PSA Grievance Rules & Procedure

The PSA will respond only to a properly filed grievance. It is a breach of PSA By-laws to either encourage or discourage a person or persons to file a grievance. It is an important duty of the PSA and the Committee on Professional Standards to give each grievance filed the proper attention and due diligence.

Grievance Rules (GR)

GR 1.00 Purpose - The Professional Skaters Association’s (PSA) grievance procedure is a critical function. It is of primary importance to the public and to the members of the PSA that cases involving claims of unethical conduct properly filed against a member of the PSA receive prompt consideration and review and be disposed of with fairness and justice (See By-laws Article III.16.).

GR 2.00 Committee on Professional Standards

GR 2.01 The committee chair is an appointed member of the PSA Board of Governors (By-law Article III.2.F.). The committee chair shall have the general supervisory authority of the administration of the grievance procedure.

GR 2.02 A grievance hearing panel shall be appointed by the committee chair and approved by the president. No compensation shall be paid to any member of the Committee on Professional Standards. Reasonable and necessary expenses will be reimbursed if incurred in the performance of their duties.

GR 3.00 Definitions

GR 3.01 Basic rules shall mean those rules which from time to time are established by the board of governors and which generally guide both the membership and the board of governors with regard to enforcement of the PSA Code of Ethics and professional conduct.

GR 3.02 Clear and convincing proof means that the evidence presented by a party during the hearing must be highly and substantially more probable to be true than not, and the hearing panel must have a firm belief or conviction in its factuality. In this standard, a greater degree of believability must be met rather than the common standard of proof in civil actions of a preponderance of the evidence.

GR 3.03 Code of Ethics is that portion of the PSA by-laws which generally describes professional conduct of the PSA members.

GR 3.04 The Committee on Professional Standards (subsequently referred to in this document as the “committee”) shall be made up of the chair of the committee, the executive director, general counsel, two (2) past presidents, and two members of the BOD.

GR 3.041 The Chair of the Committee on Professional Standards shall be subsequently referred to in this document as the “committee chair.”
GR 3.05  **De Novo** shall mean considering the matter anew.

GR 3.06  **Dismissed Grievances**

   A)  **Dismissed by Committee Chair (GR 12.02)** - The Chair of the Committee on Professional Standards, in the chair’s sole discretion, may choose to not convene a hearing panel and instead dismiss the grievance. Such decision is final and without right of reconsideration.

   B)  **Dismissed by hearing panel (GR 12.03)** – The hearing panel concludes after review of all statements and documents that discipline is not warranted by a majority vote.

GR 3.07  **Expulsion (GR 12.08)** shall mean removal from the rolls of membership, public announcement thereof and shall require complete re-application for re-admission to membership. In certain circumstances, expulsion can be deemed permanent (Permanent Expulsion GR 12.09) by the hearing panel.

GR 3.08  **Grievance Hearing Panel** shall consist of three (3) members selected from the following; past presidents, the executive committee, the board of governors, and nine (9) members in good standing of the PSA appointed by the president to resolve a filed grievance.

GR 3.081 The Grievance Hearing Panel shall be subsequently referred to in this document as the “hearing panel.”

GR 3.082 The Chair of the Grievance Hearing Panel shall be subsequently referred to in this document as the “panel chair.”

GR 3.083 **Grievant** refers to a person who submits a complaint of an ethical violation by a PSA member.

GR 3.09  **Hearsay** is not admissible in the PSA Grievance Hearing. Hearsay is a statement, other than one made by the declarant while testifying at a trial or hearing, offered in evidence to prove the truth of the matter asserted. “A statement offered as evidence of the bare fact that it was said, rather than for its truth, is not hearsay.” Fed.R.Evid.801(c)

GR 3.10  **Notice** shall mean to give written notice by mail or by electronic communication to the person at the person's last known address or the address maintained in the PSA office or to a person’s representative if such representative is made known to the PSA.

GR 3.11  **Oversight** - The committee is overseen by the president of the PSA, the executive committee, and PSA legal counsel.

GR 3.111 **Petitioner** is the person presenting a claim to the PSA and carries the duty of successfully meeting his/her burden of proof in order to have a public finding expunged (sealed).

GR 3.12  **Private admonition (GR 12.04)** shall mean a non-public finding (GR 14.04) of unethical conduct which may have been isolated or inadvertent and not likely to occur in the future.
GR 3.13 **Probation** (GR 12.06) shall mean a finding, which shall be available to the public upon written inquiry to the office of the PSA Executive Director, of unethical conduct which shall result in such sanctions and on terms as may be appropriate in the discretion of the hearing panel.

