

TRIATHLON ONTARIO

Quest for Gold – Ontario Athlete Assistance Program 2016-2017

ATHLETE’S NOTICE OF APPEAL APPLICATION

**Appeals**

Athletes who have not been nominated for an Ontario Card by the Triathlon Ontario Selection Committee or who have been nominated for a ‘Half Card’ versus a ‘Full Card’, where applicable will be allowed to appeal that decision by filing a “Notice of Appeal” with MTCS. Appeals will be heard by an Appeals Committee comprised of representatives from the sport community, selected by the MTCS.

Grounds for appeals will be limited strictly to issues related to:

A) Whether or not the Selection Committee has completed the selection process in accordance with its

own published selection criteria and related procedures;

B) Whether or not the Selection Committee applied the selection criteria in a manner that was free from

bias, discrimination and/or conflict of interest.

Issues related to the specific content or selection requirements contained in the Triathlon Ontario Selection Criteria are not grounds for an appeal and should therefore be discussed directly with the leadership of Triathlon Ontario.

Please note that before an athlete can file a Notice of Appeal, he or she must first ask Triathlon Ontario for reasons explaining why he or she was not nominated for an Ontario Card.

If the athlete is not satisfied with the Triathlon Ontario response, the athlete may submit a **Notice of Appeal**, found below. A Notice of Appeal will only be accepted from the athlete or their parent/guardian on the MTCS-provided template (typed or hand-printed, no hand-written entries) through email, regular post, registered mail, courier or delivered in person. One appeal cannot be written on behalf of multiple athletes. The Notice of Appeal must be received by MTCS by noon on the deadline day. Appeals that are delivered personally or by courier shall be deemed to be received on the date of delivery.

Once MTCS has received the Notice of Appeal, it will share it with Triathlon Ontario, who will then submit a “**Response**” with MTCS by a specified deadline. The Response will outline why Triathlon Ontario believes that the Selection Committee’s decision not to nominate the athlete should be upheld by the Appeals Committee. MTCS will share the Triathlon Ontario Response with the athlete.

If, after receiving the Triathlon Ontario Response, the athlete believes that Triathlon Ontario has raised new or additional reasons to justify the Selection Committee’s decision not to nominate the athlete for an Ontario Card, then the athlete will have an opportunity to file a “**Reply**” with MTCS, responding to these additional reasons. The Reply must be limited to these additional reasons and cannot be used to make submissions already raised in the Notice of Appeal, or that the athlete neglected to include in the Notice of Appeal. The Reply will only be accepted on the MTCS-provided template.

Once MTCS receives the Notice of Appeal, the Response, and the Reply (if applicable), it will provide those materials to the Appeals Committee. The Appeals Committee will discuss all appeals at once. During its review of the appeals, the Appeals Committee reserves the right to request additional information from both the athlete and Triathlon Ontario.

After reviewing an appeal the Appeals Committee will have the authority to:

1. Direct Triathlon Ontario to redo the selection process using the correct criteria/process and submit a new list of nominated athletes;
2. Deny the appeal; or
3. Allow the appeal and nominate the appellant for carding status.

Once the Appeals Committee has reached its decision, it will contact the athlete and Triathlon Ontario in writing to communicate its decision and the reasons therefore.

An athlete who has had his or her appeal denied is not permitted to submit a second appeal to the Appeals Committee on the same or different grounds.

**Note:** Triathlon Ontario is encouraged to resolve disputes or disagreements informally with athletes who have not been nominated to avoid, wherever possible, formal appeals.

**11.1** The deadline for athletes to submit an **“Athlete’s Notice of Appeal**” to the Appeals Committee is January 30, 2017 at 12 noon

**11.2** Appeals must be completed on the Notice of Appeal template below and will be directed to:

*Quest for Gold* Appeals Committee

c/o Sport, Recreation and Community Programs Division

Ministry of Tourism, Culture and Sport

777 Bay Street, 18th Floor

Toronto ON M7A 1S5

**2016-2017 *Quest for Gold* – Ontario Athlete Assistance Program   
Athlete’s Notice of Appeal Template**

The deadline for an athlete to submit an appeal to the Appeals Committee is 12 noon on January 30, 2017. Appeals will only be accepted on the MTCS-provided Notice of Appeal template. **Please refer to the appeals section of your PSO/MSO’s Athlete Selection Criteria document prior to completing this form.**

**Return form to:**

***Quest for Gold* Appeals Committee**

**c/o Ministry of Tourism, Culture and Sport**

**Sport, Recreation and Community Programs Division**

**777 Bay Street, 18th Floor, Toronto ON M7A 1S5 Email: Scott.Cooper@ontario.ca**

Full Name

Address City

Postal Code Phone Email

Sport / PSO

**Reason for Appeal (Check all that apply):**

Whether or not the PSO/MSO has completed the selection process in accordance with its own published selection criteria and related procedures;

Whether or not the PSO/MSO applied the section criteria in a manner that was free from bias, discrimination and/or conflict of interest.

**Provide a two-line summary of the reason for the appeal:**

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**In the space below, (continue on to next page as needed) provide the reasons communicated to you by your PSO/MSO as to why you were not nominated for an Ontario Card, and the date the information was provided. (Note: This Appeal will not be accepted unless it contains a response from your PSO/MSO.)**

Date of PSO response:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**In the space below (continue on to next page as needed), provide a detailed account of the situation to allow the Appeals Committee to understand the basis of the appeal (please submit additional pages/supporting documentation as necessary):**

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**PLEASE NOTE that all decisions of the Appeals Committee are final.**

1. Print Name of Appellant Signature of Appellant Date

All information provided to the Appeals Committee will be shared with both the Appellant and the PSO/MSO.