



6.22 HEO Appeals Committee Procedures/Protocol

Effective Date: July 2016

Revised Date: January 2022

References: Article VI Committees - HEO Bylaws:

Protocol:

1. The HEO Appeals Committee is structured to review and render decisions on appeals submitted by HEO members regarding decisions made by Minor Council Discipline and Appeals Committee, Junior Leagues, District Councils/Boards, SHEO, and Special Hockey Organizations.
2. Appeals will be screened prior to be granted official status by the HEO Operations Director to ensure they meet the required criteria for an appeal committee to be convened
3. Members appealing such decisions must be aware that the HEO Appeals Committee is not empowered to re-open a matter to review all the original material presented with the intent of producing a new decision.
4. Within 96 hours of receiving official notification by email, fax or certified mail, the appeal must be filed to HEO (C/O HEO Operations Director) accompanied by an appeal fee of \$250.00.
5. An HEO appeal hearing will only be called when the request is properly filed with the HEO Operations Director and the appeal fee has been received.
6. The HEO 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 may be filed on the grounds of irregularities in the proceedings of the original hearing that may have caused an unjust decision.**
 - c) **An appeal may be filed on the grounds that the decision of the original hearing was either too lenient or too severe; and/or**
 - d) **An appeal may be filed on the grounds that there is proof to establish that the decision of the original hearing was reached in an unjust manner.**
7. Prior to the scheduling of an appeal, the Appellant is required to provide a copy to the HEO Operations Director any documentation pertaining to any alleged new information to substantiate any and/or all alleged conditions as listed in paragraph 4 (a) to (d), above.
8. A copy of any materials provided to the HEO Operations Director by the Appellant pursuant to paragraph #5, above, will be forwarded to both the Respondent as well as to the Chair, HEO Appeals Committee in advance of the scheduling of the appeal in question.
9. A copy of any materials provided to the HEO Operations Director by the Respondent as a result of having been afforded the opportunity to review any new materials provided by the Appellant pursuant to paragraph # 6, above, will be forwarded to both the Appellant as well as to the Chair, HEO Appeals Committee in advance of the appeal.



10. If an appeal pertains to a Code of Discipline (or Hockey Canada Rule Book) infraction, the Respondent should be represented by their District or League Referee-in-Chief, or should, at minimum, be a witness at the appeal and be ready to provide any necessary information pertaining to the incident being appealed.
11. The appeal hearing will be chaired by the HEO Director assigned as Chair of the HEO Appeals Committee by the HEO Board or their designate.
12. The membership of the appeal panel shall not be less than three people, and nor more than five people. The panel will be selected and convened by the Chair of the Appeals Committee.
13. The Chair of the Appeals committee shall make arrangements for each hearing via the office of the HEO Operations Director.
14. Each officially convened HEO Appeals Committee will be structured as follows:
 - i) The Appellant (i.e., parent, player, or pre-approved representative of the appellant).
 - ii) The designated spokesperson for the Council, Committee, District, or League whose decision is being appealed; and
 - iii) 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.
15. In the event that the Appeals Committee's decision is to uphold the appeal, then one-half of the appeal fee will be returned.
16. The Appellant will be provided with the appropriate instructions in the decision letter issued by the HEO Appeals Committee Chair. on how to appeal the decision of the HEO Appeals Committee to the Hockey Canada National Appeals Committee, If the National Appeals Committee requests that the HEO Appeals Committee review and respond to an appeal made by the original Appellant, the HEO Appeals Committee Chair may review all documentation provided with the appropriate committee/league chair or individuals as deemed necessary to formulate an appropriate response.
17. Upon receiving the response from the National Appeals Committee, the HEO Operations Director will provide copies of same to both the Chairpersons of the Minor Council Discipline and Appeals Committee, Junior Leagues, District Councils/Boards, SHEO, Special Hockey Organizations, and the Chair of the HEO Appeals Committee.



Appeal Hearing Procedure:

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

1. Call to order.
2. Ensure that a record of all attendees is recorded for the official record.
3. Introduction of Committee Members.
4. Identification and introduction of designated spokespersons.
5. Appellant's presentation.
6. Presentation on behalf of the Council/Committee whose decision is being appealed.

7. Committee members question the presenters.
8. Rebuttal opportunities for the presenters.
9. Committee members are offered an opportunity for a second round of questions to the presenters.
10. Summary statements by the presenters.
11. Chairperson advises that the decision of the Appeals Committee will be provided, in writing, to both the Appellant and the respective Council/Committee within the next 48 hours with copies
12. of the decision letter to all members of the hearing Committee; and
13. Adjournment of the hearing followed by the private discussions required for the Committee members to render a decisio

