

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

SAFE SPORT POLICY MANUAL

INTRODUCTION

Saskatchewan High Schools Athletics Association (SHSAA) has a fundamental obligation and responsibility to protect the health, safety and physical and mental well-being of every Individual that is involved in the high school sport community.

SHSAA takes any situation involving misconduct, Maltreatment and Prohibited Behaviour very seriously; for this reason, SHSAA is collectively committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct, Maltreatment and Prohibited Behaviour.

This Safe Sport Policy Manual contains policies that apply to the high school sport community in the province of Saskatchewan. The policies are intended to promote a safe sport environment in a manner that allows for consistent, immediate, appropriate, and meaningful action should any issues arise, but also to prevent issues from arising by communicating expected standards of behaviour to all participants.

SHSAA adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) on June 18, 2024. The UCCMS shall therefore be considered as incorporated by reference in this Safe Sport Policy Manual and will apply, as amended from time to time by the relevant functions of Abuse-Free Sport, to all Individuals as a condition of their participation in high school sport in Saskatchewan.

Where applicable, any allegations involving Maltreatment and/or Prohibited Behaviour, as those terms are defined in the UCCMS, as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC), that involves a UCCMS Participant, must be Reported directly to the Office of the Sport Integrity Commissioner (OSIC)¹, which will manage the matter in accordance with the Canadian Sport Dispute Resolution Code, and any other relevant and applicable policies.

Any allegations of an alleged breach of any of the policies included or referred to in this Safe Sport Policy Manual, including those involving Maltreatment and/or Prohibited Behaviour that do not fall within the authority of OSIC, as described above, must be Reported to Sask Sport's Independent Third Party, and shall be managed in accordance with this Safe Sport Policy Manual (and any other applicable policies). If the Independent Third Party receives a Report involving allegations of Maltreatment and/or Prohibited Behaviour that should have been Reported to OSIC as described above, they shall refer the matter to the OSIC and notify the Individual(s) that made the complaint of such action.

Except for those matters that must be reported to the OSIC, upon receipt of a Report from an Individual, the Independent Third Party will determine the appropriate forum and manner to address the complaint.

It should also be noted that certain policies found in this Safe Sport Policy Manual also apply to matters beyond safe sport (i.e., the *Appeal Policy*). As such, these policies will also be published on SHSAA's website so that they are accessible and applicable in all relevant areas.

¹ The Office of the Sport Integrity Commissioner is also referred to as Abuse-Free Sport.

Lastly, SHSAA notes and wishes to advise the Saskatchewan high school sport community that, if any Policy, in whole or in part, is excerpted from this Safe Sport Policy Manual, any such action must be taken with the knowledge, and disclosure to any receiving party, that the Policy is part of the Safe Sport Policy Manual, which may impact its application or understanding.²

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² Circumstances may arise where one of the policies – or certain sections of a policy – in this Safe Sport Policy Manual are referenced in a document or communication outside of this Safe Sport Policy Manual. In such circumstances, it is important for the reader to understand that the policy or section(s) of the policy that are referenced in this manner may be required to be read in conjunction with other policies or the rest of the policy (where only certain sections are referenced) in order to have a full comprehension of how the policies must be applied.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

DEFINITIONS

The terms defined below shall apply to SHSAA policies included in this SHSAA Safe Sport Policy Manual. Defined terms are capitalized in the policies included herein.

1. “*Affected Party*” – any individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right under the *Appeal Policy*.
2. “*Appellant*” – the Party appealing a decision pursuant to the *Appeal Policy*.
3. “*Appeal Manager*” – an individual appointed by SHSAA to oversee the administration of the *Appeal Policy*. The Appeal Manager’s responsibilities shall include those as described in the *Appeal Policy*. The Appeal Manager shall be independent of SHSAA. Appeal Managers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website [here](#).
4. “*Board*” – the Board of Directors of SHSAA.
5. “*Case Manager*” – an independent individual appointed by SHSAA to fulfill the responsibilities described in the *Discipline and Complaints Policy*. In order to be appointed as a Case Manager, the individual must have relevant experience and skills to manage complaints and perform their duties, either as a legal practitioner or sport administrator. Case management service providers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website [here](#).
6. “*Complainant*” – the Party making a complaint pursuant to the *Discipline and Complaints Policy* and as referred to in the *Investigations Policy*.
7. “*Complaint Resolution Officer*” – an individual appointed by SHSAA to handle the duties of the Complaint Resolution Officer as described in the *Discipline and Complaints Policy*. Complaint Resolution Officers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website [here](#).
8. “*Criminal Record Check (CRC)*” – a search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
9. “*Days*” – calendar days.³
10. “*Director of Sanctions and Outcomes*” – the individual(s) responsible for overseeing the imposition of Provisional Measures, agreed outcomes, Sanctions and appearing before the Safeguarding Tribunal or the Appeal Tribunal in cases arising from a potential breach of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) (or other conduct rules, as applicable) within the jurisdiction of the Office of the Sport Integrity Commissioner (OSIC).
11. “*Discrimination*” – as defined in the UCCMS and as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC).

³ For the purpose of calculating deadlines, the following shall apply: the day of the act is not included in the calculation (i.e., the date of receipt of a decision is not Day 1); instead, the deadline would start on the day following receipt of the decision and would expire at midnight (in the location of the individual seeking to file an appeal) on the last day of the period. If the end date is a Saturday, a Sunday or a legal holiday, the period runs until the next day that is not a Saturday, a Sunday or a legal holiday. For example, if an Individual receives a decision on Thursday December 17, 2020, the 14-day deadline to appeal this decision starts on Friday December 18, 2020 and would expire on Friday January 1, 2021. However, since January 1, 2021 is a legal holiday, January 2, 2021 is a Saturday, and January 3, 2021 is a Sunday, the deadline to appeal would expire at midnight (in the location of the individual seeking to file an appeal) on January 4, 2021.

12. *“Enhanced Police Information Check (E-PIC)”* – a Criminal Record Check plus a search of local police information, available from Sterling Backcheck.
13. *“Event”* – an event sanctioned by SHSAA, and which may include a social Event.
14. *“Harassment”* – a vexatious comment (or comments) or conduct against an Individual or group, irrespective of whether the comment or conduct occurs in person or via any other media, including social media, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
 - a) Written or verbal abuse, threats, or outbursts;
 - b) Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
 - c) Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
 - d) Leering or other suggestive or obscene gestures;
 - e) Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
 - f) Practical jokes which endanger a person’s safety, or which may negatively affect performance;
 - g) Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity, which does not contribute to any Individual’s positive development, but is required to be accepted as part of a team or group, regardless of the individual’s willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, number of years on the team or with the group, or ability;
 - h) Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
 - i) Deliberately excluding or socially isolating a person from a group or team;
 - j) Persistent sexual flirtations, advances, requests, or invitations;
 - k) Physical or sexual assault;
 - l) Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
 - m) Retaliation or threats of retaliation against a person who Reports harassment to SHSAA.
15. *“Independent Third Party”* – the independent organization or individual(s) retained by Sask Sport to receive complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy*, *Investigation Policy* and *Appeal Policy*, as applicable.
16. *“Individuals”* – refers to all categories of members and/or Registered Participants defined in the Bylaws of SHSAA, as well as all people employed by, contracted by, or engaged in activities with SHSAA including, but not limited to, employees, contractors, Student-Athletes, coaches, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, directors or officers.
17. *“Maltreatment”* – as defined in the UCCMS, and as amended from time to time by the SDRCC.
18. *“Members”* – refers to the five (5) Classes of Membership as defined in the SHSAA Bylaws, and includes:
 - 19.1. Class A Participating Members
 - 19.2. Class B Saskatchewan School Boards Association

- 19.3. Class C League of Educational Administrators, Directors, & Superintendents (LEADS)
- 19.4. Class D Affiliate
- 19.5. Class E Officials

- 19. “*Minor*” – any Individual who is under the age of 18. Adult Individuals are responsible for knowing the age of a Minor.
- 20. “*OSIC*” – the Office of the Sport Integrity Commissioner, which is an independent division of the SDRCC, which comprises the functions of the Sport Integrity Commissioner.
- 21. “*Parties*” – in the context of a complaint under the *Discipline and Complaints Policy*, the Complainant and Respondent; in the context of an appeal under the *Appeal Policy*, the Appellant, Respondent and Affected Party (or Parties).
- 22. “*Person in Authority*” – any Individual who holds a position of authority within SHSAA, including, but not limited to, coaches, officials, managers, support personnel, chaperones, committee members, directors, or officers. In addition to the responsibilities described for Individuals in the *Code of Conduct and Ethics*, a Person in Authority shall be responsible for knowing what constitutes Maltreatment and Prohibited Behaviour.
- 23. “*Provisional Suspension*” – means that the Individual is barred temporarily from participating in any capacity in any Event or activity of SHSAA (or, as applicable, SHSAA’s Members), or as otherwise decided pursuant to the *Discipline and Complaint Policy*, prior to the decision rendered in a hearing conducted pursuant to the *Discipline and Complaints Policy*.
- 24. “*Power Imbalance*” – as defined in the UCCMS and as amended from time to time by the SDRCC.
- 25. “*Prohibited Behaviour*” – as defined in the UCCMS and as amended from time to time by the SDRCC.
- 26. “*Prohibited Method*” – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
- 27. “*Prohibited Substance*” – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
- 28. “*Reporting (or Report)*” – as defined in the UCCMS and as amended from time to time by the SDRCC.
- 29. “*Respondent*” – the Party responding to a complaint or investigation; or, in the case of an appeal, the body or organization whose decision is being appealed, or the Individual who was the subject of a decision that is being appealed.
- 30. *Safe Sport Liaison* - SHSAA will identify at least one designated individual who is responsible for acting as a representative of their organization and lead point of contact for any safe sport or dispute resolution matters. This includes, but is not limited to; 1) working directly with the Independent Third Party to select Complaint Resolution Officers, Case Managers and Appeal Managers from approved listing [here](#), 2) ensuring major and minor sanctions are enforced, 3) ensuring mediation agreements are approved by SHSAA/school and upheld, 4) long-term suspensions (1 year or longer) are reported to Sask Sport, 5) educational/training requirements are enforced. Safe Sport Liaisons must have knowledge and experience in board governance and must have completed the Governance Essentials e-learning course offered by the Canadian Centre for Ethics in Sport.
- 31. “*SDRCC*” – the Sport Dispute Resolution Centre of Canada.
- 32. “*Sexual Harassment*” – as defined in the UCCMS and as amended from time to time by the SDRCC.
- 33. “*Social media*” – the catch-all term that is applied broadly to computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, TikTok, and Twitter.
- 34. “*Student-Athlete*” – any Individual who is registered with SHSAA.

35. *"Tampering"* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
36. *"UCCMS"* – the Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the SDRCC.
37. *"UCCMS Participant"* - an Individual affiliated with a national sport organization, and who has signed the required UCCMS Participant consent form.
38. *"Vulnerable Participant"* – as defined in the UCCMS and as amended from time to time by the SDRCC.
39. *"Vulnerable Sector Check (VSC)"* – a detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, local police information, and the Pardoned Sex Offender database.
40. *"Workplace"* – any place where events, business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of SHSAA, work-related social functions, work assignments outside offices, work-related travel, the training, and competition environment (wherever located), and work-related conferences or training sessions.
41. *"Workplace Harassment"* – vexatious comment(s) or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
 - a) Bullying;
 - b) Workplace pranks, vandalism, bullying or hazing;
 - c) Repeated offensive or intimidating phone calls, text messages or emails;
 - d) Inappropriate sexual touching, advances, suggestions or requests;
 - e) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
 - f) Psychological abuse;
 - g) Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
 - h) Deliberately withholding information that would enable a person to do his or her job, perform or train;
 - i) Sabotaging someone else's work or performance;
 - j) Gossiping or spreading malicious rumours;
 - k) Intimidating words or conduct (offensive jokes or innuendos); and
 - l) Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
42. *"Workplace Violence"* – the use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:
 - a) Verbal or written threats to attack;
 - b) Sending or leaving threatening notes, text messages or emails;

- c) Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
- d) Wielding a weapon in a Workplace;
- e) Hitting, pinching or unwanted touching which is not accidental;
- f) Dangerous or threatening horseplay;
- g) Physical restraint or confinement;
- h) Blatant or intentional disregard for the safety or wellbeing of others;
- i) Blocking normal movement or physical interference, with or without the use of equipment;
- j) Sexual violence; and
- k) Any attempt to engage in the type of conduct outlined above.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

STUDENT-ATHLETE PROTECTION POLICY

| | |
|------------------------|---|
| Effective date | JUNE 18, 2024 |
| Archived date | - |
| Date last reviewed | JUNE 18, 2024 |
| Scheduled review date | JUNE, 2025 |
| Replaces and/or amends | N/A |
| Approved by and date | SHSAA Board of Directors, JUNE 18, 2024 |

Purpose

1. This Student-Athlete Protection Policy describes how Persons in Authority shall maintain a safe sport environment for all Student-Athletes.

