

## **NEW ORLEANS HALFMOONS CODE OF CONDUCT**

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### **SECTION 1: PURPOSE OF DOCUMENT**

The New Orleans Halfmoons womxn's Rugby Club, (hereinafter referred to as the 'Club') is committed to creating and providing a sport and social environment that is respectful and inclusive. All Club players, coaches, and members are expected to treat and be treated with respect and dignity, free from harassment or discrimination of any nature, as defined in this document. The Club welcomes individuals from all backgrounds and seeks to create an environment of inclusion as outlined in the Club's bylaws and Code of Conduct. The goal of this policy is to ensure that we as a club will build and maintain a culture that we are proud of and that is safe for our members and associates.

To uphold this culture, any form of slurs, derogatory epithets, harassment (physical or emotional), violence (physical or sexual) or any other harmful words or acts will not be tolerated. This document will detail the system for reporting, the investigation methods and the potential consequences for these actions. The Officers involved shall maintain a commitment to addressing the victim's needs throughout this process of investigation, discipline, reparation, and rehabilitation. These processes and expectations apply consistently to all club members and nonmembers, including but not limited to coaches, ruggers, fans, referees, and members of opposing teams whether they are the offenders or victims, in any situation where the victim and offender would continue to interact in club spaces. Officers are always representing the Club and should always seek to uphold this culture. All parties are expected to continue the Club tradition of fostering a welcoming community of respect on and off the pitch.

This document will abide by, and expand upon, USA Rugby's SafeSport initiative and practices. SafeSport is the US Olympic Committee's program to protect athletes and participants from abuse and misconduct through educational materials for the Club's authoritative leaders. SafeSport is also a platform to report instances of abuse and misconduct that go beyond the scope of this policy.

This document shall be made public and remain easily accessible so that anyone who wishes to engage with the Club, both in the sport or social context, may understand the conduct expected of all parties involved and the consequences for actions that do not align with the culture we wish to build and maintain.

## SECTION 2: DEFINITION OF TERMS

**Discrimination:** Discrimination refers to any conduct, whether intentional or not, which has the effect of imposing burdens, obligations or disadvantages on an individual that are not imposed on others, or which withholds or limits access to opportunities, benefits and advantages available to others.

**Harassment:** Repeated and/or severe conduct that causes fear, humiliation or annoyance, offends or degrades, creates a hostile environment, or 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 any act or conduct described as harassment under federal or state law. Harassment may include, but is not limited to gestures, physical intimidation, text messages, social media, electronic communications, or verbal acts. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context and duration of the behavior.

**Physical Misconduct:** Any contact or non-contact conduct that causes or reasonably threatens to cause physical harm to another person. Examples include, but are not limited to: punching, beating, choking, and encouraging an athlete to return to play prematurely following a serious injury.

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

Verbal Acts: Verbal assault that attacks someone personally, repeatedly and excessively yelling at a person in a manner that serves no productive training or motivational purpose. Examples include, but are not limited to: calling someone worthless, disgusting, or cyber bullying.

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.

Acts that Deny Attention: Ignoring or isolating a person for extended periods of time.

**Sexual Misconduct:** Sexual harassment, sexual assault, and similar inappropriate behavior that disrupts or harms team culture, such as dating violence, domestic violence, or stalking. In addition to the information below, more detailed definitions can be found in

Sexual Harassment: Unwelcome sexual conduct, whether in the form of comments, gestures, or other behaviors.

Sexual Assault: Any sexual contact or activity with another occurring without their explicit consent or when they are incapacitated.

Consent: Voluntary, informed, and unequivocal agreement to engage in specific sexual contact or activity as mutually understood by the parties involved.

Coercion: Use of intimidation, pressure, manipulation, exploitation, or threats to obtain sexual contact or activity.

Incapacitation: Impairment of any kind impeding a person's ability to make rational and informed decisions about sexual contact or activity.

Force: Physical intimidation, contact, or violence.

Complainant: An individual who reportedly has been victimized by sexual misconduct.

Accused: An individual who reportedly committed sexual misconduct.

