



## **6.22 HEO Discipline & Appeals Committee**

**Procedures/Protocol Effective Date:** July 2016

**Revised Date:** January 2022

**Revised Date:** April 2025

### **Mandate:**

The HEO Discipline & 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. Conduct Hearings into the findings of investigations conducted by the HEO Standards Committee and referred to the HEO Discipline & Appeals Committee. The HEO Discipline & Appeals Committee may also be required to hold Discipline hearings for registered participants, team staff, minor or junior association/league executive, parents, or officials where potential breaches of the Code of Conduct, Code of Discipline or Maltreatment policies have occurred.

The HEO Appeals Committee reserves the right to review decisions made by Minor Council Discipline and Appeals Committee, Junior Leagues, District Councils/Boards, SHEO, and Special Hockey Organizations on discipline decisions made for violations of policy 6.3, including on ice Hockey Canada Playing Rule 11.4 infractions/accusations.

### **Discipline Hearing Protocol:**

All Discipline hearings will be held in person. See Schedule C below.

### **Appeal Protocol:**

1. 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.
2. Appeals based on infractions that have been assessed a minimum suspension as per the Hockey Canada Minimum Suspension Guidelines (CJHL, Junior, Minor/Female) or HEO's Code of Discipline chart for minor hockey will not be permitted.
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. These materials must be supplied no later than 72 hours prior to the scheduled hearing. Any materials supplied after the 72-hour deadline will not be admitted into the hearing.
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. The HEO Appeals Committee shall conduct all hearings in the manner in which it sees fit, including but not limited to written presentations only, tele/video conferences, or face to face hearings.
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.



## Schedule A

### **In Person Appeal Hearing Procedure (tele/video conference included):**

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 of the decision letter to all members of the hearing Committee; and
12. Adjournment of the hearing followed by the private discussions required for the Committee members to render a decision.



## **Schedule B**

### **Written Appeal Hearing Procedure:**

An Appeal Shall:

1. Be brought within Ninety Six (96) Hours of the written decision of the District/League appealed from. Statutory holidays will not be included in the 96 Hours.
2. Be in writing;
3. Attach the HEO Appeals Application Form
4. Describe, in numbered paragraphs, the decision appealed from, the grounds for appeal, and the relevant facts. Pertinent documents, if any, shall be attached;
5. Be filed with the Operations Director, of Hockey Eastern Ontario
6. Include the fee described in the Application Form.

Hockey Eastern Ontario shall forward a copy of the Appellant's appeal materials to the District/League which rendered the decision. The District/League shall respond to the appeal:

1. Within Ninety Six (96) Hours of receipt of the appeal from HEO.
2. In writing;
3. By describing, in numbered paragraphs, the position of the District/League including the grounds for the decision appealed from, and the facts supporting the decision.
4. Pertinent documents, if any, shall be attached;
5. The District/League shall deliver a copy of its response to the Operations Director who in turn will provide a copy to the Appellant, if the nature of the appeal or the response from the District/League, suggests that a further response from the Appellant might be appropriate.

After the District/League response has been received, the submission of further material by either party shall only be permitted at the discretion of the HEO Appeals Committee Chair. All parties to the appeal may be requested to respond to any material provided by any party to an appeal within timelines as established by the HEO Appeals Committee.

Failure by a party to respond within the timelines may be regarded by the Committee as evidence that the non-responding party is in agreement with the material provided by any other party.

In order to provide for adequate preparation by the HEO Appeals Committee, all material shall be submitted to the Operations Director no later than four (4) Working Days (where applicable) prior to the scheduled hearing date. Failure to provide material within the four (4) Working Day timeframe may result in a postponement of the hearing until the next scheduled hearing date.



## Schedule C

### **In Person Discipline Hearing Procedure:**

1. D&A Chairperson calls the hearing to order.
2. Introductions of D&A Committee.
3. Introductions of parties in attendance and their designated role(s).
4. Presentation by the respondent or appellant (as applicable).
5. Statement by District, or League representative (as applicable).
6. D&A Committee members may ask clarifying or supplementary questions.
7. Respondent or appellant may rebut, provide supplementary relevant information not previously provided and may make a summary statement. The district, or League representative may rebut, provide supplementary relevant information not previously made and may provide a summary statement.
8. D&A Committee members may ask clarifying or supplementary questions.
9. Appellant or respondent, witnesses, parent or guardian, District, Association and League representative(s) are excused from the hearing.
10. The D&A Committee will convene in-camera to deliberate and render its decision.



## HEO Appeals and Discipline Framework

| Source   | District/League D&A            | Minor/Junior Council D&A   | HEO D&A<br>*Must meet requirements   | Hockey Canada<br>*Must meet requirements |
|--|--------------------------------|--|--------------------------------------|--|
| HEO Code of Discipline for Minor Hockey.   | First Instance Per regulations | First Instance or second instance or Until Minor Council D&A per Regulations | Appeal of Minor Council D&A Decision | Appeal of HEO D&A                        |
| Junior League Discipline CCHL/EOJHL/NCJHL  | N/A                            | Appeal of Junior League Decision   | Appeal of Junior Council Decision    | Appeal of HEO D&A Decision               |
| Appeal Code of Conduct arising from an Association D&A decision.                               | First Appeal                   | Appeal of a District Decision  | Appeal of Minor Council D&A Decision | Appeal of HEO D&A                        |
| Appeal Code of Conduct arising from a District decision.                                       | N/A                            | N/A  | Appeal of Minor Council D&A Decision | Appeal of HEO D&A                        |
| Appeal Code of Conduct arising from a Minor Council D&A decision.                              | N/A                            | N/A  | First Instance                       | Appeal of HEO D&A                        |
| Code of Conduct arising from a League decision (e.g. League-imposed discipline).               | N/A                            | First Instance   | Appeal of Minor Council D&A Decision | Appeal of HEO D&A                        |
| HEO Regulations for Minor Hockey arising from a District decision. (e.g. Ineligible players).  | N/A                            | N/A  | Appeal of Minor Council D&A Decision | Appeal of HEO D&A                        |
| League Rules and Regulations (e.g. forfeits, game timing etc.) arising from a League decision. | N/A                            | First Instance   | Appeal of Minor Council D&A Decision | Appeal of HEO D&A                        |
| Risk and Safety arising from an Association decision.  | First Appeal                   | Second Appeal  | Appeal of Minor Council D&A Decision | Appeal of HEO D&A                        |



## HEO Appeals and Discipline Framework

|  |     |              |                |                   |
|--|-----|--------------|----------------|-------------------|
| Risk and Safety arising from a District decision.  | N/A | N/A          | First Appeal   | Appeal of HEO D&A |
| Risk and Safety arising from a League decision.  | N/A | First Appeal | Second Appeal  | Appeal of HEO D&A |
| Transfers resulting from a District decision.  | N/A | N/A          | First Instance | Appeal of HEO D&A |
| Appeals resulting from District/Association/League disputes on rules, constitutional and bylaw issues. | N/A | N/A          | First Instance | Appeal of HEO D&A |