

**CANADIAN LACROSSE ASSOCIATION SAFE SPORT
POLICY MANUAL**

- Definitions
- Code of Conduct and Ethics
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Policy Title	Date of Last Review
Code of Conduct and Ethics	
Abuse	
Investigations - Discrimination, Harassment and Abuse	
Discipline and Complaints	
Dispute Resolution	
Appeal	
Whistleblower	
Event Discipline	
Social Media Policy	

CLA Safe Sport Policy Suite Definitions

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 the Executive Director or President of the Canadian Lacrosse Association who may be any staff member, committee member, volunteer, director, or an independent third party, to oversee the administration of the *Appeal Policy*. The Appeal Manager shall not have had any involvement in the matter being appealed and shall have the responsibilities as described in the *Appeal Policy*.
4. *"Board"* – the Board of Directors of the Canadian Lacrosse Association.
5. *"Case Manager"* – an independent individual appointed by the Executive Director or Safe Sport Officer, as applicable, to fulfill the responsibilities described in the *Discipline and Complaints Policy*.
6. *"Complainant"* – the Party making a complaint pursuant to the *Discipline and Complaints Policy* and as referred to in the *Investigations Policy*.
7. *"Criminal Record Check (CRC)"* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions.
8. *"Days"* – Days including weekends and holidays
9. *"Discipline Chair"* - an individual appointed by the Executive Director or Safe Sport Officer to handle the duties of the Discipline Chair as described in the *Discipline and Complaints Policy*.
10. *"Discrimination"* – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability.
11. *"Enhanced Police Information Check (E-PIC)"* – a Criminal Record Check plus a search of local police information, available from Sterling Backcheck.
12. *"Event"* – An event sanctioned by the Canadian Lacrosse Association.
13. *"Harassment"* – A vexatious comment (or comments) or conduct against an Individual or group, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
 - i. Written or verbal abuse, threats, or outbursts;
 - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
 - iii. 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;
 - iv. Leering or other suggestive or obscene gestures;
 - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
 - vi. Practical jokes which endanger a person's safety, or which may negatively affect performance;
 - vii. 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;
- viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
 - ix. Deliberately excluding or socially isolating a person from a group or team;
 - x. Persistent sexual flirtations, advances, requests, or invitations;
 - xi. Physical or sexual assault;
 - xii. 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
 - xiii. Retaliation or threats of retaliation against a person who reports harassment to the Canadian Lacrosse Association.
14. *“Individuals”* – refers to all categories of membership defined in the Canadian Lacrosse Association’s bylaws, as well as all individuals employed by, or engaged in activities for which the Canadian Lacrosse Association is acting as the governing or ruling body, including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, directors and officers of the Canadian Lacrosse Association, spectators, and parents/guardians of athletes.
15. *“Maltreatment”* – any volitional act by an Individual that results in harm or the potential for physical or psychological harm to another Individual, and includes any of the following behaviours or conduct:
- i. Psychological Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of an Individual. Psychological Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes:
 - a. Verbal Acts: verbally assaulting or attacking an Individual, including but not limited to unwarranted personal criticisms; body shaming; derogatory comments related to an Individual’s identity (e.g. race, gender identity or expression, ethnicity, Indigenous status, ability/disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about an Individual to diminish their reputation; using confidential sport and non-sport information inappropriately. Verbal Maltreatment may also occur in online forms.
 - b. Non-assaultive Physical Acts (no physical contact): physically aggressive behaviours, including but not limited to throwing objects at or in the presence of others without striking another; hitting, striking or punching objects in the presence of others.
 - c. Acts that Deny Attention or Support: acts that deny attention, lack of support or isolation including but not limited to ignoring psychological needs or socially isolating an Individual repeatedly or for an extended period of time; abandonment of an Athlete as punishment for poor performance; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same.
 - ii. Physical Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of an Individual. Physical Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes, without limitation:

- a. Contact behaviours: including but not limited to deliberately punching, kicking, beating, biting, striking, strangling or slapping another; and deliberately hitting another with objects;
 - b. Non-contact behaviours: including but not limited to isolating an Individual in a confined space; forcing an Individual to assume a painful stance or position for no athletic purpose (e.g., requiring an Athlete to kneel on a hard surface); the use of exercise for the purposes of punishment; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; denying access to a toilet; providing alcohol to an Individual under the legal drinking age; providing illegal drugs or non-prescribed medications to an Individual; encouraging or knowingly permitting an Athlete to return to training or competition prematurely following any injury or after a concussion and without the clearance of a medical professional; encouraging an Athlete to perform a skill for which they are known to not be developmentally ready.
- iii. Sexual Maltreatment, including, but not limited to, any act targeting an Individual's sexuality, gender identity or expression, that is committed, threatened or attempted against that person, and includes but is not limited to the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non- consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature.
 - a. Examples of Sexual Maltreatment include, but are not limited to:
 - i. Any penetration of any part of a person's body, however slight, with any object or body part by a person upon another person, including but not limited to:
 - 1. vaginal penetration by a penis, object, tongue, or finger; and
 - 2. anal penetration by a penis, object, tongue, or finger.
 - ii. Any intentional touching of a sexual nature of any part of a person's body, however slight, with any object or body part by a person upon another person, including but not limited to:
 - 1. kissing;
 - 2. intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts;
 - 3. any contact, no matter how slight, between the mouth of one person and the genitalia of another person, and
 - 4. making another touch themselves, the Individual, or someone else with or on any of the body parts listed in 2).
 - 5. any intentional touching in a sexualized manner of the relationship, context or situation.
- iv. Neglect: any pattern or a single serious incident of lack of reasonable care, inattention to an Individual's needs, nurturing or well-being, or omissions in care. Neglect is determined by the objective behaviour but the behaviour must be evaluated with consideration given to the Individual's needs and requirements, not whether harm is intended or results from the behaviour.
 - a. Neglect, or acts of omission, include without limitation, not providing an Athlete recovery time and/or treatment for a sport injury; not being aware of and not

considering an Individual's physical or intellectual disability; not considering supervision of an Athlete during travel, training or competition; not considering the welfare of the Athlete when prescribing dieting or other weight control methods (e.g., caliper tests); disregarding the use of Prohibited Substances or Methods by an Athlete; failure to ensure safety of equipment or environment; allowing an Athlete to disregard sport rules, regulations, and standards, subjecting Individuals to the risk of Maltreatment.

- v. Grooming: includes, without limitation, deliberate conduct by an Individual to sexualize a relationship with a Minor, and which includes making inappropriate behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally-identified to Canadian standards (e.g., a degrading remark, a sexual joke, sexualized physical contact; adult participants sharing rooms with a Minor who is not an immediate family member; providing a massage or other purported therapeutic interventions with no specific training or expertise; private social media and text communications; sharing personal photographs; shared use of locker rooms; private meetings; private travel, and providing gifts).
- vi. Interference with or Manipulation of Process
 - a. An adult Individual violates the *Code of Conduct and Ethics* by directly or indirectly interfering with a process instituted pursuant to the *Code* or any other Canadian Lacrosse Association policy, including the policies found in the Canadian Lacrosse Association Safe Sport Policy Suite, by:
 - i. falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
 - ii. destroying or concealing information;
 - iii. attempting to discourage an Individual's proper participation in or use of the Canadian Lacrosse Association's processes;
 - iv. harassing or intimidating (verbally or physically) any person involved in the Canadian Lacrosse Association's processes before, during, and/or following any proceedings;
 - v. publicly disclosing an Individual's identifying information, without the Individual's agreement;
 - vi. failing to comply with any temporary or provisional measure or other final sanction;
 - vii. distributing or otherwise publicizing materials an Individual gains access to during any investigation or hearing, except as required by law or as expressly permitted; or
 - viii. influencing or attempting to influence another Individual to interfere with or manipulate the process.
- vii. Retaliation: An Individual shall not take an adverse action against any other Individual for making a good faith report of possible Maltreatment or for participating in any process found in the Canadian Lacrosse Association's policies, including those found in this Canadian Lacrosse Association Safe Sport Policy Suite. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in the Canadian Lacrosse Association's processes. Retaliation after the conclusion of investigation and sanction processes is also prohibited. Retaliation may be present even where there is a finding that no Maltreatment occurred and does not include good-faith actions lawfully pursued in response to a report of possible Maltreatment.

