**MEMO**

**From:** Special Olympics WI

**Date:** March 19, 2019

**Re:** Recreational Swimming Policy and Waiver for Athletes not traveling with official delegation

In February 2019, Special Olympics Wisconsin (SOWI) created a new policy on recreational swimming, as well as a release/waiver for athletes not traveling/staying with their official delegation. The new policy and waiver were the result of mandatory compliance to Special Olympics Inc. (SOI) guidance, as well as for the health and safety of all Special Olympics Athletes & Partners. Since that time, we have received a large amount of questions and feedback from Agency Managers concerned that they now will need to manage athletes that do not travel with delegations. We listened to those concerns and initiated new conversations with SOI and members of the risk management team at American Specialty Insurance, in hopes of getting clarification on many of the questions we received. Please understand that the safety of our athletes is always our first concern with regards to policies such as these. However, we are also concerned about providing liability protection for our Agency Managers, coaches and caregivers who take on a great responsibility when providing support for the athletes during Special Olympics WI events.

The crux of several difficult policy decisions lie at defining the “travel status” of Special Olympics Athletes when traveling to and from SOWI competitions. When do the athletes transition from the parents/caregivers to the Agency Managers & coaches where the athletes now fall under the auspices of Special Olympics WI? Adding complexity to this is that many Agency Managers and coaches are parents & caregivers, blurring the line between when athletes are children and under the supervision of their family or when they are athletes under the auspices of Special Olympics WI.

We must have policies that protect the safety of athlete and the liability of our Class A chaperones. But we also need some flexibility in how the policy is executed. We have addressed several of the policy concerns and will continue to work with Agencies to clarify any areas of confusion and answer all questions regarding this policy. We will also continue to work with SOI, American Specialty and our local programs as we create a more robust travel policy to ensure the safety of our athletes and protect the liability of our volunteers.

KEY ELEMENTS

* The Recreational Swimming Policy is not guidance, but official Special Olympics WI Policy. Potential repercussions of policy violation could include but are not limited to: disqualification from competition, being sent home from training, competition or activity at their or their legal guardian’s expense, temporary suspension, and permanent suspension.
* Agencies traveling together as an official SOWI Delegation must abide by the policy and are not allowed to participate in any recreational swimming. Agencies should seek further guidance for special circumstances and exceptions outlined in the policy.
* Athletes traveling with parents/guardians/caregivers will not be considered part of the Agency delegation and therefore will not be subject to the recreational swim policy.
* Agencies traveling to SOWI sponsored events must have procedures for tracking athlete travel to/from events so as to determine whether athletes are under the care of caregivers vs. as part of the delegation under the auspices of SOWI.
	+ Tracking procedures can be, but not limited to: the Special Olympics WI prepared waiver, Agency created sign-in/out sheets, athlete roster spreadsheets, or other methods to effectively ensure knowledge when athletes fall under SOWI responsibility.
* Recreational Swimming may be allowed at State Tournaments host hotels and pre-authorized Local Program events if Basic Rules, Emergency Action Plans and Supervisory Personnel Requirements are met.

Any questions regarding this policy and waiver document can be directed to Don Wigington, VP of Sports and Health Programs, Special Olympics WI or Mark Wolfgram, SR. Director of Field Services, Special Olympics WI.