



## USA BOCCIA CODE OF ETHICS

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## **USA Boccia Code of Ethics**

### **Mission Statement**

In the pursuit of excellence, USA Boccia provides persons with physical disabilities the opportunity to compete and excel in the sport of Boccia on the local, regional, national (USA Boccia Nationals) and international level (BISFed, Parapan American, & Paralympic competitions). USA Boccia seeks to promote and grow the sport of Boccia in the United States.

The Ethics Committee's primary concern is the safety of USA Boccia's membership.

### **Purpose**

This Code of Ethics is intended to provide standards of professional conduct for the Board of Directors, its officers, Executive Director, staff, committee, task force members, and volunteers together with the athletes, coaches, and associated team members, who are expected to behave in accordance with this Code of Ethics.

This Code of Ethics is not intended to be an exhaustive list of rules for appropriate behavior in every situation, but instead establishes basic, ethical boundaries which all members are expected to honor.

This Code of Ethics provides both the general principles and specific values which cover most situations encountered by the USA Boccia membership. It has as its primary goal the welfare and protection of the individuals and groups who participate in the sport in any capacity. This Code of Ethics also provides a common set of values and ethical standards. It is the individual responsibility of each member to aspire to the highest possible standards of conduct and take appropriate precautions to protect the welfare of other members within the USA Boccia organization.

The USA Boccia Code of Ethics will be expanded by the specific Codes of Conduct and/or Guidelines which will describe behavioral expectations related to each member group. Individual Codes of Conduct can be found in the appendices that accompany the Code of Ethics.

### **Integrity**

All USA Boccia members are honest, fair, and respectful of others. They do not make statements that are false, misleading, or deceptive. Members strive to be aware of their own belief systems, values, needs, and limitations and the effects of these personal characteristics on their performance and work within USA Boccia.

Members will commit to combat all forms of cheating (including respecting the provisions of the United States Anti-Doping Agency (USADA) Code and the manipulation of competition results in any way) and must undertake to refer any suspicion of such behavior to the USA Boccia Ethics Committee.

USA Boccia, as part of BISFed, officially recognizes the rules, policies, and procedures of all International and National Sports Federations that govern Olympic sports including the Olympic Movement Code on Competition Manipulation.

### **Dignity**

All members respect the fundamental rights, dignity, and worth of all participants. Awareness of cultural, individual, and role differences, including those due to age, gender, gender identity, race, ethnicity, national origin, religion, sexual orientation, disability, language, and socioeconomic status is important in recognizing and eliminating any biases based on those factors. Bullying behaviors (through social media / cyber bullying), hazing, or harassment of any participant or member will not

be tolerated. USA Boccia members will not knowingly participate in or condone unfair discriminatory practices.

### **Responsibility**

All members of USA Boccia are aware of their professional and personal responsibilities to the community and the society in which they work and live. Members should be concerned about their own ethical compliance and the ethical compliance of others within the organization. When speaking with the public or fellow members of USA Boccia they take reasonable precautions to ensure their statements are consistent with the actions and ideals set forth in the Code of Ethics.

USA Boccia has zero tolerance for retaliatory conduct by any USA Boccia member, employee, coach, referee/official, board member or any other official associated with USA Boccia who comes forward with a good faith complaint or issue. Retaliation for reporting an alleged violation shall constitute a violation of USA Boccia's rules and Code of Ethics and will be grounds for disciplinary actions.

### **The Role of the Ethics Committee**

The USA Boccia Ethics Committee shall be considered one of the investigatory committees when an alleged violation is reported. Its purpose is to establish if a violation of the Code of Ethics, Conflict of Interest or any other related policy has occurred. In the event that a violation is found, the Ethics Committee will inform the Judicial Committee and provide them with any documents utilized in the investigation. In its operations, the Ethics Committee may draw on precedents and principles already established by sports law, previous Ethics Committee decisions, and jurisprudence. The Judicial Committee will generally administer and oversee all verified Ethical Violation complaints, Conflict of Interest complaints and SafeSport Code allegations over which the Center does not exercise jurisdiction. The Judicial Committee will be responsible to ensure that all complaints are heard in a timely, fair and impartial manner. Respondents will be afforded basic due process rights as described in the USA Boccia Complaint Procedures. The Ethics Committee is made up of up to four independent and unbiased individuals and one Elite Athlete Representative who has no conflict of interest with the ruling.

### **Reporting Ethical Violations and the Process**

If an apparent ethical violation occurs, a referral, written and/or verbal, shall be made to the USA Boccia Ethics Committee. (See Section A of the Code of Ethics)

The USA Boccia Ethics Committee will review the alleged ethical violation, investigate where necessary, and determine if the issue violates the Code of Ethics or Conflict of Interest Policy. If the action violates the Code of Ethics, a report will be made to the Judicial Committee for further investigations and sanctions. In addition, pursuant to Section 10.13.2 of the USA Boccia Bylaws (August, 2020), the Ethics Committee, while keeping the specifics of the case anonymous, will periodically provide the Board of Directors with a report on the number of violations and where the committee stands in the review of the violation(s).