- viii. Aiding and abetting:
 - a. any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by an Individual. Aiding and abetting also includes, without limitation, knowingly:
 - i. allowing any person who has been suspended or is otherwise ineligible to be in any way associated with sport or to coach or instruct Individuals;
 - ii. providing any coaching-related advice or service to an Athlete who has been suspended or is otherwise ineligible; and
 - iii. allowing any Individual to violate the terms of their suspension or any other sanctions imposed.
 - ix. Failure by an adult Individual to report actual or suspected Maltreatment of a Minor. This obligation is ongoing and is not satisfied by making an initial report; instead, this obligation includes reporting to the Canadian Lacrosse Association, on a timely basis, all relevant information that the adult Individual is or becomes aware of, and requires making a direct report to the Canadian Lacrosse Association. Any report shall include the personally identifying information of the potential Minor complainant (to the extent known), and any such information learned at a later date.
 - x. Failure to report inappropriate conduct: Any Individual who suspects or becomes aware of another Individual's inappropriate conduct, even if it is not defined as Maltreatment, has a duty to report such inappropriate conduct to the Canadian Lacrosse Association. Persons in Authority who become aware of another Individual's inappropriate conduct have a responsibility for reporting the concern to the Canadian Lacrosse Association.
 - xi. Intentionally filing a false allegation. An allegation is false if the events or conduct reported did not occur and the Individual making the report knows that the events or conduct did not occur. An individual shall not be considered to have filed a false allegation in cases where the allegation cannot be substantiated by supporting evidence but was nevertheless filed in good faith.

16. *"Minor"* – any Individual who is under the age of majority at the time and in the jurisdiction where the alleged breach of any Canadian Lacrosse Association policy has occurred. Adult Individuals are responsible for knowing the age of a Minor. Adult Individuals are responsible for knowing the age of a Minor in the relevant jurisdiction.

***** Please verify local jurisdictions for potential changes *****

17. *"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.

18. *"Person in Authority"* – Any Individual who holds a position of authority within the Canadian Lacrosse Association, including, but not limited to, coaches, umpires, officials, managers, support personnel, chaperones, Committee members, and Directors and Officers

19. *"Power Imbalance"* - A Power Imbalance may exist where, based on the totality of the circumstances, an Individual has supervisory, evaluative, a duty of care, or other authority over another Individual. A Power Imbalance may also exist between an Athlete and other adults involved in sport in positions such as high-performance directors, sport specific health-care providers, sport science support staff, care or support persons, guides or pilots. Maltreatment occurs when this power is misused. Once a coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the coach-Athlete relationship, regardless of age,

and is presumed to continue for Minor Athletes after the coach-Athlete relationship terminates or until the Athlete reaches 25 years of age. A Power Imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship commenced (e.g., a relationship between two spouses or life partners, or a sexual relationship between consenting adults that preceded the sport relationship).