GR 3.14 **Public admonition** (GR 12.05) shall mean a finding which shall be available to the public upon written inquiry to the office of the PSA Executive Director and represents one or more acts of unethical conduct.

GR 3.141 **Respondent** refers to a PSA member who has a grievance filed against them for a breach of the PSA Code of Ethics.

GR 3.15 **Suspension** (GR 12.07) shall mean a finding, public announcement thereof (see GR 14.05) of unethical conduct which shall result in such loss of good standing membership status and such terms as may be appropriate in the discretion of the hearing panel. Suspension may require reapplying for membership.

GR 3.16 **Tenets of Professionalism or PSA guidelines** are not subject to citation as a violation on a grievance application.

GR 3.17 **Timely filing** shall mean a grievance filed within one hundred twenty (120) days of the occurrence which is alleged to be a violation, or within one hundred twenty (120) days of the discovery of the alleged violation, provided that all claims must be made within two years of the alleged violation, regardless of time of discovery. Any of the following grounds of disability, existing at the time when a cause for a complaint arose shall suspend the running of the period of timely filing until the disability is removed, but in all cases not longer than two years after the disability end:

A). the Grievant is under the age of eighteen (18) years

B). the insanity of the Grievant

C). the commencement of the complaint is stayed by injunction or statutory prohibition

D). the Grievant has a medical condition that the chair in their sole discretion has determined, prevents the Grievant from filing within the required time

GR 3.18 **Expungement** refers to the process of sealing a public finding of misconduct by the grievance process of the PSA. Once a finding is ordered expunged, it will not be disclosed except by court order.

GR 4.00 **Effects of Any Previous Proceedings**

GR 4.01 Should a finding exist in a previous grievance hearing that a member engaged in conduct warranting discipline, the discipline may be considered on any subsequent proceeding. Such information may be considered if it shows a pattern of related conduct; the cumulative effect of which constitutes unethical violation. Per GR 21.11, expunged (sealed) records will not be considered.
GR 4.02 Conduct previously considered by the committee chair or any hearing panel in which discipline was not warranted is not to be considered by the chair or any member of a hearing panel.

GR 5.00 Preliminary Procedure

GR 5.01 The grievance application form must be completed, signed under oath, notarized under penalty of perjury, as true and correct confirming that the grievant and his or her representatives have read and understand the grievance rules, and agree to the procedures.

GR 5.02 The completed grievance application form must include the following information:

A) The name of the party filing the grievance (the Grievant)

B) The address, e-mail, and preferred phone number of the Grievant

C) The name and last known address of the party against whom the grievance is filed (the Respondent)

D) The specific numbered paragraph of the PSA Code of Ethics that the filing party is claiming was violated. Failure to state the specific violation may result in a dismissal of the grievance. (The PSA Tenets of Professionalism or PSA Guidelines are not subject to citation as a violation GR 3.16).

E) A clear and concise statement of facts, including all relevant date(s), places and other persons involved, surrounding the claimed violation of the code of ethics or of the unprofessional conduct, all of which shall be under oath, notarized and under penalty of perjury, as true and correct.

F) A list of any other complaints, charges or reports which have been filed with any other public agency or private organization which involve the facts giving rise to the filing of the present grievance. Public agency records shall be certified copies; records of other agencies or organizations shall be certified as true and correct copies of originals which are kept by the organization or agency in the ordinary course of business.

G) Submitted supporting documents and/or statements must be signed and individually notarized under penalty of perjury as true and correct, by the person who authored the document. Each individual document and/or statement must include the author’s name, address and telephone number. Only one notarization is required for multiple emails from the same author.

H) Other exhibits, such as photographs or copies of records, may be filed with an attached statement, under oath, notarized and under penalty of perjury, explaining the purpose of the exhibit and that it is a true and correct copy of the original record or if a photograph accurately shows the subject of the photo as it existed at the time the photo was taken.
I) A $125 filing fee made payable to PSA must accompany the grievance. Grievance filing fees are non-refundable. If the grievance is not accepted because of clerical errors, the filing fee will be returned. Incomplete applications will be returned to the grievant with an explanation.

