



CAPS Complaint Policy, Processes, and Procedures

Compliant Policy statement: Chesapeake & Potomac Softball (CAPS) is committed to thoroughly investigating any potential violation of the governance manuals outlined by the bylaws, constitution, and core values. All formally and informally submitted complaints regarding such violations will be examined and addressed in accordance with the complaint procedures established by CAPS Board members, which are publicly available on the CAPS website.

This document is designed to safeguard the safety and well-being of all individuals affiliated with CAPS, ensuring that everyone involved with CAPS acts with integrity, upholds a high standard of ethical behavior, and fosters values, spirit, and ideals that align with the core values of CAPS.

1. Purpose

CAPS is committed to providing a safe, fun, and fair environment for all participants. In the event a CAPS member intends to file a complaint, the subsequent processes and procedures must be adhered to in order to guarantee a timely and equitable resolution.

2. Scope and Eligibility

CAPS members, as defined by CAPS Bylaws Article II, Section 1, can file a complaint under this process.

- a. A complaint may be reported by either the Complainant or a Third-party (A person submitting the complaint shall herein be referred to as "Reporter.")
 - i. Third-party individuals are those who file a complaint but are not recognized as the Complainant. To submit a complaint, a Third-party Reporter must also be a member of CAPS.
- b. Complaints can be submitted against any CAPS members, as defined by CAPS Bylaws Article II, Section 1.
 - i. A CAPS Member that receives a complaint against them shall herein be referred to as a Respondent.

- c. This complaints procedure aims to examine possible violations of the CAPS governance instruments, which include the Bylaws, Constitution, and Core Values, that may take place during any events associated with CAPS. This encompasses CAPS season games, tournament games in which teams identify as CAPS members, scheduled scrimmages organized by CAPS, CAPS sponsored social events, and any tournament-related events where CAPS members represent a CAPS team.
- d. If a Reporter witnesses violations of federal, state, or local laws, a Reporter may choose to report through this CAPS complaint process and may also choose to make a report to law enforcement or pursue available civil or administrative remedies.
 - i. A Reporter may pursue one, some, or all these options at the same time.
 - ii. A Reporter who wishes to pursue criminal action in addition to, or instead of, making a report under these procedures should contact law enforcement or legal counsel directly.
- e. In determining the approach and resolving a complaint, the CAPS Board shall, when practical and after evaluating the severity of the complaint, hold a vote to consider the option of addressing an informal complaint through a documented informal process as the preliminary measure.
 - Characteristics of a less serious complaint may include actions that are:
 - a) Ad-hoc
 - b) Not entrenched, or
 - c) Low risk of harm to other people
 - In the case of informal complaints only, it may be beneficial to ask the Reporter to articulate their desired outcome. While their request may not always be feasible, it can provide valuable insight into the objectives of their complaint and may facilitate the identification of a resolution that does not necessitate a formal complaint process.
 - a) For informal complaints, the CAPS Board may, when deemed suitable, extend a resolution proposal to the Reporter.
 - b) The Reporter has the option to either accept or decline this proposal. Should they choose to decline, they may subsequently request that their complaint be escalated to a formal complaint.
- f. CAPS maintains a strict policy against any form of retaliation towards individuals who report misconduct in good faith. This policy prohibits any CAPS Member from threatening, harassing, or discriminating against anyone on this basis, whether directly or indirectly, at any stage of the complaint resolution process.

Any incidents of retaliation may be reported through the established complaints procedure outlined herein.

- g. Any member of CAPS who submits a complaint is required to act in good faith and possess a reasonable belief that a violation may have occurred. Individuals who knowingly file a false report, aware that it is untrue or lacks foundation, are in violation of this CAPS policy. Such a violation may also be reported in accordance with this policy.

