

ARTICLE XVI

CODE OF CONDUCT

1. MSWA Code of Conduct

These rules of conduct shall apply to all competitive members, affiliated members, officials, coaches, chartered clubs and individuals associated with the MSWA. All individuals and/or organizations affiliated with MSWA in any manner shall conduct themselves in the most honorable, courteous and sportsmanlike fashion in compliance with this Code of Conduct.

Rules of Conduct:

1. The policies, rules, by-laws, and constitution of the MSWA, as issued and amended, from time to time, shall not be violated.
2. The policies, rules, by-laws, affiliation agreement, and charter of USA Wrestling, as issued and amended, from time to time, shall not be violated.
3. No person or organization shall destroy or allowed to be destroyed the personal or private property of another.
4. No person or organization shall use or permit the use of abusive or threatening language or conduct toward any tournament official, MSWA officer, USAW official or USAW officer in any manner, including, but not limited to, posts on public forums.
5. No person or organization shall conduct themselves in an unsportsmanlike fashion as determined by the MSWA.
6. No person or organization shall conduct an act of theft, or allow an act of theft to be perpetrated.

7. No alcohol, drugs or smoking will be allowed by any competitive member in or on the premises of any and all facilities where MSWA or USAW sanctioned events are in progress. Drugs approved or prescribed by proper medical personnel for use by a competitive member shall be exempted provided it meets the USAW rules and guidelines for prescribed drugs and medication for competition.
8. No person or organization shall falsify or permit the falsification of any document relative or pertaining to the MSWA, USAW, or the activities of either organization.
9. No person or organization shall participate in or permit the act of cheating, fighting or the act of physical, mental or verbal abuse.
10. No person or organization shall conduct any act, or permit any act to be conducted, not specifically stated herein or in the rules, regulations, procedures, by-laws or agreements of USAW or the MSWA, that may endanger any person or property tangible or intangible.

Any violation or infraction of these Rules of Conduct are subject to disciplinary action, as determined by the MSWA, including, but not limited to, (a) expulsion from the MSWA and any MSWA activity; (b) revocation of USA wrestling card and all privileges associated therewith; (c) revocation of USA wrestling club status; (d) prohibition of participation in the MSWA and any MSWA activity; and, (e) prohibition of participation in USA wrestling and any USA wrestling activity.

In the event club status is the subject of a disciplinary action said discipline will apply to all members of the club. Any person or organization receiving discipline hereunder desiring to contest it must file a grievance in accordance with the procedures set forth in the MSWA By-laws within 20 days of receipt of the notice of discipline from the MSWA. In the event the notice of discipline is placed in the United States Mail, first class postage pre-paid, it will be deemed to have been received three days from the date of mailing to the last known address of the recipient. A failure to file a grievance constitutes waiver of all objections to the prescribed discipline. The notice of discipline shall include the decision of the MSWA and a copy of the current grievance procedure.

All MSWA members agree to comply with and be bound by these Rules of Conduct and the policies and procedures set forth herein and those hereafter promulgated by the MSWA and further agrees to indemnify and hold the MSWA harmless for any failure to comply with the policies and procedures set forth herein.

2. Abuse and Harassment Policy

The MSWA hereby incorporates the policy of USA Wrestling, as amended, as its own. Disputes concerning discipline administered by the MSWA pursuant to this policy will be subject to the Grievance Procedures set forth in these By-Laws.

USA Wrestling Policy on Abuse and Harassment (Revised: October 2005)

USA Wrestling (USAW) is committed to providing a safe environment for its members, participants, coaches, officials and volunteers and to prevent abusive conduct and harassment in any form while participating in the activities of USAW. USAW promotes good sportsmanship throughout the organization and

encourages qualities of mutual respect, courtesy and tolerance in all members, participants, coaches, officials, staff and volunteers. USAW advocates building strong self-images among the youth participants. Athletes with a strong self-image may be less likely targets for abuse or harassment; similarly, they may be less likely to engage in abuse or to harass or bully others around them.

To this end, USAW has established the following guidelines of behavior and procedures for our staff, volunteers, coaches, officials and participants. All members of the organization, as well as parents, spectators and other invitees are expected to observe and adhere to these guidelines.

1. Abuse or harassment of any kind will not be tolerated within the organization. This means USAW does not accept physical, sexual, emotional or verbal abuse, harassment or similar misconduct from any person towards athletes, staff, coaches, officials, volunteers, parents, spectators or any other persons while they are participating in or preparing for events or activities conducted under the auspices of USAW.
2. Physical and sexual abuse, including, but not limited to, striking, hitting, kicking, biting or wanton gesturing, lewd remarks, indecent exposure, unwanted physical contact, any form of sexual contact or inappropriate touching are strictly prohibited within the organization and as a part of its events and activities. Physical abuse does not include physical contact that is reasonably designed to coach, teach or demonstrate a wrestling skill.
3. Emotional abuse or verbal abuse is also prohibited. This may include, but is not limited to: yelling, insulting, threatening, mocking, demeaning behavior or making abusive statements in regard to a person's race, gender, religion, nationality/ethnicity, sex or age. Emotional abuse does not include controlled and disciplined verbal communication that is generally accepted in sports as a reasonable method of coaching or teaching the sport.
4. To further protect USAW youth participants, as well as our coaches, officials and volunteers, we strongly advise that no adult person allow him/herself to be alone with a child or with any group of children in a private setting during or while they are participating in sponsored activities of USAW. In particular, in such circumstances, we recommend that coaches or other adult members of the organization:
 - Do not drive alone with a child participant in the car
 - Do not take a child alone to the locker room, bathrooms, or any other private room
 - Provide one-on-one training or individual coaching with the assistance of another adult or athlete
 - Have private conversations with youth participants within view of others instead of a private office