GR 5.04 Upon receipt of a timely filed, signed, and notarized grievance application, the committee chair shall either personally or, upon referral to such other person as may be appropriate, consider the complaint and make reports and recommendations thereon within twenty (20) days of the receipt of the filed grievance.

No grievance shall be considered unless it is accompanied by an official grievance application in the form as outlined herein and all filing fees are paid and five (5) copies of supporting statements are provided by the party(ies) filing the grievance.

One (1) or more individuals, corporate clubs or any legal entity (the "grievant") may jointly file a grievance against one (1) individual (the "respondent"). If there is a claim against more than one (1) respondent, separate grievances must be filed against each respondent.

GR 5.03 All grievances which have been determined to properly allege unprofessional conduct or violation of the code of ethics shall be commenced by the chair promptly notifying the person against whom the grievance is filed. Notice shall include a request that the person against whom the grievance was filed must respond with five (5) copies of a signed letter, statement(s), and other credible evidence in response to the filed grievance within twenty (20) days of receipt of the notice from the PSA of the filing of a grievance.

GR 6.00 Respondent’s Reply to Grievance Statement:

GR 6.01 The Respondent may file a response to the Grievance Statement to the committee. The Respondent may also include supporting documentation with the response. If filed, the response and all supporting documentation must be in writing, signed under oath and notarized by all individuals. Only one notarization is required for multiple emails from the same author.

GR 6.02 Five (5) copies of the response and all supporting documentation must be filed with the committee chair within twenty (20) days after delivery of the grievance statement to the Respondent by any expeditious delivery system that provides reasonable evidence of delivery.

GR 6.03 Failure to file a timely response constitutes an admission of the allegations made by the grievant.

GR 7.00 Procedure

GR 7.01 All grievance filings, including the response from the respondent, shall be submitted for review and approval to the committee chair, who shall determine the following:
A) After a review of the factual matters as presented, clear and convincing evidence was not submitted and discipline is not warranted. (See GR 12.02)

B) After a review of the factual matters, the committee chair may assign a hearing panel to decide the grievance based upon the substance of the complaint as may be appropriate at the discretion of the committee chair and legal counsel. The hearing panel shall determine the appropriate action regarding complaint dismissal private admonition, public admonition, probation, suspension or expulsion from the PSA. (See GR12.00 Dispositions)

C) If, in a matter where there is good cause, a continuance may be granted by the committee chair. The committee chair will determine if the cause is warranted and will issue a reasonable timeline for the continuance. All requests for a continuance must be in writing and submitted to the committee chair prior to the corresponding deadline. Requests submitted after the deadline will be denied.

GR 7.02 Grievant Rebuttal - The grievant will receive the Respondent’s reply to the grievance statement and will be allowed the opportunity to rebut the respondent’s response. Five (5) copies of the grievant rebuttal and all supporting documentation must be in writing, signed under oath and notarized by all individuals and must be filed with the committee chair within twenty (20) days after delivery of the Respondent’s reply by any expeditious delivery system that provides reasonable evidence of delivery.

GR 7.03 Respondent Rebuttal - The respondent will receive the grievant rebuttal to the grievance statement and will be allowed the final opportunity to rebut the grievant’s grievance rebuttal. Five (5) copies of the respondent’s rebuttal and all supporting documentation must be in writing, signed under oath and notarized by all individuals and must be filed with the committee chair within twenty (20) days after delivery of the respondent’s reply by any expeditious delivery system that provides reasonable evidence of delivery.

GR 7.04 The committee chair will advise the Grievant, Respondent (or with permission from the Grievant or Respondent, their Representative(s), PSA president and PSA legal counsel the names of the members selected to serve on the hearing panel promptly upon their appointment. Such notice must be provided in writing or electronically.

GR 7.05 The identity of the members serving on the hearing panel will be disclosed to all parties and their representatives (if any) prior to the distribution to the panel of any confidential grievance documents.

GR 7.06 The grievant or respondent (or representative) may move to exercise peremptory challenge to the composition of the hearing panel without the need to provide a reason
for the request for removal. The number of peremptory challenges afforded to the grievant or respondent is set at two (2).

GR 7.07 Once a grievance has been filed or a disciplinary proceeding is initiated in accordance with applicable PSA bylaws or rules, the respondent(s) may not remove or excuse themselves from the grievance or disciplinary proceeding, as the case may be, by resigning their PSA membership.

