

**National Wheelchair Basketball Association
Policies and Procedures**

(Adopted and Approved July 23, 2016)
Amended and Approved July 27, 2018
Amended and Approved: September 25, 2020
Amended and Approved: March 19, 2021
Amended and Approved: July 1, 2021
Amended and Approved: January 28, 2022

TABLE OF CONTENTS

ARTICLE ONE	Field of Play	Page 2
ARTICLE TWO	Committees	Page 18
ARTICLE THREE	Membership Ethics	Page 23
ARTICLE FOUR	Anti-Doping	Page 32
ARTICLE FIVE	Rules	Page 32

APPENDICIES

Appendix A	Conflict of Interest Policy	Page 33
Appendix B	Gifts & Entertainment Policy	Page 41
Appendix C	Whistleblower Policy	Page 45
Appendix D	Code of Conduct	Page 46
Appendix E	Background Check Policy	Page 49

**National Wheelchair Basketball Association
Policies and Procedures**

**ARTICLE ONE
Field of Play**

Section 1: Player Eligibility

- 1) To be eligible for play in the NWBA, a player shall have:
 - a. A permanent physical disability which consistently reduces the function of the lower limbs to a degree where they cannot run, pivot or jump at the speed and with the control safety, stability and endurance required to play running basketball as an able-bodied player;
 - b. A disability that must be of a nature that it can be objectively verified by acknowledged medical and/or paramedical investigations such as measurement, X-ray, CT, MRI, etc.;
 - c. Including, but not limited to hip or knee joint replacements, and have provided confirmation of the relevant surgery from their attending physician or surgeon, and supporting X-rays/scans;
 - d. In the instance of amputation, at minimum total removal of the first ray of one foot;
 - e. In the instance of a leg length discrepancy, a minimum of a 6 cm difference in leg length as measured from the greater trochanter to the ground, as is verified by standing X-ray or confirmed by a measurement taken by a NWBA Classifier, except that the 6 cm minimum shall not apply to players for participation in the Junior Division.
- 2) Findings such as soft tissue contracture, edema or disuse atrophy, or symptoms such as pain or numbness without other objective findings shall not be considered a permanent lower extremity disability. Degrees of pain and/or numbness are not considered measurable and permanent disabilities within the meaning of Article 1, Section 1 of the NWBA Policies & Procedures.
- 3) An otherwise able-bodied player with a temporary disability is not considered eligible.
- 4) To be eligible to participate in any NWBA competitions, a player who does not have a lower extremity impairment which can be clearly established by observation alone will need to apply for consideration of their eligibility to the NWBA in accordance with Article 1, Section 5 of these policies and procedures. This application will be forwarded to the Classification Player Eligibility Committee for determination.
- 5) A player deemed eligible to play by the NWBA Eligibility Committee shall receive a letter confirming his/her eligibility. At the first official competition where a classification panel is present the player will present a proposed classification and will be observed during game situations. At the end of the competition the player will receive their certified classification if there was sufficient observation time.

Section 2: Player Certification

- 1) To be eligible for participation in the NWBA and to be eligible for membership, as defined by the NWBA Bylaws and in Section 3 of these Policies and Procedures, a player shall:
 - a. Receive a classification as outlined in Section 5 of these Policies and Procedures;
 - b. Apply for certification as a player by submission of an Athlete Registration and information requested as stated in Divisional Guidelines if applicable (Junior Division – Minimal Disability, Birth Certificate and High School Verification and Adult Division II & III - Team Roster Form).
- 2) Any attempt to falsify information on the Player Application and Certification form shall lead to a minimum of a one-year suspension from play for the player submitting the form, and/or the team representative submitting the form on behalf of the player.

Section 3: Membership

Membership is a privilege and may be granted or denied by the Board of Directors in its sole discretion in accordance with the NWBA Bylaws Article 6.

- 1) Membership in the NWBA shall be determined in accordance with Article Six, Section 1 of the NWBA Bylaws;
- 2) In accordance with Article Six, Section 1 of the NWBA Bylaws, each team shall have voting privileges shall mean one vote per team unless otherwise specified by the NWBA Bylaws or Policies and Procedures.
- 3) Provide fair notice and opportunity for a hearing to any athlete, coach, administrator, and/or official participating in the NWBA before declaring any individual ineligible to participate.
REFERENCE TO PROCESS OF HEARING

Section 3.3: Discipline of Members

Disciplinary powers of the NWBA shall be exercised in accordance with the provisions of the NWBA Policies and Procedures, the NWBA Code of Conduct, and the NWBA Bylaws, and in accordance with the following:

- 1) Complaints charging any member team or club with failure to maintain the standards required for membership or failure to meet the conditions and obligations of membership may be filed either with the member's Conference Commissioner or the NWBA Division Commissioner or both;
- 2) The Conference Commissioner and the NWBA Division Commissioner shall have the authority either upon the filing of such a complaint or upon his or her own initiative, to institute an inquiry or investigation;
- 3) A member team or club under investigation shall be given written notice of any specific charges against it, and the allegations upon which such charges are based, and shall be given the opportunity to answer such charges to the Division Commissioner or the Conference Commissioner by the production of evidence;
- 4) All members of the NWBA shall be under an obligation to cooperate with the Division Commissioner and any Conference Commissioner and to answer all relevant inquiries;
- 5) The Division Commissioner shall determine any sanctions to be imposed, so long as the sanctions do not conflict with the NWBA Policies and Procedures or the NWBA Bylaws; or
- 6) Any individual member, member team or club that believes unwarranted disciplinary action has been taken may request a hearing as prescribed in Article Fourteen of the NWBA Bylaws.

Section 3.4: Suspension or Termination of Membership

Upon any termination or suspension of membership, all rights and privileges shall cease forthwith. The membership of any team or club may be terminated, suspended, or otherwise disciplined by a majority vote of the NWBA Board of Directors for the following:

- 1) Any member team or club failing to meet the conditions and obligations of membership, as defined in the NWBA Policies and Procedures, and the NWBA Bylaws;
- 2) Any member team or club failing to pay its annual dues, fines or assessments for one year shall be automatically suspended for one year;
- 3) Any member team, player, coach, or official who has a pending NWBA sanction or sanction proceeding against it, and who subsequently participates in any wheelchair basketball competition;
- 4) Any member team, player, coach, team representative, or official who fails to abide by a directive or order of the NWBA Board of Directors, or any Committee given authority by the NWBA Board of Directors to issue such directive.
- 5) The above-mentioned list shall not be considered exhaustive, the NWBA Board of Directors upon evaluation of the totality of the circumstances may make a recommendation for disciplinary

action, up to and including termination of any member of the NWBA for any reason that it finds to be in direct conflict with the purpose, mission, Values, and Spirit of the game and/or the Association, however the member shall have a right to request a hearing in accordance with Article 13 of the NWBA Bylaws.

- 6) The NWBA shall provide fair notice and opportunity for a hearing to any athlete, coach, administrator, and/or official participating in the NWBA before declaring any individual ineligible to participate.

Section 3.5: Reinstatement of Members

- 1) Any member, team and/or club whose membership has been suspended and/or terminated may be reinstated to good standing by a majority vote of the NWBA Board of Directors after the term of the sanction.

Section 4: Registration Process and Requirements

Section 4.1: Process for Returning Teams

- 1) A returning team shall mean any team which has previously been registered with the NWBA;
- 2) Each returning NWBA team or club shall be required to submit a roster of its players on the NWBA Team Registration and Roster form, to the NWBA and its respective Conference Commissioner no later than August 15 or set date by NWBA of each year;
- 3) The roster shall meet the player eligibility and roster numbers established by the Division, in which the team has registered to play;
- 4) For teams with membership to a specific Conference, the Conference commissioner shall verify and approve each roster. The Conference commissioner shall submit all Conference rosters to the respective Division Commissioner and forward copies to the NWBA no later than August 30 or set date by NWBA of each year;
- 5) Independent teams shall be required to submit rosters to the respective Division Commissioner for review and approval and forward copies to the Executive Director of the NWBA no later than August 30 or set date by NWBA of each year.
- 6) All members are subject to the Individual Registration requirements outlined in Section 4.3..

Section 4.2: Process for New Teams

- 1) A wheelchair basketball team or club seeking to become a member of the NWBA shall make application to the appropriate Division Commissioner and NWBA;
- 2) The application shall be submitted to the appropriate Division Commissioner no later than August 30 or set date by NWBA of the season for which application is sought;
- 3) The application shall include:
 - a. The division for which the team requests membership;
 - b. The Conference status under which the team requests membership;
 - c. A signed NWBA Code of Conduct Form for each player, coach, and team representative on the team roster;
 - d. A completed NWBA Team Registration and Roster Form;
 - e. The appropriate annual dues for the season.
- 4) The appropriate Division Commissioner shall determine if the applying team is eligible for membership in the NWBA Division for which it is applying.
- 5) Upon approval by the Division Commissioner, the applicant team shall be notified before the September 15 or set date by NWBA of each year deadline for applications.
- 6) In the event, the applicant team fails to qualify for membership the dues paid shall be refunded in full.

- 7) In the event that a new team shall be formed outside of the registration deadlines, application for membership may be sought, however the team shall not be eligible for post season participation in that season.
- 8) All members are subject to the Individual Registration requirements outlined in Section 4.3.

4.3 Individual Registration

- 1) All individuals must have a verified complete NWBA Athlete and/or Non-Athlete Registration 10 days prior to their first competition at a NWBA sanctioned event. All individuals registering within 10 days of an NWBA sanctioned event will NOT be eligible to participate.
 - a. A Complete Athlete Registration includes the successful completion of the U.S. Center for SafeSport Training (applies only to 'Applicable Adults' as outlined in the MAAPP) along with any additional required documentation as outlined in Divisional Guidelines.
 - b. A Complete Non-Athlete Registration includes the successful completion of the following certifications:
 - i. Background Check
 - ii. U.S. Center for SafeSport Training
 - iii. Coaches Certification (if applicable)
 - iv. Officials Certification (if applicable)
 - v. Team Reviewer Certification (if applicable)
- 2) All "Applicable Adults" (as defined in the Minor Athlete Abuse Prevention Policies-MAAPP which can be found here: www.nwba.org/safesport) are required to:
 - a. complete the U.S. Center for SafeSport's "Core Center for SafeSport Training" and/or the appropriate Refresher Training in subsequent years which provides a culture of safety for our sport and fulfills the required child abuse prevention training mandated by federal law, and
 - b. complete the Training within 10 days of submitting their NWBA Individual Membership Registration and prior to engaging in any activities with the NWBA.

NOTE: The U.S. Center for SafeSport Training information and instructions can be found here: www.nwba.org/safesport.

Section 4.4: Team Representative

- 1) Each team or club shall be required to designate in writing as part of the NWBA Team Registration process the name and contact information of a designated team representative, no later than August 30 or set date by NWBA of each year;
- 2) All official correspondence between the NWBA and the member team will occur through the designated team representative.

Section 4.5: Player Team or Club Registration

- 1) A player whose name is entered on the NWBA Team Registration and Roster Form is registered as a member of that team or club.
- 2) A player's name shall appear on only one team in the same season. However, the following shall be exceptions to this rule:
 - a. A Women's Division player shall be allowed to roster on a team in an Adult Division;
 - b. A Junior Division player shall be allowed to roster with a Prep Division team (if eligible), Varsity Division team, Women's Division team (if eligible) and one team from the Adult Division (I, II & III).

Section 4.6: Dues

- 1) Annual dues for participation in the NWBA shall be set by the NWBA Board of Directors;

- 2) Notification of the determined fees associated with annual dues shall be submitted in writing to all members of the NWBA no later than August 1 of each year unless an alternate deadline is established and communicated by the NWBA Board of Directors;
- 3) Payment of annual dues shall be made by each team at the time the team roster is submitted for registration;
- 4) Annual dues shall be received by the NWBA no later than October 15 of each year unless an alternate deadline is established and communicated by the NWBA Board of Directors;
- 5) Teams failing to comply with this subsection shall be subject to the consequences outlined in Subsection 1.2.5 of these Policies and Procedures;
- 6) In the event of exigent circumstances with broad and significant implications to the organization, the NWBA Board of Directors has the discretion to pro-rate:
 - a. The Team Registration Fee Structure to provide a discount by an amount no greater than 50%
 - b. Individual Membership Dues Structure to provide a discount by an amount no greater than 20%

Section 4.7: Consequence of Failure to Comply with Registration Deadlines

- 1) Teams or clubs in violation of the deadline submission requirement shall be suspended from membership in the NWBA until such time as their official roster is submitted.
- 2) The following conditions may also be imposed by the Executive Director of the NWBA or the NWBA Board of Directors:
 - a. Reinstatement of full voting privileges and post-season eligibility, if the roster has been submitted to the respective Division Commissioner and forwarded to the Executive Director of the NWBA no later than August 30 or set date by NWBA of each year.
 - b. A penalty not to exceed one-half of the annual registration dues, to be determined by the Executive Director of the NWBA, and reinstatement of privileges to the NWBA.
 - c. A team who does not submit its roster by August 30 or set date by NWBA of each year not be eligible for post-season participation and is at the discretion of the Executive Director of the NWBA.

Section 4.8: Verification of Submission of Documents

Where a deadline date is required for receipt of documents or monies from NWBA members or teams, proof of meeting this deadline shall be the postmark date on the envelope of the parcel mailed, or the electronic postmark associated with an electronic submission.

Section 5: Classification

Section 5.1: System

All Players in the NWBA will be classified under the eight-point classification system.

Section 5.2: Team Reviewer

- 1) Each team will nominate a "Team Reviewer." The Team Reviewer shall be a coach, player or team representative that attends games and practices for the team. This person is not required to be an NWBA classifier.
- 2) A team may certify more than one Team Reviewer.
- 3) The Team Reviewer shall be responsible for becoming trained in the eight-point class system.
- 4) The Team Reviewer must complete the certification exam prior to his/her team's first game.
- 5) Once the Team Reviewer passes the NWBA training and test he/she will be considered a "certified Team Reviewer."
- 6) A certified Team Reviewer shall propose the classifications of players on his/her team's roster that do not currently have an established classification in the eight-point system.

- 7) A certified Team Reviewer shall evaluate and sign off on opposing team rosters.
- 8) This Reviewer may only serve as such for one (1) team per division;
- 9) Reviewers shall be recertified every two (2) years.

