



## POLICY #10: GAME PROTESTS

### 1. PRINCIPLE

- a) It is the goal of Canada West Universities Athletic Association (CWUAA) to provide a fair environment in which to compete. Game officials strive to officiate games and interpret the game rules correctly in every game and event, ensuring a fair contest. In the event that a CWUAA playing regulation has been misapplied and it is felt that that error has had an impact on the outcome of the game, CWUAA will accept game protests submitted by a member institutions Athletic Director or designate.

This Canada West policy is meant to complement existing protest procedures already in sport rules. To the extent that sport rules provides for a means of protest, grounds for protest and procedures for protest, then those provisions should be followed.

Because of the challenges involved in remedying this situation, an institution should only consider initiating a game protest in a situation where there is a clear negative impact on a team.

- b) In order for CWUAA to accept a protest it must meet both of the following criteria:
- i. The protests must deal with a misapplication of a playing regulation as opposed to the discretionary call of an official;
  - ii. The misapplication of the CWUAA sport playing regulation in question must have had a clear and significant impact on the outcome of the game, as determined by the Case Manager.
- c) The following situations are not managed by this policy and are dealt with under different CWUAA policies.
- i. Host institutions not following CWUAA hosting standards – Policy 6
  - ii. Individual sport events (Swimming, Track and Field, Wrestling) – CW Sport Specific Playing Regulations
  - iii. Protests during CWUAA tournament championships (i.e. Volleyball Final 4's, Rugby Championships, Field Hockey, Soccer) - CW Sport Specific Playing Regulations

Following is an outline of the procedures to follow to manage a Protest.

### 2. INITIATING A PROTEST

- a) Rule Interpretation  
To be valid, a protest of a misapplication of a playing regulation must be verbally registered with an official at the time the incident occurs. The game and clock will then be stopped. The officials will explain his/her ruling to both coaches, where possible. The host institution is responsible for ensuring that a copy of the CWUAA playing regulations is available at the

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scorers table. After consultation with coaches for both teams, the official will make a final ruling. Once the game is complete there is no opportunity to protest.

- b) If either coach believes the ruling to be in error, s/he should inform the lead game official that s/he wishes to file a protest. Before the game resumes, where possible, the official scorer in the presence of the lead official will write on the back of the score sheet:
  - i. that the game is being protested;
  - ii. a short summary of the reason for the protest;
  - iii. the time at which the game was stopped as a result of the protest;
  - iv. the score at the time that the game was stopped;
- c) At the end of the game and prior to the score sheet being signed off, where possible, a signed statement by each of the coaches and the official needs to be completed and attached to the official score sheet. Copies of all statements are to be provided to both schools and copied to the Convenor and the CWUAA Associate Director of Sport.
- d) No protests will be accepted once the game is completed, unless the misapplication of CWUAA playing regulations happens on the last play of the game.

### 3. PROTEST CONFIRMATION

- a) Within twenty-four (24) hours of the completions of any CWUAA game or match the Director of Athletics or designate from the institution that has initiated the protest must submit a notice confirming an official protest to the CWUAA Associate Director of Sport and copied to the Director of Athletics for the opposing team.
- b) The CWUAA will appoint an individual as Case Manager at that point. The Case Manager will coordinate the process from this point forward. In most cases this will be the CW Discipline Officer.
- c) The member protesting must include the following information in their confirmation notice:
  - i. The specific CWUAA Playing Regulation in question, and the misapplication perceived.
  - ii. A statement regarding the impact that the misapplication of playing regulations had on the outcome of the game
  - iii. Confirmation that they will be responsible for a \$500 protest fee and all direct costs involved in resolving the protest. If the protest is supported the fee and direct costs associated will be refunded.
- d) The Athletic Director, or designate, of the opposing team will be asked to provide a response to the submitted confirmation notice. The response must be submitted to the CWUAA Office and the Case Manager within 24 hours of the request. If a response is not received within 24 hours, it will be assumed that one will not be submitted.
- e) The Sport Convenor, Officials Coordinator or CWUAA Associate Director of Sport will be asked to provide a response from the game official. The response must be submitted to the

CWUAA Office and the Case Manager within 24 hours of the request. If a response is not received within 24 hours, it will be assumed that one will not be submitted.

f) CWUAA will post on the web site that the game in question is “under protest”.

