

PART TWO

USA ARTISTIC SWIMMING ADMINISTRATIVE RULES

ARTICLE 20

ELIGIBILITY

- 20.01 Eligibility:** An athlete is eligible to compete in competitions of the Corporation (“USAAS”), subject to the following requirements.
- 20.02 Membership:** To be eligible to compete, an athlete must be a member of the Corporation in one (1) of the following categories:
- A. Youth or Adult Competitive Athlete:** An athlete who participates and competes in:
 1. Competitions including those that qualify for advancement to another competition, USAAS camps or Trials.
 2. National Championships and international programs and events.Refer to [Membership and Fee Schedule](#) (Appendix C).
 - B. Youth or Adult Athlete:** An athlete who participates and competes in:
 1. Local activities including, but not limited to, shows, clinics and camps. The athlete may compete in non-qualifying competitions such as an invitational.
 2. Collegiate competitions, not including the U.S. Collegiate Championship.Refer to Appendix C.
 - C. Youth or Adult Trial Athlete:** An athlete who only participates in club activities for a maximum period of thirty (30) days. Refer to Appendix C.
 - D. Youth or Adult Life Member:** An athlete who is a Life Member of the organization and participates in artistic swimming. Refer to Appendix C.
- 20.03 Financial Advantage:** Any athlete considering college eligibility shall consult the [National Collegiate Athletic Association \(“NCAA”\) rules](#) for requirements.
- 20.04 Suspension:** A member shall cease to be eligible to participate in events conducted by the Corporation or its Local Artistic Swimming Committees (“LASC”) or Zone Artistic Swimming Committees (“Zone”), or any World Aquatics (“AQUA”, formerly known as the Federation Internationale de Natation “FINA”) Member Federation, while under suspension or expulsion by the Corporation. Refer to USAAS Administrative Rules, Article 24 and [USAAS Athlete Safety Policy](#) (Appendix Q).
- 20.05 Reinstatement:** To be reinstated, a member shall follow the procedures in accordance with Article 24 of the USAAS Administrative Rules. This Section 20.05 does not apply to members who are ineligible or suspended pursuant to a sanction, whether permanent or temporary, issued by the U.S. Center for SafeSport.
- 20.06 Foreign Athletes:** Foreign athletes may be members of the Corporation and may represent a club of the Corporation, provided that a Foreign athlete may not represent a country and a club at the same time. Foreign athletes cannot compete in National Team Trials. [Refer to USAAS National Team, Olympic Development Program and National Elite Camp Selection Procedures](#) (Appendix E).

ARTICLE 21

ATHLETE AFFILIATION

- 21.01 Affiliation and Transfers:** For an athlete to represent an artistic swimming club, the club must be a member of the Corporation. Refer to [USAAS Code](#), Article 1, Section 1.02 A.
- A. An athlete may represent any club that is a member of the Corporation, without regard to residency.
 - B. An athlete may compete in the Championships of only one (1) LASC, Region, and Zone each year.
 - C. An athlete representing one (1) club may also represent a junior or senior high school, a college, or a university.
 - D. To transfer representation from a club to another or from unaffiliated status to club representation, an athlete must have served one hundred and twenty (120) consecutive days without having represented any club in competition. The athlete must complete and submit to the National Office a fee and transfer form indicating the date of last competition in an affiliated status. This rule shall not apply to athletes who transfer from a junior/senior high school, college or university program to a club program after their respective seasons are completed. Refer to [USAAS Athlete Recruitment/Undue Influence & Transfer Policy](#) (Appendix J).
 - E. To transfer representation from a club to unaffiliated status, an athlete must complete and submit to the National Office a fee and transfer form indicating the date of last competition in an affiliated status. This rule shall not apply to athletes who transfer from a junior/senior high school, college or university program to a club program after their respective seasons are completed. Refer to Appendix J.
 - F. The one hundred and twenty (120) day requirement in Section 21.01 D-E above is waived when the club with whom the athlete is affiliated has dissolved.
- 21.02 Unaffiliated Athletes:** An unaffiliated athlete is a member of the Corporation who represents no club. Unaffiliated athletes shall be identified in competition with the LASC or place of residence in which registered. Example: J. Doe, Unaffiliated (Middle Atlantic), or J. Doe, Unaffiliated (Philadelphia, PA).