GR 8.00 Panel Hearing Guidelines

GR 8.01 The committee chair shall determine if the hearing will be conducted by writing, telephone conference, e-mail communications, hearing or any combination thereof.

GR 8.02 The hearing must occur within ninety (90) days of the appointment of a hearing panel unless the hearing panel chair and the committee chair concurrently decide that there are reasonable grounds for a delay. All parties will be notified in writing of the delay and the reason for such delay.

GR 8.03 The Grievant and the Respondent may represent themselves throughout the grievance process, or may be represented by a person of their choice.

GR 8.04 The committee chair will provide the grievant, the respondent and/or their representatives and the hearing panel members with written procedures and guidelines to be followed.

GR 8.05 All communications to the hearing panel must be in writing and directed to the Committee Chair.

GR 8.06 The hearing panel chair must ensure that a record of the hearing is made. The record may be audio, video, written or a combination thereof.

GR 8.07 The grievant has the burden of supporting the grievance by clear and convincing evidence. (Definitions - GR 3.02)

GR 8.08 Within twenty (20) days of the conclusion of a panel hearing, the panel must issue a written decision to the committee chair.

GR 8.09 The written decision statement will include findings of fact, the bylaws or rules upon which the decision is based and the reasoning behind the decision. The committee chair shall notify the grievant, respondent, or their representatives, the president of the PSA, PSA legal counsel and executive director of the decision. Notification of the decision must be sent by any expeditious delivery system that provides reasonable evidence of delivery.

GR 8.10 The jurisdiction of the hearing panel ceases, and the hearing panel members shall be discharged when the written decision statement is issued.

GR 9.00 Fees, Costs and Expenses

GR 9.01 Unless otherwise provided for by law or agreed to by the parties, each party shall bear their own fees, costs and expenses of any proceeding under the PSA Bylaws or rules. No
party is entitled to reimbursement from another, including from PSA, for fees, costs or expenses associated with any proceedings under the PSA Bylaws or rules.

GR 9.02 The hearing panel can assess fees, costs and expenses if the panel determines that an assessment is an appropriate action against a party to a grievance or disciplinary proceeding.

GR 10.00 Investigation

GR 10.01 No investigation may be commenced by the committee chair or any member of the committee.

GR 11.00 Required Cooperation

GR 11.01 It is the duty of any PSA member who is the subject of a grievance under these rules to cooperate with the committee thereof by complying with reasonable requests including, but not limited to:

A) Provide papers, documents or statements as requested by the hearing panel which shall be provided under oath, signed and notarized, under penalty of perjury, as true and correct.

B) Provide in writing a full and complete explanation covering the matter under consideration. This explanation shall be provided under oath, signed and notarized, under penalty of perjury, as true and correct.

C) Refrain from making any ex parte contact with any member of the hearing panel or committee members other than the committee chair during the course of any grievance.

GR 11.02 A violation of Rule GR 11.01 is considered unethical conduct and may constitute a ground for discipline or dismissal of the grievance.

GR 11.03 It shall be considered a violation of the PSA Code of Ethics for any member to knowingly make a misrepresentation or omission in connection with any grievance proceeding or a petition for a motion granting grievance record expungement (sealing).

GR 11.04 The member or non-member has an affirmative obligation to immediately clarify any misunderstanding in regards to the grievance proceedings. A result of knowingly making a misrepresentation or omission, or breach of confidentiality can result in the dismissal of a grievance.

GR 12.00 Dispositions

GR 12.01 All hearing panel findings are made by a majority vote.

GR 12.02 Dismissed By committee chair - If, in a matter where there has been a grievance filed and the committee chair, at his or her sole discretion, concludes that the grievance shall not go to a hearing panel, the committee chair shall notify the grievant and respondent of this decision. The notification shall set forth an explanation of the conclusion.
GR 12.03 Dismissed by the hearing panel - If, in a matter where there has been a grievance filed, and the hearing panel concludes that discipline is not warranted, the committee chair shall notify the grievant and respondent of this decision. The notification shall set forth an explanation of the conclusion.

