



USA JUDO
Ethics and Grievance Committee
Procedures and Policies

The Ethics and Grievance Committee (“the Committee”) exists as a standing committee of USA Judo (Section 9.1(a)(2) of the Bylaws of USA Judo.) In furtherance of the responsibilities of the Committee and to provide guidance to the membership of USA Judo on matters related to ethical opinions and complaints and administrative grievances, the Board of Directors of USA Judo have approved the following procedures and policies (sometimes hereafter referred to as “Procedures”).

SECTION I GENERAL

A. Composition of the Committee:

1. Members and the Chair are appointed by the Board of Directors.
2. Members should to the extent possible satisfy the standards of independence for “independent directors” as set forth in the USA Judo Bylaws.
3. No director of the USA Judo Board shall be appointed to the Committee.
4. Members serve for a term of 2 years; however, a Committee member shall remain on the Committee until their successor is appointed, or until their earlier resignation, removal, incapacity, disability, or death.

B. Committee Responsibilities

1. Administer and oversee implementation of, and compliance with, the USA Judo Code of Ethics (the “Code of Ethics”).
2. Render advisory opinions and provide guidance on questions related to the Code of Ethics upon the request of the Board of Directors, Officers, committee and task force members, volunteers, staff, and members of USA Judo.
3. Report and make recommendations to the Board of Directors on all ethical issues.
4. Review and investigate matters of ethical impropriety and administer and oversee all administrative grievances and right to compete matters filed with USA Judo and make recommendations on such matters to the Board of Directors.
5. Review and hear Appeals of decision from any other Standing Committee or the Background Screening Committee and make recommendations to the Board of Directors regarding those Appeals.

6. Appoint hearing panels comprised of three (3) fair and impartial individuals (hereafter “Hearing Panel”) free from any real or perceived conflicts of interest, to hear and render decisions on Complaints and Grievances.

C. Conflicts with Bylaws

1. To the extent any conflict exists or is asserted between the Procedures and the Bylaws, the Bylaws will prevail.
2. The Board of Directors will have the sole power, to be exercised in its discretion, to interpret the Procedures and the Bylaws for purposes of reconciling in any claimed or real conflict between the two.

SECTION II ENFORCEMENT POLICY:

USA Judo has the inherent power and duty to prescribe standards of conduct for its membership, Directors, Officers, committee and task force members, volunteers and staff (“Covered Persons” as defined below); to determine what constitutes grounds for the discipline; and to impose discipline upon a person whose failure to comply with the Code of Ethics has been established.

The enforcement of the USA Judo Code of Ethics and imposition of discipline against Covered Persons is for the protection of the members of USA Judo, the sport of judo, and the public.

Once submitted, all Complaints will be evaluated by the Committee and these procedures will be followed. However, this will not preclude any action under applicable Bylaws or policies of USA Judo or under the applicable law for (i) discipline or removal of a Director, Officer, or committee member of USA Judo or (ii) for discipline or termination of an employee of USA Judo.

SECTION III GRIEVANCE POLICY

USA Judo is committed to administering its activities in accordance with the policies and procedures it has established and to apply these policies and procedures on a fair and impartial basis. USA Judo believes it is important that these policies and procedures are fair, predictable and understandable for its membership and to provide athletes with fair guidelines related to any athlete’s right to compete.

The fair and quick resolution of any Grievance related to the application of these policies and procedures is consistent with the underlying principles of judo and fosters trust and goodwill among and between the membership and USA Judo.

Once submitted, all Grievances will be promptly resolved as more clearly set forth below in Section V, Rule 8.

SECTION IV DEFINITIONS:

The following definitions shall apply wherever used in these Procedures:

Appeal: Any appeal of determination by another Standing Committee or the Background Screening Committee.

Code of Ethics: The USA Judo Code of Ethics, together with such amendments thereto, as from time-to-time approved by the Board of Directors.

Complainant: Any USA Judo member or other Covered Person, who was an active member or other Covered Person at the time of the alleged incident, who makes a Complaint, submits a Grievance, or files an Appeal.