## **SafeSport**

The U.S. Center for SafeSport (The Center) is recognized by the United States Congress, the United States Olympic & Paralympic Committee (USOPC), the National Governing Bodies (NGBs), and the Paralympic Sports Clubs or High Performance Management Organizations as the official safe sport organization for all Olympic, Paralympic, Pan American and Para Pan American sports in the United States.

<https://uscenterforsafesport.org/wp-content/uploads/2019/05/2019-SafeSport-Code-04.15.19>

## **SafeSport has two types of Jurisdiction; Exclusive and Discretionary.**

### **Exclusive Jurisdiction**

The Center has the exclusive jurisdiction to investigate and resolve allegations that a Participant (\*) engaged in one or more of the following:

- Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct;
- Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct;
- Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
- Aiding and Abetting, when it relates to the Center's process;
- Misconduct Related to the Center's process;
- Other Inappropriate Conduct, as defined herein.

\*For the purpose of this Code of Ethics, the term "Participant" refers to the Board of Directors, Executive Director and Staff, committee and task force members, volunteers and USA Boccia members.

### **Discretionary Jurisdiction**

The Center has discretionary jurisdiction to investigate and resolve allegations that a Participant engaged in one or more of the following:

- Non-sexual Child Abuse;
- Emotional and physical misconduct, including stalking, bullying behaviors, hazing, and harassment;
- Criminal Charges or Dispositions not involving Child Abuse or Sexual Misconduct;
- Minor Athlete Abuse Prevention Policy or other similar Proactive Policy violations;

### **Jurisdiction of the United States Olympic & Paralympic Committee, National Governing Bodies, Local Athletic Organizations**

Prior to The Center expressly exercising jurisdiction over particular allegations regarding a particular Participant, USA Boccia may investigate and resolve the matter, unless and until such time as The Center expressly exercises jurisdiction over the particular allegations. USA Boccia has the authority to

implement necessary and/or appropriate measures, up to and including a suspension, to address any allegations of misconduct other than those listed under Exclusive Jurisdiction.

Depending on the nature of the allegation, the chair of the USA Boccia Ethics Committee will inform the Executive Director and the President of the Board who will make a report to the US Center for SafeSport, and where applicable, appropriate law enforcement authorities. A referral to SafeSport shall not supersede any local, state, or federal reporting requirements or jurisdictions.

## SECTION A

### PROCEDURE FOR REPORTING AN ALLEGED VIOLATION OF THE CODE OF ETHICS

1. The Claimant is a person(s) who has/have experienced behaviors that could violate the Code of Ethics or person(s) who observed the incident. The Claimant should immediately report the situation in writing through the Ethics Committee link on the USA Boccia website, or in confidence, to a member of the USA Boccia Ethics Committee verbally and then follow-up with reporting the alleged violation through the Ethics Committee link on the USA Boccia website <https://usaboccia.org/> or by sending an email to [ethicscommittee@usaboccia.org](mailto:ethicscommittee@usaboccia.org). The chair of the Ethics Committee will monitor all Ethical Violation Reports.
2. If the alleged ethical violation is reported to a USA Boccia official, e.g. Executive Director, Board member, Coach or other USA Boccia member, it is the responsibility of the person receiving the report to direct the person(s) who experienced or observed the alleged ethical violation to the Ethics Committee link on the USA Boccia website.
3. The person(s) who experienced or observed the alleged ethical violation should complete the confidential online Ethical Violation Report Form. This form has clear directions regarding the documentation about the allegation e.g. time at which the alleged violation happened, the exact situation, what ethical violation occurred, where did it occur, who was involved, what happened, who else observed the incident.
4. The person filing the Ethical Violation Report Form (Claimant) may request assistance from a representative from the USA Boccia Athlete Council or a person of their choosing in securing, reading, and completing the Ethical Violation Report Form. The person providing assistance (Representative) is strictly held to the principle of confidentiality. When an athlete representative or any other person agrees to work with someone reporting behavior(s) that could violate the Code of Ethics, the person(s) providing assistance is held to a high standard of confidentiality and agrees not to divulge any information to anyone. In turn, the reporting athlete may give written permission to the person providing assistance to speak with designated people. Please refer to the USA Boccia Confidentiality Statement listed in the Appendix of this document.
5. a) Upon receipt of the completed report, the chair of the Ethics Committee will acknowledge receipt of the complaint to the Claimant.  
 b) The Ethics Committee will convene as soon as possible, either in person, through an online meeting or by telephone conference. The Ethics Committee will review the Claimant's report

and may ask for further information from the person(s) reporting the alleged violation, the person accused of the alleged violation (the Respondent), or any witnesses.

- c) The Respondent will be contacted by a representative from the Ethics Committee. The Respondent will be asked to provide information about the alleged ethical violation and to provide any witnesses that could corroborate the Respondent's point of view. The Respondent may request assistance from a representative from the USA Boccia Athlete Council or a person of their choosing in responding to the alleged ethical violation.
- d) The committee will make every effort to reach a decision and complete a report within fifteen (15) business days. A written report detailing the committee's decision but assuring the anonymity of all parties will be sent to the Judicial Committee, the Claimant, and the Respondent.