ARTICLE 22

GENERAL PROVISIONS

- 22.01 Waiver of the USAAS Administrative Rules:** A request to waive application of the USAAS Administrative Rules Articles 20, 21, and 25 must be made in writing and addressed to the USAAS President (“President”) of the Corporation. The President shall consider granting a request for a waiver of the USAAS Administrative Rules when:
- A. The application of the Rule will create an unfair situation; or
 - B. Waiver of the Rule will promote the development of the program.
- 22.02 Code of Ethics:** The USAAS Board of Directors (“Board of Directors”) shall adopt a written code of ethics. The code may be amended by the Board of Directors, as it may deem advisable. Refer to [USAAS Code of Ethics](#) (Appendix P).
- 22.03 Athlete Safety Policy:** The Board of Directors shall adopt a written athlete safety policy. The policy may be amended by the Board of Directors, as it may deem advisable. Refer to Appendix Q.

22.04 United States Anti-Doping Obligations: It is the duty of members of USAAS to comply with all anti-doping rules of the:

- World Anti-Doping Agency (“[WADA](#)”);
- [AQUA](#); and
- United States Olympic and Paralympic Committee (“USOPC”) including, but not limited to, the [USOPC National Anti-Doping Policy](#), the U.S. Anti-Doping Agency (“USADA”), including the USADA Protocol for Olympic and Paralympic Movement Testing (“[USADA Protocol](#)”) and all other policies and rules adopted by WADA, AQUA, USOPC, and USADA.

Members agree to submit to drug testing by AQUA 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 AQUA, if applicable, or referred by USADA.

22.05 U.S. Center for SafeSport Obligations: It is the duty of members of USAAS to comply with the [U.S. Center SafeSport Code](#) for the U.S. Olympic and Paralympic Movements. Members agree to submit to the jurisdiction of the U.S. Center for SafeSport and understand that a violation of the U.S. Center SafeSport Code makes them subject to penalties including, but not limited to, disqualification and suspension. If it is determined that a member may have committed a U.S. Center SafeSport Code violation, the member agrees to submit to the authority and processes of the U.S. Center for SafeSport, including arbitration under the U.S. Center SafeSport Code.

ARTICLE 23

MEMBERS’ RIGHTS REGARDING COMPETITIONS

23.01 The Corporation, in accordance with this Article 23 of the USAAS Administrative Rules, shall respect and protect the right of every individual who is eligible under reasonable national and applicable international rules and regulations to participate if selected (or attempt to qualify for selection to participate) as an athlete, coach, trainer, manager, administrator or official in a USAAS sanctioned competition, any international competition, if selected by the Corporation or one (1) of its members, or a Protected Competition.

A. A Protected Competition, as defined by the USOPC, is any:

1. International competition between athlete(s) officially designated by USAAS as representing the United States, either individually or as part of a team, and any athlete(s) representing any foreign country where the terms of such competition require that the entrants be individuals or teams representing their respective nations; and the athlete(s) representing the United States are organized and sponsored by USAAS in accordance with a defined selection or tryout procedure that is open to all and publicly announced in advance except for domestic competition, which, by its terms, requires that entrants be expressly restricted to members of a specific class of athletes such as those referred to in Section 220526(a) of the [Ted Stevens Olympic and Amateur Sports Act](#) (i.e., high school students, college students, members of the Armed Forces or similar groups or categories);
2. Domestic competition or event (i.e., a camp, tryout or Trials event) organized and conducted by USAAS in its selection procedure and publicly announced in advance as a competition or event directly qualifying each successful competitor as an athlete representing the United States in a USOPC Delegation Event, or protected international competition as defined above.