Complaint: Any written, signed statement alleging conduct on the part of a Covered Person which, if true, would constitute a violation of the Code of Ethics.

Covered Person: Any person who is (a) a member in good standing in USA Judo and was an active member at the time of the alleged incident, (b) a Director of USA Judo, (c) an Officer of USA Judo, (d) a member of a USA Judo committee or task force, (e) a volunteer of USA Judo, or (f) a member of the staff of USA Judo.

Formal Charge: A written statement prepared by the Committee as a result of an investigation of a Complaint and submitted to the Board of Directors.

Grievance: Any dispute related to claimed administrative errors and any right to compete issues.

Misconduct: Determination that a Covered Person violated the Code of Ethics.

USA Judo: United States Judo, Inc.

SECTION V DESIGNATION OF COMPLAINTS

The following kinds of grievances may be filed by USA Judo or with USA Judo under Section 15 of the USA Judo Bylaws (a “Complaint”).

- A. Administrative: USA Judo or any member of USA Judo may file a complaint pertaining to any matter within the cognizance of USA Judo, including, but not limited to, any alleged violation of or grievance concerning:
 - 1. Any USA Judo rule or regulation;
 - 2. Any provision of USA Judo’s Bylaws; or
 - 3. Any provision of the USOPC Bylaws or the Sports Act relating to USA Judo’s recognition as a national governing body.
- B. Right to Compete: Any athlete, coach, trainer, manager, administrator or official may file a complaint pertaining to any alleged denial, or alleged threat to deny, of that individual’s opportunity to compete in a USA Judo sanctioned competition or in a protected competition as referred to in the Sports Act and the USOPC Bylaws.
- C. Ethical & Misconduct: Any member of USA Judo may file a complaint pertaining to any claimed breaches of USA Judo’s Code of Ethics or Code of Conduct.
- D. SafeSport Violations: In the event that any party is alleged to have violated USA Judo’s SafeSport Policy or in the event that USA Judo receives a complaint or a report that is required to be referred to the U.S. Center for SafeSport (USCSS), USA Judo shall report and refer such matter to the USCSS, and USCSS shall have jurisdiction and authority over such matter; provided that such referral shall not supersede any local, state, or federal reporting requirements or jurisdiction.

SECTION VI PROCEDURAL RULES:

Rule 1. Jurisdiction of Complaints and Grievances

- A. Any member of USA Judo, by reason of membership, agrees to be subject to these complaint procedures and subject to any right to proceed with arbitration, agrees to be bound by any decision rendered pursuant to these complaint procedures.
- B. Once a Complaint is filed or a proceeding is initiated under the Code of Ethics and these Procedures, a Covered Person may not resign their position to avoid jurisdiction of the Committee under these Procedures.
- C. Once a Grievance is filed, the Committee will promptly, but in no event longer than the (10) business days from the date of filing, refer the matter raised in such Grievance to an assigned committee investigator(s), who will convene, investigate and receive such evidence to provide to the committee for recommendation to the board and, if necessary, a Hearing Panel.
- D. If after the board's review of the evidence provided by the ethics and grievance committee, it determines a hearing is necessary, they will instruct the ethics and grievance committee to proceed with finding an independent three-person panel to conduct a hearing.
- E. After the three-person independent panel conducts its hearing, it will render a decision to the complainant and identified covered person while also informing the ethics & grievance committee and USA Judo Board of Directors.

Rule 2. Ground for Discipline

- A. It is the duty of every Covered Person and who is subject to the Code of Ethics to conduct himself or herself at all times, both professionally and personally, in conformity with the standards imposed upon them for that privilege.
- B. Acts or omissions, individually or in concert with any other person or persons, which violate the Code of Ethics, shall be grounds for discipline, whether the act or omission occurred in the course of an activity associated with the affairs of USA Judo or otherwise.

