

NENSA CODE OF CONDUCT

Standards of Conduct

NENSA looks to maintain values of fairness and honor in all aspects of cross-country skiing. To these ends, NENSA expects licensed athletes, coaches, officials, and members of NENSA-sponsored teams to maintain high standards of honesty and sportsmanship by, among other things:

1. Respecting the health and safety of other competitors.
2. Respecting the rules of competitions.
3. Respecting the role of race officials, volunteers, and spectators.
4. Respecting the guidance of coaches and trip leaders on NENSA-sponsored teams and trips.
5. Refraining from disruptive behavior while on a NENSA-sponsored team or trip (such as underage drinking, use of illegal drugs, rowdiness, or repeated non cooperation).
6. Refraining from the use of banned substances in cross-country skiing, racing, and training (See USOC list of banned substances). Subject to the procedures below, serious violations of these standards of conduct can lead to sanctions including suspension or loss of competition license, and in turn may result in being barred from NENSA sanctioned events or suspension or dismissal from NENSA-sponsored teams. Inquiry into any potential violations and sanctions will be made by the NENSA Judicial Committee, in consultation, where appropriate, with the NENSA Program Director, coaches, and leaders of NENSA teams.

Disciplinary Procedures

Applicable procedures depend on the type of sanctions in question. "Non-competition sanctions" encompass any form of discipline that does not preclude the person involved from participating in future competitions, but may affect participation or placement in a competition or trip during which a sanctioned violation occurs.

"Competition sanctions" include any form of discipline that may result in ongoing suspension from any NENSA-sanctioned competitions or any NENSA-sponsored teams participating in outside competitions. Non-competition sanctions may be issued by authorized NENSA personnel; competition sanctions shall be issued only by the Judicial Committee.

All sanctions must be documented in writing and, within 24 hours of issuance, copies must be mailed to a minor member's parents and filed with the NENSA Administrative Office. Non-competition sanctions may take effect prior to the issuance of such a written record. Sanctions are subject to appeal as detailed below. All written communications concerning sanctions, hearings, or appeals should be in care of the NENSA Executive Director at the NENSA Administrative Office.

(a) Non-Competition Sanctions.

NENSA officials authorized to issue non-competition sanctions include the Executive Director, the Program Director, technical delegates on assignment, race juries at NENSA-sponsored competitions, and team leaders or project managers for camps and trips while such camps or trips are ongoing. Such sanctions also may be issued by the Judicial Committee or the NENSA Board of Directors in response to complaints by any person not authorized to issue sanctions.

Non-competition sanctions may be issued after notifying the affected individual orally or in writing of the basis on which sanctions are proposed and providing him or her an opportunity to respond. Non-monetary sanctions may take effect immediately. Monetary sanctions will take effect ten days after they are issued. Monetary sanctions are limited to the real costs incurred as a direct result of the infraction without any deterrents, penalties, or other punitive sanctions.

(b) Competition Sanctions.

Competition sanctions may be imposed only after the individual affected is provided an opportunity to be heard following written notice from an authorized NENSA official describing the conduct at issue, the rules or policies allegedly violated, and the proposed sanction.

The individual affected may make a written request for a hearing before the Judicial Committee, at which the NENSA officer proposing the sanctions and the individual affected both shall have the opportunity to be present either in person or by telephone, to present relevant facts and arguments, and to respond to opposing facts and arguments. Whether or not requesting a hearing, the member facing suspension may make a written submission to the Judicial Committee least 24 hours before the matter is scheduled for review. No fee will be required for initial hearings. 13 The Judicial Committee shall consider all facts and arguments submitted in writing and at any hearing; it may conduct its own fact finding, and will rule on proposed sanctions within seven days of the hearing (or, in the event the affected member does not request a hearing, within seven days of the receipt of all written submissions). If, under special circumstances, a suspension is requested to take immediate effect, such request shall be made in writing to the NENSA Executive Director or Administrative Office within 72 hours after notice-affected member has received notice of proposed sanctions. If a hearing is requested on a proposed "immediate" suspension, then the hearing will be held no sooner than 24 hours after the request and no later than seven days after the request, and at least two members of the Judicial Committee must participate. Unless a technical delegate or race jury determines that the individual facing suspension poses an immediate threat to himself or herself or to others, the member shall be allowed to participate in competitions until after the Judicial Committee ruling. Scores, rankings, or other recognition earned at such events, however, may be negated if the suspension is upheld.

Otherwise, suspensions proposed shall be considered by all three members of the Judicial Committee if at all possible, with a majority prevailing. The member facing suspension shall have seven days from receipt of notice to request a hearing before the Judicial Committee. The Judicial Committee shall act on such cases expeditiously, and in no instance shall its ruling be issued more than 30 days after the request for a hearing or the passage of the deadline for requesting a hearing, whichever is later. In non-immediate suspensions, no ruling shall be adopted less than 72 hours prior to the onset of a suspension.

(c) Appeals Procedure.

The NENSA Judicial Committee shall consist of three members nominated by the Chairman of the Board and confirmed by the Board at its annual meeting or as vacancies occur. The Chairman of the Board may make a temporary appointment in the event any member is unable to participate in a hearing. The Chair of the Judicial Committee shall be a Director.

Appeals of non-suspension sanctions to the Judicial Committee must be requested in writing within 14 days of an initial decision along, accompanied by a fee of \$50, which will be refunded if the appeal is upheld. The Judicial Committee will consider and rule on all appeals within 30 days of the appeal. An appeal will suspend the effective date of monetary sanctions; the Judicial Committee will have discretion to decide whether other sanctions should be suspended pending appeal. Appeals of Judicial Committee decisions may be made to the Board of Directors. Such an appeal must be requested within 14 days of the Judicial Committee ruling, accompanied by a \$100 fee, which will be refunded if the appeal is upheld. The Board shall consider appeals at its next regularly scheduled meeting unless a special meeting is called to consider the action. Rulings of the Board of Directors shall be final.

(d) Interaction with Outside Organizations.

Where NENSA is sponsoring a team to an unrestricted-entry event sanctioned by USSA or the FIS (National Ranking List races, Continental Cups, etc.), NENSA cannot prohibit members from participation but may suspend members from participating in NENSA team activities. Likewise, where NENSA is serving as the quota manager for New England participation in a restricted entry event sanctioned by USSA or FIS (Junior Olympics, etc.), NENSA may not unilaterally suspend a member from such competition. In either case, however, NENSA may request that the sanctioning body declare a NENSA member ineligible for participation, and may impose non-competition suspension sanctions, including withholding support.

While schools and clubs may impose their own restrictions on their student athletes or club members, NENSA reserves the sole right to suspend or restrict a NENSA member's participation in NENSA events. Sanctions imposed by schools, clubs, or other third parties cannot preclude NENSA members from participating in NENSA competition. Such third parties may initiate NENSA sanctions subject to the procedures above.