



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



This policy applies to all members of the MTMHA, as well as to all individuals participating in activities, including but not limited to players, parents, coaches, volunteers, directors, officers, convenors, committee members, team managers, trainers and administrators.

This policy applies to discipline matters, which may arise during the course of all MTMHA business, activities and events, including but not limited to competitions (including exhibition games), practices, training camps, meetings and travel associated with these activities.

Under this policy, there shall be three types of infractions, which may warrant discipline:

- 1. Technical Infractions -** These are violations of the Regulations and Rules of Competition of the OMHA, which shall result in automatic sanctions as specified in the OMHA Operations Manual.

- 2. Minor Infractions -** These are infractions under the MTMHA Code of Conduct which are not severe but which may warrant immediate corrective action as specified in this Policy. See Appendix A at bottom of page.

- 3. Major Infractions -** These are infractions under the MTMHA Code of Conduct, which are more severe and may warrant disciplinary action as specified in this Policy. See Appendix A at bottom of page.

Disciplinary situations involving minor infractions occurring within the jurisdiction of the MTMHA will be dealt with by the appropriate person having authority over the situation and the individual involved (this person may include, but is not restricted to, executive or committee member, convenor, tournament chairperson, coach, team manager).

Procedures for dealing with minor infractions shall be informal as compared to those for major infractions and shall be determined at the discretion of the person responsible for discipline of such infractions, provided the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident.

All disciplinary action shall be documented on the Progressive Discipline Report and sent to the Risk Manager Management Officer (RMO) within 7 days. All documentation may be used at a later date, as supporting evidence should there be reoccurrence of a similar violation.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



The following disciplinary sanctions may be applied, singularly or in combination, for minor infractions:

1. Verbal reprimands
2. Written reprimand to be sent to the individual
3. Verbal apology by the individual
4. Written apology by the individual
5. Termination of Team service or other voluntary contribution to the team, the minor hockey organization or to the MTMHA
6. Suspension from the current competition and/or for a specified number of games, other sanctions as may be considered appropriate for the offence.

Note: All Suspensions must be approved at the discretion of the Discipline Panel.

Upon receipt of a Progressive Discipline Report, the Risk Management Officer shall determine if the incident is better dealt with as a minor infraction, or if a hearing is required to address the incident as a major infraction.

If the incident is to be dealt with as a major infraction and a hearing is required, the alleged offender shall be notified as quickly as possible and in any event no later than 7 days from date of receipt of the Progressive Discipline Report, and shall be advised of the procedures outlined in this Policy.

If the RMO of MTMHA decides that the infraction be dealt with by means of a hearing, he or she shall have a Panel consisting of not less than 3 other executive members.

The Discipline Panel shall hold the hearing as soon as possible, but not more than 14 days after the Progressive Discipline report are first received by the RMO.

The Panel shall govern the hearing by such procedures as it may decide, provided that:

1. The person alleged to have committed an infraction should be given written notice of the day, time and place of the hearing.
2. The Panel may request that witnesses to the infraction be present or submit written evidence.

If at any point in the proceedings, the Alleged becomes reluctant to continue it shall be at the sole discretion of the Discipline Panel to continue the review of the infraction in accordance with this policy.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



After reviewing and deciding the infraction matter, the Panel shall present its findings in a written report to the President of the MTMHA, with a copy provided to the Alleged. This report shall contain:

1. A summary of the relevant facts
2. A determination as to whether the acts complained of constitute an infraction as defended in this policy
3. Disciplinary action to be taken, if the acts constitute an infraction.

When directing appropriate disciplinary sanction, the Disciplinary Panel shall consider factors such as:

1. The nature and severity of the infraction
2. Whether the infraction involved any physical contact
3. Whether the infraction was an isolated incident or part of an ongoing pattern
4. The nature of the relationship between the parties involved
5. The age of the Complainant
6. Whether the alleged had been involved in previous infractions of similar nature
7. Whether the alleged admitted responsibility and expressed a willingness to change

Failure to comply with a sanction as determined by the panel shall result in further disciplinary action up to and including legal action if required.

Where the individual acknowledges the facts of the incident, he or she may waive the hearing, in which case the Disciplinary Panel shall determine the appropriate disciplinary sanction. The Panel may hold a hearing for the purpose of determining an appropriate sanction.