Rule 3. Types of Discipline

Subject to compliance with applicable provisions of the Ted Stevens Olympic and Amateur Sports Act (the "Sports Act"), the Bylaws of the United States Olympic Committee (the "USOC Bylaws"), and the USA Judo Bylaws:

- A. Misconduct shall be grounds for:
 - (1) Termination of membership by USA Judo; or
 - (2) Suspension, which may include all membership rights and privileges, by USA Judo for a fixed period of time; or
 - (3) Probation by USA Judo in lieu of suspension, on such terms as USA Judo may designate; or
 - (4) Censure (*i.e.*, a formal written reprimand) by USA Judo; or
 - (5) A written warning or admonition by USA Judo.
 - (6) Removal from a position in which the person serves, subject to applicable provisions of USA Judo Bylaws, policies, and procedures.
 - (7) The Board of Directors may, in its sole discretion without regard to any recommendation received

from the Committee, deviate from the above-designated types of discipline from time-to-time, as it determines that the circumstances warrant.

Rule 4. Filing a Complaint

Any current or former member of USA Judo (a “Complainant” or “you”) who believes themselves/itself to be aggrieved by any action of USA Judo or by one of its members, may file a Complaint with USA Judo. If the Complainant is a minor, the Complaint may be initiated by such minor’s parent or legal guardian. To be considered for resolution through these procedures if you are the Complainant you must:

- A. Submit your Complaint in writing to the CEO at ceo@usajudo.us and the Chair of the Ethics and Grievance Committee at ethics@usajudo.us;
- B. The Complaint shall include the full name and identifying membership information of the individual; and
- C. The Complaint shall set forth in clear and concise language, preferably in numbered paragraphs: (i) the alleged violation, grievance, denial or threat to deny, (ii) attach supporting evidence and documentation to support the allegation, if applicable, and (iii) the remedy requested; and
- D. Sign the Complaint (or have a parent or legal guardian sign the Complaint if you are under eighteen (18) years of age).

A Complaint that is not filed in accordance with the Section shall render the filing void.

Rule 5. Filing Fee

A Complaint filed by an individual shall be accompanied with a filing fee of \$250 (this excludes any athlete safety, i.e. SafeSport related, complaints which will NOT be charged a filing fee). A Complaint filed by an organization shall be accompanied with a filing fee in an amount to be established from time-to-time by the board of directors; provided however that USA Judo is not required to pay a filing fee.

The Complainant may request that the filing fee be reduced or waived for reasons of significant financial hardship. If such a request is made, the Ethics & Grievance Committee shall determine whether or not to reduce or waive the filing fee.

Rule 6. Expedited Procedure

With respect to a Right to Compete Complaint only, every effort will be made to expedite the proceedings, including, but not limited to, modifications made by the Chair of the Hearing Panel to the procedures set forth above in order to resolve the Complaint prior to the start of the event.

Rule 7. Statute of Limitations

A Complaint filed under these procedures shall be filed within one hundred and eighty (180) days of the occurrence of the alleged violation, grievance, denial or threat to deny.

Complaints alleging misconduct within USA Judo’s SafeSport Policy (except those matters subject to the jurisdiction of the USCSS):

- (1) Must be filed within five (5) years of the occurrence of the alleged violation, incident or grievance. In the case of a person who was a minor at the time of the occurrence of the alleged violation, incident or grievance, the Complaint must be filed no later than five (5) years following the person’s eighteenth (18th) birthday.

(2) However, grievances alleging sexual misconduct as defined in USA Judo's SafeSport Policy are not subject to any statute of limitations.