GR 12.04 Private admonition - In any matter in which it is concluded that the person acted in a manner which was a violation of the code of ethics which may have been isolated or inadvertent and not likely to occur in the future, the hearing panel may issue a notice of private admonition. The committee chair shall notify the grievant and the respondent of this decision. The admonition shall be in lieu of any further proceedings. (See rule GR 13.01 for reconsideration)

GR 12.05 Public admonition - In any matter in which it is concluded that the person acted in a manner which was a violation of the code of ethics, the hearing panel may issue a notice of public admonition. The committee chair shall notify the grievant and respondent of this decision. The public admonition shall be in lieu of any further proceedings. Such finding shall be available to the public upon written inquiry to the office of the PSA Executive Director (GR 14.05). (See rule GR 13.01 for reconsideration)

GR 12.06 Probation - In a matter which the hearing panel concludes that the member's conduct was unprofessional and that probation is appropriate, the hearing panel shall make such a recommendation which shall be filed within twenty (20) days after the close of the deliberations with the committee chair. Probation will subject the member to a specified period of time or such conditions as may be appropriate, but such probation is in the sole discretion of the hearing panel. The committee chair shall immediately notify the member of his or her probation and the terms thereof (See rule GR 13.01 for reconsideration). Such finding shall be available to the public upon written inquiry to the office of the PSA Executive Director (GR 14.05).

GR 12.07 Suspension - In a matter where the hearing panel has determined that discipline shall be suspension; the panel shall make such a recommendation to be filed with the committee chair within twenty (20) days of the hearing panel finding. The suspension, and the terms thereof are determined by the majority vote of the hearing panel. The committee chair shall immediately notify the member of his/her suspension. (See Rule GR 13.01 for reconsideration and GR 14.06 for notice of public finding).

GR 12.08 Expulsion - In any case where the panel has determined that discipline shall be expulsion, the committee chair shall notify the member of the findings of the hearing panel. The expulsion, and the terms thereof are determined by the majority vote of the hearing panel. The committee chair shall immediately notify by certified mail sent to the last known address of the member of his/her expulsion and the terms thereof. (See Rule GR 13.01 for reconsideration and GR 14.06 for notice of public finding).

GR 12.09 Permanent expulsion - In a matter where the panel has determined that discipline shall be permanent expulsion; the hearing panel shall make such a recommendation to be filed with the chair within twenty (20) days of the hearing panel finding. The committee chair shall immediately notify the member of his/her permanent expulsion and the
terms thereof. (See rule GR 13.01 for reconsideration and GR 14.06 for notice of public finding.)

GR 12.10 After notification of the hearing panel findings has been sent as prescribed in these rules (GR 8.09); the committee chair shall stay entry of the finding(s) for ten (10) days pending the filing of a reconsideration filed on behalf of a party to the grievance. If no such request is received within the ten (10) day period, entry of the findings shall promptly be made and any ordered discipline shall commence. (See rule 14.05 for notice of public finding.)

GR 13.00 Re-Consideration (By-laws Article III.17.)

GR 13.01 Any member disciplined by the Committee on Professional Standards for violation of rules or standards of ethics of the PSA may request, in writing, for re-consideration of the finding of violation. A re-consideration shall be limited to the question of determining if the hearing panel appointed by committee chair acted in good faith and whether the hearing panel’s decision is supported by the record presented to it for consideration. Such re-consideration shall not be De Novo (See GR 3.05) but shall be based upon the record presented to the hearing panel. Such re-consideration shall proceed according to the process established by the PSA and decided by the Executive Committee of the Professional Skaters Association. No member of the PSA Executive Committee or the Committee on Professional Standards against whom a grievance has been filed, shall take part in any consideration of that grievance.

GR 13.02 Upon receipt of such notice of request for reconsideration, the executive committee shall within thirty (30) days thereafter reject or make such other findings as in its sole discretion may be appropriate. The sanction would commence on the day the re-consideration procedures expire or the re-consideration has been determined.

GR 14.00 Confidentiality/ Public Notice of Discipline

GR 14.01 Confidentiality concerning the subject matter of a grievance and of the grievance proceeding must be maintained by all parties and participants until the grievance process is final.

GR 14.02 Confidentiality concerning files and records of any hearing panel or committee meeting, as they may relate to or arise out of any complaint or charge of unethical conduct against a member, shall be deemed confidential.

GR 14.03 The identity of all members of the hearing panel and non-party witnesses must at all times remain confidential and must not be divulged by any party or witness unless a member of the hearing panel or non-party witness expressly consents in writing to publish his or her name.

GR 14.04 The PSA will not disclose files, records, or a hearing panel decision of the following as they may relate to or arise out of any complaint or charge of unethical conduct against a member:
A) The fact that a grievance was filed
B) The fact that the hearing panel or committee chair has issued a private admonition
C) The fact that a grievance was filed and thereafter dismissed
D) The fact that a grievance record has been expunged (sealed).

