

Inter Community Softball Association (ICSA) Discipline Process (Adopted March 2024)

This policy applies to all Members of the ICSA.

The ICSA is committed to providing an environment in which all Individuals involved with the association are treated with respect. Participation in ICSA activities brings many benefits and privileges. Individuals and participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the ICSA policies, procedures, rules & regulations, Code of Conducts and the guide and rules of Softball Canada. Irresponsible or reckless behavior by individuals can result in severe damage to the experience of our participants and the reputation and integrity of the ICSA. Conduct that violates any of these values may be subject to sanctions pursuant to this Policy.

This Policy does not prevent discipline from being applied, during a competition or event, according to specific procedures in place for the event. Further discipline may be applied according to this Policy.

This Policy does not prevent an appropriate person having authority from taking immediate, informal, or corrective action in response to behavior that constitutes either a minor or major infraction. Further sanctions may be applied in accordance with the procedures set out in this Policy.

Informal Complaints and Resolutions

Definitions:

ICSA-Inter Community Softball Association

Board-comprised of one or more members from each area.

Vindictive-1. intended for or involving revenge 2. intended to cause anguish or hurt:spiteful

Frivolous-1. of little importance: trivial

Quorum- 1. the minimum number or officers or members of a body that is required to be present at any given meeting(as to transact business)In order to adopt articles, according to the rules, the assembly will need a quorum of two thirds.

1 – Informal Complaints

Process of who to report to: Parent → Coach, Coach→ Convenor, Convenor → Board.

Any individual can make an informal complaint to a person in authority regarding an incidental infraction. These infractions are procedural and unintentional in nature. All corrective situations involving informal complaints may be dealt with by the appropriate person who has authority over both the situation and the individual involved. If applicable, discipline specific to the event or competition shall be applied. The person in authority can include.

1. Coaches
2. Umpires
3. Umpire -in-Chief
4. Tournament Directors
5. Convenors
6. ICSA Board Members

Provided that the respondent being informed of the nature of the infraction agrees with the facts and accounts and the procedures for dealing with informal complaints the course of action will be determined at the discretion of the person responsible for discipline of such infractions. These may be forwarded to the Board at the discretion of the person in authority.

2 - Reporting a Formal Complaint

Any Individual may report any complaint to the ICSA. The complaint can be made:

1. Via email to 2 area Convenors or Board members from different areas
2. Request a meeting in person with 2 Board members.

All complaints are deemed confidential and will stay with board members until an investigation is launched.

The ICSA may act as the complainant and initiate the complaint process under the terms of this Policy.

The Board is required to ensure procedural fairness it is always respected regarding this Policy, and to implement this Policy in a timely manner. Upon receipt of the complaint the Board has a responsibility to:

1. Determine whether the complaint is frivolous or vindictive and within the jurisdiction of this Policy. If the Board determines the complaint is frivolous or vindictive or outside the jurisdiction of this Policy, the complaint will be dismissed immediately.
 - a. The Board's decision to accept or dismiss the complaint may be appealed.
2. Determine and inform both parties if the incident is to be dealt with as a minor or major infraction.
 - a. The decision to classify the complaint as minor or major may be appealed..

3 - Minor Infractions

Minor infractions are singular incidents of failing to achieve expected standards of conduct that generally do not result in harm to others, the ICOSA, or the sport and generally lack malice or intent. The resolution of minor infractions should be primarily educational, restorative and not punitive in nature.

Examples of Minor infractions can include, but are not limited to, a single incident of:

1. Temporary disrespectful conduct.
2. Conduct contrary to the values of the ICOSA.
3. Non-compliance with the ICOSA policies, procedures, rules, or regulations.
4. Minor violations of the ICOSA Code of Conduct.
5. Minor violations of the Fair Play rules.

4 - Penalties for Minor Infractions

Penalties for minor infractions, which may be applied singularly or in combination, include the following:

1. Verbal or written reprimand from the ICOSA to one of the Parties.
2. Verbal or written apology from one Party to the other Party.
3. Awareness training or education.
4. Suspension from the current competition, activity, or event.
5. Any other sanction considered appropriate for the offense.
6. Discipline specific to the event or competition, if applicable.

