

USA JUMP ROPE POLICY FOR DISCIPLINARY ACTIONS

A. Filing a Complaint

Any member may file a timely complaint against another member of the organization for conduct, which occurred at a USAJR sanctioned camp, workshop or tournament, that violates the USAJR Code of Conduct. This does not in any way restrict the right of the Board to bring its own disciplinary action against any member pursuant to Article IV Section 4 of the By-Laws. To be considered by the Disciplinary Council the complaint must:

1. Be submitted in writing and signed by the complainant.
2. Be sent to the attention of the Fair Treatment Coordinator of USA Jump Rope at the principal place of business of USAJR or other place agreed to between Complainant and the FTC.
3. Include a concise statement of the complaint, indentifying the nature of the complaint and the person(s) the complaint is against. It shall also include names of any relevant witnesses and attach any relevant documentation. If the complaint stems out of a competition sanctioned by the Corporation then such protest procedures, if any are applicable, should be exhausted first.
4. Pertain to conduct that occurred within the past 60 days.

B. Processing of the Complaint.

1. The Fair Treatment Coordinator shall select three (3) members from the Governance Committee to form the Disciplinary Council within three (3) days and appoint one person from the Disciplinary Council as the Investigator. The Disciplinary Council may not include an individual who is directly involved in the complaint. The Fair Treatment Coordinator will notify the President & Board that a complaint has been filed and that the Disciplinary Council has been formed.
2. Within three (3) days of the receipt of the complaint, The Investigator shall send a notice to the Complainant. The notice shall include:
 - a. The name of the Investigator.
 - b. A request for names and contact information of others with relevant information, and any further written evidence.
 - c. Contact information for the investigator, including an address to which Complainant should send any further evidence.
 - d. The date by which the investigation will be concluded. Such date shall not be more than 30 days from the date of the notice.
 - e. A copy of the USAJR policy for Disciplinary Action.
 - f. A statement that the Council will keep such investigation confidential, except to speak with those with relevant information, and a request that the complainant do the same.

3. Within three (3) days of the receipt of the complaint the investigator shall send notice to the subject of the complaint. That notice shall include:

- a. The fact that a complaint has been made and a summary of the nature of the complaint, as well as the name of the complainant if reasonable.
- b. Name of the Investigator.
- c. A request for a written response to the Complaint within 14 days of the notice.
- d. A request for names and contact information of others with relevant information, and any written evidence the complainant wishes to be considered.
- e. Contact information for the investigator, including an address to which subject of the complaint should send any further evidence.
- f. The date by which the investigation will be concluded. Such date shall not be more than 30 days from the date of the notice.
- f. A copy of the USAJR Policy for Disciplinary Action.
- g. A statement that the Council will keep such investigation confidential, except to speak with those with relevant information, and a request that the subject of the complaint do the same.

C. Investigation of Complaint.

The investigation of the complaint shall at least include interviews (or attempted interviews) with the complainant, the subject of the complaint, and other persons having information directly related to the subject matter of the complaint. After the interview the Investigator will send a copy of his notes reflecting the statements of the party interviewed and that party shall review and make any necessary corrections, or state that there are no corrections, and then return such summary to the Investigator within 3 days.

D. Close of Investigation

Within seven (7) days of the end of the investigation, the Investigator shall prepare for the Disciplinary Council a written summary of the investigation. That summary, along with all gathered written evidence, shall be submitted to the Disciplinary Council.

E. Disposition of Complaint:

1. Within 14 days of the receipt of the investigation summary and all written evidence gathered by the investigator, the Disciplinary Council shall meet to discuss the complaint pursuant to Article IX of the By-laws. The Council may then:
 - a. Close the complaint.
 - b. Attempt to mediate the dispute between the parties, if appropriate.
 - c. Impose discipline on the subject of the complaint pursuant to Article IX of the USAJR By-Laws.

