

**Revised IVA Handbook Due Process Procedures
Effective August 18, 2006**

XLV. Disciplinary Actions and Due Process Procedures -

- a. Introduction** - It is the responsibility of the IVA Regional Volleyball Association Board of Directors to administer volleyball within the IVA Region. On occasion, Region members may violate or be accused of violating Region rules, or the USAV Code of Conduct for players or coaches, or other rules of USAV. Such alleged violations may require action by the Region. These due process rules are hereby established to protect the due process rights of any accused member of the Region, the safety of Region members, and the integrity of the Region.
- b. All Matters** - Some actions or alleged actions by individuals or teams result in automatic sanctions in accordance with the IVA Handbook (e.g., failure to have certified coaches by specified dates, tournament deadlines, failure to fulfill work (officiating) obligations, use of alcohol or controlled substances at any USAV sanctioned functions). The IVA staff may issue an automatic sanction.

If an automatic sanction is not provided in the IVA Handbook, the IVA staff, after gathering relevant facts and considering the evidence related to the alleged wrongdoing, has the authority to administer an appropriate sanction as soon as reasonably possible after receiving the matter. All sanctions will be issued in writing.

- c. First Level of Appeal** - If the person accused of wrongdoing (the "Claimant") disputes the decision of the IVA Staff or officer of the Board, the first level of appeal shall be to the IVA Commissioner or Acting Commissioner. The Claimant shall have ten (10) business days from the date the sanction is issued to appeal in writing to the IVA Commissioner or Acting Commissioner. The appeal must be received by the IVA no later than 5:00 p.m. on the tenth business day following issuance of the previous decision. The postmark date is irrelevant, and the mailbox rule does not apply to this situation. It is the duty of the Claimant to make sure that an appeal is received by the IVA by the tenth business day following a decision. If it is not received by 5:00 p.m. on the date due, it will be untimely and will not be considered by the IVA. All appeals must be made in writing, may not be made anonymously, and must be mailed or hand delivered to:

**Intermountain Volleyball Association
ATTN: Appeals
2595A West Custer Road
Salt Lake City, UT 84104**

E-mails are not an acceptable form of written appeal. The IVA Commissioner or

Acting Commissioner shall issue a written decision to the Claimant within ten (10) business days after he/she receives the appeal. Decisions may be sent to the Claimant by either e-mail or regular mail, or both.

- d. Second Level of Appeal** - If the Claimant disputes the decision of the IVA Commissioner or Acting Commissioner, the second level of appeal shall be to the IVA Ethics & Eligibility Committee. The Claimant shall have ten (10) business days from the date the IVA Commissioner or Acting Commissioner's written decision is **issued** to appeal in writing to the IVA Ethics & Eligibility Committee. The appeal must be received by the IVA no later than 5:00 p.m. on the tenth business day following issuance of the previous decision. The postmark date is irrelevant, and the mailbox rule does not apply to this situation. It is the duty of the Claimant to make sure that an appeal is received by the IVA by the tenth business day following a decision. If it is not received by 5:00 p.m. on the date due, it will be untimely and will not be considered by the IVA. Once again, this appeal must be made in writing, may not be made anonymously, and must be mailed or hand delivered to:

Intermountain Volleyball Association

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2595A West Custer Road

Salt Lake City, UT 84104

E-mails are not an acceptable form of written appeal. The IVA Ethics & Eligibility Committee shall convene a three-person Panel and issue a written decision within ten (10) business days of receipt of the appeal. The IVA Ethics & Eligibility Committee Panel's decision must be unanimous. The Panel will review the IVA Commissioner's decision for appropriateness and reasonableness.

- e. Third Level of Appeal** - If the Claimant disputes the decision of the IVA Ethics & Eligibility Committee, the third level of appeal shall be to the IVA Board of Trustees. The Claimant shall have ten (10) business days from the date the IVA Ethics & Eligibility Committee's written decision is **issued** to appeal in writing to the IVA Board of Trustees. The appeal must be received by the IVA no later than 5:00 p.m. on the tenth business day following issuance of the previous decision. The postmark date is irrelevant, and the mailbox rule does not apply to this situation. It is the duty of the Claimant to make sure that an appeal is received by the IVA by the tenth business day following a decision. If it is not received by 5:00 p.m. on the date due, it will be untimely and will not be considered by the IVA. Once again, this appeal must be made in writing, may not be made anonymously, and shall be mailed or hand delivered to:

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ATTN: Appeals
2595A West Custer Road
Salt Lake City, UT 84104

E-mails are not an acceptable form of written appeal. The IVA Board of Trustees shall offer the Claimant the opportunity for a hearing before the Board. The IVA Board of Trustees meets as necessary and will consider the appeal at its next meeting. The IVA Board of Trustees will issue a written decision within ten (10) business days of its meeting at which the appeal is considered.

- f.** Any reversal by the IVA Ethics & Eligibility Committee receives an automatic review by the IVA Board of Trustees. The IVA Board of Trustees will consider the matter at its next Board meeting. If a reversal is issued by the IVA Board of Trustees, it shall be issued within ten (10) business days of the meeting of the Board at which the matter is considered.
- g.** An appeal that is late at any stage of this process prohibits the Appellant from making further appeals to the IVA.
- h.** These revised Due Process Procedures are effective for all incidents occurring on or after **August 18, 2006**.