

## **NAIGC Code of Conduct**

*Version 5.0 / Last Amended 3/26/2023*

### **I. Introduction and Purpose**

- A. Part of the mission of the National Association of Intercollegiate Gymnastics Clubs (“NAIGC” or “the Organization”) is to support and encourage rewarding participation in collegiate and adult club gymnastics. The pursuit of this mission depends, in part, on ensuring the safety of all members and preserving NAIGC’s professional standing and image both within and outside of the gymnastics community. This mission is possible only through the actions of the NAIGC’s individual and club members, and therefore all individual and club members are responsible for sustaining the ethical standards of the Organization and of the broader community in which it functions.
- B. Membership and participation in the NAIGC is a privilege and the NAIGC makes the sole determination of the status of its members. The NAIGC may limit or revoke any individual’s or club’s membership or participation at any time for any reason. The NAIGC makes membership and participation decisions on a case-by-case basis.
- C. To ensure that all members understand their obligations, the NAIGC adopts the following statement of ethical expectations—the NAIGC Code of Conduct (“Code”). This Code is not an all-inclusive set of rules that prescribe all appropriate and inappropriate conduct for NAIGC members in every aspect of their participation in collegiate and/or adult club gymnastics. Instead, along with some specific rules, this Code also offers general principles and core values designed to help guide the conduct of all NAIGC members, as well as employees, agents, partners, and sponsors of NAIGC. In that spirit, this Code should be construed in accordance with its purposes and not strictly limited to the text contained within.

### **II. Covered Individual**

- A. Individuals covered by this Code, hereafter referred to as Covered Individuals, include but are not limited to:
  - 1. Any current or prospective NAIGC member (individual, coach, or club),
  - 2. Judges, vendors, sponsors, contractors, volunteers, spectators, non-member participants at NAIGC events
  - 3. NAIGC Board Members, volunteers, or
  - 4. Any other NAIGC partner or affiliate

### **III. Expected Conduct**

- A. Non-Exhaustive List of Proscribed Conduct: In any function in which NAIGC members participate—including but not limited to competitions that are formally sanctioned by the NAIGC—it is inconsistent with the privilege of membership and participation in NAIGC for any Covered Individual to:

1. Fail to follow the safety guidelines established by the NAIGC or its designees, or otherwise knowingly subject themselves or another person to unreasonable physical or emotional risk;
  2. Engage in abusive or unfair conduct, especially attempting to injure, disable, or intentionally interfere with the participation of another person;
  3. Discriminate in the provision of resources or opportunities to any other Covered Individual on the basis of race, sex, creed, sexual orientation, gender identity, age, national origin, or mental or physical disability;
  4. Attempt to intimidate, embarrass, or improperly influence any individual responsible for judging or administering the event or any sponsor or partner participating in the event;
  5. Act inconsistently with any NAIGC policy;
  6. Knowingly or recklessly (1) publicly misrepresent the policies or actions of the NAIGC or its authorized representatives; (2) publicly misrepresent the NAIGC's image or reputation, or otherwise cause the NAIGC's image or reputation to be marred; (3) publicly misrepresent one's own professional qualifications, education, experience, eligibility, or criminal record; or (4) publicly disseminate false or misleading information about another member or sponsor or partner;
  7. Refuse to fully and honestly cooperate with or otherwise obstruct, in a material way, any formal review or investigation conducted by the NAIGC under Article 3 or any enforcement by the NAIGC under Article 4 of this Code;
  8. Violate any applicable federal, state, or municipal law, including but not limited to (1) using or providing to a third party any drug prohibited by applicable federal, state, or municipal law, and (2) providing, or attempting to provide alcohol to, those under the legally-applicable drinking age, or consuming alcohol while under the legally-applicable drinking age;
  9. Incur, or attempt to incur, expenses on behalf of the NAIGC without express and advance authorization in writing from the Board of Directors or doing so in excess of the amount authorized by the Board of Directors, provided that any such violation of this clause shall not create a legally-binding obligation on the NAIGC;
  10. Or act in any substantially similar way that is inconsistent with the mission of the NAIGC or the purposes of this Code.
- B. Conflict with Applicable Laws: The provisions of this Code shall be construed consistently with any conflicting applicable law.