Interactions between Persons in Authority and Student-Athletes – the ‘Rule of Two’

2. SHSAA and its Members strongly recommend the ‘Rule of Two’ for all Persons in Authority who interact with Student-Athletes, whether in person or remotely (i.e., in virtual settings). The Coaching Association of Canada describes the intention of the ‘Rule of Two’ as follows:

A coach must never be alone or out of sight with a minor athlete. Two NCCP trained or certified coaches should always be present with an athlete, especially a minor athlete, when in a potentially vulnerable situation such as in a locker room or meeting room. All one-on-one interactions between a coach and an athlete must take place within earshot and in view of a second coach except for medical emergencies. One of the coaches must also be of the same gender as the athlete. Should there be a circumstance where a second screened and NCCP trained or certified coach is not available, a screened volunteer, parent, or adult can be recruited.

3. SHSAA recognizes that fully implementing the ‘Rule of Two’, as described above (and modified accordingly for Persons in Authority), in all circumstances, may not always be possible. Consequently, at a minimum, interactions between Persons in Authority and Student-Athletes must respect the following:
 - a) Unless prohibited by public health order, the training and competition environments should be open to observation so that all interactions between Persons in Authority and Student-Athletes are observable.
 - b) Private or one-on-one situations must be avoided unless they are open and observable by another adult or Student-Athlete.
 - c) Persons in Authority shall not invite or have a Vulnerable Participant (or Vulnerable Participants) in their home without the written permission and contemporaneous knowledge of the Vulnerable Participant's parent or guardian.
 - d) Vulnerable Participants must not be in any situation where they are alone with a Person in Authority without another screened adult or Student-Athlete present unless prior written permission is obtained from the Vulnerable Participant's parent or guardian.

Practices and Events

4. As it relates to practices and/or competitions, the following shall be respected:
 - a) A Person in Authority should never be alone with a Vulnerable Participant prior to or following a competition or practice unless the Person in Authority is the Student-Athlete's parent or guardian.
 - b) If the Vulnerable Participant is the first Student-Athlete to arrive, the Student-Athlete's parent should remain until another Student-Athlete or Person in Authority arrives.
 - c) If a Vulnerable Participant would potentially be alone with a Person in Authority following a competition or practice, the Person in Authority should ask another Person in Authority (or a parent or guardian of another Student-Athlete) to stay until all of the Student-Athletes have been picked up. If an adult is unavailable, another Student-Athlete, who is preferably not a Vulnerable Participant, should be present in order to avoid the Person in Authority being alone with a Vulnerable Participant.
 - d) Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Student-Athlete should always do so within earshot and eyesight of another Person in Authority.
 - e) If there is a concern with observing the Rule of Two, Persons in Authority and Student-Athletes should take additional steps to achieve transparency and accountability in their interactions.

Communications

5. Communications between Persons in Authority and Student-Athletes shall respect the following:
 - a) Group messages, group emails or team pages are to be used as the regular method of communication between Persons in Authority and Student-Athletes.
 - b) Persons in Authority may only send personal texts, direct messages on social media or emails to individual Student-Athletes when necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such texts, messages or emails shall be professional in tone and must be copied to another adult when the Student-Athlete is a Vulnerable Participant.
 - c) No personal texts between Vulnerable Participants and Persons in Authority may be sent; however, if this is necessary under Section 5(b), it shall include one other adult person on the message (preferably the Vulnerable Person's parent(s)/guardian(s)).
 - d) Parents and guardians may request that their child not be contacted by a Person in Authority using any form of electronic communication and/or to request that certain information about their child may not be distributed in any form of electronic communications.
 - e) All communication between a Person in Authority and Student-Athletes must be between the hours of 6:00am and 11:00pm unless extenuating circumstances justify otherwise (e.g., cancelling an early morning practice).
 - f) Communications concerning drugs or alcohol use (unless regarding its prohibition) is not permitted.
 - g) No sexually explicit language or imagery or sexually oriented conversation may be communicated by any medium.
 - h) Persons in Authority and Student-Athletes are not permitted to offer or ask one another to keep a secret for them.

Virtual settings

6. The Rule of Two shall apply to all Minors in a virtual environment. Specifically:
 - a) For Student-Athletes under the age of 16, where possible, a parent/guardian should be present during any virtual session.
 - b) Two adult coaches should be present or one coach and one adult (parent, guardian, volunteer, administrator). One-on-one virtual sessions are prohibited.
 - c) Coaches shall be informed by SHSAA of the expected standards of conduct during virtual sessions.
 - d) Parents/guardians of Minors shall be informed by SHSAA of the activities that will take place during the virtual session, as well as the process of the virtual session.
 - e) Parents/guardians of Minors shall provide consent to the Minor participating in the virtual session, if irregularly scheduled, or prior to the first session if the sessions will take place on a regular basis.
 - f) Communications during virtual sessions shall take place in an open and observable environment. Sessions must be initiated in appropriate locations (i.e., not in personal or inappropriate locations such as bedrooms).
 - g) Virtual sessions should be recorded whenever allowed by the technology being used.
 - h) Parents/guardians should debrief with Minors on a weekly basis regarding virtual sessions.

Travel

7. Any travel involving Persons in Authority and Student-Athletes shall respect the following:
 - a) Teams or groups of Student-Athletes shall always have at least two Persons in Authority with them.
 - b) For mixed gender teams or groups of Student-Athletes, there will be one Person in Authority from each gender.
 - c) Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present.
 - d) No Person in Authority may drive a vehicle with a Student-Athlete alone unless the Person in Authority is the Student-Athlete's parent or guardian.
 - e) A Person in Authority may not share a room or be alone in a hotel room with a Student-Athlete unless the Person in Authority is the Student-Athlete's parent or guardian.
 - f) Room or bed checks during overnight stays must be done by two Persons in Authority.
 - g) For overnight travel when Student-Athletes must share a hotel room, roommates will be age-appropriate and, for Minors, shall be within two years of age of one another and of the same gender identity.

Locker Room / Changing Areas

8. The following shall apply to locker rooms, changing areas, and meeting rooms:
 - a) Interactions (i.e., conversation) between Persons in Authority and Student-Athletes should not occur in any room where there is a reasonable expectation of privacy such as a locker room, restroom or changing area. A second adult should be present for any necessary interaction between an adult and a Student-Athlete in any such room. The Rule of Two must be respected.
 - b) If Persons in Authority are not present in the locker room or changing area, or if they are not permitted to be present, they should still be available outside the locker room or changing area and be able to enter the room or area if required, including but not limited to team communications and/or

emergency.

Photography / Video

9. Any photograph or video involving Student-Athletes shall respect the following:
 - a) Photographs and video may only be taken in public view, must observe generally accepted standards of decency, and be both appropriate for and in the best interest of the Student-Athlete.
 - b) The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited.
 - c) Examples of photos that shall be edited or deleted include:
 - i. Images with misplaced apparel or where undergarments are showing
 - ii. Suggestive or provocative poses
 - iii. Embarrassing images
 - d) If any photographs or videos will be used on any form of public media, an Image Consent Form must be completed before any images are taken and used.

Physical Contact

10. It is recognized that some physical contact between Persons in Authority and Student-Athletes may be necessary for various reasons including, but not limited to, teaching a skill or tending to an injury. Any physical contact shall respect the following:
 - a) Unless it is otherwise impossible because of serious injury or other justifiable circumstance, a Person in Authority must always clarify with a Student-Athlete where and why any physical contact will occur prior to the contact occurring. The Person in Authority must make clear that they are requesting to touch the Student-Athlete and not requiring physical contact
 - b) Infrequent, non-intentional physical contact during a training session is permitted
 - c) Hugs lasting longer than five seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. It is recognized that some Student-Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as crying or celebrating after a performance), but this physical contact may only occur in an open and observable environment.

Enforcement

11. Any alleged violations of this *Student-Athlete Protection Policy* shall be addressed pursuant to SHSAA's *Discipline and Complaints Policy*.

Privacy

12. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SHSAA's usual policies and practices regarding private and/or confidential information.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

CODE OF CONDUCT AND ETHICS

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|-------------------------------|--|
| Effective date | JUNE 18, 2024 |
| Archived date | - |
| Date last reviewed | JUNE 18, 2024 |
| Scheduled review date | JUNE, 2025 |
| Replaces and/or amends | SHSAA Code of Conduct and Ethics approved June 25, 2021] |
| Approved by and date | SHSAA Board of Directors, JUNE 18, 2024 |
| Appendix(-ces) to this Policy | - |

Purpose

1. The purpose of this Code is to supplement the existing Conduct Policy, Spectator Conduct, and Code of Ethics for players, coaches, and officials (included as Appendix A) and to ensure a safe and positive environment within the programs, activities, and Events of SHSAA by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with the applicable organization's core values and policies. SHSAA supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals can safely participate in our sport and are treated with respect and fairness.

Application of this Code

2. This Code does not preclude the application of the [Code of Professional Ethics for Saskatchewan Teachers](#) for any individuals in coaching and/or supervisory roles responsible for school teams and students.
3. This Code applies to any Individual's conduct during the business, activities, and Events of SHSAA including, but not limited to, competitions, practices, evaluations, treatment or consultations (e.g., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings or social Events.
4. This Code also applies to Individuals' conduct outside of the business, activities, and Events of SHSAA when such conduct adversely affects the organization's relationships (and the work and sport environment) or is detrimental to the image and reputation of SHSAA. Such applicability will be determined by SHSAA in its sole discretion.
5. This Code applies to Individuals active in high school sport or who have retired from high school sport where any claim regarding a potential breach of this Code occurred when the Individual was active in the sport.
6. In addition, breaches of this Code may occur when the Individuals involved interacted due to their mutual involvement in high school sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).

7. Any Individual who violates this Code may be subject to sanctions pursuant to the *Discipline and Complaints Policy*. In addition to facing possible sanctions pursuant to the *Discipline and Complaints Policy*, an Individual who violates this Code during a competition may be removed from the competition or training area, and the Individual may be subject to further sanctions.

UCCMS

8. The Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) was adopted by SHSAA on June 18, 2024 and shall be incorporated into this Code by reference as if set out in full herein. Any modifications or amendments made to the UCCMS by the Sport Dispute Resolution Centre of Canada (SDRCC) shall come into effect immediately upon their adoption by the SDRCC, without the need for any further action by SHSAA or its Members.

Responsibilities

9. Individuals have a responsibility to:
- a) Maintain and enhance the dignity and self-esteem of other Individuals by:
 - i. Treating each other with the highest standards of respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism of Student-Athletes, coaches, officials, organizers, volunteers, employees, or other participants;
 - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
 - iv. Acting to correct or prevent practices that are unjustly discriminatory;
 - v. Consistently treating individuals fairly and reasonably; and
 - vi. Ensuring adherence to the rules of the sport and the spirit of those rules
 - b) Refrain from any behaviour that constitutes Harassment, Workplace Harassment, Sexual Harassment, Workplace Violence, Discrimination or any form of Maltreatment or Prohibited Behaviour
 - c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
 - d) Refrain from consuming tobacco products, cannabis, or other recreational drugs⁴ while participating in the programs, activities, Events of SHSAA or representing SHSAA at any such programs, activities or Events
 - e) In the case of Minors, not consume alcohol, tobacco, or cannabis at any Event
 - f) In the case of adults, not consume cannabis in the Workplace or in any situation associated with Events (subject to any requirements for accommodation), not consume alcohol during competitions (except where permitted in accordance with provincial licensing regulations) and manage the responsible consumption of alcohol in any other situation
 - g) Respect the property of others and not wilfully cause damage
 - h) Promote sport in the most constructive and positive manner possible
 - i) When driving a vehicle,
 - i. Not have their license suspended;
 - ii. Obey traffic laws at all times;
 - iii. Not be under the influence of alcohol, cannabis or illegal drugs or intoxicating substances;

⁴ Recreational drugs are commonly considered to be substances such as amphetamines, cocaine, cannabis, ecstasy, heroin, ketamine, LSD, magic mushrooms.