Section 5.3: New Athlete Process

Players already classified under the eight-class system by an official NWBA Classification Panel shall not be subject to the process outlined in subsection 5.3 of the NWBA Policies and Procedures. The process for classifying all other players shall be as follows:

- 1) The Team Reviewer, as defined in Section 5.2 of these Policies and Procedures, shall classify the athletes on his/her team prior to the team's first game. These will represent "proposed" classifications;
- 2) Team Reviewers shall mark the rosters with a "P" for proposed classifications;
- 3) Players shall play as the "proposed" classifications for the first game of the season, at which time the Team Reviewer from the competing team, shall either:
 - a. Approve the opposing team's proposed classifications; or
 - b. Propose a different classification for player(s) for which they disagree.
- 4) In the event of a disagreement between the Team Reviewer and the opposing Team Reviewer on the classification of a player, the player's proposed classification will remain, until:
 - a. A Team Reviewer from a different opposing Team agrees to the classification of the player;
 - b. A player's approved classification shall be determined by the agreement of two Team Reviewers, regardless of whether or not the player's Team Representative agrees;
 - c. The player's approved classification shall remain until further review by an official classifier.
- 5) Once the team has received an agreement by two Team Reviewers for a player's classification, the player's classification shall stand for one year, or until the player is seen by an official classifier at a classification tournament;
- 6) The Team Reviewer shall submit the approved rosters to the NWBA within 72 hours of approval, at such time as two Team Reviewers have agreed to the proposed classification for each player on the roster. Team Reviewers that do not submit approved rosters may be fined a \$200 team fee and/or the team may be deemed ineligible for postseason play.
- 7) A player's proposed classification can only be approved during sanctioned competition games (i.e. not practice or exhibition games).
- 8) Following observation of the player by an official Classification Panel, the Head Classifier shall submit the information to the Divisional Representative on the classification committee and that representative will enter the athlete into the NWBA database and remove the "P" or "A".
- 9) To remain eligible for competition, a player must be seen by a classifier at a classification tournament no later than December 31 of the following season.
- 10) Players added to a team's roster during the season shall be given a proposed classification by the Team Reviewer prior to playing in their first game. The process for approval of the player's classification shall comply with the above-mentioned process;
- 11) Any team that plays against a team without a certified Team Reviewer will still be allowed to count all of their game towards post-season competition. The team will still need to be seen by 2 Team Reviewers.
- 12) Teams that play a game against a team without a certified reviewer may NOT have the opposing team sign off at a later date if the team certifies a reviewer after the game has been completed.

Section 5.4: Players with an IWBf Classification Card

- 1) An NWBA classification is independent of an IWBf classification.

- a. However, a player classified by an official International Wheelchair Basketball Federation (hereinafter "IWBF") classification panel and who receives an IWBF classification, shall be required to compete in the NWBA at the same classification, except that:
 - i. A player who has not participated in any international competition (amateur or professional) for at least one full Paralympic Quadrennium may petition for an NWBA classification review to the Eligibility Committee.
 1. The Eligibility Committee shall review the player's classification and may change or uphold the player's classification.
 2. If the Eligibility Committee adjusts or changes a player's classification pursuant to this section, the player may compete in the NWBA only at that classification.
 3. In the event the player is selected to play internationally the IWBF classification will control and the player shall compete at the IWBF classification. If the player wants to seek a change in IWBF classification, he/she will need to petition the IWBF for reconsideration pursuant to IWBF policies.

Section 5.5: Eligibility Committee

5.5.1: Purpose:

If a player does not have an obvious disability by sight that presents with clear evidence of permanent loss of function, then the athlete must apply for consideration to the Eligibility Committee.

5.5.2: Structure:

The Eligibility Committee shall consist of three to five members, consisting of the Head Classifier and up to four individuals with a medical background appointed by the Chair of the Classification Committee in consultation with the Head of Classification

5.5.3: Process:

- 1) To apply for consideration under the Minimal Disability criteria an athlete must submit a Consideration for Eligibility Form with supporting medical documentation to the NWBA National Office.
 - a. the athlete shall have the responsibility to determine what supporting documentation to submit.
- 2) The National Office shall forward copies of the information submitted by the athlete to the Chair of the Classification Committee and the Head of Classification within five (5) business days of receipt;
- 3) The Head of Classification will communicate with the Eligibility Committee for each determination to be received by email
 - a. A conference call may be held by the Eligibility Committee to discuss or in the event there is a lack of consensus.
- 4) The Head of Classification shall communicate the determination to the Chair of the Classification Committee and the National Office.
- 5) The National Office shall report the decision to the athlete within five (5) business days of the determination.
- 6) If an athlete meets the Minimal Disability Standard, the athlete may be classified under the New Athlete Process as outlined in subsection 5.3 of the NWBA Policies and Procedures.
- 7) An athlete may continue to participate in competition while an application for Eligibility is under consideration, but if the athlete is determined to be ineligible all games shall be forfeited.

5.5.4: Classification Tournaments

- 1) If an athlete attends a Classification Tournament with a proposed classification and the classifiers do not see obvious evidence of a disability the athlete shall not participate in the tournament.
- 2) the athlete shall apply for consideration for Eligibility to the Eligibility Committee as outlined in subsection 5.4.3 of the NWBA Policies and Procedures.
- 3) The panels' Head Classifier will notify the Chair of the Classification Committee and the Head of Classification.
- 4) The Head of Classification shall notify the National Office.
- 5) The National Office shall notify the team that the athlete must apply for consideration for eligibility to the Eligibility Committee and that if the athlete is deemed ineligible games will be forfeited.
- 6) The National Office shall also notify the Conference and Division Commissioners.

5.5.5: Junior Division Minimal Disability Eligibility

- 1) All Junior Division Teams shall use the Minimal Disability Form, signed by a licensed medical doctor, to determine whether the athlete meets the NWBA eligibility criteria.
- 2) If a Junior Division athlete does not have an obvious disability by sight the athlete must apply for Eligibility Consideration to the Eligibility Committee using the process outlined in subsection 5.4.3 of the NWBA Policies and Procedures, except that an athlete that is denied eligibility as a Junior may appeal a decision when he/she becomes an adult. This application shall be considered a new Eligibility Consideration application and will be subject to the process outlined in subsection 5.4.3 of the NWBA Policies and Procedures.
- 3) Eligibility determination for the Junior Division shall be determined by the Classification Committee and the Eligibility Committee.

5.5.6: Appealing an Eligibility Committee Decision

- 1) In the event a decision is unfavorable to the athlete, the athlete shall have the option to appeal the decision and to provide additional documentation to the Eligibility Committee for a subsequent review.
- 2) A second determination by the Eligibility Committee shall be considered final and shall not be appealable.

Section 5.6: Violations Involving Classification

- 1) Teams alleging that a Team Reviewer is not acting in good faith when proposing classifications shall file a grievance report with the NWBA Executive Director;
- 2) The Executive Director shall review the allegations;
- 3) The Executive Director, with guidance from the NWBA Ethics Committee, shall determine the appropriate sanctions for intentional acts of bad faith regarding player classifications;
- 4) Sanctions shall comply with those outlined in the NWBA Policies and Procedures, the NWBA Code of Conduct, and the NWBA Bylaws.

Section 6: Transfers

Section 6.1: Player Transfers within a Division

Division Regulations will govern player transfers within a Division.

Section 6.2: Player Transfers Between Divisions

- 1) When a player requests a transfer between Divisions, the player shall apply to the Division Commissioner of the Division for which the player desires to transfer.
- 2) The player's transfer request shall include:

1. The player's name;
 2. Former team affiliation;
 3. Reason for transfer request; and
 4. Acknowledgement that all equipment and property of the team from which the player wishes to transfer has been returned.
- 3) The Division Commissioner, in conjunction with other involved Division Commissioners, shall consider the information provided in the transfer request and the ramifications of the transfer.
- 4) The Division Commissioner shall render a decision within thirty (30) days of receipt of the application.
- 5) No player shall be eligible to transfer until the player returns all borrowed, loaned, or otherwise used property or equipment to the team from which the player wishes to transfer.

Section 7: Officials

The NWBA Board of Directors shall appoint an NWBA registered Official in good standing to serve as the Director of Officials. The Director of Officials shall assist the NWBA Board of Directors, Executive Director and National Office with oversight of officials and matters related to officiating NWBA sanctioned events. The Director of Officials shall also be tasked with making recommendations to the NWBA Executive Director regarding the selection of officials for National and International competitions.

The NWBA is responsible for the administrative operations involving individual officials. The Director of Officials will be responsible for the criteria, structure, and implementation of the yearly National Rules Test. The NWBA will be responsible for the administration and grading of the annual national rules test.

Section 7.1: Qualifications

An official shall be considered "certified" to officiate wheelchair basketball games under the jurisdiction of the NWBA when he or she has:

- 1) An active membership and is in good standing with the NWBA; or
- 2) Active membership in a high school or college basketball officials' association; and
- 3) Have a passing score on the yearly NWBA rules test;
- 4) Met the requirements of and submitted or is in the process of completing the "NWBA Approbation of Officials Form" to the Office of the Commissioner. The Approbation form calls for the signature of approval from NWBA-certified officials who have officiated a minimum of five games each with the applicant and approval of five coaches who have evaluated the applicant's officiating.

Section 7.2: Selection for Post-season Competition

- 1) Registered with the NWBA and passed all administrative requirements timely;
- 2) In order to officiate in any post-season competitions under the jurisdiction of the NWBA, an official must be approbated by the NWBA and must have passed the written exam administered by the NWBA Director of Officials in the season of the competition. An official who has not taken the exam or an official who has failed the exam shall not be allowed to officiate in any postseason game leading to a national championship of the NWBA.
- 3) The Director of Officials shall recommend selection criteria for the selection of game officials for post-season play to the Executive Director of the NWBA.
- 4) The Executive Director shall comment and approve the selection criteria for the selection of game officials for post-season play.

Section 7.3: Compensation and Reimbursement Expenses

- 1) A certified NWBA official selected to officiate in any NWBA post-season competition may be compensated at the standard rate established by the NWBA Executive Director.

- 2) An official may submit reimbursement for reasonable expenses for travel, housing and meals for National level tournaments (i.e. Women's National Tournament; Intercollegiate National Tournament; and National Wheelchair Basketball Tournament).

Section 7.4: Licensing for International Competition

- 1) An approbated official who applies to undergo examination to obtain an International Wheelchair Basketball license may do so only with the recommendation of the Director of Officials and the NWBA with approval of the NWBA Board of Directors.
- 2) An approbated official who has been licensed by the International Wheelchair Basketball Federation (IWBF) may accept an invitation to officiate in international competition, provided the assigned official provides notice to the NWBA Executive Director.

Section 8: National Tournaments

- 1) **National Wheelchair Basketball Tournament (NWBTT):**
 - a. The NWBA Board of Directors shall establish the format for the National Wheelchair Basketball Tournament (hereinafter NWBT) for each of the following divisions:
 - i. Division I;
 - ii. Division II;
 - iii. Division III; and
 - iv. Junior
 - b. The Executive Director with approval of the NWBA Board of Directors shall select the date and location of the NWBT.
- 2) **Women's Division National Wheelchair Basketball Tournament (NWWBT):**
 - a. The Women's Division shall recommend to the Executive Director and the Board of Directors, a date and location for the Women's National Wheelchair Basketball Tournament (hereinafter the NWWBT).
 - b. The Women's Divisional Guidelines may be applicable in the administration of the NWWBT, with final approval from the Board of Directors and Executive Director.
- 3) **Intercollegiate Division National Wheelchair Basketball Tournament (NWBIT)**
 - a. The Intercollegiate Division shall identify the location and date for the National Wheelchair Basketball Division Intercollegiate Tournament (NWBIT).
 - b. The Collegiate Guidelines may be applicable in the administration of the NWBIT, with final approval from the Board of Directors and Executive Director.

Section 9: Division Structure

Section 9.1: Definition

A division is an organizational group of six (6) or more NWBA active teams established to promote and administer competition in the U.S. assist the NWBA staff in the administration of national competitions.

Section 9.2: Purpose

- 1) Divisions may be established when a subgroup of NWBA teams with similar characteristics or purpose choose to affiliate for competition.
- 2) Each Division shall be tasked with the responsibility and authority to organize and administer its activities and competitions, outside of the National Tournament. All Divisions shall function in accordance with the NWBA Bylaws and the NWBA Policies and Procedures.

Section 9.3: Administration

- 1) Each Division shall have a Division Commissioner, who shall be appointed by the NWBA President. At the discretion of the President of the NWBA, an individual may serve as the Commissioner of more than one Division.
- 2) Divisions shall be governed by a Division Committee, which is elected by the voting members of the respective division.

Section 9.4: Sanctioning Criteria

- 1) In order to be sanctioned as an NWBA Division, at least six (6) active NWBA teams must affiliate for a competitive purpose not presently being provided within an existing NWBA Division.
- 2) Prospective Divisions must demonstrate commitment to the administration of divisional play, competition, and annual championships through the development of Division Regulations, Policies and Procedures, and the election of Officers.
- 3) Prospective Divisions must carry out a pilot competition, through Conference tournaments or other organized competitive structures for at least one season prior to official recognition by the NWBA.

Section 9.5: Sanctioning Application Requirements

In order to be sanctioned as an NWBA Division, the prospective Division shall:

- 1) Apply for sanctioning with the NWBA Board of Directors by December 1 for the following season;
- 2) Submit a letter of intent, signed by the prospective Division Chairperson, which outlines the rationale for the new Division, to include the specifics of why the current NWBA Divisions cannot meet the need;
- 3) Submit a list of at least six (6) teams, active in the NWBA, who have committed to participate in the proposed Division in the next season;
- 4) Submit proposed Division Regulations, in the required format; and
- 5) Submit a list of Division officers.

Section 9.6: Sanction Approval

- 1) The Board of Directors shall meet no later than January 15 to review the application and to evaluate the rationale for establishment of a new Division.
- 2) A majority vote of the Board of Directors shall be required to approve a new Division.

Section 9.7: NWBA Approved Divisions

- 1) Division I;
- 2) Division II;
- 3) Division III;
- 4) Women's Division;
- 5) Intercollegiate Division; and
- 6) Junior Division.

Section 9.8: Division Assignment

Member teams shall be assigned to NWBA Divisions in the following manner:

- 1) Division assignment shall be based on the team's request and a roster, which must meet the membership eligibility criteria as defined by the regulations of the Division;
- 2) No NWBA team shall be assigned to more than one Division;
- 3) Assignment to a specific Division shall not preclude a team or club from competition with teams in other divisions;
- 4) A team eligible for post-season competition shall participate in such post-season competition only in the Division to which the team is assigned.

Section 9.9: Division Management

- 1) Each Division shall establish Divisional Regulations to govern and manage Divisional administration and activities.
- 2) No Division may create or implement regulations, policies and procedures or criteria that are in conflict with the NWBA Bylaws, the NWBA Policies and Procedures, and/or Divisional Regulations, including, but not limited to:
 - a. Player eligibility;
 - b. Classification;
 - c. NWBA membership conditions;
 - d. Dues;
 - e. Interdivision transfers;
 - f. Rules and Regulations; and
 - g. International competitions.
- 3) At the discretion of a Divisional Commissioner, proposed rule and regulation changes, with potential impact on another Division, shall be reviewed with the affected Division Commissioner and Division Committee.
- 4) Each Division may recommend a Division Commissioner to the President of the NWBA Board of Directors for appointment.
- 5) Each Division shall conduct an annual meeting of its members, and hold a minimum of at least one (1) quarterly teleconference meetings. The Division Chairperson is required to submit all meeting minutes to the NWBA Board of Directors and NWBA Executive Director, no later than 30 days following each meeting.
- 6) Failure to comply with the NWBA Bylaws and/or NWBA Policies and Procedures may result in the loss of Divisional recognition.