#### 4. PROTEST REVIEW

- a) Upon receiving the confirmation of protest, and fee, and all other information the Case Manager will have the following responsibilities:
- i. Determine if the appeal falls under the scope of this Policy
  - ii. Determine if the appeal complied with the timelines as outlined in this policy.
  - iii. Decide whether the protest meets the protest criteria
- b) Based on 4 a), the Case Manager, will make the decision if the Protest will be denied or accepted. Following that decision, both schools and the CWUAA office will be notified in writing by the Case Manager, outlining the reasons for this decision. This decision may not be appealed. The Case Manager will reach a decision no more than 24 hours after all information is received, unless unforeseen circumstances arise which require the timelines to be extended, as determined by the Case Manager.
- c) If the Protest is accepted, the Case Manager will strike a three-person Protest Committee. The Protest Committee must adjudicate the protest within two (2) business days after the protest has been accepted, unless unforeseen circumstances arise which require the timelines to be extended, as determined by the Case Manager.

The format of the committee will include:

- Case Manager (Chair – non voting)
  - And any 3 individuals that could represent
    - CWUAA staff
    - Sport Convenor
    - Sport Liaison
    - Athletic Director/Manager
    - or another sport expert, as determined by the Case Manager
- d) The case manager and protest committee can consider information not available to the sport official, such as written statements from participants and review of video evidence.

#### 5. PROTEST HEARING

- a) The format of the hearing will be a review of documentary evidence submitted in advance of the hearing. Phone interviews can be conducted at the discretion of the Case Manger and the Committee:
- i. Copies of any written documents which the parties wish to have the Protest Committee consider will be provided to all participants in advance of the hearing.
  - ii. The Protest Committee may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude

such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate.

- iii. If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become a party to the protest in question and will be bound by its outcome
- iv. The decision to uphold or reject the protest will be by a majority vote of Protest Committee

### 6. PROTEST DECISION

- a) The Committee shall issue its decision, in writing and with reasons, after the hearing's conclusion. The Committee may decide to:
  - i. Reject the protest, confirm the original outcome of the game.
  - ii. Uphold the protest, make arrangements with both teams to replay a portion or all of the game.
  - iii. Uphold the protest and vary the original outcome of the game.
  - iv. Uphold the protest, and confirm the original outcome of the game when there is no reasonable remedy available to correct the situation.
  - v. Chose another remedy that meets the protest situation.
- b) The Case Manager will provide the Committee's written decision, to all Parties, and CWUAA office no later than seven (7) days after the completion of the hearing. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Committee.

The decision of the protest committee may rest on factors such as the cost of replaying all or a portion of the protested match.

- c) The protest process is confidential and involves only the Parties, the Case Manager, the Committee, and any independent advisors to the Committee. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

### 7. PROCESS TIMELINES

- a) If the circumstances of the complaint are such that this policy will not allow a timely appeal, the CWUAA Associate Director of Sport may direct that these timelines and processes be abridged. If the circumstances of the complaint are such the appeal cannot be concluded within the timelines dictated in this policy, the CWUAA Associate Director of Sport may direct that these timelines be extended.
- b) For extraordinary situations which require an immediate resolution, a member institution

may request the CWUAA Associate Director of Sport to expediate the protest process timelines. The CWUAA Associate Director of Sport or designate, a sport expert (convenor, liaison, etc.) and a third person independent of the complaint shall convene a Tribunal via conference call to deal with the protest. Following collection of required information, an oral decision will be rendered within 24 hours. The decision shall be by majority vote.

8. APPEALS  
See Policy 6 Section 4