**Bystander Intervention**: Bystander Intervention is used to describe a situation where someone who is not directly involved steps in to positively change the outcome. Stepping in may give the person of concern a chance to get to a safe place or leave the situation.

### **SECTION 3: CODE OF CONDUCT**

#### **Introduction**

The Halfmoons Womxn's Rugby Football Club is a rugby football club committed to the ethics of:

- (1) Inclusion.
- (2) Fair and safe play on the field.
- (3) Mutual respect and consideration.
- (4) Providing a harassment-free sport environment.

The Halfmoons Womxn's Rugby Club's (hereinafter referred to as the 'Club') is organized exclusively for nonprofit, charitable, and educational purposes; the fostering of amateur sports competition; and participating in and promoting the sport of womxn's rugby. In view of this purpose, the members accept these articles with the intention that personal efforts will benefit the team as a whole. In addition the members hold the expectation that involvement with the sport of womxn's rugby will provide them with recreation, camaraderie, and the opportunity for personal growth.

Developing a club culture that reflects these principles is integral to successfully realizing our Club's mission. It is with that mission in mind that the Club asks all of its members to adhere to certain standards of conduct, which are outlined below. These standards of conduct are intended to establish some expectations and guidelines as to what constitutes behavior consistent with our stated ethics, our club mission, and the law.

The sections below provide the Club's standards of conduct expected of all its members (players, coaches, staff, and supporters), associated with each of the four principles inherent within our statement of ethics.

**(1) Inclusion**

With the mission of our organization being to provide a welcoming, safe environment for all participants to enjoy the sport of rugby, the Club and its members will not discriminate on the grounds of ethnicity, race, nationality, or religion in any matter; nor on the grounds of sex, age or disability, except as a necessary consequence of the requirements of the sport. The Club follows the gender inclusion policies as laid out by USA Rugby.

**(2) Fair and Safe Play on the Pitch**

Fair play espouses striving to win, but not at all costs. The Club's members are expected to abide by the rules and regulations of the game, in both spirit and action, as set out by True South and USA Rugby's governing bodies, referees, and coaching staff. The Club's players will abide by and respect the officials' decisions, and refrain from direct commentary to officials, other than communicating through the Captain(s). Players will refrain from the use of physical force or behavior that reflects an intentional disregard for the safety of another player(s) outside of the rules of the game.

Coaching staff are expected to demonstrate a standard of care for the individual athlete's wellbeing, in line with the individual's abilities and standards of the sport.

Safe play requires that the Club's players report all injuries and medical conditions that directly impact their playing capability, in a timely manner to the coach and/or captain(s). Players will also wear appropriate safety equipment as required, such as mouth guards and headgear, to reduce the risk of injury. The Club's players are expected to abide by the directions and/or decisions of medical personnel and coaches.

**(3) Mutual Respect and Consideration**

The Club is committed to providing an environment in which all individuals are treated with respect and dignity. Members are expected to conduct themselves in a manner that reflects positively upon themselves, their teammates, and the Club— whether that is with other teammates, within the local and regional community, with other rugby teams, coaches, referees, sponsors or spectators. Members are expected to display good sportsmanship conduct in club events, both on and off the pitch.

- Sportsman-like conduct includes showing respect and consideration in language and behavior toward all in attendance at an athletic event: officials, coaches, athletes, opponents, spectators, sponsors and the media.
- Unsportsmanlike conduct includes inappropriate behavior in language, gesture, or action that demeans, physically intimidates, or endangers others.
- Unsportsmanlike conduct also encompasses inappropriate behavior in language, gesture, or action that demeans, physically intimidates, or endangers others during other activities of the Club.

- Good sportsmanship conduct also implies winning with character and losing with dignity.

#### **(4) Harassment-Free Environment**

Every member of the Club has the right to participate in a sporting environment free from harassment. The Club does not tolerate harassment in connection with any of its internal or external business, sport or related activities. All members are expected to conduct themselves accordingly.

Member complaint resolution procedure is as follows.

