SCCA
Sports Car Club of America

Member Conduct FAQs

Region Development & Services

Training & Education

WHY IS THE SCCA FOCUSING ON MEMBER CONDUCT?

We are a membership association – a *Club* – and a positive "Member Experience" is key to our future success. Taking care of our members while simultaneously enhancing our public image is vital to attract new members and grow the Club. Heightened social awareness, the growth of social media, and the worldwide phenomenon of incivility and disrespect require us to enact policies related to protecting our members, our reputation, and our brand.

WHAT IS "MEMBER MISCONDUCT"?

Misconduct violates generally accepted SCCA rules of good sportsmanship and includes any behavior that unreasonably or negatively impacts another's experience with the Club. Any form of misconduct can negatively impact people's perceptions or beliefs about the Club and interfere with safety, effectiveness, and fun. Whether they occur in-person or online, these behaviors are in direct opposition to the Code of Member Conduct and the SCCA Mission, Vision and Values, and Welcoming Environment (see *SCCA Foundations of the Club*).

ARE THERE DIFFERENT LEVELS OF SEVERITY?

Yes. We classify a range from simple incivility to gross misconduct in three levels:

- → *Severe acts* include discrimination, sexual harassment, sexual assault, physical assault, stalking, bullying, threatening, retaliation, illegal (criminal or civil) behavior, and any severe or pervasive behavior that creates a hostile or offensive environment.
- → *Unsportsmanlike conduct* includes taunting, sarcasm, innuendo, obscene gestures, foul or profane language, offensive jokes, or other verbally abusive comments that could be viewed as demeaning or that disparage members or guests, and unethical behaviors by Leaders and Officials who knowingly violate the rules. Personal harassment is conduct or comments which are intimidating, demeaning, or abusive and is behavior which is known or ought reasonably to be known as unwelcome.
- → *Boorish behaviors* include general rudeness, insensitivity, teasing, a raised voice, and other incivility or lack of common decency which can embarrass members and make guests uncomfortable, and negatively impact another's experience with the SCCA.

WHO MAY REPORT MISCONDUCT TO THE SCCA?

Anyone with information or concerns about SCCA member behavior occurring off-track (on-track behaviors are managed by Event Officials). An anti-retaliation policy is in place to prevent negative consequences for those reporting or participating in an investigation. Those who knowingly make a maliciously false allegation or provide false or misleading information during an investigation, or otherwise act in bad faith will be subject to disciplinary action.

HOW DO I REPORT MISCONDUCT?

Report misconduct to local Region or Event Officials; email reportconduct@scca.com; or call Region Development at 800-770-2055. A Misconduct Report form can be found on the Member Account Portal > Member Resources > File Cabinet > Region Development.

DO STATUTES OF LIMITATIONS APPLY TO REPORTS TO THE SCCA?

No. Reports may be made based on misconduct alleged to have occurred at any time in the past; this differs from criminal investigation standards where statutes of limitations may apply.

WHAT ABOUT THOSE CONVICTED OF SEXUAL ASSAULT OR ABUSE?

On occasion, SCCA members may become aware of certain behavior that is beyond boorish or unsportsmanlike. Reports of members found guilty of crimes of a sexual nature and those appearing on a Sex Offenders list should not be taken lightly and must be acted upon immediately. Anyone in a Regional, Divisional or National Leadership position who is aware of past or current potential criminal activity of a sexual nature MUST report it to the National Office who will initiate a mandatory investigation of the report. Information about those who have been found guilty of sexual misconduct and convicted of a crime can be found on the internet, along with names of those required to report where they live if they are on a Sex Offender list. If the National Office is provided evidence of current or past criminal activity and/or the requirement to report their whereabouts, the SCCA Board of Directors or local Regions may immediately suspend the Member while the investigation is underway.

SHOULD I FIRST REPORT MISCONDUCT TO LAW ENFORCEMENT, OR TO THE SCCA?

Not all misconduct is strictly illegal; first, determine the severity.

- → Behaviors such as sexual assault or sexual abuse represent potential criminal activity and should be reported to the authorities. To report criminal activity, contact local law enforcement first; they can determine if the situation needs attention. If it is an emergency, call 911. If you report potentially illegal activities to the authorities, always notify the SCCA National Office which will fully investigate the accusation, including claims of sexual harassment, and determine the best course of action.
- → Other conduct can range from unsportsmanlike conduct i.e., threatening, or demeaning others, to unethical behavior by Club Leaders or Event Officials, to boorish behaviors i.e., general rudeness, insensitivity, or obscene gestures. These may be uncomfortable for the individual and embarrass the Club, but they are not illegal, so report them to Region or Event Officials or to the National Office.

IS THE SCCA A MANDATORY REPORTER OF CHILD ABUSE?

No, but a report of known or suspected abuse of a minor will be reported to the authorities.

WHAT HAPPENS WHEN THE SCCA RECEIVES A MISCONDUCT REPORT?

The SCCA undertakes a preliminary inquiry to assess whether the report is a local Region or Event issue. We then determine the severity and whether there is reason to believe a policy violation may have occurred. If so, the Club initiates an investigation. *Claimants* (those making the complaint) will be contacted to discuss the details of the report and, depending on the severity of the behavior, *Respondents* (the accused) will be asked to provide a statement and witnesses may be asked to corroborate claims or provide statements. Severe acts and unsportsmanlike behavior will be addressed by the SCCA Board of Directors. For lesser violations, coaching and feedback may occur.