20. *“Reporting (or Report)”*: The provision of information in writing by any person or an Individual to a relevant independent authority (the Independent Third Party or position charged with receiving a Report and determining next steps) regarding Maltreatment. Reporting may occur through either: (i) the Complainant (of any age) or the one who experienced the Maltreatment, or (ii) a witness – someone who witnessed the Maltreatment or otherwise knows or suspects Maltreatment. In either case, the intention of Reporting is to initiate an independent investigative process, which could result in disciplinary action being taken against the Respondent.
21. *“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.
22. *“Safe Sport Officer”* – the independent third party retained by the Canadian Lacrosse Association to receive complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy* and *Investigation Policy*.
23. *“Sexual Harassment”* – A vexatious comment (or comments) or conduct against an Individual because of sex, sexual orientation, gender identify or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advance to the Individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Types of behaviour that constitute Sexual Harassment include, but are not limited to:
 - i. Sexist jokes;
 - ii. Threats, punishment, or denial of a benefit for refusing a sexual advance;
 - iii. Offering a benefit in exchange for a sexual favour;
 - iv. Demanding hugs;
 - v. Bragging about sexual ability;
 - vi. Leering (persistent sexual staring);
 - vii. Sexual assault;
 - viii. Display of sexually offensive material;
 - ix. Distributing sexually explicit messages or attachments such as pictures or video files;
 - x. Sexually degrading words used to describe an Individual;
 - xi. Unwelcome inquiries into or comments about an Individual’s gender identity or physical appearance;
 - xii. Inquiries or comments about an Individual’s sex life;
 - xiii. Persistent, unwanted attention after a consensual relationship ends;
 - xiv. Persistent unwelcome sexual flirtations, advances, comments or propositions;
and
 - xv. Persistent unwanted contact.
24. *“Social media”* – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, and Twitter.
25. *“Vulnerable Individuals”* – Includes Children / Youth (minors) and Vulnerable Adults (people who, because of age, disability or other circumstance, are in a position of dependence on others

or are otherwise at a greater risk than the general population of being harmed by a Person in Authority;

26. *“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
27. *“Workplace”* - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of the Canadian Lacrosse Association, 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
28. *“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:
 - i. Bullying;
 - ii. Workplace pranks, vandalism, bullying or hazing;
 - iii. Repeated offensive or intimidating phone calls or emails;
 - iv. Inappropriate sexual touching, advances, suggestions or requests;
 - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
 - vi. Psychological abuse;
 - vii. Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
 - viii. Deliberately withholding information that would enable a person to do his or her job, perform or train;
 - ix. Sabotaging someone else’s work or performance;
 - x. Gossiping or spreading malicious rumours;
 - xi. Intimidating words or conduct (offensive jokes or innuendos); and
 - xii. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
29. *“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:
 - i. Verbal or written threats to attack;
 - ii. Sending to or leaving threatening notes or emails;
 - iii. Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
 - iv. Wielding a weapon in a Workplace;
 - v. Hitting, pinching or unwanted touching which is not accidental;
 - vi. Dangerous or threatening horseplay;
 - vii. Physical restraint or confinement;
 - viii. Blatant or intentional disregard for the safety or wellbeing of others;

- ix. Blocking normal movement or physical interference, with or without the use of equipment;
- x. Sexual violence; and
- xi. Any attempt to engage in the type of conduct outlined above.

CODE OF CONDUCT AND ETHICS

Purpose

1. The purpose of this Code is to ensure a safe and positive environment (within the Canadian Lacrosse Association's programs, activities, and Events) by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with the Canadian Lacrosse Association's core values. The Canadian Lacrosse Association supports equal opportunity, prohibits discriminatory practices and Maltreatment, and is committed to providing an environment in which all Individuals are treated with respect and fairness.

