

## ORILLIA MINOR HOCKEY ASSOCIATION APPEALS COMMITTEE

### **Directive**

The ORILLIA MINOR HOCKEY ASSOCIATION Appeals Committee is structured to review and render decisions on appeals submitted by ORILLIA MINOR HOCKEY ASSOCIATION members in regards to decisions made by the Board of Directors of Orillia Minor Hockey or sub Committees of the stated Board.

Members appealing such decisions must be aware that the ORILLIA MINOR HOCKEY ASSOCIATION Appeals Committee is not empowered to re-open a matter in order to view all of the original material presented with the intent of producing a new decision. The Appeals Committee will only review a decision or hear an appeal under one or more of the following conditions:

- a) New relevant evidence that was not available to those persons who made the decision that is being appealed.
- b) An appeal maybe filed on the grounds of irregularities in the proceedings of the original hearing that may have caused an unjust decision.
- c) An appeal maybe filed on the grounds that the decision of the original hearing was too severe.
- d) An appeal maybe filed on the grounds that there is proof to establish that the decision of the original hearing was reached in an unjust manner.
- e) A written request for an appeal hearing based on one or any of the above criteria must be submitted to the hockey office within 48 hours of the original decision and be accompanied by a hearing fee as determined year to year by the Orillia Minor Hockey Board of Directors.
- f) Only those Appeals filed from May 1<sup>st</sup> to April 30th of the current hockey season will be heard.

Each officially convened ORILLIA MINOR HOCKEY ASSOCIATION Appeals Committee will, for the purpose of the hearing, have a triad as its official participants. ***They will be the appellant (ie. parent, player) the designated spokesperson for the Board or Committee whose decision is being appealed; and the members of the Appeals Committee.*** All other persons who are present will not be deemed to have official standing and may speak only with the permission of the Chairperson.

At each hearing, the Chairperson will endeavor to have business conducted in the following sequence:

1. Call to order
2. Introduction of Committee Members
3. Introduction of Designated Spokespersons
4. Appellant's presentation
5. Presentation on behalf of the Board or Committee who decision is being appealed.
6. Committee members questions to the presenters.
7. Rebuttal opportunities for the presenters, followed by summary statements.
8. Adjournment, followed by the private discussions required for the Committee members to render a decision. The Appeals Committee has full authority to make decisions based on the case before them.

When the appeals Committee's decision is to uphold the appeal, than one-half of the appeal fee will be returned. If the Committee's decision is to reject the appeal, then ORILLIA MINOR HOCKEY ASSOCIATION will retain the full appeal fee. The decision of the Appeal committee shall be in writing.

The appeals committee may hear legitimate complaints about the actions of board members. The complaint must be specified in writing outlining the reasons. The Appeals Committee will determine whether the complaint will be heard.

All members must follow the proper process as set out in the Manual of Operations. **No member will be permitted to circumvent the process by going directly to the Appeals Committee.**

Decisions of the ORILLIA MINOR HOCKEY ASSOCIATION Appeals Committee may be appealed to Ontario Minor Hockey Association.