



**USA WATER POLO, INC.**  
**RULES GOVERNING REFEREES' CONDUCT**

**General Statement:**

Membership in USA Water Polo as a referee is a privilege, not a right. Due to their influence upon the games that they officiate, the role of referees and their adherence to the highest personal and ethical standards is crucial to USA Water Polo's fulfillment of its goals and mission. Violation of these Rules may result in a temporary or permanent suspension of a referee's USA Water Polo membership.

**Rules:**

USA Water Polo referees are required to:

1. Study and know the rules of the game and the official interpretations of those rules.
2. Uniformly enforce the rules of the game. Decisions based upon personal bias are dishonest and unacceptable.
3. Avoid even the appearance of a conflict of interest. Gifts, favors, special treatment, privileges, employment or a personal relationship with a team, coach or athlete create the appearance of bias and, as a result, must be avoided.
4. Refrain from: (a) publicly criticizing other officials, coaches or athletes, (b) inciting coaches or athletes to violate the Codes of Conduct applicable to coaches or athletes and (c) using obscene or unduly provocative language or gestures.
5. Refrain from commenting to the media regarding any game that they officiate or the officiating at any game that they do not officiate.
6. Conduct themselves with dignity, both during USA Water Polo events and at all other times.
7. Endeavor to inspire the true principles of fair play and sportsmanship by their conduct and earn the respect of the coaches and athletes that they serve.
8. Perform their designated responsibilities, including timely attending all games to which they are assigned and all training activities that they have undertaken.
9. Be free of the influence of alcohol and drugs while officiating games.

10. Refrain from engaging in any action for the purpose of unfairly limiting or restraining access to officiating assignments or participation at USA Water Polo events, whether due to economic factors, race, creed, color, age, gender, sexual orientation, or any other factor.

11. Refrain from engaging in any financial or sexual relationship with athletes. As used in these Rules, sexual relationships include: (a) sexual touching and (b) non-contact sexual acts such as verbal acts (e.g. a referee discussing his or her sex life with an athlete or a coach, or asking an athlete or a coach about his or her sex life), sexually suggestive electronic or written communications, exposure or voyeurism. The only exemption from this Rule exists for relationships between spouses or life partners. In the event that any USA Water Polo referee member suspects that a violation of this Rule has occurred, that referee member is required to report such suspicion to USA Water Polo's Chief Executive Officer. As a matter of policy, USA Water Polo does not investigate reports of inappropriate sexual relationships or attempt to evaluate the credibility or validity of any such report prior to informing an appropriate law enforcement authority and the U.S. Center for SafeSport of the substance of such report.

12. Report to USA Water Polo any conduct of a USA Water Polo coach or athlete member that the referee observes and believes to be a violation of USA Water Polo's "Rules Governing Coaches' Conduct, USA Water Polo's "Rules Governing Athletes' Conduct or USA Water Polo's "Rules Governing Referee's Conduct" when the referee believes that such conduct merits a penalty in addition to whatever penalty the individual committing such conduct received at the time that the conduct occurred.

13. Comply with the SafeSport Policies and Procedures for the U.S. Olympic Movement, as those policies and procedures may be in effect from time to time. A copy of those policies and procedures is available at <https://safesport.org>.

14. Cooperate with respect to any investigation conducted by the U.S. Center for SafeSport and participate in a grievance hearing scheduled pursuant to Section 14 of USA Water Polo's Bylaws, when requested to do so by the person appointed by USA Water Polo to administer that hearing, without compensation.

## **Injuries**

A number of states have enacted laws requiring that an athlete who is suspected of suffering a concussion or other head injury be removed from athletic activity for the remainder of the day upon which the injury occurs and that the athlete not be permitted to return to any athletic activity until the athlete has been evaluated by a licensed health care provider. In order to comply with those laws, in accordance with USA Water Polo Rule 25.3(b), if an athlete suffers a substantial blow to the head, or an impact that causes a sudden and substantial movement of the head, a referee is required to: (1) suspend the game for not more than three minutes to allow the athlete to be assessed and (2) complete an incident report. If the athlete: (1) displays any of the following symptoms: (a) appears dazed or stunned, (b) is confused about assignment or position, (c) forgets sports plays, (d) is unsure of game, score or opponent, (e) moves clumsily, (f) answers questions