### **SECTION 4: ETHICS COMMITTEE PROCEDURES AND POLICIES**

#### **CONFIDENTIALITY**

The Club recognizes the sensitive nature of discrimination and harassment and will keep all matters relating to a complaint confidential to the extent possible, consistent with the need to conduct an adequate investigation, discipline process or other mechanism to resolve the matter. However, if required by law to disclose information, the Club will do so. In accordance with the victim's wishes, the amount of information reported to the rest of the club will be determined on a case by case basis in order to stymie false information and maintain a safe environment. At any time, the named parties have the right to be told to whom details of the situation have been shared. This request should be made and answered via email.

#### **NO RETALIATION FOR GOOD FAITH REPORTS**

Anyone filing a complaint alleging discrimination or harassment must act in good faith and have reasonable grounds for filing the complaint. Making allegations that prove to be unsubstantiated and that prove to have been made maliciously or knowingly to be false could result in disciplinary action up to and including expulsion from the club. The complainant shall not be penalized, either directly or indirectly, and no form of reprisal will be tolerated against an individual who files a complaint or participates in this complaint

#### **POLICY**

The New Orleans Halfmoons strive to be a safe place for all team members. We actively encourage acceptance and want all members to feel safe at team practices, games, and events. The board understands that situations between team members may occur that impact team dynamics, and will seek to handle those in a way that prioritizes the health of the team and community as well as the wellbeing of individual members by building trust between teammates, facilitating restorative actions when appropriate, and taking action when necessary.

When such situations arise, they will be handled by an internal Ethics Committee that consists of the following:

1. All captains.
2. The Ethics Representative, a non board member elected yearly to serve as the primary intermediary between all parties involved in the situation, including but not limited to the players, the coaches, the board, community members, International Gay Rugby (IGR) members, etc.

In the event that a member of the Ethics Committee is unavailable, needs to recuse themselves, or is directly involved in the situation, a third committee member selected from voting board members will be appointed. The aforementioned member of the Ethics Committee will abstain from voting on any board decisions regarding the incident so that the committee is always composed of two voting board members and one non voting representative.

A non inclusive list of circumstances where the Ethics Committee should be involved is:

1. The situation is impacting a player(s) ability to be comfortable or perform at a team organized events. These include but are not limited to games, practices, social events, travel, board and committee meetings, etc.
2. The situation jeopardizes the team reputation or perception to other organizations we are affiliated with such as IGR, True South, USA Rugby, sponsors, nonprofits, venues, or the general public.
3. The situation involves ANY type or threats of violence, sexual harassment, hate speech, or other activities that are against our bylaws or are illegal.

It is **STRONGLY** recommended that players who have a personal situation first attempt to resolve it by speaking with each other and attempting to resolve on their own. The Ethics Representative can be asked to contribute as a neutral third party if needed without repercussion to help mediate these initial discussions without it being considered a formal complaint to the board or impacting the status of the players. **Interpersonal issues that are not impacting team performance or community or that do not take place during official events are not part of the scope of responsibilities of the board.**

If it cannot be resolved on a personal level OR if the circumstance prevents the impacted players from having a safe and respectful conversation OR if the circumstance needs to be escalated immediately, a complaint should be submitted to the Ethics Committee via email [halfmoonethicscommittee@gmail.com](mailto:halfmoonethicscommittee@gmail.com). Only members of the Ethics Committee have access to this email.

On a discretionary basis, complaints may be submitted verbally to an ethics committee member. Following this verbal submission, it is the responsibility of that Ethics Committee member to formally document the complaint.

The members of the Ethics Committee will have 7 working days from the time of the complaint to present a response. The Ethics Committee may also request an extension from the board for additional time as needed in order to address more complicated issues fairly.

## **DUE PROCESS PROCEDURE**

**During this time, it is asked that all members involved act with discretion in terms of sharing info with other teammates, and that the parties named do not communicate with each other regarding the issue outside of the formal board process.**

Once a complaint has been submitted to the board, a member of the Ethics Committee will review and reach out to involved parties or named witnesses to get written third person statements detailing the occurrence. Parties have 72 hours to return these written statements via email, at which point a member of the Ethics Committee will review and then reach out to any named parties to submit statements or request witness statements on their own behalf if needed. The named party(s) also have 72 hours to respond with their statement of events.

