

MEMBER DISCIPLINE POLICY AND PROCEDURE

1. Statement of Purpose

1.1 The purposes of this policy document are:

- (a) to provide fair and transparent processes for member discipline in the BCTTA;
- (b) to protect the integrity and reputation of the BCTTA in the community;
- (c) to promote good sportsmanship, appropriate conduct and courteous relations between members, players, parents and staff at BCTTA; and
- (d) to provide guidance to the members of the discipline and appeal committees.

2. Definitions

2.1 The following definitions apply to this policy:

- (a) BCTTA means the British Columbia Table Tennis Association.
- (b) Board means the board of directors of BCTTA.
- (c) Complainant means the person making a complaint.
- (d) Director means an elected director of BCTTA.
- (e) Member means a member of BCTTA, whether voting or non-voting.
- (f) Parent includes grandparent or other relative or caregiver of a Player.
- (g) Player means an individual, whether or not a Member, who participates in a program, activity or tournament operated by BCTTA.
- (h) Subject means the individual who is the subject of a complaint.
- (i) Staff-person means any employee or contractor of BCTTA.
- (j) Volunteer means an individual who volunteers their time or services to BCTTA, and includes a coach, referee, judge or official.

3. Conduct by Members, Directors and Staff

3.1 The Members, Directors, Players, Parents, Volunteers and Staff-persons associated with BCTTA are required to conduct themselves at all times in a manner which:

- (a) is courteous and respectful of other persons;
- (b) demonstrates good sportsmanship and maturity;
- (c) upholds the constitution, bylaws and policies of the BCTTA;
- (d) supports the activities, programs and administration of the BCTTA; and
- (e) upholds and enhances the integrity and reputation of BCTTA in the community

3.2 The following are deemed to be inappropriate conduct in any circumstance and may be cause for discipline.

- (a) any form of violence or physical abuse;
- (b) inappropriate or unwanted physical contact;
- (c) vulgar, unsportsmanlike or offensive language;
- (d) cheating, athletic misconduct or unsportsmanlike behaviour;
- (e) harassment or verbal abuse;
- (f) intentional destruction, theft or vandalism of property;
- (g) wilful or repeated violation of the BCTTA's constitution, bylaws, policies, rules or regulations;
- (h) actions that hinder the effective administration of the programs and affairs of the BCTTA;
- (i) actions that are deemed to be malicious, vexatious, or contrary to the interests of the BCTTA; and
- (j) actions that damage the integrity or reputation of the BCTTA.

4. Making a Complaint

- 4.1 Any person who witnesses or hears credible report of an incident of inappropriate conduct by a Director, Member, Player, Parent, Volunteer or Staff-person, may make a complaint regarding the incident.
- 4.2 Complaints must be made in writing. An uninvolved Director, Staff-person or another person may assist a Complainant in clarifying and recording a complaint. All complaints must be signed by the Complainant and dated.
- 4.3 A complaint in writing will be forwarded immediately to the Board for review.

5. Initial Review

- 5.1 The Board will review all complaints to determine if there are grounds for further investigation.
- 5.2 The Board may dismiss any complaint which is, in the Board's view, baseless, frivolous, vexatious or an abuse of process.
- 5.3 Where a complaint is not dismissed, the Board will forward the complaint to the discipline committee for investigation, evaluation and adjudication.
- 5.4 The Board may, by board resolution, instigate a complaint and forward the complaint of the discipline committee for investigation, evaluation and adjudication

6. Discipline Committee

- 6.1 The Board will establish a discipline committee, which will be composed of the vice-president, one other director and one voting Members.
- 6.2 The vice-president is, ex officio, the chair of the discipline committee.

- 6.3 The term of appointment to the discipline committee will normally be for two (2) years, provided that the Board may, by board resolution, determine that a given appointment will be for a period of less than two (2) years.
- 6.4 The Board may, by board resolution, remove a member of the discipline committee and may fill any vacancy in the discipline committee.
- 6.5 The discipline committee may meet as necessary to carry out its duties.
- 6.6 In a case where a complaint is made against the vice-president, the President will serve on the discipline committee in his or her stead with regard to such complaint.

7. Investigation of Complaint

- 7.1 The discipline committee has the authority to investigate, evaluate and adjudicate all complaints.
- 7.2 The discipline committee will provide written notice of a complaint to the Subject or, if the Subject is a minor, to the Subject's Parent.
- 7.3 The discipline committee may request the Subject (or Subject's Parent, as the case may be) to provide a written submission or account of the incident from which the complaint arises.
- 7.4 The Subject's submission may have reference to other factors the Subject feels are relevant to the complaint.
- 7.5 The discipline committee may, in its discretion, allow the Complainant to respond to any new facts or issues raised by the submission of the Subject
- 7.6 The discipline committee may, in its discretion, solicit and gather such additional evidence, including witness statements and accounts, and other information relevant to a complaint as it deems necessary.
- 7.7 The discipline committee may, in its discretion, convene a hearing to hear evidence regarding a complaint and may call witnesses, including the Complainant and the Subject (and their Parents, in the case of minors) to provide evidence at the hearing. The failure of a party to attend a hearing may result in a decision adverse to that party.