Section 9.10: Division Reporting

By July 1 of each year, each Division shall submit to the Executive Director of the NWBA and the President of the NWBA Board of Directors:

- 1) a copy of present regulations and/or policies and procedures for the Division;
- 2) a list of present Divisional officers, to include contact information;
- 3) a report of the Division's activities for the previous season;
- 4) a financial report, including a profit and loss statement for the previous season / fiscal year;
- 5) a budget for the prospective year.
- 6) Each Division shall submit a report on the Division's activities to the NWBA Board of Directors thirty (30) days prior to the date of the Annual Assembly.

Section 9.11: Division Commissioners

- 1) The President of the NWBA, upon recommendation of the Division, shall appoint the Division Commissioner.
- 2) Each Division Commissioner shall serve at the pleasure of NWBA Board of Directors.

Section 9.11.1: Duties and Responsibilities of the Division Commissioner

1. The Division Commissioner(s) shall assign teams to an appropriate membership status in accordance with the following:
 - a. **Conference Team** – a team is accepted to an NWBA Conference as a member;
 - b. **Conference Independent Team** – a team accepted to an NWBA Conference, but does not play a regular Conference schedule;
 - c. **Independent Team** – the Division Commissioner(s) may assign an independent status to a team if one or more of the following circumstances apply:

- i. The team is deemed to be too geographically removed and/or located for Conference membership;
 - ii. The team is not accepted by any Conference as a member;
 - iii. The team is unprepared, at the time of application, for Conference membership as a result of its early development and organizational status. Early development and organizational status shall be defined as 50% plus one or more of its members are novice players.
 - 1. Any team granted independent status solely upon these provisions shall be entitled to that status for a period of one year.
 - iv. **Club** – a wheelchair basketball organization, which has players on its roster meeting the eligibility standards for the Junior Division.
- 2) In accordance with Article **11** of the NWBA Bylaws, Division Commissioners shall administer the rules and regulations of the NWBA, and in particular:
- A. make, enforce, and communicate decisions based upon interpretations of the Bylaws, and Policies and Procedures established by the NWBA Board of Directors;
 - B. keep the Board of Directors apprised of decisions made and interpretations rendered;
 - C. maintain, record, and distribute administrative forms, proceedings, correspondence and other materials relating to competition and player eligibility;
 - D. submit an annual report to the President for inclusion in the President's annual report to the Board of Directors;
 - E. any other duties as determined by the Board of Directors.

In addition, the Division Commissioner shall:

- 1) Be readily available to Division officers, teams and officials for information purposes, advice and interpretations of the NWBA Bylaws, Policies and Procedures, and playing rules;
- 2) Communicate all information and directives from the Board of Directors of the NWBA to the Division officers and teams as required;
- 3) Attend all official division meetings and the postseason tournaments of the division;
- 4) Attend the annual meetings of the respective Division;
- 5) Maintain in current form the Division copies of all NWBA forms required for the certification of players, teams and officials.

Section 9.11.2: Removal

- 1) Each division shall be authorized to recommend to the President of the NWBA that the respective Division Commissioner be dismissed, if such Division Commissioner is not discharging duties and responsibilities properly, or is not attending meetings regularly.
- 2) The Division Commissioner has the right to a hearing before the Judicial Committee.
- 3) After majority vote by the Board of Directors, the President of the NWBA shall have authority to remove a Division Commissioner.

Section 10: Conference Structure

Section 10.1: Definition

A NWBA Conference is any group of four or more member teams, agreeing to play a schedule of games in compliance with NWBA rules, Divisional Regulations, Policies and Procedures, and the NWBA Bylaws. A Conference may choose to establish the member teams into two or more sections, but each section shall have a minimum of four member teams.

Section 10.2: Conference Recognition

A Conference shall be recognized by the NWBA, and the teams within the Conference made eligible for post-season competition when the following requirements are met:

- a. the Conference has established written Guidelines, in accordance with the appropriate Divisional Regulations, the NWBA Policies and Procedures and NWBA Bylaws;
- b. Officers are elected in accordance with appropriate Conference Guidelines, the NWBA Policies and Procedures and NWBA Bylaws;
- c. a schedule of games for each season defining the method with which the “order of finish” in the Conference shall be determined; and
- d. identification and a recommendation of an individual to serve as the Conference Commissioner is given to the Division Commissioner and the President of the NWBA for consideration and appointment.

Section 10.3: Conference Management

- 1) Conferences shall have autonomy in governing its affairs to the extent the Conference Guidelines do not conflict with the appropriate Divisional Regulations, NWBA Policies and Procedures, or the NWBA Bylaws. In any situation in which there is deemed to be a conflict, the Conference Guidelines, Division Regulations, NWBA Policies and Procedures or the NWBA Bylaws, as interpreted by the NWBA Board of Directors, shall control;
- 2) Conferences, as constituted by member teams, do not have membership in the NWBA, but are instead officially recognized by the NWBA as affiliated governing units which coordinate the efforts of their member teams in the administration of all details related to player eligibility, internal disputes, and meeting NWBA requirements for participation in post-season competition.
- 3) **Conference Independent Teams:**
 - a. A Conference member team may apply for status as a “Conference-independent” team;
 - b. Application shall be made annually, in writing, to the NWBA President no later than August 15, and should clearly define the team’s reasons for requesting such status.
 - c. Conference-independent status shall also be subject to approval of the team’s Conference prior to scheduling for the forthcoming season.
 - d. The President of the NWBA shall provide written approval or disapproval of the application no later than September 1.
 - e. All teams approved for Conference-independent status shall remain members of the Conference with dues as prescribed by the Conference, and the Conference shall continue to provide administrative services as defined by the Conference and NWBA Bylaws.
 - f. A Conference-independent team shall also be subject to all Conference policies and procedures and operating regulations., except those pertaining to scheduling.
 - g. The Conference-independent team shall be subject to all scheduling requirements and shall have playoff privileges.
 - h. Conference-independent teams shall be included in the “minimum of four member teams” requirement identified in Section 10.2 of the NWBA Policies and Procedures.

Section 10.4: Provisional Conferences

- 1) Conferences which bring together only three teams for the purpose of playing an approved schedule of games shall have provisional status.
- 2) Conferences, which start the season with four or more teams but subsequently have only three teams shall be reduced to provisional status.
- 3) Provisional Conferences may exist for a maximum of two (2) seasons. If they do not meet the four (4) team minimum requirement after that time period the Division Commissioner shall disband the Conference.

Section 10.5: Conference Commissioners

- 1) Conference Commissioners for a conference shall be appointed by the President of the NWBA upon the recommendation of the Division Commissioner.

- 2) Conference Commissioners shall be officially recognized within the structure of the NWBA.
- 3) The Conference Commissioner serves at the pleasure of the NWBA Board of Directors.

Section 10.5.1: Role of the Conference Commissioner

The Conference Commissioner shall serve in an advisory capacity to the conference and has no responsibility in day-to-day operations of the conference unless otherwise directed by the NWBA Board of Directors.

Section 10.5.2: Duties and Responsibilities of the Conference Commissioner

The Conference Commissioner shall:

- 1) Be familiar with the NWBA Bylaws, Policies and Procedures, Divisional Regulations, Conference Guidelines, and playing rules.
- 2) Be readily available to conference officers, teams and officials for information purposes, advice and interpretations of the Bylaws, Policies and Procedures, and playing rules.
- 3) Communicate all information and directives from the NWBA Board of Directors to the conference officers and teams as required.
- 4) Report any violations of NWBA policies, rules and procedures by a conference or its teams to the appropriate Division Commissioner of the NWBA.
- 5) Attend all official conference meetings and the postseason regional tournaments of which his or her conference is a part.
- 6) Maintain in current form the conference copies of all NWBA forms required for the certification of players, teams and officials. The Conference Commissioner may have additional responsibilities assigned by the President of the NWBA as deemed necessary.

Section 10.5.3: Removal

- 1) Each Conference shall be authorized to recommend to the respective Division Commissioner and President of the NWBA that the respective Conference Commissioner be dismissed, if such Conference Commissioner is not discharging duties and responsibilities properly, or is not attending meetings regularly.
- 2) The Division Commissioner has the right to a hearing before the Judicial Committee.
- 3) After majority vote by the Board of Directors, the President of the NWBA shall have authority to remove a Conference Commissioner.

Section 11: Pilot Programs

Section 11.1: Definition of Pilot Programs

- 1) For purposes of these Policies and Procedures a pilot program shall be any request made by a Division Executive Committee and Commissioner for a proposed policy or rule change.

Section 11.2: Requirements for Requesting a Pilot Program

- 1) A Division requesting a pilot program shall be required to submit a formal proposal for the pilot program in writing to the NWBA Board of Directors. The following shall be included in the proposal:
 - a. A synopsis of the NWBA Bylaw, Policy and Procedure, and/or Rule change the Division Committee is seeking to test;
 - b. A rationale for the proposed NWBA Bylaw, Policy and Procedure, and/or Rule change;
 - c. Duration for which the Division seeks to test the program;
 - d. Expected results for the program;
 - e. A summary of the level of support from the Division members;
 - f. A summary of any opposition to the proposed NWBA Bylaw, Policy and Procedure, and/or Rule change from Division members;

- g. A proposed methodology for implementation of the NWBA Bylaw, Policy and Procedure, and/or Rule change; and
 - h. Proposed guidelines for implementation of the NWBA Bylaw, Policy and Procedure, and/or Rule and guidance for the Board of Directors to ensure the mission of the NWBA is maintained;
- 2) A Division seeking implementation of a pilot program for the upcoming season shall submit the written proposal to the Board of Directors no later than July 1 of that year.

Section 11.3: Process of Review of Pilot Program

The NWBA Board of Directors shall:

- 1) Be tasked with review of any proposed pilot program. The NWBA Board of Directors shall have no less than 30 days to review and comment on any proposed pilot program;
- 2) Have the authority to amend, alter, delay, or implement all of or any part of any proposed pilot program; and
- 3) Render a decision on the proposed pilot program no later than August 15 for a pilot program proposed for the upcoming season.

Section 11.4: Approval, Effect, and Renewal of a Pilot Program

- 1) Once the NWBA Board of Directors has approved all of or any part of a proposed pilot program the Division shall consider it approved for implementation for the upcoming season.
- 2) If the Division does not agree with approved changes made by the NWBA Board of Directors, it may choose not to implement the pilot program.
- 3) After the NWBA Board of Directors has rendered a decision there shall be no appeal of that decision. However, a Division may choose to resubmit the pilot program proposal for the following season.
- 4) A Division may request an extension/renewal of a pilot program, as long as the Division provides a status report detailing its findings to the NWBA Board of Directors. The following should be included in the report:
 - a. Finding and Conclusion of the Pilot Program from the previous season
 - b. A rationale for the extension/renewal;
 - c. Duration for which the Division seeks to test the program;
 - d. Actual results for the program;
 - e. A summary of the level of support from the Division members;
 - f. A summary of any opposition to the proposed rule change from Division members;
 - g. A proposed methodology for implementation of the rule change;
 - h. Proof of sufficient success and results to warrant continuation;
 - i. Proposed guidelines for implementation of the rule and guidance for the Board of Directors to ensure the mission of the NWBA is maintained; and
 - j. Any other quantifiable results requested by the NWBA Board of Directors.
- 5) The process for renewal shall be in accordance with the process outlined in Section 11.3.

Section 12: Sanctioned Events

NWBA sanctioned events may include, but are not limited to, hosting a NWBA game between two teams; NWBA tournament (more than two registered NWBA teams); NWBA clinic/camp; NWBA fundraiser; and any other type of wheelchair basketball event involving NWBA members. The NWBA will not formally recognize or promote an event until reviewed and approved as an NWBA sanctioned event.

- 1) The approval process for a NWBA sanctioned event requires a submission of an Event Sanction Application.
 - a. An Event Sanction Application must be submitted at least 15 days prior to start of an event to provide full consideration as an NWBA sanctioned event. Events submitted 14 days or less prior to the start of an event may incur a \$200 fine and not be approved as NWBA sanctioned events.
- 2) NWBA sanctioned events must follow the following guidelines:
 - a. Only NWBA registered athletes may participate. Only use active rosters generated from the team webpage on the NWBA website.
 - b. Only NWBA registered teams may participate. Each registered team is only allowed to roster one team for each NWBA sanctioned event.
 - c. Only NWBA registered non-athletes can sit on the bench of a team during competition. Reference team roster on NWBA website.
 - d. Only NWBA registered floor officials may be used for competition. If an unregistered floor official works any portion of the sanction event, the game results will not count towards any postseason play.
 - e. All scores must be submitted within 24 hours of the conclusion of an event. Score input is the responsibility of an Event or Tournament Director of an NWBA sanctioned event.
- 3) Any infraction shall be reported to the NWBA Executive Director for investigation by the NWBA Ethics Committee. Any infraction of a guideline from Section 12.2 may receive an imposed fine up to \$500 and/or all competition results may be void from NWBA record and postseason consideration.
- 4) Competition for NWBA sanctioned events for a regular season may start on October 1. Competition must be completed for consideration for postseason play as established by Divisional Guidelines and set forth each season by the NWBA.

ARTICLE TWO

Committees

Section 1.1: Board of Directors Committees:

There shall be no Executive Committee or other committee(s) with management or governance authority delegated by the Board. Similarly, there shall be no entity or individuals who have overlapping or superior authority to the Board, such as a "Super-Board" (commonly called a Governance Council, Board of Governors or General Assembly).

Section 1.2: Standing Committees

The NWBA shall have the following Standing Committees:

- 1) Ethics Committee
- 2) Judicial Committee
- 3) Governance Committee
- 4) Hall of Fame Committee
- 5) Audit Committee
- 6) Athletes Advisory Council
- 7) Rules Committee
- 8) Classification Committee
- 9) High Performance Committee

Section 1.2.1: Structure

- 1) Each Standing Committee shall not exceed five (5) individuals.

- a) Twenty (20) percent athlete representation shall be required on each Committee. An athlete meets the requirements if:
 - 1) within the ten (10) years preceding selection, represented the United States in the Paralympic Games or Para Pan American Games, or an Operation Gold event, or a World Championship recognized by the IWBF for which a competitive selection process was administered by the NWBA; or
 - 2) within the twenty (24) months before selection, demonstrated that they are actively engaged in athletic competition in the NWBA.