- iv. Have valid insurance; and
- v. Refrain from using a mobile device or engaging in any activity that would constitute distracted driving
- j) Adhere to all federal, provincial, municipal and host country laws
- k) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition or para-classification, and/or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or other anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages
- l) Comply, at all times, with the bylaws, policies, procedures, and rules and regulations of SHSAA and those of any other sport organization with authority over the individual, as applicable and as adopted and amended from time to time
- m) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving an Individual to SHSAA, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or Prohibited Substance or Method

Directors, Committee Members, and Employees

10. In addition to Section 9 (above), directors, committee members, and employees of SHSAA will have additional responsibilities to:
- a) When performing their role as a director or committee member or employee of SHSAA, ensure that they respect their duty of loyalty to SHSAA and refrain from engaging in any activity or behaviour that could constitute a conflict of interest
 - b) Ensure their loyalty prioritizes the interests of SHSAA
 - c) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the business and the maintenance of Individuals' confidence
 - d) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
 - e) Conduct themselves openly, professionally, lawfully and in good faith
 - f) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
 - g) Behave with decorum appropriate to both circumstance and position
 - h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws
 - i) Respect the confidentiality appropriate to issues of a sensitive nature
 - j) Respect the decisions of the majority and resign if unable to do so
 - k) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
 - l) Have knowledge and understanding of all relevant policies and procedures

In addition to the responsibilities described above, one board member and the SHSAA Safe Sport Liaison must also complete the Canadian Centre for Ethics in Sport's Governance Essentials e-learning course.

Coaches, Instructors, Trainers, and Student-Athlete Support Personnel

11. In addition to Section 9 (above), coaches, instructors, trainers and student-athlete support personnel (collectively, “coaches”) have many additional responsibilities. The coach/Student-Athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the Student-Athlete. Coaches must understand and respect the inherent Power Imbalance that exists in this relationship and must not abuse it, either consciously or unintentionally. Coaches will:
- a) Avoid any behaviour that abuses the Power Imbalance inherent to their position as a coach
 - b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Student-Athletes
 - c) Prepare Student-Athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm Student-Athletes
 - d) Avoid compromising the present and future health of Student-Athletes by communicating and cooperating with sport medicine professionals (where applicable) in the diagnosis, treatment, and management of Student-Athletes’ medical and psychological treatments
 - e) Accept and promote Student-Athletes’ personal goals and refer Student-Athletes to other coaches and sport specialists as appropriate
 - f) Provide Student-Athletes (and the parents/guardians) with the information necessary to be involved in the decisions that affect the Student-Athlete
 - g) Act in the best interest of the Student-Athlete’s development as a whole person
 - h) Comply with all established responsibilities and obligations as set out by the coach’s professional governing body, if any
 - i) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or Prohibited Substances or Prohibited Methods and, in the case of minors, alcohol, cannabis, and/or tobacco
 - j) Respect Student-Athletes competing for other schools and, in dealings with them, not discuss topics or take actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the Student-Athletes
 - k) Except where there was a pre-existing relationship prior to the development of the coach-Student-Athlete relationship and there is otherwise no Power Imbalance, not engage in a sexual or intimate relationship with a Student-Athlete of any age in which the coach is in a position of trust or authority
 - l) Recognize the power inherent in the position of coach and respect and promote the rights of all participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of participants who are in a vulnerable or dependent position and less able to protect their own rights
 - m) Dress appropriately
 - n) Use inoffensive language, and take the audience being addressed into account (e.g., the age/maturity of the participants)

Student-Athletes

12. In addition to Section 9 (above), Student-Athletes will have additional responsibilities to:
- a) Adhere to their student-athlete agreement (if applicable)
 - b) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete
 - c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations (including time controls or any other form of testing)
 - d) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
 - e) Adhere to any rules and requirements regarding clothing and equipment
 - f) Dress to represent the school and themselves appropriately
 - g) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

13. In addition to Section 9 (above), officials will have additional responsibilities to:
- a) Maintain and update their knowledge of the rules and any rule changes
 - b) Not publicly criticize any Individual
 - c) Place the safety and welfare of competitors, and the fairness of the competition above all else
 - d) Work within the boundaries of their position's description while supporting the work of other officials
 - e) Act as an ambassador of high school sport by agreeing to enforce and abide by provincial/territorial rules and regulations
 - f) Take ownership of actions and decisions made while officiating
 - g) Respect the rights, dignity, and worth of all Individuals
 - h) Act openly, impartially, professionally, lawfully, and in good faith
 - i) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
 - j) Respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Individuals
 - k) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases communicate their situation to SHSAA or the individual(s) responsible for assignments as soon as possible
 - l) When writing reports, set out the actual facts to the best of their knowledge and recollection
 - m) Dress in appropriate attire for officiating
 - n) Where applicable, adhere at all times to the rules of the high school activity that is being officiated and any applicable SHSAA amendments, as well as the rules of any other sport organization that has relevant and applicable authority over the official

Parents/Guardians and Spectators

14. In addition to Section 9 (above), parents/guardians and spectators at Events will, at all times:
- a) Encourage Student-Athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence

- b) Condemn the use of violence in any form
- c) Never ridicule a participant during a competition or practice
- d) Respect the decisions and judgments of officials, and encourage Student-Athletes to do the same
- e) Support all efforts to eliminate verbal and physical abuse, coercion, intimidation, and sarcasm
- f) Respect all competitors, coaches, officials and other volunteers
- g) Never harass competitors, coaches, officials, parents/guardians, or other spectators

Anti-Doping

15. All Individuals shall:

- a) Abstain from the non-medical use of medications or drugs or the use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force. SHSAA will respect any sanction imposed on an Individual as a result of a breach of the [Canadian Anti-Doping Program](#) or any other applicable Anti-Doping Rules
- b) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an anti-doping rule violation and is serving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable anti-doping rules
- c) Cooperate with any Anti-Doping Organization that is conducting an investigation into any anti-doping rule violation(s)
- d) Refrain from any offensive conduct toward a doping control official or other individual involved in doping control, whether or not such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program

16. All Student-Athlete Support Personnel or other persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Student-Athletes that fall under SHSAA or its Members' jurisdiction.

Retaliation, Retribution or Reprisal

17. It is a breach of this Code for any Individual to engage in any act that threatens or seeks to intimidate another Individual with the intent of discouraging that Individual from filing, in good faith, a Report pursuant to any SHSAA policy. It is also a breach of this Code for an Individual remove opportunities, privileges or any other benefit from an Individual who has filed a Report against them or to file a Report for the purpose of retaliation, retribution or reprisal against any other Individual. Any Individual found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

Privacy

18. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SHSAA's usual policies and practices regarding private and/or confidential information.

SHSAA CODES

1. CODE OF ETHICS FOR STUDENT-ATHLETES THE SCHOOL REQUIRES THE ATHLETES TO

- ❖ Conduct themselves at all times with honor and dignity.
- ❖ Treat visiting teams, spectators, and officials as honored guests.
- ❖ Faithfully complete schoolwork as practical evidence of their loyalty to school and team.
- ❖ Show that it is a privilege to represent their schools.
- ❖ Remember that there is no place in school athletics before, during, or after competition for the use of drugs, tobacco, cannabis, or alcohol of any kind.

THE GAME REQUIRES THE ATHLETES TO

- ❖ Maintain a high degree of physical fitness.
- ❖ Be fair at all times, no matter what the cost.
- ❖ Believe in the honesty and integrity of opponents and officials.
- ❖ Play the game for the game's sake.
- ❖ Accept gracefully and without question the decision of the official.

SPORTSMANSHIP DEMANDS THAT ATHLETES

- ❖ Recognize and applaud honestly and whole-heartedly the efforts of their teams or opponents, regardless of race, gender identity, sexual orientation, nationality, neurodiversity, socioeconomic background, ability, culture, or religion.
- ❖ Give opponents full credit when they win and learn to correct their own faults through failures.
- ❖ Play hard and to the limit of their abilities regardless of discouragement. True athletes do not give up, nor do they quarrel, cheat, bet, or show off.
- ❖ Accept both victory and defeat with pride and compassion, being never boastful nor bitter.

2. CODE OF ETHICS FOR COACHES THE SCHOOL EXPECTS THE COACHES TO

- ❖ Be an integral part of the school system and its educational contribution.
- ❖ Remember that the athletic area is a classroom with moral and education obligations required at all times.
- ❖ Insist upon high scholarship and enforcement of all rules of eligibility.

THE ATHLETES EXPECT THE COACHES TO

- ❖ Maintain a genuine and up-to-date knowledge of that which they propose to teach.
- ❖ Maintain fair, unprejudiced relationships with all squad members.
- ❖ Pay careful attention to the physical condition of the players.
- ❖ Inspire a love of the game and desire to compete fairly.

SPORTSMANSHIP DEMANDS THAT COACHES

- ❖ Take a strong stand against profanity, unfair play, and unsportsmanlike behavior of their teams.
- ❖ Maintain self-control at all times, accepting decisions of officials without outward appearance of vexation.
- ❖ Teach athletes to win by use of legitimate means only.
- ❖ Believe in the honesty and integrity of opponents and officials.
- ❖ Teach that to win is always desirable, but to win at any cost defeats the purpose of the game.

3. CODE OF ETHICS FOR OFFICIALS THE CONTEST EXPECTS THE OFFICIAL TO

- ❖ Maintain a professional relationship toward the event, the players, the coaches, and spectators.
- ❖ Be thorough in their preparation.
- ❖ Be on time for duty and appear in appropriate uniform.
- ❖ Be rested and alert.

THE RULES EXPECT THE OFFICIAL TO

- ❖ Adhere to right decisions despite disapproval of spectators, coaches, and players.
- ❖ Control their temper at all times in dealing with players, coaches, and crowds.
- ❖ Respect and aid companion officials in making decisions.
- ❖ Make interpretations and announcements clear to both teams.

SPORTSMANSHIP DEMANDS THAT OFFICIALS

- ❖ Maintain a pleasant, impartial attitude toward all players and coaches.
- ❖ Know and enforce SHSAA rules and regulations.
- ❖ Carry out their duties so as not to distract from the players or the game.
- ❖ Discourage any acts of poor sportsmanship.

4. SPECTATOR CONDUCT

The SHSAA accepts the following as its Guideline regarding spectator conduct at all SHSAA Events.

The guiding principle for all SHSAA activities is that all participants (players, coaches, game and minor officials alike) deserve respect and consideration.

- ❖ Respect the players in the game. Fans must cheer showing their support “for” their team, not disrespect for their opponents. It will be unacceptable for fans to make noise of any kind during situations such as a foul shot in basketball or during the serve in volleyball.
- ❖ School supporters are asked not to applaud errors by opponents, nor heckle, jeer, or distract members of the opposing team.
- ❖ Respect the officials. They are doing the best job that they can and should not be criticized for the judgments that they make rather applauded for the service they provide to high school sport.
- ❖ Refrain from taking food or drink into high school gymnasiums when posted.
- ❖ Fans must respect the property of the schools and the authority of the school officials.
- ❖ Refrain from using artificial noisemakers, drums, or other musical instruments. The exception to this Guideline would be a school pep band under the direct supervision of authorized school personnel, with the understanding that nothing will be done to interfere with the performance of the opposing team.
- ❖ It is the SHSAA position that if the actions of a spectator are deemed by the officials to be interfering with play or the official's ability to perform their duties, that the game should be stopped. The host school should be asked to intervene to have the disruptive action stop and, if appropriate, issue a warning to that spectator. If the allegiance of the individual can be determined to be with the visiting team, it is appropriate to ask the visiting coach to intervene to stop the disruptive action. If the officials determine that the disruptive action is beyond a warning or intervention then they should ask the host school and/or the visiting coach (if appropriate) to see to it that the spectator leaves the premises. The officials having taken this action must not continue the game until their request has been fulfilled. The officials should not take it upon themselves to confront the spectator about their conduct or their removal.

BE A SPORT – BLEND YOUR CHEERS FOR “YOUR TEAM” WITH APPLAUSE FOR YOUR OPPONENTS. OBSERVE THE LETTER AND SPIRIT OF THE RULES AND SHOW CONSIDERATION FOR OTHERS.