Application of this Code

2. This Code applies to Individuals' conduct during Canadian Lacrosse Association's business, activities, and Events for which the Canadian Lacrosse Association is acting as the governing or ruling body including, but not limited to, competitions, practices, tryouts, training camps, travel associated with the Canadian Lacrosse Association's activities, the Canadian Lacrosse Association's office environment, and any meetings.
3. This Code also applies to Individuals active in the sport of lacrosse or who have retired from the sport of lacrosse where any claim regarding a potential breach of this Code occurred when the Individual was active in the sport. Provided, however, that the Individual's conduct must have fallen within the scope of activities specified in Section 2 above at the time that it occurred.
4. In addition, breaches of this Code may occur when the Individuals involved interacted due to their mutual involvement in the sport of lacrosse or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s). Provided, however, that the Individual's conduct must have fallen within the scope of activities specified in Section 2 above at the time that it occurred.
5. An Individual who violates this Code may be subject to sanctions pursuant to the Canadian Lacrosse Association's *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to the Canadian Lacrosse Association's *Discipline and Complaints Policy*, an Individual who violates this Code during a competition may be ejected from the competition or the playing area, the official may delay the competition until the Individual complies with the ejection, and the Individual may be subject to any additional discipline associated with the competition.
6. An employee of the Canadian Lacrosse Association found to have engaged in acts of Workplace Violence, Maltreatment or Workplace Harassment against any other employee, worker, contractor, member, customer, supplier, client or other third party during business hours, or at any event of the Canadian Lacrosse Association, will be subject to appropriate disciplinary action subject to the terms of any of the Canadian Lacrosse Association's relevant and applicable policies as well as the employee's employment agreement (if applicable).
7. This Code also applies to Individuals' conduct outside of the Canadian Lacrosse Association's business, activities, and events when such conduct adversely affects relationships within the Canadian Lacrosse Association (and its work and sport environment) and is detrimental to the image and reputation of the Canadian Lacrosse Association. Such applicability will be determined by the Canadian Lacrosse Association at its sole discretion.

Responsibilities

8. Individuals have a responsibility to:

- a) Maintain and enhance the dignity and self-esteem of the Canadian Lacrosse Association's members and 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 athletes, coaches, officials, organizers, volunteers, employees, or members;
 - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
 - iv. Avoiding to place themselves in a position of a real or perceived conflict of interest;
 - v. Not engaging in any fraudulent conduct, including the misuse of resources or any form of misrepresentation;
 - vi. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
 - vii. Consistently treating individuals fairly and reasonably;
 - viii. Ensure 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
- c) Abstain from the non-medical use of drugs or the use of prohibited substances or methods. More specifically, the Canadian Lacrosse Association adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to the Canadian Lacrosse Association's *Discipline and Complaints Policy*. The Canadian Lacrosse Association will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by the Canadian Lacrosse Association or any other sport organization
- d) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision of the sport, who has committed an anti-doping rule violation and is serving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES)
- e) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- f) Refrain from consuming tobacco products, or recreational drugs while participating in the Canadian Lacrosse Association's programs, activities, competitions, or events
- g) In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or Event;
- h) In the case of adults, not consume cannabis in the Workplace or in any situation associated with the Canadian Lacrosse Association's Events (subject to any requirements for accommodation), not consume alcohol during competitions and in situations where Minors are present, and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with the Canadian Lacrosse Association's events
- i) Respect the property of others and not wilfully cause damage
- j) Promote the sport in the most constructive and positive manner possible
- k) When driving a vehicle with an Individual:
 - i. Not have his or her license suspended;
 - ii. Not be under the influence of alcohol or illegal drugs or substances; and
 - iii. Have valid car insurance
- l) Adhere to all federal, provincial, municipal and host country laws
- m) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
- n) Comply, at all times, with the Canadian Lacrosse Association's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time

- o) It is a violation of this Code for any Person in Authority to place an Individual in a situation that makes them vulnerable to Maltreatment. This includes, but is not limited to, instructing an athlete and a coach to share a hotel room when traveling, hiring a coach who has a past history of athlete Maltreatment, assigning guides and other support staff to a para-athlete when the guide or support staff has a reputation for athlete Maltreatment or assigning such a guide or support staff to a para-athlete in the absence of consultation with the para-athlete.