slowly, (g) loses consciousness (even briefly), (h) shows behavior or personality changes, (i) cannot recall events prior to the incident or (j) cannot recall events after the incident, (2) reports any of the following symptoms: (a) headache or pressure in the head, (b) nausea or vomiting, (c) balance problems or dizziness, (d) double or blurry vision, (e) sensitivity to light, (f) sensitivity to noise, (g) feeling sluggish, hazy, foggy or groggy, (h) concentration or memory problems, (i) confusion or (j) just does not feel right, or (3) has suffered a head injury, then the referee must remove the athlete from competition for the remainder of that day and until the athlete receives written clearance to return to athletic activity from a licensed health care provider in the form attached hereto as Exhibit 1. Any incident report prepared in accordance with this provision must state whether or not the affected athlete was removed from the game and, if the athlete was not removed from the game, the referee filing the report must certify that: (1) the athlete did not display any of the symptoms listed above and (2) after questioning by the referee or the athlete's coach, the athlete did not report any of the symptoms listed above.

### **Incident Reports**

USA Water Polo Referees are required to file an Incident Report with USA Water Polo's Director of Referees (in such form as may be prescribed, from time to time, by USA Water Polo's Director of Referees) with respect to each of the following, whenever they occur in any USA Water Polo sanctioned event: (a) any misconduct foul committed by an athlete, (b) any brutality foul committed by an athlete, (c) any red card issued to any coach or athlete, (d) any stoppage of play pursuant to USA Water Polo Rule 23.5(b) and (e) any other inappropriate circumstance that materially affected any game officiated by a referee including, without limitation, any material injury to an athlete (whether or not a foul of any type was called with respect to that injury), any materially inappropriate behavior by one or more spectators, and any unprofessional behavior by a fellow referee or any game participant.

All incident reports shall be reviewed by USA Water Polo's Director of Referees, or his/her designee. Referee members are required to cooperate with such review.

Failure to file a required incident report, or to cooperate with the review of such report, will subject the offending referee member to sanctions, in the discretion of USA Water Polo's Director of Referees, including, without limitation, suspension of the offending referee's USA Water Polo membership, and may affect such referee's evaluation and ranking.

### **Background Screening**

Referee members of USA Water Polo are required to obtain and pass a background check from a background checking organization retained by USA Water Polo at least every two years and to remain in compliance with USA Water Polo's background screening criteria. USA Water Polo's background screening criteria are set forth in Appendix 1 to these Rules.

#### Failure to Pass a Background Check

Failure to obtain and pass the background check will preclude the failing referee member from registering with USA Water Polo as a referee member. Should a prospective

referee member fail to pass his or her background check, that referee member may request an exemption from the requirement that the referee member pass the background check from USA Water Polo by following the appeal process as set forth in the materials that the referee receives from the background screening provider. The provider will then forward the background screening report and the exemption request to a special hearing panel appointed by USA Water Polo's Chief Executive Officer to hear requests for exemptions under this Rule. That hearing panel: (a) shall refer all requests for exemption involving matters required to be submitted to the U.S. Center for SafeSport (the "Center") by the Center's rules then in effect to the Center for decision, (b) may refer requests for exemption involving matters not required to be submitted to the Center by the Center's rules then in effect to the Center for decision and (c) shall decide all requests for exemption not referred to the Center. All information provided to the members of the hearing panel hearing the request for exemption will be held in confidence, except that information provided with regard to requests for exemption referred to the Center will be provided to the Center. There is no charge for seeking an exemption from the requirement that a prospective referee pass a background check.

Failure to Remain in Compliance with USA Water Polo's Background Screening Criteria

In the event that an event occurs that would cause an existing referee member to fail a background check, the referee member is required to report the occurrence of that event via e-mail to USA Water Polo's Membership Director within forty-eight hours of the occurrence of the event. Failure to timely file the report provided for in this provision shall constitute a violation of these Rules that will subject the offending referee to sanctions, including suspension of the referee's membership in USA Water Polo.

The report required by this Rule may include a request that USA Water Polo exempt the referee from the requirement that the referee member remain in compliance with USA Water Polo's background screening criteria. There is no charge for requesting an exemption. In the event that an exemption is not requested, the referee member's membership shall be immediately suspended. If an exemption is requested:

(a) USA Water Polo's Chief Executive Officer shall review the request and determine whether the alleged background criteria violation is based upon conduct that, pursuant to rules adopted by the Center, is required to be referred to the Center. If, in USA Water Polo's Chief Executive Officer's discretion, the conduct alleged in the exemption request is such as to be required to be referred to the Center, USA Water Polo's Chief Executive Officer shall refer the exemption request to the Center, to be administered pursuant to such procedures as the Center may adopt from time to time. If, in USA Water Polo's Chief Executive Officer's discretion, the conduct alleged in the request is such as to not require referral to the Center, USA Water Polo's Chief Executive Officer nonetheless may refer the request to the Center, to be administered pursuant to such procedures as the Center may adopt from time to time.

