

Sportsmanship Committee Procedures

It is the objective of the USTA NorCal Section to further the orderly and fair conduct of the game of tennis through the establishment of and adherence to the highest standards of conduct in all tournaments, league matches, and out-of-section matches.

The Sportsmanship Committee (the “Committee”) is charged with the responsibility of ensuring that this objective is achieved in non-league events, and, to establish a set of procedures when the Code of Conduct has been violated. The sportsmanship procedures for handling a grievance shall apply to all USTA NorCal events not covered in the USTA League Regulations held in or out of the NorCal Section. These procedures shall apply to all NorCal players participating in any USTA sanctioned event held within or outside the NorCal Section.

The Committee shall be composed of at least six people appointed by the USTA NorCal President. The members of the committee shall be selected in accordance with USTA NorCal By-Laws. The Committee shall be responsible for addressing:

- 1.) Appeals of suspensions of one (1) year or less; and
- 2.) Grievances involving the rules and regulations of the USTA and USTA NorCal, and the standards of conduct, fair play and good sportsmanship by seeing that a firm but reasonable Code of Conduct is applied in a fair and consistent manner

The Committee may address grievances concerning violations occurring at USTA NorCal sanctioned tournaments and out-of-section sanctioned tournaments. Although the Leagues Program has its own grievance and appeal procedures, this Committee may impose penalties different from and/or additional to any penalties previously imposed. This Committee may impose penalties different from and/or additional to any penalties imposed by USTA officials at any tournament under the Committee's jurisdiction.

I. GRIEVANCE & APPEAL SUB-COMMITTEES:

- A. All Sportsmanship Appeals Sub-committees shall consist of no less than three persons, including a chairman to adjudicate appeals. With respect to any single matter, no member of the Sportsmanship Appeals Committee may be a member of the Sportsmanship Grievance Committee whose decision is being appealed.
- B. All Sportsmanship Grievance Sub-committees shall consist of no less than three persons, including a chairman to adjudicate grievances.

II. GOVERNING RULES:

USTA NorCal non-league events are governed by the standards of good conduct, fair play and good sportsmanship during tournament play. In a doubles match, the partner may receive the same penalties as those received by the player committing the offense.

III. COMPLIANCE:

Failure to comply with the standards of good conduct, fair play and good sportsmanship may result in sportsmanship grievance action and shall not be excused on the grounds that one was misinformed by a NorCal staff member or volunteer.

IV. USTA SUSPENSION POINT SYSTEM:

- A. The USTA Suspension Point System set forth in USTA Regulation IV.F. shall apply to all sanctioned tournaments, including Orange and Green Ball Tournaments. Prior to a suspension, a player may not appeal the levying of suspension points. Appeals of suspensions shall be as set forth in the USTA Suspension Point System.

When an appeal is made to the USTA NorCal Sportsmanship Committee, the fee for appealing a suspension shall be \$50, which fee shall be refunded if the suspension is reversed by the Sportsmanship Committee.

- B. A player shall have the right to appeal a suspension:

1. When all suspension points that result in a suspension are assessed at tournaments sanctioned by USTA NorCal, any appeal shall be filed with USTA NorCal in writing within 30 days of the mailing of the notice of suspension. The request shall be sent by certified mail, return receipt requested, to the Sportsmanship Committee Chairperson, c/o USTA NorCal, 1920 North Loop Road, Alameda, CA 94502.
2. When at least one suspension point that results in a suspension is assessed at a tournament listed on the National Tournament Schedule or at an ITF Junior Tournament, any appeal shall be filed with the USTA Grievance Committee in accordance with Bylaw 43f.ii. Absent good cause shown, any appeal shall be barred unless it is made in writing within 30 days of mailing the notice of suspension. The notice of appeal shall be mailed first class certified or registered mail to the Grievance Chair, c/o USTA Office of the General Counsel, 70 West Red Oak Lane, White Plains, NY 10604.