Coaches and school administrators should make certain that the school team, as well as any team followers taking part in a high school athletic event, are made aware of these expectations.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

DISCIPLINE AND COMPLAINTS POLICY FLOWCHART

All complaints are to be reported to Sask Sport's identified Independent Third-Party for complaint reporting/handling, and will be screened by the Independent Third Party (ITP) to determine next steps. Prior to determining whether a Complaint Resolution Officer or Case Manager/External Discipline Panel should be appointed, the ITP may propose use of Alternative Dispute Resolution techniques to resolve the dispute.

Complainant files complaint to Independent Third Party

(May be referred by OSIC, PSO/Club, or SSI)

Screening of Complaint (Section 18)

ITP (Independent Third Party) will determine if:

- The complaint is outside the jurisdiction of the Discipline and Complaints Policy or frivolous
- Propose the use of alternative dispute resolution
- Determine if the alleged incident should be formally investigated and/or
- Choose which process (Section 20 or Section 21) should be followed

Complaint Contains Less Severe Allegations (Section 20)

Referral to Complaint Resolution Officer (CRO)

- ITP and PSO appoint a Complaint Resolution Officer
The Complaint Resolution Officer will:
(Sections 31-38)
 - Ask the Complainant and the Respondent for written submissions regarding the complaint or incident
 - If the CRO deems necessary, convene the parties to a meeting, either in person or video or teleconference to gather additional information

Decision

- Thereafter, the CRO shall determine if a breach occurred and, if so, if one or more sanctions should be applied (Section 35)
- If Respondent is a staff person of the association, the CRO may refer to association's Human Resource Policies to determine appropriate sanctions (Section 6)

Complaint is Resolved

Outcomes and those implications are communicated to parties, organizations and individuals (Sections 52-53)

Long-term suspensions, of 1 year or more, must be reported to Sask Sport to be added to long-term suspension listing

Complaint Contains Severe Allegations (Section 21)

Handled by Case Manager

- Following the determination that the complaint or incident should be handled under Process #2, the Independent Third Party will work with PSO to select a Case Manager (suitable options are listed on SSI website)

The Case Manager has a responsibility to:

- Appoint an External Discipline Panel (who should be one arbitrator, or a Panel of three people in certain circumstances at the Case Manager's discretion. Arbitrators shall have experience with sport disputes and who is not in a conflict of interest)
- Coordinate all administrative aspects and set timelines
- Provide administrative assistance and logistical support to the External Discipline Panel as required
- Provide any other service or support that may be necessary to ensure a fair and timely proceeding
- In cooperation with the External Discipline Panel, will decide the format under which the complaint will be heard

Alternative Dispute Resolution Policy

- ADR may be pursued at any point in a dispute upon the consent of the parties
- The Independent Third Party will:
 - Facilitate the appointment of a facilitator or mediator with consent of parties
 - Appoint a mediator or facilitator
- The mediator/facilitator will decide the format for mediation/facilitation
- If a negotiated settlement is reached, the settlement will be reported to the Association (Safe Sport Liaison)
- If a negotiated settlement is not reached, the complaint will be referred back to the Independent Third Party for next steps
- Any negotiated settlement will be binding on the parties and not subject to appeal

Decision (Sections 50-56)

- After hearing the matter, the External Discipline Panel will determine whether an infraction has occurred and, if so, the sanction(s) to be imposed (Sections 57-65)
- If the Respondent is a staff person of the association, the External Discipline Panel may refer to the association's Human Resource Policies to determine appropriate sanctions (Section 6)
- The decision will be considered a matter of public record unless decided otherwise by the External Discipline Panel (Sections 52-53)

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

DISCIPLINE AND COMPLAINTS POLICY

| | |
|-------------------------------|---|
| Effective date | JUNE 18, 2024 |
| Archived date | - |
| Date last reviewed | JUNE 18, 2024 |
| Scheduled review date | JUNE, 2025 |
| Replaces and/or amends | N/A |
| Approved by and date | SHSAA Board of Directors, JUNE 18, 2024 |
| Appendix(-ces) to this Policy | - |

Purpose

1. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the policies, bylaws, rules and regulations of SHSAA and those of its Members, as applicable and as amended from time to time. Non-compliance may result in the imposition of sanctions pursuant to this Policy.

Application of this Policy

2. This Policy applies to all Individuals and to any alleged breaches of SHSAA policies, bylaws, rules or regulations.
3. This Policy applies to matters that may arise during the business, activities, and Events of SHSAA including, but not limited to, competitions, practices and training, evaluations, treatment or consultations (e.g., massage therapy), training camps, travel associated with SHSAA activities, and any meetings. Notwithstanding the aforementioned, any incidents that occur on the field of play shall be addressed pursuant to the [SHSAA Handbook](#), as amended from time to time, with the possibility of further disciplinary action being taken pursuant to this Policy if a Report is received pursuant to Section 15.
4. This Policy also applies to Individuals' conduct outside of the business, activities, and Events of SHSAA when such conduct adversely affects SHSAA's relationships (and the work and sport environment) or is detrimental to the image and reputation of SHSAA, or upon the acceptance of SHSAA.
5. Without limiting the generality of the foregoing, this Policy applies to alleged breaches of the *Code of Conduct and Ethics* by Individuals who have retired from high school sport where any claim regarding a potential breach of the *Code of Conduct and Ethics* occurred when the Individual was active in the sport. In addition, this Policy will apply to breaches of the *Code of Conduct and Ethics* that occurred when the Individuals involved interacted due to their mutual involvement in high school sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).

If an Individual makes a complaint or Reports an incident that occurred at a time during which a different SHSAA policy was in force (i.e., *Code of Conduct and Ethics*, *Discipline and Complaints Policy*), the matter will be governed by the substantive rules in the policy in force at the time that the incident occurred to determine whether an offense or breach of the policy has occurred, unless the panel hearing the matter determines that

the principle of *lex mitior*⁵ applies to the circumstances of the case; however, for such cases, this *Discipline and Complaints Policy* will apply retroactively, prior to its approval date, as it relates to procedural matters.

Applicability of this Policy will be determined by the Independent Third Party at their sole discretion and shall not be subject to appeal.

6. In addition to being subject to disciplinary action pursuant to this *Discipline and Complaints Policy*, an employee of SHSAA who is a Respondent to a Report may also be subject to consequences in accordance with the employee's employment agreement, if applicable, or SHSAA's human resources or other applicable policies.
7. SHSAA will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

Minors

8. Complaints may be brought for or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process. Any Individual who Reports or brings a complaint on behalf of a Minor that involves known or suspected abuse, neglect or Maltreatment of a Minor that is not Reported to the Office of the Sport Integrity Commissioner (OSIC) pursuant to Sections 12-14 below must also Report this to local child welfare services, the applicable provincial or territorial social service ministries or departments, or local police.
9. Communication from the Independent Third Party, the Case Manager, Complaint Resolution Officer or discipline panel, as applicable, must be directed to the Minor's representative.
10. If the Minor's representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the Minor's parent/guardian.
11. A Minor is not required to attend an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

Reporting a Complaint

UCCMS Participants

12. Incidents that involve alleged Maltreatment or Prohibited Behaviour involving a UCCMS Participant must be reported to the OSIC and will be addressed pursuant to the OSIC's policies and procedures.
13. OSIC shall determine the admissibility of such complaints in accordance with the relevant and applicable OSIC Guidelines regarding the initial review and preliminary assessment, at their sole discretion.

⁵ The principle of *lex mitior* means that, if the rule relevant to a breach of any policy has been amended, the less severe rule will apply.

14. If the Independent Third Party receives a complaint that they consider would otherwise fall within the above sections, they shall refer the matter to the OSIC and notify the Individual(s) that made the complaint of such action within seven days of referring the matter to the OSIC.

Individuals

15. Except for complaints between Saskatchewan Teachers Federation members,⁶ any complaints involving alleged breaches of SHSAA's policies that do not fall within Sections 12 or 13 above must be Reported in writing by an Individual (or Individuals) to the Independent Third Party within twenty-one (21) days of the occurrence of the incident through the online form on the Sask Sport website⁷. For the avoidance of doubt, this includes Reported complaints referred back to the Independent Third Party by the OSIC following a determination made by the OSIC that a complaint initially reported to it does not fall within its jurisdiction. The OSIC is not required to comply with the deadline specified in this Section 15. If SHSAA receives a complaint, it must immediately provide it to the Independent Third Party in a timely manner.
16. A Complainant who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may Report a complaint to the Independent Third Party and request that their identity be kept confidential. If the Independent Third Party considers that the Complainant's identity must remain confidential, the Independent Third Party may ask that SHSAA take carriage of the complaint and act as the Complainant pursuant to Section 22 below.⁸
17. If the Independent Third Party considers that it is unnecessary to keep the Complainant's identity confidential, they shall inform the Complainant, who may decide whether or not to pursue the Reported complaint. However, the Independent Third Party may not reveal the identity of the Complainant unless the Complainant expressly informs them of their desire to pursue the complaint and has indicated, in writing, their approval to have their identity divulged.

Independent Third Party Responsibilities

18. Upon receipt of a Reported complaint from an Individual (or Individuals) or the OSIC, the Independent Third Party shall:
- a) determine whether the complaint falls within the jurisdiction of this Policy;
 - b) if it can be accepted pursuant to Section 15 above; and
 - c) whether it is either a frivolous or vexatious complaint, or if it has been made in bad faith.⁹

⁶ Complaints between Saskatchewan Teachers Federation members shall be managed through the STF Code of Professional Ethics.

⁷ This timeline may be waived at the Independent Third Party's sole discretion if they consider that there were extenuating circumstances that prevented the Individual from Reporting their complaint within twenty-one (21) days of the occurrence of the incident.

⁸ In such circumstances, the Complainant(s) may be required to provide evidence during the disciplinary process.

⁹ As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead. Generally, a frivolous complaint will have no serious purpose or value.

If the Reported complaint is not accepted by the Independent Third Party for any of the aforementioned reasons, the Independent Third Party shall inform the Complainant and provide the reasons for which the complaint was not accepted. If the Reported complaint is not accepted because it does not fall within the jurisdiction of this Policy but would fall within the jurisdiction of another sport's policy(ies), the Independent Third Party shall inform the Complainant(s) so that they may Report their complaint to the appropriate organization. If the Reported complaint is accepted by the Independent Third Party, the Independent Third Party shall proceed to make the determinations indicated in Sections 19-23 below and notify the Parties accordingly that the Reported complaint has been accepted.