In the event 72 hours have expired without written statement, it is at the Ethics Committee's discretion on how to proceed.

Once all statements are received, the Ethics Committee will review and make a decision on how to proceed based on the evidence available. If it is determined no formal action is needed, the emails will be kept and filed for any future reference and no warning shall be made. If additional action is needed, restorative action is prioritized.

- 1) **Warning:** This is an official warning that is voted on by the Ethics Committee and will be kept on file by the board. A general list of warnings will not be made public for viewing. Restorative action for a warning may look like, but is not limited to the following:
  - a. Involved parties provide a list of reasonable boundaries in writing they would like the other parties to honor. Each party directly involved will agree to abide by these boundaries moving forward. Any future violation of the agreed upon boundaries should be reported as a new incidence and progressive action taken by the board.
  - b. Involved parties are notified of the specific behavior that was unacceptable, and agree in writing they will not engage in said behavior again. If behavior continues, it will be considered a new incidence and progressive action will be taken.
  - c. Involved parties may be asked to make some kind of positive restitution such as apologizing to other team members, any impacted non team members or organizations, participating in service or other actions that benefit the community, addressing any physical damages, etc. If restitution

is not made, it will be considered a violation of the terms of the warning and progressive action will be taken.

- 2) **Suspension:** If there have been multiple incidents or an egregious incident, suspension will be considered and determined by the Ethics Committee. In several cases (noted below) a suspension may also require approval by a simple majority of board members and/or coaches. It may take several forms depending on the type of incident.
- a. Practice suspension - a player will be asked to not participate in practice for a period of time decided on by the committee. This will be agreed on by the Ethics Committee and coaches will be notified. The suspension is automatically lifted once the time period has ended.
  - b. Social suspension - a player will be asked to not come to any team sponsored events for a period of time decided on by the committee. This will be agreed upon by the Ethics Committee. The suspension is automatically lifted once the time period has ended
  - c. Game suspension- a player will be suspended for a game or game(s), the number of which is to be agreed on between the Ethics Committee with input from the coaches and board. The suspension is automatically lifted once the time period has ended
    - If the next game is an away game, at least 1 week notice of suspension must be given before unless the board votes that the situation requires immediate suspension.
    - If the next game is in the next season or under a different board, the suspension will hold and it will be the responsibility of the Ethics Representative at the time of suspension to enforce.
    - If the next game is part of a round robin or tournament where multiple games are played, each round of play regardless of time is considered a “game”.
    - If the next game is both a round robin/tournament AND an away game, 1 week's notice does not need to be given prior.
  - d. Season suspension - a player will be suspended for the rest of the season and/or part or the entirety of the next season for an overall period of time not longer than 1 season. This suspension must be approved by a quorum of board members and by coaches. Only a majority of the board is needed to approve a season suspension, but should the board majority and the coaches votes disagree, a unanimous vote by the board can override the coach vote. The suspension is automatically lifted once the time period has ended

- e. Board suspension - a player will be suspended by the board for the remainder of the term of that board. This will require a quorum of votes from the board and by coaches. Only a majority of the board is needed to approve a board suspension, but should the board majority and the coaches votes disagree, a unanimous vote by the board can override the coach vote. When the board term ends, the player may petition the new board to rejoin, at which time the decision rests in the hands of the new board who will have all pertinent info from the previous board made available to them prior their vote.
  - f. Conditional suspension - a player will be suspended and the suspension only lifted once a set of reasonable terms, decided on and provided in writing by the board, have been completed to the satisfaction of the board. This must be approved by a quorum of board members, and the player is considered suspended until the board votes that the terms have been acceptably completed and reinstates the player.
- 3) **Termination:** a player will be permanently terminated from the Halfmoons and prevented from seeking membership in the future. A termination **MUST** be a unanimous vote by the board and coaches.

In all instances where the board makes a vote, the Ethics Committee will supply the board with any requested evidence or information available as well as a written recommendation from the committee on what they believe will be the next best steps. Any member being voted on by the board for a suspension has a right to attend the meeting where the vote will occur.

