SHSHA Hockey Rules and Ethics Procedures (8/2021)

The SHSHA Hockey Rules and Ethics Committee is responsible for investigating reports of inappropriate player behavior that take place outside of game situations. Player offenses committed during games are first escalated directly to AHAI by the game referees. AHAI has the right to reassign the investigation

Back to the club level. The SHSHA Rules and Ethics Committee shall also conduct investigation into complaints lodged against parents, spectators and coaches.

The SHSHA Hockey Rules and Ethics Committee shall be comprised of 3 Board members and 2 Volunteers/non-Board Members and will include a minimum of 1 JV Parent.

DEFINITIONS

Claimant - Person making the complaint

Accused - Person accused

Witnesses, introductory (first hand) and secondary (parent or authority notified by claimant)

Non-involved witnesses (did not see event, police, and rink management)

**Bullying-**

An act of aggression by someone or a group with -

* + The intent of harming a person either physically or psychologically
	+ Involves an abuse of power. Excludes the victim from a group
	+ Bullies often act alone or in small groups
	+ Bullying may include hitting, threatening, intimidating, teasing and taunting, and name-calling,
	+ More subtle attacks such as spreading rumors or encouraging others to reject the person.
	+ Bullies target individuals whom they perceive are weaker or more vulnerable.

## Peer Conflict *- is not bullying*

##  When two players with no perceived power imbalance fight, have an argument, or disagree.

**Hazing**

* + Use of embarrassing and often dangerous or illegal activities to initiate new members by a group
	+ A ritual imposed on a person who wants to join a group.

**Harassment**

* + Discrimination against another on the basis of a protected class, such as age, sex, race, color, religion, national origin, or disability
	+ Is severe, pervasive, or persistent
	+ Creates a hostile environment

[**Stalking**](http://www.ncvc.org/)  (criteria is continued, pattern)

* + Repeated harassing or threatening behavior
	+ Following a person
	+ Damaging a person’s property
	+ Making harassing phone calls

NOTIFICATION

Receipt of Initial Complaint

**\*\*\*If the complaint or any associated investigation involves unauthorized physical contact with a minor, the Rules and Ethics committee chairperson is under a legal obligation to report the matter to the police immediately\*\*\***

* Coaches, Managers and Board Members shall be instructed on the following procedures when served with a complaint.
Any concern or complaint presented that is in violation of any Code, Regulation or Policy of SHSHA, AHAI or USA Hockey shall be escalated immediately to the club President/VP or Rules and Ethics Chairperson
	+ Ask for basic information only, what happened and name of those accused.
	+ Inform the complainant that the Rules and Ethics Committee will be contacting them within 24 hours to set up an interview.

President/VP and Rules and Ethics Chairman shall discuss merit of the case within 24 hours.

* Is it reasonable to pursue through SHSHA Rules & Ethics?
* Is this the appropriate level to address the situation?
* If YES - Proceed to Interviews
* If applicable, define the alleged behavior based on the definitions provided on page 1.
* If NO due to determination of no merit - President/VP informs Complainant family in writing within 2 days (supply reasons for dismissal). CC all Rules and Ethics Committee Members, President/VP and Head coach.
* If NO due to extreme violation - escalate to AHAI Rules and Ethics Chairperson. President/VP informs Complainant family of escalation, in writing, within 2 days (supply reasons for dismissal). CC all Rules and Ethics Committee Members, President/VP and Head coach.

