

DISCIPLINARY ACTIONS AND APPEALS

Purpose:

To maintain and encourage appropriate behavior by its members, the Garden Empire Volleyball Association, Inc. (GEVA) will deal with violations of Rules, its Code of Conduct, and/or Ethics through a disciplinary process described herein. To address complaints or allegations and streamline the associated response time, the GEVA Board of Directors has adopted the following procedures.

Due Process

These due process rules are established to protect the rights of the Region member while preserving the integrity of the Region and the game. The concept of Due Process involves the right of the accused to reasonable notice and a hearing, at which he/she is permitted to present his/her side of the story and defend the charges.

Sanctions

Regional members are governed by United States Volleyball Association (USAV) Rules as described in its handbook as well as the Garden Empire Volleyball Association (GEVA) Rules and Policies together with the USAV Code of Conduct for players and coaches. Any violation of these Rules and Policies by a Region member may require disciplinary action imposed by the Region.

A disciplinary action shall be based on a violation of any of the following:

- a. Ethics (See GEVA's Coach's Code of Ethics as well as the Code of Ethics found in USA Volleyball All Regional Volleyball Assn. Impact Manual)
- b. Code of Conduct (See Code of Conduct noted on the USA Volleyball Membership Form and the Code of Conduct recited in the GEVA handbook.)
- c. Eligibility Rules per the USA Volleyball Guide.
- d. USA Volleyball substance abuse or sexual harassment policy, per the USA Volleyball Guide.
- e. Actions pertaining to volleyball, which is believed NOT to be in the best interest of the Region or its members; a disciplinary action shall apply to all members of the Region, officials, coaches, team representative, player, team, or any person participating or attending a USVBA function in the Region.
- f. A recommendation for action by the Region by a USAV national Event Arbitrator, An Event Ethics and Eligibility Committee or from the USA Volleyball Corporate Ethics and Eligibility Committee.

Certain actions by Region members or teams result in automatic sanctions in accordance with the Region Handbook. These include, but are not limited to, failure to appear at an event for which a team is pre-registered, untimely withdrawal from a tournament, failure to fulfill work (officiating) obligations, and use of alcohol or controlled substances at a tournament. The appropriate officer of the Region Executive Council, after considering the information available may administer such automatic sanction. For example, the Official's Chair may prohibit an individual from officiating if he/she has not qualified as an official or is not in the process of timely qualifying. If there is no clearly appropriate Board officer, the Commissioner shall administer the automatic sanction.

In addition, the Commissioner, after considering the available information, shall have authority to impose appropriate sanctions for actions by Region members not otherwise provided for by the Handbook (.e.g., minor damage to equipment or facilities). These sanctions include, but are not limited to, automatic suspension from the tournament during which the incident took place and/or suspension from any subsequent tournament(s), payment for damage as a prerequisite for participation in subsequent tournaments, etc.

For all matters which do not result in automatic sanctions in accordance with the USAV Rules or the Region Handbook or which are of a sufficiently serious nature to warrant closer scrutiny the

Commissioner shall notify the regional Board Members comprising the Conflict Committee to conduct a hearing to investigate the complaint.

The Conflict Committee shall cause an investigation to begin to verify the allegations and facts stated in the complaint. Such investigation shall be done expeditiously and handled in a timely manner.

Appeal

An appeal of any sanction imposed may be requested of the Regional Commissioner or his designee. The individual(s) appealing must notify the Commissioner, or his designee in writing (may be preceded by email) of their request for hearing, no later than 7 days from the receipt of a sanction or publishing of the results of an Appeal Panel hearing.

In the Garden Empire Region, Appeals of sanctions imposed by a member of the Executive Committee will be handled by the appropriate Appeals Committee. Appeal of a sanction imposed by the actions of the Appeals Committee will be handled by the Board members of the appropriate division.

The Appeal Committees shall be comprised of the following personnel depending on whether the accused is a member of the Adult or Junior community:

Adult Community Member

- a. Adult Board Level Representative
- b. Adult Board Level Representative of different gender (chosen by Commissioner)
- c. An Adult club director chosen by the accused

Junior Community Member

- a. Junior Ethics and eligibility Chairperson (Committee head)
- b. Junior Board Area Representative
- c. A Junior Club Director chosen by the accused

An Appeal Hearing will be scheduled upon receipt of a request from an appellant who may be appealing either a decision or a process. In cases where a sanction was imposed without an initial hearing, a hearing may be requested. The appeal must be filed by USPS confirmed mail. Failure to file the request in the prescribed manner and time will result in forfeiture of the right to appeal.

The Appeal Panel will be restricted to the reason for the appeal and may call such witnesses as it deems necessary to make a ruling. The Appeal Panel has full authority to conduct the hearing, has authority over decisions concerning procedural matters and has the authority to amend (eliminate, reduce or increase) any sanctions imposed as necessary. The hearing may be conducted in person or via electronic media. The hearing will be closed to other parties. An official record of minutes will be provided.

Appeal Outcome

The appeal committee shall provide in writing by certified mail its determination of the appeal no later than ten days following the date of the hearing. The decision of the Appeal Panel shall clearly state the authority for any application of discipline together with the information relied upon for the application of such discipline.

The United States Volleyball Association now provides that the only appeal from a decision of the Region Board shall be to the United States Volleyball National Ethics and Eligibility Committee and only for a determination of whether the Region member received due process.

If an individual moves into the GEVA Region, or a club/team attempts to register in the Region, subject to the sanctions of another Region which has a procedure for appealing from sanctions, GEVA shall respect and observe the other Region's sanctions for the balance of its term regardless of whether such appeal process was exercised.