



Policy Name: Principles of Ethical Behavior and Conflict of Interest

Date of Issuance: 3/30/2022

Policy Owner: General Counsel

Applies to: USA Volleyball Employees, USA Volleyball Board of Directors, Officers, and Committee Members, USA Volleyball Contractors, USA Volleyball volunteers, USA Volleyball Members (the “USAV Organization”)

Purpose:

Those of the USAV Organization, choose to serve and/or work with USA Volleyball (“USAV”) and are held to a high standard of conduct. USAV is the organization designated as the National Governing Body (“NGB”) for volleyball, beach volleyball and sitting volleyball by the United States Olympic Committee (“USOPC”). Individuals with the USAV Organization must assume an obligation to subordinate individual interest to USAV interests in promotion and development of the sport. What may be considered acceptable conduct in some settings may be inappropriate in the service of USAV.

Individuals with the USAV Organization must do so without personal gain, avoid any institutional loss or embarrassment and behave in such a way that the organization’s trust and public confidence are enhanced. It is important to avoid even the appearance of a conflict of interest.

While no set of guidelines can guarantee acceptable behavior, the guiding principles are disclosure, withdrawal from the decision-making process where conflict of interest is a possibility, and a commitment to honor the confidentiality of USAV information whether proprietary or sensitive. All conduct is founded on the individual’s own sense of integrity. Any individual accepting the honor of working or serving with the USAV Organization must also accept the burdens of public disclosure and public scrutiny.

In our complex society, the overlap of work, volunteer work, business interests, governmental activity and family relationships often create potential conflicting interest. What is required is recognition of these conflicting interests when they arise, followed by a reasoned approach to their resolution.

Guidelines for acceptable conduct:

- A. The business of USAV is to be conducted in observance of both the spirit and letter of applicable federal and state laws.

- B. USAV properties, services, opportunities, authority and influence are not to be used for private benefit.
- C. Duty and loyalty to USAV and its purposes should guide all conflict determinations whether in governance, advisory or programmatic roles. Honesty, candor, and a high degree of professionalism is the expected norm of participation both with USAV and with each other. In cases of decision making, individuals will disclose the nature and extent of any actual or potential conflict of interest when it occurs and will avoid evaluating or voting on the matter if in such a position to do so.

Confidentiality:

It is compulsory for those individuals with the USAV Organization to respect the confidentiality of USAV, and of any deliberations, event information, discussions, business negotiations, contract terms, etc.

Diligence:

It is incumbent upon those individuals of the USAV Organization representing and/or having been elected to a constituency, to diligently communicate with that constituency on all relevant matters occurring at board or committee meetings and, conversely, to accurately inform the board or committee members of constituent issues or concerns. However, if and when the individual with the USAV Organization is a USAV Board or Committee Member, decisions should be made on the basis of what is in the best interests of USAV and the sport of volleyball as opposed to a particular constituent group.

Resources:

Those wishing to receive more information or resources regarding this policy and/or conflicts of interest may wish to explore any of the following:

- 1. USAV governance <https://usavolleyball.org/about/governance>
- 2. USOPC Ethics and Compliance <https://www.teamusa.org/ethics-and-compliance>
- 3. Athlete Ombuds <https://www.teamusa.org/athlete-ombuds>

CONFLICT OF INTEREST POLICY

I. INTRODUCTION

It is incumbent upon individuals with the USAV Organization to conduct all of its affairs professionally and with integrity. This includes a commitment to avoid conflicts of interest or apparent conflicts of interest.

In order to assure that such conflicts, or apparent conflicts, are avoided a Conflict of Interest Policy is herein established.

II. GENERAL DUTY IMPOSED

Individuals with the USAV Organization shall perform their duties in a manner that each believes to be in the best interests of USAV, and with such care as an ordinarily prudent person in a like position would use under similar circumstances.

Individuals with the USAV Organization should recognize and attempt to avoid any activities or engage in any financial investments that constitute or might appear to constitute a conflict of interest. The avoidance of such conflicting activities or conflicting financial investments also includes closely associated activities or relationships with those who automatically create a conflict of interest.

It is particularly incumbent upon any individual with the USAV Organization, when acting in his or her USAV Organization capacity, to act solely for the benefit of USAV and not for personal gain. This is a “fiduciary duty” and is strictly interpreted under the law. A person with a fiduciary duty cannot have a conflict of interest.

III. THE POLICY

- A. It is the policy of USAV that any individual with the USAV Organization shall disclose any actual or apparent conflict of interest before engaging in any transaction in which the conflict exists. It shall be the continuing responsibility of individuals with the USAV Organization to scrutinize their respective USAV engagements and personal relationships to identify actual, apparent, or potential conflicts of interest and to report any such conflicts immediately.
- B. USAV Organization individuals who self-identify actual, apparent, or potential conflicts of interest shall report the conflict to the respective supervisor, contract supervisor, or, in the case of USAV Board or Committee Members, to the USAV Board of Directors Chair.
- C. For those individuals in the USAV Organization who serve on the USAV Board of Directors, at the start of each USAV Board of Directors meeting, the USAV Board Chair shall call for any conflicts of interest from the USAV Board of Directors and such disclosures, if any, shall be documented in the USAV Board of Directors meeting minutes. Any apparent or potential conflicts of interest identified by any member of the USAV Board regarding another member of the USAV Board shall be reported to the Board through its Chair. At the beginning of each USAV season (September 1st), the USAV Board of Directors shall be required to execute annual conflict of interest disclosure forms which shall be kept with USAV’s General Counsel. USAV Directors are required to voluntarily update their annual disclosure form in the event new conflicts of interest arise throughout the volleyball season.
- D. A person with an identified, actual, apparent or potential conflict of interest must abstain

from participating in and/or voting on activity related to the conflict. (The fact that a conflict of interest exists may not mean that it is material enough to be of practical importance, or if material, that upon full disclosure of all relevant information it is adverse to the interests of USAV or will disqualify the person from involvement.)

- E. No individual with the USAV Organization who, in good faith, reports a conflict of interest shall be subject to retaliation, including, being harassed, threatened, discriminated against, demoted, discharged or subjected to other forms of retaliation or other adverse consequences associated with the reporting.

CERTIFICATE

I have read the above Statement of Ethical Principles and the Conflict of Interest Policy of USAV. I hereby acknowledge that I understand both and agree to be bound by them.

Signature

Date

Printed Name