

DISCIPLINARY POLICY AND PROCEDURES

For the Southwest Division of Bowls USA

(Amended August 3, 2026)

This Policy shall be effective on August 3, 2026, and shall apply to all claims, complaints, reports, investigations, and related matters first reported, submitted, opened, or assigned on or after that date, without regard to the date of the action or alleged action. Any claim reported, submitted, opened, or assigned prior to August 3, 2026, shall continue to be governed by the policies, procedures, and disciplinary standards in effect at the time the claim was reported.

I. Preamble

The Southwest Division (hereinafter “SWD”) is dedicated to fostering an inclusive environment for the sport of Bowls and to upholding the utmost standards of sportsmanship.

1.1. The Disciplinary Policies and Procedures are designed:

1.1.1. to provide basic principles to regulate the sport so that it is played in an environment in which the rights, dignity, and individual worth of all its members are respected.

1.1.2. to ensure that any disciplinary action is conducted in a manner consistent with the principles of fairness, consistency, impartiality, independence, transparency, and timeliness.

1.1.3. to provide a safe and inclusive environment, and will not tolerate discrimination or harassment based on race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, or any other protected characteristic as defined under California law.

II. Judicial Privilege

By participating in the disciplinary hearing process, you acknowledge that the statements you make both orally and in writing may be made public, and you agree not to seek any legal redress via civil or criminal means for the disclosures that are made in the hearings by you or others about you. Further, the statements made against you or by you are protected due to the judicial privilege and the fact that you have voluntarily submitted to being part of this process. By participating in the disciplinary hearing, you waive any and all rights to sue as a result of any statements or decisions reached based on those statements and decisions. You agree that any statements that you might consider defamatory or otherwise tortious are protected by the privileges that are provided to cases filed in State or Federal Court, the same as if this were a formal Judicial hearing in State or Federal Court.

III. Disciplinary Committee

3.1 The SWD shall establish a Disciplinary Committee (hereinafter “DC”) which shall be composed of three (3) to five (5) SWD members in good standing, who shall have the power to act in the name of the SWD in determining disciplinary proceedings coming before it. The DC shall act independently of the Delegate Assembly and the Executive Board to investigate and reach decisions and/or recommendations in all matters before it.

The Executive Board shall select the Chair of the DC. Then, in consultation with the Executive Board, the Chair shall select (on a voluntary basis) as many as four (4) other members to sit on this committee, preferably representing various clubs or regions. The SWD President is not an ex-officio member of the DC. For all disciplinary hearings, a quorum shall be defined as two (2) or more individuals. The DC Chair shall serve for a term of three (3) years. At the discretion of the board, the Chair can be selected to serve a second term of 3 years. The other DC members shall be selected annually by the Chair in conjunction with the Board. The DC members may continue to serve on the committee without restriction, so long as selected by the Chair, and approved by the Board.

3.2. Criteria for Serving on the Disciplinary Committee (DC):

3.2.1. Possess knowledge of the sport of bowls and/or have relevant experience in disciplinary procedures.

3.2.2. Demonstrate the appropriate temperament to engage with all parties in a fair, respectful, impartial, and considerate manner.

3.2.3. Must not be a current member of the Executive Board.

3.2.4. Only one member of a married couple or family may serve on the committee at any given time.

3.3. Recusal Guidelines

To ensure fairness and impartiality in all disciplinary matters, the following recusal guidelines shall apply, in accordance with California Corporations Code §7233 and §7341:

3.3.1. Board of Directors:

Upon receipt of a Complaint, the President shall confer with members of the Board to determine whether any actual or perceived conflict of interest exists that would require recusal. Any Board member who is a complainant, respondent, or witness in the matter shall be recused from all related discussions, decisions, and appointments.

3.3.2. Disciplinary Committee (DC):

The Chair of the Disciplinary Committee shall consult with DC members to identify any actual or perceived bias or conflict that may compromise impartiality. Any member with such a conflict shall be recused. The Chair is responsible for ensuring that a quorum of impartial members is maintained. If the recusal results in the loss of quorum or necessitates a replacement, the Chair shall confer with the Board to appoint a qualified substitute. These procedures are intended to uphold the integrity of the disciplinary process and to comply with the legal standards governing nonprofit organizations in California.

3.3.3. Basis for Recusal, but not necessarily requiring recusal, may include, but are not limited to the following:

3.3.3.1. Member is a party to the complaint.

3.3.3.2. Was a percipient witness to the alleged offense which formed the basis of the complaint.

3.3.3.3. Is related to or has a close relationship with one of the parties in the complaint.

3.3.3.4. Has personal interest in the outcome of the disciplinary hearing, or any other potential conflict of interest.

IV. Jurisdiction

These Disciplinary Policies and Procedures apply to all SWD affiliated Clubs, individual members, guests, or any other persons participating in, attending, or otherwise associated with any event, activity, or program that is operated, sponsored, or sanctioned by the Southwest Division (SWD) of Bowls USA.