If the individual being disciplined chooses not to participate in the hearing, the hearing shall nonetheless proceed.

The Disciplinary Panel may apply the following disciplinary sanctions singly or in combination, for major infractions:

1. Written reprimand to be placed in individual's file
2. Written apology by the individual
3. Suspension from certain MTMHA events, which may include suspension from the current game or competition or from future competitions
4. Suspension from certain MTMHA activities (i.e. competing, coaching or officiating) for a designated period of time
5. Suspension from all MTMHA activities for a designated period of time
6. Expulsion from the MTMHA
7. Other sanctions as may be considered appropriate for the offence



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



The preceding sanctions may be modified, or added to, as required by the provisions of any other pertinent MTMHA Policy, such as those dealing with harassment, doping, personnel or event-specific matters.

Unless the Discipline Panel decides otherwise, any disciplinary sanctions shall commence immediately.

In applying sanctions, the Disciplinary Panel may have regard to the following aggravating or mitigating circumstances:

1. The nature and severity of the offence
2. Whether the incident is a first offence or has occurred repeatedly
3. The individual's acknowledgment of responsibility
4. The individual's extent of remorse
5. The age, maturity or experience of the individual
6. The individual's prospects for rehabilitation

Notwithstanding the procedures set out in this Policy, any member or participant of the MTMHA who is convicted of a criminal offence involving sexual exploitation, invitation to sexual touching, sexual interference or sexual assault, shall face automatic suspension from participating in any activities of the MTMHA for a period of time corresponding to the length of the criminal sentence imposed by the Court, and may face further disciplinary action by the MTMHA in accordance with this Policy.

Any member of the MTMHA, coach, trainer, manager or player who deliberately damages or defaces facilities used by or equipment of the MTMHA shall be suspended from the MTMHA until the cost of repair or replacement of the damaged equipment has been paid in full.

In addition to the suspension and the payment of damages, the offending individual may be subject to further disciplinary action and/or suspension at the discretion of the Discipline Panel of the MTMHA.

The use of alcohol or drugs at any MTMHA sponsored function or in any arena or other facility used for such function, by any coach, trainer, manager, official or player affiliated with the MTMHA will not be tolerated and may lead to suspension without refund (where applicable), for the balance of the season.

Any MTMHA board member, who deems disciplinary action to be necessary against an individual for any reason, must institute the use of Progressive Discipline Report. Any Coach, who deems disciplinary action to be necessary against an individual for any reason, must institute the use of Progressive Discipline Report up to but not inclusive of suspensions. A coach may make a recommendation for suspension although must be approved by the Discipline Panel.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



Such forms are to be sent to the current Vice President within 48 hours. The Vice President has the responsibility to ensure that a copy is also sent to the RMO within 7 days.

The RMO is responsible to ensure that all OMHA issued suspensions are reported directly to the President within 48 hours. If it is found that any MTMHA player has received an excessive amount of suspensions the player's eligibility to play within the MTMHA will be reviewed by the Discipline Panel.

If a MTMHA board member decides that circumstances warrant immediate suspension (disciplinary problem of a violent nature or drug/alcohol nature) the suspension may be immediate but must be brought to the Discipline Panel within 48 hours of the incident. A discipline Panel meeting must take place within 7 days of the immediate suspension. Further progressive discipline may be administered at the discretion of the discipline Panel.

Any player who willfully plays or any coach or manager who allows a player to play, who is found to be ineligible shall be subject to progressive discipline up to and including suspension.

Any player, coach, trainer or manager who is suspended by the OMHA and/or under MTMHA rules may, at the discretion of a Discipline Panel have their suspension reviewed for further action.

Any player receiving 3 suspensions through the use of the Progressive Discipline Report will be required to meet with Risk Management Officer and/or A Discipline Panel prior to being allowed to continue play within the MTMHA organization.

Situations arising during the season that are not covered under the disciplinary policies will be referred to the RMO for their ruling.

Harassment & Abuse

Behaviour, which constitutes harassment or abuse, will not be tolerated and will be dealt with under the Ontario Minor Hockey Association Harassment and Abuse Policy.

Refer to the OMHA Manual of Operations for the latest revision.