GR 14.05  Once a final decision is issued regarding a finding of public admonition or probation, such finding shall be available to the public upon written inquiry to the office of the PSA Executive Director:

A) The name of the grievant and respondent;
B) The nature of the grievance and the PSA Bylaw or rule alleged to have been violated;
C) The outcome of the grievance and discipline imposed, if any.

GR 14.06  Once a final decision is issued regarding a finding of suspension, expulsion, or permanent expulsion, PSA must publish the following information in PS Magazine and on Skatepsa.com:

A) The name of the grievant and respondent;
B) The nature of the grievance and the PSA Bylaw or rule alleged to have been violated;
C) The outcome of the grievance and discipline imposed, if any.

GR 14.07  Notwithstanding the foregoing rules, the hearing panel may, impose confidentiality restrictions or other limitations on the ability of the parties, witnesses or other participants in the grievance proceeding to divulge information relative to the Grievance proceeding, if the hearing panel determines that circumstances warrant such restriction.

GR 14.08  The confidentiality rules set forth herein are not intended to prevent a party to a grievance proceeding from disclosing information relative to the grievance proceeding if properly pursuing remedies legally available to such party in a forum in which the party in good faith believes there is proper jurisdiction.

GR 14.09  The PSA shall expunge records relating to dismissed grievances as follows:
A) All records or other evidence of a grievance dismissed by the committee chair shall be destroyed within six (6) months after the dismissal.
B) All records or other evidence of a dismissed grievance shall be destroyed within three (3) years after the dismissal.
C) By application of the committee chair, for good cause shown and upon a majority vote of the committee, records which should otherwise be expunged under this rule may be retained for such additional time not exceeding five (5) years as the committee chair may deem appropriate.

GR 15.00  Reinstatement

GR 15.01  Any member who has been suspended and who is not reinstated under the terms of the suspension or any skating professional who has been subjected to expulsion from the PSA must apply for reinstatement of membership to the PSA. Such requests for reinstatement with the PSA may be granted upon such terms and requirements in the sole discretion of the committee by majority rule deemed appropriate. No professional
may be returned to the status of good standing in the PSA as a reinstated member until the professional has satisfied the requirements imposed under these rules and the general rules of membership in the PSA.

GR 16.00  Felony Warrant

GR 16.01  A PSA member who is issued a felony warrant is required to provide a written explanation of all charges within five (5) days (postmark) of a PSA letter requesting said explanation, sent to the last known address of the party against whom the felony warrant is issued. Failure to respond within the time period allotted will result in an immediate suspension of PSA membership, liability insurance if purchased through PSA, and the commencement of disciplinary action against the member.

GR 17.00  Felony Convictions

GR 17.01  Whenever a member of the PSA is convicted of a felony, the committee chair shall obtain a certified copy of said judgment of conviction.

GR 17.02  It shall be deemed a violation of the PSA Code of Ethics for any member of the PSA to be convicted of a felony. A felony shall be that violation of law which would result in punishment by incarceration of more than one year or a fine $10,000 or both. Upon the filing with the committee of such judgment of conviction the member so convicted shall be immediately suspended from the PSA. The terms and length of the suspension will be determined by the committee.

GR 18.00  Outside Sanctions

GR 18.01  In situations when current members or non-members of the PSA are disciplined, suspended, or expelled (sanctioned) by a federation recognized by the International Skaters Union and the PSA, and upon receipt of a formal request by said federation to the PSA to take action, such request may act as an application for grievance. Following confirmation by the PSA Committee on Professional Standards and with advice of its general counsel, the PSA may recognize said sanction against the current or non-member as if imposed by the PSA to run concurrently with the originating sanction.

GR 18.02  Duly imposed disciplinary decisions of U.S. Figure Skating and/or the Ice Skating Institute against a member of PSA will be accepted by PSA, except on a case-by-case basis, if necessary in order to comply with any applicable law, rule or requirement to which PSA is subject, or unless there are extenuating circumstances or compelling reasons for PSA not to follow the disciplinary action of the other organization. The disciplinary decision will be reviewed by the committee chair, president, and general counsel to determine if any of the exceptions to granting reciprocity apply. U.S. Figure Skating’s Coach Compliance rule will be included in the reciprocity.

