply if criminal charges resulted in acquittal, Nolle Prosse, or dismissal.

SEX OFFENSES

- **All Sex Offenses** – Regardless of the amount of time since offense.
  
  Examples include: child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, child pornography, possession and distribution of obscene material, public indecency and any sex offender registrant.

FELONIES

- **All Felony Violence** – Regardless of the amount of time since offense.
  
  Examples include: murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated Burglary, etc.

- **All Felony offenses** other than violence or sex within the past 10 years.
  
  Examples include: drug offenses, theft, embezzlement, fraud, child endangerment, etc.

MISDEMEANORS

- **All misdemeanor violence** offenses within the past 7 years
  
  Examples include: simple assault, battery, domestic violence, hit & run, stalking, harassment, blackmail or threats. (Including crimes involving firearms)
- **Animal Abuse, cruelty or neglect.**
- **Destruction of Property** including arson, vandalism, and criminal mischief.
- Multiple misdemeanor drug & alcohol offenses within the past 7 years.  
  **Examples include:** driving under the influence, simple drug possession, drunk and disorderly, public intoxication, possession of drug paraphernalia, etc.

- **Any other misdemeanor** within the past 5 years that would be considered a potential danger to children or is directly related to the functions of that volunteer.  
  **Examples include:** contributing to the delinquency of a minor, providing alcohol to a minor, theft – if person is handling monies, etc.
EDUCATION AND TRAINING

Education is a key component of any abuse and misconduct prevention strategy. Awareness training provides relevant participants with information necessary to more effectively monitor their organization, minimize the opportunities for abuse and misconduct, and respond to concerns. It is also a strong public statement that the organization places a priority on the safety of its participants.

In an effort to maintain a safe environment for USA-WSWS members, it is a requirement that all persons listed in the attached “USA Water Ski SafeSport Certification Requirements” chart complete the Center for SafeSport’s education and certification program. It is also strongly encouraged that all USA-WSWS members familiarize themselves with the USA-WSWS SafeSport Program. The more awareness USA-WSWS members have about abuse and misconduct, the safer the sport will be.

USA-WSWS has adopted the U.S. Center for SafeSport’s training materials as the official education and certification program and as an available resource to its members. The above listed adults are required to complete training concerning child abuse prevention. This must be completed immediately for the above listed adults, and:

- Before regular contact with an amateur athlete who is a minor begins; or
- Within the first 45 days of initial membership, or upon beginning a new role subjecting the adult to this policy.

Training shall also be provided to minors regarding the prevention and reporting of child abuse, subject to parental consent.

Training other than the Core Center for SafeSport Training does not satisfy this policy.

Exemptions from this Education & Training Policy may be made on a case-by-case basis for victims/survivors. Requests may be made directly to the U.S. Center for SafeSport, ngbservices@safesport.org, or to the relevant NGB.

The Center will work with Covered Organizations regarding appropriate accommodations for persons with disabilities to satisfy the training requirements herein.

All Covered Individuals listed in the attached “USA Water Ski SafeSport Certification Requirements” chart must also renew their SafeSport certification every year via the SafeSport “Refresher Course,” which is approximately 15 minutes in length.

Certain jurisdictions in the United States may have mandatory training and testing that may apply to those who work or volunteer with youth athletes. All Covered Individuals must also comply with any state-mandated training and testing requirements.
REPORTING ABUSE AND MISCONDUCT

USA-WSWS requires that violations of this policy, as well as suspicions or allegations of child physical or sexual abuse, be immediately reported. **USA-WSWS members should not investigate suspicions or allegations of child physical or sexual abuse, or attempt to evaluate the credibility of validity of such allegations as a condition for reporting to the appropriate law enforcement authorities.**

**Reporting Child Physical or Sexual Abuse**

All such allegations must be reported to the U.S. Center for SafeSport, as well as notification to USA-WSWS that the report was made. **Contact your local law enforcement authorities if you have a reasonable suspicion that child sexual abuse or neglect has occurred, or have received a report of child sexual abuse or neglect. Reports or abuse not involving a minor may also be reported to local law enforcement authorities.**

**Reporting Other Policy Violations**

Any other allegations or reports of sexual-related misconduct should be reported to the U.S. Center for SafeSport, as well as notification to USA-WSWS that the report was made. **Contact your local law enforcement authorities if you have a reasonable suspicion that child sexual abuse or neglect has occurred, or have received a report of child sexual abuse or neglect.**

Other non-sexual related misconduct or inappropriate behavior should be reported to USA-WSWS.