1.3: Other Committees

- 1) After consultation with the Executive Director, the Board or the President may appoint such other Committees as the Board or the President believe appropriate, and shall define narrowly the mission and deliverables of such other Committees.
- 2) The decision to appoint or not appoint and to terminate such other Committee or Commission shall be exclusively the Board's or the President's decision.

Section 1.3.2: Structure

- 2) Each Committee shall not exceed five (5) individuals.
 - a) At least twenty (20) percent athlete representation shall be required on each Committee. An athlete meets the requirements if:
 - 1) within the ten (10) years preceding selection, represented the United States in the Paralympic Games or Para Pan American Games, or an Operation Gold event, or a World Championship recognized by the IWBF for which a competitive selection process was administered by the NWBA; or
 - 2) within the twenty (24) months before selection, demonstrated that they are actively engaged in athletic competition in the NWBA.

Section 1.4: Task Forces

The Board, the President, or the Executive Director with the approval of the Board or the President, may appoint such Advisory Task Forces as the Board, the President or the Executive Director deems appropriate, and shall define narrowly the mission and deliverables of such Task Forces.

Section 1.4.1: Structure

1) No Task Force shall have structure limitations, except that:

- a) At least twenty (20) percent athlete representation shall be required on each Task Force. An athlete meets the requirements if:
 - 1) within the ten (10) years preceding selection, represented the United States in the Paralympic Games or Para Pan American Games, or an Operation Gold event, or a World Championship recognized by the IWBF for which a competitive selection process was administered by the NWBA; or
 - 2) within the twenty (24) months before selection, demonstrated that they are actively engaged in athletic competition in the NWBA.

Section 1.5: Assignments

- 1) Committees and Task Forces and other assignments shall be made based on a combination of factors, including, but not limited to each individual member's expertise and the needs of the NWBA.
- 2) Committee and Task Force agendas shall be developed by the Chair of the Committee or Task Force, in consultation with the appropriate members of management and with the input of other Directors.
- 3) All Committee and Task Force members shall be expected to attend all regularly scheduled Committee, and Task Force meetings.
- 4) If requested, each Chair shall make a report on Committee or Task Force matters to the Board and Executive Director within thirty (30) days of the meeting. The NWBA President and/or Board Member appointee may serve as an ex officio member of any Committee or Task Force, and shall not be included in the calculation of the maximum.

Section 1.5.1: Appointments by President

Committee assignments for the Standing Committees, including the designation of Standing Committee Chairs, shall be made by the President of the Board of Directors in consultation with the Executive Director.

Section 1.5.2: Tenure:

- 1) All Committee and Task Force members shall serve in one (1) year terms, which may be renewed.
- 2) Term shall not apply to Committees and Task Forces.

Section 1.6: Resignation, Removal and Vacancies: All Committee and Task Force positions may be declared vacant upon resignation or removal of any Committee or Task Force member.

Section 1.6.1: Resignation. A Standing Committee or other Committee member may resign at any time by giving written notice to the President. A Task Force member may resign at any time by giving written notice to the President, to the Board of Directors or to the Executive Director. Such resignation shall take effect at the time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 1.6.2: Removal. A Committee or Task Force may recommend the removal of a member of a Committee or Task Force to the President. The President may, in his or her sole discretion, remove the individual from the Standing Committee, other Committee, or Task Force (i) with cause; or (ii) without cause. As such, a fair and impartial hearing shall be conducted regarding the removal.

Section 1.6.3: Vacancies. Any vacancy occurring on a Committee or Task Force shall be filled in the same manner as the appointment of members to that Standing Committee, other Committee, or Task Force.

Section 1.7: Standing Committee Appointments and Responsibilities

Section 1.7.1: Ethics Committee

The Ethics Committee shall be appointed and shall have the responsibilities outlined in section 10.12 of the NWBA Bylaws.

Section 1.7.2: Judicial Committee

The Judicial Committee shall be appointed and shall have the responsibilities outlined in section 10.13 of the NWBA Bylaws.

Section 1.7.3: Governance Committee

The Governance Committee shall be appointed and shall have the responsibilities outlined in section 10.14 of the NWBA Bylaws.

Section 1.7.4: Hall of Fame Committee

The Hall of Fame Committee shall be appointed and shall have the responsibilities outlined in section 10.15 of the NWBA Bylaws.

Section 1.7.5: Audit Committee

The Audit Committee shall be appointed and shall have the responsibilities outlined in section 10.16 of the NWBA Bylaws.

Section 1.7.6: Rules Committee

The Rules Committee shall have the following responsibilities:

- 1) Edit, maintain, print and distribute the NWBA rulebook annually;
- 2) Provide rules interpretations and develop a casebook of examples to provide clarification;
- 3) Accept and evaluate proposed rule changes, and make recommendations for changes in the rules to the NWBA Board of Directors.

Section 1.7.7: Classification Committee

The Classification Committee shall have the following responsibilities:

- 1) Edit, maintain, print and distribute the NWBA classification standards annually;
- 2) Provide classification interpretations and develop a casebook of examples to provide clarification to team reviewers and team administrators;
Accept and evaluate proposed classification changes and submit and make recommendations for changes in the Classification Policies and Procedures to the NWBA Board of Directors.

Section 1.7.8: High Performance Committee**Section 1.7.8.1: Purpose:**

The purpose of the High Performance Committee shall be to support the efforts of the NWBA to develop the NWBA's elite athletes and national team staff to their highest capabilities.

Section 1.7.8.2: Composition

The High Performance Committee shall be appointed as follows:

- 1) The President shall appoint the Chair and other members of the High Performance Committee;
- 2) At least one male and one female athlete representative, as defined in section 1.3.1 of this section of the NWBA Policies and Procedures, shall be appointed to the High Performance Committee;
- 3) The Men's and Women's National Team Coaches shall serve as ex officio members of the High Performance Committee;
- 4) The Executive Director of the NWBA shall serve as an ex officio member of the High Performance Committee.

Section 1.7.8.3: Responsibilities

The High Performance Committee shall:

- 1) Make proposals to the NWBA Board of Directors for further enhancement of athlete and coach development and the elite athlete and coach pools;
- 2) Evaluate the development of the emerging elite athlete pool and pipeline athlete development;
- 3) In conjunction with National Team staff, evaluate elite athlete development and resource utilization;
- 4) Review and comment on the NWBA Selection Procedures for Elite Athletes for World Championships, Para Pan American Games, Paralympic Games, and all other NWBA sanctioned international competitions;
- 5) Review and comment on the NWBA Selection Procedures for Head Coaches and Team Managers for World Championships, Para Pan American Games, Paralympic Games, and all other NWBA sanctioned international competitions;
- 6) Review and comment on the NWBA Selection Procedures for all national team staff members;
- 7) Evaluate the Elite Athlete Code of Conduct, oversee and enforce any disciplinary infractions as may be necessary from time-to-time; and ensure the protection of athletes. Section 2: Procedures

Section 2: Procedures Each Standing Committee, other Committee, and Task Force shall establish procedures for conducting its business and affairs. Such procedures shall be published and made available on the NWBA's website. Standing Committee procedures must be approved by the Board of Directors, and other Committee and Task Force procedures must be approved by the President.

2.16 Open and Executive Meeting Sessions: Ordinarily, all Standing Committee, other Committee, and Task Force shall be open to Standing Committee, Task Force and other Commission members, and, where appropriate, non-members. However, in the event the Standing Committee, and Task Force Chair with the consent of a majority of the Standing Committee, other Committee, or Task Force members in attendance, deems it appropriate to exclude non-members at a meeting for any reason, then the Chair may convene an executive session to consider and discuss sensitive matters.

2.17 Committee Member Attendance: Standing Committee, Task Force and other members are expected to attend in person all regularly scheduled meetings of which they are a member. Any Standing Committee, or Task Force failing to attend a minimum of at least one-half (1/2) of the meetings of which they are a member during any twelve (12)-month period, without an excused absence, may be removed by the President. The President, either personally or through a designated representative, may attend all scheduled meetings of Committees, and Task Forces.

2.18 Minutes of Meetings: Each Standing Committee and Task Force shall take minutes of its meetings. The minutes shall be submitted to the Executive Director and the President within thirty (30) days of the end of the respective meeting.

2.19 Compensation: Standing Committee and Task Force members shall not receive compensation for their services, although the reasonable expenses of Standing Committee, and Task Force members may be paid or reimbursed in accordance with NWBA Policies and Procedures.

ARTICLE THREE

Membership Ethics

Section 3.1: Principles of Ethical Behavior

- 1) Those who choose to serve the NWBA (NWBA), whether as volunteers or paid professionals, shall be held to the highest standards of conduct. The NWBA is the national governing body (NGB) of the sport of wheelchair basketball and represents our sport to the U.S. Olympic and Paralympic Committee, and what may be considered acceptable conduct in some businesses may be inappropriate in Olympic service.
- 2) Those who serve NWBA shall do so without personal gain, shall avoid any institutional loss or embarrassment, and shall behave in such a way that the organization's trust and public confidence are enhanced. It is important to avoid any real conflict of interest as well as to avoid even the appearance of a conflict of interest. The NWBA Conflict of Interest Policy is included in this document as Appendix A.
- 3) While no set of guidelines can guarantee acceptable behavior, the general principles that guide behavior in this area are disclosure, physical absence and nonparticipation in the decision making process where personal or family gain is a possibility, and a commitment to honor the confidentiality of organizational information.
- 4) In addition, as an officer, director, committee chair, employee, volunteer or member of the NWBA, you must:
 - a. Strive to ensure that the NWBA adheres to all applicable rules, regulations and policies of federal, state and local government, and national and international sport governing bodies with which the association is affiliated.
 - b. Refrain from using the NWBA properties, services, opportunities, authority, and influence for private benefit.
 - c. Devote yourself and the NWBA to conduct which, in letter and spirit, is lawful, honest, dependable and fair.
 - d. Conduct yourself in ways that promote the aims and enhance the reputation of the NWBA and wheelchair basketball.
 - e. Place the interests of the NWBA ahead of local and personal interests in wheelchair basketball.
 - f. Give prudent consideration to issues affecting the NWBA, taking into account established NWBA policies and precedents, the need for confidentiality regarding proprietary and sensitive information, and the legal, financial and administrative effect of proposed actions.
 - g. Guard confidential information acquired by virtue of your position or employment with the NWBA and never permit such information to be used for any person's private gain.
 - h. Fully inform responsible NWBA officials in a timely documented form of matters about which those officials may be unaware, including not only business opportunities, policy alternatives, and organizational needs, but also any actions, no matter who is responsible for those actions, which are contrary to policy or are damaging to the NWBA, or which are unethical or unlawful.
 - i. Assist the NWBA's employees, volunteers, and directors to create and maintain an effectively functioning organization, always respecting the responsibility and authority of those to whom implementation of NWBA policies and goals have been entrusted.
 - j. Provide a full, constructive and timely reply in the form required to requests from NWBA officials for information and decisions.
 - k. Neither give nor receive gifts, loans or favors that tend to influence you in the discharge of your duties, except those of nominal value exchanged in the normal course of business. The NWBA Gifts and Entertainment Policy is included in this document as Appendix B.

- l. Disclose the nature and extent of an actual or potential conflict of interest when it occurs in the evaluation of an issue and must abide by the guidelines pertaining to a representational conflict of interest and an individual conflict of interest.
- m. Complete a conflict of interest form if you are included in the group of individuals required to do so.
- n. The completion of this form is a prerequisite for participation with the NWBA.
- o. Annually, the internal auditor, working with the Ethics Committee, shall send to each appropriate person a disclosure statement form concerning the conflict of interest policy. These forms are to be completed and returned to the internal auditor and will then be available only to the president, executive director, legal counsel (when necessary) and the Ethics Committee.
- p. The Ethics Committee will review these disclosures and will maintain the information so revealed in confidence. Each individual should openly and forthrightly identify any areas that represent a potential conflict of interest. Individuals will contact the chair of the Ethics Committee to update or amend their disclosure forms as circumstances change.
- q. Each individual will disclose all of the directorships and officer positions held in for-profit or not-for-profit organizations, as well as any consulting and employment relationships in any concern with which you have reason to believe the NWBA does business or from which the NWBA will secure goods or services, and which you have reason to believe may be affected by your actions on behalf of the NWBA. Individual or family ownership in business ventures where more than five percent of the total value of the NWBA is owned or where more than 10 percent of the outstanding shares are owned, requires disclosure.
- r. Each individual will also disclose family relationships in which you or your immediate family are employed by or render services to any outside concern that does business with the NWBA. "Family" is defined to include spouse, children, parents, brothers and sisters.
- s. Each individual will also disclose any confidential information of the NWBA that has been used or disclosed for any purpose other than to carry out your duties.
- t. Exhibit honesty, loyalty, candor and professional competence in your relationships with the NWBA and with each other.
- u. Travel is a significant cost of conducting the association's business. Those who travel at the expense of the NWBA will have the responsibility to adhere to the NWBA policies and to assist in reducing costs associated with travel.
- v. Accurate and reliable records are of critical importance to the association. Individuals must ensure the accuracy of all the NWBA accounts, reports, bills, invoices, records, and correspondence. The NWBA documents or information from records may not be released to anyone outside the association without the consent of the Board of Directors.
- w. NWBA employees shall report only true and actual numbers of hours worked by them. Reporting, charging or shifting costs to inappropriate contracts or budget accounts is prohibited.
- x. Make every reasonable effort to avoid the appearance of conflict of interest and unethical behavior. Appearance can be as damaging to the NWBA as actual violations. This statement sets both general principles and certain specific standards. Where specific standards are set forth, you must abide by those standards.

Section 3.2: Conflicts of Interest

- 1) The NWBA Conflict of Interest Policy is included in this document as Appendix A.
- 2) In the NWBA, a conflict of interest may arise either as a "representational" conflict of interest or as an "individual" conflict of interest. A representational conflict of interest may arise if you are a representative of another entity (e.g., a NWBA Member Team, a NWBA Division, or a United States

Olympic and Paralympic Committee (USOPC) committee member) and you are concurrently a delegate to Governing Council, a member of the Executive Committee, a member of the NWBA Board of Directors, or serve on NWBA committees.

- 3) When a representational conflict of interest arises, you shall make that conflict of interest known to the chair and shall excuse yourself from participation in the discussion of the issue under consideration unless the chair asks you to remain in the meeting to provide needed information. You shall not vote on a matter in which you have a representational conflict of interest.
- 4) An individual conflict of interest may arise when an issue comes before a committee, the Board of Directors or Governing Council that directly affects either you, individually, or directly affects someone in your family, individually. When such a conflict arises, the individual shall leave the meeting room and shall not participate in the discussion of the subject and shall not vote on the issue.
- 5) It shall not be considered an individual conflict of interest if the issue under consideration affects a class of individuals (e.g., judges) and an individual happens to be included in that class of individuals, unless the class of individuals is so small that it must reasonably be concluded that the matter under consideration is intended to affect someone individually.