19. In cases where the Independent Third Party receives a complaint or Report involving known or suspected abuse, neglect or Maltreatment of a Minor that is not reported to the OSIC pursuant to Sections 12-14, they shall Report this to local child welfare services, the applicable social service ministries or departments, or local police. The Independent Third Party shall not be responsible for fulfilling the aforementioned obligation if the Individual making the complaint or filing the Report confirms in writing that they have already Reported to any such authorities.
20. The Independent Third Party shall direct a Reported complaint to be managed by the Complaint Resolution Officer appointed by SHSAA if the Complainant alleges that any of the following incidents have occurred:
 - a) Disrespectful conduct or behaviour
 - b) Minor acts of physical violence (i.e., pinching, shoving, intentionally blocking another person from their desired path, throwing an object at another person), unless the physical violence is between a Person in Authority and a Vulnerable Participant, in which case the matter will fall under Section 21 below
 - c) Conduct contrary to the values of SHSAA
 - d) Conduct that intentionally interferes with a competition or with any Student-Athlete's preparation for a competition
 - e) Non-compliance with SHSAA's policies, procedures, rules, or regulations
 - f) Minor violations of the *Code of Conduct and Ethics*, the *UCCMS*, *Social Media Policy*, or the *Student-Athlete Protection Policy*

*[Comment to Article 20: Where any of the above-mentioned **incidents occur on the field of play**, they shall be addressed through the policy/process applicable to the field of play incident, and by the individual with appropriate authority under that policy/process/sport specific rulebook/SHSAA amendments, subject to an Individual's right to file a Report regarding the incident pursuant to this Policy.]*

21. Subject to Section 14, the Independent Third Party shall direct a Reported complaint to be managed by a Case Manager appointed by SHSAA if the Complainant alleges that any of the following incidents have occurred:
 - a) Repeated incidents pursuant to Section 20
 - b) Abusive, racist, or sexist comments, conduct or behaviour
 - c) Any incident of hazing
 - d) Behaviour that constitutes Maltreatment, Prohibited Behaviour, Workplace Harassment or Harassment
 - e) Major incidents of physical violence (e.g., fighting, attacking)

- f) Pranks, jokes, or other activities that endanger the safety of others
 - g) Conduct that intentionally damages SHSAA's image, credibility, or reputation
 - h) Consistent disregard for SHSAA's bylaws, policies, rules, and regulations
 - i) Major or repeated violations of the *Code of Conduct and Ethics*, the *UCCMS*, *Social Media Policy*, or *Student-Athlete Protection Policy*
 - j) Intentionally damaging SHSAA's property or improperly handling the organization's monies
 - k) Abusive use of alcohol or any other intoxicating substance, any use or possession of alcohol or any other intoxicating substance by Minors, or use or possession of illicit drugs and narcotics
 - l) A conviction for any *Criminal Code* offense
22. Notwithstanding any provision in this Policy, SHSAA may, at its discretion, or upon request by the Independent Third Party in accordance with Section 16, act as the Complainant and initiate the complaint Reporting process under the terms of this Policy. In such cases, SHSAA will identify an individual to represent the organization, unless SHSAA is acting as the Complainant pursuant to Section 16.
23. If multiple Individuals file a complaint against the same Respondent that include allegations regarding the same incident(s), the Independent Third Party may, with the consent of all Parties, consolidate the complaints into a single procedure.
24. In circumstances where a member organization of SHSAA fails to conduct disciplinary proceedings within a reasonable timeline in relation to a complaint that falls within its jurisdiction, is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest, due to a lack of capacity or where the member organization does not have policies in place (or adequate policies in place) to address the complaint, SHSAA may, at its discretion, take jurisdiction over the matter and conduct the necessary proceedings in accordance with the policies in this Safe Sport Policy Manual.

Investigations and Assessments

25. In exceptional circumstances, and only when the Independent Third Party considers that the conditions indicated in this section have been satisfied, the Independent Third Party may determine that a Reported incident requires further investigation by an independent third-party investigator. The Independent Third Party will direct that an investigation be conducted:
- a) Only if the Reported incident falls within Section 21 above;
 - b) In accordance with and by an independent investigator appointed pursuant to the *Investigations Policy – Discrimination, Harassment and Maltreatment and Prohibited Behaviour*;
 - c) Where the Independent Third Party considers that there is a need for an independent assessment to determine whether an allegation (or, where there are several allegations, which allegations) should be heard by a discipline panel pursuant to this Policy because they constitute, if found to be true, a likely breach of the *Code of Conduct and Ethics*, the *UCCMS*, the *Social Media Policy*, the *Student-Athlete Protection Policy*, or any other relevant and applicable SHSAA policy, or whether the allegations are frivolous, vexatious or made in bad faith;¹⁰ and

¹⁰ Please see Footnote 9, modified accordingly for the circumstances of an investigation.

- d) For the purpose of making non-binding recommendations to the Independent Third Party so that they may discharge their responsibilities pursuant to this Policy.

If the Independent Third Party considers that an independent investigation or assessment must be conducted for the reasons mentioned above, the investigation shall be conducted before any disciplinary procedures are commenced pursuant to this Policy; however, when an investigation is conducted and where it is necessary in the circumstances, a Provisional Suspension or interim measures may be imposed in accordance with Sections 26-28 below.

Upon receipt of the investigator's report, the Independent Third Party shall determine whether the matter will proceed pursuant to Sections 39 and below and shall inform the Parties and SHSAA.

If the Independent Third Party does not consider that an independent investigation is necessary and the Reported complaint has been accepted pursuant to Section 18, the matter shall proceed pursuant to Sections 39 and following below.

Provisional Suspensions

26. If it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a Provisional Suspension or interim measures may be imposed against any Individual by the Executive Director or President of SHSAA (or their designate)¹¹ upon the recommendation of the Independent Third Party (except where there are time constraints)¹² after which further discipline or sanctions may be applied according to this Policy. SHSAA will communicate any decision to impose a Provisional Suspension or interim measures to the Parties involved and to any other Individual or organization that is required to receive such information in order to ensure that the Provisional Suspension or interim measure can be implemented as directed. This includes, without limitation, communicating such decisions to Members.
27. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. Provisional Suspensions or interim measures may be imposed for the duration of a competition, training, activity, or Event only, or as otherwise determined appropriate by the Executive Director or President of SHSAA.¹³
28. Notwithstanding the above, SHSAA may determine that an alleged incident is of such seriousness as to warrant the imposition of a Provisional Suspension of a Respondent pending completion of an investigation, assessment and/investigation by the OSIC, criminal process, the hearing, or a decision of the discipline panel.
29. Any Respondent against whom a Provisional Suspension or interim measure is imposed may make a request to the Independent Third Party or the discipline panel (if appointed) to have the Provisional Suspension or interim measure lifted. In such circumstances, SHSAA shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent's request to have their Provisional Suspension

¹¹ The term 'designate' includes the person with authority to impose a Provisional Suspension according to the situation.

¹² Where there are time constraints, the Executive Director may impose a Provisional Suspension or interim measures against an Individual without seeking a recommendation from the Independent Third Party.

¹³ In-competition discipline or sanction imposed by the applicable official or authority does not prevent an Individual from facing additional disciplinary proceedings under the *Code of Conduct and Ethics*.

lifted. Provisional Suspensions or interim measures shall only be lifted in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the Provisional Suspension or interim measure against them.

30. Any decision not to lift a Provisional Suspension or interim measure shall not be subject to appeal.

Complaint Handled by Complaints Resolution Officer

31. Following the Independent Third Party's determination that the Reported complaint or incident shall be managed by a Complaint Resolution Officer appointed pursuant to Section 20 above, the Independent Third Party shall encourage the Parties to attempt to resolve the matter through mediation pursuant to the *Dispute Resolution Policy*.¹⁴ If the Parties do not agree to pursue mediation, or if mediation is attempted but is unsuccessful, the Independent Third Party, in collaboration with the Safe Sport Liaison, will appoint a Complaint Resolution Officer.¹⁵ The Complaint Resolution Officer appointed to handle a Reported complaint or incident must be unbiased and not in a conflict of interest situation with any of the Parties.

32. The Complaint Resolution Officer will ask the Complainant and the Respondent for written submissions (taking any accessibility requirements into consideration) regarding the Reported complaint or incident. Both Parties shall also have the right to submit to the Complaint Resolution Officer any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos or other recordings).

33. Each Party shall have the right to receive the other Party's submissions and evidence, including the Complainant's complaint. If the matter before the Complaint Resolution Officer involves a Complainant who wishes to keep their identity confidential, the Complaint Resolution Officer may redact documents as they consider reasonably necessary to protect the confidentiality of the Individual, but only to the extent that any redactions do not compromise the Respondent's procedural fairness rights. In the case of oral submissions, each Party shall have the right to be present when such submissions are made.

34. Following receipt of the Parties' submissions, the Complaint Resolution Officer may (but is not required to) convene the Parties to a meeting, either in person or by way of video or teleconference, in order to ask the Parties questions and/or, if permitted by the Complaint Resolution Officer, to allow the Parties to ask questions of one another.

35. Following their review of the submissions and evidence related to the Reported complaint or incident, the Complaint Resolution Officer shall determine if any of the incidents listed in Section 20 above have occurred and, if so, if one or more of the following sanctions should be applied:

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to SHSAA

¹⁴ If mediation is not attempted, or is initially unsuccessful, the Parties are still permitted to resolve the dispute amicably through mediation at any time prior to a final decision being rendered by the Complaint Resolution Officer.

¹⁵ In order to ensure that the process advances in a timely manner, the Independent Third Party may proceed with the appointment of a Complaint Resolution Officer without collaborating with the Safe Sport Liaison if the matter is urgent or they are unable to obtain a recommendation from the Safe Sport Liaison within five (5) days of making the decision that the matter will be heard through the Complaint Resolution Officer process.

- d) Removal of certain privileges
- e) Suspension from certain teams, Events, and/or activities
- f) Suspension from certain activities for a designated period
- g) Any other sanction considered appropriate for the offense
- h) Education or training opportunities

If, after hearing the Parties and reviewing their submissions, the Complaint Resolution Officer considers that none of the incidents listed in Section 20 above have occurred, they shall dismiss the Reported complaint.

- 36. The Complaint Resolution Officer will inform the Parties of their decision, in writing and with reasons. Any sanction imposed shall take effect upon the Parties' receipt of the decision. Should the circumstances require a decision to be rendered immediately or within a short timeline, the Complaint Resolution Officer may render a short decision, either orally or in writing, followed by a written reasoned decision.
- 37. Any decision rendered by the Complaint Resolution Officer shall be provided to and maintained in the records of SHSAA, which shall be permitted to provide it to the relevant Member(s). Decisions will be kept confidential by the parties and the aforementioned organizations and shall be retained and discarded in accordance with the relevant and applicable privacy legislation.
- 38. Any decision rendered by a Complaint Resolution Officer is final and not subject to appeal.

Handled by Discipline Panel Case Manager

- 39. If the Independent Third Party determines that the Reported complaint or incident falls within Section 21 above, SHSAA shall appoint an independent Case Manager to fulfil the responsibilities listed in Sections 40 and following. The Case Manager shall not be in a conflict of interest or have a direct relationship with any of the Parties.
- 40. The appointed Case Manager will have the responsibility to:
 - a) Propose and, where appropriate based on the circumstances, encourage the use of the *Alternate Dispute Resolution Policy*
 - b) Appoint the discipline panel, if necessary
 - c) Coordinate all administrative aspects and set timelines
 - d) Provide administrative assistance and logistical support to the discipline panel as required, including providing the discipline panel with any information related to previously established infractions committed by the Respondent(s) of the policies of SHSAA
 - e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

Procedures

- 41. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.

42. The Case Manager will propose and, if appropriate in the circumstances, encourage that the Parties use the *Alternate Dispute Resolution Policy* with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the Parties refuse to use the *Alternate Dispute Resolution Policy*, the Case Manager will appoint a discipline panel, which shall consist of a single arbitrator, to hear the Reported complaint. In extraordinary circumstances, and at the discretion of the Case Manager, a discipline panel of three persons may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the discipline panel's members to serve as the Chair.
43. The Case Manager, in cooperation with the discipline panel, will then decide the format under which the Reported complaint will be heard. This decision may not be appealed.
44. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the discipline panel deem appropriate in the circumstances, provided that:
- a) The discipline panel determines procedures and timelines, as well as a hearing duration, that is as expedient and cost-efficient as possible in order to ensure that costs to the Parties and SHSAA are reasonable
 - b) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
 - c) Copies of any written documents which the Parties wish to have the discipline panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing
 - d) The Parties may engage a representative, advisor, translator, transcription services, or legal counsel at their own expense
 - e) The discipline panel may request that any other individual participate and give evidence at the hearing
 - f) If not a Party, SHSAA shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the discipline panel, SHSAA may make submissions at the hearing or may provide the discipline panel with clarifying information that may be required for the panel to render its decision.¹⁶
 - g) The discipline panel may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The discipline panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties.
 - h) Nothing is admissible in evidence at a hearing that:
 - i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
 - ii. is inadmissible by any statute.
 - i) Where a discipline panel composed of three members is appointed, the decision will be by a majority vote

¹⁶ The purpose of this provision is not to provide SHSAA or a Member with the possibility to try to influence whether a sanction is imposed and, if so, the duration or nature of the sanction. Instead, this provision is intended to provide SHSAA or a Member with the possibility to provide the discipline panel with clarifying information when the parties have sought a particular sanction against an Individual, but they have misunderstood or misrepresented fundamental elements of the programming or membership structure (or other similar issues) and, if left unaddressed, could result in the discipline panel imposing a sanction that is unenforceable.

45. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the discipline panel will determine the appropriate sanction. The discipline panel may still hold a hearing for the purpose of determining an appropriate sanction.
46. The hearing may proceed if a Party chooses not to participate in the hearing.
47. If a decision may affect another Party to the extent that the other Party would have recourse to a complaint or an appeal in their own right, that Party will become a Party to the complaint, shall be permitted to participate in the proceedings as determined by the discipline panel and will be bound by the decision.
48. In fulfilling its duties, the discipline panel may obtain independent advice.
49. Facts established by a criminal court, by a civil court or by a professional disciplinary tribunal of competent jurisdiction shall be admissible as evidence within the disciplinary process, as allowable by applicable law.

