

Edina Swim Club Grievance Policy

The Edina Swim Club is committed to providing a safe and supportive environment for its coaches and swimmers. As part of this commitment, ESC has established a procedure to resolve grievances regarding the conduct of swimmers and coaches. This procedure is intended to (1) place primary responsibility with the ESC coaches to resolve disputes between swimmers and take necessary disciplinary action regarding inappropriate conduct by swimmers; and (2) provide a timely and equitable procedure for the review of the coaches' disciplinary decisions, and for addressing issues regarding coaches' conduct.

Coaches' Responsibilities

ESC coaches have the initial responsibility to discipline swimmers for inappropriate conduct. It is expected that the coaches will use their reasonable discretion in imposing appropriate discipline, and that any disciplinary action will take into account (1) the nature and severity of the conduct, (2) any prior disciplinary actions regarding the swimmer, (3) the adverse effect of the conduct on other swimmers, and (4) the application of the Common Code of Conduct.

Examples of disciplinary action include verbal warning, temporary "time out" from a practice, notification to the swimmer's parents, temporary suspension from some or all of ESC activities, and expulsion from ESC. These examples are not exclusive, and it is expected that the coaches will exercise their discretion to fashion an appropriate disciplinary action, including consultation with both the Head Coach and affected parents in the case of extraordinary disciplinary action. However, the coaches will take any immediate action that is both necessary and appropriate under the circumstances to insure the safety of swimmers.

Grievance Procedure – Complaint

Complaints Regarding Conduct of Swimmer- If a parent or swimmer feels it is necessary to raise the issue of inappropriate conduct of another ESC swimmer, the person should relay his or her concerns to a coach as soon as is reasonable under the circumstances. The complaint should be made to the coach for the swimmer who is the subject of the complaint. The complaint may be made orally or in writing.

Complaints Regarding Conduct of an Assistant, Team Coach or Head Age Group Coach- If a parent or swimmer feels it is necessary to raise the issue of inappropriate conduct of an assistant, team coach, or Head Age Group Coach (including review of a coach's disciplinary decisions or other conduct), the complaint should be made to the coach who is the immediate supervisor of the coach who is the subject of the complaint. In the case of review of a complaint concerning an assistant coach, the complaint should be made to the team coach. In the case of a complaint concerning a team coach, the complaint should be made to the Head Age Group Coach, if applicable, and otherwise to the Head Coach. In the case of review of a complaint concerning the Head Age Group Coach, the complaint should be made to the Head Coach. Any such complaint may be made orally or in writing.

Complaints Regarding Conduct of Head Coach- If a parent or swimmer feels it is necessary to raise the issue of inappropriate conduct of the Head Coach (including review of the Head Coach's disciplinary decisions or other conduct), the complaint should be made to the President of the Edina Swim Club Board of Directors. If the

President is not reasonably available, the complaint should be made to any other member of the Board of Directors. Any written complaint to the ESC Board, if not directed to the President, should be copied to him or her. Any oral complaint to the ESC Board should be promptly followed up with a written complaint to member of the ESC Board to whom the original complaint was issued, with a copy of the President. A written complaint is sufficient if: (1) it is in e-mail or other written form and delivered to the person intended in accordance with contact information for such person provided on the ESC website, or (2) in the absence of such ESC website contact information, if it is delivered to such person in care of the ESC office.

Grievance Procedure - Complaint Review Process

Conduct of an Assistant, Team Coach or Head Age Group Coach- In the case of a complaint concerning a disciplinary decision or other conduct by either an assistant coach, team coach or (if applicable) the Head Age Group Coach, review of such complaint shall occur as follows:

- 1) Initial review shall occur by the coach to whom the complaint was required to be made in accordance with Grievance Procedure - Complaints (above).
- 2) If the person making the complaint is dissatisfied with the decision of the reviewing coach, such person may appeal the decision to successive coaching levels in the following order: (A) decisions of an assistant coach may be appealed to the team coach; (B) decisions of a team coach may be appealed to the Head Age Group Coach, if applicable; (C) decisions of the Head Age Group Coach may be appealed to the Head Coach; and (D) decisions of the Head Coach may be appealed to the ESC Board of Directors. The process for submitting an appeal to a designated coach or the ESC Board of Directors shall be the same as for making an initial complaint to such coach or the ESC Board of Directors in accordance with Grievance Procedure - Complaints (above).
- 3) Absent circumstances beyond the control of the person making the complaint, any requests for appellate review must be made within seven days of the date a coach relays his or her initial decision or prior appellate decision to such person. It is expected that the coach will convey his or her decision as soon as reasonably possible considering the circumstances. The failure of a coach to timely make a decision is a basis for requesting review. The procedures and timelines for review by the ESC Board of Directors shall be as set forth in Grievance Procedure - Complaint Review Process - Conduct of the Head Coach/Review of Head Coach Appellate Decisions (below).

Conduct of the Head Coach/Review of Head Coach Appellate Decisions- In the case of a complaint concerning a disciplinary decision or other conduct by the Head Coach, or an appeal of a review decision made by the Head Coach, review of such complaint or such appellate review shall occur as follows:

- 1) Absent extraordinary circumstances requiring earlier review or appellate review in accordance with number (2) below, review of such complaint or such appellate review shall occur at the next regularly scheduled ESC Board Meeting following completion of any independent investigation as shall be deemed reasonably necessary by the President of the ESC Board of Directors, or the acting president (in the event the President is not then available).

2) Where delay of review of such complaint or appellate review until the next regularly scheduled ESC Board Meeting will render any decision by the ESC Board of Directors effectively moot, and only if accelerated review is requested by the person making the complaint or appeal, the President of the ESC Board of Directors, or the acting president (in the event the President is not then available), shall promptly empanel an ad hoc grievance committee (the "Ad Hoc Committee") consisting of the President (or then acting president) and at least two (2) additional members of the ESC Board of Directors. The Ad Hoc Committee shall meet as soon as reasonably possible, following completion of any independent investigation as shall be deemed reasonably necessary by the President or the acting president, to conduct such complaint review or appellate review.

3) Except as set forth in the Appellate Review to City of Edina (below), all decisions of the ESC Board of Directors and the Ad Hoc Committee shall be final.

Appellate Review to City of Edina

The City of Edina has established an independent grievance policy applicable to recognized Edina youth athletic associations, including ESC. This grievance process is set forth in a Relationship Document adopted by the City of Edina and entitled "Youth Athletic Associations Relationship with the Edina Park Board and the Park and Recreation Staff". The City's independent grievance policy requires prior compliance with the ESC Grievance Policy and affords supplemental grievance review in accordance with the terms of the Relationship Document. A copy of the Relationship Document can be downloaded from the ESC website or obtained from the City of Edina. ESC shall abide by any decisions resulting from the City's independent grievance review process.

Parent Signature _____ Date _____