**Failure to Report**

It is the obligation of USA-WSWS members and member clubs to report suspicions or allegations of abuse or misconduct. If a person in authority knows, or should reasonably have known, that harassment or abuse may have occurred and fails to report it or take appropriate action as set out in this policy statement, that person may be subject to disciplinary action.

**Retaliations or Threats of Reprisal**

Retaliation or threats of reprisal against an individual for filing a complaint under this policy or for participating or assisting in any procedure under this policy will be considered harassment for the purpose of this policy. Further, any person who makes groundless allegations or complaints of abuse or harassment may be subject to disciplinary action.
Reporting Procedure

If you are aware of or suspect any violation of USA-WSWS’s policies on abuse and misconduct, you should do all of the following:

1. Report the abuse to authorities.

   *If the abuse and misconduct is criminal in nature, contact the authorities immediately.*
   
   In most states, you are obligated to bring this matter to the attention of local law enforcement or public child welfare organization and make a report.

2. How to Report:

   To report to the U.S. Center for SafeSport, you may use the online reporting form at [www.safesport.org/report-a-concern](http://www.safesport.org/report-a-concern), or call (720) 531-0340.

   To report a concern to USA-WSWS, you may contact Executive Director Nate Boudreaux, at nboudreaux@usawaterski.org or (863) 508-2095, with copies to USA-WSWS’ President and the chair of USA-WSWS’ Judicial Committee.

Protection for Reporting Parties

Although USA-WSWS will review all reports under this policy, anonymous reporting may make it difficult to properly investigate allegations. To the extent permitted by law, and as appropriate, USA-WSWS will keep confidential the complainant’s name on request, not make public the name(s) of potential victims, the accused perpetrator or the people who made a report of child physical or sexual abuse to local law enforcement authorities. Regardless of the outcome of a complaint, USA-WSWS will support the complainant and her/his right to express concerns in good faith. However, false complaints or complaints made in bad faith are prohibited, and may subject the complainant(s) to disciplinary action depending on the nature of the allegation or complaint.

Complaints, Investigations and Adjudications

All complaints or requests for investigations under USA-WSWS’s SafeSport policy will be referred to the U.S. Center for SafeSport, which shall have the sole and exclusive authority and jurisdiction to investigate, conduct hearings, make preliminary rulings and issue final orders on complaints and requests for investigations under USA-WSWS’s SafeSport Policy. In certain cases, the U.S. Center for SafeSport may decline to exercise its jurisdiction over the matter, in which case the matter will be referred to the USA-WSWS Judicial Committee for handling under Article IX of the USA-WSWS Bylaws (including all due process requirements and policies thereunder). In cases where the U.S. Center for SafeSport has accepted jurisdiction, the final decision of the U.S. Center for SafeSport shall be reported to the President of USA-WSWS, and shall be binding upon and implemented by USA-WSWS.
For matters handled by USA-WSWS (in circumstances where the U.S. Center for SafeSport has declined to exercise jurisdiction over the matter), USA-WSWS may impose appropriate sanctions and penalties, including interim suspensions and permanent expulsions from membership, following the procedures set forth in the USA-WSWS Bylaws and other applicable policies. Any sanctions imposed by USA-WSWS shall be proportionate and reasonable, relative to the findings and conclusions of USA-WSWS as to what has occurred, and given consideration of the interest of USA-WSWS and its members to provide a safe environment for all participants in USA-WSWS activities, the nature and seriousness of the offense and its impact on the victim, and other information provided and considered by USA-WSWS relating to the complaint. Appropriate disciplines may range from a warning, to a reprimand, to a membership suspension or limitation for a period of time, or to a permanent expulsion from membership, and any continued participation or reinstatement to USA-WSWS activities may be conditioned upon the completion of specified requirements.

Notification

Following USA-WSWS’s notice of a credible allegation that results in the imposition of sanctions against a member, USA-WSWS may provide such notifications as are deemed appropriate including notification of the other parties involved in the matter, publication of the sanctions, and/or notification of local law enforcement authorities.