



UCWDC® ETHICS COMPLAINT PROCESS

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1. INTRODUCTION

The United Country Western Dance Council® is an international organization which promotes country western dance by producing festivals and competitions across the world. We host the annual Country Dance World Championships® for couples and line dancers and we advocate country dancing as a social activity for people of all ages and abilities.

1.1 Purpose

The UCWDC's Ethics Committee is an independent body within the United Country Western Dance Council structure. The Ethics Committee investigates cases of alleged violations of the UCWDC Bylaws and Policies & Procedures. The Ethics Committee may initiate such investigations on its own initiative or as a result of a report directed to the Committee by the General Council or Board of Directors.

1.2 Process

Processing an ethics complaint is a two-step process. The **first step** is review of the complaint by the Ethics Committee.

1. If the Ethics Committee believes the complaint involves a potential violation, the **second step** is a hearing before a panel of peers.
2. When reviewing ethics complaints, the Ethics Committee acts as an initial "screening" or "review" committee. The Ethics Committee is comprised of Event Directors elected bi-yearly by the full UCWDC Council.

The only parties in cases investigated by the Ethics Committee are the persons or legal entities alleged to have violated the UCWDC Bylaw or Policy & Procedure (hereinafter: "the Parties").

1.3 Process / Policy Exceptions

All Judge Certification (including Judge Education and Contest Coordinators) performance complaints or performance reviews shall be made directly to the Chair of the Judge Certification Committee judgecertification@ucwdc.org and will not be covered under this Process/Policy.

All Education Teacher Performance complaints or performance reviews shall be made directly to the Chair of the Education Committee education@ucwdc.org and will not be covered under this Process/Policy.

2. COMPLAINTS TO THE ETHICS COMMITTEE

1. In reviewing ethics complaints, the Ethics Committee looks to many procedural issues, such as whether the respondent is an Event Director, Judge, Teacher, or Associate Member and whether the complaint was filed in the established time limits.
2. If the complaint is appropriately filed, the Ethics Committee next determines whether there was a possible Bylaw, Policies & Procedures or Judge Certification and Education Code of Conducts violation.



3. An ethics complaint must be filed within 180 days of when the facts of the complaint could have been known by the complainant in the exercise of reasonable diligence or within 180 days after the conclusion of the transaction or event, whichever is later.
4. A complaint regarding a suspected offence of individual(s) must be filed through the Ethics Committee either directly using ethics@ucwdc.org or anonymously through the UCWDC website. Complaints must be submitted in English with any corresponding evidence including, but not limited to, witness names, photographic or video evidence.
5. Upon receiving a complaint, the Ethics Committee or appropriate appointed designee will:
 - a. assign it a “case number” that will be recorded along with the names of the complainant and respondent(s) with a general description of 150 words or less in a master record document. All corresponding emails, documents, video, and other investigational documentation will be saved in a secure location under the case number only to protect all individuals’ identities. The master record document will be password protected.
 - b. respond to the complaint email within 2 days of receiving the complaint letting the individual(s) know their complaint was received.

3. INVESTIGATION

1. The Ethics Committee, or appropriate appointed designee, will review the issue cited in the complaint and investigate to determine if it is in violation of any Bylaw, Policies & Procedures or Judge Certification and Education Code of Conducts. The Ethics Committee or appointed designee will contact individuals as required by the investigation to acquire all the necessary information, including witness statements, to make an informed determination in a timely manner.

In that determination, the Ethics Committee asks:

- a. “If the allegations in the complaint are taken as true on their face, is it possible that a violation of a Bylaw, Policies & Procedures or Judge Certification and Education Code of Conducts occurred?”
 - If the answer is “yes,” then the complaint is forwarded to a hearing panel of peers.
 - If the answer is “no,” then the complaint is dismissed.
2. In the case that the complaint is dismissed, the individual(s) making the complaint will be notified of the Ethics Committee decision in writing within 2 days of the decision.
3. All records of the case shall be saved under the “case number” under a separate sub-folder and the “case number” shall be designated “CLOSED”. All records of the case, including all parties involved in the complaint, will be held in confidence and be available only upon formal written request to the Ethics Committee.
4. Note that the Ethics Committee does NOT hold hearings, but simply conducts meetings in which complaints are reviewed based on the information acquired.