Section 3.3: Organizational Code of Conduct

All NWBA members shall abide by the NWBA Code of Conduct. All members shall sign and acknowledge upon registering to participate in NWBA events and activities. The NWBA Code of Conduct is included in this document as Appendix D.

3.3.1 The mission of NWBA is to encourage participation and the pursuit of excellence in all aspects of basketball. NWBA grants the privilege of membership to individuals and organizations committed to that mission. The privilege of membership may, therefore, be withdrawn or denied by NWBA at any time where NWBA determines that a member or prospective member's conduct is inconsistent with the mission of the organization or the best interest of the sport and those who participate in it.

3.3.2 Any member, former member, or prospective member of NWBA is subject to the jurisdiction of the Ethics Committee. Any member, former member, or prospective member of NWBA may be denied membership, censured, placed on probation, suspended for a definite or indefinite period of time with or without terms of probation, fined or expelled from NWBA for life if such person violates the provisions of the NWBA Code of Conduct, or aids, abets or encourages another person to violate any of the provisions of the NWBA Code of Conduct. NWBA shall initiate an investigation of any former member of NWBA when a report required under 3.5.1 is received.

3.3.3 Definitions of Prohibited Conduct

The following definitions of prohibited conduct can be found in the SafeSport Code for the Olympic and Paralympic Movement by [visiting: https://uscenterforsafesport.org/response-and-resolution/safesport-code/](https://uscenterforsafesport.org/response-and-resolution/safesport-code/).

The following terms shall be defined for use in the NWBA Code of Conduct to have the following meaning.

3.3.3.1 Bullying

Bully is defined as repeated and/or severe (a) aggressive behavior (b) among Minors,¹ (c) that is intended or likely to hurt, control or diminish another person emotionally, physically or sexually.

1. Forms

a. Physical

Hitting, pushing, punching, beating, biting, striking, kicking, choking, spitting or slapping; throwing objects such as sporting equipment at another person.

b. Verbal

Teasing, ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.

c. Social, including cyberbullying

Using rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and asking others to do the same.

d. Sexual

Teasing, ridiculing or taunting based on gender or sexual orientation (real or implied), gender traits or behavior (e.g., taunting someone for being too effeminate), or teasing someone about their looks or behavior as it relates to sexual attractiveness.

2. Rude, mean and conflict—distinguished

Conduct may not rise to the level of Bullying Behavior if it is rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons, absent a Power Imbalance, who perceive they have incompatible goals.

3. Criminal conduct

Bullying Behavior includes any conduct described as bullying under federal or state law.

3.3.3.2 Hazing

Any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, humiliate, degrade or intimidate the person as a condition of joining or being socially accepted by a group, team or organization. Purported Consent by the person subject to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

1. Examples

Examples of Hazing include:

a. Contact acts

Tying, taping or otherwise physically restraining another person; beating, paddling or other forms of physical assault.

b. Non-contact acts

Requiring or forcing the consumption of alcohol, illegal drugs or other substances in an effort to elicit a negative physiological response, including participation in binge drinking and drinking games; personal servitude; requiring social actions (e.g., wearing inappropriate or provocative clothing) or public displays (e.g., public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water and/or food; restrictions on personal hygiene.

c. Sexualized acts

Actual or simulated Sexual Conduct of any nature.

2. Criminal acts

Any act or conduct that constitutes hazing under applicable federal or state law.

3.3.3.3 Harassment

Repeated and/or severe conduct that (a) causes fear, humiliation or annoyance, (b) offends or degrades, (c) creates a hostile environment, or (d) reflects discriminatory bias in an attempt to establish dominance, superiority or power over an individual athlete or group based on age, gender, sexual orientation, gender expression, gender identity, race, ethnicity, culture, religion, national origin, or mental or physical disability; or (e) any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context and duration of the behavior.

1. Forms

Harassment, which may be a form of Emotional, Physical or Sexual Misconduct, includes but is not limited to:

a. Discriminatory Harassment

Conduct with the design or effect of establishing dominance, superiority or power over an individual or group based on age, sex, race, color, ethnicity, culture, national origin, religion, sexual orientation, gender expression, gender identity, or mental or physical disability.

b. Stalking

Conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. Stalking generally involves a course of conduct which includes two or more acts, involving persistent and frequent unwanted in-person contact, surveillance or unwanted telephone and/or other electronic contact.

i. Examples

Stalking behaviors include without limitation: following a person; appearing at a person's home, class, work or practice; frequent phone calls, emails, or text messages; continuing to contact a person after

receiving requests to stop; leaving unwanted written messages, objects or gifts; vandalizing a person's property; threatening, intimidating or intrusive behavior; and violating a lawful order preventing contact with a person.

c. Sexual Harassment

Conduct by a Covered Adult toward an Athlete or other non-employee, Non-athlete Participant that includes (a) sexual advances, requests for sexual favors, or other verbal or physical behaviors of a sexual nature; or (b) is sufficiently severe, persistent or pervasive and objectively offensive that it negatively affects an individual's performance.

3.3.3.4 Emotional Misconduct

Repeated and/or severe non-contact behavior involving (a) Verbal Acts, (b) Physical Acts and/or (c) Acts that Deny Attention or Support. Emotional Misconduct is determined by the objective behaviors, not whether harm is intended or results from the behavior.

1. Verbal Acts

Verbal assault that repeatedly attacks someone personally (e.g., calling a person worthless, fat or disgusting; taunting a person for being too effeminate); repeatedly and excessively yelling at a particular athlete or other participant in a manner that serves no productive training or motivational purpose.

2. Physical Acts

Physically aggressive behaviors, such as throwing sport equipment, water bottles or chairs at or in the presence of others; punching walls, windows or other objects.

3. Acts that Deny Attention or Support

Ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a participant from practice.

4. Exclusions

Emotional Misconduct does not include professionally accepted and age-appropriate coaching methods for skill and performance enhancement, physical conditioning, team building or appropriate discipline.

5. Criminal conduct

Emotional Misconduct includes any act or conduct (e.g., psychological abuse, emotional abuse, mental abuse, child abuse) that can be described as emotional abuse under applicable federal or state law.

3.3.4 The following shall be considered violations of the NWBA Code of Conduct:

3.3.4.1 Violation of the right to compete provisions set forth in the NWBA Bylaws.

3.3.4.2 Violation of the anti-doping provisions set forth in NWBA Policies and Procedures.

3.3.4.3 Discrimination in violation of the Amateur Sports Act which requires that NWBA must provide an equal opportunity to athletes, coaches, trainers, managers, administrators, and officials to participate in the sport of basketball. Athletes must be allowed to participate and compete to the fullest extent allowed by the Rules and Regulations. Discrimination against any member or participant on the basis of age, gender, race, ethnicity, culture, religion, sexual orientation, gender expression, genetics, mental or physical disability, or any other status protected by federal, state or local law, where applicable, is prohibited.

3.3.4.4 Violation of any of the Athlete Protection Policies set forth in Section 3.4.

3.3.4.5 Violation of any of the Sexual Misconduct Reporting Requirements set forth in Section 3.5 or the Prohibitions Against Retaliation for Good Faith Reporting of Abuse set forth in Section 3.6 or the Whistleblower Policy in Appendix C.

3.3.4.6 Conviction of, imposition of a deferred sentence for, or any plea of guilty or no contest at any time, past or present, or the existence of any pending charges, for (i) any crime involving sexual misconduct, or (ii) any criminal offense against a minor.

3.3.4.7

- a. Any inappropriate sexual conduct or advance, or other inappropriate oral, written, visual, or physical conduct of a sexual nature at any time, past or present, directed towards an athlete or any person under the age of eighteen (18) by (i) a coach member or other non-athlete member, or (ii) any other adult participating in any capacity whatsoever in the activities of NWBA (whether such adult is a member or not).
- b. Any act of harassment (including sexual harassment) as defined by 3.3.3.3, including without limitation unwelcome sexual advances, requests for sexual favors, and other inappropriate oral, written, visual, or physical conduct of a sexual nature in connection with or incidental to a NWBA-related activity by any person participating in the affairs or activities of NWBA (whether such person is a member or not) directed toward any member or other person participating in the affairs or activities of NWBA.
- c. A romantic or sexual relationship, even if it is a consensual relationship between adults, which began during the basketball relationship, between athletes and those individuals (i) having direct supervisory or evaluative control, or (ii) who are in a position of power and trust over the athlete. Except in circumstances where no imbalance of power exists, coaches have this direct supervisory or evaluative control and are in a position of power and trust over those athletes they coach. The prohibition on romantic or sexual relationships does not include those relationships where it can be demonstrated that there is no imbalance of power. For example, this prohibition does not apply to a relationship between two spouses or life partners which existed prior to the basketball relationship. For factors that may be relevant to determining whether an imbalance of power exists, consult the SafeSport Code for the Olympic and Paralympic Movement by visiting: <https://uscenterforsafesport.org/response-and-resolution/safesport-code/>
- d. Any peer-to-peer sexual abuse. For the purposes of the Code of Conduct, the term "peer-to-peer sexual abuse" shall mean any unwelcome physical

conduct of a sexual nature directed towards a minor athlete by another minor athlete.

3.3.4.8 The sale or distribution of illegal drugs or the illegal sale or distribution of any substance listed on WADA's and IWBf's recognized list of banned substances.

3.3.4.9 The use of illegal drugs in the presence of an athlete, by a coach, official, trainer, or a person who, in the context of basketball, is in a position of authority over, that athlete.

3.3.4.10 The providing of alcohol to an athlete by a coach, official, trainer, manager or any other person where the athlete is under the legal age allowed to consume or purchase alcohol in the state where the alcohol is provided.

3.3.4.11 The abuse of alcohol in the presence of an athlete under the age of eighteen (18), by a coach, official, trainer, or a person who, in the context of basketball, is in a position of authority over that athlete.

3.3.4.12 Abuse

- a. Physical abuse of an athlete by any person who, in the context of basketball, is in a position of authority over that athlete. 'Physical abuse' is defined as a non-accidental injury and/or an injury primarily caused by the gross negligence on the part of the person in a position of authority over the athlete.
- b. Bullying of an athlete by a coach member or other non-athlete member who is in a position of authority over that athlete.

3.3.4.13 Bullying, as defined by 3.3.3.1, of a member or Participating Non-Member of NWBA by a non-athlete member. Allegations of Bullying of an athlete member by a coach member shall be investigated under 3.3.1. Bullying of an athlete member of NWBA by another athlete member shall not be considered a Code of Conduct violation, except in the most egregious and flagrant situation, but is nevertheless a serious matter to be handled by the applicable club(s) pursuant to its anti-bullying plan required under 3.4.6.

3.3.4.14 Any type of Emotional Misconduct as defined in 3.3.3.4; including Verbal Acts, Physical acts, Acts that Deny Attention or Support, Exclusions and Criminal Conduct.

3.3.4.15 Any type of Hazing as defined in 3.3.3.2; including Contact Acts, Non-Contact Acts, Sexualized Acts and Criminal Acts.

3.3.4.16 For any NWBA member club or coach to knowingly:

- a. allow any person who has been placed on the NWBA list of 'Individuals Permanently Suspended or Ineligible' to coach or instruct any of its athlete members,
- b. aid or abet coaching or instruction of athletes by any person who has been placed on the NWBA list of individuals Permanently Suspended or Ineligible," or
- c. allow any person who has been placed on the NWBA list of individuals Permanently Suspended or Ineligible" to have an ownership interest in such NWBA club or its related entities.

3.3.4.17 Any act of fraud, deception or dishonesty in connection with any NWBA-related activity.

3.3.4.18 Any non-consensual physical contact, obscene language or gesture, or other threatening language or conduct directed towards any NWBA official, division leader(s), administrators, etc., and which is related to any decision made by such official in connection with a NWBA sanctioned competition.

3.3.4.19 Violation of any team misconduct rule as established by the USOPC, NWBA, any Division, any Conference or team authority.

3.3.4.20 Any other material and intentional act, conduct or omission not provided for above, which is detrimental to the image or reputation of NWBA, a Division, a Conference, a Team, or the sport of basketball.

Section 3.4 ATHLETE PROTECTION POLICIES

3.4.1 All policies related to Athlete Protection are mandatory components of the NWBA Code of Conduct which includes, but is not limited to, the SafeSport Code for the Olympic and Paralympic Movement (<https://uscenterforsafesport.org/response-and-resolution/safesport-code/>), the Minor Athlete Abuse Prevention Policies (<https://www.nwba.org/safesport>) and the NWBA Background Check and Screening Procedures outlined in Appendix E.

Section 3.5 SEXUAL MISCONDUCT REPORTING REQUIREMENTS

3.5.1 As outlined in the Reporting Policy of the MAAPP (<https://www.nwba.org/safesport>), all individuals, regardless of membership with the NWBA, are encouraged to report suspected SafeSport violations. **All NWBA directors, officers, employees and members are REQUIRED to report a suspected SafeSport violation.** Suspected child abuse and/or sexual misconduct is required to be reported to the U.S. Center for SafeSport AND local law enforcement.

3.5.2 Filing a knowingly false allegation of sexual misconduct is prohibited and may violate state criminal law and civil defamation laws. Any person making a knowingly false allegation of sexual misconduct shall be subject to disciplinary action by NWBA.

3.5.3 Neither civil nor criminal statutes of limitation apply to reports of cases of sexual abuse.

Section 3.6 PROHIBITIONS AGAINST RETALIATION FOR GOOD FAITH REPORTING OF ABUSE

3.6.1 No Member shall retaliate against any individual who has made a good faith report under 3.5.1 or 3.3.4.12.

3.6.2 For the purposes of 3.6.1, there shall be a rebuttable presumption that any adverse action regarding the employment, membership, or other material rights of an individual who has made a good faith report under 3.5.1 or 3.3.4.12 within 90 days of a report is retaliatory. An adverse action includes, without limitation: discharge or termination; demotion or reduction in compensation for services; or the removal of or from, or restrictions on, access to facilities, team activities or team membership privileges.

3.6.3 The NWBA Whistleblower Policy is included in this document as Appendix C.

ARTICLE FOUR

Anti-Doping

Background

Anti-doping is an important part of sport, ensuring a fair playing field and protecting the health and welfare of athletes. The NWBA is required by the International Paralympic Committee (IPC), U.S. Olympic and Paralympic Committee (USOPC) and the International Wheelchair Basketball Federation (IWBF) to comply with the anti-doping rules and regulations established nationally by the U.S. Anti-Doping Agency (USADA) and internationally by the World Anti-Doping Agency (WADA) in its code for eligibility in these sports. It is not an optional program but a requirement for participation in Olympic and Paralympic sports.

USADA, WADA and IWBF requires that all athletes and staff (fulltime and volunteers at all levels) have a good understanding of all rules/requirements outlined in the WADA code and IWBF anti-doping rules.

