



## Chapter 4

- Code of Conduct Procedures
- Code of Conduct Flow Chart
- Code of Conduct Incident Report



## **CODE OF CONDUCT PROCEDURE**

This document shall serve the QMA membership by defining behaviors that are unacceptable and the methods of dealing with disciplinary actions that may become necessary. Inappropriate conduct, harassment or abuse directed towards anyone will not be tolerated.

**Any conflict between members may be resolved by the club officials at the time of occurrence. The maximum action that may be taken is to remove offending member(s) from the facility for that day only. If all parties involved in the conflict agree, the matter is closed and no further action will be necessary. Any disciplinary action, including probation that continues beyond the day of occurrence will require the use of the procedures in this document.**

### **Code of Conduct Time and Location**

#### **Time**

COC violations will apply to situations occurring from the time a member arrives at the track facility or event location until the time they leave the track facility or event location.

#### **Location**

Track facilities and event locations will include all areas on and around the facility defined by the event organizers to hold the race event, activity or function. Location will also include places used for off-site exhibitions, banquets, car shows and other QMA events in which QMA members participate or are representing QMA.

### **Code of Conduct Violations**

Violations have been grouped together in Levels from 1 to 4 to categorize a complaint. This will serve as a guide to determine the appropriate action. The Board will assign a level for violations that are not listed in this procedure.

#### **Level 1**

Consists of but not limited to a disturbance caused by a member or driver to such an extent that the event is disrupted due to voices raised in anger towards others attending the event. Abusive, profane, taunting, threatening or harassing language, threatening or obscene gestures towards any person, continued antagonizing behavior towards anyone.

#### **Level 2**

Consists of but not limited to threats of physical assault toward any person at the event, verbal abuse of a driver by his handler or other handlers or disobeying an order from the Race Director or Board member in authority to leave the property or return to their trailer.

#### **Level 3**

Consists of but not limited to physical assault and battery of any person at the event, willful destruction of club or another person's property, indecent exposure, member under the influence of alcohol, or member under the influence or possession of illegal drugs.

#### **Level 4**

Consists of but not limited to physical violence toward any individual to the point of injury. Act of sexual misconduct including non consensual, intentional physical contact of a sexual nature involving any individual. This may also include violence or threats of violence towards any person at the event involving a weapon of any kind.

Law Enforcement personnel may be needed for Level 3 and 4 violations.

## **Procedure for Filing Complaint**

1. A member should contact an Official at the event if they believe a person has violated any of the four levels of this Code.
2. The Official will contact the Race Director or ranking club Board member present at that event and they will determine the appropriate course of action based on the situation and level of violation.
3. Person(s) witnessing the incident will write a detailed description of what was seen, heard and said during the incident. Complaint must include names of people directly involved, names of witnesses, and time of incident. If a minor witnesses the incident, a parent or adult must file the complaint on his/her behalf. The complaint should be delivered to the Race Director or ranking club Board member within 24 hours after the incident. Exceptions include Grand National Races or special events where the complaint should be filed with the QMA authority for that event. (Please use the QMA Code of Conduct Report available online or in your procedure manual).

## **Code of Conduct Hearing**

The Officials or Board may take one of the the following actions:

1. Convene a meeting of the Officials or Board members present to immediately address the incident.
2. Schedule a formal hearing as outlined below to hear testimony and render judgment.

## **Procedure for Hearing**

1. Complaints will be heard as follows:
  - Filed at a local event: Must be heard by the club Board of Directors.
  - Filed at a State Race/Regional event: Must include the Regional Board in addition to the hosting club's Board of Directors.
  - Filed at a National event (Grands): Must include the National Board of Directors and Regional Directors present as well as the hosting club's Board of Directors.
2. Hearing should be held within seven days of initial complaint. If a quorum is not possible because Board members are directly involved with the incident, the Board will refer the case to the next higher Board.
3. All persons involved in the incident will be notified of the time and place/method of meeting. Those Board members charged or directly involved in the incident must remove themselves from the hearing after giving testimony of the incident.
4. Complainants and witnesses will give verbal or written testimony of the incident.
5. Defendant will be allowed to hear letters of complaint against them and to provide witnesses to support their case and respond to the charges against them.
6. The Board hearing the case may direct questions to all persons present at the hearing.
7. The Board will then dismiss all persons involved in the incident and review the charges and defense presented.
8. The Board must agree by a majority vote of those present on the level of violation, if any.
9. The Disciplinary Action Policy should be used as a reference for punishment for all violations and prior COC violations must also be considered when determining level of punishment. The Board must agree by a majority vote of those present at the meeting on the penalty.
10. The Board will notify the defendant of its decision in person, by phone or email and by certified mail within 24 hours. Copies of this notification must be sent to the RD, National Board and National office within 7 days.
11. The National Secretary will send out a new COC list to all Regional Directors within 48 hours of the receipt of a Board's (Local, Regional, or National) decision on a COC violation. The Regional Director will forward a copy to their clubs within 48 hours.