4.1 The Disciplinary Committee (DC) shall have authority to adjudicate all disciplinary matters within the jurisdiction of the SWD. This includes, but is not limited to:

4.1.1. Disputes between members and/or Clubs that arise at SWD sanctioned events, activities, or programs.

4.1.2. Violations of the SWD Code of Conduct occurring during an SWD tournament or other SWD-affiliated activities.

4.1.3. Misconduct by SWD members including, but not limited to, individuals serving on the Delegate Assembly or Executive Board when such conduct relates to SWD operations, events, or governance. The Disciplinary Committee shall preside over all matters referred to it, with the authority to establish acts, resolve disputes, dismiss a complaint, issue warnings, censures, and other appropriate disciplinary measures as warranted. The Committee may also recommend to the Executive Board sanctions against a member from the Southwest Division when deemed appropriate.

4.2 The SWD and the DC shall utilize the Code of Conduct in the handling of complaints. Please see Appendix A attached to this Policy and Procedure.

V. Disciplinary Procedures

Any person (including representatives of SWD affiliated clubs, the Assembly or the Executive Board, or a division member) wishing to raise a matter under these Rules shall submit a written complaint to the DC.

5.1. Complaint

A complaint should be submitted as soon as reasonably possible after the alleged incident or after the Complainant, acting in good faith, becomes aware of sufficient facts indicating that a disciplinary offense may have occurred. The complaint must include the date, time (if known), and a detailed description of the alleged misconduct, along with any relevant rule, bylaw, or code provision that is claimed to have been violated. This may include, but is not limited to, provisions found in:

5.1.1. The posted or declared rules, bylaws, or code of conduct of the relevant Club while participating in a SWD event, activity or program. [Additionally, please see Appendix A: Code of Conduct for the SWD.]

5.1.2. The Southwest Division (SWD) Rules, Bylaws, and Disciplinary Policy.

5.1.3. The rules, bylaws, or code of conduct of Bowls USA.

5.1.4. The Laws of the Sport of Bowls (Crystal Mark Edition).

The entity submitting the complaint shall be designated as the “Complainant”. The entity against whom the complaint is lodged shall be designated as the “Respondent”. The term “Party” or “Parties” shall refer to either or both the Complainant and Respondent. A permanent file shall be opened for each complaint. All related materials shall be maintained by the Disciplinary Committee (DC). The official email address of the DC will be posted on the SWD website and monitored by the Chair of the DC.

5.1.5. Anonymous, hearsay, and oral complaints shall not be accepted or considered as formal complaints.

5.1.6. A Complaint can be withdrawn at any time.

5.1.6.1. The withdrawal of a Complaint must be in writing (including by email) to the DC. Where a Complaint has been withdrawn, the DC, if it believes it is in the best interest of the SWD, and with the approval of the board, may choose to continue the Complaints Process.

5.1.6.2. If, at any stage, it is determined that a Complainant has knowingly made a false allegation, or that the complaint was submitted with malicious intent or with the purpose of causing undue distress to the Respondent, the complaint shall be dismissed. In such cases, the matter may be referred to the Disciplinary Committee, which may consider appropriate action against the Complainant in accordance with these Policies and Procedures.

5.1.7. Should the Disciplinary Committee conclude that a complaint pertains solely to an internal Club matter, it retains the authority to decline processing the Complaint and subsequently it will refer it to the appropriate Club upon such determination.

5.2. Procedure

As soon as practical, the DC shall contact the complainant and accused respondent to advise of the notice of the complaint, introduce themselves, and provide copies of the Policy & Procedure and the Code of Conduct. At this time, and within 7 days of the introduction, either party may challenge the appointment of any member of the DC (including the chair). If there is justifiable doubt as to the DC member's impartiality, that member must recuse themselves (see 3.3).

5.3. Informal Proceedings

During the initial period the DC can decide if they will first try to resolve the matter informally. If so, the DC will reach out to all parties and discuss their initial thoughts to see if an informal resolution can be achieved. If so, the DC, or one of its members, shall spend the next week or so trying to achieve an informal understanding and agreement between the parties.

5.4. Formal Proceedings

If a complaint cannot be settled informally, all efforts will be made to expedite a Formal Hearing/Investigation.