Minor infractions that result in discipline will be recorded and records will be maintained confidentially by the ICOSA.

Repeat minor infractions will result in further such incidents being considered a major infraction.

5 - Major Infractions

Major infractions are instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, to the ICOSA, or to the sport and are generally willful and purposeful. The resolution of a major infraction should be restorative in nature and not seek punitive actions as its primary purpose.

Examples of major infractions include, but are not limited to:

1. Repeated minor infractions.
2. Any incident of hazing.
3. Incidents of physical or mental abuse.
4. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct. *
5. Activities that endanger the safety of others
6. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition.
7. Intentionally disparaging any person involved with ICOSA activities.
8. Conduct that intentionally damages the ICOSA's image, credibility, or reputation.

9. Blatant disregard for the ICOSA's bylaws, policies, rules, and regulations
10. Significant or repeated violations of The ICOSA's Code of Conduct
11. Intentionally damaging ICOSA property.*
12. Improper use or withholding of ICOSA monies.
13. Permitting use of alcohol, cannabis, tobacco, or any restricted substance use or possession of alcohol, cannabis, tobacco by minors during any ICOSA activities.*
14. Possession of illicit drugs and narcotics during ICOSA activities. *
15. Any possession or use of banned performance enhancing drugs or methods.* *Board to call police (add * to ones affected)

6 - Penalties for Major Infractions

The Board may apply the following disciplinary sanctions, singularly or in combination, for major infractions:

1. Written reprimand from the ICOSA to one of the parties.
2. Written apology from one party to the other party.
3. Service or other voluntary contribution to the ICOSA.
4. Expulsion from the league.

Unless the Board decides otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction as determined by the Board will result in automatic disallowment of activity until such time as compliance occurs.

Major infractions that result in discipline will be recorded and records will be confidentially maintained by the ICOSA.

Major infractions occurring within competition will result in competition being halted immediately, if necessary, by an appropriate person having authority. In such situations, the respondent will be disallowed from participation for the duration of the competition, training, activity, or event pending an investigation into the incident. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this Policy.

7 – Decision Process

The ICOSA may determine that an alleged incident is of such seriousness as to warrant disallowment of participation to an Individual pending completion of the process, or a decision of the Board. Anything of a criminal nature will be immediately handed off to the police.

8 - Processes

The Board shall.

1. Notify the parties that the complaint is being dealt with and ask parties to respond via email or written letter.
2. Convene the Board to process the complaint.
3. A Chair shall be selected from outside the area of complaint.
4. Decisions made by the Board must be a majority vote by a quorum of Board members.

9 - Decision

Within **ten (10)** days of the Board meeting, the ICSA will determine whether an infraction has occurred and the sanctions to be imposed.

The written decision, with reasons, will be distributed to all parties, via email.

In extraordinary circumstances, the Board may first issue a verbal or summary decision soon after the meeting, with the full written decision to be issued before the end of the ten (10) day period.

10 - Appeals

Appeals will only be considered if new substantial information regarding the incident is introduced.

11 - Duty to Report

ICSA acknowledges its Duty to Report any violations of the criminal code to any regulatory agencies including Police or Children's Aid.

<https://www.facsfla.ca/protection/>

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12 - Confidentiality

The discipline and complaints process are confidential and involve only the parties, the Board, and any independent advisors. Once initiated and until a decision is determined, none of the parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

13 - Timelines

If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Board may direct that these timelines be revised.

If the timeline needs to be extended then the affected parties will be told via

email.

14 - Records and Distribution of Decisions

Minor and major infractions that result in discipline shall be recorded and confidentiality maintained by the ICOSA. Names of persons disciplined may be confidentially disclosed to other associations to give effect to any sanction imposed.

The decision of the Board will be final and binding on the parties and on all Members of the Board.