Decision

50. After hearing and/or reviewing the matter, the discipline panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If the discipline panel considers that an infraction has not occurred, the Reported complaint will be dismissed.
51. Within fourteen (14) days of the hearing's conclusion, the discipline panel's written decision, with reasons, will be distributed by the Case Manager to all Parties, the Independent Third Party, SHSAA's Safe Sport Liaison, and Sask Sport's Dispute Resolution Office. SHSAA may provide the discipline panel's decision to the relevant Member(s). In extraordinary circumstances, the discipline panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period.
52. Subject to Section 53 below, unless the matter involves a Vulnerable Participant, once the appeal deadline in the *Appeal Policy* has expired, Sask Sport shall publish the outcome of the case on its website. Publication shall be limited to the provision(s) of the relevant policies that have been violated, the name of the Respondent(s) and the sanction(s) imposed, if any. Additionally, where SHSAA acts as the Complainant under Section 16 above, only SHSAA, and not the original Complainant, shall be identified as an involved Individual. If the matter is appealed, the publication provisions in the *Appeal Policy* shall apply. Identifying information regarding Minors or Vulnerable Participants will never be published by SHSAA or Sask Sport. Any decision in which an Individual is suspended for a period of one year or longer will be added to the Sask Sport long-term suspension registry.¹⁷
53. If the discipline panel dismisses the Reported complaint, its decision may only be published with the Respondent's consent. If the Respondent does not provide such consent, the information referred to in

¹⁷ The Sask Sport long-term suspension registry is a password protected site that is accessible by provincial sport organizations in Saskatchewan only. The following information is included in the registry: first and last name of suspended Individual; the date of suspension, duration of suspension, expiry date of suspension, any other sanctions imposed, and name of the Individual's provincial sport organization.

Section 52 will be kept confidential by the Parties, the Case Manager, SHSAA, the relevant Member(s) and Sask Sport, and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to this Policy.

54. Sask Sport will publish the outcome of the case as provided for in Sections 52 or 53, as applicable, by placing the required information on its website and shall leave the information up for the longer of one (1) month or the duration of the sanction.
55. The discipline panel's decision will come into effect as of the date that it is rendered, unless decided otherwise by the discipline panel. The discipline panel's decision will apply automatically to and must be respected by SHSAA and any Individuals involved.
56. The Case Manager shall communicate decisions rendered pursuant to this Policy to the SHSAA Safe Sport Liaison, the Parties, the Independent Third Party, and to Sask Sport. SHSAA may provide the discipline panel's decision to the relevant Member(s). Except where a decision is published in accordance with Section 52 or 53, decisions shall be considered confidential. Records of all decisions will be maintained by SHSAA in accordance with their respective privacy policies.
57. When the discipline panel imposes a sanction, the decision shall include, at a minimum, the following details:
- a) Jurisdiction;
 - b) Summary of the facts and relevant evidence;
 - c) Where applicable, the specific provision(s) of SHSAA's policies, bylaws, rules or regulations that have been breached;
 - d) Which Party or organization is responsible for the costs of implementing any sanction;
 - e) Which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction;
 - f) Any reinstatement conditions that the Respondent must satisfy (if any);
 - g) Which organization is responsible for ensuring that the conditions have been satisfied; and,
 - h) Any other guidance that will assist the Parties to implement the discipline panel's decision.

If necessary, a Party – or the organization that is responsible for implementing or monitoring a sanction – may seek clarifications from the discipline panel regarding the order so that it can be implemented or monitored appropriately.

Sanctions

58. When determining the appropriate sanction, the Complaint Resolution Officer or discipline panel (as applicable) will consider the following factors (where applicable):

- a) The nature and duration of the Respondent's relationship with the Complainant, including whether there is a power imbalance;
- b) The Respondent's prior history and any pattern of misconduct, Prohibited Behaviour or Maltreatment;
- c) The respective ages of the individuals involved;
- d) Whether the Respondent poses an ongoing and/or potential threat to the safety of others;
- e) The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the misconduct, Prohibited Behaviour or Maltreatment, and/or cooperation in the investigative and/or disciplinary process;
- f) Real or perceived impact of the incident on the Complainant, SHSAA, or the high school sport community;
- g) Circumstances specific to the Respondent being sanctioned (e.g. lack of appropriate knowledge or training regarding the requirements in the *Code of Conduct and Ethics*; addiction; disability; illness);
- h) Whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate;
- i) A Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or
- j) Other mitigating or aggravating circumstances.

59. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required, and a single incident of Prohibited Behaviour, Maltreatment or other misconduct may justify elevated or combined sanctions.

60. The discipline panel may apply the following disciplinary sanctions, singularly or in combination:

- a) **Verbal or Written Warning** - A verbal reprimand or an official, written notice that an Individual has violated the *Code of Conduct and Ethics* or other policy and that more severe sanctions will result should the Individual be involved in other violations¹⁸
- b) **Education** - The requirement that an Individual undertake specified educational or similar remedial measures to address the violation(s) of the *Code of Conduct and Ethics* or the UCCMS or other policy
- c) **Probation** - Should any further violations of the *Code of Conduct and Ethics* or the UCCMS or other policy occur during the probationary period, this may result in additional disciplinary measures,

¹⁸ For greater clarity, where an Individual is given a warning, this information will be kept on their disciplinary record for as long as permitted by SHSAA's policies and practices regarding private and/or confidential information and it shall be disclosed on any screening disclosure form when requested.

including, without limitation, a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period

- d) **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of SHSAA. A suspended Individual may be eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Individual satisfying specific conditions noted at the time of suspension
- e) **Eligibility Restrictions** - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions
- f) **Permanent Ineligibility** - Ineligibility to participate in any capacity in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of SHSAA
- g) **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate

61. The discipline panel may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed Maltreatment:

- a) Sexual Maltreatment involving a Minor Complainant, or a Complainant who was a Minor at the time of the incidents complained of, shall carry a presumptive sanction of permanent ineligibility
- b) Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions
- c) While a Respondent has pending charges related to allegations of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction shall be a period of suspension until a final determination is made by the applicable process.

62. An Individual's conviction for certain *Criminal Code* offenses involving harmful conduct shall carry a presumptive sanction of permanent ineligibility from participating in the activities of SHSAA. Such *Criminal Code* offences may include, but are not limited to:

- a) Any child pornography offences
- b) Any sexual offences
- c) Any offence of physical violence

63. When imposing sanctions under this Policy, the discipline panel may take into account any previously established infractions committed by the Respondent(s) of the disciplinary policies of SHSAA, any other Member, or any other sport organization that had authority over the Respondent.

64. Failure to comply with a sanction as determined by SHSAA will result in an automatic suspension from participation in the activities of SHSAA until such time as compliance occurs.
65. Records of all decisions will be maintained by SHSAA. Such records shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

OSIC Sanction

66. SHSAA acknowledges that any sanctions or measures imposed by the OSIC's Director of Sanctions and Outcomes will be implemented and respected within its jurisdiction once it receives appropriate notice of any sanction or measure.

Appeals

67. The decision of the discipline panel may be appealed in accordance with the *Appeal Policy*.

Confidentiality

68. The discipline and complaints process is confidential and involves only the SHSAA Safe Sport Liaison and relevant employees as determined by the Safe Sport Liaison, the Parties, the Independent Third Party, the investigator (if one is appointed), the Case Manager, the Complaint Resolution Officer, the discipline panel, the relevant Member(s), Sask Sport and any independent advisors to the discipline panel.
69. None of the Parties (or their representatives or witnesses) or organizations referred to in Section 68 will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings, unless SHSAA is required to notify an organization such as Sask Sport or other sport organization (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.
70. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Complaint Resolution Officer or discipline panel (as applicable) against the Party(ies) in breach.

Timelines

71. If the circumstances of the Reported complaint are such that adhering to the timelines outlined by this Policy will not allow a just resolution to the complaint, the discipline panel may direct that these timelines be revised.

Privacy

72. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SHSAA's usual policies and practices regarding private and/or confidential information.
73. SHSAA, or any of its delegates pursuant to this Policy (i.e., the Independent Third Party, Complaints Resolution Officer, Case Manager, discipline panel), shall comply with SHSAA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

INVESTIGATIONS POLICY – DISCRIMINATION, HARASSMENT, MALTREATMENT AND PROHIBITED BEHAVIOUR

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|-------------------------------|---|
| Effective date | JUNE 18, 2024 |
| Archived date | - |
| Date last reviewed | JUNE 18, 2024 |
| Scheduled review date | JUNE, 2025 |
| Replaces and/or amends | N/A |
| Approved by and date | SHSAA Board of Directors, JUNE 18, 2024 |
| Appendix(-ces) to this Policy | - |

Purpose

1. The purpose of this Policy is to address how investigations will be conducted when necessary and as determined by the Independent Third Party pursuant to the *Discipline and Complaints Policy*.
2. Investigations shall only be conducted when the Independent Third Party considers that there is a need for an independent assessment to determine whether an allegation (or, where there are several allegations, which allegations), should be heard by a discipline panel pursuant to the *Discipline and Complaints Policy* because they constitute, if found to be true, a likely breach of the *Code of Conduct and Ethics*, the UCCMS, *Social Media Policy*, the *Student-Athlete Protection Policy*, or any other relevant and applicable SHSAA policy, or whether the allegation(s) are frivolous, vexatious or made in bad faith.¹⁹

Investigation

3. The Independent Third Party shall appoint the investigator in consultation with SHSAA. Investigators who satisfy the relevant requirements to perform such duties can be found on the Sask Sport website [here](#).
4. The investigator must be an independent third-party with training or investigation experience. The investigator must not be in a conflict of interest situation and should have no connection to either Party.
5. Federal and/or Provincial legislation related to Workplace Harassment or Workplace Violence may apply to the investigation if Harassment/Violence was directed toward a worker in a Workplace. The investigator should review workplace safety legislation, the organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the Reported complaint.
6. The investigation may take any form as decided by the investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
 - a) Interviews with the Complainant(s);
 - b) Witness interviews; and
 - c) Interviews with the Respondent(s).

¹⁹ As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead. Generally, a frivolous complaint will have no serious purpose or value

Investigator's Report

7. Upon completion of their investigation, the investigator shall prepare a report that includes a summary of evidence from the Parties and any witnesses interviewed. The report shall include an executive summary, which SHSAA may share separately from the full report with the Parties.
8. The investigator's report shall contain a non-binding opinion regarding whether an allegation (or, where there are several allegations, which allegations) should be heard by a discipline panel pursuant to the *Discipline and Complaints Policy* because they constitute a likely breach of the *Code of Conduct and Ethics*, the UCCMS, *Social Media Policy*, the *Student-Athlete Protection Policy*, or any other relevant and applicable SHSAA policy, or whether the allegation(s) are frivolous, vexatious or made in bad faith.²⁰ The investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review or investigation).
9. Where necessary to protect the identity of any person that participated in the investigation, the investigator may redact names and anonymize any witness testimony that may result in the identification of the individual.
10. The investigator's report will be provided to the Independent Third Party who will disclose it to SHSAA, which may disclose, at its discretion, either the full report or only the executive summary to the Parties and/or the relevant Member(s). If necessary, and at the discretion of the Independent Third Party, other relevant Parties may be provided with an executive summary of the investigator's findings.
11. The investigator's report shall be used for the purposes described in this Policy and in Section 25 of the *Discipline and Complaints Policy*.
12. The investigation report and any executive summary shall remain confidential once disclosed to SHSAA, the Complainant and Respondent or any other relevant party. Any failure to respect this provision may be subject to a complaint and disciplinary measures being taken pursuant to the *Discipline and Complaints Policy*.
13. Should the investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the investigator shall advise the Complainant or SHSAA to refer the matter to police.
14. The investigator must also inform SHSAA of any findings of criminal activity. SHSAA may decide whether to report such findings to police but are required to inform the police if there are findings related to the trafficking of Prohibited Substances or Methods (as indicated in the version of the World Anti-Doping Agency's Prohibited List currently in force), any sexual crime involving Minors, or any suspected abuse of a Minor, fraud against SHSAA, or other offences where the lack of reporting would bring SHSAA into disrepute.

²⁰ As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the investigator must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.

