

Appeals Policy

of the Coast Sirens Artistic Swimming Club

Policy Number	APP-001
Version	1.0
Adopted by	Board Resolution
Adoption date	May 14 th , 2026
Review cycle	Annually
Owner	Board of Directors

1. Purpose

This Appeals Policy establishes the process by which a Party to a decision made under the Coast Sirens Artistic Swimming Club's (the "Society" or "CSAS") Discipline and Complaints Policy (DCP-001), or to certain other Society decisions, may appeal that decision. It complements the BC Artistic Swimming (BCAS) Appeal Policy, which governs appeals of BCAS-level decisions.

2. Scope — What May Be Appealed

The following Society decisions may be appealed under this Policy:

- (a) a decision of the President under Section 6.4 of the Discipline and Complaints Policy (DCP-001);
- (b) a decision of the Board refusing an application for General Member status under Bylaw 2.4, where the refusal is challenged as contrary to the Bylaws or otherwise improperly made;
- (c) a decision of the Board under Bylaw 2.13 (discipline or expulsion of a Member);
- (d) a decision refusing or terminating registration under the Programs Policy Section 3.5 or 10.2;
- (e) a decision refusing a refund under the Programs Policy Section 5.8.

The following are not appealable under this Policy:

- Coaching decisions about technique, choreography, routine composition, or team selection, except where such decisions allegedly breach a Society policy or the Code of Conduct.
- Decisions of BCAS, CAS, OSIC, or any other body; such decisions are appealable only under the applicable policy of that body.
- Decisions expressly stated in Society policy to be final and not subject to appeal.

3. Grounds of Appeal

An appeal must be grounded on one or more of:

- (f) the decision-maker lacked authority to make the decision;
- (g) the decision-maker did not follow the applicable procedure or did not observe procedural fairness;
- (h) the decision-maker was biased;
- (i) the decision-maker made a material factual error;
- (j) the decision-maker failed to consider relevant facts or considered irrelevant facts;

- (k) the decision is grossly disproportionate to the conduct at issue (sanction ground);
- (l) new evidence has become available that was not reasonably available at the time of the original decision and could have materially affected the outcome.

A simple disagreement with the outcome, without one or more of the above grounds, is not a ground of appeal.

4. Initiating an Appeal

4.1 Deadline. A Notice of Appeal must be filed in writing (email is sufficient) with the President (or, if the decision was made by the President, with the Vice-President) within 14 days of the decision being communicated to the appellant.

4.2 Content. The Notice of Appeal must state (a) the decision being appealed, (b) the grounds of appeal (Section 3), (c) the outcome sought, and (d) any documents the appellant wishes the Panel to consider.

4.3 Fee. The Society may charge an administrative filing fee (not to exceed \$150) set by Board Resolution, refundable if the appeal is upheld in whole or in part. Fee waiver is available on application for financial hardship.

4.4 Screening. The President (or Vice-President, as applicable) screens the Notice of Appeal for (a) timeliness, (b) scope, and (c) statement of a recognized ground. A Notice that fails screening is rejected with written reasons within 10 business days. The screening rejection is itself appealable under this Policy.

5. Appeals Panel

5.1 Composition. The Appeals Panel is composed of 3 independent persons appointed ad hoc by the Board. Panel members must be at arm's length from the Complainant, the Respondent, and the decision-maker, and must not have been involved in the matter on appeal.

5.2 Independence. A Panel member may be a person who is not a Member of the Society, including an individual recommended by BCAS, another club, a sport law or dispute resolution service, or a retired sport official. Where a Board member serves on a Panel, that Board member must recuse from any Board discussion of the matter.

5.3 Chair. The Board names one Panel member as Chair. The Chair manages procedure; decisions are made by majority of the Panel.

6. Appeal Hearing

6.1 Documentary review. The Panel may determine the appeal on the written record (the decision appealed, the Notice of Appeal, and any written submissions). The Panel may, at its discretion, hold an oral hearing by Electronic Means or in person.

6.2 Submissions. Each Party has the right to make written submissions and, if an oral hearing is held, to speak. Parties may bring an advisor at their own cost.

6.3 Standard of review. The Panel reviews the matter on a preponderance-of-the-evidence standard for questions of fact, and on a correctness standard for questions of procedure and jurisdiction. On sanction, the Panel may substitute its own view of proportionality.

6.4 Timeline. The Panel will issue its written decision within 30 business days of receiving the Notice of Appeal or the close of the hearing, whichever is later. Timelines may be extended by the Chair with written reasons.

7. Appeal Decisions

The Panel may:

- (m) uphold the original decision;
- (n) vary the original decision (including varying the sanction);
- (o) set aside the original decision and substitute its own decision;
- (p) refer the matter back to the original decision-maker with directions.

The Panel's decision is final and binding on the Society, subject to Section 8.

8. Further Appeal to BCAS

Onward appeal to BCAS

Where the original decision relates to a Safe Sport Matter, a sanction of suspension exceeding 30 days, or expulsion from membership, the Panel's decision may be further appealed to BC Artistic Swimming under the BCAS Appeal Policy (Chapter 9 of the BCAS Conduct Policy Suite).

A further appeal to BCAS must be initiated within the deadline set by the BCAS Appeal Policy. Filing a further appeal does not automatically stay the Panel's decision unless BCAS so orders.

9. Interim Effect

Subject to Section 8 and to any order by the Panel under Section 6.1, the decision under appeal remains in effect while the appeal is pending. The Panel may order a stay on written application with reasons.

10. Confidentiality

Appeal proceedings are confidential. The Panel's written decision may be shared with the Board, BCAS (where a further appeal is taken), and the insurer, on a minimum-necessary basis. Public disclosure of an appeal outcome is made only with the consent of the Parties, or where required by law or by BCAS.

11. Records

Notices of Appeal, submissions, and Panel decisions are retained in accordance with the Privacy Policy retention schedule (Section 7.3(d)).

12. Review

This Policy is reviewed annually by the Board and immediately on material change to the BCAS Appeal Policy.