- 23.02 Rights:** Except as provided in Section 23.03 below, no individual or group member of the Corporation may improperly deny or threaten to deny any eligible member (athlete, coach, trainer, manager, administrator or official) the opportunity to participate in any international artistic swimming competition approved by the Corporation, if selected by the Corporation or one (1) of its members. In addition, except as provided in Section 23.03 below, no individual or group member of the Corporation may censure or otherwise penalize subsequent to the event, any member (athlete, coach, trainer, manager, administrator or official) for having participated in any such international artistic swimming competition approved by the Corporation, if selected by the Corporation or one (1) of its members.
- 23.03 Educational Institution:** An educational institution which a member (athlete, coach, trainer, manager, administrator or official) is attending at the time of such international competition may limit a member's opportunity to participate only if said educational institution reasonably determines that such participation would either:
- A. Prevent the member from meeting the academic requirements that are applicable to all students who participate in the member's particular course of study.
 - B. Jeopardize the member's or the educational institution's performance in the established sports program in the particular sport in which the member competes, provided that the international competition occurs during the scheduled competitive season of the educational institution.
- 23.04 Investigation and Recommendation:** Any member (athlete, coach, trainer, manager, administrator or official) who alleges to have been denied, or is about to be denied, by an individual or a group affiliated with the Corporation, a right as set forth in Section 23.02 above, shall immediately inform the USAAS Executive Director ("Executive Director") or President, who shall promptly cause an investigation to be made and steps to be taken to settle the grievance without unnecessary delay according to the [USAAS Grievance Procedures](#) (Appendix K).

ARTICLE 24

PROCEEDINGS AND APPEALS

- 24.01 Discipline:** As hereinafter set forth, the Corporation may censure, suspend for a definite or indefinite period of time, expel, or impose other appropriate sanctions upon any member of the Corporation, including any athlete, coach, trainer, manager, administrator, official, member of any committee or any person participating in any capacity whatsoever in the affairs of the Corporation, subject to a hearing before a panel of either an LASC Review Board or Zone Review Board, or after investigation by the USAAS Ethics Committee, whichever is appropriate as determined by this Article 24 of the USAAS Administrative Rules, and a determination pursuant to the procedures set forth in Appendix K, that such person has violated an Administrative rule, policy or procedure of the Corporation as listed in Appendix K or has acted in a manner which brings disrepute upon the Corporation or upon the sport of artistic swimming.
- 24.02 Jurisdiction of the LASC:** For those matters requiring resolution solely within the territorial jurisdiction of an LASC, with the exception of violations of the USAAS Code of Ethics (Appendix P) or [USAAS Whistleblower and Anti-Retaliation Policy](#) (Appendix S), a hearing shall be conducted by the LASC Review Board. Refer to [LASC By-Laws](#) (Appendix A), Article 7. The decision of the LASC Review Board shall be final in all cases, subject only to appeal by a real party in interest to the National Board of Review pursuant to Appendix K, except that the LASC Review Board may recommend to the USAAS Ethics Committee that a person's membership in the Corporation be suspended or revoked, but cannot suspend or revoke the person's membership.

- A. A petition for appeal of a decision by a real party in interest to the National Board of Review must be filed with the Executive Director within five (5) business days after receipt of written notice of the decision of the LASC Review Board.
- B. A recommendation to the USAAS Ethics Committee regarding suspension or revocation of membership in the Corporation must be filed with the Executive Director within five (5) business days following the final decision of the LASC Review Board.

24.03 Jurisdiction of the Zone: For those matters requiring resolution solely within the territorial jurisdiction of a Zone, with the exception of violations of the USAAS Code of Ethics (Appendix P) or Whistleblower and Anti-Retaliation Policy (Appendix S), a hearing shall be conducted by the Zone Review Board. Refer to [Zone By-Laws](#) (Appendix B), Article 7. The decision of the Zone Review Board shall be final in all cases, subject only to appeal by a real party in interest to the National Board of Review pursuant to Appendix K, except that the Zone Review Board may recommend to the USAAS Ethics Committee that a person's membership in the Corporation be suspended or revoked, but cannot suspend or revoke the person's membership.