#### IV. Reporting Suspected Violations

- A. Compliance with this Code of Conduct depends primarily upon understanding and voluntary compliance, secondarily upon reinforcement by peers, and, when appropriate, upon enforcement through disciplinary action by the NAIGC.
- B. Under all but the most egregious of circumstances, any individual or organization who believes that a Covered Individual has failed to meet their obligations under this Code is encouraged to first address that concern directly to that member or participant.

- C. If attempts at informal resolution are not successful, a written report can be submitted to the Human Resources (HR) Team Lead by emailing [hr@naigc.org](mailto:hr@naigc.org). HR will inform the Executive Director (ED) and Officers that a report has been filed.
  - 1. In the event that the NAIGC HR Team is unable and/or unwilling to fulfill the duties outlined in this policy, responsibility shall shift to the ED.
- D. The written document shall specify:
  - 1. The exact nature of the alleged violation;
  - 2. Details regarding the policy, rule, or procedure allegedly violated;
  - 3. A specific statement that the individual wishes to initiate a report pursuant to the procedures contained in this Code.
- E. Within seven (7) workdays of receiving the written report, HR shall address the report with a written response.
- F. While supporting information or clarification may be requested or presented in subsequent steps of the process, the individual is responsible for identifying all relevant issues and allegations when filing the initial report. . No additional matters may be raised once the written report is filed with HR. Additional allegations may be addressed only through submitting subsequent written report(s). At the discretion of HR, multiple reports filed by one or more individuals may be combined into a single report, if such an action promotes a more meaningful review of the matter.
- G. Reports can be withdrawn by the individual(s) and/or organization(s) who initially filed the report at any time

#### V. Formal Review

- A. Once the NAIGC becomes aware of a suspected violation, the NAIGC shall have sole discretion to determine what course of review, if any, shall be taken. This decision may include, but is not limited to, a determination that review is not warranted, or that an investigation (internal or external) will be conducted into the circumstances of the suspected violation. If the NAIGC decides that a review is not warranted, HR will notify the reporting individual(s) and/or organization(s).
- B. If HR determines that a review is warranted:
  - 1. A Review Panel shall be appointed, within a reasonable amount of time, by HR and be composed of five (5) NAIGC Board members, advisors, and/or volunteers.
    - a) No one with a personal or professional interest in the outcome of the report is qualified to serve on the Panel. Both parties must approve that at least three of the five panel members selected fits this criteria.
    - b) The Panel acts only in an advisory capacity to HR.
  - 2. HR shall review the written document and may gather any other information from such sources as they deem necessary and relevant to the report.
- C. After considering all of the relevant information, HR shall render a written decision, within twenty (20) business days following receipt of the written report.
- D. HR shall promptly deliver the decision to the individual(s) and/or organization(s) who filed the report.
- E. If the report is upheld, sanction procedures outlined in Section VII shall be followed.
- F. General Counsel shall not be permitted to act as a representative for any party throughout this process.

## VI. Appeal

- A. Either party may, within five (5) business days of receiving the Section V. decision, submit a written request to HR to appeal the decision through the establishment of an Appeal Panel.
- B. The request to appeal shall include a clear explanation of why the individual disagrees with the Section V. decision.
- C. An Appeal Panel shall be appointed, within a reasonable amount of time of receiving the request for appeal, by HR and be composed of five NAIGC Board members, advisors, and/or volunteers.
  1. No one with a personal or professional interest in the outcome of the report is qualified to serve on the Panel. Both parties must approve that at least three of the five panel members selected fits this criteria.
  2. The Panel acts only in an advisory capacity to HR.
- D. As needed, the Panel will meet with either party the individual and any other person deemed by the Panel to have relevant information about the subject of the report.
- E. Within twenty (20) workdays of the Panel receiving the request for appeal, the Panel shall submit their written recommendations to HR.
- F. Within five (5) workdays of receiving the Panel's recommendations, HR will provide written notification to both parties the individual of the final disposition of the report. Such a decision will be final and binding on all parties. There will be no further appeal within the NAIGC.