4. PANEL OF PEERS

1. Panel of Peers are Ad-Hoc Committees comprised of current UCWDC Event Directors relating to the type of complaint under the Ethics Committee.
 - Panels of Peers relating to **Judge Certification** complaints will be comprised of five (5) randomly chosen members of which four (4) will be members of the Judge Certification Committee, one (1) member of the Ethics Committee respective of the Judge Certification Committee.
 - Panels of Peers relating to **Education** complaints will be comprised of five (5) randomly chosen members of which four (4) will be members of the Education Committee, one (1) member of the Ethics Committee respective of the Education Committee.
 - Panels of Peers relating to **Associate Member** complaints will be comprised of five (5) randomly chosen members of which two (2) will be members of the Ethics Committee and three (3) additional UCWDC Directors.
 - Panels of Peers relating to **Event Director** complaints will be comprised of the full Ethics Committee.
 - Panels of Peers relating to members of the **Ethics Committee** will be comprised of five (5) randomly chosen members of the Board of Directors respective of the Ethics Committee.
2. There must be an odd number of hearing panel members, so usually, there are 3 or 5 persons on the Panel of Peers.
3. The “Random” selection of Panels of Peers shall be made by hosting a virtual meeting organized by the Ethics Committee Chair and include the full Ethics Committee. Names of all eligible panel members shall be placed in a “hat” and drawn until the appropriate number of members is achieved.
4. The Panel of Peers holds hearings on complaints forwarded by the Ethics Committee.
5. Through the hearing process, the Panel of Peers decides whether there has been a violation of the Bylaws or Policies and Procedures.

5. HEARING

1. The Panel of Peers must provide members charged (called “respondent(s)”) with a “due process” hearing. This means that the hearing panel must follow rules of fairness in allowing respondents to defend themselves.

Examples of “due process” include:

- Knowing the nature of the complaint in advance.
 - An adequate opportunity to prepare a written defense.
 - The right to present evidence, testimony, and witnesses.
 - An impartial peer panel.
 - Access to an appeal process.
2. The Panel of Peers, or appropriate appointed designee, will contact the respondent(s) charged with all appropriate information relating to the complaint and due process within 2 days of the Ethics Committee decision.



3. Communication from the respondent(s) with members outside the Panel of Peers for the purpose of influencing the outcome of the case is prohibited and may result in a subsequent second complaint.
4. After receiving all the evidence and testimony is heard, the investigation is concluded, and the Panel of Peers will meet privately to determine whether a violation of the applicable Bylaws or Policies and Procedure or Judge Certification and Education Code of Conducts was proven by clear, strong, and convincing proof.
5. To find a respondent(s) in violation of the applicable Bylaws or Policies and Procedure or Judge Certification and Education Code of Conducts, the Panel of Peers must find that there is clear and convincing evidence that a violation occurred that is beyond a reasonable doubt. "Beyond Reasonable Doubt" bears the burden of proving that the respondent(s) guilty beyond all reasonable doubt and that there is no other reasonable explanation that can come from the evidence presented.
6. If the Panel of Peers finds the respondent(s) in violation of the applicable Bylaws or Policies and Procedures or Judge Certification and Education Code of Conducts, the Panel of Peers must then recommend the discipline that will be imposed.

6. DISCIPLINE

1. The Panel of Peers will consider a discipline that is commensurate with the severity of the violation(s) listed in the complaint.

Authorized types of discipline include:

- Letter of Warning
 - Letter of Reprimand
 - Education
 - Probation for one year or less
 - Suspension for not less than 30 days or more than one year
 - Expulsion from affected membership for a period of one to three years
 - Suspension or termination
2. When the verdict on the complaint has been rendered, and the verdict is found in favor of the complaint, an appointed member of the Panel of Peers will appropriately respond, identifying the violation and discipline to all parties including the Ethics Committee in a timely manner as to the disposition of the case.
 3. All records of the case shall be turned over to the Ethics Committee and shall be saved under the "case number" under a separate sub-folder and the "case number" shall be designated "CLOSED". All records of the case, including all parties involved in the complaint, will be held in confidence and be available only upon formal written request to the Ethics Committee. Only parties named in the complaint or in defense of the complaint may receive copies of case records.

7. APPEAL PROCESS

1. In the event of a verdict for a complaint, where a discipline has been determined, and notification has been issued to the respondent(s), the respondent(s) has the right of appeal.



