



Conduct Policy

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A. INTRODUCTION

This Conduct Policy ("Conduct Policy") defines the code of conduct for players, coaches, non-playing coaches, and fans of the Kickball365 community. This policy details the bodies involved in managing matters related to conduct and describes the procedures for addressing conduct violations and sanctions relating to conduct violations.

The primary means for dealing with disputes is a direct discussion between the persons or teams involved. Kickball365 applauds the maturity its players regularly exhibit in resolving their own disputes and correcting their own misdeeds, and celebrates the general irrelevance of this Policy. However, in the rare circumstance where formal redress is needed, this Conduct Policy takes effect.

Beyond its own Official Rulebook, Circuit Policies, and the "Structure of The Circuit", Kickball365 expects all individuals attending its Circuit Events to abide by the laws, regulations and statutes of the jurisdiction in which they participate, whether at a Kickball365 Circuit Event. Kickball365, its Officers, Staff, affiliates and players will cooperate fully with the relevant authorities to ensure compliance with such laws, regulations and statutes.

Kickball365 expects all players to treat one another with respect, and to be truthful and considerate in their dealings within the organization and the greater kickball community. These standards of conduct are maintained by the strong tradition of etiquette and sportsmanship within the kickball community, and by good-faith resolutions of disputes among the parties involved.

We are committed to making participation in The Circuit a harassment-free experience for everyone, regardless of level of playing experience, gender, gender identity and expression, sexual orientation, disability, personal appearance, body size, race, ethnicity, age, religion, or nationality.

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Examples of unacceptable behavior by participants including but not limited to:

- The use of sexualized language or imagery
- Personal attacks
- Trolling or insulting/derogatory comments
- Public or private harassment
- Other unethical or unprofessional conduct

Kickball365 has the right and responsibility to remove players who are not aligned to this Code of Conduct, or to ban temporarily or permanently any player for other behaviors that is deemed inappropriate, threatening, offensive, or harmful. By adopting this Code of Conduct, players commit themselves to fairly and consistently applying these principles to every aspect of participating in The Circuit. Players who do not follow or enforce the Code of Conduct may be permanently removed from The Circuit. All complaints will be reviewed and investigated and will result in a response that is deemed necessary and appropriate to the circumstances.

B. DEFINITIONS

- (i) "Administration", "Staff", "Referees", or "Volunteer"
 - a. Are the individuals working for Kickball365 at a Circuit Event.
- (ii) "Complainant"
 - a. Refers to the individual(s) who contacts Kickball365 to formally submit their request to the Chair of the Rules Committee of the conduct in question.
- (iii) "Collection Period"
 - a. Refers to the time period when Kickball365 will attempt its best efforts to identify all parties involved based on the initial complaint submitted to obtain statements from those involved.
- (iv) "Conduct within Kickball365"
 - a. Includes, but is not limited to, a player's or a team's actions, statements, written words, and documents in dealing with an Disciplinary Authority, officers, volunteers, players and staff of Kickball365.
- (v) Conduct Policy Investigation (CPI)
 - a. Refers to the investigation of the decision-making regarding conduct pertaining to a specific Kickball365 Circuit Event.
- (vi) "Discussion Period"
 - a. Refers to the stage once a CPI has been formally shared with the Rules Committee for discussion.
- (vii) "Disciplinary Authority"
 - a. Is any Event Manager(s), Event Head Referee-in-Charge, or any Kickball365-appointed individual or group charged with decision-making regarding conduct pertaining to a specific Kickball365 Circuit Event in progress.
- (viii) "Enforcement Period"
 - a. Is the period that begins once a sanction has been made. This is also known as the suspension period.
- (ix) "Initial Determination"
 - a. Is the initial disciplinary action recommended by Rules Committee upon reviewing the formal complaint submitted by Kickball365.
- (x) "Final Determination"
 - a. Is the action recommended by Rules Leadership Team upon final review of a formal complaint suggested by the Rules Committee.
- (xi) "Player" and/or "member"
 - a. Refers to any player of Kickball365, except where otherwise noted.
- (xii) "Rules Committee"
 - a. Is the committee comprised of players, captains, referees, and other trustworthy kickball individuals selected by the Kickball365 to act as the main governing body that applies and interprets the Official Rulebook for The Circuit.

