

## **APPEAL POLICY**

These Bylaws reflect the Board of Director's right to make decisions and create policy based on what the Board believes to be within the best interest of the sport of ringette within Zone 6. The Society acknowledges that the membership may not always agree with the decisions made by the Board and has a right to appeal decisions made by the Board.

Any member of The Society who is affected by a decision made by the Board of Directors, the Executive Committee or any officer or Director of The Society has the right to appeal the decision.

The appellant bears the onus of proof, and must be able to demonstrate on the balance of probabilities that an error has been made in the application of Bylaw, Policy or Procedure.

### **9.01 Scope of Appeal issues**

Members will be allowed to appeal any decision made by the Board of Directors except:

- Concerning matters of:
  - Employment
  - Bylaws
  - Committee composition
  - Budgeting
  - Accounts payable
  - Player evaluation and ranking
  - Team formation
  - Documented Procedures
  - Individual team decisions
- Rules of Ringette
- Decisions made by Provincial or National Governing Bodies & Associations other than Zone 6
- Decisions made by the Appeal Body/Committee under Section 9 – Appeals

### **9.02 Grounds For appeal:**

Members will only be able to appeal issues in the following circumstances:

- a) The decision makers did not have the authority to make the decision;

- b) The decision makers failed to follow a procedure, policy or bylaw;
- c) The decision makers were influenced by bias or conflict of interest (COI);
- d) The decision makers failed to consider relevant facts, or considered irrelevant facts,
- e) The decision makers made a decision contrary to policy, procedure or bylaw.

### **9.03 Appeals Procedure**

The Board of Directors will create an appeals procedure which addresses:

- Appellant submission criteria, including but not limited to:
  - Time limit on appeal submission
  - Appeal format requirements
  - Fee
  - Submission criteria
- Appeal Review Committee Body, which will include but not limited to:
  - Time line for review
  - Response format
- Appeal Committee composition
- Level of appeal available to appellant
- Appeal body decision responses

In the event that an appeals procedure does not exist, the following shall be used:

**Composition Of Appeal Body:** The entire Board of Directors, with at least 75% of the elected Board in attendance.

**Level of Appeal:** Only one level exists, the Board of Directors.

**Submission requirement by appellant:**

- Time line: The appellant will submit a written appeal to the Board no later than 20 calendar days after a decision is communicated
- Fee\*: The fee shall be no less than \$200.00 cash per issue of appeal, and no more than the full amount of the maximum player annual registration fee
- Submission Criteria: The submission shall be:
  - Delivered in writing to the Board of Directors within the defined timeline with the cash appeal fee attached
  - Shall address and identify the following:
    - 1) Name of appellant

- 2) Issue being appealed
- 3) Date of infraction or date issue was identified – if appropriate
- 4) Date that a decision was communicated to appellant – if appropriate
- 5) Grounds for appeal, quoting relevant bylaw, policy or procedure
- 6) Detailed reason for appeal
- 7) Inclusion of all evidence to support the appeal
- 8) The remedy sought
- 9) Request for either an in person or administrative/documentary review by appeal body

\*A successful appeal will result in the return to fee within 7 calendar days.

**Appeal Review Requirements:** The Board of Directors will:

- Make every attempt to meet within 7 days of receipt of the appeal. If time does not allow for the Board to meet, the President may request the Executive Committee review the appeal. In this case, the Executive committee will be bound by the same operating procedures required of them as per 5.02.
- Review the appeal for acceptability. Appeal acceptability is defined in 1 through 9 in submission criteria;
- Meet in person with the appellant if they request, and the appellant will be allowed to state their appeal,
- Meet in private if the appellant requests an administrative/documentary review.

The Board and appellant will be allowed to bring forward any evidence or witness required to support their position.

**Response and Action by the Board of Directors or Appeal Body:** Time is of the essence and the Appeal Body will make every effort to expedite the review and decision process, and will be bound by the following:

- Timeline: The appeal will be heard and communicated (responded) to the appellant within 7 calendar days of receipt of an acceptable appeal.
- Response Format: The appeal body will:
  - Provide a verbal communication at the time of the meeting if possible, should the appeal be in person,
  - Provide a written appeal decision within 2 business days of making the decision.