Mooretown Minor Hockey Association (MTMHA) is committed to providing a sport and work environment, which promotes equal opportunities and prohibits discriminatory practices.

Behavior, which constitutes harassment or abuse outside of the guidelines of the OMHA, will be administered by the MTMHA. The MTMHA Discipline Panel, at its discretion may suspend the privileges of any person in attendance of a MTMHA function found to have harassed or abused any of its members. This includes MTMHA board members, Coaches, Trainers, Managers, Team Officials, Players, Spectators and Arena employees.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



NOTE: For convenience, this policy uses the term "Complainant" to refer to the person who experiences harassment, even though not all persons who experience harassment will make a formal complaint. The term "Respondent" refers to the person against whom a complaint is made.

Harassment is a form of discrimination. Harassment is prohibited by human rights legislation in each province of Canada. In its most extreme forms, harassment can be an offence under Canada's Criminal Code.

This policy applies to all categories of members in the MTMHA, as well as to all individuals participating in activities of the MTMHA, including, but not limited to, players, officers, convenors, committee members, team managers, trainers and administrators.

This policy applies to harassment, which may occur during the course of all MTMHA business, activities and events, including, but not limited to competitions, team practices, training camps, exhibitions, meetings and travel associated with these activities.

Harassment is defined as conduct, which is insulting, intimidating, humiliating, offensive or physically harmful. Types of behaviour which constitute harassment include, but are not limited to:

1. Unwelcome jokes, innuendo or teasing about a person's looks, body, attire, age, race, religion, sex or sexual orientation
2. Condescending, patronizing, threatening or punishing actions which undermine self-esteem or diminish performance
3. Practical jokes, which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance
4. Unwanted or unnecessary physical contact including touching, patting or pinching
5. Any form of hazing
6. Any form of physical assault or abuse
7. Any sexual offence
8. Behaviours such as those described above which are not directed towards individuals or groups but which have the effect of creating a negative or hostile environment

When any person in authority has a reasonable belief that in the course of MTMHA business, activities or events a minor is being abused or neglected, he or she shall report this belief to Ontario Child Protection authorities or Police and shall advise the Discipline Panel of having made this report.

The MTMHA shall take no further action until such time as the authorities and/or police have concluded their investigation.

The matter shall then be dealt with as a disciplinary matter pursuant to this policy, and the report of the investigation carried out by authorities may be used as evidence under these proceedings.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



The MTMHA recognizes the sensitive and serious nature of harassment and will strive to keep all matters relating to a complaint confidential. However, if required by law to disclose information, the MTMHA will do so. This shall not preclude publication of the final outcome of any matter, where a sanction imposed under this policy includes publication.

A person who experiences harassment, any person who witnesses harassment, or any person who believes that harassment has occurred is encouraged to make it known that the behaviour is unwelcome, offensive and contrary to the values of the MTMHA and this policy.

If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, the matter should be reported to an official of the MTMHA. For the purposes of this policy, an "official" may be a member of the MTMHA Executive Board.

Once an incident is reported, the role of the official is to serve in a neutral, unbiased capacity in receiving the report of the incident, advising the parents/guardians of the incident (if the person who has experienced the harassment is a minor), and assisting in an informal resolution of the complaint, where this is appropriate.

A report form titled should be filled out and sent to the Discipline Panel within 7 days. The report will be filed accordingly and may be used, as supporting evidence should there be a reoccurrence of the same issue.

If the official considers that he or she is unable to act in this capacity, the complaint shall be referred to MTMHA Discipline Panel.

If informal resolution of the complaint is not appropriate or possible, the person who has experienced or witnessed the harassment, or who believes that harassment has occurred, may make a formal written complaint to the MTMHA Discipline Panel.

Within SEVEN days of receiving the written report, the Discipline Panel shall decide if the complaint should be dealt with directly, without a hearing, in which case he or she shall direct the appropriate response and the matter shall then be concluded, provided the person complained of is fully informed and is given an opportunity to respond to the complaint.

After a thorough internal investigation the local minor hockey organization has the power to discipline, sanction and/or suspend any team player, team official, and local executive member for contravention of the MTMHA Code of Conduct. All sanctions and/or suspensions assessed by the local minor hockey organization will be reported to the OMHA Regional Executive Member.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



This policy shall not prevent a person in authority from taking immediate, informal, corrective and appropriate disciplinary action in response to behaviour that, in his or her view, constitutes a minor instance of harassment.

