

The Ultra-short Race-pace Training International Association
CODE OF CONDUCT FOR SWIMMING COACHES

Introduction

This Code of Conduct is intended to provide more specific information and guidance in the implementation of the principles embodied in the Code of Ethics.

1. At all times, members should adhere to standards of personal and professional behavior which reflect credit on the Association and the whole process and practice of coaching swimmers.
2. It is impossible to specify in precise terms all those actions which could be deemed to be prejudicial to the practice of coaching and the best interests of the Association. The following provide an indication of the types of incident that are likely to be considered breaches of the Code of Conduct.

Public Criticism of Colleagues

2.1 Ideally, members should refrain from criticizing fellow coaches, athletes, parents, and/or officials particularly to and/or through the media. When public comments are made, members have an obligation to ensure such comments are judicious, reflective of the relevant factors, supportable, and sensitive to the situation(s). Differences of opinion should be dealt with on a personal basis and more serious disputes may be referred to the Association.

It is particularly heinous for a member or members to charge and discuss an individual(s) without their being present to answer such accusations.

Misrepresentation

2.2 Members should ensure that they do not in any way misrepresent their qualifications, affiliations, or professional competence to any client or prospective client in any publication, broadcast, lecture, or seminar. After due consideration by the Association, misrepresentation could be regarded as a breach of this Code.

Commitment

2.3 When members enter into a commitment with an employer, with a team, or with an individual athlete, the nature of that commitment should be specifically agreed to. Any such contract or terms of reference should be set out in writing and include fees (if any), method of payment, the time commitment involved, and an indication of the expected outcome of the coaching.

Confidentiality

2.4 Members should not divulge confidential information relating to an athlete, other than that

specified in section 1.22 of the Code of Ethics, to any third party unless with the express approval of the individual concerned. Outside agencies should have established procedures for determining the degree of confidentiality for individual swimmers' results of sport-science testing.

Criminal Conviction

2.5 Any conviction of a member by a court of law is capable of reflecting on professional coaching and the Association and could be a breach of this Code. Cases of a minor personal nature are unlikely to be regarded as breaches of this Code.

Disciplinary Proceedings by an Employer

2.6 Disciplinary proceedings by an employer leading to dismissal from employment connected with coaching could be regarded as a breach of this Code. Other disciplinary proceedings by an employer (e.g., reprimand) will not normally be considered as a breach of this Code unless the circumstances are sufficient to found a complaint under another section specified in this Code.

Members are obligated to inform the Association of any disciplinary decision or conviction under the law.

Personal Misconduct

2.7 Personal misconduct could give rise to disciplinary action by the Association.

Examples of such personal misconduct could include but may not be limited to willful damage to property or equipment, theft, falsification of reports or accounts, breach of confidentiality, violence, misuse of alcohol, tobacco, or drugs, dishonesty, discrimination, indecency, or inappropriate behaviors with a swimmer(s).

Attempts to recruit another member's athletes for personal control or to solicit an unadvertised coaching position of another member by any means will be treated as severe breaches of this Code.

Reciprocal Suspension

2.8 Members should expect suspensions imposed by world or national governing bodies to be recognized, honored, and upheld by the Association and all members; provided such suspensions were justly imposed and the Association is satisfied the suspended member's rights to due process were not violated.

PROCEDURES POLICY

The Association has the inherent power and duty to prescribe standards of conduct for its coaches; to determine what constitutes grounds for the discipline of members; and to suspend or terminate membership, or otherwise reprimand any member whose failure to comply with the obligations of the Association has been duly established. The discipline of members is for the protection of the profession, and the maintenance of the standards and principles of the Association.

Definitions

The following definitions apply wherever used in the Code of Ethics and Code of Conduct.

Charges: A written statement prepared as a result of an investigation or a complaint entertained by the Association Administration.

Code: The Code of Ethics and Code of Conduct of the Association as adopted by the Association, together with such amendments thereto as may from time to time be approved by the Association.

Complainant: Any individual who makes a complaint.

Complaint: Any written or signed statement made by any person(s) alleging conduct on the part of a member which, if true, would constitute misconduct.

Misconduct: Any act or omission by a member individually or in concert with any other person, which is prejudicial to the practice of coaching and the best interests of the Association and in violation of the principles embodied in these Codes whether the act or omission occurred in the course of an Association activity or otherwise.

RULE I. JURISDICTION

(A) Every member admitted to membership in the Association is subject to the exclusive disciplinary jurisdiction of the Association.

RULE II. GROUNDS FOR DISCIPLINE

(A) It should be the duty of all members of the Association at all times to conduct themselves, both professionally and personally, in conformity with the standards imposed upon members as conditions for that privilege.

(B) Misconduct must be grounds for discipline.