GR 18.03  In the event the disciplinary decision is granted reciprocity, the person who is subject to the decision may request reconsideration under PSA rule GR 15.00. The review will be in regards to the PSA reciprocity procedures.
GR 19.00 Retaliatory Actions

GR 19.01 It is a violation of the PSA Code of Ethics for any person against whom a grievance has been filed to take any action directly or through third parties against any person who participated in any capacity in the determination of a grievance proceeding.

GR 20.00 Expungement – (Sealing) of a public finding

GR 20.01 Expungement eligibility - In very limited circumstances, members with a public finding may petition for a "Motion Granting Grievance Record Expungement" (sealing). The panel may or may not grant the expungement. The panel may deny expungement if your request does not meet the requisite qualifications.

Determining factors:

A. The severity of the misconduct. Offenses that include sexual misconduct, physical violence or any crime involving a minor, are ineligible for expungement.

B. No further disciplinary actions have been taken either by PSA, U.S. Figure Skating or member clubs, Ice Skating Institute, ISU or any other skating body against the petitioner for a period of five (5) years from the date of the finding;

C. No criminal convictions from local, county, state, or federal authorities for a period of five (5) years from the date of the finding.

GR 20.02 A Motion for Grievance Record Expungement application must be completed, signed under oath, notarized and under penalty of perjury, as true and correct. The filing must include the following:

A. A clear and concise statement of facts, including all relevant date(s), places and other persons involved, surrounding the request for Grievance Record Expungement, all of which shall be under oath, notarized, and under penalty of perjury, as true and correct.

B. Submitted supporting documents and/or statements must be signed and individually notarized under penalty of perjury as true and correct, by the person who authored the document. Each individual document and/or statement must include the author’s name, address and telephone number. Only one notarization is required for multiple emails from the same author.

C. A $125 filing fee made payable to PSA must accompany the Motion for Grievance Record Expungement. Filing fees are non-refundable. If the request for Motion for Grievance Record Expungement is not accepted because of clerical errors, the filing fee will be returned. Incomplete applications will be returned to the petitioner with an explanation.

D. Five (5) additional copies signed under oath, notarized and under penalty of perjury, as true and correct are provided by the petitioner filing the request.

GR 20.03 No Motion for Grievance Record Expungement shall be considered unless it is accompanied by an official application in the form as outlined herein and all filing fees
are paid and five (5) copies of supporting statements are provided by the petitioner filing the request.

GR 21.00  Expungement – Procedure

GR 21.01  Upon receipt of a signed and notarized application for a Motion for Grievance Record Expungement, the committee chair will determine if the application is in proper order.

A. If in order, the Committee chair will convene a Grievance Record Expungement hearing panel consisting of three (3) members; the committee chair, PSA General Counsel, and the Executive Director.

B. The committee shall consider the request and make reports and recommendations to the President thereon within twenty (20) days of the receipt of the filed Motion for Grievance Record Expungement.

GR 21.02  Notice shall be given to the Grievant (GR 3.083) by written notice by mail or by electronic communication at the Grievant’s last known address or the address maintained in the PSA office, or to a Grievant’s representative if such representative is made known to the PSA (GR 3.10).

GR 21.03  The Grievant may object or support expungement and shall file a written response with the PSA as soon as possible, and within 20 days. The response may also include supporting documentation. The response and all supporting documentation must be in writing, signed under oath and notarized by all individuals.

GR 21.04  The Petitioner’s record remains public throughout the review process.

GR 21.05  Such requests for a Motion for Grievance Record Expungement may be granted upon such terms and requirements in the sole discretion of the panel by majority rule deemed appropriate (GR 12.01).

GR 21.06  The Petitioner for expungement has the burden of supporting the motion by clear and convincing evidence. (Definitions - GR 3.02)

GR 21.07  Any actions relating to expungement are sealed regardless of finding including the application.

GR 21.08  Final notice will be given to both the Petitioner and Grievant of the decision of the Grievance Record Expungement hearing panel by written notice by mail or by electronic communication.

GR 21.09  A petition not granted will not be disclosed and the application, associated supporting documents, and written and/or electronic documentation for Grievance Record Expungement shall be destroyed within six (6) months of the denied petition.
GR 21.10 A petition not granted may be resubmitted for expungement after one (1) calendar year from the decision of the Grievance Record Expungement hearing panel.

GR 21.11 The decisions of the Grievance Record Expungement hearing panel are final and not subject to further review or reconsideration.

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