C. CODE OF CONDUCT

Kickball365 players are required to adhere to this Conduct Policy while (a) on the playing field, (b) interacting with the administration and officers of Kickball365, whether on or off the field, and (c) dealing with the greater kickball community including other members.

Players and teams are expected to be truthful and respectful in their dealings with the Administration and Staff Members of Kickball365, in addition to complying with Kickball365 rules and deadlines. The same expectations exist for teams and other groupings of players.

Repeated, excessive or deliberate inappropriate conduct constitutes a violation of this Conduct Policy. An individual instance of inappropriate conduct may also warrant sanctioning by Kickball365 if the action is sufficiently severe. Such a sanction may be in addition to any penalties imposed by this policy.

Violations of the Conduct Policy occur upon the breach of these expectations, regardless of the location in which they occur, or whether or not they occur on the premises at which games take place. Violations of conduct within Kickball365 may therefore include, but are not limited to, filing a fraudulent roster; hacking the Kickball365 Website; supplying fraudulent player profile data to Kickball365 (e.g., false e-mail address to avoid Player Transfer Policy); theft of privileged information from Kickball365; obstructing an agent of Kickball365 from performing his/her duty; and defamation against a director, event manager, organizer or administrator regarding Kickball365-related activity.

(a) On-Field Conduct.

This Conduct Policy governs any On-Field Conduct which, in the sole discretion of the Chair of the Rules Committee or Kickball365, is found to be detrimental to Kickball365. This Conduct Policy shall therefore govern any conduct including, but not limited to, violations of the Rulebook of Kickball365 that govern play and reckless behavior at a Circuit Event, as well as applicable private, local, state, and/or federal regulations, rules and regulations that govern a Circuit Event or premises on which games or any other Kickball365 tournament may take place.

(b) Off-Field Conduct.

This Conduct Policy governs any Off-Field Conduct which, in the sole discretion of the Chair of the Rules Committee or Kickball365, is found to be detrimental to Kickball365. Furthermore, post-Event aggressive public criticism of Kickball365 Circuit Event Game Head Referee(s), Game Referee(s), or public comments evaluating the officiating of a particular Circuit Event Referee is not in the best interest of The Circuit. Players seeking to improve their playing experience and those who are interested in working for the betterment of The Circuit are encouraged to submit direct feedback and commenting of Kickball365 Referees directly to the VP of Rules at john@kickball365.com so Kickball365 can address formal training, adjustments, etc to improve the officiating experience at Circuit Events.

D. SUBMITTING A FORMAL COMPLAINT

Any Kickball365 player or team may file a complaint against any other player or team. Additionally, a complaint may be initiated by Kickball365 internally. To submit a formal complaint, the complainant must formally contact info@kickball365.com with a summary of the incident. Submissions should include as much details as possible. For example, please include witnesses, timing, attendee(s), URLs to public social media references, etc. All submissions will be directed to Kickball365 for initial review.

In the case of a complaint relating to conduct, the complainant must be a witness to the conduct in question. An individual who hears of a potential CPI incident, but did not witness such conduct, may request an investigation by Kickball365, who may act on such requests at their sole discretion. Note, if multiple complaints are submitted by different parties regarding a single incident then Kickball365 may consolidate all submissions and treat as a single complaint.

E. FRIVLOULUS SUBMISSIONS

Any individual or team making a frivolous complaint, as determined in the sole discretion of the Chair of the Rules Committee and/or Kickball365, may be subject to sanctions under this policy. A frivolous complaint is one that has

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no basis in fact and/or in the rules and policies of Kickball365, and/or one whose primary purpose is to harass, intimidate, embarrass, defame, otherwise bring the respondent(s) into disrepute, or to waste administrative and financial resources, or to disparage the game of kickball.

F. TIMING EXPECTATIONS

Summary of CPI-related Events:

- Review Period of Potential CPI
 - Within ten (10) business days of submission .
- Collection Period (No Time Table)
- Discussion Period (No Time Table)
- Voting Period (No Time Table)
- Initial Determination (No Time Table)
- Final Determination
 - Within ten (10) business days of receipt of Initial Determination.
- Notification Period.
 - Within ten (10) business days of receipt of the Final Determination
- Enforcement Period.
- Appeals Process.

