

ARTICLE 11

DUE PROCESS PROCEDURE

11.1 DUE PROCESS PROCEDURE

- 11.1.1 The CAA shall maintain a policy of self-policing by its member schools regarding infractions of CAA Constitutional guidelines. Therefore, it shall be the responsibility of member schools to report to the CAA any violations of the CAA Constitutional guidelines.
- 11.1.2 Should an alleged CAA Constitutional guideline infraction come to the attention of the CAA Executive Director from a source other than the member school believed to have committed the infraction, the CAA Executive Director will notify that school in writing. Sources other than the member school who report a possible violation must make the possible infraction(s) known to the school involved and the CAA Executive Director without delay.
- 11.1.3 At its discretion, if the CAA Executive Director determines that circumstances warrant, the CAA Executive Director may conduct his own investigation and any related actions he determines to be appropriate, in order to decide whether a member school has committed infraction of the Constitutional guidelines. Based on these findings, if the CAA Executive Director determines that an infraction has occurred; it shall promptly notify the member school in writing.
- A member school shall investigate and ascertain those facts it considers necessary in deciding of whether it has committed an infraction. If a member school determines that it committed an infraction, it shall immediately report the violation to the CAA Executive Director. At that time, the member school shall also report any corrective action taken regarding the infraction.
 - The initial report by a member school of its infraction and the corrective action(s) taken shall be in writing to the CAA Executive Director using the CAA Violation Form Document (found on the website).
 - The initial report shall include the nature and circumstances of the infraction, and any information believed to be relevant for consideration by the CAA Executive Director.
 - In addition to submitting a written report, the member school may request the opportunity to appear at a meeting of the CAA Executive Board to discuss its infraction and the corrective action(s) taken.
 - Upon receiving a written report of violation from a member school, the CAA Executive Director shall determine whether the corrective action(s) taken by said member school was adequate. Should the CAA Executive Director determine the corrective action taken was adequate, the member school shall be notified in writing and no further action by the CAA shall be taken.
 - Should the CAA Executive Director determine that the corrective action(s) taken by a member school was not adequate for the infraction reported; the Executive Director will forward all information regarding the offending schools infraction to the CAA Executive Board for further investigation and review. If the CAA Executive Board should impose further disciplinary action, it shall notify the member school by telephone within two working days from the date of the decision and will, within one week, provide a written notification to the member school upon completion of the official minutes for the CAA Executive Board meeting in which the disciplinary action was imposed. The written notification will state the disciplinary action and the right of the member school to appeal that decision. Any disciplinary action will be effective immediately.
 - The member school will have ten (10) days from the date of the written notice from the CAA Executive Board to request an appeal. Should the member school not request an appeal within ten days, the disciplinary action taken by the CAA Executive Board will be final.
 - Should the member school within the ten-day period wish to appeal the disciplinary action taken by the CAA Executive Board, it must submit a request for an appeal hearing in writing to the CAA. This request should set forth the basis for the appeal and reasons why the decision of the CAA Executive Board should be reviewed and shall set

forth any additional information believed to be relevant for consideration by the CAA arbitrator.

- The member school may have an attorney present and may present witnesses, testimony, and any relevant evidence or information for consideration by the CAA arbitrator.
- After hearing the appeal, the CAA arbitrator shall make a final decision as to the disciplinary action to be taken. The member school will be notified in writing of the final decision of the CAA arbitrator.
- At its discretion, the CAA Executive Board may consider a matter involving a possible infraction of CAA Constitutional guidelines at its regularly scheduled meeting or at a special meeting. At the sole discretion of the CAA Executive Board, the special meeting may be by telephone conference call.
- If a member school is found to have committed an infraction(s) as a result of the process set out under Article 11.5, in addition to any sanctions otherwise authorized by the Constitutional guidelines, in the discretion of the CAA Executive Board, the member school may be assessed the costs of the investigation and any related proceedings. If so assessed, the member school must promptly pay the assessment or face further sanctions by the CAA Executive Board, including loss of its membership.

11.2 REPORTED DUE PROCESS PROCEDURE

A reported violation may come directly from the member school who committed the violation, from another member school, from one of the CAA Directors or the CAA Executive Board.

1. The member school should be notified in writing of the of the reported violation.
2. Within 5 days of receiving notification, the member school shall file a written report to the CAA acknowledging the violation and any information believed to be relevant along with the corrective action taken. In addition to submitting a written report, the member school may request the opportunity to appear at a meeting of the CAA Executive Board to discuss its violation and the corrective action taken.
3. Upon receiving a written report of violation from a member school along with any information deemed appropriate, the CAA Executive Board shall impose disciplinary action as listed above.
4. If such action is taken, the CAA Executive Director will notify the member school by telephone within two working days from the date of the decision and shall provide a written notification to the member school regarding what action was imposed. The written notification shall stipulate the disciplinary action and the right of the member school to appeal said decision. Said disciplinary action shall be effective immediately.
5. The member school shall have ten (10) days from the date of the written notice from the CAA Executive Director to request an appeal. Should the member school not request an appeal within ten days, the disciplinary action taken by the CAA Executive Board shall become final.
6. Should the member school within said ten-day period wish to appeal the disciplinary action taken by the CAA Executive Board, it shall submit a request in writing for an appeal hearing. Said request shall set forth the basis for the appeal and reasons why the decision of the CAA Executive Board should be reviewed and shall set forth any new and additional information believed to be relevant for consideration by the CAA Executive Board.
7. The member school will have approximately ten (10)-minutes at the appeal hearing to present any witnesses, testimony, and any relevant evidence or information for consideration by the CAA Executive Board.
8. After hearing the appeal, the CAA Executive Board shall make its final decision as to the disciplinary action to be taken. The member school shall be notified in writing of the final decision by the CAA Executive Director within 48 hours of Appeal date.

At its discretion, the CAA Executive Board may consider a matter involving a possible violation of CAA rules and regulations at its regularly scheduled board meeting or at a special meeting. If need be, the special meeting may be a conference call.