

SOCIETY FOR CREATIVE ANACHRONISM, INC.  
SANCTIONS PROCEDURES AND POLICIES  
MANUAL

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## **Section 1: Intent of these Procedures and Policies; Purpose of Sanctions**

- A. This document sets forth the Sanction Procedures and Policies for the Society for Creative Anachronism. Where an area is governed by an affiliate agreement, the affiliate organization's rules will apply and may differ from the procedures outlined in this document.
- B. The purpose of a sanction is to protect the SCA and participants by removing or limiting the participation of an individual who has violated the published rules and policies of the SCA, Kingdom law, or modern law. Behavior that places the SCA or another participant at substantial risk is also subject to sanction by the Kingdom or the Society.

## **Section 2: Corporate Officers and Crowns; Authority to Act, generally**

- A. The Board of Directors of the SCA reserves the right to sanction any individual or group of individuals in the SCA regardless of membership status, title or position. The Board reserves the sole right to modify or waive these policies as it deems necessary. The Board has the final authority on all sanctions.
- B. The Society Seneschal may investigate any complaint or incident.
- C. The Kingdom Seneschal may preliminarily investigate any complaint or incident within the boundaries of their Kingdom. They may notify or consult with the Society Seneschal as needed.
- D. The Crown may impose a royal sanction against an individual for violations of any provision of Corpora, the SCA Corporate Documents, and/or Kingdom Law, or suspend any Kingdom Officer for misconduct of office for the duration of their reign, consistent with this Manual.

## **Section 3: Overview of Administrative Actions and Sanctions**

### **A. Administrative Actions**

- 1. Suspension of an Officer: Officers may be suspended by the Crown or their Superior Officer for cause stated in writing to the officer. Suspension by the Crown is limited to the duration of the reign. Suspension by the Superior Officer is limited to not more than 90 days. The Deputy to the suspended Officer shall assume the responsibility of office during the suspension.
- 2. Removal from Office of a Warranted Kingdom Officer or Deputy: Removal of a warranted deputy or warranted local officer requires the approval of both the Kingdom Officer and the Crown of the Kingdom. In the event that the Crown and Kingdom Officer cannot agree to remove the deputy, they will refer the question of removal to the appropriate Society Officer. Removal of a warranted Kingdom Great Officer requires the approval of both the Crown and the relevant Society Officer.

3. If an officer is removed on grounds that they reasonably believe are based upon discrimination of any protected class, they may request that the Society Seneschal or President review the removal.
4. Other Administrative Actions: As defined in Corpora I.F, administrative actions are not limited to suspension or removal from office. Other administrative actions may be taken by kingdom officers in consultation with the Crown or appropriate Society officer. Such actions may include, but are not limited to, temporary removal of authorization or permission to participate in certain aspects of SCA activity.<sup>3</sup>
5. Administrative Actions must be proportional and appropriately related to the issue causing the action. The cause of the action must be explained in writing to the subject of the Administrative Action. They must also be informed of their right to appeal the Administrative Action to the Board of Directors.<sup>3</sup>
6. Removal of the ability to participate in an aspect of SCA activity within a kingdom cannot exceed the term of office of the officer imposing the restriction. If the next officer wishes to extend the restriction, and the Crown or Society Officer agrees, this can be done, but the total period of the exclusion cannot exceed two years. Only the Board of Directors can permanently ban somebody from an office or from participation in a particular activity.<sup>3</sup>
7. Administrative Actions do not need to be announced in Court nor published in the Kingdom newsletter.

#### **Section 4: Overview of Kingdom and Society Sanctions**

##### **A. Kingdom Sanction: Banishment from the Royal Presence**

1. A Banishment from the Royal Presence, at any function, activity or event which the Sovereign or Consort attend, precludes the sanctioned individual from attending any Royal Court, any meetings where the Crown is present including Peerage or officer meetings, entry into the Royal Encampment, contacting the Crown in any manner, or otherwise being within 50 feet of the Crown.<sup>1</sup>
2. This Sanction is issued by the Crown.
3. The Sanction expires at the end of the reign. While any Sanction may be appealed, the Crown has broad rights to impose a Banishment from the Royal Presence. Therefore, appeals of this sanction will not generally be considered.<sup>3</sup>
4. This Sanction must be read in Court and published in the Kingdom newsletter.

##### **B. Kingdom Sanction: Exile from the Kingdom**

1. Exile from the Kingdom precludes engaging in any SCA activity in the Kingdom that issued the sanction. This does not preclude participation in activities in other Kingdoms. This precludes participation in any Kingdom-controlled social or electronic media.
2. This Sanction is issued by the Crown.
3. This Sanction terminates at the end of the reign. This Sanction must be read in Court and published in the Kingdom newsletter.