2. After informing the President, the Complainant and Subject of the Complaint shall be advised of the Committee's decision within seven (7) days of the

Committee's decision. The Investigator for that complaint will notify them in writing via email. The President then informs the USAJR Board of the decision by sending them a copy of the Findings of Fact, Conclusions and Order. If no discipline is imposed names of parties and witnesses interviewed shall be redacted. If discipline is imposed the Board should be made aware of the name of the Subject of the Complaint and the Complainant. All other names shall be redacted. However, the Disciplinary Council may at any time protect the identity of a complainant, witness or any other party if necessary for the protection of such persons or the best interests of the disciplinary process or the Corporation.

2. The Council shall set forth its decision in a document entitled:
Disciplinary Council Findings Of Fact, Conclusions And Order. Such document shall include:
 - a. Complaint Number:
 - b. Brief Summary of Background:
 - c. Evidence Reviewed (including indentifying persons providing information and documents received)
 - d. Findings of Fact:
 - e. Conclusion: Member did or did not.....
 - f. Order: Set forth discipline, if any, or order case closed without discipline.
- F. If the Council imposes discipline, the notice sent to the subject of the complaint shall include the USAJR Policy governing appeal of Council's decisions and shall state the date by which the Subject shall notify the Fair Treatment Coordinator of the intent to appeal the Council's decision.

H. Appeal Process

1. Appeals from the Disciplinary Council are heard by the Board of Appeals, which consists of the Board of Directors less the three (3) members of the Disciplinary Council that decided the case.
2. The Subject of the Complaint has 14 business days from the receipt of the Disciplinary Council Findings Of Fact, Conclusions And Order to file a notice with the Fair Treatment Coordinator of his intent to appeal the Council's order. The notice must:
 1. Be submitted in writing and signed by the complainant.
 2. Be sent to the attention of the Fair Treatment Coordinator of USA Jump Rope at the office of USAJR.
 3. Include a concise statement of the grounds for the appeal.
 4. Include a request for personal or phone appearance, if desired.
3. When the decision goes to the Board of Appeals automatically, pursuant to Article IX Section 4, the Subject of the Complaint will be given the same option to submit a notice and it shall contain the information as detailed above. The notice shall be submitted to the Fair Treatment Coordinator within 14 business days from receipt of the Council's Order.

4. Grounds for appeal include:
 - a. Misapplication or misinterpretation of corporation's rules, policies, procedures handbooks, Membership Code of Conduct, Mission or best interest of the sport of jump rope;
 - b. Newly discovered evidence that could not have reasonably been presented to the Disciplinary Council;
 - c. Imposition of discipline contrary to the evidence presented;
 - d. Excessive penalties; or
 - e. Failure to take into account special or extenuating circumstances.
5. The disciplinary action ordered by the Disciplinary Council will remain in effect during the appeal process.
6. Subject of the Complaint has the option to request an opportunity to address the Board of Appeals in person or over the phone. The phone appeal will be scheduled as soon as administratively possible, but not more than 30 days after the request. The appearance in person will be at the next regularly scheduled meeting of the full Board, as long as the request is made at least 21 days prior to the meeting. The subject of the complaint may only address items that constitute grounds for appeal as noted Section H, Item 4. They are not permitted to question or cross-examine the Board of Appeals, complainant or the members of the Disciplinary Council. The Board of Appeal may ask questions for clarification as needed.
7. In the absence of a request for an opportunity to address the Board of Appeals in person or over the phone, the Board of Appeals will meet and issue its decision within 21 days of receipt of notice of appeal.
8. When the subject of the complaint requests an opportunity to address the Board of Appeals in person or over the phone the Board of Appeals will re-convene at a later date to render its decision, but not more than seven (7) days after the personal appearance.
9. The Board of Appeals will review the Disciplinary Council's decision and determine, by majority vote, whether there is reasonable cause to believe that the Council erred in its ruling based on one or more of the following grounds:
 - a. Misapplication or misinterpretation of corporation's rules, policies, procedures handbooks, Membership Code of Conduct, Mission or best interest of the sport of jump rope;
 - b. Newly discovered evidence that could not have reasonably been presented to the Disciplinary Council;
 - c. Imposition of discipline contrary to the evidence presented;
 - d. Excessive penalties; or
 - e. Failure to take into account special or extenuating circumstances.
10. The Board of Appeal's decision is final.