3. Complaint Submission Method

- a. All CAPS complaints must be submitted through the CAPS complaint email, complaints@capsssoftball.org. A direct link to this email address shall be found in the CAPS website.
- b. **Information Required:** A complaint, whether formal or informal, shall be submitted in writing within three (3) calendar days following the incident (or the most recent alleged incident in the case of multiple occurrences). The complaint must be dated and include a declaration from the Reporter affirming the truthfulness, completeness, and accuracy of the information provided in the complaint to the best of their knowledge.
 - a. The complaint must contain the full name and team affiliation of the Reporter.
 - b. Clearly identify the CAPS Bylaw, Constitutional section, or Core Value that was allegedly violated.
 - c. Identify to the extent known to the Reporter all individuals who are allegedly responsible for the acts or omissions that are the subject of the complaint.
 - d. Include a brief but detailed description of the complaint's nature and the relevant facts shall be provided, along with the identification of the individual or group deemed responsible for the actions or inactions mentioned. Additionally, any supporting documents shall be included, as well as the specific relief sought.

4. Acknowledge Receipt

- a. **CAPS COMPLAINT NOTIFICATION 001** - After the Reporter submits a complaint, within three (3) calendar days, the Reporter shall receive a confirmation of receipt that includes the date the complaint was received and a

reference number. This notice shall be considered CAPS COMPLAINT NOTIFICATION 001.

- i. All complaints, formal or informal, shall have a reference number associated with it.
- b. **CAPS COMPLAINT NOTIFICATION 002** - Following Notification 001, the appropriate Division Board Member (or another assigned designee Board Member) will then determine the following three items:
 - i. Whether the complaint complies with this Policy, including whether the complaint is time-barred or whether the Reporter has standing to file the complaint.
 - ii. Whether the underlying facts and circumstances referenced in the complaint give rise to an issue that is appropriate for resolution under this Policy; and
 - iii. Whether the complaint involves matters over which CAPS does have the authority or ability to remedy.
- c. The CAPS Board Member will identify themselves and inform the relevant parties to include the Reporter, the Complainant (if not the Reporter,) and the Respondent(s), of CAPS COMPLAINT NOTIFICATION 002 within seven (7) calendar days after CAPS COMPLAINT NOTIFICATION 001 is sent out, (such time extended as needed for a possible informal resolution.) CAPS COMPLAINT NOTIFICATION 002 will state if the three items in section Section 4.b. i, ii, and iii were met.
- d. The Reporter will be advised if the complaint is to proceed forward or if it will be dismissed and the reason(s) for such dismissal. There is no appeal from this dismissal; however, the Reporter may refile.
 - i. If there is a defect in the complaint submission that can be easily cured, a notification will be provided to the Reporter with the notice of the defect and a reasonable period to cure the defect. If the Reporter fails to cure within the time provided, the Board Member may find the complaint deficient and dismiss that complaint.
- e. Prior to a complaint being investigated, it may be necessary to implement interim measures against a Respondent in the following circumstances:
 - i. to ensure the safety or well-being of others, and/or
 - ii. where an allegation is sufficiently serious.

Where either or both such circumstances exists, the CAPS Commissioner or an Assistant Commissioner, may immediately implement interim measures to protect others, provided the Respondent(s) is afforded an opportunity to respond within five (5) calendar days of implementation of the interim measure. The Respondent(s) response to this is not considered their response to the complaint, but simply their response to the interim measures. Interim measures will remain

in effect until the CAPS Commissioner, or their designee, expressly removes the interim measures.

5. Assign and Investigate

a. Conflict of Interest (COI)

- i. Any CAPS Member designated to take part in a complaint investigation or appeals process is required to inform the CAPS Board of any real or perceived situation that may influence their impartiality or independence. This includes any biases, financial or personal interests in the outcome of the arbitration, or any prior or current relationships with the involved parties or witnesses.
- ii. If a CAPS Member (to include Board members) identifies they have a COI from a complaint, that Member shall recuse themselves from that complaint investigation (to include the appeals process) as soon as this COI is discovered.
- iii. The CAPS Board shall communicate any information concerning a potential COI to the relevant parties.
- iv. A CAPS Member may file an objection with the CAPS Board contesting a Board Member's participation in a complaint investigation. Upon receiving an objection, the CAPS Board (minus the objected to Board Member) shall determine that Board Member's eligibility to participate in the investigation.