## **Confidentiality Policy**

Persons involved in these cases should use proper discretion in discussing the details of the case including verbal or written testimony involved in a COC case. Details concerning a COC case are to be kept confidential by the Board investigating and hearing the case. Meetings must be closed to everyone except those directly involved in the case.

## **Disciplinary Policy**

The QMA Disciplinary Policy contains the following four levels of progressive disciplinary action that are to be used as a guide. Disciplinary action should be applied at the same level as the violation. The Board hearing the complaint must consider the situation and previous COC violations before rendering a punishment. The Board should consider moving to the next higher level or a longer suspension within that level for persons committing multiple violations within a 12-month period.

## **Suspension Definitions**

**Individual Suspension** - Individual member may not attend or participate in QMA events that require QMA membership. If a suspended individual enters a QMA event location for any reason, the suspension will be reviewed by the club and may increase to a family suspension.

**Family Suspension** – Member and all members of a family membership. Family will not be allowed to attend or participate in QMA events that require QMA membership.

### **Level 1 -Written Warning/Suspension**

1. Written warning recommended for first time offense.
2. Members receiving multiple Level 1 violations within a 12-month period may be given a one to three week Level 1 Individual suspension. This may include multiple violations at the same event or single violations at different events.

### **Level 2– One to Three Month Suspension**

1. Individual suspension recommended unless there have been multiple Level 2 violations within a 12-month period in which case a family suspension should be considered.
2. The length of the suspension may vary based on the severity of the offense, multiple level 1 or 2 violations at the event and whether the person has previous COC violations within the past 12 months.

### **Level 3–Three to Twelve Month Suspension**

1. Family suspension recommended. The length of the suspension may vary based on the severity of the offense, whether there are multiple level 1, 2 or 3 violations at that event and whether the person has a previous COC violation within the past 12 months.

### **Level 4 –Revocation of Membership**

1. Revocation will apply to the member and may apply to all members of a family membership. The Club President/ Regional Director/National Officer or their representative will submit a detailed summary of the violations that caused the revocation.

## **Penalty Notification**

1. The Club President/Regional Director/National President or representative will review the circumstances of the violation and the resulting penalty to be imposed. (warning/suspension/revocation).
2. The defendant must be notified of the penalty in person, by phone or email and by certified mail within 24 hours.
3. Suspended members may continue to race up to 5 days after the hearing has concluded. Suspension will begin on the 6th day after the hearing has concluded. Exceptions are listed in the Appeals Process section of this procedure.
4. Suspended member will have up to 5 days to appeal the penalty.

**Note: Level 1 violations may not be appealed to the National Board.**

5. A copy of the warning/suspension/revocation letter will be placed in the member's club personnel file, and copies will be sent to the Regional Director, National Secretary and the National Office. Warning/suspension letters will remain on file for a 12-month period.

## **Appeals**

1. Appeals will be filed as follows:
  - COC levied at a club event will be appealed to the Regional Director with a copy going to the Club President unless there is a conflict or they are unable to make a quorum.
  - COC levied at a States/Regional event will be appealed to the National President with a copy going to the Regional Director.
  - COC levied at the National level will be appealed to all Regional Directors with a copy going to the National President.
2. Regional and National Boards have the authority to uphold, overturn, reduce or add to any COC appealed to their Board.
3. The National Board will have final authority except for COC cases filed by the National Board.
4. Only members charged with a COC may appeal decisions of a Club/Regional/National Board to the next higher authority.
5. Regional/National Board should hear the appeal within 7 days. The Board will give the member at least 3 days notice of the time and procedure for the appeal hearing.

