

**ATTACHMENT “D”
Lakeshore Foundation
COMPLAINT PROCEDURES
FOR
USA Wheelchair Rugby**

Section 1. Jurisdiction.

These Complaint Procedures are applicable to USA Wheelchair Rugby. Only matters concerning USA Wheelchair Rugby fall within the jurisdiction of these Complaint Procedures.

Section 2. Designation of Complaints.

The following kinds of complaints may be filed with Lakeshore Foundation and/or the USOPC:

- a. Administrative Grievance. Any aggrieved individual may file a complaint pertaining to any matter relating to the cognizance of the Lakeshore Foundation and/or the USOPC, including but not limited to any alleged violation of or grievance concerning any USA Wheelchair Rugby rule, regulation or code of conduct.
- b. Right to Compete. Any athlete, coach, trainer, manager, administrator or official may file a complaint pertaining to any alleged denial, or alleged threat to deny, of that individual’s opportunity to compete in a USA Wheelchair Rugby or USOPC sponsored competition.
- c. Code of Conduct. Any athlete, coach, trainer, manager, administrator or official may file a complaint pertaining to any alleged code of conduct (Attachment “B” of the Selection Procedure) or team rules (Attachment “C” of the Selection Procedure) violation.

Section 3. Manner of Filing.

The complainant shall file the complaint in writing to Lakeshore Foundation’s Chief of Programs and Special Projects. The complaint shall set forth in clear and concise language, preferably in numbered paragraphs: (i) the alleged violation, grievance, denial or threat to deny and (ii) the remedy requested. The complainant shall sign the complaint.

Section 4. Statute of Limitations.

A complaint filed under these procedures shall be filed within one hundred and eighty (180) days of the occurrence of the alleged violation, grievance, denial or threat to deny. There is no statute of limitations for filing a complaint related to athlete safety issues.

Section 5. Field of Play Decisions.

The final decision of a referee during a competition regarding a field of play decision (a matter set forth in the rules of the competition to be within the discretion of the referee) shall not be reviewable through these procedures for, or the subject of, Administrative Grievances or Right to Compete Complaints unless the decision is: (i) outside the authority of the referee to make or (ii) the product of fraud, corruption, partiality or other misconduct of the referee. For purposes of this Section, the term “referee” shall include any individual with discretion to make field of play decisions.

Section 6. Ethics Committee and Hearing Panel .

Upon receipt of a complaint, the Chief of Programs and Special Projects shall alert the Ethics Committee. Members of the Ethics Committee shall not be employed by Lakeshore Foundation or be a member of the Board of Directors. At least one member of the Ethics Committee shall be an athlete. Members of the Committee shall provide annual notice that they are free from any conflict of interest. Those conflicts of interest shall be consulted relevant to each complaint filed.

Upon receipt of the complaint, the Ethics Committee shall appoint a Hearing Panel consisting of three individuals. At least one member of the hearing panel shall be an athlete.

The Chief of Programs and Special Projects and CEO shall conduct an investigation. This investigation may include but not be limited to internal review or external investigation. Investigations shall be timely and completed within 45 business days.

Upon receipt of findings, Lakeshore Foundation shall determine whether to join the complaint that has been filed or decline to join the complaint. In the event that Lakeshore Foundation chooses to decline to join, the Foundation shall only act as an observer to the process.

The Hearing Panel shall be responsible to ensure that all complaints are heard in a timely, fair and impartial manner.

Fair notice of charges including details of the complaint, the requested remedy and opportunity for a hearing will be provided to any athlete coach, staff member, administrator or official in writing prior to declaring an individual ineligible.

Section 7. Administration.

The General Counsel of Lakeshore Foundation shall generally administer and oversee all administrative grievances, right to compete, team rules and code of conduct matters filed with Lakeshore Foundation.

Section 8. Conduct of the Proceeding.

The Hearing Panel shall rule on all motions and other matters raised in the proceeding. If the complaint is not dismissed, the hearing panel shall hold a hearing on the complaint. The Hearing Panel shall set such timelines and other rules regarding the proceeding and the conduct of the hearing as it deems necessary including but not limited to the number of witnesses called and time provided for testimony by each party. The hearing shall be informal, except that testimony shall be taken under oath.

The hearing may be conducted by teleconference, if necessary or convenient to the parties. Each party shall have the right to appear personally or through a legal representative. All parties shall be given a reasonable opportunity to present and examine evidence, cross-examine witnesses and to present argument. Members of the Hearing Panel shall have the right to question witnesses or the parties to the proceeding at any time.

Any party may have a record made of the hearing. A court reporter may be present at the hearing at the request of a party. The court reporter shall be paid for by the party requesting the court reporter, or if mutually agreed, the cost may be equally divided. Any transcript shall be paid for by the party requesting the transcript.

Parties involved in the complaint shall have the opportunity to comment on the outlined procedures prior to the hearing either in writing or via a pre-hearing conference during which time the proceedings can be explained.

Section 9. Expedited Procedures.

Upon the request of a party, and provided that it is necessary to expedite the proceeding in order to resolve a matter relating to a competition that is so scheduled that compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the Ethics Committee is authorized to order that the complaint be heard and decided within forty-eight (48) hours of the filing of the complaint. In such a case, the Hearing Panel is authorized to hear and decide the complaint pursuant to such procedures as are necessary, but fair to the parties involved.

Section 10. Complaints Involving Selection to Participate in a Competition.

Where a complaint is filed involving selection of an individual to participate in a competition, the complainant shall include with the complaint a list of all other individuals, together with their contact information, that may be adversely affected by a decision rendered on the complaint. The Hearing Panel shall determine which additional individuals must receive notice of the complaint. The Hearing Panel shall then be responsible for providing appropriate notice to these individuals. Any individual so notified then shall have the option to participate in the proceeding as a party. If an individual is notified of the complaint, then that individual shall be bound by the decision of the hearing panel even though the individual chose not to participate as a party.

Section 11. Decision.

A decision shall be determined by a majority of the hearing panel. The Hearing Panel's decision shall be in writing, shall state the reasons for the decision and shall be distributed to the parties.

Section 12. Arbitration.

Any party may appeal a decision of the Hearing Panel to the American Arbitration Association. The arbitrator appointed by the American Arbitration Association shall have the authority to hear the matter anew or if requested by a party to render a decision on a more limited review. Either party may submit the decision of the hearing panel to the arbitrator for the arbitrator's consideration. The arbitrator may give whatever weight or authority to the Hearing Panel's decision as the arbitrator deems appropriate.