4. No person shall be subjected to a continuance of this Sanction for more than two consecutive reigns under the circumstances that prompted the original Crown to act.
5. The Society Seneschal will present this Sanction to the Board of Directors for review.

### **C. Kingdom Sanction: Temporary Removal from Participation in the Society**

1. A Temporary Removal from Participation in the Society is issued by the Crown and Kingdom Seneschal after consultation with the Society Seneschal. Temporary Removal from Participation precludes the individual from attendance or participation in any manner at any SCA activity, event, practice, or official gathering for any reason, at any time. This includes a ban on participation in officially recognized SCA social media (e.g. "Facebook") sites, officially recognized SCA electronic mail lists, and officially recognized SCA web pages.
2. This Sanction must be read in Court and published in the Kingdom newsletter.
3. The Society Seneschal will present this Sanction to the Board of Directors for review.
4. Temporary Removal from Participation will last until the Board makes a final decision on the Sanction.
5. Grounds for the issuance of a Temporary Removal from Participation in the Society include, but are not limited to:
  - a. Serious transgressions of SCA rules which include violation of the Governing Documents or other rules of the SCA;
  - b. Theft, misappropriation, or deliberate misuse of SCA funds or property;
  - c. Situations in which an individual is under criminal investigation by a modern law enforcement agency or is considered to be a risk to the SCA or its participants due to conviction of a dangerous felony or violation of a civil law or court order which could put the SCA or its participants at risk;
  - d. Behavior which could put the SCA or its participants at risk or fear of imminent harm;
  - e. Actions that endanger public health and safety.

### **D. Society Sanction: Emergency Temporary Removal from Participation**

1. An Emergency Temporary Removal from Participation may be issued by the Society Seneschal with the approval of the Chairman of the Board, after consultation with the Crown and/or Kingdom Seneschal of the applicable Kingdom. The Temporary Removal from Participation remains in effect until the Board reviews the decision and makes a final determination on the Removal, which can include a Revocation of Membership and Denial of Participation or lifting the Sanction, amongst other things.
2. The Society Seneschal must immediately notify the Crown and Kingdom Seneschal of the affected Kingdom and must also notify the Chairman of the

- Board and the President within 24 hours following the issuance of the Sanction. The Chairman is responsible for notifying the Board within a reasonable time.
3. Notification of the Emergency Temporary Removal from Participation shall be made to the public in a form and format deemed appropriate by the Society Seneschal and President.
  4. The Society Seneschal will present this Sanction to the Board of Directors for review.
  5. Emergency Temporary Removal from Participation will last until the Board makes a final decision on the Sanction.

## **Section 5: Initial Notification of Sanction**

### **A. Notice of Kingdom Sanction**

1. The Kingdom Seneschal must notify or make a reasonable attempt to notify the sanctioned person via email or telephone as soon as possible, but must also notify the sanctioned person by certified postal mail within 15 days of the announcement in Royal Court.
2. If the person's mailing address cannot be obtained, the Kingdom Seneschal must document attempts to notify the person by other means, and must include that documentation in the sanctions file.<sup>3</sup>
3. The Kingdom Seneschal should notify the Society Seneschal of the basic facts of the Sanction within 24 hours of issuance.

### **B. Notice of Emergency Temporary Removal from Participation**

1. The Society Seneschal must notify or make a reasonable attempt to notify the sanctioned person via email or telephone as soon as possible, but must also notify the sanctioned person by certified postal mail within 15 days of the announcement of the Emergency Temporary Removal from Participation. If the person's mailing address cannot be obtained, the Society Seneschal must document attempts to notify the person by other means.<sup>3</sup>
2. The Society Seneschal must notify the President and Chairman within 24 hours following the issuance of the Sanction. The Chairman is responsible for notifying the Board within a reasonable time.
3. After an Emergency Temporary Removal from Participation has been issued, the appropriate Kingdom Seneschal(s) shall privately notify all local Seneschals in the affected Kingdom(s) of the Sanction.
4. Additional Kingdoms may need to be informed as necessary in the determination of the Society Seneschal.

### **C. Contents of Notification**

The written notice shall contain:

1. Type of Sanction/Description of conditions

2. Issuing authority (Crown and/or Kingdom Seneschal or Society Seneschal)
3. Date the Sanction was issued
4. For Kingdom Sanctions, the event at which the Sanction was announced
5. Time limit of the Sanction (if applicable)
6. A brief statement of facts supporting the sanction
7. Right of appeal

#### **D. Responsibility for Notification<sup>3</sup>**

1. At both the Kingdom and Society levels, a good-faith attempt to notify the sanctioned individual at all appropriate junctures must be made and documented.
2. Inability of the SCA or its officers to obtain contact information for an individual, after due diligence, does not exempt the individual from being sanctioned.

