



Charter for Ethics Committee

Preamble

The Pacific Dragon Boat Association (“PDBA” or “Association”) is a 501(c)(3) nonprofit organization, whose mission is to promote the sport of dragon boat racing and foster national and international dragon boat competition. They are part of the United States Dragon Boat Federation (USDBF) representing the Western region of the United States. The PDBA Board of Directors (“Board”) hereby creates an Ethics Committee (“EC”), for the purposes stated herein

Goals

The purpose of the Ethics Committee is to:

- Uphold and maintain the PDBA Code of Conducts and Ethics as adopted by the Board. Amending as necessary and submitting to Board for approval
- Act as an independent investigatory arm of the board.
- Maintain a clear protocol and process for receiving complaints, investigation of the same
- Make clear and concise recommendations to Board for action with impartiality

The Board expects that all parties associated with the PDBA activities shall uphold the highest standards of behavior. These standards shall apply to officers, governing board, any and all committee members, directors, staff, volunteers, vendors, individuals who belong to a member organization and all membership regardless of position or title.

It is understood that the behavior of all affected parties reflects upon the PDBA. Any individual or organization whose personal conduct reflects negatively upon the PDBA shall be subject to such action as recommended to and deemed appropriate by the Board. The Board then shall take action as warranted including, but not limited to termination of the individual’s further involvement with PDBA activities.

The Board may make additional requests for clarification from the EC pertaining to ***method of investigation*** and recommended action prior to acting, but the confidentiality will be maintained by the EC and access by board members limited. Any investigation that originates or results in possible or probable need for legal or criminal action shall be submitted to association legal counsel for determination, and recommendation for appropriate action. EC members are not to discuss any details of submitted complaint, investigation, recommendation, or determination, during or after process, except to appropriate Board or legal counsel. Utmost confidentiality is expected to protect the interest of the Association and any parties involved. Any violation of confidentiality will be cause for immediate removal from EC.

EC Membership

The EC shall consist of representatives of the member associations of the PDDBA. Members shall be volunteers, submitting their interest and bio to the board for understanding of background, Representatives will then be appointed to the EC by the board.

EC will consist of not less than five (5) members and up to twelve (12) total.

No more than two (2) members from any one member association shall be included or allowed.

EC members may be removed by an absolute majority of the Board with cause and shall then be replaced by a new volunteer to finish out removed members' term. Replacement may be made from a previous EC member or a new volunteer.

EC structure will consist of a Director, co-Director, and Secretary selected each term from within EC members and shall remain in position for entire term.

Staggered terms At the time of EC inception of the 2020 Term, the Board will implement the process for staggering EC terms. All members appointed already will immediately begin initial term.

At the time of the 2021 annual meeting 50% of EC members will be appointed to one-year terms, selected by random draw.

At time of the 2022 annual meeting EC members appointed to a one-year term the previous year may be appointed to a two-year term.

EC members may volunteer/be appointed to serve for no more than three (3) consecutive terms, for a total of six (6) consecutive years.

EC Operations and Scope of Work

All EC members shall have an equal vote in any matters that come before the EC.

Meetings shall be held at such times as determined by its members. Frequency to be determined as necessary for regular communication and or as needed for investigative purposes.

All meetings of the EC shall be conducted by teleconference with electronic communications to all members used for follow up and review.

A quorum at the EC meeting, shall consist of a simple majority of all members.

In the event an issue arises that would involve a member's home team, known associate or home association either directly or in directly, the member may be included for purposes of discussion but must recuse themselves from investigation and final vote on determination and recommendation.

The EC shall receive, review, and investigate complaints related to the Code of Conduct and Conflict of Interest Policy once formerly adopted.

The EC shall create detailed records and documents pertaining to investigations and any recommended actions. Uploading these documents to Associations shared secure shared drive according to proper guidelines.

The EC will review the Code of Conduct and Conflict of Interest Policy annually to propose any updating to said policy to Board if deemed necessary.

Investigation Process

Any complaint or allegation will require the EC to determine best course of action in regard to timeline and methods of investigation and methods of contact and verification. The following points are to serve as guidelines only.

Complaints will be received through the EC email address only, any complaint made verbally will be redirected to submit electronically. No Exceptions

The EC Secretary will log in the receipt, create a folder in designated confidential shared drive and store copy of complaint within. Then will notify EC Director/Co-Director of receipt and need for EC meeting to be held.

EC will meet and review complaint, determine validity of complaint and schedule a time for a meeting to be held with individual(s) This meeting should be held by video or audio conference with no less than 2 EC members present, if possible all members should be present.

Evidence and/or names of witnesses shall be requested. All will be reviewed by EC committee in same manner as the interview of individual making allegation.

Any allegation or complaint made against any member of the board are to be processed immediately and with great confidentiality. The Board will be notified immediately, and the EC will ask the individual(s) to recuse themselves(s) pending outcome of investigation.

Any allegation made against a known person, team or association of a Board member, the EC will ask the individual(s) to recuse themselves(s) from any Board discussion on recommended action

All details will be recorded by EC secretary or designee for the record and review by all EC members if not present at time of meeting(s)

After all investigations and interviews are complete to satisfaction of the EC, a review will be made, discussed and recommended action will be voted on by all members.

Any decision affecting the Board or its members, the EC will act as final authority. At EC discretion, an independent panel may be appointed for review of recommended action. The EC will request a meeting to be held with remaining Board members and advise such as to the action required.

Appeal Process

In the event of an appeal of action undertaken by the Board at the recommendation or direction of the EC, the EC will be notified and may open up further investigation based upon additional information submitted,

The Board may request a meeting with EC for intent of reviewing the process and reasons for determination, but access to confidential names and details will be limited to the investigation and only in open joint meeting. No individual board member may be solely involved in investigation or request for information This is to protect integrity of the EC and guarantee confidentiality and confidence in investigative process.

At the EC discretion, an independent panel of no less than 3 impartial individuals can be appointed for review of the facts and process of investigation. All documents will be redacted of names and identifying verbiage.

All review of appeal process will be documented and made part of file. Final determination to be returned timely and reason for appeal decision provided in writing.