WHAT BURDEN OF PROOF DOES SCCA USE FOR ITS INVESTIGATIONS?

The "preponderance of evidence" standard is met when it is more likely than not that a claim is true. This differs from the "beyond a reasonable doubt" standard used in criminal law.

WHAT ARE THE "FOUNDATIONS OF THE CLUB" AND THEIR LOCATION?

This document contains language that illustrates how we should show up every day as SCCA Club members, and includes the SCCA Mission, Vision, Values, Welcoming Environment, Member Acknowledgment, and Code of Member Conduct. It can be found and downloaded at SCCA.com > About > Staff & Board Members > Membership Concerns, or from the Member Account Portal (MAP) > Member Resources > File Cabinet > Region Development & Services.

WHO IS COVERED BY THE CODE OF MEMBER CONDUCT?

Persons with an active membership in the SCCA, or those who were active when a reported incident occurred are covered by the Code of Member Conduct; all members agree to comply, when joining, through the mandatory Member Acknowledgment. While visitors, guests, vendors, and other non-members are not covered by the Code of Member Conduct, they are covered by the Welcoming Environment Statement and subject to removal from SCCA events, activities, or online sites for questionable conduct or unruly behavior.

WHAT ABOUT FREEDOM OF SPEECH?

Freedom of speech is a fundamental human right that supports the freedom of an individual or a community to articulate their opinions and ideas without fear. But this freedom is not absolute; common limitations or boundaries to freedom of speech relate to libel, slander, obscenity, pornography, agitation, provocation, the right to privacy and dignity, and many others. Therefore, SCCA members have the right to freedom of speech or expression so long as they are not causing harm to other members or the Club in general.

CAN I RECEIVE AN UPDATE ON AN INVESTIGATION?

To protect the integrity of the process and the confidentiality of affected individuals, the SCCA generally does not communicate publicly on the status or outcome of investigations. The Club communicates directly with Claimants and Respondents at important milestones in the investigative process. If the SCCA enacts a temporary measure or sanction that affects a Respondent's eligibility to participate, it can be found in the Member Account Portal under Action History/Discipline (if program related) or Membership Status (active, suspended, etc.).

WHY DOESN'T THE SCCA PUBLICLY RELEASE INFORMATION ABOUT CASE RESOLUTIONS?

Public disclosure of investigation-related information is inconsistent with best practices and can jeopardize the Club's ability to protect affected individuals. Final decisions are always shared with the Claimant(s), Respondent, and relevant Region Leaders or Event Officials.

WHO IS RESPONSIBLE FOR ENFORCING SCCA PARTICIPATION OR MEMBERSHIP ACTIONS?

The relevant Region Leaders and Event Officials must ensure enforcement of any temporary measure or permanent sanction issued by the Board of Directors. Typically, a member suspended or expelled from the Club may also be prohibited from attending an event or activity as a participant or crew member, occasionally even as a spectator.

DOES THE SCCA HAVE RELATIONSHIPS AND WORK WITH OTHER MOTORSPORTS SANCTIONING BODIES?

Yes. The SCCA is a member club of *ACCUS* – the Automobile Competition Committee of the United States, which is an umbrella organization of auto racing sanctioning bodies in the United States. *ACCUS* is the Official liaison of U.S. sanctioning bodies to the *FIA* – Fédération Internationale de l'Automobile. As such, SCCA works with other sanctioning bodies on reports of SCCA member conduct at events not sanctioned by SCCA.

WHERE DOES THE SCCA GET ITS AUTHORITY TO TAKE REPORTS OR INVESTIGATE MISCONDUCT?

SCCA Bylaws Article II – Membership, Section 4. Termination, Suspension and Renewal, paragraph (d) states, "The Board of Directors, or the governing body of a Regular Member's Region may suspend a Member at any time for infraction of any Club rule or any other cause if the suspending body deems the action in the best interests of the Club."

SCCA Bylaws Article VI – Administration, Section 1. Board of Directors states that the BOD "shall establish the policies of the Club and shall oversee and direct the implementation and execution of such policies and the administration of the affairs of the Club by the executive committee, such other committees as it determines to appoint and authorize, and the staff of the Club."

SCCA Bylaws Article VI – Administration, Section 5. Operations Manual states, "The SCCA Operations Manual shall be the Official operating guide for all areas of SCCA administration. It shall further the guiding principle of the SCCA: The ultimate direction of the Club rests with the Members. In furthering this guiding principle, the Operations Manual provides an equitable system of administrative due process."

SCCA Operations Manual I. Forward; C. SCCA Welcoming Environment Statement describes the SCCA Mission, Vision, Values, and Welcoming Environment, and *C.1 Member in Good Standing* describes the Code of Member Conduct.

SCCA Operations Manual B. Organization; 1. Membership; 1.7 Conduct Unbecoming a Member describes all manner of inappropriate behavior and unsportsmanlike conduct, along with levels of severity, the reporting mechanism, and anti-retaliation.

SCCA Operations Manual B. Organization; 1. Membership; 4. National Office Responsibilities and Administrative Procedures; 4.1 Administration describes primary responsibilities of the National Office related to administration and coordination of activities which cross Divisional, Regional and Program parameters, such as member conduct issues. Further, the Membership Department has established the Member Acknowledgment which appears on all paperwork and online when joining, renewing, or rejoining, and requires agreement before moving forward with the process.