Requirements of Investigation

Environment

* Rules and Ethics Committee Members are to remain objective and maintain confidentiality.
* Focus on obtaining facts
* Collect information to support a conclusion and recommendation.
* The tone and setting of the interview shall be private and none threatening.
* In investigations involving minors, the presence of a parent/guardian is required.
Parent/guardian may not coach or interject answers
Separate interviews shall be conducted for all parties
Parent /Guardian should sit out of view from minor so to avoid making minor uncomfortable
* Interviews shall take place in person when possible but may be conducted by Zoom/Phone if not deemed an extreme violation

Investigators
At least 2 of the 5 Rules and Ethics Committee Members shall be present at all interviews.
The President shall appoint a Board Member to replace any unavailable Rules and Ethics Committee Members for that investigation only.
If the Rules and Ethics Chairman is unable to attend, he/she shall choose the lead person for that particular interview only.
Rules and Ethics Members shall refrain from hearing details prior to the interviews.
Any Rules and Ethics Committee Member who has a special interest or involvement in the incident/persons involved has a conflict of interest and must recuse themselves. The President shall appoint a Board Member to fill in for this investigation only.

Process
When possible, all interviews shall be completed within 5 days of initial phone call with between Rules and Ethics Chairman and Claimant or parent/guardian.
Interview Complainant first, accused second, Witnesses last.
Let those interviewed talk, ask open-ended questions *(“tell me what happened next”, not “and then did he punch the man”)*.
Do not tell them what you know or what others have said.
Do not disclose names of witnesses or other accused listed by complainant.
In order for the investigation to proceed, all player Complainants and Accused, (accompanied by a parent or guardian) shall be required to attend an interview with the SHSHA Rules and Ethics Committee.

PRE - INTERVIEWS

COMPLAINANT

If Claimant will not agree to be interviewed by Rules and Ethics Committee, the case will be closed. A closed case may not be reopened. A parent/guardian may not testify in place of their player.

Recorded notes are to be submit to the Secretary for record retention. Attach letter listing reason for closing of case.

Rules and Ethics Chairman shall

* Contact parent/guardian of Complainant by phone within 24 hours of receiving initial complaint.
* Ask parent/guardian to state what they know. (High Level)
* Explain Rules and Ethics Procedure.
* Rules and Ethics Committee will contact all Accused parties and Witnesses to setup interviews with them, to take place within 5 days or as early as possible.
* Explain that all parties have the right to challenge any outcome determined by the Rules and Ethics Committee by appealing (in writing) to the Board of Directors, who's decision is final. Appeals must be submitted within 5 days of learning of ruling.
* Instruct Complainant to write down notes pertaining to the incident while their memory is still fresh and bring these notes to the interview. Formal written statement is not necessary.
* Instruct Complainant to avoid discussing the events outside of their family.
* Send an email to Complainant or parent/guardian within 24 hours confirming date, time, location and purpose of interview. CC President/VP, Rules and Ethics Members and Head Coach

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ACCUSED

If Accused will not agree to be interviewed by the Rules and Ethics Committee, the case will be closed. The Rules and Ethics Committee will determine consequences for not appearing. A parent/guardian may not testify for their player. Recorded notes are to be submit to the Secretary for record retention.

Rules and Ethics Chairman shall

* Contact parent/guardian of Accused by phone within 24 hours of initial complaint
* Describe the complaint that has been reported.
* Give General Details of complaint
* **Stress that any intimidation towards Complainant will result in greater penalties**
* Tell the parent/guardian of the Accused that they will have the opportunity to respond to the allegation(s) made against him/her before any action is taken.
* Explain Rules and Ethics Process
* Rules and Ethics committee will contact all Accused parties and Witnesses to setup interviews with them, to take place within 5 days or as early as possible.
* Explain that all parties have the right to challenge any outcome determined by the Rules and Ethics Committee by appealing (in writing) to the Board of Directors, who's decision is final. Appeals must be submitted within 5 days of learning of ruling.
* Schedule Initial interview.
* Send an email within 24 hours confirming date, time, location and purpose of interview. CC President/VP, and Head Coach.