- A. A petition for appeal of a decision by a real party in interest to the National Board of Review must be filed with the Executive Director within five (5) business days after receipt of written notice of the decision of the Zone Review Board.
- B. A recommendation to the USAAS Ethics Committee regarding suspension or revocation of membership in the Corporation must be filed with the Executive Director within five (5) business days following the final decision of the Zone Review Board.

24.04 Jurisdiction of the Corporation: For those matters where members of the Corporation from more than one (1) LASC or Zone are involved, or in matters involving such persons during a national or international athletic event, or in matters regarding any denial or threatened denial of an eligible member's (athlete, coach, trainer, manager, administrator or official) right to participate at a USAAS sanctioned competition, any international competition, if selected by the Corporation or one (1) of its members, or a Protected Competition, or in all controversies to which the Corporation is a party, the USAAS Ethics Committee review process shall be initiated, pursuant to Section 24.06 below. Upon conclusion of the review process, the USAAS Ethics Committee shall make a recommendation to the Executive Director, President and Board of Directors for a final decision. The decision of the Executive Director, President and Board of Directors shall be final in all cases, subject only to appeal by a real party in interest to the National Board of Review pursuant to Appendix K.

24.05 Authority of the USAAS Ethics Committee: The USAAS Ethics Committee does not have the authority to modify a sanction imposed on a member by the U.S. Center for SafeSport, the USOPC, USADA, WADA, or AQUA. In addition to the disciplinary procedures set forth in Appendix K, the USAAS Ethics Committee has the authority to:

- A. Interpret any provision of the rules and regulations of the Corporation, with the exception of the [USAAS Technical Rules](#) and [USAAS Figures Rules](#).
- B. Determine the eligibility and right to participate in a USAAS sanctioned competition, any international competition, if selected by the Corporation or one (1) of its members, or a Protected Competition of any athlete, coach, trainer, manager, administrator or official.
- C. Review any recommendation of an LASC or Zone Review Board that a person's membership in the Corporation be suspended or revoked.
- D. Investigate any election impropriety and take corrective action.
- E. Review and assess all background check reports flagged as a "Red Light" and determine eligibility and the right to participate of said individual(s).

24.06 Procedures of the USAAS Ethics Committee:

- A. The filing and resolution of any grievance shall follow the procedures in Appendix K.

ARTICLE 25

SANCTIONS

- 25.01 Jurisdiction:** Any event (including all competitions and other qualifying events, exhibitions, clinics or entertainment of any kind) where athlete members of more than one (1) group member of the Corporation compete, exhibit, demonstrate or display artistic swimming talents or techniques, must be sanctioned by the Corporation.
- A. Group members which are the only member in their Association must sanction all qualifying events.
- 25.02 Requirements:** Sanctions are issued, withheld or withdrawn in accordance with the following:
- A. **Sanctions to Member Organizations:** Member organizations shall pay sanction fees for their events pursuant to Appendix C. Any income derived from such events must be used for the further promotion of amateur sports, for an approved charity, or for the general welfare of the promoting organization as a whole.
- B. **Sanctions for Commercial Events:** The National Office may agree to sanction events that are conducted solely for the profit or the advertising value to be derived therefrom. The sanction fee for such events shall be agreed upon between the event organizer and the National Office.
- C. Sanctions are not transferable. Any attempt to transfer a sanction that has been issued shall make such sanction void for all purposes. The Corporation may deny further sanctions to any organization that has attempted to transfer a sanction.
- D. No further sanction shall be issued to any organization which has failed to fulfill expense obligations to athletes or to give prizes as stated on its entry blank. The foregoing sentence shall be set forth in every sanction granted.
- E. No sanction shall be issued for any event where the word "Olympic", or any derivative thereof, is used in any manner in connection with said event unless consent is obtained from the USOPC.
- F. All sanctions must be approved by the designated representative of the Corporation. The Corporation shall maintain a record of all sanctions issued, and shall provide confirmation of such sanction to the applicant and to the designated representative of the appropriate LASC.
- 25.03 Conditions:** All events requiring a sanction according to Section 25.01 above are subject to the following:
- A. No entry shall be accepted, nor shall an athlete be allowed to compete or exhibit at any event, unless the athlete is a member of the Corporation or, if applicable, a member of a Foreign Federation. Refer to USAAS Code, Article 1, Section 1.03.
- B. All promotional materials and entry forms must bear the logo adopted by the Corporation for use by sanctioned events, and must conspicuously bear the statement: "Sanctioned by USA Artistic Swimming, Inc." and include the address of the Corporation's National Office and the sanction number.
- C. Announcements and entry forms of sanctioned competitions must state that no entries shall be accepted unless the athlete is a member of the Corporation or, if applicable, a member of a Foreign Federation. Refer to USAAS Code, Article 1, Section 1.03.
- D. The membership number of each entrant must accompany the entry form and the affiliation must be displayed before or after the athlete's name on the program.
- 25.04 International Events:** All international competitions within the United States must be sanctioned by the Corporation. A sanction may not be denied unless the conditions of this Article 25 are not followed, the conditions of 36 U.S.C. § 220525(b) are not followed, or unless there is clear and convincing evidence that holding or sponsoring the event would be

