



## Professional Disc Golf Association Disciplinary Policy and Process Updated September 23, 2014

### **Preamble:**

The Professional Disc Golf Association reserves the right to determine and enforce disciplinary action upon its members. In doing so, it strives to be fair and consistent when sanctions are necessary and to avoid being arbitrary and capricious in its rulings. It is with this in mind that the PDGA has established this disciplinary policy and process document.

### **Summary:**

This document describes the composition of the PDGA Disciplinary Committee (DC) and how it is managed and the procedures it will use in addressing disciplinary matters, including the type of actions that should be addressed to the DC, how those actions are conveyed, and how the DC handles those disciplinary actions.

The PDGA Board of Directors (henceforth referred to as “The Board”) has established the DC to investigate and make recommendations in dealing with extraordinary disciplinary matters. The Committee consists of one Chairperson and as many members as The Board deems necessary to adequately address disciplinary matters. The DC reports to The Board through an appointed Board Liaison, and its actions are to be monitored by The Board when deemed necessary. A three-person panel (henceforth referred to as “The Panel”); consisting of the President and two other members of the Board, will make the final decision on any disciplinary action.

The Chairperson of the DC is responsible for the completion of all disciplinary investigations and for the submission of recommendations to The Panel. The Chairperson should utilize other Committee members to investigate and submit information pertaining to disciplinary actions as well as the completion of documents pertaining to investigations. The full membership of the DC will be given an opportunity to discuss any case in consideration before a recommendation is made to The Panel.

The actions of the DC and disciplinary actions in general, are mainly concerned with occurrences at PDGA sanctioned events. However, actions which occur outside of, or peripheral to, the tournament venues may be considered by the DC even though they are outside the purview of the PDGA.

The DC recognizes that PDGA members deal with infractions at PDGA sanctioned events by utilizing the PDGA Rules of Play. The procedures herein are meant to deal with **extraordinary disciplinary matters** that cannot be handled using the PDGA Rules of Play.

Currently there are four types of cases that can be brought to the DC: **Case 1**—actions that pertain to a specific event that cannot be handled using the PDGA Rules of Play; **Case 2**—actions that pertain to a specific event that involve disqualification of an active member; **Case 3**—a body of actions or behaviors that are submitted to the Disciplinary Committee upon recommendation by a Board member or the Executive Director; and **Case 4**—a body of actions or behaviors that are submitted to the PDGA by active members. For consistency, all four cases will be handled with the same procedures where that can be accomplished and those procedures will be outlined in Case 1.



## Case Outlines:

**Case 1:** If in the course of a PDGA sanctioned event, a member takes an action that is disruptive to the event and that is not specifically addressed within the PDGA Rules of Play, that action may be reported to the PDGA by any active PDGA member who witnessed the incident. The person reporting the action will be referred to as the Acting Member. Once the Acting Member has determined that the incident warrants submission to the PDGA, he or she will deliver the report via the Disciplinary Action Form (DAF, available online at [www.pdga.com](http://www.pdga.com)) to the PDGA office within 30 days. If the Acting Member is the event TD, the incident should also be noted in the TD report.

1. Disciplinary Action Forms that are received at the PDGA Office will be forwarded to the DC for consideration.
2. If the DC decides that the submitted case should have been adjudicated using the PDGA Rules of Play, they will close the case and will notify the Acting Member about that decision.
3. If the DC decides that a case merits investigation it shall make a reasonable attempt, using any available means, to notify the investigated party that an investigation is ongoing and of the nature of the investigation. This will include sending a summary of the complaint to the investigated party, using any available means, that includes:
  - a. The event or events where the accusation for improper behavior was levied.
  - b. A description of the accusation.
  - c. A referral to the disciplinary process as published on the PDGA web site.
4. Investigation of the incident:
  - a. The DC will investigate the incident by interviewing all of the parties identified within the DAF (if possible) including the investigated party. If the DC requires additional contact information for any of the parties involved, they will contact the PDGA office.
  - b. The interviews will be documented and submitted to all members of the DC by the interviewer by posting the information on the DC group website.
  - c. The interviews should be in a standard format to ensure consistency between interviews.
  - d. The investigation period is open and has no set time, but should be completed within three months.
5. Completion of the investigation:
  - a. When the DC chair determines that the investigation is complete, the case will be opened for discussion to the entire DC. The open discussion period should not exceed two weeks.
  - b. The DC Chair is responsible for directing the discussion and ensuring all viewpoints are adequately covered. The DC Chair is also responsible for ensuring the punctuality of the discussion and its completion.
  - c. All reasonable attempts will be made by the committee to uncover as much evidence necessary to come to a decision. Any decision made will be based upon the preponderance of evidence available.
6. Determination of punishment:
  - a. If the DC decides that punishment is warranted its recommendation should be consistent with past DC actions except when there are mitigating circumstances. The decision may vary from precedent, but should not be arbitrary or capricious. The standard punishment guidelines list should also be consulted.
7. Once the DC has come to a consensus, the DC Chair shall write up a summary of the case including the findings of the DC's investigations and the recommendations for punishment and submit it to the President of The Board who will forward it to the rest of The Panel for their review.
8. The Panel is charged with making the final decision in the matter and may choose from the following courses of action:
  - a. Accept the findings of the DC and their recommended punishment.
  - b. Accept the findings of the DC, but recommended an alternative punishment.
  - c. Decline the findings of the DC and decide that no action is to be taken.
  - d. Decline the findings of the DC and ask them to investigate the case further.