Directors, Committee Members, and Staff

- 9. In addition to section 8 (above), the Canadian Lacrosse Association's directors, committee members, and staff will have additional responsibilities to:
 - a) Function primarily as a director or committee member or staff member of the Canadian Lacrosse Association; not as a member of any other member or constituency
 - b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the Canadian Lacrosse Association's business and the maintenance of Individuals' confidence
 - c) Ensure that the Canadian Lacrosse Association's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
 - d) Conduct themselves transparently, professionally, lawfully and in good faith in the best interests of the Canadian Lacrosse Association
 - e) Be independent, impartial, and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
 - f) Behave with decorum appropriate to both circumstance and position
 - g) Keep informed about the Canadian Lacrosse Association's activities, the sport community, and general trends in the sectors in which it operates
 - h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which Canadian Lacrosse Association is incorporated
 - 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 a thorough knowledge and understanding of all of the Canadian Lacrosse Association's governing documents
 - m) Conform to the bylaws and policies approved by the Canadian Lacrosse Association

Coaches

- 10. In addition to section 8 (above), coaches have many additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, consciously or unconsciously. Coaches will:
 - a) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
 - b) Prepare 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 athletes
 - c) Avoid compromising the present and future health of athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of athletes' medical and psychological treatments

- d) Support the coaching staff of a training camp, provincial team, or national team, should an athlete qualify for participation with one of these programs
- e) Accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate
- f) Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
- g) Act in the best interest of the athlete's development as a whole person
- h) Comply with the Canadian Lacrosse Association's *Screening Policy*, if applicable
- i) Report to the Canadian Lacrosse Association any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal substance
- j) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or prohibited substances or methods and, in the case of minors, alcohol, cannabis, and/or tobacco
- k) Respect athletes playing with other teams and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the athletes
- l) Not engage in a sexual relationship with an athlete under the age of majority;
- m) Disclose any sexual or intimate relationship with an athlete over the age of majority to the Canadian Lacrosse Association and immediately discontinue any coaching involvement with that athlete;
- n) 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
- o) Dress professionally, neatly, and inoffensively
- p) Use inoffensive language, taking into account the audience being addressed

Athletes

11. In addition to section 8 (above), athletes will have additional responsibilities to:
- a) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete;
 - b) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and Events
 - c) 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
 - d) Adhere to the Canadian Lacrosse Association's rules and requirements regarding clothing and equipment
 - e) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other athletes, officials, coaches, or spectators
 - f) Dress to represent the sport and themselves well and with professionalism
 - g) Act in accordance with the Canadian Lacrosse Association's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

12. In addition to section 8 (above), officials will have additional responsibilities to:
- a) Maintain and update their knowledge of the rules and rules changes
 - b) Not publicly criticize other officials or any club or association;

- c) Work within the boundaries of their position's description while supporting the work of other officials
- d) Act as an ambassador of the Canadian Lacrosse Association by agreeing to enforce and abide by national and provincial rules and regulations
- e) Take ownership of actions and decisions made while officiating
- f) Respect the rights, dignity, and worth of all Individuals
- g) Not publicly criticize other officials or any club or association
- 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 ejections, defaults, forfeits, 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 inform the assignor or association at the earliest possible time
- l) When writing reports, set out the actual facts
- m) Dress in proper attire for officiating

Parents/Guardians and Spectators

13. In addition to section 8 (above), parents/guardians and spectators at events will:

- a) Encourage 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 for making a mistake during a performance or practice
- d) Provide positive comments that motivate and encourage participants' continued effort
- e) Respect the decisions and judgments of officials, and encourage athletes to do the same
- f) Never question an official's or staff member's judgment or honesty
- g) Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm
- h) Respect and show appreciation to all competitors, and to the coaches, officials and other volunteers
- i) Not harass competitors, coaches, officials, parents/guardians, or other spectators

14. Retaliation, Retribution or Reprisal

It is a breach of this Code of Conduct and Ethics 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 complaint pursuant to any Canadian Lacrosse Association policy.