## VII. Disciplinary Sanctions

- A. If the NAIGC determines that a violation is sustained, HR shall permanently record the original written report, written decision, and sanction shall be communicated to the entire NAIGC Board. and may choose to impose disciplinary sanctions on the violator(s).
  1. If the violation is against an NAIGC Board member, summary of the report shall also be added to the individual's end of year evaluation.
  2. If a violation is dismissed, no written documentation shall be shared with anyone outside of the necessary parties who are already informed that a report was filed.
- B. Sanctioning shall be at the sole discretion of the Review Panel or Appeal Panel (whichever one upheld the violation) and may include, but is not limited to, any of the following:
  1. Written or oral counseling or reprimand by the Review Panel or Appeal Panel (whichever one upheld the violation) or another appropriate organization;
  2. Submitting a signed, written letter of apology to the appropriate organizations and/or individuals that, at a minimum, is pre-approved by the Review Panel or Appeal Panel (whichever one upheld the violation), expresses personal accountability for the violator's conduct, and explains that the violator's conduct is inconsistent with this Code and the mission of the NAIGC;
  3. Any necessary monetary or other restitution to the appropriate organizations and/or individuals;
  4. Punitive fines in an amount to be determined by the Review Panel or Appeal Panel (whichever one upheld the violation);

5. Probation or suspension of the individual violator's and/or violator's club's and / or organization's continued participation in NAIGC activities for a specified period of time, including but not limited to (1) the conditioning of continued participation upon satisfaction of specifically-described requirements set by the Review Panel or Appeal Panel (whichever one upheld the violation), and (2) the loss of the right to host NAIGC events and/or revocation of existing event sanctions;
  6. Termination of the individual violator's and/or violator's club's membership or organization's partnership / sponsorship, with or without the possibility of future reapplication for membership / partnership / sponsorship;
  7. Referral of the violation and evidentiary record to (1) the violator's school, any appropriate honor or judiciary committees, and/or to the violator's parents / guardian if the violator is a minor; (2) the appropriate local, state, or federal law enforcement authorities, or to any other appropriate organization external to NAIGC; or (3) an attorney or court of law for the purposes of pursuing appropriate legal action against the violation;
  8. Or any other substantially similar relief that is needed to fully effectuate the purposes of this Code as outlined in Article 1 and the mission of the NAIGC.
- C. After the Review Panel or Appeal Panel (whichever one upheld the violation) selects the appropriate disciplinary sanctions, the Review Panel or Appeal Panel (whichever one upheld the violation) will inform, in writing, the reporting individual(s) and/or organization(s) and the violator(s). This notice shall, at a minimum, (i) indicate that the suspected violation was sustained, (ii) concisely explain the factual findings and reasoning underlying the Review Panel's or Appeal Panel's (whichever one upheld the violation) determination, and (iii) describe the specifics of any disciplinary sanctions imposed and the consequences of failing to satisfy any conditions of those sanctions. The Review Panel's or Appeal Panel's (whichever one upheld the violation) factual findings, disposition of the violation, and disciplinary sanctions shall become effective immediately and are final.

#### VIII. Timelines

- A. If the President, if unbiased, determines that special circumstances or the nature of the violation are such that additional time will allow for a more meaningful, well-supported resolution of the matter, then the President may grant an extension of a specific amount of time in writing, delivered to all parties with a need to know.

#### IX. Confidentiality

- A. At all times during and following the Code of Conduct process, all members of HR, the Review Panel, and the Appeal Panel shall take all reasonable precautions to protect the identity of all involved parties and all related information.

#### X. Retaliation

- A. Retaliation of any type shall not befall any person for participating in the procedure set forth herein. Individuals engaged in such retaliation will be subject to disciplinary action..

A violation based upon retaliation may be treated as a separate offense and is covered under this Code.

XI. Amendments

- A. This document may be amended by the NAIGC Board.