

Florida Region of USA Volleyball Incident Review Policy – Oct 2024

I. Introduction

- Purpose of Policy
 - To establish a clear, fair, and consistent process for reviewing and addressing complaints and incidents within USA Volleyball.
 - To ensure the safety, integrity, and positive experience of all members and participants in volleyball activities.
- Scope
 - Applies to all members and other involved parties at USA Volleyball events, programs, and activities.

II. Definitions

- Incident - Any action that potentially violates the policies, codes of conduct, or rules of the sanctioning body or the venue governing the program or event. Additionally, any violations of laws or statutes.
- Complainant – The individual or individuals that submit a complaint.
- Respondent – The individual or individuals that are the subject of a complaint.
- Witness – The individual or individuals that may have witnessed or have firsthand knowledge of the incident.
- Involved Parties - Includes the respondent(s), complainant(s), or witness(es) related to a specific incident.
- Case Management Team – A panel of up to three (3) staff members from the Florida Region.
- Incident Review Committee – A panel of three (3) board members that do not have a conflict with the complainant(s) or respondent(s). The board attorney may also provide assistance/guidance to this committee, as needed.
- Board of Directors – A panel of up to nine (9) board members, representing the Florida Region of USA Volleyball.
- Review Panel – Refers to either the Case Management Team or the Incident Review Committee, depending on which panel is reviewing a complaint.
- Types of Violations – These include, but are not limited to, the following categories:
 - Policy Violations
 - Venue Violations
 - Law Enforcement Violations
- Policy Governing Organizations – These include, but are not limited to, the following organizations:
 - Florida Region of USA Volleyball
 - USA Volleyball
 - US Center for SafeSport
 - US Olympic & Paralympic Committee (USOPC)
 - Federation of International Volleyball (FIVB)

- World ParaVolley (WPV)
- Venue Governing Organizations – This includes, but is not limited to, any venue (indoor or outdoor) where a sanctioned event takes place.
- Law Governing Organizations - This includes, but is not limited to, any law enforcement agency that has jurisdiction over a specific matter or incident.
- Minor Incident - A breach that has a limited impact on the event or participants and can generally be resolved through corrective measures.
- Major Incident - A breach that significantly impacts the safety, fairness, or integrity of the event or participants.
- Severe Incident - A serious breach involving significant harm or risk to individuals or the organization, potentially involving legal implications.

III. Reporting an Incident

- Reporting Procedure
 - Incidents and/or complaints may be reported through the following avenues (e.g., through an online form, email, or written communication).
 - Region – www.floridavolleyball.org
 - USAV – www.usavolleyball.org
 - US Center for SafeSport – www.uscenterforsafesport.org
 - Law Enforcement (Contact the agency with jurisdiction over the venue)
 - Phone calls are allowable to discuss a complaint, however all complaints must be documented in writing before they can be processed by the Case Management Team.
 - Required information: The following information should be included, as a minimum:
 - Date, time, and location of incident
 - Involved parties (a list with contact information)
 - Description of the incident (provide as many factual details as possible)
 - Note: Additional information may be requested depending on the type of case.
- Confidentiality
 - Case information and reports will be handled confidentially and only shared with relevant parties. Personal identifying information for minors and other protected parties will be redacted in any external reports.
- Non-retaliation
 - Florida Region of USAV prohibits any form of retaliation against individuals who submit a valid complaint. Any concerns regarding potential retaliation should be reported immediately to the Florida Region Case Management Team.

IV. Incident Review Process

- STEP 1 – ASSESS
 - Initial Assessment - Preliminary review by the Florida Region Case Management Team to categorize the severity of the incident.

- Upon the occurrence of an incident, the Case Management team will conduct an initial assessment to gather essential information, including the nature of the incident, involved parties, and immediate impacts.
 - The Case Management team will document the initial findings, including witness statements and any physical evidence.
 - During the assessment, it will be determined if the incident rises to the level of a policy or law violation. If so, it will be awarded a case number and will be processed per the Incident Review Policy requirements. If not, the complainant(s) will be notified that the complaint is not actionable, based on the information provided.
- Escalation – The Case Management Team shall determine if the complaint is to be referred to an Incident Review Committee for further review and potential action. If referred, the Board Chair, or their designee will appoint an Incident Review Committee and its Chair.
- Timeliness - The assessment must be conducted as soon as possible to ensure accuracy and relevance of information. Any delays or extensions will be communicated in writing to all parties addressing the circumstances and the anticipated timeline.
- STEP 2 – REVIEW
 - Comprehensive Review - Detailed examination of the incident, including gathering evidence, interviewing all involved parties, and reviewing relevant documentation.
 - Documentation – The case management report will be updated, summarizing the parties involved, findings, discussions, and any outcomes.
 - Engagement of Involved Parties - If appropriate, all involved parties will be invited to provide additional context or feedback during the review process.
 - Note: Formal case review can be conducted by either the Case Management Team or an Incident Review Committee.
- STEP 3 – DECIDE
 - Decision-Making - Determine the outcome based on the case review findings and applying appropriate actions or penalties, if warranted, per policy.
 - Based on the review findings, the review panel will determine the appropriate actions to be taken, which may include, but are not limited to:
 - Corrective actions or penalties
 - Training or educational opportunities
 - Referral to law enforcement
 - Recommendations for policy changes
 - Communication - The decision will be communicated in writing by the Florida Region to all involved parties, including the rationale behind the chosen actions. This communication should occur within 14 business days of completing the review, depending on individual circumstances.
 - Follow Up - The Florida Region will outline a follow-up plan to monitor the implementation of any corrective actions or penalties and assess their effectiveness over time.