While the CPI process is more formal than traditional Rules Committee activities, it is understood that a particular situation may have a time-sensitive nature, and as such the timeframes set forth may be accelerated at the discretion of the Chair of the Rules Committee or Kickball365 to ensure that time-sensitive complaints are reviewed in a timely manner.

G. CONDUCT POLICY INVESTIGATION FRAMEWORK

A Conduct Policy Investigation (CPI) consists of a formal complaint-review-appeal process once a validated complaint is determined by the Chair of the Rules Committee.

- (i) Review Period.
 - a. The formal review of the submitted formal complaint will be evaluated by Kickball365 within ten (10) business days of the submitted complaint.
 - b. Kickball365 determines whether a complaint is sufficiently credible to warrant a hearing.
 - c. If a CPI is deemed necessary the process will continue to a formal CPI.
 - d. If a CPI is not necessary then the party who submitted the formal complaint will be notified. In the event Kickball365 determines that a complaint is insufficient to warrant a hearing, it shall notify the complainant in writing of its determination.
- (ii) Collection Period.
 - a. Prior to alerting the Rules Committee for the Discussion Period Kickball365 will engage in a Collection Period.
 - b. Once Media and/or Statements are collected, Kickball365 will create a summary of the CPI to be presented to the Rules Committee. There is no time table for this period.
 - c. If a CPI is deemed necessary the process will continue to a formal CPI.
 - d. If a CPI is not necessary then the party who submitted the formal complaint will be notified. In the event Kickball365 determines that a complaint is insufficient to warrant a hearing, it shall notify the complainant in writing of its determination.
 - e. There is no time table for this period.
- (iii) Discussion Period.
 - a. In the event the complaint is deemed credible, Kickball365 will inform the complainant and will also inform the respondent(s) of the complaint, making known to him or her the allegations being charged under this policy.
 - b. Once the Rules Committee has been notified of the formal CPI summary; a private discussion conducted by the Rules Committee.
 - c. This includes reviewing collected material and/or statements that were deemed relevant to the initial complaint submitted by Kickball365.

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- d. If the Rules Committee deems additional information regarding the CPI is warranted for review Kickball365 will seek additional input.
 - e. It is preferred that no additional unsolicited documentation be permitted of the parties involved, unless specifically requested by the Chair of the Rules Committee or Kickball365.
 - f. There is no time table for this period.
- (iv) Voting Period.
- a. Vote conducted by the Rules Committee to determine the Initial Determination.
 - b. Each Member is entitled to one vote. No member can vote twice.
 - c. Each member has the option to abstain from voting.
 - d. Voting is not conducted in secrecy between the Rules Committee members. A member has the right to change his vote up to the time the vote is finally confirmed by the Chairman.
- (v) Initial Determination.
- a. Results of the Voting Period from the Rules Committee will be shared with Kickball365 for review.
- (vi) Final Determination.
- a. Kickball365, with input from the Chair of the Rules Committee and the results of the Rules Committee voting period, are what determine the Final Determination.
- (vii) Notification Period.
- a. The Final Determination will be communicated in writing to the affected parties as soon as practicable but no later than ten (10) days of receipt of the Initial Determination.
- (viii) Enforcement Period.
- a. Unless otherwise stated, the Final Determination shall take effect immediately and will not be subject to any further review or appeal in any forum.
- (ix) Appeal Process.
- a. Any player(s) who has been impacted by a Final Determination has the right to appeal to Kickball365 who may, in their sole and absolute discretion, direct the Rules Committee to hear an appeal of a Final Determination, or, may attempt to resolve the appealed decision in the discretion of Kickball365.

H. REVIEW PERIOD

When a complaint is formally submitted to the Chair of the Rules Committee, the Chair will consult with Kickball365 to determine if a complaint is sufficiently credible to warrant a CPI hearing. If needed, the Chair of the Rules Committee may seek input from the Rules Committee in order to make this initial review determination to proceed.

