

XVII. NOTH TEXAS REGION VOLLEYBALL ASSOCIATION DUE PROCESS PROCEDURE

NORTH TEXAS REGION - USA VOLLEYBALL, INC.

The North Texas Region - USA Volleyball, Inc. (NTR) has the authority to impose sanctions or penalties on individuals or teams violating NTR Rules pursuant to the Bylaws of NTR. The Regional Commissioner, Executive Director, Officials Coordinator, Adult coordinator, and/or the Junior Coordinator may impose a penalties and sanctions within their divisions . The individual or team sanctioned will have due process rights pursuant to the section XVII of the bylaws as further set forth supra. The due process procedure will grant the individual or team sanctioned (“claimant”) the right to confront their accuser, to present their version of events, to have the sanction or penalty to be reconsidered by two separate governing authorities with a third and final appeal to the governing body of USA Volleyball, Inc.

1. Notice: After imposition of a penalty or sanction, NTR will notify the claimant in writing via certified mail within ten (10) days. Oral notice will not suffice. Written notice of the penalty or sanction will include the following:
 - a. Summary of the incident as reported to NTR;
 - b. Description of the penalty or sanction as imposed by NTR;
 - c. Notice of the claimant’s right to appeal and the form, both substantially and with mandatory dates, by which the appeal shall be delivered to NTR.
2. Appeal : the regional commissioner has the power to reconsider and affirm, modify, or vacate the penalty or sanction based on the information contained in the Claimant’s written appeal. The regional commissioner’s decision shall be sent to the Claimant within ten (10) days via certified mail, return receipt requested.
3. Reconsideration: If the claimant wishes to appeal the decision of the regional commissioner, written notice shall be provided to NTR within twenty (20) days of their receipt of the regional commissioner’s decision on their desire for a hearing on the matter before the Review Committee. This notice must contain the original sanction or penalty, the regional commissioner’s decision and a list of any and all exhibits and/or witnesses that shall be used on claimant’s behalf in claimant’s review hearing. Failure to include any and all of the required information will render the reconsideration packet

incomplete. Incomplete packets will not be heard or reconsidered by the Review Committee.

- a. Review committees are established by the NTR Board of Directors and the Panel which will hear claimant's reconsideration will be comprised of the first three individuals on the Board of Directors as listed in alphabetical order as voting panel members with the Vice-President in charge of Ethics and Eligibility governing the procedure as a non-voting member. If one or more of these members are not able to sit, the next alphabetical member shall be substituted into the panel and so on and so forth until the panel is complete. Each panel may hear up to three (3) reconsiderations in a session.
 - b. The panel will call a hearing and conduct the hearing in person unless requested by the claimant to conduct the hearing via teleconference.
 - c. The Vice-President in charge of Ethics and Eligibility shall present evidence on behalf of NTR and govern the procedural matters pertaining to the hearing.
 - d. The claimant shall have the opportunity to respond with full evidentiary procedure, presentation of evidence and the ability to cross examine anyone called by the panel to present the supporting evidence concerning the sanction or penalty.
 - e. The hearing shall be conducted with the authority of the panel, under the direction of the Vice-President in charge of Ethics and Eligibility and the hearing shall be transcribed by NTR or an individual at the direction of NTR which shall be retained in the records of NTR.
4. The review panel will have three (3) days to render a decision on the reconsideration. This decision shall be delivered to the Claimant via certified mail, return receipt requested, within 5 days after the decision was rendered by the review panel. The decision of the panel is the final action that will be taken on behalf of NTR.
 5. If the Claimant is still unhappy with the decision of the Review panel, the claimant has the right to appeal the decision of the panel to the parent organization of USA Volleyball, Inc., pursuant to their governing appellant procedures in effect at the time of the appeal.