

## CKO SPRINT APPEAL POLICY

This Policy applies to decisions made by CKO SPRINT Board of Directors, by committees of CKO SPRINT Board of Directors, and by individuals who are delegated authority to make decisions on behalf of CKO SPRINT Board of Directors. For further clarity, this policy will apply to all decisions of CKO SPRINT Board of Directors except decisions made by organizations external to CKO SPRINT Board of Directors; decisions relating to operational structure, staffing or employment; decisions about allocation of volunteer appointments; decisions on budgets or budget implementation; and decisions of a commercial nature.

1. Each Notice of Appeal must be accompanied by a \$150.00 deposit payable to the CKO SPRINT, refundable in the case of a successful appeal.

2. The Chairperson will appoint an Administrator to oversee appeals under this policy. The Administrator has an overall responsibility to ensure procedural fairness and timeliness are always respected in the appeals process and more particularly, has a responsibility to:

- Receive appeals.
- Determine if appeals lie within the jurisdiction of this Policy.
- Determine if appeals are brought in a timely manner.
- Determine if appeals are brought on permissible grounds.
- Appoint the Tribunal to hear and decide appeals.
- Determine the format of the appeal hearing.
- Coordinate all administrative and procedural aspects of the appeal.
- Provide administrative assistance and logistical support to the Tribunal as required; and
- Provide any other service or support that may be necessary to ensure a fair and timely appeal proceeding.

3. Persons who wish to appeal under this policy will submit a written Notice of Appeal to the Administrator indicating their intention to appeal, their contact information, the reasons and grounds for the appeal, a summary of evidence to support the appeal, and the remedy requested. This Notice must be submitted within 10 calendar days of the person receiving formal notice of the CKO SPRINT Board of Director's decision.

4. Decisions may only be appealed on procedural grounds, which are limited to CKO SPRINT Board of Directors:

- Making a decision for which it did not have authority or jurisdiction as set out in governing documents.
- Failing to follow procedures laid out in its approved policies.
- Making a decision that was influenced by bias.
- Failing to consider relevant information or considering irrelevant information in making the decision; or
- Making a decision that was grossly unreasonable.

5. The Administrator will review the Notice of Appeal and will determine if the appeal falls within the jurisdiction of this Policy, is brought in a timely manner, and satisfies procedural grounds. If the Administrator is satisfied that the appeal may not proceed as it is not under

this Policy's jurisdiction, is not timely, or is without grounds, the parties will be notified in writing, stating reasons.

6. If the Administrator is satisfied that the appeal may proceed, then a Hearing before a Tribunal will take place. The Administrator will appoint a Tribunal, which will consist of a single Adjudicator, approved by all parties, to hear and decide the appeal.

7. The Hearing will be governed by the procedures that the Administrator and the Tribunal deem appropriate in the circumstances. The Tribunal will have authority to rule in the event of any dispute about procedure and timelines.

8. After the Hearing, the Tribunal will issue a written decision with reasons within seven calendar days of the close of the hearing. The Tribunal may decide:

- To reject the appeal and confirm the decision being appealed; or
- To uphold the appeal, identify the error and refer the matter back to the CKO SPRINT Board of Directors; or
- To uphold the appeal and vary the decision but only where the Tribunal has determined that the error or errors cannot be corrected by the CKO SPRINT Board of Directors due to lack of clear procedures, lack of time, or lack of neutrality.

9. Where time is of the essence, the Tribunal may issue a verbal decision or a summary written decision, with reasons to follow.

10. The appeal process is confidential involving only the parties, the Administrator, and the Tribunal. Once initiated and until a written decision is released, the parties will not disclose confidential information relating to the appeal to any person not involved in the proceedings.

11. The decision of the Administrator rendered under Section 5, and the decision of the Tribunal rendered under Section 8, will be final and binding upon the parties, subject only to any review that may be permitted under the rules of the Sport Dispute Resolution Centre of Canada.

## FORM OF NOTICE OF APPEAL TEMPLATE

Appeals will only be accepted using the Notice of Appeal template. This Notice must be submitted within 10 calendar days of the person receiving formal notice of the CKO SPRINT Board of Director's decision. Each Notice of Appeal must be accompanied by a \$150.00 deposit payable to the CKO SPRINT, refundable in the case of a successful appeal.

Return form to: CKO Sprint Chairperson, [Gilles Cinq-Mars](#)

Full Name:

Address:

Phone:

Email:

Club:

### Reason for Appeal (Check all that apply)

- Making a decision for which it did not have authority or jurisdiction as set out in governing documents.
- Failing to follow procedures laid out in its approved policies.
- Making a decision that was influenced by bias.
- Failing to consider relevant information or considering irrelevant information in making the decision; or
- Making a decision that was grossly unreasonable.

**Provide a short summary of the grounds for the appeal:**

**Provide the reasons communicated to you by CKO Sprint's Board of Directors as to why the decision you are appealing was made:**

**Provide a detailed account of the situation to allow the Tribunal to understand the basis of the appeal (please submit additional pages/supporting documentation as necessary) and suggested remedy:**

Signature:

Date: