

Mountain Club Grievance Procedure

Mountain Club
Revised, December 2023

The **Mountain Club** Grievance Procedure provides swimmers, parents, coaches, club leaders and employees a system to address and report grievances in a productive, systematic way. Following these Procedures provides the appropriate parties a means to properly investigate, intervene, and take disciplinary action when needed.

WHERE TO REPORT:

For issues dealing with sexual misconduct, sexual harassment and/or sexually explicit or inappropriate communication through social media:

- U.S. Center for SafeSport: 833-5US-SAFE (587-7233) or <https://safesport.i-sight.com/portal>

For issues dealing with physical abuse, emotional abuse, criminal charges and the use, sale, or distribution of illegal drugs:

- USA Swimming Safe Sport: safesport@usaswimming.org or <https://fs22.formsite.com/usaswimming/form10/index.html>

For issues dealing with known or suspected child abuse:

- Los Alamos Police Department, [\(505\) 662-8222](tel:5056628222)

For issues dealing with peer-to-peer bullying, coach-athlete bullying, parent issues, violations of the Mountain Club Code of Conduct and violations of the Minor Athlete Abuse Prevention Policy.

- These issues are handled at the club level following the procedures outlined below.

WHOM TO NOTIFY OF A GRIEVANCE (Chain of Command)

Regarding the Conduct of a Swimmer - Contact the swimmer's coach.

- Should a parent or swimmer feel another swimmer's conduct is inappropriate or violates the Mountain Club Code of Conduct, the parent/swimmer should discuss these concerns with the coach of the swimmer responsible for the violation (Responsible Coach). This complaint should be made in person or in writing. Coaches will ensure the Mountain Club Board of Directors is notified of the complaint and will participate in assessing behavior.

Regarding the Conduct of an Assistant or Age Group Coach - Contact the Head Coach

- Should a parent or swimmer feel an Assistant or Age Group Coach's conduct is inappropriate or in violation of any Club policies or procedures, the parent/swimmer should notify the Head Coach of this violation. This complaint should be made in person or in writing. The Head Coach will ensure that the

Mountain Club_Board of Directors is notified of the complaint and will participate in assessing behavior.

*Regarding Conduct of Head Coach – Notify the **Mountain Club**_ Board President*

- Should a parent or swimmer feel the Head Coach's conduct is inappropriate or violates any Club policies or procedures, the parent/swimmer should notify the President of the Board of Directors of this violation. This complaint should be made in person or in writing. If the President is not immediately available, this complaint may be presented to any member of the Board of Directors, with notification made in writing to the President. This complaint will be subject to review and discussion by the full Board of Directors.

Regarding Board of Director Member Conduct - Notify Mountain Club Board President

- Should a parent or swimmer feel a director's conduct is inappropriate or violates any Club policies or procedures, the parent/swimmer should notify the Board President of this violation in person or in writing. If the Board President is the Director whose conduct is in question, the Board Vice President should be notified in writing or in person *instead of* the Board President. This complaint will be reviewed and discussed by the full Board of Directors.

Regarding Parent or Swim Official Conduct - Notify the Head Coach and Board President

- Should a parent or swimmer feel another **Mountain Club** parent's or an official's conduct is inappropriate or violates any Club policies or procedures, the parent/swimmer should notify the Head Coach and Board President of this violation in person or in writing. This complaint will be reviewed and discussed by the full Board of Directors.

Note: Except for issues which immediately affect the health and safety of swimmers, all matters should be discussed before or after a coaching session, as coaches should not be expected to deal with issues during water time.

HOW GRIEVANCES WILL BE HANDLED

*The Board of Directors have the authority to impose penalties for infractions of the **Mountain Club** Athlete, Parent and Coach Codes of Conduct or any behavior(s) they deem not conducive to the best interests of the Club or other swimmers. Consequences are at the sole discretion of the coaches and/or **Mountain Club** Board of Directors and may include, but aren't limited to, verbal warnings, dismissal from practice, contacting parents, temporary suspension from club activities and expulsion. Involved parties will be informed of the processes and range of potential consequences. The U.S. Center for SafeSport, USA Swimming, and local law enforcement (if applicable) will be contacted within 24 hours if a coach, parent, or swimmer violates the SafeSport Code for the U.S. Olympic and Paralympic Movements, the USA Swimming Code of Conduct, Athlete Protection Policy, or local laws.*

1. Gathering Information: The appropriate individuals will contact the person who filed the grievance, and the person against whom the grievance is being filed, to ask questions about what happened. In addition, other witnesses may be contacted for more information. All information will be recorded on the **Mountain Club** grievance procedure form.
2. Assessing Behavior: The behavior of the person(s) against which the grievance was brought, will be assessed using club policies and facility rules, USA Swimming Code of Conduct, USA Swimming Safe Sport policies, as well as applicable local and state laws.

