



DISCIPLINE COMMITTEE

The Discipline Committee will convene within 48 hours and review the recommendations and where possible, rule on the recommendations made in the report within this time period. A ruling could include:

- a) The complaint does not have merit therefore the matter is closed,
- b) The complaint has merit and will proceed with a hearing, with or without interim disciplinary measures implemented until a final ruling has been determined. A hearing will be within 7 days, excluding statutory holidays. Notification of hearing date, time and place will be given to all parties.

Discipline Committee Decision

As soon as possible but in any event within 3 days excluding statutory holidays of the conclusion of the hearing, the Committee will provide its written decision to both the Complainant and Respondent with a copy to the President and appropriate Board Members..

If the Committee determines that the allegations are false, vexatious, retaliatory or frivolous, its report may direct that there be disciplinary sanctions against the Complainant. Unless the Committee decides otherwise, any disciplinary sanctions applied shall take effect immediately.

APPEALS COMMITTEE

Both the Complainant and the Respondent shall have the right to appeal the decision of the Discipline Committee. A notice of intention to appeal, along with the grounds for appeal, must be provided to the Chair of the Appeals Committee within 7 days excluding statutory holidays of the date of the Discipline committees' decision. The notice must include the grounds upon which the decision is being appealed. The written submission must include reasoning of how the grounds are met.

Appeals may be made on only the following grounds:

- a) The investigation was conducted in an unfair or biased manner.
- b) Committee members did not follow the procedure set out in this policy
- c) Committee members reached a decision which could not be supported by the evidence.
- d) Committee members reached a decision which was grossly unfair or unreasonable.

The appeal shall be reviewed by the Appeal Committee within 7 days excluding statutory holidays of receiving the notice of intention to appeal. The appeal will be based on a review of the documentation regarding the complaint including all information received from Discipline Committee, the statements of the Complainant and Respondent, the report of the Investigation, the decision of the Discipline Committee and the notice of appeal.

The Appeal committee will first rule whether or not the notice of appeal meets the criteria for grounds of an appeal.



Policy: D04
Adopted: September 17, 2006
Last Amended: July 8, 2009

If the Appeal Committee determines that the notice of Appeal does not meet the grounds of an appeal then the matter is closed. The Appellant is immediately informed in writing.

If the Appeal Committee determines that the notice of Appeal meets the above grounds then the Appeal will carry forward.

The Appeal Committee may or may not call any or all parties.

In deciding the Appeal, the Appeal Committee may uphold the decision of the Discipline Committee, reverse the decision of the Discipline Committee and/or modify any of the Discipline Committee's recommendations for disciplinary action or remedial measures.

The decision of the appeal board can be appealed to the Board of Directors within seven days excluding statutory holidays of receiving the decision. These decisions will be heard within 30 days. Appeals to the Board of Directors must be made in writing to the President.

Pro-Tem Suspension

If the Appeal Committee receives notification of a pro-tem suspension the Appeal Committee will apply the same procedures as the Discipline Committee and in accordance with the timelines set out in the Constitution and By-laws.

The decision of the Appeal Committee for a Pro-tem Suspension may be appealed to the Board of Directors based same grounds as noted in #2 above. The appeal to the Board of Directors must be within seven days excluding statutory holidays of receiving the decision. These decisions will be heard within 30 days. Appeals to the Board of Directors must be made in writing to the President.

Record Keeping And Confidentiality

The President of North Delta Minor Hockey shall keep a secure record of the Formal complaint documentation, Discipline Committee report and any appeal proceedings.