Harassment complaints arising during competitions may be dealt with immediately, if necessary, by a MTMHA representative in a position of authority, provided the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident. In such situations, sanctions shall be for the duration of the competition only. Further sanctions may be applied but only after review of the matter in accordance with this policy.

In the event that an alleged offence is so serious so as to possibly jeopardize the safety of others, the Executive Committee of the MTMHA may immediately remove the alleged offender from MTMHA activities, pending an investigation of the complaint in accordance with this policy.

If the RMO of the MTMHA decides that the complaint shall be dealt with by means of a hearing, he or she shall have a Panel consisting of not less than 3 other executive members.

The Panel shall govern the hearing by such procedures as it may decide, provided that:

1. The Complainant and Respondent shall be given written notice (by courier registered mail) of the day, time and place of the hearing:
2. All parties shall receive a copy of the Investigation report
3. Both the Complainant and Respondent shall be present at the hearing. They may however be scheduled to attend at different times. This will be at the discretion of the Discipline Panel
4. The Panel may request that witnesses to the incident be present or submit written evidence which is certified by a notary of public.

If at any point in the proceedings, the Complainant becomes reluctant to continue it shall be at the sole discretion of the Discipline Panel to continue the review of the complaint in accordance with this policy.

After reviewing and deciding the harassment matter, the Panel shall present its findings in a written report to the President of the MTMHA and the Disciplinary Panel. The Disciplinary Panel in turn will review the findings of the Panel and in turn issue a report to both the Complainant and the Respondent. This report shall contain:

1. A summary of the relevant facts
2. A determination as to whether the acts complained of constitute harassment as defined in this policy
3. Disciplinary action to be taken, if the acts constitute harassment; and
4. Measures to remedy or mitigate the harm or loss suffered by the Complainant, if the acts constitute harassment.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



When directing appropriate disciplinary sanction, the Panel shall consider factors such as:

1. The nature and severity of the harassment
2. Whether the harassment involved any physical contact
3. Whether the harassment was an isolated incident or part of an ongoing pattern
4. The nature of the relationship between the complainant and harasser
5. The age of the Complainant
6. Whether the harasser had been involved in previous harassment incidents
7. Whether the harasser admitted responsibility and expressed a willingness to change
8. Whether the harasser retaliated against the complainant

In directing disciplinary sanctions, the Panel may consider the following options, singly or in combination, depending on the nature and severity of the harassment:

1. Verbal apology
2. Written apology
3. Letter of reprimand from the MTMHA
4. Referral to Respect in Sport (RIS) program
5. Temporary suspension
6. Any other sanction which the Panel may deem appropriate

Failure to comply with a sanction as determined by the panel shall result in further disciplinary action up to and including legal action if required.

Notwithstanding the procedures set out in this policy, any individual participating in MTMHA business, activities or events who is convicted of a criminal offence involving sexual exploitation, invitation to sexual touching, sexual interference, sexual assault, shall face automatic suspension from participating in any activities of the MTMHA for a period of time corresponding to the length of the criminal sentence imposed by the Court, and may face further disciplinary action by the MTMHA in accordance with this policy.

Appeals

Timing of the Appeals

An individual who wishes to appeal a decision ("Appellant") shall have 7 days from the date on which they received notice of the decision, to submit written notice of their intention to appeal, along with detailed reasons for the appeal to the President of the MTMHA.

Grounds for Appeal

A decision cannot be appealed on its merits alone. An appeal may be heard only if there are sufficient grounds for the appeal. Sufficient grounds include the body, which made the decision being appealed



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



("Respondent"):

1. Making a decision for which it did not have authority or jurisdiction as set out in the MTMHA's governing documents
2. Failing to follow procedures as laid out in the operating rules or approved Policies of the MTMHA
3. Making a decision, which was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views
4. Exercising its discretion for an improper purpose
5. Making a decision, which was grossly unreasonable

Screening or Appeal

Within 7 days of receiving the notice of appeal, the President shall decide whether or not the appeal is based on one or more of the categories of possible errors by the Respondent as outlined.