b. Assign Responsibility

- i. A CAPS Board Member with no COI will be assigned by the CAPS Commissioner as the lead for a complaint.
- ii. If required, the CAPS Commissioner shall assign a small group of registered CAPS players with no COI to assist in the investigation into the complaint.

c. Investigation

- i. The investigation shall be given a time allotment of 2 weeks from the date the CAPS COMPLAINT NOTIFICATION 0002 was sent to conduct a thorough investigation and gather all relevant facts and evidence, such as:
 - Speaking with the individuals involved in the incident,
 - Reviewing any video, photo, or witness accounts, and/or
 - Consulting with game officials or other league representatives.

- d. **Documentation:** The assigned CAPS Board Member shall keep and have readily available detailed records of the investigation.

6. Review and Resolve

- a. **Assessment:** The investigation will assess the findings and make a recommendation of whether or not the Respondent(s) violated CAPS Bylaws, Constitution, and/or Core Values.

- i. If so, the investigation shall clearly state what Policy/Regulation the Respondent(s) violated.
- b. **Resolution:** All CAPS Board Members that do not pose a COI shall be requested to cast a vote on the outcome of all formal complaints submitted. The CAPS Board shall decide on the appropriate course of action, which may include but is not limited to:
 - i. No further action if the complaint is deemed unfounded.
 - ii. Warnings issued to Respondent(s).
 - iii. Disciplinary action such as game suspensions, fines, or other penalties.
 - iv. Recommendations for changes to league policies or procedures.

7. Communicate the Outcome

- a. **CAPS COMPLAINT NOTIFICATION 003:** In this notification, the assigned CAPS Board Member shall inform the Reporter, Complainant if applicable, and the Respondent(s) of the outcome in one report, explaining the decision and any actions taken.
- b. The final report is prepared to document and analyze the evidence that enabled the CAPS Board Members to make an informed decision regarding the likelihood of the alleged violation occurring.
 - i. Some or all of the investigation documentation may be included as part of the final investigation report.
- c. An example of a final report template is below.

Investigation/Executive summary	Provides a summary of the report. <ul style="list-style-type: none"> ● Set the context. Summary of allegations. ● Summary of relevant evidence. ● Findings.
Methodology	Identifies the investigation process, including relevant dates that parties were interviewed and/or other inquiries.
Allegation	What is the alleged conduct, and the relevant policy, procedures that the alleged conduct is said to have infringed.
Summary of Evidence	Align to each allegation. What did your investigations reveal. What did witnesses say about the allegation.
Findings	What is the finding of your investigation. Substantiated or unsubstantiated.
Lessons (where relevant)	What did you identify, and how things could be improved. <ul style="list-style-type: none"> ● Identify system shortfalls. ● Recommend follow-up action.

- d. **Right to Appeal:** The Reporter can appeal the CAPS Board's decision by following the Appeals Process attached to this document.

8. Implement Corrective Actions

- a. **Action Plan:**
 - i. The CAPS Board shall implement any corrective or preventive actions as a result of the complaint.
 - ii. The Respondent(s) shall implement any corrective or preventive actions as a result of the complaint.
- b. **Follow-Up:** The CAPS Board shall monitor the effectiveness of the actions taken to ensure the issue does not recur.

9. Close the Complaint

- a. **Final Documentation:** All complaints and their resolutions will be documented and kept on file for future reference to ensure consistent enforcement of league policies.
- b. **Feedback:** Optionally, The CAPS Board may request feedback from the Reporter on how the process was handled.

10. Review and Improve

- a. **Regular Reviews:** The CAPS Board shall periodically review the complaint process to identify areas for improvement.

11. Confidentiality and Data Protection

- a. **Confidentiality:** All information related to the complaint shall be kept confidential.
- b. **Data Protection:** The CAPS Board and any CAPS members that assist with investigations shall comply with relevant data protection laws and regulations when handling personal information.

12. Reporting and Analysis

- a. **Trends and Patterns:** The CAPS Board shall analyze complaints data on a yearly basis to identify trends and systemic issues.