

USA DODGEBALL INC

CONDUCT POLICY

Revised to be in line with the updated USA Dodgeball Inc ("Organization") Bylaws and Constitution with Executive Board approval at the September 28th, 2017 Executive Board virtual meeting.

1. Introduction

This Conduct Policy ("Policy") defines a code of conduct for Members of the Organization community, details the bodies that manage matters related to conduct, and describes the procedures for addressing conduct violations and sanctions relating to conduct violations. The primary means for dealing with disputes is direct discussion between the Members involved. The Organization applauds the maturity its Members regularly exhibit in resolving their own disputes and correcting their own misdeeds, and celebrates the general irrelevance of this very Policy. However, in the rare circumstance where formal redress is needed, this Policy takes effect.

Beyond its own rules, the Organization expects all Members to abide by the laws, regulations and statutes of the jurisdiction in which they participate, whether at Organization-sanctioned Events or not. The Organization, its Executive Board ("Board"), officers, directors, agents, affiliates, and Members will cooperate fully with the relevant authorities to ensure compliance with such laws, regulations, and statutes.

Though much of this document deals with inappropriate conduct, it is crucial to note that good conduct is appreciated and commended by the Organization through its several awards recognizing Members which uphold and demonstrate the spirit of the game and by continually reinforcing the notion of sportsmanship and respect. In addition, teammates and opponents alike express their appreciation of fair and respectful play. Finally, good conduct is its own reward.

2. Definitions

2.1 "Acting Disciplinary Authority" means any Event director, member of the Organization Administration performing his/her duties in some specific capacity, officer or agent of the Organization, or some other Organization-appointed individual or group charged with decision-making regarding conduct pertaining to a specific Organization-sanctioned Event in progress.

2.2 "Administration" or "Staff Member" refers to the staff of the Organization.

2.3 "Board" shall mean the full Executive Board of the Organization.

2.4 "Judicial Committee" means a committee comprised of members of the Board, or a hearing panel appointed by the committee, in accordance with the Bylaws of Organization. The Judicial Committee will oversee matters of right to play, administrative grievances, discipline, and conduct pursuant to the terms of this Policy and the Bylaws of the Organization.

2.5 "Conduct within the Organization" shall have the meaning set forth below in Article 3.1 or Article 3.2 which includes, but is not limited to, a Member's actions, statements, written words, and documents in dealing with an Acting Disciplinary Authority, officers, volunteers and staff of the Organization.

2.6 "Conduct within the Dodgeball Community" shall have the meaning set forth below in Article 3.3.

2.7 "Initial Determination" means the initial action recommended by the appropriate Staff Member upon reviewing a formal complaint submitted pursuant to Article 4.2.

2.8 "On-Court Conduct" refers to the actions of Members and Member Teams during the course of any Organization-sanctioned Event and is not limited to actions during a game (See Article 3.1).

2.9 "Member" refers to any Member of the Organization, except where otherwise noted.

3. Code of Conduct

Members are expected to behave in a manner consistent with the mission of the Organization while (a) on the playing court, (b) interacting with the administration and officers of the Organization, and (c) dealing with the greater dodgeball community. The same expectations exist for teams and other groupings of Members.

3.1 On-Court Conduct

3.1.1 Members are expected to treat one another with respect, to conduct themselves in a safe and orderly manner, and, while playing, to adhere to the rules of dodgeball as well as to any Event and site regulations, including the Organization Policy on doping. On-court violations may therefore include (with the clause being violated appearing in parentheses), but are not limited to, abusive heckling (respect), spiking the ball (respect), dangerous play (safety), spitting at another Member (respect), cheating (rules), deliberate fouling (rules), reckless behavior at an Event party (order, safety), drinking on the sidelines when prohibited (site regulations), taunting (respect), disrespectful actions or verbalization toward or about potential and existing sponsors or partners (respect), and violence against another living being (respect, order, safety).

3.1.2 Repeated, excessive or deliberate inappropriate conduct constitutes a violation of this Policy. An individual instance of inappropriate conduct may also warrant sanctioning by the Judicial Committee if the action is sufficiently severe. Such a sanction may be in addition to any penalties imposed by an Acting Disciplinary Authority. Acting Disciplinary Authorities and the Judicial Committee operate independently.

