

ARTICLE 11
DUE PROCESS PROCEDURE

11.1 PURPOSE – The Canyon Athletic Association (“CAA”) shall maintain a policy of self-governance and self-policing by its member schools regarding violations of the CAA Constitution, Bylaws, policies, and regulations. Member schools are expected to act in good faith and cooperate fully in all matters involving potential violations of the CAA Constitution and Bylaws.

11.2 REPORTING OF POTENTIAL VIOLATIONS

11.2.1 Self-Reporting Requirement – It shall be the responsibility of all member schools to report any known or suspected violation of the CAA Constitution or Bylaws to the CAA Executive Director in a timely manner.

11.2.2 Reports from Other Sources – If a potential violation comes to the attention of the CAA Executive Director from any source other than the involved member school, the Executive Director shall notify the member school in writing within two (2) business days of receiving such information.

11.2.3 Sources of Reports

Potential violations may be reported by:

- A member school
- Another member school
- A CAA Director or Commissioner
- A member of the CAA Executive Board
- An official acting within the scope of CAA competition administration

11.3 MEMBER SCHOOL RESPONSE

11.3.1 School Investigation

Upon learning of a potential violation, the member school shall investigate and determine whether a violation occurred.

11.3.2 Written Violation Report

Within three (3) business days of receiving written notification from the CAA Executive Director, the member school shall submit the official CAA Violation Report Form to the Executive Director.

11.3.3 Required Contents

The written report shall include:

- The nature and circumstances of the alleged violation
- Relevant facts and supporting information
- Whether the member school believes a violation occurred
- Any corrective actions already taken
- Any additional information believed relevant to the review process

11.3.4 Corrective Action Plan

If the member school determines that a violation occurred, the report shall include a corrective action plan outlining measures designed to prevent future violations.

11.4 EXECUTIVE DIRECTOR REVIEW

11.4.1 Preliminary Review

Upon receipt of the Violation Report Form, the Executive Director shall conduct a preliminary review and may gather additional information necessary to determine whether sufficient evidence exists that a violation occurred.

11.4.2 No Violation Determined

If the Executive Director determines that no violation occurred, the matter shall be closed with no further action taken by the CAA. The member school shall be notified in writing.

11.4.3 Corrective Action Accepted

If the Executive Director determines that:

- a violation occurred, and
- The member school's corrective action plan is appropriate,

The Executive Director may resolve the matter administratively and notify the member school in writing that no further action shall be taken.

11.4.4 Referral to Executive Board

If the Executive Director determines that:

- a violation occurred, and
- the corrective action plan is inadequate, or
- the severity of the violation warrants further review,

The Executive Director shall forward the matter, along with findings and recommendations, to the CAA Executive Board for further review and possible disciplinary action under Article 10.

11.5 EXECUTIVE BOARD REVIEW

11.5.1 Board Authority

The CAA Executive Board shall have authority to review alleged violations referred by the Executive Director and determine whether disciplinary action is appropriate pursuant to Article 10.

11.5.2 Meeting Format

The Executive Board may review matters:

- at a regularly scheduled meeting,
- at a special meeting, or
- through a virtual meeting platform or conference call.

11.5.3 Notice of Disciplinary Action

If disciplinary action is imposed, the Executive Director shall:

- notify the member school by telephone or email within two (2) business days of the decision; and
- provide formal written notice within seven (7) business days.

11.5.4 Contents of Notice

The written notice shall include:

- the findings of the Executive Board,
- the disciplinary action imposed,
- the effective date of the disciplinary action, and
- the member school's appeal rights under Article 11.

11.5.5 Effective Date

Unless otherwise stated by the Executive Board, disciplinary action shall become effective immediately upon notification to the member school.

11.6 APPEAL PROCEDURE

11.6.1 Request for Appeal

A member school may appeal disciplinary action imposed by the Executive Board by submitting a written request for appeal within five (5) business days of receiving notice of the disciplinary action.

11.6.2 Required Appeal Information

The written appeal shall include:

- the basis for the appeal,
- the reasons the decision should be reviewed or modified,
- any additional evidence or information relevant to the appeal.

11.6.3 Appeal Hearing

The Executive Board President shall establish the appeal hearing date and notify the member school accordingly.

11.6.4 Hearing Rights

At the appeal hearing, the member school may:

- be represented by legal counsel,
- present witnesses,
- submit relevant evidence,

- provide testimony and supporting documentation.

11.6.5 Scope of Review

The Executive Board shall review whether:

- the decision was supported by the evidence,
- proper procedures were followed, and
- the disciplinary action was consistent with the CAA Constitution and Bylaws.

11.6.6 Final Executive Board Decision

Following the appeal hearing, the Executive Board shall issue its final decision regarding disciplinary action. Written notification shall be provided to the member school within forty-eight (48) hours of the conclusion of the hearing.

11.7 BINDING ARBITRATION

11.7.1 Request for Arbitration

A member school may request Binding Arbitration within two (2) business days of receiving the Executive Board's final appeal decision.

11.7.2 Final Internal Remedy

Binding Arbitration shall constitute the final internal remedy available through the CAA Due Process Procedure.

11.7.3 Selection of Arbiter

The member school and the CAA Executive Board shall mutually agree upon an independent Arbiter.

11.7.4 Arbitration Procedure

The Arbiter may:

- review all relevant documents,
- interview involved individuals,
- receive testimony and evidence,
- conduct meetings virtually or in person as necessary.

11.7.5 Representation

The member school may be represented by legal counsel during the arbitration process.

11.7.6 Arbiter Decision

The Arbiter shall issue a written final decision regarding the disciplinary action imposed by the Executive Board.

11.7.7 Timeline

The arbitration process should begin as soon as reasonably practical following the request for arbitration and should normally conclude within ten (10) business days.

11.7.8 Arbitration Costs

Unless otherwise determined by the Arbiter, the costs associated with arbitration shall be the responsibility of the appealing member school.

11.7.9 Binding Effect

The decision of the Arbiter shall be final and binding upon the parties.

11.8 FAILURE TO APPEAL – If a member school does not submit a timely appeal or request for arbitration within the timelines established in this Article, the disciplinary action imposed shall become final and binding.

11.9 ADDITIONAL AUTHORITY – Nothing in this Article shall prohibit the CAA Executive Board from taking immediate action when necessary to:

- protect student safety,
- preserve competitive integrity,
- enforce eligibility standards, or
- maintain orderly administration of CAA activities.

Any such action shall remain subject to the due process procedures outlined in this Article.