In the event that the Chair of the Rules Committee determines that a complaint is sufficient to warrant a hearing, the Chair will notify all parties involved. Once notified, respondent(s) will have ten business (10) days to submit a written response to the complaint to Kickball365 to be shared with the Rules Committee. Kickball365 has the ability to grant respondents extensions of this deadline. Kickball365 may, in its sole, unreviewable discretion, temporarily impose or suspend imposed penalties on affected parties until the matter is fully resolved.

I. COLLECTION PERIOD

If a complaint is deemed to warrant a hearing by Kickball365 the following events will be conducted in accordance with this Conduct Policy. All CPIs will be conducted in confidentiality. The contents of CPI discussions, players statements collected, media, email messages and/or any attachments associated with CPI topics are intended solely for the Rules Committee and may contain confidential and/or privileged information and is not to be released to the general public.

During this process, Kickball365 may, in its sole, unreviewable discretion, temporarily impose or suspend imposed penalties on affected parties due to a failure to communicate to the Rules Committee for not responding to any associated with CPI questions submitted to the parties involved in the CPI.

J. DISCUSSION PERIOD

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The contents of Rules Committee CPI discussions, players statements collected, email messages and/or any attachments associated with Rules Committee CPI topics are intended solely for the Rules Committee and may contain confidential and/or privileged information and is not to be released to the general public.

K. VOTING PERIOD

All CPI-related voting sessions shall follow the Rules Committee Policy posted at <http://www.kickball365.com/rules/>.

L. INITIAL DETERMINATION GUIDELINES

Kickball365 may accept the outcome of the CPI Rules Committee Voting Period or opt to reject the Rules Committee findings. If Kickball365 opts to reject the Initial Determination it will present back to the Rules Committee for a new vote to be called with modifications that will be presented by Kickball365 prior to the Chairman calling for another vote from the Rules Committee.

Kickball365 reserves the right to lengthen the time periods set forth above in its sole, unreviewable discretion due to either the (a) time sensitive nature of a particular issue or (b) in order to ensure that the involved parties have a meaningful opportunity to avail themselves of the full appeal process. Any changes to deadlines contained herein must be expressly communicated to the involved parties in writing.

M. FINAL DETERMINATION GUIDELINES

Within ten (10) business days of Kickball365's receipt of the Initial Determination, the Chair of the Rules Committee will determine the Final Determination by validating, push for reconsideration, or dismiss the complaint.

(a) Validation.

Occurs when Kickball365 validates the Initial Determination, and the Initial Determination becomes the Final Determination by Kickball365, which shall not be subject to further review in any forum.

(b) Reconsideration.

Reconsideration may not necessarily result in modifications of or changes to the Initial Determination. The Chair of the Rules Committee may require the Rules Committee to reconsider the Initial Determination if, in Kickball365's reasonable judgment, that either the Initial Determination:

- significantly departs from existing precedent;
- imposes sanctions that are grossly disproportionate to the violation in question (i.e., too strict or too lenient);
- clearly misinterprets existing rules regulations, policies or
- if significant new information has been presented that may affect the facts and circumstances involved in the alleged conduct violation, which was unavailable to the respondent or complainant prior to the Initial Determination.

(c) Dismiss.

The Chair of the Rules Committee has the authority to dismiss the Rules Committee Initial Determination. If the Chair of the Rules Committee does not validate or reconsider the Initial Determination, the Initial Determination may be dismissed and not subject to further review. All parties will be notified of this outcome.

N. NOTIFICATION PERIOD

Unless otherwise stated, the Final Determination shall take effect immediately and will not be subject to any further review or appeal in any forum. The Chair of the Rules Committee and/or Kickball365 reserves the right to lengthen the time periods set forth above in its sole, unreviewable discretion due to either the:

- time sensitive nature of a particular issue; or
- in order to ensure that the involved parties have a meaningful opportunity to avail themselves of the full appeal process. Any changes to deadlines contained herein must be expressly communicated to the involved parties in writing.

O. ENFORCEMENT PERIOD

The Rules Committee, acting as proxy, is not limited in its range of sanctions, except by the requirement that the penalty be proportionate to the severity of the action or its consequences. Such sanctions may include, but are not limited to, any sanctions that an Disciplinary Authority may impose, public or private censure, demand of public or private apology, demand of completion of service to the kickball community, and suspension from participation in any and all Kickball365 events. The Rules Committee may determine any on or off-field conduct in making its determination.