3.1.3 Members and volunteers acting as a Match Official will be neutral in their decision-making regardless of personal, Member Team, regional, or any other types of affiliation. If a Member or volunteer cannot be neutral in their officiating, that Member or volunteer will not be permitted to act as a Match Official.

3.2 Conduct within Organization

3.2.1 Members are expected to be truthful and respectful in their dealings with the Administration and Staff Members of the Organization, in addition to complying with the Organization's rules, policies, and deadlines.

3.2.2 Violations of conduct occur upon the breach of these expectations. Violations of conduct within the Organization may therefore include, but are not limited to:

3.2.2.1 filing a fraudulent roster;

3.2.2.2 hacking the Organization Website;

3.2.2.3 supplying fraudulent membership data to the Organization;

3.2.2.4 hosting an Organization-sanctioned Event but excluding a Member or team from competition based on a personal grievance with the captain or another Member;

3.2.2.5 theft of privileged information from the Organization or its Board, directors, officers, or administrators;

3.2.2.6 obstructing an agent of the Organization from performing his/her duty; and

3.2.2.7 libel against a Board member, director, organizer, or administrator regarding Organization-related activity.

3.2.2.7.1 For example, a Member who groundlessly accused a Board member of embezzlement while being interviewed live on television may violate this Code of Conduct on the grounds of slander, even if that Member later recants while off camera.

3.2.3 Event directors, members of the Administration of the Organization, and other such Organization-appointed individuals or groups may serve as Acting Disciplinary authorities regarding violations of conduct within the Organization, provided the conduct pertains to an Event or process reasonably under their jurisdiction. For example, Event directors are Acting Disciplinary Authorities for conduct within the Organization regarding the appropriate Event in which they are hosting. An Event director who finds that a Member has filed a fraudulent roster may exclude that team from competition. As another example, members of the Board have the authority to deny membership to an individual who submits any fraudulent form.

3.3 Conduct within the Dodgeball Community

3.3.1 Members are expected to act consistently with the mission of the Organization to advance the sport of dodgeball. Actions inimical to the mission are violations of conduct. Such violations may include, but are not limited to, libel against dodgeball players or organizers in the printed media or online, disrespectful actions or verbalizations aimed toward or about potential or existing sponsors or partners, obscene acts on televised media featuring dodgeball, and vandalism or other destructive behavior toward a dodgeball facility.

3.4 Other Regulatory Codes

3.4.1 Note that an Acting Disciplinary Authority may adopt any number of approved regulatory schemata for administering penalties within the course of an Organization-sanctioned Event. Such regulatory guides must conform to this overarching Code of Conduct. Actions resulting in penalties administered through the application of such systems do not constitute conduct violations unless a complaint is filed by the Acting Disciplinary Authority or an eyewitness Member and the Judicial Committee deems them to be violations. Likewise, actions that are not penalized under such systems may still be held violations of the Code of Conduct upon complaint and review, and thus are subject to sanctioning under this Policy.

3.4.2 The Code of Conduct described here applies to all Members in every dodgeball-related activity, as well as to all dealings with the Organization Administration including but not limited to, the Board, Organization Staff Members, and volunteers. Officials are judging on-field behavior by the same standards as the Board or the Judicial Committee. Different authorities may have additional rules to enforce which are unrelated to the Organization Code of Conduct, however. For example, a team showing up late for an Event may merit a penalty from an Event director while constituting no breach of the Code of Conduct. Note, too, that these several disciplinary bodies may impose different sanctions for the same conduct violation.

4. Enforcement of the Conduct

Alleged violations of Article 3 of this Policy set forth above shall be reviewed two ways. For conduct that occurs during Organization-sanctioned Events in progress, expedited resolution may be required and, as a natural result, the review and appeal process is necessarily limited to real-time review. Alleged violations of this Policy that do not need to be resolved during an Organization-sanctioned Event, may be reviewed through a formal complaint-defense appeal-process.

4.1 Enforcement during an Organization-sanctioned Event in progress. An Acting Disciplinary Authority may, as necessary, impose sanctions or penalties for violations of this Policy to ensure expedient administration of its duty in anticipation of or during an Event. For example, an Event director has the authority to eject a violent Member from an Event.

4.2 More than one Acting Disciplinary Authority may have jurisdiction over an Event. In such case, communication and coordination between the multiple Acting Disciplinary Authorities with jurisdiction is encouraged to ensure that consistent results are achieved and the appropriate course of action is determined.