Reprisal and Retaliation

15. An Individual who Reports a complaint to the Independent Third Party or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Prohibited Behaviour and will be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy*.

False Allegations

16. An Individual who submits allegations that the investigator determines to be malicious, false or for the purpose of retribution, retaliation or vengeance (or that otherwise fall within the definition of Prohibited Behaviour) may be subject to a complaint under the terms of the *Discipline and Complaints Policy*. The investigator may recommend to SHSAA that the Individual be required to pay for the costs of any investigation that comes to this conclusion. Any Individual who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full and shall be prohibited from participating in any SHSAA Events, activities or business and such information will be provided to Sask Sport's Dispute Resolution Office for inclusion on the long-term suspension registry (where applicable). SHSAA, or the Individual against whom the allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this Section 16.

Confidentiality

17. The investigator will protect confidentiality to the extent possible and shall only share information on a need-to-know basis. However, the investigator may need to share information in order to ensure that natural justice has been served.

Privacy

18. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SHSAA's usual policies and practices regarding private and/or confidential information.
19. SHSAA or any of its delegates pursuant to this Policy (i.e., the Independent Third Party, the investigator), shall comply with SHSAA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

ALTERNATE DISPUTE RESOLUTION POLICY

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|-------------------------------|---|
| Effective date | JUNE 18, 2024 |
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| Replaces and/or amends | N/A |
| Approved by and date | SHSAA Board of Directors, JUNE 18, 2024 |
| Appendix(-ces) to this Policy | - |

Purpose

1. SHSAA supports Individuals in seeking to resolve their own conflicts and recognize that, in many cases, disputes can be resolved directly and quickly in an informal way. In situations where direct action by Individuals may be inappropriate or unsuccessful, SHSAA supports the principles of Alternate Dispute Resolution (ADR) to resolve disputes, which can be achieved through negotiation, facilitation, and mediation. ADR avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
2. SHSAA encourages all Individuals to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. SHSAA believes that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

Application of this Policy

3. This Policy applies to all Individuals.
4. Opportunities for ADR may be pursued at any point in a dispute when all Parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

5. If all Parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all Parties, shall be appointed to mediate or facilitate the dispute. The costs of the mediation or facilitation shall be borne by SHSAA, unless agreed to otherwise with the Parties. The mediator or facilitator shall be a member of ADR Saskatchewan and shall otherwise comply with any applicable legislative or regulatory requirement to conduct mediation in the province of Saskatchewan.
6. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the Parties must reach a negotiated decision.
7. Should a negotiated settlement be reached, the settlement shall be reported to Safe Sport Liaison and the Independent Third Party. The Independent Third Party shall notify Sask Sport of any settlements that are

reached (but shall not provide the settlement agreement to Sask Sport unless requested by Sask Sport). Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated settlement. Where SHSAA may be required to implement any part of a negotiated settlement, it shall become a Party to the mediation or it shall be given the opportunity to approve the negotiated settlement, but only with respect to aspects of the settlement that it may be required to implement.

8. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the Parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

9. Any negotiated settlement will be binding on the Parties and shall, unless the Parties decide otherwise, remain confidential and will be protected by SHSAA's usual policies and practices regarding private and/or confidential information. Negotiated settlements may not be appealed.
10. No action or legal proceeding will be commenced against SHSAA in respect of a dispute, unless SHSAA has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents.

Privacy

11. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SHSAA's usual policies and practices regarding private and/or confidential information.
12. SHSAA or any of its delegates pursuant to this Policy shall comply with SHSAA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

APPEAL POLICY FLOWCHART

All appeals are to be submitted to Sask Sport's identified Independent Third-Party for appeal submissions and will be screened by the Independent Appeal Manager to determine next steps.

Appellant files appeal to Independent Third Party within 14 days of receipt of the decision

Following notification by Independent Third Party that an appeal has been received, [PSO] will appoint an independent Appeal Manager (from Sask Sport website) who has the following responsibilities:

Screening of Appeal

- To determine if the appeal falls under the scope of the Appeal Policy (Sections 2-5)
- To determine if the appeal was submitted in a timely manner (Sections 6 and 7)
- To decide whether there are sufficient grounds for the appeal (Section 8)

Appeal to Proceed

1. Appeal Manager to propose the Parties attempt to resolve the dispute using the *Alternate Dispute Resolution Policy*
2. If alternative dispute resolution (mediation) is not agreed upon by both parties or not successful, the Appeal Manager will appoint an appeal panel in accordance with Sections 14 and 15

Appeal is Dismissed

1. The Appeal is dismissed if the Appeal Manager determines:
 - a. Not within scope of the Appeal Policy
 - b. Not submitted in a timely manner (14 days) of required deadline without extension or approval
 - c. Insufficient grounds for appeal

Appeal Hearing (ADR Unsuccessful or Denied)

1. The Appeal Manager will:
 - a. Appoint the appeal panel
 - b. With cooperation of the panel, determine the format of the appeal hearing
 - c. Provide notice of the hearing
 - d. Ensure all evidence and submissions are disclosed to all parties and the panel
 - e. Set all timelines
2. The panel:
 - a. May request other individuals participate in the hearing
 - b. Will determine the admissibility of evidence
 - c. Will render a written decision within 14 days and provide it to the Appeal Manager who will distribute the decision as necessary
3. The panel's decision may:
 - a. Reject the appeal
 - b. Uphold the appeal and refer matter back to the initial decision maker for a new decision
 - c. Uphold the appeal and vary the decision
4. The panel's decision is final and is not appealable.

Alternative Dispute Resolution Policy

1. ADR may be pursued at any point in an appeal upon the consent of the parties
2. The Independent Third Party will:
 - a. Facilitate the appointment of a facilitator or mediator with the consent of the parties
 - b. Appoint a mediator or facilitator
3. The mediator/facilitator will decide the format for mediation/facilitation
4. If a negotiated settlement is reached, the settlement will be reported to the Association (Safe Sport Liaison) and the Appeal Manager
5. If a negotiated settlement is not reached, the complaint will be referred back to the Appeal Manager or appeal panel
6. Any negotiated settlement will be binding on the parties and not subject to appeal

Appeal is Resolved

Outcomes and those implications are communicated to the parties, applicable organizations, and individuals (Section 25). Appeal ruling posted on Sask Sport website.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

APPEAL POLICY

| | |
|-------------------------------|---|
| Effective date | JUNE 18, 2024 |
| Archived date | - |
| Date last reviewed | JUNE 18, 2024 |
| Scheduled review date | JUNE 18, 2024 |
| Replaces and/or amends | N/A |
| Approved by and date | SHSAA Board of Directors, JUNE 18, 2024 |
| Appendix(-ces) to this Policy | - |

Purpose

1. This Policy provides Individuals with a fair, affordable, and expedient appeal process.

Scope and Application of this Policy

2. This Policy applies to all Individuals. However, it does not apply to appeals of decisions that were managed by the OSIC, which shall be handled in accordance with the policies and procedures of the OSIC or the Director of Sanctions and Outcomes, as applicable.
3. Subject to Section 2, any Individual who is affected by a decision taken by SHSAA specifically with regard to that Individual, including a decision by the Board, by any committee of the Board, or by any body or individual within SHSAA who has been delegated authority to make decisions in accordance with SHSAA's bylaws and governance policies (as applicable), shall have the right to appeal that decision provided that it is a decision that is subject to appeal pursuant to Section 4 of this Policy, that the conditions indicated in Sections 6 or 7 of this Policy (as applicable) have been satisfied, and provided that there are sufficient grounds for the appeal pursuant to Section 8 of this Policy.
4. This Policy **will apply** to decisions relating to:
 - a) conflict of interest
 - b) disciplinary decisions made pursuant to SHSAA in relation to complaints managed under Sections 39 and following of SHSAA's *Discipline and Complaints Policy*
 - c) membership
5. This Policy **will not apply** to the following decisions relating to:
 - a) Reported complaints that were managed by the OSIC;
 - b) Any decisions rendered by a Complaint Resolution Officer pursuant to Section 36 of SHSAA's *Discipline and Complaints Policy*
 - c) Matters of general application such as amendments to the SHSAA's bylaws;
 - d) SHSAA's operational structure and committee appointments;
 - e) Issues of budgets and budget implementation;
 - f) Employment matters or matters of operational structure or staffing or volunteer leadership opportunities;
 - g) Except as otherwise provided for in this Policy, decisions made by organizations other than SHSAA, such as Sask Sport or any other governing body;
 - h) Selection criteria, quotas, policies and procedures established by entities other than SHSAA;

- i) Substance, content and establishment of team selection criteria;
- j) The Athlete Assistance Program (AAP, Future Best) policies and procedures established by Sask Sport;
- k) Policy and procedures established by any other agency, association or organization external to SHSAA (except as otherwise permitted under Section 3);
- l) Infractions for doping offences, which are dealt with pursuant to the Canadian Anti-Doping Program, by the Canadian Centre for Ethics in Sport;
- m) Contractual matters between SHSAA and its staff or Members for which another dispute resolution process exists under the provisions of the applicable contract; or
- n) Settlements negotiated pursuant to the *Alternate Dispute Resolution Policy*.

Submission and Timing of Appeal

6. Individuals who wish to appeal a decision have fourteen (14) days from the date on which they received notice of the decision to submit to the Independent Third Party the following:
 - a) Notice of the intention to appeal
 - b) Their contact information
 - c) Name of the Respondent and any Affected Parties, when known to the Appellant
 - d) Date the Appellant was advised of the decision being appealed
 - e) A copy of the decision being appealed, or description of the decision if a written document is not available
 - f) Grounds and detailed reasons for the appeal
 - g) All evidence that supports these grounds
 - h) Requested remedy or remedies
 - i) An administration fee of no more than two hundred dollars (\$200), which will be refunded if the appeal is upheld
7. An Individual who wishes to initiate an appeal beyond the fourteen (14) day period may only do so if exceptional circumstances prevented them from filing their appeal within the deadline indicated in Section 6 above. Any such Individual must provide a written request stating the reasons for which they are seeking an exemption. The decision to allow, or not allow, an appeal outside of the fourteen (14) day period will be at the sole discretion of the Appeal Manager.

Grounds for Appeal

8. A decision cannot be appealed on its merits alone or because an Individual (or Individuals) do not like or agree with a decision. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
 - a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make;
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents);
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views); or
 - d) Made a decision that was grossly unreasonable.

9. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in Section 8 of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

Screening of Appeal

10. Following notification by the Independent Third Party that an appeal has been received, SHSAA will appoint an independent Appeal Manager who has the following responsibilities:
 - a) To determine if the appeal falls under the scope of this Policy (Sections 2-5)
 - b) To determine if the appeal was submitted in a timely manner (Sections 6 and 7)
 - c) To decide whether there are sufficient grounds for the appeal (Section 8)

The Appeal Manager may not be an employee, volunteer, or member of SHSAA, must not be in a conflict of interest or have any direct relationship with the Parties, and must have appropriate experience and training to act as the Appeal Manager.

11. If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision.
12. If the Appeal Manager accepts an appeal because it falls under the scope of this Policy, there are sufficient grounds and it was submitted in a timely manner, the Appeal Manager will notify the Parties of their decision in writing and will follow the steps described hereunder.
13. The Appeal Manager shall propose and, if appropriate in the circumstances, encourage that the Parties attempt to resolve the dispute using the *Alternate Dispute Resolution Policy*. If the Parties do not all agree to use the *Alternate Dispute Resolution Policy*, or if the Parties are unable to resolve the dispute using the *Alternate Dispute Resolution Policy*, the Appeal Manager will appoint an appeal panel in accordance with Section 14 below.

Appointment of Appeal Panel

14. If an appeal is accepted, the Appeal Manager will appoint an appeal panel which shall consist of a single member to hear the appeal. However, at the discretion of the Appeal Manager, an appeal panel composed of three members may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the panel's members to serve as the chair.
15. When appointing the appeal panel, the Appeal Manager must select individuals who are impartial, free from any real or perceived conflict of interest (and who shall remain so until a final decision has been rendered or the proceedings have otherwise finally terminated), and who do not have any direct relationship with any of the Parties. Although not a strict requirement, the Appeal Manager should attempt to appoint individuals to the appeal panel who have a legal background and who understand high school sport. When justified by the circumstances, the Appeal Manager may appoint individuals to the appeal panel who have specific areas of expertise that would assist in resolving the matter.