RULE III. TYPES OF DISCIPLINE

(A) Misconduct must be grounds for:

- i. termination of membership by the Association; and/or

- ii. suspension by the Association for a fixed period of time; and/or
- iii. reprimand by the Association.

RULE IV. THE ADMINISTRATION

(A) The Association Administration shall have the following powers and duties:

- i. At its discretion, render to a member upon a written request an advisory opinion or an interpretation of the rules of professional conduct under the Code regarding anticipated conduct on the part of the member.
- ii. Make appropriate arrangements for publication and dissemination of such advisory opinions as the Administration deems of general interest to the members.

(B) The Administration shall have the following disciplinary powers and duties.

- i. Review all Complaints and Charges presented to it by the Association and its members.
- ii. Notify a member in writing that he/she is the subject of a Complaint and furnish him/her with a copy thereof within fifteen working-days of receipt of the Complaint.
- iii. Conduct its own investigation of all complaints issued if the Complaint indicates a matter not appropriate for a suspension or termination of membership.
- iv. Dismiss any Complaints upon being satisfied that they are without foundation and/or merit.
- v. Investigate, on its own motion, any act of unprofessional conduct of a member. A reprimand may be issued if the Complaint indicates a matter not appropriate for a suspension or termination of membership.
- vi. Suspend a member if so approved by a vote of three-quarters of the members of an investigatory panel established by the Administration.
- vii. Bring the membership of a suspended member for re-evaluation of termination or membership after a stipulated period of time contained in the original disciplinary decision.
- viii. Make an annual report to members of the Association of all disciplinary matters for each 12-month period. Such a report shall include the following information:
 - number of members complained against;

- the general nature of the complaints; and
- the disposition or status thereof.

RULE V. PROCEDURES

- (A) All Complaints must be directed to the Manager of the Association.
- (B) All Complaints received by any other person shall be transmitted forthwith to the Administration.
- (C) All investigations shall normally be initiated by the Administration.
- (D) The Administration shall appoint a panel of members to independently investigate the matter at hand. Where possible, the panel shall be agreeable to both the Administration and the member of Complaint. The findings of that panel shall be communicated to the Administration.
- (E) When it appears to the Administration that allegations of misconduct fail to describe conduct which, if true, would constitute Misconduct, the Administration may decline to further investigate and shall so advise the Complainant in writing with a proper explanation, whenever possible, within fifteen working-days of its receipt. All doubts shall be resolved in favor of an investigation.
- (F) If it appears to the Administration that allegations of misconduct which, if true, would constitute Misconduct, the Administration shall notify the member against whom the allegations are directed that he/she is the subject of a Complaint, and within fifteen working-days of its receipt furnish him/her with a copy thereof by registered mail or email, return receipt requested.
- (G) Upon receipt of notice of a Complaint from the Administration, the member against whom the Complaint is directed shall prepare and submit in writing to the Administration within fifteen working-days of receipt of such notice, an appropriate response to the Complaint, or a response stating that he/she refuses to answer substantively and explicitly. For good cause, the Administration may grant additional time for the filing of a response.
- (H) Upon the conclusion of an investigation, if the Administration determines there are no reasonable grounds for discipline of a member against whom a Complaint is directed, the Administration shall dismiss the Complaint in writing with proper explanation to the member and Complainant.

- (I) Upon the conclusion of an investigation, if the Administration determines there are reasonable grounds for discipline of a member against whom a Complaint is made, the administration shall reduce the Complaint to Charges specifying with particularity the factors upon which constitute the bases there-of and the principles of Code which appear to have been violated and enact the following:
 - i. Determine that the Charges, if true, would not constitute Misconduct and dismiss the Charges.
 - ii. Determine that the Charges, if true, would constitute Misconduct but would not constitute grounds for suspension or termination of membership, and thereupon prepare and issue to the member a reprimand which shall be made a permanent part of the file of the Association and referred to in any subsequent investigation of a Complaint against the member.
 - iii. Determine that there are reasonable grounds to suspend the member for a fixed term.
 - iv. Where a member has been suspended, bring the membership of that person before the next appropriate gathering of the Association for termination or reinstatement. The membership of such member may be terminated by the Administration provided that the member has been given adequate notice of the allegations against him/her and granted an opportunity to be heard at a specified assembly (on line or in person) of peers from the Association.
 - v. Determine that there are sufficient grounds to terminate the membership. Termination may occur after appeal to a specified gathering of peers from the Association provided that the member has been given adequate notice of the allegations against him/her and granted an opportunity to be heard at such a meeting (on line or in person).

[The previous six pages were based on the Codes of the Canadian Swimming Coaches Association (1991), which were updated and adapted for the New South Wales Academy of Sport (1994) by Brent S. Rushall.]