2. The appeal must be registered in writing with the Ethics Committee within thirty (30) calendar days from the date of being notified of the decision.
3. All appeals must have merit and either:
 - shed new light on case evidence previously presented.
 - provide new case evidence not originally seen by the Hearing Panel of Peers.
 - disclose a failure to follow procedures or standards set forth in this procedure.
4. All appeals will be reviewed and rendered with an Appeal decision made by appointment of a special Ad-Hoc Appeal Review Panel consisting of five (5) randomly chosen members of which three (3) will be Board of Director members and two (2) members of the Ethics Committee respective of the Board of Directors.
5. All information, specifically that which is declared for detailing the reason for the Appeals merit, will be presented and re-evaluated and in a majority vote the Appeal Review Panel may pass one of the following decisions:
 - uphold the original decision, or
 - dismiss all complaints against the respondent.
6. In the case that the Appeal Review Panel finds failure to follow procedures or standards, the UCWDC may re-file the complaint on behalf of the original complainant.
7. In any regard, no matter the decisions of the original Panel of Peers or the Appeal Review Panel, the respondent may not by contract with applicable Bylaw, Policies & Procedures or Judge Certification and Education Code of Conducts have any recourse to declare, demand, seek through outside processes, or hold accountable the UCWDC, its events, or its directors for any lost contracts or lost wages or lost professional considerations during the time of the investigations, or rulings, and the subsequent notifications listed herein.
8. When the decision on the appeal has been rendered, an appointed member of the of Appeal Review Panel will appropriately respond, identifying the violation and discipline to all parties including the Ethics Committee in a timely manner as to the disposition of the case.
9. All records of the case shall be turned over to the Ethics Committee and shall be saved under the "case number" under a separate sub-folder and the "case number" shall be designated "APPEAL DECISION". All records of the case, including all parties involved in the complaint, will be held in confidence and be available only upon formal written request to the Ethics Committee. Only parties named in the complaint or in defense of the complaint may receive copies of case records.

8. REPORT(S) BY THE ETHICS COMMITTEE

1. The Ethics Committee informs the Board of Directors of in writing of the investigation resulting in a Panel of Peers Hearing, once "closed". Reports are not required to identify complaints received that did not result in a Panel of Peers.
2. Bi-Annually, the Ethics Committee presents to the General Council a summary in writing of all investigations resulting in a Panel of Peers Hearing. Reports are not required to identify complaints received that did not result in a Panel of Peers.



3. Advisory opinions of the Ethics Committee are only reported by the Ethics Committee if the inquirer agrees, provided always that such a disagreement of the inquirer does not preclude the Ethics Committee from initiating an investigation based on the facts of the inquiry. If the Ethics Committee is asked for an advisory opinion in cases of possible conflicts of interest, the Ethics Committee may suggest that the inquirer resign from his/her office if the reason for a conflict of interest cannot be eliminated.
4. Recommendations of the Ethics Committee neither bind the UCWDC, Member(s) Directors nor the General Council Meeting or any third person. Therefore, reports or any other statements of the Ethics Committee are not subject to a complaint to the General Council or any other judicial institution.

10. POWER OF THE ETHICS COMMITTEE TO ASK FOR INFORMATION

1. The Ethics Committee may ask for information. Any person who is asked for information by the Ethics Committee or who is given information by the Ethics Committee is obliged to acknowledge receipt of the inquiry or communication.
2. The Chairperson of the Ethics Committee may set a time limit for responding to the Ethics Committee. Any unannounced and unexplained further delay is considered as a denial to give information, provided always that a lack of a response by the Parties is not to be held against them.
3. The Board of Directors may refuse to give information if negotiations with third parties are concerned.

11. MEMBERS OF THE ETHICS COMMITTEE

Refer to the "UCWDC Electoral Practices and Voting Policy".

12. CONFIDENTIALITY

1. Anything disclosed to the Ethics Committee shall remain confidential and the Ethics Committee shall not make statements related to any matter that is pending before the Ethics Committee.
2. The Ethics Committee, Panel of Peers hearing deliberations and votes shall be confidential.
3. The summary of the work of the Ethics Committee directed to the General Council shall not contain the names of person(s) alleged to have violated the Bylaw, Policies & Procedures or Judge Certification and Education Code of Conducts except if they are a UCWDC Event Director or other persons directly elected by the General Council. If the Board of Directors imposes sanctions, the right to publish the names of concerned person(s) remains reserved.

END OF POLICY