



THE ALLIANCE FASTPITCH

DISCIPLINARY AND SAFETY MEASURES APPEALS POLICY

Purpose

This policy establishes the process for appealing temporary safety measures and final disciplinary decisions related to conduct, safety, participant protection, and organizational risk management within The Alliance Fastpitch sanctioned activities.

This policy is separate from, yet but may be administered by the same Review Panel as, the Background Check Appeals Policy.

1. Authority of the Review Panel

Appeals related to temporary safety measures and final disciplinary decisions shall be reviewed by a Review Panel appointed by the Board of Directors. The Review Panel may be the same panel established for Background Check Appeals or a panel designated by the Board for disciplinary and safety matters.

The Review Panel shall have the authority to review appeals, conduct hearings when necessary, and render final determinations regarding temporary safety measures and disciplinary actions.

The Alliance Fastpitch reserves the authority to implement temporary safety measures, restrict participation, suspend individuals, and take disciplinary action when it determines such action is necessary to protect participants, members, or the integrity of Alliance Fastpitch sanctioned activities. The role of the Review Panel under this policy is limited to reviewing appeals of temporary safety measures and disciplinary decisions and rendering final determinations regarding those appeals.

2. Temporary Safety Measures (Interim Actions)

2.1 Purpose of Temporary Safety Measures

The Alliance Fastpitch may implement temporary safety measures when it determines that immediate action is necessary to protect athletes, participants, teams, members, or the organization while a matter is reviewed or investigated.

Temporary safety measures are precautionary and are not disciplinary findings or determinations of wrongdoing.

Temporary safety measures may include, but are not limited to:

- Temporary suspension from participation or coaching
- Restricted access to facilities, events, or teams
- No-contact directives
- Supervision requirements

- Removal from travel or team activities
- Administrative leave
- Any other safety-related restriction deemed necessary

These measures are based on safety and risk management considerations.

2.2 Appeal of Temporary Safety Measures

An individual subject to temporary safety measures may submit an appeal to the Review Panel.

Appeals of temporary safety measures are limited to whether reasonable cause exists to justify the temporary safety measure and are not a determination of responsibility for the underlying allegations. The appeal of a temporary safety measure is limited to whether the measure is reasonable and appropriate for safety and risk management purposes. The appeal is not an opportunity to dispute the underlying allegations or investigation.

Grounds for Appeal – Temporary Safety Measures

Appeals may be submitted on the following grounds:

1. The temporary measure was applied to the wrong individual.
2. The temporary measure is unreasonable.
3. New information has become available that significantly affects the safety risk assessment.
4. The temporary safety measure falls outside the authority or jurisdiction of The Alliance Fastpitch.

Appeals based solely on disagreement with the allegations or denial of the conduct will not be considered grounds for appeal of a temporary safety measure.

2.3 Temporary Measures Remain in Effect

Temporary safety measures shall remain in effect during the appeal process unless modified or removed by the Review Panel.

The safety of participants and members shall take priority during the appeal process.

2.4 Review and Determination

The Review Panel may:

- Uphold the temporary safety measure
- Modify the temporary safety measure
- Replace the temporary measure with alternative safety conditions
- Remove the temporary safety measure

The Review Panel may make its determination based on written submissions or may conduct a hearing if it determines one is necessary.

3. Appeals of Final Disciplinary Decisions

3.1 Right to Appeal

An individual subject to disciplinary action, including suspension, removal, or permanent ineligibility from The Alliance Fastpitch sanctioned activities, may submit an appeal to the Review Panel.

3.2 Grounds for Appeal – Final Disciplinary Decisions

Appeals of final disciplinary decisions may be submitted on the following grounds:

1. A procedural error occurred that significantly affected the outcome.
2. New evidence has become available that was not reasonably available during the investigation.
3. The disciplinary sanction is clearly disproportionate to the findings.
4. The decision was based on a material misinterpretation of the information or evidence.
5. A conflict of interest or bias affected the decision.

Appeals are a review of the decision and process and are not a new investigation.

3.3 Appeal Hearing and Review

The Review Panel may conduct a hearing for final disciplinary appeals. The individual shall be notified of the date and time of the hearing and may participate. The hearing may be conducted virtually if necessary. The individual may have legal counsel present at the hearing.

The Review Panel may request that documentary evidence and names of witnesses be submitted prior to the hearing.

3.4 Status During Appeal

Unless otherwise determined by the Review Panel, disciplinary actions, including suspensions, shall remain in effect during the appeal process.

3.5 Determination

The Review Panel shall render a decision by majority vote. The Review Panel may:

- Uphold the disciplinary decision
- Modify the disciplinary sanction
- Reduce the disciplinary sanction
- Increase the disciplinary sanction if warranted
- Overturn the decision

- Order further review or additional proceedings

The determination of the Review Panel shall be final.

4. Expedited Appeals - Filing Procedures and Timelines

4.1 Submission of Appeals

Appeals must be submitted in writing to The Alliance Fastpitch Review Panel through the designated submission method established by The Alliance Fastpitch.

The appeal must include:

- The name of the individual submitting the appeal
- The decision or temporary safety measure being appealed
- The grounds for the appeal
- Any supporting documentation the individual wishes the Review Panel to consider

4.2 Filing Deadlines

Appeals must be submitted within the following timeframes:

- Appeals of Temporary Safety Measures must be submitted within **five (5) calendar days** of notification of the temporary safety measure.
- Appeals of Final Disciplinary Decisions must be submitted within **seven (7) calendar days** of notification of the disciplinary decision.

Appeals submitted after the applicable deadline may be denied unless the Review Panel determines that exceptional circumstances exist.

4.3 Review Timeline

The Review Panel will make reasonable efforts to review and render a decision within the following timeframes:

- Temporary Safety Measure Appeals: within **seven (7) calendar days**
- Final Disciplinary Appeals: within **fourteen (14) calendar days**

These timelines may be extended if additional information, documentation, or scheduling is necessary.

4.4 Status During Appeal

Unless otherwise determined by the Review Panel, temporary safety measures and disciplinary decisions shall remain in effect during the appeal process.

The decision of the Review Panel shall be final.

4.5 Final Determination

The decision of the Review Panel regarding any appeal shall be final.

5. Expedited Appeals

If necessary to resolve a matter prior to scheduled Alliance Fastpitch sanctioned activities, the Review Panel may render an expedited determination at its discretion.

6. Guiding Considerations

In reviewing appeals related to safety measures or disciplinary decisions, the Review Panel may consider among other relevant factors:

1. The interest of The Alliance Fastpitch in providing a safe environment for all participants.
2. The seriousness of the alleged or confirmed conduct.
3. The potential risk to athletes, participants, members, or the organization.
4. The information available at the time the decision was made.
5. Any new information provided by the individual.
6. The integrity and reputation of The Alliance Fastpitch and its sanctioned activities.
7. The need for fairness, consistency, and participant protection.
8. Any other information the Review Panel believes relevant to participant safety and organizational integrity.