### **Section 6: Standard Sanction Process<sup>2</sup>**

- A. The Kingdom Seneschal transmits the sanction package to the Society Seneschal. The package will include the following:
  1. A complete statement of facts from both the Crown and Kingdom Seneschal. Both statements must state why the sanction was issued.
  2. The statement of facts from the Kingdom Seneschal must also describe the initial notice or attempt at initial notice of the Sanction to the sanctioned person; a copy of the initial notification letter; and proof of sending the letter by certified mail to the sanctioned party.
  3. Proof of publication in the Kingdom newsletter or information indicating when the publication will take place.
  4. Any statements from the Complainant(s) and any witnesses.
  5. Statement from the sanctioned person, if any.
- B. Society Level Process

The Society Seneschal shall:

1. For a Kingdom Sanction, verify that the sanction package is complete and that all necessary steps have been taken.
  2. For an Emergency Temporary Removal from Participation, prepare documentation of the Sanction.
  3. Present the Sanction, including the full package and the case cover sheet, to the Board of Directors at their next scheduled meeting, or within 30 days, whichever is later.<sup>3</sup>
- C. Board of Directors Process
    1. The Board of Directors will review the sanctions package.
    2. At its discretion the Board may:
      - a. Uphold or overturn the sanction.

- b. Extend the sanction and request the Society Seneschal investigate the matter for a determination of the need for additional action up to and including Revocation of Membership and Denial of Participation.
  - c. Impose other sanctions as needed.
  - d. Take any action the Board finds necessary under the circumstances.
3. Before the Board can consider a Revocation of Membership and Denial of Participation, the sanctioned person must be notified in accord with the Corporate Policies of the SCA, Inc. The Society Seneschal is responsible for sending this notification, which may be by email or postal mail.<sup>3</sup>

## **Section 7: Appeals Process<sup>2</sup>**

### **A. Appealing a Kingdom Sanction to the Board of Directors**

1. Any person who has received a Kingdom Sanction may appeal to the Board of Directors. Only the sanctioned person may bring the appeal.
2. Appeals must have the following:
  - a. An introductory letter explaining the circumstances surrounding the Sanction.
  - b. Any information that the Board should consider which the sanctioned individual believes supports the appeal.
3. The person should provide all evidence to support the appeal, emailed to the Society Seneschal ([seneschal@sca.org](mailto:seneschal@sca.org)) or mailed to the SCA Corporate Office.
4. All questions about an appeal should be directed to the Society Seneschal.

### **B. Appealing a Sanction from the Board of Directors**

1. Only a sanctioned person may file an appeal.
2. Appeals may only be filed if there exists either sufficient evidence to conclude that the Board would have reached a different decision had the evidence discovered been reviewed by the Board, or a discovery of a material error of fact.
3. The Board is the ultimate determiner and arbiter of the rules of the Society, regardless of what authority it may delegate elsewhere. All members of the Society shall therefore have the right of appeal to the Board, provided they follow proper channels for complaint and appeal.
4. The person should provide all evidence to support the appeal, emailed to the Society Seneschal ([seneschal@sca.org](mailto:seneschal@sca.org)) or mailed to the SCA Corporate Office.
5. All questions about an appeal should be directed to the Society Seneschal.

## **Section 8: Confidentiality within the Sanctions Process**

### **A. Confidentiality of the accused from public statements regarding allegations**

The Crown, the Kingdom Seneschal, the Society Seneschal, and any appointed investigator are prohibited from commenting on any ongoing sanction or investigation into any matter that may lead to a sanction. This prohibition does not include necessary privileged contact with additional appropriate Society and Kingdom officers.<sup>3</sup>

### **B. Confidentiality of Complainant and Witness Identify**

The statement of facts in the sanction letter shall be redacted in order not to directly identify the complainant or witnesses, who shall be referred to as “Complainant (#)” or “Witness (#)”.

## **SANCTION MANUAL APPENDIX**

### **Footnotes and Updates**

1. January 2020: The definition of the sanction Banishment from the Royal Presence was reviewed and further defined at the January 2020 Board meeting. It returns to an older definition of Banishment from the Royal Presence that prevents the sanction from being constructively used as an Exile from the Kingdom.
2. January 2020: The Sanction Casefile version 2.6 contains all the forms for Sanctions and Appeals.
3. October 2020: Changes further defining Administrative Actions, rights of appeal, and notification requirements were added. Confidentiality requirements were refined to make clear that kingdom and Society officers may be contacted as necessary.