Rule 8. Complaint Procedure

- A. Upon receipt of a Complaint, and not more than seven (7) business days after receipt, the Committee will review the Complaint to determine if the allegations of misconduct in the Complaint describe conduct which, if true, would constitute grounds for discipline. When it appears to the Committee that allegations of misconduct in the Complaint fail to describe conduct which, if true, would constitute grounds for discipline, the Committee may decline to investigate and shall so advise the Complainant in writing via e-mail. The Board of Directors will also receive a written copy of this report via e-mail.
- B. If it appears to the Committee that allegations of misconduct in the Complaint do describe conduct which, if true, would constitute grounds for discipline, the Committee shall notify the individual and organization against whom the allegations are directed, not more than fourteen (14) days after receipt of the Complaint, that they are the subject of a Complaint and furnish them with a copy via e-mail
- C. Upon receipt of notice of a Complaint from the Committee, the person against whom the Complaint is directed shall prepare and submit to the Committee, in writing, within thirty (30) days of receipt of such notice, a response to the Complaint or a response stating that they refuse to answer. For good cause, the Committee may in its discretion grant additional time for the filing of a response. The answer from the respondent will be reviewed by the Committee and provided to the Complainant.
- D. The Committee, or its designee, shall conduct an investigation with respect to the allegations of misconduct asserted in the Complaint and any response provided by the person against whom the Complaint is directed. The investigation will be conducted within such a period of time as the Committee determines to be necessary and reasonable under the circumstances but not to exceed thirty (30) days after the last filing.
- E. If, upon conclusion of an investigation, the Committee determines there are not reasonable grounds for discipline of a member against whom the Complaint is directed, the Committee shall dismiss the Complaint and shall so advise the Complainant, the persons against whom the Complaint is directed, and the Board of Directors in writing with proper explanation within ten (10) days of the conclusion of the investigation. The Committee shall further advise such Complainant that an appeal may be taken to the Board of Directors.
- F. If, upon conclusion of any investigation, the Committee determines that there are reasonable grounds for discipline of a person against whom a Complaint is made, the Committee shall reduce the Complaint to a Formal Charge specifying with particularity the allegations which constitute the basis thereof, the grounds for discipline, and provisions which appear to have been violated, and immediately forward said Formal Charge and either the Committee's investigation file, or a copy thereof, to the Board of Directors. At the same time that Formal Charges are provided to the Board of Directors, the Committee will furnish the member with a copy of the Formal Charges by e-mail, with an acknowledgement of receipt requested.
- G. In addition to acting on a Complaint filed with it pursuant to Rule 4, the Committee may also initiate an investigation when credible information comes to its attention which the Committee believes to involve conduct by a member (the "Subject Member") that may constitute a violation of the Code of Ethics and grounds for discipline. Upon receipt of such information, the Committee shall proceed as follows:

(1) The Committee or its designee, shall conduct an investigation with respect to the information it has received. As a part of the investigation, the Subject Matter will be informed of the information received by the Committee and shall be provided the opportunity to respond. The investigation will be conducted within such period of time as the Committee determines to be necessary and reasonable under the circumstances but not to exceed thirty (30) days.

(2) If, upon conclusion of an investigation, the Committee determines there are not reasonable grounds to conclude there is a violation of the Code of Ethics and for discipline of the Subject Member, the Committee shall so advise the Subject Member within ten (10) days.

(3) If, upon conclusion of any investigation, the Committee determines that there are reasonable grounds to conclude there is a violation of the Code of Ethics and for discipline of the Subject Member, the Committee shall prepare a Formal Charge specifying with particularity the allegations which constitute the basis thereof, the grounds for discipline, and provisions which appear to have been violated, and immediately forward said Formal Charges and either the Committee's investigation file, or a copy thereof, to the Board of Directors. At the same time that Formal Charges are provided to the Board of Directors, the Committee will furnish the Subject Member with a copy of the Formal Charges by e-mail, with confirmation of receipt requested.

H. Upon receipt of the Formal Charges and the file from the Committee, the Board of Directors shall, within thirty (30) days, review the same and consistent therewith either:

(1) Determine the Charges, if true, would not constitute grounds for a violation of the Code of Ethics and dismiss the Charges.

(2) Determine the Charges, if true, would constitute grounds for discipline, but no public interest would be served by continuing to process the Formal Charges, and thereupon prepare and issue to the person against whom the Complaint is directed a reprimand which shall be made a permanent part of the file of the Committee.

(3) Determine that a hearing is necessary to ascertain if there are reasonable grounds for discipline of the person against whom the Complaint and Formal Charges are directed which may require a disciplinary action other than a reprimand. Upon making such determination, the Board of Directors will direct the Committee to appoint a Hearing Panel to process the Formal charges in accordance with Article 14 of the USA Judo Bylaws.