5.4.1. The DC shall, as soon as possible:

5.4.1.1. undertake an inquiry into the facts of the case in question, including securing statements from the parties involved, and any witnesses, and reviewing any evidence.

5.4.2. Hearing

At the discretion of the DC, the Committee will decide if an in-person hearing is in order or if the matter can be decided by the parties submitting statements. If the DC decides that an in-person hearing is not necessary, the DC shall advise the complainant and respondent that the DC believes an in-person hearing is unnecessary. The DC will then offer to the parties the option to schedule and proceed with a hearing.

The Complainant and the Respondent will have three (3) days from the notification of this offer to respond. Should both parties decide a hearing is unnecessary, the matter will proceed without a hearing. This shall be the only opportunity for the parties to request a hearing.

5.4.2.1. If the hearing is by way of statements, the parties will submit all statements within ten (10) days after the respondent is notified of the complaint. Likewise, the testimony of any witnesses on behalf of the respondent or complainant and any supplemental statement by the complainant will be submitted within ten (10) days to the DC and to the complainant and respondent by email or regular mail. Complainant and respondent will supply a good email address for this purpose.

5.4.2.2. Hearings can be held in person, remotely (electronically via Zoom, etc.), or by way of statements. The venue selection is solely at the discretion of the DC. If the parties wish to give oral testimony in addition to the written statements and complaints, it will be via electronic testimony at the DC's discretion. If the DC decides to grant in-person or via Zoom/electronic testimony, the DC may limit the evidence-giving session to one person at a time, conducted separately from other witnesses, complainants, or respondents, or in whatever way the DC believes will be fair.

5.4.2.3. The hearing shall be presided over by the Chair, or a DC member designated by the chair.

5.4.2.4. Evidence may be gathered by telephone or in-person interviews, testimony at a formal hearing, written statements, emails, or any other means the DC finds fair. A Party may submit a witness list to the DC for oral testimony. All statements relied upon in coming to a decision, by whatever means gathered, will be made part of the record, which is available to all parties.

The DC will confirm both parties have received copies of all evidence prior to the hearing.

5.5. Decision

At the conclusion of all evidence being received, the Chair will notify the parties that the investigation and/or hearing is adjourned, and that the DC will take the matter under submission. Parties will additionally be told that after their deliberation, the DC will submit its decision to the Board and that the parties should receive notice of the decision in approximately two (2) weeks.

5.5.1. Within ten (10) days of the adjournment, the DC shall arrive at a decision (consensus is preferable, but a majority vote is all that is necessary) and shall submit a written report to the Board.

If the DC is unable to reach a majority decision, the evidence shall be presented to the SWD board for review and analysis. The Board may hold an in-camera meeting with the DC. If the Board also fails to reach a majority decision, the proposed disciplinary action shall be deemed not supported, and no sanction shall be imposed. In such cases, the matter shall be considered closed without prejudice.

5.5.2. Upon a finding that the allegations were substantiated, the DC will take the following into consideration in determining the appropriate sanction:

- 5.5.2.1.** Gravity of offense
- 5.5.2.2.** Cooperation
- 5.5.2.3.** Whether it was a one-off incident or part of an overall pattern of behavior
- 5.5.2.4.** The potential impact on public confidence in the integrity of the sport
- 5.5.2.5.** Prior warnings
- 5.5.2.6.** Prior record
- 5.5.2.7.** Remorse
- 5.5.2.8.** The views and opinion of the Complainant
- 5.5.2.9.** Effect on other party (if any)
- 5.5.2.10.** Effect of sanction on Respondent
- 5.5.2.11.** Any other factor deemed relevant
- 5.5.6.** Possible sanctions may include:
 - 5.5.6.1.** Warning
 - 5.5.6.2.** Censure
 - 5.5.6.3.** Probation (for a set time)
 - 5.5.6.4.** Removal from elected/appointed office
 - 5.5.6.5.** Temporary suspension from SWD-sponsored events (for a set time)
 - 5.5.6.6.** Termination of membership and participation in SWD functions, events, tournaments, and any or all other SWD-sponsored activities (for a set time)

Should the DC determine only a warning or censure is in order, the DC may issue that sanction directly to the respondent, without the SWD board involvement.

A permanent record of the matter will be kept on file with the DC and the division secretary.

VI. Board Review of Disciplinary Committee Recommendation

6.1. Board Review

6.1.1. The Southwest Division Board of Directors becomes involved in disciplinary matters if the DC cannot reach a majority opinion, or when the DC determines that probation, suspension, termination, or removal from office is appropriate. As noted in 5.5, Warnings, cautions, or censures may be handled directly by the DC.