The President shall not determine if the error has been made, only if the Respondent bases the appeal on such an allegation of error. In the absence of the President, the 1st Vice President shall be designated to perform this function.

If the appeal is denied on the basis of insufficient grounds, the Appellant shall be notified of this decision in writing, giving reasons. This decision is at the sole discretion of the President, or designate, and may not be appealed.

Appeals Panel

If the President is satisfied that there are sufficient grounds for an appeal, within 14 days of having received the original notice of appeal he or she shall appoint an Appeals Panel (the "Panel") comprised of three individuals who shall have no significant relationship with the affected parties, shall have no significant involvement with the secession being appealed, and shall be free for any other actual or perceived bias or conflict. The Panel's members shall select from themselves a chairperson.

Appeals Preliminary Conference

The Panel may determine that the circumstances of the dispute warrant a preliminary conference: The matters, which may be considered at a preliminary conference, include date and location of hearing, timelines for exchange of documents, format for the appeal, clarification of issues in dispute, any procedural matter, order and procedure of hearing, remedies being sought, identification of witnesses, and any other matter, which may assist in expediting the appeal proceedings.

The Panel may delegate to its Chairperson the authority to deal with these preliminary matters.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



Procedure for the Appeal

The Panel shall govern the appeal by such procedures, as it deems appropriate, provided that:

1. The appeal hearing shall be held within 14 days of the Panel's appointment
2. The Appellant, respondent and affected parties shall be given 7 days written notice of the date, time and place of the appeal hearing
3. Decisions shall be by majority vote, where the Chairperson carries a vote
4. Copies of any written documents which any of the parties would like the Panel to consider shall be provided to the Panel, and to all other parties, at least 5 days in advance of the hearing
5. A representative or advisor, including legal counsel, may accompany any of the parties
6. The Panel may direct that any other individual participate in the appeal
7. In the event that one of the Panel's members is unable or unwilling to continue with the appeal, the matter will be concluded by the remaining two Panel members
8. Unless otherwise agreed by the parties, there shall be no communication between Panel members and the parties except in the presence of, or by copy to, the other parties

In order to keep costs to a reasonable level the Panel may conduct the appeal by means of a telephone conference call.

Appeal Decision

Within 7 days of concluding the appeal, the Panel shall issue its written decision, with reasons. In making its decision, the Panel shall have no greater authority than that of the original decision-maker. The Panel may decide:

1. To void or confirm the decision being appealed;
2. To vary the decision where it is found that an error occurred and such an error cannot be corrected by the original decision-maker for reasons, which include, but are not limited to, lack of clear procedure, lack of time, or lack of neutrality;
3. To refer the matter back to the initial decision-maker for a new decision;
4. To determine how costs of the appeal shall be allocated, if at all. A copy of this decision shall be provided to each of the parties and to the President.

Appeal Timelines

In extraordinary circumstances and at its sole discretion, the Panel may abridge or extend the timelines in this Policy.



**MOORETOWN MINOR HOCKEY ASSOCIATION
DISCIPLINE POLICY
FEBRUARY 2017**



APPENDIX A

Examples Of Minor Infractions:

1. a single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, players, parents, coaches, officials, managers, trainers, administrators, spectators and sponsors;
2. unsportsmanlike conduct such as angry outbursts or arguing;
3. a single incident of being late for or absent from OMHA events and activities at which attendance is expected or required;
4. non-compliance with the rules and regulations under which OMHA/MTMHA events are carried out

Examples Of Major Infractions:

1. repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, players, parents, coaches, officials, managers, trainers, administrators, spectators and sponsors;
2. repeated unsportsmanlike conduct such as angry outbursts or arguing;
3. repeated incidents of being late for or absent from OMHA events and activities at which attendance is expected or required;
4. activities or behaviour which interfere with the organization of a competition or with any player's or team's preparation for a competition;
5. pranks, jokes or other activities, which endanger the safety of others;
6. deliberate disregard for the rules and regulations under which OMHA/MTMHA events are conducted;
7. abusive use of alcohol where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely;
8. any use of alcohol by minors;
9. use of illicit drugs and narcotics;
10. use of, or condoning the use of, banned performance enhancing drugs or method