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WITNESSES

* Rules and Ethics Chairman shall
Contact parent/guardian of all witnesses by phone within 24 hours of initial complaint
* Notify them of the complaint that has been reported.
* **Stress that any intimidation towards accuser will result in greater penalties**
* Reassure parent/guardian that their child has been identified as a witness *only.*
* Ask to schedule an interview - Witnesses cannot be coerced into giving their testimony.
* Instruct Witness to avoid discussing anything relevant to the reported issue.
* Send an email within 24 hours confirming date, time, location and purpose of interview. CC President/VP, and Head Coach.
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INTERVIEWS

Complainant Interview-

* Have the claimant tell you what happened‐listen carefully
* Take notes/report on who/what/where/when/why.
After accused has finished with their account, ask follow up questions to illustrate full story.
* Leave Complainant and parent/guardian alone to review the notes/report.
* Have then make any changes and sign.

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Accused Interview -

**Inform Accused that any retaliatory behaviors will result in disciplinary action.**

* Make sure the Accused understands the seriousness of the situation and that if the charges are valid, the necessary consequence(s) will be administered.
* Inform accused of specific allegations against them.
* Have the Accused tell you what happened‐listen carefully
* After Accused has finished with their account, ask follow up questions to illustrate full story.
* Leave Accused and parent/guardian alone to review the notes/report.
* Have then make any changes and sign.

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Witness Interview -

* Conduct in a logical order
* **Inform Witnesses that any retaliatory behaviors will result in disciplinary action**.
* Do not disclose names of other witnesses listed by complainant
* Have the Witness tell you what happened‐listen carefully & take notes/report on who/what/where/when/why and how.
After Witness has finished with their account, ask follow up questions to illustrate full story.
* Leave Witness and parent/guardian alone to review the notes/report.
* Have then make any changes and sign.

Deliberations

Rules and Ethics Committee members shall review all interview reports to prepare for a discussion that will take place within **5** days following completion of last interview.

If further information is needed a committee member shall be assigned to contact the appropriate party to collect the additional information and report back to the Committee.

If Accused is found guilty
 Must be able to support guilty verdict
 Rules and Ethics Committee defines consequences
 Notify Complainant, Accused, President/VP and Head Coach in writing within 5 days of determination.

If Accused if found innocent
 Notify Complainant, Accused, President/VP and Head Coach by email within 5 Days

Consequences

Applications of consequences must be consistent and within the guidelines of USA Hockey, AHAI and SHSHA rules.

Expectations of Consequences must be clearly defined including start and stop dates, exactly which activities are affected.

If community service is ordered, the Guilty party must reach out to the supervising contact (verbally or in person, not by text or email) within **5** days to make arrangements.

This condition is to be included in the written advisement, along with contact information for the supervising contact.

Community Service is not to interfere with school activities.

The following should be taken into consideration. Did the action -

 Create a hostile environment?

 Include Physical Assault? If so - on who?

 Include Verbal Assault? If so - on who?

 Is there a history of conflict between the players involved?

 Does Accused show remorse?

 Does Accused recognize the seriousness of the offense and why?

 Does the Accused have a prior history of violence?

Appeals

The Accused shall be prohibited from attending or participating in any and all SHSHA activities until the Appeals Process is complete.

All parties requesting Appeals Hearings must do so in writing to the Rules and Ethics Chairman.

Board President, VP and one other member (chosen by President) shall be supplied with copies of all Interview reports for review and Appeal.

The Appeals Hearing is scheduled to take place within **5** days from Notice of Appeal. Send follow up email stating day, date, time and location of Appeals Hearing with 24 hours following

If Appeals Board announces support for the Rules and Ethics Committees findings and recommendations the ruling stands.

If Appeals Board does not support the Rules and Ethics Committees findings and/or recommendations they shall either dismiss charges or render adjusted consequences.

All SHSHA Board Decisions will be final.

Final Decisions will be sent to Complainant and Accused in writing, CC Rules and Ethics Committee and Head Coach

Consequences shall be monitored.

If requirements are not met, the SHSHA Board of Directors has the right to suspend the Guilty party from any and all SHSHA activities, either completely or until all consequences have been served.

THERE WILL BE NO FEE REFUNDS FOR LOST ICE TIME DUE TO THE RULES AND ETHICS PROCESS.