When a qualifying determination is made, the DC shall submit a written report to the Board. Within ten (10) days of receiving the report, the Board shall review the recommendation and may approve, modify, or reject the proposed disciplinary action. The SWD Board may also wish to hold an in-camera meeting with the DC.

If the Board rejects the DC's determination, it shall provide a written explanation of its reasoning to the DC. The DC may then request reconsideration by the Board, which shall take place within seven (7) days of the request.

6.1.2. When all the Board proceedings have been exhausted, the Board shall prepare a Notice of its decision and submit it to the parties and the DC. That notice shall be included in the Permanent File which remains in the custody of the DC and the secretary of the Division.

APPENDIX A: Code of Conduct

3.2. Misconduct Defined:

3.2.1. Disrespectful, Unsportsmanlike, or Improper Behavior

3.2.1.1. Any behavior that is disrespectful, unsportsmanlike, improper, or socially unacceptable—whether at an SWD-sponsored event or in any setting representing the Division—is strictly prohibited. This includes actions that violate the spirit of the game of bowls or compromise the inclusive, respectful, and community-oriented environment that SWD promotes. Examples of such conduct include, but are not limited to, inappropriate language, gestures, or actions that show disregard for others or the game.

3.2.1.2. The use of profane, vulgar, indecent, or otherwise inappropriate language or gestures that cause offense, distress, or discomfort to any individual present at the event, whether directed at an individual or expressed generally.

3.2.1.3. Any offensive, insulting, derogatory, or disrespectful conduct or remarks directed toward any person at the event, including players, officials, volunteers, spectators, or other attendees, regardless of whether the person is a member of SWD or affiliated through Bowls USA.

3.2.2. Harassment and Interference with Participation

3.2.2.1. Harassment is not tolerated within the Southwest Division (SWD) of Bowls USA. This includes, but is not limited to, sexual harassment, religious intolerance, and discrimination based on race, ethnicity, disability, gender identity, sexual orientation, age, or any other protected characteristic.

3.2.2.2. Harassment includes unwelcome comments, gestures, actions, or behaviors—physical, verbal, emotional, psychological, or digital—that create a hostile, intimidating, or offensive environment. This applies to any SWD member, guest, participant, official, volunteer, or Bowls USA affiliate, whether during official events or otherwise.

3.2.2.3. Behavior intended to intimidate, demean, humiliate, threaten, or cause harm—intentional or reckless—compromises our sports safety, integrity, and Inclusiveness and will lead to disciplinary action.

3.2.3. Physical aggression or violence such as fighting, pushing, shoving, or any other form of unconsented physical contact with another bowler, official, spectator, or SWD event participant.

3.2.4. Conduct that breaches the duties, responsibilities, or ethical standards expected of a person acting in any official capacity as a SWD Representative. This includes any behavior that damages the reputation of SWD or compromises the integrity of the event or organization.

3.2.5. Withdrawal or Failure to Complete Tournament or Event

3.2.5.1. Withdrawal After the Draw

3.2.5.1.1. Once the tournament or event draw has been finalized, players may only withdraw by submitting appropriate documentation or evidence of a bona fide injury, illness, bereavement, or other exceptional circumstance to the event officials.

3.2.5.2. Early Departure from a Tournament or Event

3.2.5.2.1. Players must not make travel plans or any other arrangements that would prevent full participation in all scheduled matches of the tournament or event.

3.2.5.2.2. Players are not permitted to leave the tournament or event or fail to complete any scheduled matches without receiving prior authorization from the Tournament Director.

3.2.5.2.3. Permission to depart early will be granted only under exceptional circumstances and at the sole discretion of the Tournament Director.

3.2.5.3. Participation in Other Events After Withdrawal

3.2.5.3.1. A player who withdraws from a SWD tournament or event citing unavailability or unfitness to compete must not participate in any other event taking place during the same time frame.

3.2.6. Failure to Compete in Good Faith

3.2.6.1. All players are expected to demonstrate sportsmanlike conduct by making their best efforts to compete honestly and to the full extent of their ability. A player must not intentionally default, underperform, manipulate the outcome, or otherwise attempt to throw a game. A default is only acceptable when a player is reasonably unable to continue due to illness, injury, or other justifiable circumstances, as determined by the Tournament Director or appropriate authority. Any attempt to cheat, collude, or compromise the integrity of play constitutes misconduct under the SWD Disciplinary Policy.

3.2.7. Physical abuse: players must not physically abuse another person, the playing surface or surrounds, fixtures or equipment. Conduct which is prejudicial to the interests of SWD or Bowls USA or any or Club thereof, or any member thereof or to the Sport of Bowls in general.