The following websites are referenced on the Anti-Doping page of the NWBA website (www.nwba.org/antidoping) and can be helpful in understanding anti-doping:

- World Anti-Doping Agency: <http://www.wada-ama.org/>
- U.S. Anti-Doping Agency: <https://www.usada.org/>
- USOPC National Anti-Doping Policy: <https://www.teamusa.org/Footer/Legal/Anti-Doping>

Commented [TKC1]: All of these website references were updated with correct links.

Member Obligations

It is the duty of individual members of the NWBA to comply with all anti-doping rules of the World Anti-Doping Agency (WADA), the International Wheelchair Basketball Federation (IWBF), the U.S. Olympic & Paralympic Committee (USOPC) including the USOPC National Anti-Doping Policy, and of the U.S. Anti-Doping Agency (USADA), including the USADA Protocol for Olympic and Paralympic Movement Testing (USADA Protocol) and all other policies and rules adopted by WADA, the IWBF, the USOPC and USADA. Athlete members agree to submit to drug testing by the IWBF and/or USADA or their designees at any time and understand that the use of methods or substances prohibited by the applicable anti-doping rules make them subject to penalties including, but not limited to, disqualification and suspension. If it is determined that an individual member may have committed a doping violation, the member agrees to submit to the results management authority and processes of USADA, including arbitration under the USADA Protocol, or to the results management authority of the IWBF, if applicable or referred by USADA.

Enforcement of an Anti-Doping Sanction

In the event that WADA, IWBF, USADA or any other anti-doping organization with jurisdiction over the athlete, coach, athlete support personnel, or other person issues a determination of an anti-doping violation, NWBA shall enforce the sanction imposed by such determination. NWBA shall ensure that such athlete, coach, athlete support personnel, or other person has been adequately notified of such determination and the process, and that the terms and conditions of the sanction are enforced at all levels under the jurisdiction of NWBA in accordance with the sanction.

Commented [TKC2]: This section added to be compliant with USOPC

ARTICLE FIVE

Rules

The playing rules of the NWBA are available on the NWBA website by visiting: <https://www.nwba.org/coachesresources>.

Appendix A

NWBA CONFLICT OF INTEREST POLICY

SECTION 1. PURPOSE

The National Wheelchair Basketball Association (hereafter referred to as the NWBA) is committed to sustaining an ethical workplace free of conflicts of interest and perceived conflicts of interest. Each Affiliated Individual (as defined below) has the responsibility to administer the affairs of **the NWBA** honestly and prudently, and to exercise their best care, skill, and judgment for the sole benefit of **the NWBA**. Those persons shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with **the NWBA** or knowledge gained therefrom for their personal benefit. The interests of the organization must be the first priority in all decisions and actions. The NWBA requires that any of its Affiliated Individuals recognize and attempt to avoid activities or investments that involve, might appear to involve, or could result in a potential conflict of interest.

A “**Conflict of Interest**” or “**Conflict**” exists when an Affiliated Individual’s activities or interests interfere with or have the potential to interfere with or influence his or her responsibilities on behalf of the **NWBA** or undermine the interests of the **NWBA**. Affiliated Individual “**conflict of interest**” also exists in the context of athlete or team selection when an Affiliated Individual participates in a selection decision that involves or impacts an athlete with whom the Affiliated Individual has a direct or indirect relationship, or when an Affiliated Individual participates in a benefits or services allocation decision that directly impacts the Affiliated Individual.

This policy does not attempt to provide an exhaustive list of every possible circumstance that might give rise to a conflict of interest, but provides examples of situations or “**transactions**” where potential conflicts of interest often arise. A “**transaction**” is any contract, transaction, agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a grant or loan, or the establishment of any other financial relationship with **the NWBA**.

SECTION 2. APPLICABILITY OF POLICY

This Conflict of Interest Policy is applicable to all **NWBA** Affiliated Individuals. “**Affiliated Individuals**” include, but are not limited to, members of **the NWBA**’s Board of Directors (the Board of **the NWBA**), officers, committee members, task force members, hearing panel members, employees, and volunteers.

SECTION 3. AREAS IN WHICH CONFLICTS MAY ARISE

Conflicts of interest often arise due to the relationships Affiliated Individuals have with the following third parties: (1) Persons or entities supplying goods and services to **the NWBA**; (2) Persons or entities leasing property or equipment to **the NWBA**; (3) Persons or entities with whom **the NWBA** is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities or other property; (4) Competing or affinity organizations; (5) Donors and others supporting **the NWBA**; (6) Agencies, organizations, and associations which affect the operations of **the NWBA**; or (7) Activities involving family members, friends, and other employees. A “**Family Member**” is defined as a spouse, domestic partner, parent, parent of spouse/domestic partner, child, stepchild, child of a domestic partner, sibling, or the sibling of a spouse/domestic partner of an Affiliated Individual.

Potential conflicts of interest often arise when Affiliated Individuals have an interest, direct or indirect, with any persons or entities mentioned above. The list below is not intended to be an all-inclusive list of every instance that may create a potential conflict of interest, but, rather, is simply a sample of the types of relationships and activities that may give rise to a conflict of interest. If an Affiliated Individual or other disclosing individual has any question as to whether a relationship or activity may create a conflict of interest, a disclosure must be made. Examples of potential conflicts of interest are listed below:

- 1) Affiliated Individual or their Family Member owns stock or holds debt or other proprietary interests in any third party dealing or who may potentially deal with **the NWBA**.

EXAMPLE: A **NWBA** board member owns a 70% interest in a company seeking to enter into a contract with **the NWBA** to provide consulting services.

- 2) Affiliated Individual or a Family Member owns a business, maintains a second job, or provides goods or services under a provider, contractor, or consulting agreement, where by the outside business provides goods or services to **the NWBA**, the United States Olympic and Paralympic (USOPC), or any other NGB/HPMO/PSO.

EXAMPLE: The **NWBA** is contemplating entering into an agreement with a HR consulting company owned by an **NWBA** employee's husband.

- 3) Affiliated Individual or a Family Member holds office, serves on the board, participates in management, or otherwise is employed (or formerly employed) with any third party dealing with **the NWBA**.

EXAMPLE: A **NWBA** board member is the CEO of a technology company negotiating a contract with **the NWBA** to provide IT services.

- 4) Receiving remuneration for services with respect to individual transactions involving **the NWBA**.

EXAMPLE: A **NWBA** board member gets paid a commission if **the NWBA** enters into a particular contract with a third party.

- 5) Affiliated Individual uses **the NWBA's** time, personnel, equipment, supplies, or goodwill for anything other than **NWBA**-approved activities, programs, and purposes.

EXAMPLE: A **NWBA** employee uses a **NWBA** vehicle for a personal road trip.

- 6) Affiliated Individual solicits or receives personal gifts, loans, gratuities, or discounts from third parties in violation of **the NWBA's** Gift & Entertainment Policy. No personal gift of money should ever be accepted.

EXAMPLE: A **NWBA** employee using her position at **the NWBA** to obtain box seats to a sporting event from a vendor for personal use.

EXAMPLE: Accepting tickets to an NFL game worth \$250 from a business seeking to obtain a contract to provide landscaping services for **NWBA** headquarters.

- 7) Affiliated Individual or a Family Member acts as an agent, representative, or consultant to a business whose interests may conflict with the interests of **the NWBA**.

EXAMPLE: A NWBA board member agrees to promote another NGB/HPMO/PSO in negotiations with potential sponsors or licensees.

- 8) Affiliated Individual or a Family Member has a business relationship with a sponsor, supplier, licensee, or vendor of **the NWBA** (for a current list of NWBA sponsors, suppliers, and licensees, go to [<https://www.nwba.org/sponsors>]).

EXAMPLE: A NWBA employee's spouse provides legal services to a NWBA sponsor.

- 9) Affiliated Individual awards **the NWBA** business to, or provides favorable treatment to, a business owned or controlled by a volunteer, family member, or personal friend.

EXAMPLE: **The NWBA** is contemplating entering into a contract for landscaping services with a company because the landscaping company is owned by an employee's brother.

- 10) Affiliated Individual drafts selection procedures or participates and/or votes within a discretionary selection committee **the NWBA** when they have a relationship with an athlete who is potentially impacted by the selection procedures (e.g., as coach, trainer, parent, etc.) or when Affiliated Individual might benefit directly or indirectly from the selection method.

EXAMPLE: A NWBA employee participating in a decision to select an athlete on **the NWBA's** team for World Championships or major international competition when the NWBA employee is athlete's current coach or family member.

EXAMPLE: The athlete representative assisting with drafting, voting on, and/or signing the procedures is also competing for a spot on the team for which the procedures are written.

- 11) Affiliated Individual has activities or interests, whether direct or indirect, that interfere with or influence, or have the potential to interfere with or influence, their responsibilities on behalf of **the NWBA** or to undermine the interests of **the NWBA**.

EXAMPLE: A NWBA board member has a significant client who owns or operates a facility being considered as the host of a NWBA event.

EXAMPLE: An Affiliated Individual serves on a hearing panel or appeal panel involving discipline against a member of the Affiliated Individual's club / team / family.

EXAMPLE: An athlete is the potential recipient of benefits or services that are being allocated by **the NWBA** and participates in the allocation decision.

SECTION 4. INTERPRETATION OF THIS CONFLICT OF INTEREST POLICY

The areas of conflicting interest and relations in those areas which may give rise to a conflict, as listed in Section 3, are not exhaustive. Affiliated Individuals should disclose all relationships and activities which may give rise to a potential conflict of interest, whether or not listed expressly in Section 3.

However, disclosure of a conflict or potential conflict of interest does not necessarily prohibit involvement in the disclosed activity or with the NWBA. For example, the conflict might not be material enough to be of practical importance, or if it is material, it might be possible for the NWBA and Affiliated

Individual to implement appropriate mitigating measures upon full disclosure of all relevant facts and circumstances. However, it is **the NWBA's** policy that the existence of any of the interests described or similar in nature to those described in Section 3 shall be disclosed before any transaction is consummated or any vote taken on an action, contract, relationship, or decision that would give rise to the potential conflict of interest. It shall be the continuing responsibility of each Affiliated Individual to scrutinize his/her transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures.

Neither NWBA nor any individual associated with NWBA which includes, but is not limited to, members, employees, contractors, committees, division leadership, conference leadership, coaches, team representatives, referees/officials or board members shall retaliate against an individual for the filing of a complaint or report under this Policy. It shall constitute a violation of NWBA Whistleblower and Anti-Retaliation Policy and grounds for discipline to retaliate against any individual for the filing of a complaint.

Point of Contact:

For Athletes with Questions Regarding This Conflict of Interest Policy:

The Athlete Ombudsman provides cost-free, independent and confidential advice regarding athlete rights; resolving disputes or grievances; and any sport rule, policy, or process, including NGB/HPMO/PSO-athlete agreements, codes of conduct or team selection procedures. The Athlete Ombudsman can also help athletes connect with legal counsel or mental health resources if needed. Athletes may contact the Athlete Ombudsman at:

PHONE: (719) 866-5000
EMAIL: ombudsman@usathlete.org
WEBSITE: www.usathlete.org

For Affiliated Individuals with Questions Regarding This Conflict of Interest Policy:

Affiliated Individuals may contact the NWBA Ethics Committee directly (contact details are included on the NWBA website referenced below) or by way of the NWBA National Office at:

PHONE: (719) 266-4082
EMAIL: info@nwba.org
WEBSITE: www.nwba.org/managementleadership

SECTION 5. DISCLOSURE POLICY AND PROCEDURE

In addition to the mandatory disclosures required from each Affiliated Individual under Section 10 and Section 11 of this policy, any individual with a good faith belief that an Affiliated Individual has a conflict of interest may notify the **NWBA** Ethics Committee of such perceived conflict pursuant to the procedures set forth below. Such notice may be provided anonymously. Furthermore, should any Affiliated Individual become aware of any undisclosed conflict of interest, or any conflict of interest not fully disclosed, such person should make full disclosure of their knowledge of the conflict of interest involved to **NWBA** Ethics Committee.

ONLINE: Go to www.nwba.com to submit a report.

OR

PHONE: Call the NWBA National Office at: (719) 266-4082 to submit a report.

Affiliated members are encouraged to disclose conflicts whenever they may arise or whenever the member becomes aware of them, in addition to annual disclosures. Specifically, Board members, committee members and members of tribunals or panels must disclose any conflicts when they arise or whenever they become aware of them. Any actual, perceived, or potential conflict of interest should be disclosed at the beginning of each Board of Directors Meeting and recorded in the Meeting minutes. In addition, Board of Directors Meeting minutes should include when individuals recuse themselves due to a conflict of interest.

After disclosure of the conflict or potential conflict of interest and all material facts, and after any discussion with the interested person and any other relevant party, the Ethics Committee shall decide if a conflict of interest exists pursuant to the procedures set forth in Section 6 and Section 7 below, as applicable, and if there are mitigating measures that could be implemented to permit **NWBA** to move forward with the transaction or activity. Resolutions are executed by disinterested members of the Ethics Committee and/or Judicial Committee as applicable.

Transactions with parties with whom a conflicting interest exists may be undertaken only if all of the following, at a minimum, are observed:

- 1) The conflicting interest is fully disclosed;
- 2) The Affiliated Individual recuses themselves from any and all discussion and approval of such transaction;
- 3) A competitive bid or comparable valuation exists; and
- 4) The Ethics Committee has determined that the transaction is in the best interest of the organization pursuant to Section 6 below.

SECTION 6. PROCEDURES FOR ADDRESSING POSSIBLE CONFLICTS OF INTEREST WITH RESPECT TO THE NWBA TRANSACTIONS OR BUSINESS

In the event a possible conflict of interest exists with respect to a proposed transaction, promptly and before any decision is made regarding the proposed transaction, the proposed transaction shall be addressed as follows:

- 1) The interested person may make a presentation to the Ethics Committee, which may be convened telephonically, regarding the transaction or arrangement involving the potential conflict of interest.
- 2) The Ethics Committee shall review alternatives to the proposed transaction or arrangement as presented to the Ethics Committee by the board, staff, or relevant committee.
- 3) After exercising due diligence, the Ethics Committee shall determine whether **the NWBA** can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- 4) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Ethics Committee shall determine by a majority vote whether the transaction or arrangement is in **the NWBA's** best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, the Ethics Committee shall inform the board or committee whether there is a conflict of interest precluding **the NWBA** from entering into the transaction or

arrangement, or if there are mitigating measures that may be implemented to alleviate concerns regarding the potential conflict of interest.

In the event the potential conflict of interest does not involve a transaction between the **NWBA** and a third party, the potential conflict will be addressed as follows:

- 1) The interested person may make a presentation to the Ethics Committee, which may be convened telephonically, regarding the transaction or arrangement involving the possible conflict of interest.
- 2) The Ethics Committee will coordinate with the interested person and others, as necessary, to determine whether the potential conflict is one precluding the interested person from taking certain actions, or if there are mitigating measures that may be implemented to alleviate concerns regarding the potential conflict of interest.