- C. Effective date of suspension:

1. If the player does not appeal the suspension, the suspension begins 30 days after the Director of Junior Competition mails the certified notice of suspension to the player or such earlier date as may be requested in writing by the player under **USTA Regulation IV.F.9.**
2. If the player appeals the suspension and the appeal is denied, the suspension begins on the date the decision is mailed unless the decision states otherwise or unless a stay is granted.

V. FILING GRIEVANCES:

Grievances may be filed against any member of the USTA NorCal, any parent, coach or other apparent representative of any such member, or any USTA NorCal official or organizer of a USTA NorCal sanctioned tournament.

All grievances shall be in writing, signed and addressed to the **USTA NorCal Section Sportsmanship Committee, 1920 North Loop Road, Alameda, CA 94502**, or to **<sportsmanshipcom@norcal.usta.com>**. The fee for filing a grievance shall be \$50 (when filed by

a player, parent or spectator), which fee shall accompany the grievance. The fee shall be refunded if the grievance is upheld by the Committee. The name of the grieving party will not be held as confidential and are provided to ALL parties to ensure administrative due process.

All sportsmanship complaints shall be processed through the Sportsmanship Grievance Sub-committees and Sportsmanship Appeals Sub-committees. Decision of the Sportsmanship Appeals Sub-committees shall be final and binding.

EXCEPTION:

The Committee Chairperson — or any three (3) Committee members together — may make a determination that any grievance would be more appropriately handled by another USTA NorCal committee, and refer the grievance to that committee.

Grievances may be filed by:

- A. Any person witnessing the alleged violation;
- B. The Committee Chairperson, USTA NorCal staff, or an event official.

Any such written grievance should be filed (i.e. received) within 15 days from the date the incident occurred. The Committee may, at its discretion, consider grievances submitted more than 15 days from the date of the alleged violation. All grievances shall be considered filed when received by the NorCal office.

It shall be the responsibility of the party filing the grievance to set forth all facts establishing a violation. This information shall include the name of the party against whom the grievance is filed and a description of the alleged violation. The grievance should also include the names, telephone numbers and/or emails of any witnesses to the alleged violation and/or accompanying declarations of those witnesses, the date(s) of the alleged violation, and the name of the tournament or place where the violation occurred.

VI. **VIOLATION DESCRIPTIONS:**

Minor violations by a member or his/her representative include, but are not limited to, the following:

- A. use of profanity or obscene gestures;
- B. ball or equipment abuse;
- C. continuous or disruptive screaming or shouting;
- D. extended or impolite arguing with tournament officials, umpires and/or directors;
- E. spectator interference by relatives, coaches or friends of player;
- F. unauthorized coaching;
- G. intimidation;
- H. intentional failure to compete to player's best ability (i.e. tanking);
- I. stalling;
- J. gamesmanship;
- K. any conduct employed to gain an unfair advantage, including cheating or any other unsportsmanlike behavior;
- L. defaulting a match in any sanctioned tournament without notification and/or substantial justification;
- M. entering two or more tournaments, matches or exhibitions scheduled to take place at the same time, in whole or in part, unless each tournament director involved gives his consent in writing.

Major Violations by a member or his/her representative include, but are not limited to the following:

- A. striking, threatening or abusing in any way, any tournament official, player, spectator or director;
- B. knowingly falsifying or forging information on any official USTA or USTA NorCal document, or on any writing submitted to the USTA or USTA NorCal;
- C. committing multiple or repeated minor offences after receiving warnings for each conduct, or after imposition of or in violation of prior disciplinary action;
- D. any conduct deemed detrimental to the USTA and/or USTA NorCal.

VII. INVESTIGATION AND DISPOSITION:

The Committee shall investigate every signed, written grievance that is timely filed.

- A. A copy of the complaint shall be sent to the party against whom the complaint has been made.
- B. A Grievance Review Panel shall be named by the Committee Chairperson to review the validity of the charges or claims of any grievance and report a finding as to whether or not a hearing is warranted.
- C. If a hearing is not held, the investigation of the panel review should include an in-person or telephone interview of the party against whom the grievance was filed as well as any witnesses named.
- D. If deemed necessary a hearing should be held, at which time the parties involved shall have the right to appear personally and present evidence. If requested, the Committee shall not reveal the identity of the complaining party to the other party involved.