9. Once The Panel decides upon a course of action (except in the case of 8d), a letter will be written to the investigated party outlining the decision. The Panel will decide which of its members will write the letter. Upon completion of the letter, The Panel member writing the letter will submit it to the rest of The Panel for their review. Once the letter has been approved, it will be sent to the PDGA office. The PDGA office will be responsible for sending the letter to the investigated party via Certified Mail.
  - a. The disciplinary letter should include the following:
    - i. A description of the judgment, that is, of what has the investigated party has been found guilty.
    - ii. The penalty, i.e. suspension, probation, loss of official's status, monetary fine, etc.
    - iii. The length of the penalty.
    - iv. Information on the appeals process, including contact information.
- ~~10.~~ All disciplinary actions are in force from the postmark date on the envelope carrying the disciplinary letter and remain in force until the punishment has run its course or the action is reversed upon appeal.
11. Appeals:
  - a. Appeals must be made in writing within 30 days of the postmark on the envelope sent to the investigated party notifying them of disciplinary action. The appeal must be sent to the PDGA office, which is responsible for notifying The Board of the appeal.
  - b. Disciplinary Actions that are appealed will be reviewed by The Board. If The Board decides that a reinvestigation of the case is warranted, they may send the case back to the DC for further review.
  - c. Appeals can be based upon the factual determination, the severity of the penalty or both. It is up to the investigated party to inform the Board as to what aspect of the sanction they are appealing.
    - i. In cases where the investigated party appeals the factual determination of the disciplinary action, the investigated party must submit a summary of the event from their perspective, including witnesses who can be interviewed by the DC to buttress their appeal. In the event there are no other witnesses, the investigated party may still submit the event from their viewpoint and request a review.
      1. The DC member(s), who carried out the initial investigation, in order to prevent bias, should not carry out any additional interviews that are conducted.
      2. Any subsequent interviews will be summarized, and resubmitted to The Board by the DC. After reviewing the submitted information, The Board may reject the appeal or consider an alternative punishment.
    - ii. In cases where the investigated party appeals the severity of the punishment, the appeal will be brought up before The Board for their consideration. The Board may reject the petition or consider an alternative punishment.
  - d. Once the Board has reached a decision on the appeal, the investigated party will be notified in writing, via Certified Mail, of the decision and no further appeals will be allowed.
12. The PDGA office shall make a summary of the action taken, without the detailed documentation created during the investigation, available to the membership via the PDGA website. This information shall include: the member's name, and the punishment including its terms and conditions.



**Case 2:** Any disqualification of an active member from a PDGA sanctioned event by the Tournament Director shall trigger a disciplinary investigation that will be conducted in a fashion consistent with other disciplinary actions.

**Case 3:** If an active member demonstrates behavior that is inconsistent with the well being of the PDGA or another active member(s), any PDGA Board member or the Executive Director may instigate a disciplinary investigation on their own. The case should be submitted via the DAF so that a record of the case is on file. The investigation and resolution should be as in Case 1 with the following exception.

1. The DC cannot dismiss the petition as being within the normal rules structure; that is, an action instigated by a Board member or the Executive Director requires an investigation.

**Case 4:** If an active member demonstrates behavior that is inconsistent with the well being of the PDGA or another active member (s), an active member may petition the DC to carry out a disciplinary investigation of that member. Such a petition must include contact information and signatures of at least 10 active members who witnessed the incident. This petition must be submitted to the DC using the DAF. These investigations will be conducted in a fashion consistent with other disciplinary actions.

## **Disciplinary Action Definition of Terms**

### **Suspension:**

A player who is placed on suspension by the PDGA shall forfeit all rights and privileges granted to members of the organization for the length of term specified. These forfeited rights include, but are not limited to:

- Playing in any PDGA sanctioned events.
- Officiating in any PDGA sanctioned events.
- Directing any PDGA sanctioned events.
- Voting in PDGA elections.
- Holding any PDGA offices.

If a player is found to have violated the terms of the suspension, that player risks permanent loss of their PDGA membership.

### **Probation:**

If a member has been placed on probation, he or she may continue to enjoy all of the rights and privileges of PDGA membership. However, if they are subsequently accused of additional infractions during the probationary period, they will be immediately placed on suspension pending an immediate review of the accusations by the Disciplinary Committee. This review should take no longer than one month. During this review period these new accusations will be looked at by the committee using the preponderance of the evidence standard. If the member is subsequently found to be in violation of the terms of their probationary period, that player risks an extension of their current suspension and / or probation. In addition, depending upon the circumstances of the violation, the member may also risk the permanent loss of their PDGA membership.

### **Note:**

If it is found that an accusation against a member is frivolous and unwarranted, the accuser shall be immediately suspended for a period of 1 year and may also risk the permanent loss of their PDGA membership.

### **PDGA Rules of Play:**

This refers to any official PDGA documents that outline the rules and regulations of disc golf. This includes, but is not limited to the PDGA's Official Rules of Disc Golf and the PDGA Competition Manual.