(b) If USA Water Polo's Chief Executive Officer does not refer the exemption request to the Center:

(i) USA Water Polo's Chief Executive Officer may conduct a hearing with respect to the request and, following such hearing, in his/her discretion,

provisionally suspend the referee member's membership in USA Water Polo for a period not to exceed thirty (30) days.

(ii) Whether or not USA Water Polo's Chief Executive Officer conducts a hearing or provisionally suspends the referee member's membership in USA Water Polo, USA Water Polo's Chief Executive Officer shall refer the exemption request to a special hearing panel appointed by USA Water Polo's Chief Executive Officer to hear requests for exemptions under this Rule.

Following referral of the request for exemption to the special hearing panel, the special hearing panel shall decide the request for exemption *de novo*, i.e., without regarding to any decision that may have been made by USA Water Polo's Chief Executive Officer following any hearing that may have been conducted by USA Water Polo's Chief Executive Officer.

#### Confidentiality

All information provided to USA Water Polo and the members of the special hearing panel pursuant to this provision will be held in confidence, except that information provided with regard to requests for exemptions referred to the Center will be provided to the Center.

#### Appeal

In the event that the special hearing panel concludes that a referee failing to pass the background check should not be eligible for membership as a USA Water Polo referee member, the referee may appeal from the special hearing panel's ruling as provided in Article 14.12 of USA Water Polo's Bylaws. Any appeal from a decision by the Center shall be conducted in accordance with such rules as the Center may adopt from time to time.

#### **Reporting Rules Violations**

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

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

All grievances must: (a) identify the referee against whom the grievance is being filed, (b) provide the details of the complained of conduct, (c) request the imposition of a specific sanction, such as the suspension of the referee's membership in USA Water Polo and (d) include either a filing fee in the sum of \$100.00 or a request that the filing fee be waived for reasons of financial hardship. Any request for a waiver of the filing fee must be accompanied by evidence supporting the request and will be acted upon by USA

Water Polo's Chief Executive Officer. If the requested waiver is not approved, the filing fee must be paid prior to the time that USA Water Polo takes any further action on account of the grievance. Notwithstanding the foregoing, the following persons need not pay the filing fee referred to above: (a) a referee with respect to any Rule violation that is alleged to have occurred during, or in close proximity to, any game officiated by that referee, or (b) any official of a tournament with respect to any Rule violation that is alleged to have occurred during, or in close proximity to, the tournament for which that official was responsible.

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

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

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

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

### **Enforcement**

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

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

## **APPENDIX 1 BACKGROUND SCREENING CRITERIA**

Any of the following shall constitute violations of USA Water Polo's Background Screening Criteria:

1. Found guilty of, imposition of a deferred sentence for, or any plea of guilty or no contest (*nolo contendere*) at any time, past or present, or the existence of any pending charges, for:
  - (a) all sex offenses (examples include, but are not limited to: child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, sexual misconduct and indecent exposure);
  - (b) all felony offenses involving violence, (examples include, but are not limited to: murder, manslaughter, aggravated assault, kidnapping, robbery and aggravated burglary);
  - (c) all felony offenses not involving violence or sexual misconduct (examples include, but are not limited to: possession, distribution or intent to distribute illegal drugs or substances, theft, embezzlement, fraud and child endangerment);
  - (d) all misdemeanour violent offenses. (examples include, but are not limited to: simple assault, battery, domestic violence and hit & run driving);
  - (e) any crimes against children; or
  - (f) more than one misdemeanour drug or alcohol offense (examples include: driving under the influence, simple drug possession, drunk and disorderly conduct, public intoxication and possession of drug paraphernalia); or
2. Found guilty of, imposition of a deferred sentence for, or any plea of guilty or no contest (*nolo contendere*) at any time within the past seven years, or the existence of any pending charges, for any misdemeanour drug and alcohol offense (examples include: driving under the influence, simple drug possession, drunk and disorderly conduct, public intoxication and possession of drug paraphernalia.).