3. Consequences will be given, and disciplinary action will be taken, if appropriate. These consequences and disciplinary actions will be decided using the following general guidelines:
 - a) Nature of the misconduct
 - b) Severity of the misconduct
 - c) Prior disciplinary actions
 - d) Adverse effect of the misconduct
 - e) Application of the Code of Conduct

WHOM TO NOTIFY OF A GRIEVANCE (Chain of Command)

Regarding the Conduct of a Swimmer - Contact the swimmer's coach.

- Should a parent or swimmer feel another swimmer's conduct is inappropriate or violates the Mountain Club Code of Conduct, the parent/swimmer should discuss these concerns with the coach of the swimmer responsible for the violation (Responsible Coach). This complaint should be made in person or in writing. Coaches will ensure the Mountain Club head coach is notified of the complaint and will participate in assessing behavior.

Regarding the Conduct of an Assistant or Age Group Coach - Contact the Head Coach

- Should a parent or swimmer feel an Assistant or Age Group Coach's conduct is inappropriate or in violation of any Club policies or procedures, the parent/swimmer should notify the Head Coach of this violation. This complaint should be made in person or in writing. The Head Coach will ensure that the **Mountain Club** club owner is notified of the complaint and will participate in assessing behavior.

Regarding Conduct of Head Coach – Notify the **Mountain Club** – contact another coach or the club governing board.

- Should a parent or swimmer feel the Head Coach's conduct is inappropriate or violates any Club policies or procedures, the parent/swimmer should notify the [another coach or the club governing board, as applicable] of this violation. This complaint should be made in person or in writing.

Regarding Parent or Official Conduct - Notify the Head Coach

- Should a parent or swimmer feel Mountain Club parent's or an official's conduct is inappropriate or violates any Club policies or procedures, the parent/swimmer should notify the Head Coach of this violation in person or in writing.

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The Head Coach has the authority to impose penalties for infractions of Mountain Club Athlete, Parent and Coach Codes of Conduct or any behavior(s) they deem not conducive to the best interests of the Club or other swimmers. Consequences are at the sole discretion of the coaches and may include, but aren't limited to, verbal warnings, dismissal from practice, contacting parents, temporary suspension from club activities and expulsion. Involved parties will be informed of the processes and range of potential consequences. The U.S. Center for SafeSport, USA Swimming, and Los Alamos Police Department (if applicable) will be contacted within 24 hours if a coach, parent, or swimmer violates the SafeSport Code for the U.S. Olympic and Paralympic Movements, the USA Swimming Code of Conduct, Athlete Protection Policy, or local laws.

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Regarding Conduct of Head Coach – Notify the **Mountain Club** contact club owner.

- Should a parent or swimmer feel the Head Coach's conduct is inappropriate or violates any Club policies or procedures, the parent/swimmer should notify [appropriate institutional authority] of this violation. This complaint should be made in person or in writing.

Regarding Parent or Official Conduct - Notify the Head Coach

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Grievance means a real or imagined cause for complaint, especially unfair treatment. A grievance procedure provides a hierarchical structure for presenting and settling disputes in the club. There is no legally binding process coaches, parents, and swimmers must follow when raising or handling a grievance in the club.

The club sets standards of basic conduct for swimmers and parents. The main aim is about changing or correcting inappropriate behavior. Grievance procedures are used for considering problems or concerns that swimmers and parents want to raise with the club.

Grievance procedure:

1. **Informal action:** In case of grievance which is relatively minor, coaches will have a discussion with the swimmer and/or parents to see if it can be resolved informally.
2. **Investigation:** Right after receiving a grievance, the coach will carry out an investigation. Then proceed with a relatively straightforward fact-finding exercise.
3. **Grievance meeting:** After the investigation, the coaches will hold a meeting with the swimmer and/or parents so that person has an opportunity to explain the complaint. The swimmer and/or parents should be asked how he or she thinks the grievance should be resolved and what outcome he or she is seeking.
5. **Decision:** Based on evidence, the coaches will need to decide whether to uphold or reject the grievance. The decision will be communicated to the relevant swimmers and/or parents.