4.3 Notwithstanding the foregoing, in the Event that disagreements between multiple Acting Disciplinary Authorities at a particular Event arise, the highest-level Acting Disciplinary Authority who is ascertainable and reachable during an Event shall make the final decision.

4.3.1 Initiating and Carrying Out the Enforcement Process. An Acting Disciplinary Authority may act on his or her own initiative to impose sanctions or penalties for violations of this Policy. In addition, an individual may allege a complaint against a Member or Member Team by directly contacting the appropriate Acting Disciplinary Authority, who may act upon the complaint as he or she sees fit. Due to the time sensitive nature of the situation, no written complaint is necessary.

4.3.2 Immediate Appeal of an Acting Disciplinary Authority's Decision. Generally, if a higher level Acting Disciplinary Authority is ascertainable and reachable during the Event, a Member may appeal the initial decision made by the lower level Acting Disciplinary Authority. If the higher level Acting Disciplinary Authority cannot be reached in time to make a decision on the matter, the original Acting Disciplinary Authority's decision stands during the on-going Event.

4.3.2.1 However, in situations where there may be no clear higher level Acting Disciplinary Authority, the Acting Disciplinary Authority decision may not be appealed. This Policy encourages Members to conduct themselves in a manner that is in conformance with the requirements of this Policy and to ensure quick decision-making and finality during ongoing Events.

4.3.3 Appeal of the Acting Disciplinary Authority Decision. If the sanctions imposed by Acting Disciplinary Authority continue beyond the Event where the conduct violation took place, the sanctions may be appealed by following the procedures set forth in Article 4.4 below. Members may also appeal a decision that they believe was made by an Acting Disciplinary Authority unfairly or in error pursuant to the Organization Administrative Grievance Policy.

4.4 Enforcement Through a Formal Complaint. The second method by which alleged violations of this Policy are reviewed is through a more formal complaint-review-appeal process. While this process is more formal, it is understood that a particular situation may have a time-sensitive nature, and as such the timeframes set forth below may be accelerated at the discretion of the Judicial Committee to ensure that time-sensitive complaints are reviewed while still being afforded the full appeal process outlined below.

4.4.1 Initiating the Enforcement Process. Any Member or group may file a complaint against any other Member, group of Members, Member Teams, or a decision made by a Acting Disciplinary Authority if the sanctions imposed continue beyond the Event where the conduct occurred. In the case of a complaint relating to on-court conduct, the complainant must be a witness to the conduct in question. An individual who hears of but does not witness offensive conduct may request an investigation by the Judicial Committee, who may act on such requests at their discretion.

4.4.1.1 Additionally, any Member who has been suspended for longer than (1) year shall have the right to have their suspension reviewed annually by submitting a request for review to the Judicial Committee.

Review of suspensions shall be heard by the Judicial Committee and shall not require an Initial Determination.

4.4.1.2 The complainant must submit their complaint in writing to the Board within thirty (30) days of the conduct in question. The Judicial Committee shall have the discretion to grant complainants extensions of this deadline. Multiple complaints by different parties regarding a single incident may be consolidated and treated as a single complaint.

4.4.1.3 The Judicial Committee will determine whether a complaint is sufficiently credible to warrant a hearing. In making this determination the Judicial Committee may consult with appropriate Staff Members. In the event that the Judicial Committee determines that a complaint is insufficient to warrant a hearing, it shall notify the complainant in writing of its determination. In the event the complaint is deemed credible, the Judicial Committee will inform the complainant and will also inform the defendant of the complaint, making known to him or her the allegations being charged. The defendant will have thirty (30) days, or such shorter or longer period as the Judicial Committee determines, in its sole discretion, to submit a written defense to the Judicial Committee.

4.4.2 Initial Determination Made by The Appropriate Staff Member. The Judicial Committee will determine the appropriate Staff Member to review the complaint, make an Initial Determination and provide a recommended course of action. The Judicial Committee will forward copies of all information it has obtained on a particular matter to the appropriate Staff Member. The Staff Member shall have the authority to conduct its own investigation to obtain further information in order to make its Initial Determination.