(4) The Board of Directors will promptly, and not more than seven (7) days, provide the person or persons whom such Complaint is directed with notice of such determination by email, with confirmation of receipt requested. If e-mail is returned for any reason, notice will be sent by certified mail, with return receipt requested, to the person's address registered with USA Judo or addressed to his or her last known residence or place of business.

(5) The Hearing Panel formed in accordance with the provisions of Article 14 of the USA Judo Bylaws will then administer the Formal Charges, conduct a hearing, and render a decision not more than ninety (90) days after the last filing.

(6) As soon as practicable, but no later than fourteen (14) days after the close of the Hearing, the panel shall prepare the Panel Report and submit it to the USA Judo CEO. The CEO or designee shall send a copy of the Panel Report to all parties and each member of the Board of Directors or its designee within seven (7) days of receiving it.

I. Any matter dealt with under the foregoing procedures may be expedited if, in the discretion of the Committee, the Board of Directors, or the hearing panel, as applicable, the circumstances warrant and

the expedited process is fair and reasonable to the concerned parties.

- J. If the circumstances are deemed to warrant in order to protect the interest of USA Judo, its members, the judo community, or the public, discipline may be imposed prior to final adjudication of a pending matter, subject to applicable provisions of the Sports Act or the USOC Bylaws.

Rule 9. Publication of Disciplinary Actions

- A. The following will be published by USA Judo on one occasion in USA Judo regularly printed or electronic media:

(1) In the case of a final decision which imposes discipline arising from a Complaint, (i) the name of the member who has been disciplined, (ii) the nature of the Complaint, and (iii) the discipline imposed.

(2) In the case of a censure (reprimand), warning, or admonition issued by the Committee, the fact that discipline has been issued, but in its discretion without identification of the member who was the subject of the discipline.

Rule 10. Related Civil or Criminal Litigation

- A. Similarity of the substance of a Complaint to the material allegations of pending criminal or civil litigation may, but shall not in itself, prevent or delay disciplinary proceedings against the person involved in such litigation.
- B. The acquittal of the person on criminal charges, or a verdict or judgment in his or her favor in civil litigation involving material allegations similar in substance to a Complaint, shall not in and of itself justify termination of disciplinary proceedings predicated upon the same or substantially the same material allegations.

Rule 11. Appeal Procedure*

- A. All Appeals must be in writing, be signed, and be filed with the Committee, unless any policy of USA Judo applies and provides otherwise.
- B. Within ten (10) days from receipt of the written Appeal, the Committee will provide a copy of the Appeal to its members and the underlying Committee Chair.
- C. Within thirty (30) days from receipt of the written Appeal, the Committee will hold a hearing with at least 50% of its members (not subject to any conflict of interest) to hear from the Complainant and a representative of the underlying committee.
- D. Within fourteen (14) days of the hearing, the Committee will make a written recommendation to the Board regarding the appeal with copies to the Complainant and the Chair of the underlying committee.
- E. All other deadlines, rights, remedies and procedures related to Grievances are governed by Article 14 of the Bylaws of USA Judo. The parties may voluntarily waive any deadline.
- *Per Section IV., appeals reference determinations made by another standing committee of the background screening committee.*

SECTION VI CONFIDENTIALITY:

All necessary communication regarding a Complaint, investigation, reporting to the Board of Directors, and any referral to the Ethics & Grievance Committee, will be dealt with in a confidential manner, and all records and information which are the concern of the Committee will be kept confidential. It should be noted that such information, although held confidential by USA Judo, does not have a protected status by law and may be vulnerable to disclosure through legal process or court order.

SECTION VII RECORDS:

All records will be archived. All notes from entire proceedings, including phone call logs, notes, all letters (original and copies), and recordings from any investigation proceedings will be kept secured by the Committee members. Records cannot be destroyed without the prior approval of the Board of Directors.

SECTION VIII RETALIATION

USA Judo prohibits retaliation against anyone who reports misconduct or provides information about misconduct as more fully detailed in USA Judo's Whistleblower Policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the complaint processes when the action is reasonably related to the report or engagement with the process. Retaliation may be present even where there is a finding that no violation occurred.