

APPENDIX A: BCLA APPEALS PROCESS

“**Member**” is defined as a person, association, club, league, etc. from all sectors including Minor, Senior and Field Directorates, the B.C. Lacrosse Coaches Association and the B.C. Lacrosse Officials Association.

If a member wishes to appeal a decision/ruling made by the appropriate Commission (Minor and Field) or Commissioner (Senior), the following will apply:

1. **First Appeal:** To the Appeal Board at Directorate Level
2. **Second Appeal:** If further appeal is felt to be necessary, the next step is to the Executive Board of the B.C. Lacrosse Association.

(a) General.

1. Any member in good standing has the right to appeal any decision or ruling of the Commissioner or other named person, who has the authority and responsibility based on their Operating Policies, Directives, League Agreements, to the Directorate Appeal Board. All Operating Policies, Directives, League Agreements may have valid limits of appeal and those will be honoured (i.e., not more than two games or a fine).
2. The decision of this Directorate Appeal Board is binding unless further appealed to the B.C. Lacrosse Association Executive Board.
3. All decisions by this Directorate Appeal Board must be in compliance with the B.C. Lacrosse Association Operating Policy and Constitution and By-Laws.

(b) Request for Appeal

1. A member may receive an initial verbal notification of a fine, suspension, or decision directly face to face, or by telephone. This must be followed by a formal written notification presented, faxed, e-mailed or mailed and post-marked within **seventy-two (72) hours** to the member after **initial notification**.
2. A person representing a Club who may receive such communication would generally be the General Manager of said Club, but due to absence may be given with good reasoning, to one of the following -
- President, Vice President or Coach/Co-Coach.
3. If the member feels the need to request review (appeal) then the member must supply the following:
 - a) **Within fourteen (14) days** of the date of written notification, written request for appeal to the Directorate Chair or delegate, clearly stating the basis of the Appeal. **NOTE:** Only matters stated in writing will be allowed to be addressed during the hearing.
 - b) Cheque, Cash or Cashier's Cheque in the amount of \$250.00.

(c) Appeal Board Members.

A list of thirty (30) responsible persons will be nominated and elected at the BCLA Annual General Meeting or the first BCLA Executive meeting thereafter.

NOTE 1: Chairs of Directorates, Commissioners (Minor, Senior and Field), and League representatives are not eligible for nomination.

NOTE 2: The realization that most people are connected in some form is prominent. The responsibility is everyone's to try to select the most neutral (removed) persons possible.

(d) Selection of Members to Hear Appeal.

1. After deciding to appeal, the Member shall send to the Directorate Chair or delegate the proper notification and meet the proper criteria. See Requests for Appeal, Number 3.
2. The Directorate Chair or delegate shall call and hold an Appeal meeting within fourteen (14) days of receipt of the above, and also select no less than three (3) up to seven (7) members of the Appeal Board to hear the appeal matter.
3. The Directorate Chair shall use his/her best judgment in selecting the members to hear this matter, realizing any perceived, real or imagined, conflict of interest. **It shall be the responsibility of the Directorate Chair or delegate to notify, communicate and secure the reports, records, witnesses, concerned parties, and all other pertinent materials as required for the Appeal Hearing as needed and requested.**
4. The general membership, if done at the Annual General Meeting, has selected their best selection of the Appeal Board, based on ability and neutrality.
5. It shall be the responsibility of the Directorate Chair or delegate to have for the appeal hearing the reports, records, witnesses, concerned parties and all other pertinent materials as required for the appeal hearing as needed and requested.

(e) The Hearing of the Appeal. Based on only matters written on the Appeal, the following shall be the order of presentation:

1. The person who made the original decision to give brief overview of decision (background brief).
2. Appellant with guidelines of written appeal.
3. Any other Appellant in order of filing appeals.
4. The person who made original details, if necessary.
5. Other parties with jurisdiction (authority) that support decision of original.
6. Rebuttal of Appellants
7. Final statement of the Chair or Commissioner
8. Opportunity for Appeal Board questions
9. Adjournment - The Board to review evidence/presentations to make a decision.

(f) The Decision. The Decision, once made, would then be put in writing, clearly stating the following:

1. Decision
2. The Rationale of the Decision
3. Any further recommendations

All of the above shall be given to the Directorate Chair or delegate for distribution to the parties involved.

(g) Appeal Refunds

If the Appellant is successful, the cost of the Appeal (\$250.00) will be returned to the Club. If the Appellant is not successful, the money is then forfeited. There shall be no returning of moneys should the appeal be upheld. That will not be an option.

(h) BCLA Appeals

If a further appeal is warranted to the BCLA Executive Committee level, then a further \$250.00 will be required and a written appeal to the Executive Board started with the same time frames as indicated above.