SECTION 7. PROCEDURES FOR ADDRESSING POSSIBLE CONFLICTS OF INTEREST IN DRAFTING SELECTION PROCEDURES AND ATHLETE / TEAM DISCRETIONARY SELECTION

The following more particularized disclosure requirements and procedures apply in the context of drafting selection procedures and athlete/team discretionary selection decisions in order to ensure that no Affiliated Individual participating in the process has a conflict of interest that will impact his/her ability to make a fair and unbiased decision in the athlete or team selection process.

Any Affiliated Individual involved in the drafting of procedures, including the athlete representative, or on a discretionary selection committee who has a possible conflict of interest must disclose it to the Ethics Committee for review. The following process will be followed:

- 1) The Interested Person may make a presentation to the Ethics Committee, which may be convened telephonically, regarding the potential conflict of interest.
- 2) The Ethics Committee will determine to what extent, if any, the individual can participate in the process. The Ethics Committee may determine that the individual can still participate in the drafting of the procedures or be included in the discussions for discretionary selection of a team, but not take part in any sign-off, vote, or decision. For example, a national team coach or high performance director may provide information to the selection committee so long as such information is provided in a fair and unbiased manner and the committee member who disclosed the conflict of interest does not vote toward the final decision.
- 3) There may also be instances where even if the Ethics Committee determines that a conflict exists, the individual can still participate in the entire process. For example, in a sport where a national team coach has worked with all athletes equally in the past, and no bias can be shown towards any one particular individual, then it may be permissible for that national team coach to participate in the process.
- 4) While a conflicted committee member may provide objective data and recommendations to assist the unconflicted Affiliated Individuals, in no instances will a conflicted committee member attempt to unduly influence other members of the committee in the selection process.

Additionally, any person (including any potentially impacted athlete or coach of a potentially impacted athlete) with a good faith belief that an Affiliated Individual involved in the team or athlete

selection process has a conflict of interest may report the alleged conflict of interest to **the NWBA's** Ethics Committee. Reports may be made anonymously. Before the selection process may proceed further, the Ethics Committee will:

- 1) obtain a statement from the Affiliated Individual with the potential conflict of interest regarding the nature of his/her interest in the selection process;
- 2) obtain a statement from the reporting party regarding the perceived nature of the conflict of interest, if the report was not made anonymously;
- 3) exclude from further deliberations both the Affiliated Individual involved in the selection process and the reporting party;
- 4) determine whether the Affiliated Individual with the alleged conflict of interest in fact has a conflict of interest; and
- 5) if a conflict of interest is determined to exist, either mandate the individual's recusal from the process or determine to what extent, if any, that individual can participate in the process.

If the Affiliated Individual is recused and a vacancy on the committee exists, either in the drafting process or on the discretionary selection committee, **the NWBA** shall use its best reasonable efforts to fill that vacancy. If a vacancy results in the athlete representative position, another athlete representative who meets the qualifications for that committee shall be appointed and approved by a representative group of athletes.

SECTION 8. VIOLATIONS OF THE CONFLICTS OF INTEREST POLICY

- 1) If the Ethics Committee has reasonable cause to believe an Affiliated Individual has failed to disclose actual or possible conflicts of interest, it shall promptly inform the Affiliated Individual of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- 2) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Ethics Committee determines the Affiliated Individual has failed to disclose the conflict or potential conflict of interest, it shall take appropriate disciplinary and corrective action. The Ethics Committee's decision shall be final.
- 3) While any such failure to disclose a conflict or potential conflict of interest is under investigation, the Affiliated Individual shall be precluded from engaging in further decisions of **the NWBA** that bear any relation whatsoever to the matter that is the subject of the conflict or potential conflict of interest.

SECTION 9. RECORDS OF PROCEEDINGS:

The minutes of the Ethics Committee meetings shall contain:

- 1) The names of the persons who disclosed or otherwise were found to have an actual or possible conflict of interest, the nature of the conflict of interest, any action taken to determine whether a conflict of interest was present, and the Ethics Committee's decision as to whether a conflict of interest in fact existed; and

- 2) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, or selection process, the content of the discussion (including, but not limited to, an analysis of the fairness and reasonableness of the transaction or arrangement in question, or the fairness of having the individual participate in the selection process), including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

SECTION 10. ANNUAL DISCLOSURE STATEMENTS

Each Affiliated Individual shall annually sign and submit to the Ethics Committee and **the NWBA's** CEO a statement, using the online form: <https://nwba.sportngin.com/register/form/909359854>, affirming that they:

- 1) Have received a copy of the conflicts of interest policy;
- 2) Have read and understand the policy;
- 3) Have agreed to comply with the policy, and
- 4) Understand that **the NWBA** is a charitable organization and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes. Each annual disclosure shall be reviewed and addressed by the Ethics Committee.

Any actual, perceived, or potential conflict of interest should be disclosed in the annual statement.

Any new **NWBA** employee shall submit a conflict of interest disclosure statement within 14 days of his or her hiring by **the NWBA**. Any other new Affiliated Individual shall submit a conflict of interest disclosure statement by the earlier of 14 days after his or her appointment or his or her first board, committee, or task force meeting. In no event shall a Affiliated Individual participate in any decisions to commit **the NWBA** to a proposed transaction or in athlete or team selection procedures prior to submission of his or her conflict of interest disclosure statement.

The NWBA shall maintain copies of all Annual Statements submitted under this Section 10 in accordance with its document retention policies and procedures.

SECTION 11. PERIODIC STATEMENTS / UPDATES

In addition, each Affiliated Individual shall submit to the Ethics Committee a signed statement as necessary describing any new potential conflicts of interest as and when such potential conflicts of interest arises. **The NWBA** shall maintain copies of all periodic statements or updates submitted under this Section 11.

Appendix B

NWBA GIFTS AND ENTERTAINMENT POLICY

SECTION 1. PURPOSE

The National Wheelchair Basketball Association (hereafter referred to as the NWBA) is committed to sustaining an ethical workplace free of conflicts of interest and perceived conflicts of interest. **The NWBA** therefore has adopted this Gifts and Entertainment Policy to provide instruction to Affiliated Individuals (as defined in Section 2) regarding how to handle offers of gifts or other forms of entertainment from individuals or companies that do business with, or are interested in doing business with the NWBA.

This policy should not be considered in any way as an encouragement to make, solicit or receive any type of gift or entertainment. Indeed, Affiliated Individuals (as defined in Section 2) may not, under any circumstances, actively solicit any type of gift or entertainment. Further, **the NWBA** will not under any circumstances permit or authorize participation in any business gifts or entertainment that might be considered lavish, inappropriate or illegal.

SECTION 2. APPLICABILITY OF POLICY

This Gifts and Entertainment Policy is applicable to all **NWBA** employees, board members, officers, committee members, task force members, hearing panel members, and volunteers, as well as their spouses and immediate family members ("Affiliated Individuals").

SECTION 3. RECEIVING BUSINESS COURTESIES

A. Current Business Partners

Affiliated Individuals may accept gifts from individuals and companies that currently do business with, or make donations to **the NWBA** as follows:

- 1) Partner/sponsor/supplier products and partner/sponsor/supplier-branded products (e.g., logoed jackets) with a value of up to \$1,000 per Affiliated Individual, per year, per individual/company;
- 2) Other gifts with a value of no more than \$100 per Affiliated Individual, per year, per individual/company;
- 3) Invitations for the Affiliated Individual to attend sporting events with an individual/company representative including travel to and from such events only to the extent approved in advance by **the NWBA's** Ethics Committee.
- 4) On an infrequent basis, invitations for a spouse or family member to join the Affiliated Individual at sporting events with an individual/company representative;
- 5) Invitations to attend fundraising events with an individual/company representative at no cost to the Affiliated Individual;
- 6) Invitations to attend other social, educational, or entertainment events intended to enhance the business relationship, provided that the cost of the event does not exceed \$100 per Affiliated Individual per event and \$400 total per individual/company per year; and

- 7) Perishable or consumable gifts provided that the gift is reasonable and not unduly lavish.

B. Prospective Business Partners

- 1) Gifts with a value of not more than \$100 per Affiliated Individual, per year, per individual/per company;
- 2) Invitations for the Affiliated Individual to attend sporting events with an individual/company representative (but not travel to and from such events);
- 3) Invitations to attend fundraising events with an individual/company representative;
- 4) Invitations to attend other social, educational or entertainment events intended to promote the business relationship provided that the cost of the event does not exceed \$100 per Affiliated Individual, per event and \$200 total per Affiliated Individual, per individual/company, per year.

C. Limitations

Affiliated Individuals may never accept cash or financial instruments such as checks or stocks. Under the guidelines set forth herein, Affiliated Individuals may accept gift certificates or gift cards.

SECTION 4: DISCLOSURE AND APPROVAL

All gifts or invitations falling under Section 3(A)(1), Section 3(A)(3), and Section 3(B)(2) above, and all invitations that involve the third party paying for the Affiliated Individual's travel and/or overnight accommodations, must be promptly reported to the Ethics Committee and the CEO. Where the gift or invitation is made to the CEO or President of the NWBA the requisite disclosure must be made to the CEO/President as appropriate and the Ethics Committee. Prior to accepting invitations or gifts that include travel and/or overnight accommodations, written approval must be received from the CEO and the Ethics Committee. In the case of the CEO's request for approval, such approval must be received from the President of the NWBA and the Ethics Committee.

Any potential gifts or invitations extended that exceed the limits and/or parameters noted above must be disclosed to, and approved in advance and in writing by Ethics Committee and CEO, as appropriate, before they may be accepted.

In addition, the Ethics Committee and the CEO shall have the right, in consultation with the Affiliated Individual, to require that any gift(s) be returned, donated to the NWBA, or donated to another agreed-upon charity if the Ethics Committee or the CEO believes that such gift(s) is not proper and/or creates an appearance of impropriety.

The Gift Disclosure online form: <https://nwba.sportngin.com/register/form/919991344>

SECTION 5: EXTENDING BUSINESS COURTESIES

A. General Rules

There may be times when an Affiliated Individual wishes, as a business matter, to extend to a current or potential **NWBA** business associate (i.e., an individual or company) a gift or an invitation to attend a social event (e.g., reception, meal, sporting event, or theatrical event) to further or develop a business

relationship. In such instances, gifts may not exceed \$100 in value per person per year, without the prior written approval of the CEO and the Ethics Committee.

Invitations to events must be reasonable and appropriate. Topics of a business nature must be discussed at the event, and the **NWBA** employee or Board Member must be present. The cost associated with such an event should not exceed \$100 per person/company per year, except with regard to sporting events and fundraising functions, without the prior written approval of the CEO and the Ethics Committee. Moreover, such business entertainment with respect to any particular individual must be infrequent, which, as a general rule, means not more than four (4) times per year. Frequency beyond the foregoing must be pre-approved in writing by the CEO and the Ethics Committee. To the extent the **NWBA** employee or Board Member has knowledge of applicable restrictions by a recipient's organization on gifts and entertainment, the **NWBA** employee or Board Member must undertake best efforts for all business entertainment and gifts to comport with the restrictions imposed by the recipient's organization.

NWBA employees or Board members may give gift certificates within the limits set forth in this policy, but may never give cash or financial instruments, such as checks or stocks.

B. Development Division/Staff

The **NWBA** recognizes that the limits set forth in Section 5(A) may hamper the ability of the Development Division/Development Staff, which includes the CEO, to perform their job functions. In light of this, the foregoing limits will not apply to the Development Division/Development Staff/CEO if the invitation or event is part of normal and reasonable job duties and the event is not lavish or unreasonable. For the Development Division/Development Staff/CEO only, the cost of gifts and events for which no prior written approval is required is \$600 per person per year. To the extent any gift or invitation exceeds that limitation, the **NWBA** Development employees/staff must obtain the prior written approval from the Ethics Committee and the **President of the NWBA**.

C. Government Employees

The giving of gifts to federal, state, and local government employees is governed by a complex set of rules that is typically agency-specific. Generally, the giving of gifts to government employees is very limited or prohibited. Before offering a gift to a government employee, of any value, you must receive the approval of the CEO and the Ethics Committee in advance and in writing.

D. Disclosure And Approval

All gifts or invitations offered by an Affiliated Individual must be covered by the appropriate **NWBA** budget and must be approved in advance by the appropriate **NWBA** supervisor. All gifts or invitations extended that exceed the limits and/or parameters noted above must be disclosed to, and approved in advance and in writing by, the CEO and the Ethics Committee before they may be offered.

SECTION 6: POINT OF CONTACT

For Athletes with Questions Regarding This Gifts and Entertainment Policy:

The Athlete Ombudsman provides cost-free, independent, and confidential advice regarding athlete rights; resolving disputes or grievances; and any sport rule, policy, or process, including **NWBA** athlete agreements, codes of conduct or team selection procedures. The Athlete Ombudsman can also help athletes connect with legal counsel or mental health resources if needed. Athletes may contact the Athlete Ombudsman at:

PHONE: (719) 866-5000

EMAIL: ombudsman@usathlete.org
WEBSITE: www.usathlete.org

For Affiliated Individuals with Questions Regarding This Gifts and Entertainment Policy:

Affiliated Individuals may contact the NWBA Ethics Committee directly (contact details are included on the NWBA website referenced below) or by way of the NWBA National Office at:

PHONE: (719) 266-4082

EMAIL: info@nwba.org

WEBSITE: www.nwba.org/managementleadership

Appendix C

WHISTLEBLOWER POLICY

PURPOSE: The purpose of this Whistle-Blower Policy (the “Policy”) is to (i) encourage, and provide a mechanism for, athletes, board of directors, officers, employees, members, committee members, task force members, hearing panel members, and volunteers (“Affiliated Individuals”) of the National Wheelchair Basketball Association (hereafter referred to as the NWBA) to report any alleged violation of the [Ted Stevens Olympic and Amateur Sports Act](#), [U.S. Olympic & Paralympic Committee Bylaws](#), any applicable State or Federal Laws, any rule, regulation or adopted policy of the NWBA, accounting or financial fraud, or other misfeasance, whether known or suspected in good faith (a “Violation” or “Violations”), (ii) encourage cooperation in inquiries and investigations of reported Violations or Retaliation (as defined below), and (iii) protect Affiliated Individuals from intimidation or threats to prevent good faith reporting of Violations or Retaliation, Retaliation for good faith reporting of Violations, or Retaliation.

REPORTING PROCEDURE: Affiliated Individuals have a responsibility to report (in good faith) alleged Violations to the NWBA’s Ethics Committee. Reports of alleged Violations or Retaliation may be submitted anonymously (though it may be harder to investigate anonymous reports).

ONLINE: Go to www.nwba.com to submit a report.

OR

PHONE: Call the NWBA National Office at: (719) 266-4082 to submit a report.