6. A member that appeals a suspension to the next higher Board may race during the appeal period after the issued/upheld suspension up to 5 days or the ruling from the Board hearing the appeal, whichever comes first. The 5 day period may be extended if the Board hearing the appeal needs more time; the member will be notified if this is the case.
7. All documents and witnesses will be the same as those that were originally submitted and or questioned by the original Board hearing the COC.
8. Member filing an appeal should not discuss the case with members of the Board that will hear the appeal prior to the hearing. If the Board hearing the appeal seeks assistance from the next higher Board the amount of specific information given should be limited.
9. Suspension will begin on the date the COC is finalized.
10. All written statements collected by original Board, copy of meeting minutes, and any other documentation will be forwarded to the next higher Board upon completion of the appeal hearing with a copy of the letter of suspension/revocation. Board hearing the appeal will forward all information from original hearing and appeal including the outcome of the appeal to the next higher Board(if applicable) as well as the QMA National Secretary and National Office immediately.
11. Next higher Board should copy any correspondence sent to the member with previous Board.
12. All COC letters, once completed and finalized, must be turned over from the presiding Board to the QMA National Secretary and QMA National Office within (7) seven business days.



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Code of Conduct

Member contacts an officer at the event about a possible violation of the Code of Conduct Rules

Officer will contact club board and determine the course of action based on the situation and level of the incident.



If a minor is involved they will deliver a statement to an adult exactly as they witnessed it. This is also due to an officer within 24 hrs.

A signed letter of complaint will be given (in person or to an officer at the event. A CoC hearing will follow.

Code of Conduct Hearing Convene an emergency meeting on site

Code of Conduct Hearing Schedule a determined time to conduct the meeting, should be within 7 days



Code of Conduct Hearing

All persons involved will be notified to the date and or date of the hearing.

Complainants will give verbal and/or written testimony

Witnesses will give verbal and/or written testimony

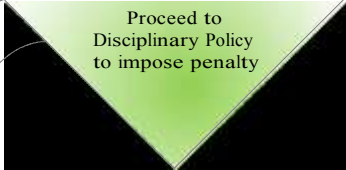


Board will dismiss all person's involved and review charges and defense

Defendant will give verbal and/or written response to testimony

Defendant's witnesses will give verbal and/or written response to testimony

Did the board agree by a majority vote that a CoC occurred?



# Code of Conduct

## Flow Chart

The board can ask direct questions

Code of Conduct Procedure is over. No Disciplinary action taken

Disciplinary Action Policy

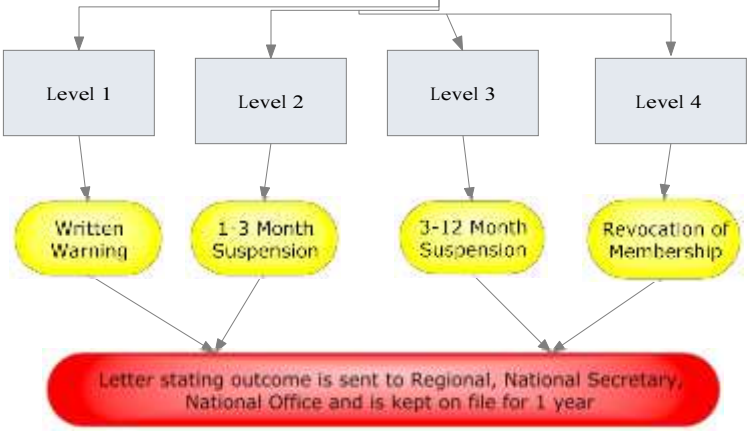
Board must agree by majority as to the appropriate level of discipline

Board will send the defendant a certified letter outlining the board's decision within 24 hours

Was the Decision appealed?

Code of Conduct Procedure is over at this level.

What Level of disciplinary action will be taken



Appeal Process can start if desired

Appeal to Regional, followed by National if still desired



## QMA Code of Conduct Incident Report

Date of Occurrence: \_\_\_\_\_ Time: \_\_\_\_\_

Location: \_\_\_\_\_

Parties involved: (list all that apply)

1. \_\_\_\_\_ 2. \_\_\_\_\_

3. \_\_\_\_\_ 4. \_\_\_\_\_

5. \_\_\_\_\_ 6. \_\_\_\_\_

Witnesses to the Incident:

1. \_\_\_\_\_ 2. \_\_\_\_\_

3. \_\_\_\_\_ 4. \_\_\_\_\_

5. \_\_\_\_\_ 6. \_\_\_\_\_

Description of Incident: (use back of form if additional room is needed)

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Submitted by:

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Signature:

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Official Submitted to:

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Signature:

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