- Do not socialize individually with the participants outside of sponsored activities.
5. When staying overnight with youth participants, children should be paired up with other children of the same gender and similar age group, with chaperones in separate but nearby rooms.
 6. USAW encourages parents to become as active as possible in sponsored activities, practices and other events. The more the parents are involved, the less likely it is for abusive situations to develop.
 7. USAW will timely respond to any and all allegations of abuse or harassment in matters that are within the purview and jurisdiction of USAW. USAW expects that allegations of abuse or harassment that are properly within the purview and jurisdiction of officials or persons at other levels or of other organizations will be timely responded to and dealt as appropriate. When necessary and appropriate, this information should be communicated to the appropriate authorities for investigation and should be reviewed by appropriate officials, with timely notification to the alleged offender of such allegations.
 8. Any person accused of sexual or physical abuse or harassment may be asked to resign voluntarily or may be suspended until the matter is investigated and resolved. Regardless of criminal or civil guilt in the alleged abuse, the continued presence of the person could be detrimental to the reputation of the organization and could be harmful to the participants. A person who is accused but later cleared of the charges, may apply to have a suspension lifted or, if applicable, to be reinstated within the organization. Reinstatement is not a right, and no assurance is made that the person will be reinstated to his/her former position.
 9. Any person who violates this Policy, who fails to appropriately report matters covered by this Policy, who makes a false report with respect to matters covered by this Policy or who threatens retaliation or reprisal against an individual for reporting a matter under this Policy will be subject to discipline or other action as may be within the purview and jurisdiction of USAW, including but not limited to suspension or termination of membership in USAW or of any other position in which the person serves in USAW.

Harassment and abuse are defined in various sources such as state law, case law, sports organization and professional association codes of conduct and training manuals, corporate and business workplace documents and human rights commission materials. USAW has not adopted any specific definition of harassment or abuse, choosing instead to defer to such general sources and definitions for reference and application, depending on the circumstances. As

further elaboration of examples given above, the following generally describe conduct that may be considered harassment or abuse:

- Any improper or inappropriate comment, action or gesture directed toward a person or group that is related to race, ethnicity, national origin, religion, age, gender, sexual orientation, disability or other personal characteristic.
- Creating 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, and may include, for example, name-calling, threats, belittling, unwelcome advances and requests for sexual favors (as well as undue pressure to perform or succeed).
- Harassment includes child abuse.
- Child abuse can include physical contact – or the threat of it – that intentionally causes bodily harm or injury to a child. This may include, for example, hitting, shaking, kicking, shoving, or forcing an athlete to wrestle when injured or mandating excessive exercise as a form of punishment. It may also include touching for the purpose of causing sexual arousal or gratification that involves a child, rape, incest, fondling, exhibitionism and sexual exploitation. It may also include chronic attacks on a child's self-esteem, such as psychologically destructive behavior consisting of ridiculing, screaming, swearing, racist comments, threatening, stalking, hazing and isolating.

3. Background Screening Policy

The MSWA hereby incorporates the policy of USA Wrestling, as amended, as its own. Disputes concerning discipline administered by the MSWA pursuant to this policy will be subject to the Grievance Procedures set forth in these By-Laws.

USA Wrestling BACKGROUND SCREENING POLICY (03/18/08)

It is the policy of USA Wrestling (USAW) that all coach, referee/judge and pairings official members, and prospective coach, referee/judge and pairings officials members seeking to become a member and intending to participate in any USAW sanctioned event, camp, club practice or activity must submit to and pass a background screening in order to become a member, or remain a member of USA Wrestling, and participate in the above mentioned sanctioned activities. In addition, all non-athletes on State Association national and regional team staffs or who work with such teams at events, camps, club practices or other activities must submit to and pass a background screening. Failure to

submit to a background screen or pass the background screen may be grounds for automatic denial, suspension or termination of membership privileges and participation in any USAW sanctioned event, camp, club practice, or activity.

Any individual who fails the background screen will have the right to dispute the findings of the background screening through the appropriate measures established by USAW.

USAW will enforce the appropriate actions resulting from a negative background screening report.

USAW, any USAW club or any USAW recognized State Association will not register, or allow to be registered, any individual who refuses to consent to a background screen or fails a background screen if that person intends to participate in any USAW sanctioned event, camp, club practice or activity.

The Screening data and results will be in conformity with the screening criteria of USAW at time of screening. Any individual's back ground check shall only be valid for two consecutive USAW recognized membership years, beginning with the membership year in which the individual successfully completes a background check. However, USAW reserves the right to require additional background screenings at any time.

The following shall disqualify an individual from being a member of USA Wrestling, and shall disqualify said individual from participating in any USAW event or activity:

“Conviction of, imposition of a deferred sentence for, or any plea of guilty or no contest at any time, past or present, or the existence of any pending charges, for (i) any crime involving sexual misconduct, (ii) any crimes of abuse against children, (iii) any crimes involving firearms, and (iv) any offense involving distribution or intent to distribute illegal drugs or substances, (v) felonious assaults or batteries.”

USA Wrestling reserves the right to change these criteria at anytime.