Grievances shall be decided by the Sportsmanship Grievance Sub-committee within 20 days of the conclusion of the investigation, and within 60 days of the filing of the grievance.

The Grievance Sub-committee shall not be required to hold any hearing prior to making any decision or taking any action upon such decision unless suspension of more than 30 days is contemplated. If suspension is contemplated a hearing must be held. A written notice must be sent to the party involved at least 7 days before the scheduled hearing.

The Grievance Sub-committee shall have the absolute discretion to determine the severity of an offense and to impose penalties for violations. The Committee shall have the power to dismiss the complaint, and/or direct correction of any violations by reasonable means, including, but not limited to the suspension, and or, fine in an amount up to \$1,000. The decision of the Grievance Sub-committee shall be by majority vote. The Sportsmanship Grievance and/or Appeals Sub-committees may impose penalties different from and/or additional to any penalties imposed by USTA event officials under the Committee's jurisdiction.

Grievances against members or their representatives:

- A. The parties shall be notified of the decision of the Committee within 30 days after a decision has been made.
- B. In the event that a decision of the Committee imposes probation or suspension, written notification shall be mailed to the parties within 30 days of the date of the decision.
- C. A decision which imposes suspension greater than one year shall be presented to the USTA NorCal Board of Directors for approval.

VIII. PENALTIES:

At the discretion of the Grievance/Appeal Sub-committees, in flagrant circumstances, a single violation may constitute “aggravated” behavior, and as such, shall result in the party at fault being placed on probation or suspension. In addition, while an investigation is being conducted or an appeal is in process, the party at fault may also be placed on probation or suspension in circumstances which are deemed flagrant.

In cases involving grievances filed against a person associated with a player (including, for example, a parent, coach or other apparent representative of the player), penalties may be assessed against the player.

IX. APPEALS

A direct appeal may be taken from the final decision of the Committee that suspended or placed on probation a member or his/her representative.

A party filing an appeal shall do so in writing within 30 days after the mailing of a written notice of decision by the Sportsmanship/Grievance Sub-committee. Such appeal shall be directed to the **USTA NorCal Sportsmanship Committee ,1920 North Loop Road, Alameda, CA 94502**, or to [<sportsmanshipcom@norcal.usta.com>](mailto:sportsmanshipcom@norcal.usta.com), and considered filed when received by the office, The fee for filing an appeal from the final decision of the Committee shall be \$50, which fee shall accompany the appeal. The fee shall be refunded if the final decision is reversed by the Appeals Sub-committee.

Appeals shall be decided by the Sportsmanship Appeals Sub-committee within 60 days of the filing of the appeal.

Upon receipt of a written appeal, the Appeals Sub-committee shall not be required to hold a hearing if a hearing was held in deciding the grievance. Its decision may be based entirely on the findings of fact by the Committee whose decision is being appealed and on the facts and arguments submitted in writing by the parties to the appeal.

If no hearing was recommended by the Grievance Sub-committee and a hearing is requested in writing by the appealing party, the Appeals Committee shall promptly fix a time and place for a hearing and shall give the appealing and responding parties not less than 10 days written notice of the hearing. At any such hearing, the person penalized shall have the right to appear personally, to present testimony and other evidence, and to cross-examine witnesses.

The Appeals Sub-committee shall have the power to affirm, modify or reject the decision of the Grievance Sub-committee. A copy of its decision shall be promptly sent to all parties involved and shall be final and binding. The decision of the Appeals Sub-committee shall be by majority vote.

X. GENERAL PROCEDURES:

If one or more members of the Grievance Sub-committee or Appeals Sub-committee cannot be present at a hearing, such members may, at the discretion of the chairperson, participate by means of a telephone conference call. The requirement that a notice or other document be in writing is satisfied if it is sent by a telegram, fax, e-mail or equivalent communication. Failure to comply with any procedural rule for filing a sportsmanship grievance or appeal shall result in such appeal being dismissed.