Suspensions or penalties occurring for a period of time longer than one (1) year may be reviewed annually by the Rules Committee upon request. Any and all sanctions, whether by an Disciplinary Authority or by the Rules Committee, shall be without regard to race, religion, gender, sexual preference, or socioeconomic status. If any member of the Kickball365 community reasonably believes any such discrimination has been inappropriately used in the application of a sanction, then such member shall notify the Executive Team, in writing, within seven (7) days of any such discriminatory issue.

P. APPEALS

Respondents are required to waiting period of at least twenty (20) business days from the date of the received Notification Period time/date prior to submitting a formal written request for appeal consideration. Any appeal submissions submitted prior to this threshold will be automatically rejected by Kickball365. Respondents would need to resubmit.

Formal appeals will not follow the CPI guidelines in terms of stages. All appeals will be directed to Kickball365 for official review. A formal appeal of a Final Determination must be submitted in writing with sufficient specificity and reasons why such an appeal should be carefully considered. Respondents seeking appeal may not be entitled to present new evidence that was not before Kickball365 and/or Rules Committee when it reached its decision.

If a player is suspended and submits an appeal, the suspensions will continued to be enforced until such time as an appeal modifies or reverses the Final Determination. Player appeals must be submitted to info@kickball365.com.

Q. SANCTIONS

Kickball365, with support of the Rules Committee, has the power to impose sanctions necessary for the administration of its duties through a CPI Final Determination. Such sanctions may include, but are not limited to, ejection of a team or player from a Circuit Event; denial of registration or membership of a player; denial of the ability to act as a Team Captain for any Kickball365 Circuit Event team; event suspension; National Tour season suspension; lifetime suspension; and/or denial of participation in a non-related Circuit Event, or any other tournament/event, hosted or supported by Kickball365.

Kickball365 may in their sole, unreviewable discretion, publish specific or general summaries of decisions made and sanctions imposed in connection with the enforcement of this Policy for the purpose of providing guidance ("Published Guidance"). Published Guidance shall not refer specifically to the parties involved and shall be redacted to the extent practicable. Published Guidance shall be made available to the public on the Kickball365 website.

R. DISPUTE GUIDELINES

Any dispute arising out of this Conduct Policy, including the interpretation or application of the same, which is not resolved after the application of the procedures set forth in this policy, then is not resolved and any player who wishes to contest the same, they may do so only in accordance with the following requirements:

- (i) The party disputing the Conduct Policy, or the interpretation or application of the same ("Disputing Party"), must have exhausted all applicable appeal provisions set forth in the Policy within the time periods set forth herein, time being of the essence.

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- (ii) The Disputing Party must submit to the jurisdiction of the courts located in Ellicott City, Maryland for resolution of the same.
- (iii) The Disputing Party must bear all costs and expenses of Kickball365 related to any such dispute.

Notwithstanding the foregoing, in the event any party fails to adhere to the terms of this Conduct Policy and violates any sanctions issued against him or her, Kickball365 may petition any court with jurisdiction over the violating party for injunctive relief to restrain such person from attempting to participate in any Kickball365 events at the violating parties' sole cost and expense (including the cost of reasonable attorneys' fees).

All captions in this Agreement are for convenience only and shall be deemed irrelevant in construing any provision of the Agreement. As the context shall require, the use of the singular in this Agreement shall denote the plural and vice versa. The use of any gender shall denote another gender.

(a) Severability of Provisions.

Each provision of this Policy (a "Provision") shall be deemed severable. If (i) any Provision or (ii) the application of any Provision to any person or circumstance shall be held invalid or unenforceable by a court of any jurisdiction:

- Affected Jurisdiction. The Provision shall be ineffective only in that jurisdiction.
- Scope of Ineffectiveness. The Provision shall be ineffective only to the extent that it has been expressly held to be invalid or unenforceable in that jurisdiction.

Each participant in any Kickball365 event shall be bound by the terms of this Conduct Policy, in the form as it is then posted on the Kickball365 website at www.kickball365.com. The participant acknowledges that, by participating in any Kickball365 activity, he or she affirmatively consents to the terms of this Conduct Policy and waives their right to contest the any provision set forth herein.