4.4.2.1 The Staff Member's Initial Determination and recommended course of action must be delivered to the Judicial Committee within thirty (30) days of receiving the defendant's response to the allegation. This period may also be shortened or lengthened by the Judicial Committee in its sole discretion as a result of the (a) time sensitive nature of a particular issue or (b) in order to ensure that the involved parties have a meaningful opportunity to avail themselves of the full appeal process.

4.4.3 Review of the Initial Determination by the Judicial Committee. The Judicial Committee shall review the Initial Determination upon receipt. Within five (5) days of receipt, the Judicial Committee may validate the Initial Determination or reconsider the Initial Determination.

4.4.3.1 Validation. If the Judicial Committee validates the Initial Determination, the Initial Determination shall become the final decision of the Judicial Committee.

4.4.3.2 Reconsideration. The Judicial Committee may reconsider the Initial Determination if, in the Judicial Committee's reasonable judgment either the Initial Determination:

4.4.3.2.1 significantly departs from existing precedent;

4.4.3.2.2 imposes sanctions that are grossly disproportionate to the violation in question (i.e., too strict or too lenient);

4.4.3.2.3 clearly misinterprets existing rules regulations, policies or

4.4.3.2.4 if significant new information has been presented which may affect the facts and circumstances involved in the alleged conduct violation.

4.4.3.3 Reconsideration may not necessarily result in modifications of or changes to the Initial Determination.

4.4.3.4 If the Judicial Committee chooses to reconsider the Initial Determination it may conduct its own independent investigation and may incorporate any new information presented into its decision-making process.

4.4.3.5 The Judicial Committee's final decision (the "Judicial Committee Decision") shall be communicated in writing to the affected parties within thirty (30) days of receiving the Initial Determination. Unless otherwise stated, the Judicial Committee Decision shall take effect immediately.

4.4.3.6 The Judicial Committee reserves the right to shorten or lengthen the time periods set forth above in its sole discretion due to either the (i) time sensitive nature of a particular issue or (ii) in order to ensure that the involved parties have a meaningful opportunity to avail themselves of the full appeal process. Any changes to deadlines contained herein must be expressly communicated to the involved parties in writing immediately after the decision has been made by the Judicial Committee.

4.4.3.7 During the review process the Judicial Committee may temporarily impose or suspend imposed penalties on affected parties until the matter is fully resolved. For example, this may mean that a Member may or may not be allowed to compete in Organization-sanctioned Events until the final resolution of an appeal.

4.4.3.8 Judicial Committee decisions are based on majority vote when no consensus can be reached. In the event of a tie, the Board President casts the deciding vote.

4.4.4 Appeals. A decision of the Judicial Committee may only be appealed through arbitration.

5. Sanctions

5.1 Sanctions by an Acting Disciplinary Authority. An Acting Disciplinary Authority may impose sanctions necessary for the administration of its duties. Such sanctions may include, but are not limited to, ejection of a Member or group of Members from an Event; assessment of points against a team; denial of Organization membership; and denial of participation in the Organization.

5.1.1 No Acting Disciplinary Authority may suspend any Member or group of Members from participation in any Event other than the immediate Event being administered by that authority. The same restriction applies to probation.

5.2 Sanctions by the Judicial Committee. The Judicial Committee acting as proxy is not limited in its range of sanctions, except by the requirement that the penalty be proportionate to the severity of the action or its consequences. Such sanctions may include, but are not limited to, any sanctions that an Acting Disciplinary Authority may impose, public or private censure, demand of public or private apology, demand of completion of service to the dodgeball community, probation, removal from a team or committee which represents the Organization in any fashion, and suspension from participation in Organization-sanctioned Events. Suspensions or penalties occurring for a period of time longer than one (1) year may be reviewed annually by the Judicial Committee upon request.

5.3 Publication of Decisions. The Judicial Committee may, in their sole discretion, publish specific or general summaries of decisions made and sanctions imposed in connection with the enforcement of this Policy for the purpose of providing guidance ("Published Guidance"). Published Guidance shall not refer specifically to the parties involved and shall be redacted to the extent practicable. Published Guidance shall be made available to the public on the Organization's website.

6. Summary

The Organization expects all Members to treat one another with respect, and to be truthful and considerate in their dealings within the Organization and the greater dodgeball community. These standards of conduct are maintained by the strong tradition of etiquette and sportsmanship within the dodgeball community, and by good-faith resolutions of disputes among the parties involved.