INVESTIGATION: A report of an alleged Violation or Retaliation made to the Ethics Committee may be referred to the Judicial Committee for investigation and handling pursuant to the NWBA’s Complaint Procedures. All such reports will be treated as confidentially as possible, given that there may need to be some disclosure to conduct the investigation. If the Judicial Committee determines that the matter merits further review and action, the Judicial Committee will take all necessary steps to ensure that the matter is handled in the same manner as any alleged violation of the NWBA’s Code of Conduct. Resolutions are executed by disinterested members of the Ethics Committee and/or Judicial Committee as applicable.

RETALIATION: No Affiliated Individual shall suffer adverse membership, employment or harassment or threats or livelihood consequences, or any other form of retaliation (“Retaliation”) for (i) making a good faith report of or filing a complaint regarding an alleged Violation or Retaliation to the NWBA, the United States Olympic and Paralympic Committee, the U.S. Anti-Doping Agency, or the U.S. Center for SafeSport or (ii) participating in an investigation by the NWBA (as set forth in the previous paragraph), or an inquiry or investigation by any court, law enforcement or other governmental or administrative body, including the U.S. Anti-Doping Agency or the U.S. Center for SafeSport. Retaliation shall be considered a violation of the NWBA’s Code of Conduct. The NWBA may discipline (up to and including by termination of employment, membership or other association with the NWBA) an Affiliated Individual for any such Retaliation. An Affiliated Individual making a report of a Violation or Retaliation in bad faith, including but not limited to filing a known false or malicious report, may be subject to disciplinary action.

Appendix D

CODE OF CONDUCT

In order to maintain a level of decorum throughout the National Wheelchair Basketball Association (NWBA), the Board of Directors has voted to institute the following Code of Conduct:

POLICY:

1. The Code of Conduct is effective for all NWBA Members, teams, coaches, assistant coaches, players, team representatives, team reviewers, team leaders/managers, team athletic trainers and medical personnel, officials, classifiers, commissioners, Divisional Executive Committee members, Committee members, task force members, hearing panel members, athletes advisory council, Board of Directors, officers, National Office staff, employees, contractors, volunteers, parents/guardians, spectators, and any other affiliates (collectively "NWBA Affiliates"), at all times during all practices, games, tournaments, and other NWBA events (collectively "NWBA Activities");
2. The Code of Conduct shall begin at the time the first person enters any facility for NWBA Activities (home or away) until departure of the last person;
3. Code violators may be warned.
4. The NWBA Ethics Committee shall review alleged violations of the Code of Conduct to determine if a violation has occurred.
5. The NWBA Board of Directors may impose a sanction determined by Board of Directors, in accordance with the NWBA Bylaws and Policies and Procedures, for any Ethics Committee determination of a violation of the Code of Conduct.

CODE:

All NWBA Affiliates shall:

1. Act in a sportsmanlike manner consistent with the spirit of fair play and responsible conduct, physically, emotionally, and verbally;
2. Respect the rights of all individuals to fair treatment and equal opportunity, free from discrimination or harassment of any type, including without limitation discrimination on the basis of race, color, religion, sex, sexual orientation, age, national origin, disability, or otherwise.
3. Know, understand, adhere to and comply with all applicable state and federal laws, Olympic Movement Code (including, but not limited to the Prevention of the Manipulation of Competitions), U.S. Olympic & Paralympic Committee (USOPC) and NWBA Bylaws, Policies and Procedures, Financial Policies and Procedures, Rules and regulations, and Codes of Conduct;
4. Be a member in good standing of the NWBA;
5. Will refrain from conduct detracting from any player's ability to play wheelchair basketball;
6. Respect the property of others, whether personal or public;
7. Respect all NWBA Affiliates ;

8. Act in a manner that will bring respect and honor to all NWBA Affiliates and the Association;
9. Conduct themselves in a sportsmanlike, professional, and respectful manner on and off the court, for all NWBA Activities.

Furthermore, all NWBA Affiliates shall not:

1. Abuse either verbally or physically any NWBA Affiliate and shall adhere to the NWBA MAAPP and the SafeSport Code for the U.S. Olympic and Paralympic Movement;
2. Discriminate against any individual for any reason.
3. Throw any object on or off the field of play in the manner as to create a safety hazard to anyone.
4. Taunt anyone by means of baiting or ridiculing a threat of physical violence to anyone.

ANTI-RETALIATION:

Neither the NWBA nor any NWBA Affiliate shall retaliate against an individual for the filing of a good faith report of potential ethical, policy, financial or legal violations, or who cooperate with investigations of those reports. That means neither NWBA nor a NWBA Affiliate may threaten, harass, discriminate against, or take any negative employment (where applicable) or participation related action (e.g., discharge, demotion, suspension, non-assignment, negative review) on that basis. It shall constitute a violation of NWBA Whistleblower and Anti-Retaliation Policy and grounds for discipline to retaliate against any individual for the filing of a complaint.

ENFORCEMENT AND REPORTING:

1. Coaches, assistant coaches, team representatives, and team leaders/managers shall have the primary responsibility for their own conduct and the conduct of any other NWBA Affiliate associated with their team, and should abide and impose the appropriate provision of the Code of Conduct when necessary.
2. Officials shall have the primary responsibility for their own conduct and can enforce ejection of any other NWBA Affiliate that violates the Code of Conduct.
3. Division and Conference Commissioners shall have the responsibility for their own conduct and of enforcing the Code of Conduct for the respective Conference and Division for which they are appointed.
4. The NWBA Executive Director and Board of Directors shall have the responsibility for their own conduct and for the conduct of all other NWBA Affiliates, and may enforce the Code of Conduct for anyone that violates the Code of Conduct.

NWBA Affiliates have a responsibility to report (in good faith) alleged Violations to the NWBA's Ethics Committee. Reports of alleged Violations or Retaliation may be submitted anonymously (though it may be harder to investigate anonymous reports).

ONLINE: Go to www.nwba.com to submit a report.

OR

PHONE: Call the NWBA National Office at: (719) 266-4082 to submit a report.

PENALTY:

The Ethics Committee shall investigate alleged violations of this Code of Conduct and shall make a determination as to whether a violation has occurred. Any NWBA Affiliate found in violation of this Code of Conduct by the Ethics Committee shall be subject to sanctions imposed in accordance with the NWBA Bylaws, Policies and Procedures, as determined by the NWBA Board of Directors. If the sanctions imposed limit the right to participate, NWBA Affiliates have the right to request a hearing in accordance with Grievance Procedures as outlined in the NWBA Bylaws, which includes athlete involvement. Resolutions are executed by disinterested members of the Ethics Committee and/or Judicial Committee as applicable.

CONTACT:

For Athletes with Questions Regarding this Code of Conduct:

The Athlete Ombudsman provides cost-free, independent, and confidential advice regarding athlete rights; resolving disputes or grievances; and any sport rule, policy, or process, including NWBA athlete agreements, codes of conduct or team selection procedures. The Athlete Ombudsman can also help athletes connect with legal counsel or mental health resources if needed. Athletes may contact the Athlete Ombudsman at:

PHONE: (719) 866-5000
EMAIL: ombudsman@usathlete.org
WEBSITE: www.usathlete.org

For Affiliated Individuals with Questions Regarding this Code of Conduct:

Affiliated Individuals may contact the NWBA Ethics Committee directly (contact details are included on the NWBA website referenced below) or by way of the NWBA National Office at:

PHONE: (719) 266-4082
EMAIL: info@nwba.org
WEBSITE: www.nwba.org/managementleadership

Appendix E

BACKGROUND CHECK POLICY

1. Purpose

The National Wheelchair Basketball Association (NWBA) is committed to the safety of athletes and participants involved in sport. NWBA requires background checks in order to (a) foster a safe environment at all competition and training environments sanctioned and/or overseen by the NWBA; (b) create a safe living, training, and competition environment for athletes and other individuals associated with NWBA; and (c) protect persons at risk, including, but not limited to, minors and vulnerable adults.

This policy sets forth the NWBA's background check standards and outlines the guidelines for the use of background checks to determine eligibility for NWBA membership and for participation in NWBA programs and services.

2. Applicability of Policy

This policy applies to:

1. All non-athlete members of NWBA;
2. All NWBA Staff;
3. All adult (as defined below) members of any NWBA recognized national team;
4. All adult athletes and alternates and training partners selected to participate on a national or international team, or any Delegation events to which the USOPC sends athletes;
5. All individuals that NWBA formally authorizes, approves or appoints to (a) serve in a position of authority over or (b) have regular contact with athletes. This shall include, but is not limited to, staff, officials, coaches, classifiers, team representatives, board members, committee members, divisional leadership, conference leadership, task force members, hearing panel members, coordinators, local affiliated administrator/directors, trainers, independent contractors, volunteers, training partners, guides and medical personnel, and other individuals authorized or nominated by the NWBA to work with athletes or other participants while at an NWBA Training Site (i.e., NWBA sanctioned event site) or competition event to which the NWBA sends athletes;
6. Assistants, or personal care assistants who are funded, have a contractual obligation with, or are credentialed by the NWBA, or otherwise have regular contact with NWBA athletes.
7. All athletes and alternates, training partners, and guides 18 years of age or older who are selected by the NWBA to participate in national or international team, or Delegation Events.
8. All athletes and alternates, training partners, and guides 18 years of age or older that are selected by the NWBA to train at any Olympic & Paralympic Training Center, USOPC High Performance Training Center, or NWBA Training Site (i.e., NWBA sanctioned event site); and
9. Other adults who have regular contact with athletes, as determined by the NWBA.
10. Each NWBA Training Site (i.e., NWBA sanctioned event site) shall require criminal background checks in compliance with the background search components, for those individuals it formally authorizes, approves or appoints (a) to serve in a position of authority over athletes, or (b) to have regular contact with athletes.
11. Individuals authorized or credentialed by the NWBA to access a Training Site (i.e., NWBA sanctioned event site) or attend a competition ran by the NWBA are required to undergo a criminal background check if they have unsupervised one-on-one interactions with athletes.
12. Contracts with third-party vendors/contractors that are (a) in a position of authority over or (b) in regular contact with athletes must include the background check requirements set forth in this policy. The contracts shall also specify that certification must be provided by the

vendor/contractor upon request by the NWBA, to establish that the mandated background checks were conducted.

13. When partnering with community organizations, the NWBA shall ensure that the partnership agreement includes language regarding background check requirements. The agreements shall also specify that certification must be provided by the community organization upon request by the NWBA, to establish that the mandated background checks were conducted.

Note: Applicability of this policy does not supersede or replace applicability to USOPC Background Check requirements or state law. Some members of NWBA may be subject to this policy that are not subject to the USOPC policy and vice versa.

3. Definitions

Adult: Applies to any person eighteen (18) years of age or older.

4. Background Check Search Requirements

The following search requirements will be used for any Background Check called for in this policy:

- A. Social Security Number validation;¹
- B. Name and address history records;
- C. Two independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam, and Puerto Rico;
- D. Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
- E. County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
- F. National Sex Offender Registry database search of all available states, plus DC, Guam, and Puerto Rico;
- G. Multiple National Watch Lists;
- H. SafeSport Disciplinary Records;²
- I. Comprehensive International Records search for persons who have lived outside of the United States for six consecutive months in any one country, during the past seven years;³
- J. Motor Vehicle Records of at least a 3-year history in the state of licensure; (if driving is required for position);

5. Policy Outline

No person may be a member of NWBA or have contact with athletes if they do not pass the applicable background check (exceptions are detailed in section 6. Flagged Offenses below).

A background check shall be conducted prior to the commencement of a new role or competition for all applicable individuals as outlined above in Section 2 and shall be completed annually.

Background checks may be conducted more frequently as part of routine background check updates and/or if a permissible purpose (as defined by state law) has been determined.

¹ Or suitable alternative identification verification process as determined by the background check vendor.

² Until the process is automated, this component will not be audited. .

³ International record checks vary from country to country. The background check vendor will provide comparable search components depending on the laws of that specific country.

All background checks must be conducted by the NWBA Background Check vendor through the system and process provided to applicable individuals.

6. Flagged Offenses

Any results that meet the criteria set below will be reported to the designated NWBA staff member who will share the information with the NWBA Ethics Committee Chair.

("Flagged" Finding):

- A. Any felony;⁴ and
- B. Any misdemeanor involving:
 - i. All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;⁵
 - ii. Any drug related offenses;
 - iii. Harm to a minor or vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
 - iv. Violence against a person, force, or threat of force (including crimes involving deadly weapons and domestic violence);
 - v. Stalking, harassment, blackmail, violation of a protection order, and/or threats;
 - vi. Destruction of property, including arson, vandalism, and criminal mischief; and
 - vii. Animal abuse, cruelty, or neglect.

Note: Any person's participation in a USOPC event or competition will be subject to appropriate USOPC Background Checks and potentially to a USOPC Secondary Review of previously completed NWBA Background Checks.

Offense Preliminary Review

In the event of "Flagged" finding, the NWBA Ethics Committee Chair, shall make a preliminary ruling on the disqualification or conditional status of membership or participation in NWBA activities. Should the finding involve the Ethics Committee Chair or if the Ethics Committee Chair is conflicted, in keeping with the NWBA Bylaws, the NWBA President of the Board shall act in his or her place.

The Ethics Committee Chair's determination in relation to a background check finding includes, but is not limited to:

- a. Disqualification for membership;
- b. Probationary status for membership;
- c. Restrictions on membership, including, but not limited to:
 - a. Prohibition from driving vehicles (including privately owned) while conducting any membership role; and
 - b. Prohibition from being a signing officer for NWBA or a member non-profit organization and/or having financial oversight, including cash handling.

⁴ For purposes of these procedures, the term "felony" shall refer to any criminal offense punishable by imprisonment for more than one year.

⁵ Any covered individual that has been convicted of, received an imposition of a deferred sentence for, or any plea of guilty or no contest for any sexual crime, criminal offense of a sexual nature, and/or is a sex offender registrant must be reported to the U.S. Center for SafeSport.

Review of Preliminary Ruling

Individuals may request a hearing according to the Grievance Procedures as outlined in the NWBA Bylaws to contest the preliminary ruling, including the disqualification from membership as a result of a “Flagged” finding.

An applicant may also dispute the accuracy of the reported information with the NWBA Background Check Provider.

7. Limitations on Action

Screening Reviews Conducted in Relation to Nominations

In addition to reviews above, the results of a pre-appointment review of a candidate for a governance position may be considered by the NWBA Governance Committee at their discretion. The Governance Committee may not reduce, limit or constrain any of the requirements in this policy.

CEO Discretion in Requiring Background Checks

The CEO, or the Board of Directors in a situation where the CEO is involved or conflicted, may require background check requirements beyond those mandated in this policy at his or her discretion and in conformance with state or federal law. The CEO may not reduce, limit or constrain any of the requirements in this policy.