Determination of Affected Parties

16. In order to confirm the identification of any Affected Parties, the Appeal Manager will engage SHSAA. The Appeal Manager may determine whether a Party is an Affected Party in their sole discretion.

Procedure for Appeal Hearing

17. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager, in collaboration with the appeal panel, shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.
18. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
19. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, a hearing based on documentary submissions alone, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the appeal panel deem appropriate in the circumstances, provided that:
- a) The hearing will be held in a timely manner within a timeline determined by the Appeal Manager
 - b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications.
 - c) Copies of any written documents which the Parties wish to have the appeal panel consider will be provided to all Parties in advance of the hearing
 - d) The Parties may be accompanied by a representative, advisor, translator, transcription services, or legal counsel at their own expense
 - e) The appeal panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.
 - f) The appeal panel may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The appeal panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties
 - g) Nothing is admissible in evidence at a hearing that:
 - i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
 - ii. is inadmissible by any statute.
 - h) Any Affected Party shall be permitted to make submissions and file evidence before the appeal panel. The appeal panel's decision is binding on any Affected Party
 - i) The decision to uphold or reject the appeal will be by a majority vote of the appeal panel members, except in cases where the panel consists of a single member
20. In fulfilling its duties, the appeal panel may obtain independent advice.

Appeal Decision

21. The appeal panel shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the appeal panel will have no greater authority than that of the original decision-maker. The appeal panel may decide to:
 - a) Reject the appeal and confirm the decision being appealed
 - b) Uphold the appeal, in whole or in part, and refer the matter back to the initial decision-maker for a new decision
 - c) Uphold the appeal, in whole or in part, and vary the decision
 - d) Determine whether costs of the appeal, excluding legal fees and legal disbursements of any Parties, may be assessed against any Party. In assessing costs, the appeal panel will take into account the nature and amount of the costs, the outcome of the appeal, the conduct of the Parties, and the Parties' respective financial resources
22. The appeal panel's written decision, with reasons, will be distributed to all Parties, the Appeal Manager, SHSAA, and Sask Sport. SHSAA may provide the appeal panel's decision to the relevant Member(s). In extraordinary circumstances, the appeal panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter.
23. Subject to Section 24 below, unless the matter involves a Vulnerable Participant, Sask Sport shall publish the outcome of the appeal on their website. Publication shall be limited to, where applicable, the provision(s) of any relevant policies that have been violated, the name of the Respondent(s) involved, the sanction(s) or order imposed, if any. Additionally, where SHSAA acts as the Complainant under Section 16 of the *Discipline and Complaints Policy* and any decision issued pursuant to that Policy is appealed, only SHSAA, and not the original Complainant, shall be identified as an involved Individual. Identifying information regarding Minors or Vulnerable Participants will never be published by SHSAA.
24. If the appeal panel dismisses the appeal, the decision may only be published, as provided for in Section 23, with the Respondent's consent. If the Respondent does not provide such consent, the decision will be kept confidential by the Parties, the Appeal Manager, SHSAA, the relevant Member(s), and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to this Policy.
25. Sask Sport will publish the outcome of the case as provided for in Sections 23 or 24, as and when applicable, by placing the required information on its website and shall leave the information up for the longer of one (1) month or the duration of the sanction.
26. Other individuals or organizations, including but not limited to, other Members, shall be advised of the outcome of any decisions rendered in accordance with this Policy.
27. Any decision rendered pursuant to this Policy shall apply automatically to and must be respected by SHSAA, its Members and any Individuals involved.
28. Records of all decisions will be maintained by SHSAA in accordance with its privacy policies.

29. Any decision by SHSAA's appeal panel in relation to an appeal filed pursuant to this *Appeal Policy* shall be final and binding on the parties. The decision shall not be subject to any further appeal before the Sport Dispute Resolution Centre of Canada (SDRCC), unless the original Parties to the appeal seize the SDRCC on a fee-for-service basis.

Timelines

30. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a just resolution to the appeal, the Appeal Manager and/or appeal panel may direct that these timelines be revised.

Confidentiality

31. The appeals process is confidential and involves only the Parties, the Appeal Manager, the appeal panel, the relevant Member(s), and any independent advisors to the panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.
32. Any failure to respect the aforementioned confidentiality requirement may result in disciplinary action being taken against the Individual(s) in accordance with SHSAA's relevant and applicable policies.

Final and Binding

33. No action or legal proceeding will be commenced against SHSAA or any Individuals in respect of a dispute, unless SHSAA has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

Privacy

34. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SHSAA's usual policies and practices regarding private and/or confidential information.
35. SHSAA or any of its delegates pursuant to this Policy (i.e., Appeal Manager, appeal panel) shall comply with SHSAA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

SOCIAL MEDIA POLICY

| | |
|-------------------------------|---|
| Effective date | JUNE 18, 2024 |
| Archived date | - |
| Date last reviewed | JUNE 18, 2024 |
| Scheduled review date | JUNE, 2025 |
| Replaces and/or amends | |
| Approved by and date | SHSAA Board of Directors, JUNE 18, 2024 |
| Appendix(-ces) to this Policy | - |

Preamble

1. SHSAA is aware that Individual interaction and communication occurs frequently on social media. SHSAA cautions Individuals that any conduct falling short of the standard of behaviour required by this Policy and the *Code of Conduct and Ethics* may be subject to the disciplinary sanctions identified within the *Discipline and Complaints Policy*.

Application of this Policy

2. This Policy applies to all Individuals and to SHSAA.

Conduct and Behaviour

3. For the avoidance of doubt, the following social media conduct may be subject to disciplinary action in accordance with the *Discipline and Complaints Policy*:
 - a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at an Individual, SHSAA, or another Member, or at other individuals connected with SHSAA or its Members
 - b) Posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, or otherwise offensive, and that is directed at an Individual, SHSAA, or another Member, or at other individuals connected with SHSAA or its Members
 - c) Creating or contributing to a Facebook group, webpage, Instagram account, Twitter feed, blog, or online forum devoted solely or in part to promoting negative or disparaging remarks or commentary about SHSAA, or its Members, their stakeholders or their reputation
 - d) Inappropriate personal or sexual relationships over a social medium between Individuals who have a Power Imbalance in their interactions, such as between Student-Athletes and coaches, directors, officers, committee members and staff, officials and Student-Athletes, etc.
 - e) Any instance of cyber-bullying or cyber-harassment by an Individual, where incidents of cyber-bullying and cyber-harassment can include but are not limited to the following conduct on any social medium, via text-message, or via email: regular insults, negative comments, vexatious or unwelcome behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.

4. All conduct and behaviour occurring on social media may be Reported pursuant to the *Discipline and Complaints Policy*.

Individuals' Responsibilities

5. Individuals acknowledge that their social media activity may be viewable and viewed by anyone, including SHSAA, or other Members or Individuals.
6. If SHSAA unofficially engages with an Individual in social media (such as by retweeting a tweet or sharing a photo on Facebook) the Individual may, at any time, ask SHSAA to cease this engagement.
7. When using social media, an Individual must model appropriate behaviour befitting the Individual's role and status in connection with SHSAA.
8. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Individual from being subject to the *Discipline and Complaints Policy*.
9. An Individual who believes that another Individual's social media activity is inappropriate or may violate the policies and procedures of SHSAA should report the matter in the manner outlined by the *Discipline and Complaints Policy*.

Privacy

10. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SHSAA's usual policies and practices regarding private and/or confidential information.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

CONFLICT OF INTEREST POLICY

| | |
|-------------------------------|---|
| Effective date | JUNE 18, 2024 |
| Archived date | - |
| Date last reviewed | JUNE 18, 2024 |
| Scheduled review date | JUNE 18, 2024 |
| Replaces and/or amends | N/A |
| Approved by and date | SHSAA Board of Directors, JUNE 18, 2024 |
| Appendix(-ces) to this Policy | Appendix A- Conflict of Interest Declaration Form |

Background

1. Individuals who act on behalf of an organization have a duty first to that organization and second to any personal stake they have in the operations of the organization. For example, in not-for-profit organizations, directors are required, by law, to act as a trustee (in good faith, or in trust) of the organization. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of the organization is connected to their own “pecuniary” or “non-pecuniary” interests. That would be a conflict of interest situation.

Purpose

2. SHSAA strives to reduce and eliminate nearly all instances of conflict of interest at SHSAA – by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Individuals will conduct themselves in matters relating to conflict of interest, and will clarify how Individuals shall make decisions in situations where conflict of interest may exist.

This Policy applies to all Individuals.

Obligations

3. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between an Individual’s personal interest and the interests of SHSAA, shall always be resolved in favour of SHSAA.

4. Individuals will not:

a) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with SHSAA, unless such business, transaction, or other interest is properly disclosed to SHSAA and approved by SHSAA.

- b) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who might seek preferential treatment.
- c) In the performance of their official duties, give preferential treatment to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest, financial or otherwise.
- d) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with SHSAA, if such information is confidential or not generally available to the public.
- e) Engage in any outside work, activity, or business or professional undertaking that conflicts or appears to conflict with their official duties as a representative of SHSAA, or in which they have an advantage or appear to have an advantage on the basis of their association with SHSAA.
- f) Without the permission of SHSAA, use SHSAA's property, equipment, supplies, or services for activities not associated with the performance of their official duties with SHSAA.
- g) Place themselves in positions where they could, by virtue of their role with SHSAA, influence decisions or contracts from which they could derive any direct or indirect benefit.
- h) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of their role with SHSAA.

5. Disclosure of Conflict of Interest

- a) On an annual basis, all of SHSAA's directors, officers, employees, and committee members will complete a Declaration Form (Appendix B) disclosing any real or perceived conflicts that they might have. Declaration Forms shall be retained by SHSAA for as long as required.
- b) Individuals shall disclose real or perceived conflicts of interest in the Declaration Form and, thereafter, shall provide updates to SHSAA's board immediately upon learning that a conflict of interest may have arisen or exist.
- c) Individuals shall also disclose any and all affiliations with any and all other organizations involved with the same sport or any other sport or organization (should such involvement result in a potential conflict of interest, whether real or perceived). These affiliations include any of the following roles: Student-Athlete, coach, manager, official, employee, volunteer, officer or director.

6. Minimizing Conflicts of Interest in Decision-Making

Decisions or transactions that involve a conflict of interest that has been proactively disclosed by an Individual will be considered and decided with the following additional provisions:

- a) The nature and extent of the Individual's interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded or noted.

- b) The Individual does not participate in discussion on the matter.
- c) The Individual abstains from voting on the decision.
- d) For board-level decisions, the Individual does not count toward quorum.
- e) The decision is confirmed to be in the best interests of SHSAA.
- f) For potential conflicts of interest involving the Executive Director of SHSAA, SHSAA's board will determine whether there is there a conflict and, if one exists, the Executive Director will resolve the conflict by ceasing the activity giving rise to the conflict. For any potential conflict of interest involving employees, the Executive Director will determine whether a conflict of interest exists.
- g) SHSAA will not restrict employees from accepting other employment contracts or volunteer appointments provided these activities do not diminish the employee's ability to perform the work described in the employee's job agreement with SHSAA or give rise to a potential conflict of interest.

7. Conflict of Interest Complaints

- a) Any person who believes that an Individual may be in a conflict of interest situation should report the matter, in writing (or verbally if during a meeting of the board or any committee), to SHSAA's board who will decide appropriate measures to eliminate or address the conflict as quickly as possible.
- b) Failure to comply with an action as determined by the board may result in disciplinary action being taken pursuant to the Discipline and Complaints Policy.
- c) Any person who believes that an Individual has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in writing, to SHSAA to be addressed under SHSAA's Discipline and Complaints Policy.
- d) SHSAA Board of Directors may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending the final outcome of the matter.

8. Enforcement

Failure to adhere to this Policy may result in disciplinary action being taken in accordance with SHSAA's Discipline and Complaints Policy.

SASKATCHEWAN HIGH SCHOOLS ATHLETIC ASSOCIATION (SHSAA)

APPENDIX A: CONFLICT OF INTEREST DECLARATION FORM

1. I have read SHSAA's Conflict of Interest Policy, I agree to be bound by the obligations contained therein, and I commit to avoid any real or perceived conflict of interest. I also commit to disclosing the existence of any real or perceived conflict of interest to the Board, as soon as it is known to me.

2. I declare the following interests which may represent a potential conflicting interest:

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Name

Signature

Date