The Ethics Committee or the board has the right to make changes to the above due process IF an issue of a particularly egregious, violent, sensitive, or time sensitive nature is being addressed. Changes must be noted in writing, approved by the board, and provided to the parties involved.

The Ethics Committee will keep the board informed of any situations where action was taken, no less often than monthly.

Any registration fees or travel fees will NOT be refunded if travel is missed due to a suspension or termination.

## **Notification**

It is at the discretion of the current Ethics Committee to determine the best way to notify or conduct discussions with any involved parties based on the situation, whether that be in person, virtual, via email, etc. However, the following events need to be documented and provided to involved parties in writing regardless of what other discussion or medium they are addressed in.

- 1) Initial incident complaint

- 2) Involved party and Witness statements
- 3) Record of action agreed upon, including specifics such as time frame, agreed upon changes, restitution that needs to be made, etc.
- 4) As otherwise noted for individual events in this document

## **SECTION 5: SEXUAL MISCONDUCT STANDARD OPERATING PROCEDURES**

### **DEFINITIONS:**

**Sexual Misconduct:** sexual harassment, sexual assault, and similar inappropriate behavior that disrupts or harms team culture, such as dating violence, domestic violence, or stalking.

**Sexual Harassment:** unwelcome sexual conduct, whether in the form of comments, gestures, or other behaviors.

- Examples include but are not limited to unwanted sexual advances, sexually explicit comments, and unwelcome touching of another.

**Sexual Assault:** any sexual contact or activity with another occurring without their consent or when they are incapacitated.

- Examples include but are not limited to unwanted sexual touching, groping, or penetration (whether digital, vaginal, or oral).
- Sexual assault can occur between parties regardless of any existing dating or other intimate relationship between them.

**Consent:** voluntary, informed, and unequivocal agreement to engage in specific sexual contact or activity as mutually understood by the parties involved.

- Consent must be affirmative and ongoing, and can be revoked at any time, requiring sexual contact or activity to immediately cease.
- Affirmative verbal or physical conduct can express consent when unambiguous.
- Consent cannot be obtained through force, coercion, or threat.
- Consent cannot be provided by someone who is incapacitated.

**Coercion:** use of intimidation, pressure, manipulation, exploitation, or threats to obtain sexual contact or activity.

- Examples include but are not limited to threatening to hurt yourself or others, emotional manipulation, blackmail, and exploiting power differentials.

**Incapacitation:** impairment of any kind impeding a person's ability to make rational and informed decisions about sexual contact or activity

- Examples include but are not limited to altered consciousness due to drugs or alcohol, illness, disability, unconsciousness, and sleep.
- Any sexual contact or activity with an incapacitated person is sexual assault.

**Force:** physical intimidation, contact, or violence.

- Examples include but are not limited to hitting, restraining, or otherwise forcing someone to engage in sexual contact or activity.

**Complainant:** an individual who reportedly has been victimized by sexual misconduct.

**Accused:** an individual who reportedly committed sexual misconduct.

## **POLICY:**

The New Orleans Womxn's Rugby Club is a 501(c)(3) nonprofit organization committed to inclusivity building in the community, and growing rugby for womxn. As part of this commitment, the Club prohibits sexual misconduct by its players and volunteers and seeks to support anyone affected by sexual misconduct in connection to the Club.

## **PROCEDURES:**

**1. Initial Response:** The Club wants to ensure the safety and well-being of anyone reporting sexual misconduct by demonstrating empathy, understanding, and respect.

### **· 1.1 Ensure immediate safety:**

- Determine whether the complainant has been injured and needs medical care. If injured, offer to call emergency services (911).
  - Encourage the complainant to preserve evidence (i.e., avoid washing, changing clothes) and seek a prompt forensic examination via HOPE Clinic at the Family Justice Center, the University Medical Center, and Tulane-Lakeside Hospital.
- Determine whether the complainant is away from the accused. If there is an ongoing risk of contact or proximity, offer to escort them to the nearest police station.
  - Encourage the complainant to seek a protective order by working with advocates, such as those at the Family Justice Center.