There are two widely used standards of evidence utilized when violations are reported:

Preponderance of the evidence: "This standard means that it is more likely than not that the facts are as that which one of the parties claim."

Clear and convincing evidence: "This standard is a step up from the preponderance of the evidence standard. This standard requires that the evidence show that it is highly probable or probably certain that the thing alleged has occurred."

The Ethics Committee will use the second and higher standards in determining if there was an ethical violation because of the sensitive scope of ethical violations.

<https://www.hg.org/legal-articles/different-standards-of-proof-6363>

The Ethics Committee will, independent of USA Boccia staff, evaluate the facts presented by the Claimant. While upholding the Claimant's confidentiality the Ethics Committee may liaise with the Executive Director or designee (see Section A #2) to provide the USA Boccia Board of Directors with information as to the number and category of reported violations and the progress the committee has made within the investigation. However, at no time, unless called as a witness, will a member of staff be present for the deliberations of the Ethics Committee.

A decision will be determined by a majority of the Ethics Committee. The Ethics Committee's decision will be in writing and distributed to the involved parties promptly following a review by the Ethics Committee members.

- 6. In some instances the reported complaint may be forwarded to the appropriate supervisor within the local Boccia organization for follow up. (i.e. Team Leader, Coach, etc.) If the local supervisor believes that utilizing restorative justice practices would be beneficial to the parties involved and would assist the local Boccia organization in their follow up, the supervisor can request that a representative from the Ethics Committee evaluate the report to determine if a restorative process would be appropriate. The local supervisor must send a report to the Ethics Committee detailing what action they took to follow up, regardless of whether a restorative process is utilized.

## SECTION B

### FALSE ALLEGATIONS AND FRIVOLOUS CLAIMS

If, in the unanimous opinion of the USA Boccia Ethics Committee, a complaint is considered false, including those made anonymously, the Ethics Committee may recommend to the Judicial Committee to seek a sanction against the reporting party. A complaint is considered false when it is clearly intended to harm the reputation of the alleged offender with no basis in fact. A complaint is considered frivolous when it is based on the usual operation of the sport of Boccia and/or if it is designed to waste the time of the USA Boccia Ethics Committee.

## SECTION C

### CONFLICT OF INTEREST

USA Boccia is committed to sustaining an ethical workplace free of conflicts of interest and perceived conflicts of interest. Each Decision Maker has the responsibility to administer the affairs of USA Boccia honestly and prudently, and to exercise their best care, skill, and judgment for the sole benefit of USA Boccia. Those persons shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with USA Boccia or knowledge gained therefrom for their personal benefit. The interests of the organization must be the first priority in all decisions and actions.

A **“Conflict of Interest”** or **“Conflict”** exists when a Decision Maker (as defined below) acts on behalf of USA Boccia in connection with a transaction to which USA Boccia is a party, where the Decision Maker’s actions or relationships present the potential for improper personal gain or advantage, or for an adverse effect on the interests of USA Boccia, or where the Decision Maker’s actions or relationships create the appearance that the Decision Maker will not be able to put USA Boccia’s interests first.

A **“Conflict of Interest”** also exists in the context of athlete or team selection when a Decision Maker participates in a selection decision that involves or impacts an athlete with whom the Decision Maker has a direct or indirect relationship, or when a Decision Maker participates in a benefits for services allocation decision that directly impacts the Decision Maker.

Conflict of Interest is applicable to all USA Boccia Decision Makers. Decision Makers include, but are not limited to, members of USA Boccia, members of USA Boccia Board of Directors, USA Boccia staff, committee members, task force members, hearing panel members, employees, and volunteers.

The Nominating and Governance Committee shall consult with the Ethics Committee with respect to vetting all nominations for potential conflict of interest or other problematic background issues.

For further information regarding Conflict of Interest, please refer to the USA Boccia Conflict of Interest Policy. Questions about perceived Conflict of Interest will be directed to the Ethics Committee for review. You may contact the Ethics Committee at [ethicscommittee@usaboccia.org](mailto:ethicscommittee@usaboccia.org)

## **SECTION D**

### **NOTIFICATION TO MEMBERSHIP**

The policy and procedures involved in the reporting of an ethical violation will appear on the USA Boccia website when the Code of Ethics is approved and each time it is updated. The membership could receive the information concerning the reporting of ethical violations via newsletters, emails and at the Annual Meeting.

## **Appendix**

### **The USA Boccia Code of Ethics is an overarching Code for:**

USA Boccia Athlete Code of Conduct (May 2021)  
USA Boccia Classifier Code of Conduct (May 2021)  
USA Boccia Coaches Code of Conduct (May 2021)  
USA Boccia Referees Code of Conduct (May 2021)

### **Code of Ethics Accompanying Documents**

Ethical Violation Report Form (March 2020)  
USA Boccia Confidentiality Statement (February 2021)

### **Code of Ethics Resources**

USA Boccia Conflict of Interest Policy (2021)  
USA Boccia SafeSport Policy (October 2020)  
USA Boccia Complaint Procedures (February 2021)