

USA FENCING
CODE OF CONDUCT FOR PARTIES
IN DISCIPLINARY PROCEEDINGS

USA Fencing has been made aware that you are involved in an Ethics, SafeSport or other disciplinary complaint that has been submitted either to the US Center for Safe Sport ("Center") or to a USA Fencing Disciplinary Panel ("Panel") and that is currently under investigation. While the case is pending, and after it is resolved, the complaining and defending parties named in the complaint should adhere to the following standards of conduct. These do not assume the truth or falsity, validity or invalidity, of any fact, claim or defense alleged or asserted by any party. They are *minimum* standards for preventing disruption in our sport.

1. All parties shall at all times behave in a civil and respectful manner toward each other and toward all others involved in the proceeding.
2. Except as permitted by the relevant disciplinary authority (e.g., to prepare for or conduct the hearing of a claim or defense), no party shall communicate directly with an adverse party by any means concerning the subject matter of the proceeding. Nor shall any party cause another person to do so.
3. No party shall retaliate against or harass or intimidate another party, or cause another person to do so, for making or raising any allegation, claim or defense in the proceeding.
4. No party shall retaliate against or harass or intimidate any witness, or otherwise attempt to improperly influence another person's testimony or cooperation in the proceeding.
5. During the pendency of the proceeding and any appeal therefrom, each party shall minimize communications and physical interactions with each adverse party, and limit them as much as reasonably possible to those necessary and appropriate to the parties' respective activities involving or relating to the sport of fencing.
6. Adversity in a disciplinary proceeding creates a conflict of interest between opposing parties, pursuant to which, absent a mutual waiver by all parties or a contrary ruling from the Panel, a party must be disqualified from any position or activity in which he or she would have oversight or authority over his or her adversary. Such a conflict does not extend to students, teammates or club-mates of the adversary, absent sufficient evidence to the contrary.
 - The parties may, in a writing signed by all of them, (i) waive such a conflict, in which event there shall be no disqualification, or (ii) agree to

the nature, scope and duration of disqualification.

- Any of the parties to such a waiver or agreement may revoke it in writing, in which event it shall be of no further force or effect.
- If there is no such waiver or agreement, or if it is revoked, then the Panel shall hear and determine any disputes concerning the nature, scope and duration of disqualification arising from a conflict described in this Paragraph 6, both as a preliminary matter and as part of its final report and recommendations. If the proceeding is before the Center, then a hearing officer appointed by the Executive Director shall hear and determine any such dispute as a preliminary matter, pending the Center's final determination and any appeal therefrom.

If any of these standards of conduct are violated, then the violating party may be sanctioned by USA Fencing. If a party believes, based upon good cause, that the standards are insufficient to protect against harassment, abuse, intimidation, retaliation or emotional or physical distress, then the party may request other appropriate restrictions from the relevant Panel, from the Center if the proceeding is before it.