8. Communication Between Parties

- 8.1 The discipline committee may, in its discretion, if requested by the Complainant or the Subject, or of its own accord, take steps to facilitate communication between the Complainant and the Subject, with a view to resolving the complaint in a mutually satisfactory way. In order to facilitate communication between Complainant and Subject, both parties must participate of their own free will, and be willing to communicate with one another.
- 8.2 The Board, its Directors, Members, Staff-persons and Volunteers will not facilitate communication between the Subject and the Complainant regarding a complaint unless directed to do so by the discipline committee.

9. Rendering a Decision

- 9.1 After reasonable investigation, the discipline committee will render a decision regarding a complaint. Generally, unless there are extenuating circumstances, the discipline committee will endeavour to provide a decision within 60 days of receiving the complaint.
- 9.2 If, in the opinion of the discipline committee, a complaint is frivolous or otherwise without merit, the complaint may be dismissed.
- 9.3 If the discipline committee determines that the Subject has conducted themselves inappropriately and depending on any mitigating or aggravating factors, it has the power to discipline the Subject and may impose one or more of the following disciplinary measures:
- (a) a formal warning;
 - (b) an official citation;
 - (c) a fine of not less than \$100 and not more than \$1000;
 - (d) the loss of playing privileges or eligibility for participation in events or tournaments; or
 - (e) a restriction or prohibition on attendance at events or tournaments;
- 9.4 In serious cases, the discipline committee may recommend one or more of the following to the Board for further action:
- (a) where the Subject is a Member:
 - (i) loss of good standing;
 - (ii) resolution of censure;
 - (iii) a suspension of the Subject's membership; and
 - (iv) expulsion from membership in the BCTTA
 - (b) where the Subject is a Staff-Person or Volunteer:
 - (i) written notice in personnel file;
 - (ii) restriction on duties or activities;
 - (iii) suspension without pay; and
 - (iv) dismissal.
 - (c) where the Subject is a Director:
 - (i) resolution of censure;
 - (ii) request for resignation; and
 - (iii) removal by special resolution.

- 9.5 The following factors or circumstances will be considered to be aggravating circumstances:
- (a) previous similar conduct/complaint(s);
 - (b) currently not in good standing or on suspension; and
 - (c) interfering with or misleading the investigation, or undue harassment towards the discipline committee or the Board with regards to the discipline process.
- 9.6 Decisions of the discipline committee may be effective immediately, or on a subsequent date set out in the decision.
- 9.7 Decisions of the discipline committee may be appealed to the Board within 14 days of the decision being rendered.
- 9.8 Decisions of the discipline committee will be recorded in writing and a copy of the decision will be promptly provided to the Subject and the Complainant.

10. Actions by the Board

- 10.1 Where the discipline committee recommends action by the Board in response to an incident, the Board will consider the matter at the next meeting of the Board and will determine the matter, at such meeting or subsequently, by board resolution, or by preparing and presenting a members' resolution at a meeting of Members.

11. Appeals

- 11.1 The Board will have the authority to hear appeals regarding a decision of the discipline committee.
- 11.2 A Subject may appeal the decision of the discipline committee by providing written notice of appeal to the discipline committee and the Board within 14 days of the decision being rendered. No appeal may be heard if written notice is not given by the Subject within this period.
- 11.3 For each appeal, the Board will appoint an appeal panel of three Directors. The vice-president may not be appointed to the appeal panel.
- 11.4 An appeal may be heard on the following grounds:
- (a) the investigation or issue of the decision of the discipline committee did not provide the Member with an appropriate level of procedural fairness;
 - (b) the decision of the discipline committee incorrectly interpreted or applied these Bylaws, the rules, regulations, policies or procedures of the Association; or
 - (c) information or evidence which was not available during the original investigation has arisen that is likely to have affected the decision of the discipline committee, had it been available at the time.

Apart from the above grounds, an appeal panel has no authority to hear an appeal. If the appeal panel determines after reasonable investigation that there are no permitted grounds for appeal, they may dismiss the appeal without further proceedings.

- 11.5 The appeal panel will review the decision of the discipline committee and may, in its discretion, request such further documents, materials or witnesses as it deems necessary.
- 11.6 The appeal panel may call a hearing to hear further evidence from the parties.
- 11.7 After evaluating the appeal, the appeal committee may uphold, vary or set aside, in whole or in part, the decision of the discipline committee. All rulings of the appeal committee are final and binding.

12. Confidentiality and Access to information

- 12.1 Incidents of inappropriate conduct and complaints are confidential matters and will only be disclosed to the appropriate persons and parties as the discipline committee, in its discretion, deems necessary.
- 12.2 Discussions and deliberations of the discipline committee and the Board regarding complaints are strictly confidential and will not be disclosed to any party, including the Subject and the Complainant.
- 12.3 Subject to the above, a Complainant or Subject may request access to documents and communications regarding an investigation of the discipline committee and may be granted access to such records if, in the discretion of the discipline committee following consultation with the Board, and having regard to procedural fairness, personal information and privacy issues, it is appropriate to provide access.

13. Reporting to Third Parties

- 13.1 The discipline committee or the Board may, in its discretion and as may be required by circumstances, consult with, or report an incident to an external body or agency, including, but not limited to any one or more of the following bodies:
 - (a) Table Tennis Canada;
 - (b) Police (if potentially criminal); and
 - (c) Child Protective Services
- 13.2 If a report is made to any of the above bodies, or any other third party, the Subject and Complainant will be informed of such report and will be provided a copy of the report on request.
- 13.3 Any third party to whom a report is made may, within its mandate and authority, conduct their own external investigation of an incident and BCTTA will cooperate with such external investigations as required by law.