### **· 1.2. Listen without judgment:**

- Listen actively to the complainant, offering emotional support without interruption while avoiding seeking specifics of the incident.

- Avoid making statements that may imply blame or judgment (e.g., “Why were you in that situation?” “Did you fight back?”).
- Support the complainant in making a report, and provide them this SOP.

### **1.3. Respect privacy:**

- Respect the complainant’s privacy by only disclosing reports to the President or Vice President per 2.1, not others in the Club.
  - Inform the complainant about any limits to confidentiality, such as the need to report any ongoing safety risks to law enforcement or sexual harm against minors.
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**2. Internal Process:** The Club wants to ensure everyone’s safety and privacy while properly resolving any reports involving team members.

### **2.1 Formal report:**

- Club members must report disclosures of potential sexual misconduct to the Club President (or Vice President if the President is the accused).
  - The Club expects the complainant, accused, and anyone else involved in this reporting process to keep the matter private.
- If there is a potential ongoing safety risk, the President may impose an interim suspension of any accused from practice, competitions, and/or social events, as appropriate.
  - Ongoing safety risks involve the use of drugs or alcohol to incapacitate another, use of force, threats to harm another, and the like.
- The President will inform the complainant of the potential consequences available against the accused through the internal process, asking them to confirm in writing if they would like to proceed with the internal process.
  - The President may still investigate without complainant consent if there is a potential ongoing safety risk to other Club members.

### **2.2 Investigation:**

- The President will provide notice to the accused of any investigation.
- For any investigation, the President will separately seek each party’s account, whether provided in writing or during an in-person meeting with

notes taken, allowing the interviewed party to review and confirm the accuracy of such notes before they are relied upon in the investigation.

- Determine the date, time, location, and nature of the incident.
  - Record any emotional and physical state of the parties, along with any ongoing needs or requests for support.
  - As part of their account, parties may identify witnesses for potential interview by the President.
    - Witnesses are persons with direct, first-hand information (not second-hand accounts) about the incident under investigation, similar sexual misconduct occurring by the accused, or dishonest conduct by the complainant.
  - The President will apply the SOP definitions to make a determination based on the party accounts and any witness statements using a preponderance of the evidence.
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**3. Outcome and Sanctions:** To gather the necessary details to reach a fair outcome and sanction, when appropriate, that will keep the Club and its members safe.

· **3.1. Social suspension:**

- For lesser forms of sexual misconduct, when an accused player or volunteer has been found by the President to have committed the offense, the player or volunteer may be suspended from attending any social event sponsored or hosted by the Club.
- The duration may be for the current season with reassessment of whether the player can return in a subsequent season, as determined by the President with consideration of the complainant's wishes and any potential ongoing safety risks.

· **3.2. Club suspension:**

- For any form of sexual misconduct, when an accused player or volunteer has been found by the President to have committed the offense, the player or volunteer may be suspended from attending any practice, competition, or social event.
- The duration may be for the current season with reassessment of whether the player can return in a subsequent season, as determined by the President with consideration of the complainant's wishes and any potential ongoing safety risks.

- **3.3. Club removal:**

- For any serious form of sexual misconduct, such as sexual assault, when an accused player or volunteer has been found by the President to have committed the offense, the player or volunteer may be removed from the Club permanently.

- **3.4 Sanction decision:**

- The President will issue a written decision from the investigation separately but at the same time to the complainant and accused, including any sanction and the reasoning for this sanction's selection from the options above.

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**4. Training and Education for Club Members:** The Club will ensure that all members are aware of the SOPs and that its officers are equipped to handle investigations thereunder.

- **4.1. Team training:**

- At the start of each season, the President and Vice President will issue the SOPs by email to all Club members and review them during any mandatory virtual and/or in-person meeting(s) with Club members.

- **4.2. Officer training:**

- Before each season, the President and Vice President will seek and obtain trauma-informed response and investigation training and will share their completion of such education with the Club members when issuing the SOPs each season.

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**5. Evaluation and Continuous Improvement:** The Club will annually review and improve the SOPs with Club member feedback to ensure the best response for future reports of sexual misconduct.