

RESOLUTIONS & DISCIPLINE POLICY

The Barrie Royals Basketball Club (the “**Club**”) requires its members to adhere to its Codes of Conduct, as may be found on the Club’s web site from time to time, as well as the Ontario Basketball principles of Fair Play and Athlete’s Guidelines for Behavior and such other rules and regulations as may be found on the Ontario Basketball website from time to time (the “**Codes**”).

In the event of a violation of the Codes or any conflict with respect to players, parents, coaches or volunteers, the Board of Directors and Executive of the Club shall attempt to mediate a resolution. Should such mediation be unsuccessful, a **Resolutions & Discipline Committee** may be appointed, to deal with whatever matter may be at issue, on the following basis:

(1) APPOINTMENT OF COMMITTEE

- (a) The Committee shall be an ad-hoc Committee of the Board, which may be constituted from time to time, as required. The Committee shall consist of three (3) persons.
- (b) The Board shall name one Board member to the Committee to be chair.
- (c) Two other members of the Committee shall be selected by the Board from time to time, based upon the issue at hand.
- (d) No Committee member shall have a conflict with respect to the matter, real or reasonably perceived.

(2) DUTIES OF COMMITTEE

- (a) The Committee shall, when so directed by the Board, hear and determine unresolved issues as between members, volunteers, parents and coaches, and/or hear and determine allegations of misconduct against any athlete, member, volunteer, parent or coach (the “**Respondent**”).
- (b) In the case of hearings into allegations of misconduct of a Respondent, the Committee shall:
 - (i) Consider the allegations, hear the evidence and ascertain the facts of the case;
 - (ii) Determine whether upon the evidence and the facts so ascertained, the allegations have been proved;
 - (iii) Determine whether in respect of the allegations so proved the Respondent is guilty of misconduct

- (iv) Determine the penalty or sanctions to be imposed in cases in which it finds the Respondent guilty of misconduct.
- (c) A Respondent may be found guilty of misconduct by the Committee if:
- (i) The Respondent has been found guilty in the opinion of the Committee of a violation of the Codes; or
 - (ii) The Respondent has committed an act or omission that is contrary to the Codes.
- (d) Where the Committee finds a Respondent guilty of misconduct, it may, by order and in addition to any other penalties which it may impose, impose one or more of the following:
- a verbal or written apology
 - a fine or levy
 - referral to counselling
 - revocation of membership
 - suspension of membership for a stated period of time
 - restrictions on membership for such period of time and subject to such conditions as the Committee designates
 - reprimand the Respondent, either at the hearing or in private
 - direct that the imposition of a penalty be made known to specified individuals
 - direct that the imposition of a penalty be suspended or postponed for such period and upon such terms as the Committee designates.
- (e) In making an order, as above, the Committee may specify criteria to be satisfied for the removal of a suspension or the removal of terms, conditions and limitations imposed upon a Respondent's membership.
- (f) There shall be no appeal from decisions of the Committee. The Committee may, in its sole discretion and upon written request of the Respondent or complainant, reconsider its decision in the following circumstances:

- (i) Where the order contains an error from an accidental slip or omission or requires amendment on any particular on which the Committee did not adjudicate;
 - (ii) Where, despite due diligence of the person requesting a reconsideration of the decision, new evidence, not available during the course of the disciplinary process, has arisen or been discovered after the Committee's decision.
- (g) Where membership is suspended or restricted for a period of time the suspension or restriction applies in respect of any renewal or right to renewal of the membership for the duration of the period.

3. **PROCEDURES**

- (a) Subject to anything else herein contained to the contrary, where the Committee revokes, suspends or restricts a membership, the decision takes place immediately.
- (b) The Committee has an overall responsibility to ensure that procedural fairness is respected at all times during the process, and to carry out this process in a timely manner.
- (c) Depending upon the circumstances of the complaint, the Committee may authorize an investigation into the alleged infraction.
- (d) The Committee will determine the format of the disciplinary process, which may involve an oral hearing, a hearing based on written submissions, or a combination of these methods.
- (e) The Members or participants will be given reasonable notice of the format as well as a day and time and place of the hearing; will receive a copy of the investigation report, if an investigation was carried out; may be accompanied by a representative; and will have the right to present evidence and argument before the Committee.
- (f) Where a proceeding is commenced before the Committee and the terms of office on the Board or on the Committee of a member sitting on the hearing expires or is terminated before the proceeding is disposed of but after the proceeding has commenced, such person shall remain on the Committee for the purpose of completing the disposition of the proceeding in the same manner as if such term of office has not expired or been terminated.
- (g) A member of a Committee holding a hearing shall not have taken part before the hearing in any investigation of the subject matter of the hearing other than as a

member of the Board considering the referral of the matter to the Committee or at a previous hearing of the Committee.

- (h) After hearing the matter, the Committee will reach a decision as to whether an infraction has occurred and, if it has, what the sanction should be. The Committee will issue a written decision, including reasons, for distribution to the Member or participants, the complainant and the President of the Club.
- (i) Where the conduct being reviewed is of a sensitive nature, the Committee and the Board will keep all proceedings confidential, except where publication is ordered as part of the sanction, is required by law or is in the best interest of the public.
- (j) In fulfilling its duties, the Committee and the Board may obtain independent advice.