detrimental to the best interests of the sport. All invitations to Foreign athletes to compete in the United States must be extended by the Corporation. Sanction fees for international events shall be established by the Board of Directors.

25.05 Travel Permits:

- A. In accordance with [AQUA Rules](#), approval for members of the Corporation must be obtained from the Corporation, through the National Office, before any such member of the Corporation may compete or participate in any artistic swimming activity, event or exhibition outside the United States. The Corporation may not deny any member of the Corporation the right to compete or participate abroad unless there is clear and convincing evidence that allowing such participation would be detrimental to the best interests of the Corporation or artistic swimming in the United States. Refer to the Club Option Policy set forth in [USAAS Club Option and Private Invitation Procedures](#) (Appendix F).
- B. The Corporation shall advise members and others requesting foreign travel of the requirements for approval in accordance with federal law and the USOPC By-Laws, but is not responsible for members' compliance with these requirements.
- C. No individual, club or other team may wear or use the letters "USA" or any other designation which suggests they may be part of a National Team representing the United States without the express written approval of the Corporation.

25.06 National Teams:

- A. Only the Corporation, through the High Performance Director, may designate National Teams of the Corporation for international competitions. National Teams shall be selected in accordance with procedures recommended by the High Performance Director, adopted by the Board of Directors, and set forth in Appendix E.
- B. When the High Performance Director determines that a National Team cannot be selected, but the United States should be represented in international competition, it shall defer a recommendation to the International Relations Review Subcommittee, in accordance with the Club Option Policy adopted by the International Relations Committee, and set forth in Appendix F.

25.07 Points of Contact and Resources:

- A. Individuals in need of further information, guidance and/or the enforcement thereof, in relation to these USAAS Administrative Rules, may contact the Executive Director at:

Phone: (719) 866-2219

Email: ceo@usaartisticswim.org

- B. In addition, the USOPC Ethics and Compliance team may serve as a secondary resource for questions or concerns regarding these USAAS Administrative Rules. The USOPC Ethics and Compliance team may be contacted at:

USOPC Integrity Hotline: (877) 404-9935

USOPC Integrity Portal: <https://usopc.ethicspoint.com>

- C. **USOPC Athlete Ombuds Assistance:**

The USOPC Athlete Ombuds ("Athlete Ombuds") provides cost-free, independent and confidential advice regarding athlete rights; resolving disputes or grievances; and any sport rule, policy, or process, including USAAS-athlete agreements, codes of conduct or Team selection procedures. The Athlete Ombuds can also help athletes connect with legal counsel or mental health resources, if needed. The Athlete Ombuds may be contacted at:

Phone: (719) 866-5000

Email: ombudsman@usaathlete.org

Website: www.usathlete.org