- Important Note: Based on the type of case, this process may take up to 30-45 calendar days to complete the entire Incident Review Process. Any additional time required will be communicated to all relevant parties.

V. Levels of Penalties

- **Level 1: Minor Incidents**
 - Examples: These may include, but are not limited to, minor rule violations, incidents involving sanctioning fees, unpaid obligations, uniform violations, team roster issues/violations, untrained officiating teams, improper tournament procedures, inappropriate behavior with limited impact.
 - Potential penalties:
 - Written warning or reprimand (Notice of Infraction)
 - Mandatory education or training session
 - Written apology or corrective action plan
 - Fines, as required by policy
 - Documentation: Case details will be retained in the official records of all involved parties in perpetuity.
- **Level 2: Major Incidents**
 - Examples: These may include, but are not limited to, major/multiple rule violations, falsified information, minor property damage, dispute of valid charges, minor physical altercations, conduct detrimental to the sport or event.
 - Potential penalties:
 - Removal, probation or suspension from one or more events or activities for a specified period
 - Temporary or permanent loss of membership privileges, or good standing status as an official, coach, tournament director, or club director
 - Fines or restitution for damages caused
 - Documentation: Case details will be retained in the official records of all involved parties in perpetuity.
- **Level 3: Severe Incidents**
 - Examples: These may include, but are not limited to, major physical altercations, violence, abuse, major property damage, severe breaches of conduct, sexual abuse, criminal behavior, or law violations.
 - Potential penalties:
 - Long-term or permanent suspension/expulsion from the Florida Region and USA Volleyball
 - Reporting to relevant authorities or legal action
 - Revocation of all associated rights and privileges
 - Fines or restitution for damages caused
 - Documentation: Case details will be retained in the official records of all involved parties in perpetuity.

VI. Appeals Process

- Purpose - The purpose of an Appeals Process is to provide a fair and transparent process for individuals to contest the outcomes of incident reviews conducted by the organization. This ensures that all voices are heard and that decisions are made equitably.
- Scope - This applies to all individuals involved in the incident review process, including employees, members, volunteers, and beneficiaries of the organization.
- Grounds for Appeal - An appeal may be submitted on the following grounds:
 - **Procedural Error:** This refers to a mistake or deviation from an established process, set of rules, or standard operating procedure during the execution of a task or activity. This type of error typically occurs when the correct steps are not followed, leading to incorrect outcomes, inefficiencies, or violations of protocols. Procedural errors can result from miscommunication, lack of training, oversight, or failure to adhere to guidelines, and may affect the quality, consistency, or reliability of the final result.
 - **New Evidence:** New information or evidence has come to light regarding the complaint that was not available during the initial review.
 - **Disproportionate Outcome:** This refers to a result that is significantly uneven or unbalanced in relation to the expected or intended outcome, often involving an unfair or unintended distribution of effects, benefits, or consequences. This can occur when certain factors, such as resources, efforts, or circumstances, lead to an outcome that is not in proportion to what was initially anticipated, resulting in an overrepresentation or underrepresentation of certain individuals, groups, or elements. Disproportionate outcomes may arise due to biases, systemic inequities, or errors in judgment or process.
- Appeal Process
 - Submission of Appeal:
 - Appeals must be submitted in writing to the Board of Directors within 10 business days of receiving the penalty decision.
 - The written appeal should clearly outline the grounds for the appeal and include any supporting evidence.
 - Acknowledgement:
 - Upon receipt of the appeal, the organization will acknowledge the appeal in writing within 5 business days.
 - Review of Appeal:
 - The appeal will be reviewed by the remaining members of the Board of Directors that were not involved in the original incident review.
 - The Board of Directors may request additional information or interviews with relevant parties to ensure a comprehensive understanding of the case.
 - Decision:
 - The Board of Directors will decide based on the review and will communicate the outcome in writing within 14 business days of receiving the appeal, unless circumstances require additional time.
 - The decision will include a summary of the findings and rationale for the outcome.

- Finality of Decision:
 - The decision made by the Board of Directors is final and binding. There are no further appeals beyond this level.
- Confidentiality - All appeals will be handled with the utmost confidentiality to protect the privacy of all parties involved. Documentation related to the appeal will be stored securely and accessed only by those directly involved in the review process.
- Non-Retaliation – Florida Region of USAV prohibits any form of retaliation against individuals who submit an appeal in good faith. Any concerns regarding potential retaliation should be reported immediately to USA Volleyball.

VII. Monitoring and Follow-Up

- Purpose - The Monitoring and Follow-Up Plan is designed to ensure that penalties and corrective actions resulting from incident reviews are effectively implemented and evaluated for their impact. This plan aims to promote accountability, support continuous improvement, and foster a safe and respectful environment within the organization.
- Responsible Party - The Case Management Team will be responsible for monitoring the implementation of penalties and corrective actions. This includes regular check-ins with responsible parties, if necessary.
- Tracking Progress - A centralized tracking system will be established to document actions taken, completion dates, responsible individuals, and ongoing assessments of effectiveness of the case management process.
- Regular Updates – The Case Management Team will provide regular updates (at least quarterly) on the status of corrective actions to the Board of Directors. These updates will be reviewed during scheduled meetings.

VIII. Policy Review and Updates

- Regular Review & Updates - This Incident Review Process policy will be reviewed periodically and may be amended by the organization, as necessary to ensure its effectiveness and relevance.

This policy provides a structured approach for managing incidents within the Florida Region of USA Volleyball, ensuring fairness and consistency while promoting a positive and safe environment for all members and participants.