

# SUN COUNTRY VOLLEYBALL

## DISCIPLINARY ACTION & DUE PROCESS

### MISCELLANEOUS

It is the responsibility of the Sun Country Regional Volleyball Association (SURVA) Board of Directors to administer volleyball within the Region. Due process rules are hereby established to protect the rights of any accused member of SURVA, the safety of the SURVA membership, the integrity of the Region, and the sport of volleyball.

THE SURVA Board of Directors is not a court of law but, rather, a non-profit, private group of volleyball players, coaches, and organizers selected by the Region membership to administer volleyball within the Region. It is the duty of the SURVA Board of Directors to strive to obtain just and fair results when a Region member is accused of wrongdoing relevant to volleyball within the Region. As a private body, the SURVA Board of Directors does not follow the Federal Rules of Evidence but shall accord weight to evidence based on its substance and common sense.

**Notice: Sun Country Region Volleyball Association may suspend membership privileges for more than one year.**

**Notice: Sanctions from other Regions, regarding individuals or teams, shall be honored if the concerned region has a Due Process procedure for appeal.**

**The member will be notified asap of any temporary sanction and pending investigation. The notice will describe & include the alleged misconduct,** the range of possible sanctions, an offer to provide a statement and other relevant evidence for consideration and a copy of the due process procedures. All disciplinary actions will remain in effect through final disposition. Upon final disposition, the Secretary will be forwarded a copy for retention.

- Ethics matters considered for sanction will be referred by the Commissioner to the Ethics Committee for review. The Ethics Committee will consist of three area representatives not of that area with one appointed by the Commissioner as voting Chair.
- Matters dealing with eligibility and debt reports will be forwarded by the Commissioner to the Eligibility Committee for consideration.
- After careful consideration of the evidence and situation, the Commissioner may impose temporary sanctions up to and including membership, team, or club suspension.

- The Commissioner, during normal Region business and acting in the best interest of Sun Country, may impose routine, monetary and **temporary** emergency sanctions.

**SANCTIONS ARE ALLOWED DUE PROCESS AND SUBJECT TO APPEAL.**

## **DUE PROCESS**

### **SANCTIONS / FINES / PENALTIES**

This section is a guide to **disciplinary actions** that may be imposed upon clubs, teams, coaches, or persons registered with SURVA for violations of region policies. There is no reasonable means to cover all possible infractions. **SURVA will determine any disciplinary action** on a case-by-case basis.

Teams and members that have been issued disciplinary action by SURVA through sanction, fine or penalty will not be allowed to participate in sanctioned events until the sanction is fulfilled. **Clubs issued disciplinary action, other than club suspension, will be allowed to operate during appeal. Club directors and admins will be removed from club access immediately until Due Process is completed.**

Noncompliance may result in reporting the violation and imposed sanction to the National governing body to prevent a team/person from participating in any other Region's event and/or National event.

### **SANCTIONABLE ACTIONS**

Actions that may be sanctioned include, but are not limited to, the following:

- Failure of team to have certified officials by required dates.
- Failure to follow Tournament Requirements or Guidelines.
- Misconduct by any Official.
- Uniform Code Violation.
- Failure to appear at an event, for which the team is officially registered.
- Untimely withdrawal from a tournament.
- Failure to adequately officiate or fulfill officiating obligations.
- Use of alcohol or controlled substances at a tournament.
- Violation of Region's No-Tolerance Policy.
- Participant Eligibility Rule Violation.

### **ETHICS VIOLATIONS (Ethics Committee Consideration)**

Actions considered by the Ethics Committee include, but are not limited to, the following:

- Sexual Harassment Violations
- Recruiting Violations
- Club Tampering
- Criminal Activity
- Major Participant Eligibility Rule Violation
- Financial Impropriety
- Violation of the SURVA Code of Conduct or SURVA Coach's Code of Ethics
- Violation of USAV Code of Conduct
- Violation of Safe Sport

## APPEAL OF SANCTIONS, FINES OR PENALTIES

Below are descriptions of the three (3) levels of disciplinary action & the guide to appealing each.

- **FINES/FEES:** These are established penalties set by BoD policy such as late fees, no show or withdrawal fines. Any request for reduction of a fine/penalty must be submitted to the proper Area Rep who will submit the responsible party's plea to the BoD for consideration.
  - A. Appeal-There is no appeal for fines or penalties.
- **ROUTINE INFRACTIONS:** Appeal of routine decisions or sanctions such as NOI violations, player participation or other participation issues shall be to the Commissioner and must be in writing or by email to the Commissioner within seven (7) days of the notification of decision. Otherwise, the accused shall forfeit the right to an appeal. The Commissioner will delegate the appeal to the appropriate Committee for final consideration.
  - A. Appeal of Routine Infractions: The assigned Committee will consider if the original fine/penalty/decision is proper and legal. The Committee will review the action taken and the appellant statement. The Committee may remove, correct, adjust, uphold or install the proper sanction.
- **COMMITTEE:** Appeal of Ethics, Eligibility or Ad Hoc Committee decisions involving sanctions must be in writing or by email to the Commissioner within seven (7) days of the notification of decision. Otherwise, the accused shall forfeit the right to appeal. The Commissioner will refer the matter to a Review Board for consideration.

- A. Appeal of Committee Sanctions:** A Review Board, consisting of three Board members, shall hear any appeal from a Committee. No member of the Review Board shall have prior first-hand involvement concerning the action under review. The appellant may select **one Sun Country Board** member for the Review Board.
- B.** The Review Board shall consider all available information, reach a decision, formalize it in writing, and deliver the decision to the accused. **The Committee may reduce, remove, correct, uphold, or install a different sanction. The accused must acknowledge, in writing or by email, to the Commissioner and within seven (7) calendar days of notification of receipt of the Review Board decision and whether they accept the decision or wish to continue to Final Appeal.** Otherwise, the accused shall forfeit the right to further appeal.

- **FINAL APPEAL-Board of Directors**

- A. Appeal of Review Board Decisions:** Appeal of decisions by the Review Board shall be to the entire Board of Directors. A Final Appeal hearing shall occur at the next scheduled Board meeting. The accused shall have fifteen (15) minutes to address the Board in person or by online access if available. The Board of Directors shall consider all available information & **have the same rights of sanction edit as the Review Board.** The BoD will reach a decision, formalize it in writing, and deliver the decision to the accused with a copy to the Secretary for retention. For the Final Appeal hearing to be effective it shall be necessary that a quorum of Sun Country Board members is present; proxy votes shall be permitted.

**Notice: Any person (participant or spectator) under SURVA and/or USAV suspension or on a Region hold shall not be allowed to attend any volleyball related function/event involving or including SURVA members. This includes but is not limited to practices or events involving minor athletes, SURVA and USAV sanctioned tournaments or USAV/SURVA active club functions or meetings.**

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