

## **Speed Skate PEI Inc. Discipline Policy**

By joining Speed Skate PEI (“Club” or “SSPEI”), members agree to fully comply with the Code(s) of Conduct as have been adopted by SSPEI pertaining to their particular role(s) within the organization.

Disciplinary matters will be dealt with by the Board of Directors (the “Board”) in the first instance and, if necessary, subsequently by an appointed Disciplinary Committee.

Disciplinary action against Club members, including expulsion without notice, may be taken for offences of misconduct or any breach of club rules. However, every member will have the following rights:

- To expect fair treatment
- To receive adequate notice from the Club
- To have access to an appeal process

### **Offences Leading to Disciplinary Action**

1. “Misconduct” is defined as the carrying out of an offence considered to be of a minor nature (unless frequently repeated). Examples of such behavior are not limited to, but would include the following:

- (a) Failure to comply with the Code of Conduct relevant to the members’ specific role within the Club
- (b) Conduct of an unsafe nature
- (c) Discourteous or offensive behaviour at training sessions, meets or organized club events
- (d) Disregard for equipment and/or property
- (e) Refusal to carry out reasonable instructions issued by event officials, volunteers, or organizers
- (f) Any other action deemed by the Board to be of a similar gravity

2. "Serious Misconduct" is defined as the carrying out of an offence of such gravity that, as determined by the Board, it warrants a disciplinary hearing. Examples of such behavior are not limited to but include the following:

- (a) Misconduct offences, as defined above, which are especially grave or repeated
- (b) Deliberate and/or consistent breach of club rules
- (c) Any use of threatening or abusive behaviour
- (d) Any attempt to achieve gains or advantage over others by unfair or unscrupulous means
- (e) Theft or misappropriation
- (f) Malicious interference with equipment or property
- (g) Any other action which, as determined by the Board, to be of a similar gravity

3. "Gross Misconduct" is defined as the carrying out of an offence with such seriousness that the Board believes that immediate expulsion of the offender from the Club is required. The Board may summarily expel such an offender without invoking a disciplinary hearing. The expelled member will have the right to a disciplinary hearing as soon as one can be arranged, but will remain expelled until and unless such a hearing is convened. Examples of such behaviour are not limited to, but include the following:

- (a) Physical violence or assault towards other persons at a club event or related activity, including serious threats, intimidation or forceful behavior
- (b) Conviction of criminal offences involving physical violence or abuse
- (c) Reckless disregard for safety and basic safety rules
- (d) Proven use of banned substances
- (e) Other acts, as determined by the Board, considered to be of a serious nature perpetrated against the Club, its members or other parties.

### **Disciplinary Procedure**

On receipt of a written complaint from a member, another club within the sport, governing body, meet organizer, volunteer, coach or any other party, the Board, will decide whether the complaint falls within the scope of this disciplinary policy. If the Board determines that it does, they will then determine the type of offence as defined above.

## **1. Offences of Misconduct**

- (a) The offender will be given a formal written warning, including the outline of corrective action that the Board may deem appropriate to the individual in question.
- (b) The Board will open a disciplinary file and copies of the original complaint, the written warning and any other correspondence on the matter will be placed in said file.
- (c) Once corrective measures outlined by the Board have been taken by the individual in question and all materials have been placed in the file, the matter will be considered closed unless any of the parties involved object to the Board's decision and request an appeal of the Board's decision.

## **2. Offences of Serious or Gross Misconduct**

- (a) The Board will appoint an Investigating Officer who will research evidence presented.
- (b) The Investigating Officer will contact the complainant and obtain a written statement of events.
- (c) The Investigating Officer will contact the individual in question and obtain a written statement of events.
- (d) In cases of disputes of a personal nature, the Board will attempt to resolve the situation amicably and to the mutual satisfaction of the parties concerned.
- (e) If settlement cannot be agreed between the parties, or if the offence merits it, a Disciplinary Hearing will be convened as soon as possible.
- (f) The Club's legal adviser will be contacted, if required and supplied copies of all materials collected by the Investigating Officer.
- (g) The Board or Investigating Officer will notify all parties of the hearing date and ensure the parties have all relevant copies of paperwork in good time prior to the hearing.

## **3. Disciplinary Hearing**

- (a) The Secretary shall take charge of the hearing and all questions will be addressed through the Secretary.

(b) A Disciplinary Committee will be appointed which will consist of the President of the Club and two other elected members of the Board. The Club will appoint a case presenter, who will normally be the Investigating Officer. All witnesses will be interviewed and all written evidence reviewed at the hearing.

(c) No new witnesses or statement may be introduced at the hearing without prior notice. Copies of all written evidence must be produced for consideration prior to the hearing. The Disciplinary Committee may adjourn the hearing to allow further evidence to be reviewed, if the disciplinary committee considers it fair to do so.

(d) The Disciplinary Committee will reach a decision on the matter at hand. The decision shall be forwarded to the complainant in writing within 7 days of the decision together with any penalties that have been assessed.

#### **4. Penalties**

(a) The Disciplinary Committee will assess and apply penalties that it considers appropriate.

(b) Such penalties may be, but not limited to, temporary or permanent expulsion of the offender from the Club.

(c) Such penalties will be effective from the date of the decision notwithstanding the possibility of an appeal.

(d) In all cases, the Club will comply with the SSPEI Code of Conduct and with child protection policies, including immediate notification of the police where required.

#### **5. Appeals**

Appeals of any decisions arising as result of application of this Discipline Policy shall be handled in accordance with Speed Skate PEI's Appeals Policy.