ABUSE POLICY

Purpose

1. The Canadian Lacrosse Association is committed to a sport environment free from abuse. The purpose of this Policy is to stress the importance of that commitment by educating Individuals about abuse, outlining how the Canadian Lacrosse Association will work to prevent abuse, and how abuse or suspected abuse can be reported to and addressed by the Canadian Lacrosse Association.

Zero Tolerance Statement

2. The Canadian Lacrosse Association has zero tolerance for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to the Canadian Lacrosse Association to be immediately addressed under the terms of the applicable policy.

Education – What is Abuse

3. Vulnerable Individuals can be abused in different forms.
4. The following description of Child / Youth Abuse has been modified and adapted from Ecclesiastical's *Guidelines for Developing a Safety & Protection Policy for Children / Youth / Vulnerable Adults*:

Child / Youth Abuse

5. "Child abuse" refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they depend on or trust. There are many different forms of abuse and a child may be subjected to more than one form:
 - a) **Physical abuse** involves single or repeated instances of deliberately using force against a child in such a way that the child is either injured or is at risk of being injured. Physical abuse includes beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon. It also includes holding a child under water, or any other dangerous or harmful use of force or restraint.
 - b) **Sexual abuse** and exploitation involve using a child for sexual purposes. Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.
 - c) **Neglect** is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well-being. For example, neglect includes failing to provide a dependent child with food, clothing, shelter, cleanliness, medical care, or protection from harm.
 - d) **Emotional abuse** involves harming a child's sense of self-worth. It includes acts (or omissions) that result in, or place a child at risk of, serious behavioural, cognitive, emotional, or mental health problems. For example, emotional abuse may include aggressive verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes exposing the child to violence.
6. An abuser may use a number of different tactics to gain access to children, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. The abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.

7. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.

a) **Emotional Maltreatment** – A coach’s failure to provide a developmentally-appropriate and supportive environment. Emotional abuse is at the foundation of all other forms of maltreatment (sexual, physical and neglect). In sports, this conduct has the potential to cause emotional or psychological harm to an athlete when it is persistent, pervasive or patterned acts (i.e., yelling at an athlete once does not constitute maltreatment). Examples of emotional maltreatment include:

- i. Refusal to recognize an athlete’s worth or the legitimacy of an athlete’s needs (including complaints of injury/pain, thirst or feeling unwell)
- ii. Creating a culture of fear, or threatening, bullying or frightening an athlete
- iii. Frequent name-calling or sarcasm that continually “beats down” an athlete’s self-esteem
- iv. Embarrassing or humiliating an athlete in front of peers
- v. Excluding or isolating an athlete from the group
- vi. Withholding attention
- vii. Encouraging an athlete to engage in destructive and antisocial behaviour, reinforcing deviance, or impairing an athlete’s ability to behave in socially appropriate ways
- viii. Over-pressuring; whereby the coach imposes extreme pressure upon the athlete to behave and achieve in ways that are far beyond the athlete’s capabilities
- ix. Verbally attacking an athlete personally (e.g., belittling them or calling them worthless, lazy, useless, fat or disgusting).
- x. Routinely or arbitrarily excluding athletes from practice
- xi. Using conditioning as punishment
- xii. Throwing sports equipment, water bottles or chairs at, or in the presence of, athletes
- xiii. Body shaming – making disrespectful, hurtful or embarrassing comments about an athlete’s physique

b) **Neglect** - acts of omission (i.e., the coach should act to protect the health/well-being of an athlete but does not). Examples of neglect include:

- i. Isolating an athlete in a confined space or stranded on equipment, with no supervision, for an extended period
- ii. Withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep
- iii. Ignoring an injury
- iv. Knowing about sexual abuse of an athlete but failing to report it

c) **Physical Maltreatment** - involves contact or non-contact behaviour that can cause physical harm to an athlete. It also includes any act or conduct described as physical abuse or misconduct (e.g., child abuse, child neglect and assault). Almost all sport involves strenuous physical activity. Athletes regularly push themselves to the point of exhaustion. However, any activity that physically harms an athlete—such as extreme disciplinary actions or punishment—is unacceptable. Physical maltreatment can extend to seemingly unrelated areas including inadequate recovery times for injuries and restricted diet. Examples of physical maltreatment include:

- i. Punching, beating, biting, striking, choking or slapping an athlete

- ii. Intentionally hitting an athlete with objects or sporting equipment
 - iii. Providing alcohol to an athlete under the legal drinking age
 - iv. Providing illegal drugs or non-prescribed medications to any athlete
 - v. Encouraging or permitting an athlete to return to play prematurely or without the clearance of a medical professional, following a serious injury (e.g., a concussion)
 - vi. Prescribed dieting or other weight-control methods without regard for the nutritional well-being and health of an athlete
 - vii. Forcing an athlete to assume a painful stance or position for no athletic purpose, or excessive repetition of a skill to the point of injury
 - viii. Using excessive exercise as punishment (e.g., stretching to the point of causing the athlete to cry, endurance conditioning until the athlete vomits)
8. Importantly, emotional and physical maltreatment does not include professionally-accepted coaching methods (per the NCCP) of skill enhancement, physical conditioning, team building, discipline, or improving athletic performance.
9. Potential warning signs of abuse of children or youth can include:
- a) Recurrent unexplained injuries
 - b) Alert behaviour; child seems to always be expecting something bad to happen
 - c) Often wears clothing that covers up their skin, even in warm weather
 - d) Child startles easily, shies away from touch or shows other skittish behaviour
 - e) Constantly seems fearful or anxious about doing something wrong
 - f) Withdrawn from peers and adults
 - g) Behavior fluctuates between extremes (e.g., extremely cooperative or extremely demanding)
 - h) Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
 - i) Acting out in an inappropriate sexual way with toys or objects
 - j) New adult words for body parts and no obvious source
 - k) Self-harm (e.g., cutting, burning or other harmful activities)
 - l) Not wanting to be alone with a particular child or young person

Vulnerable Adult Abuse

10. Although individuals may be abused at virtually any life stage – childhood, adolescence, young adulthood, middle age, or old age – the nature and consequences of abuse may differ depending on an individual’s situation, disability, or circumstance.
11. Abuse of vulnerable adults is often described as a misuse of power and a violation of trust. Abusers may use a number of different tactics to exert power and control over their victims. Abuse may happen once, or it may occur in a repeated and escalating pattern over months or years. The abuse may take many different forms, which may change over time:
- a) **Psychological abuse** includes attempts to dehumanize or intimidate vulnerable adults. Any verbal or non-verbal act that reduces their sense of self-worth or dignity and threatens their psychological and emotional integrity is abuse. This type of abuse may include, for example
 - i. Threatening to use violence
 - ii. Threatening to abandon them
 - iii. Intentionally frightening them

- iv. Making them fear that they will not receive the food or care they need
 - v. Lying to them
 - vi. Failing to check allegations of abuse against them
- b) **Financial abuse** encompasses financial manipulation or exploitation, including theft, fraud, forgery, or extortion. It includes using a vulnerable adult's money or property in a dishonest manner or failing to use a vulnerable adult's assets for their welfare. Abuse occurs any time someone acts without consent in a way that financially or personally benefits one person at the expense of another. This type of abuse against a vulnerable adult may include, for example:
- i. Stealing their money, disability cheques, or other possessions
 - ii. Wrongfully using a Power of Attorney
 - iii. Failing to pay back borrowed money when asked
- c) **Physical abuse** includes any act of violence – whether or not it results in physical injury. Intentionally inflicting pain or injury that results in either bodily harm or mental distress is abuse. Physical abuse may include, for example:
- i. Beating
 - ii. Burning or scalding
 - iii. Pushing or shoving
 - iv. Hitting or slapping
 - v. Rough handling
 - vi. Tripping
 - vii. Spitting
- d) All forms of sexual abuse are also applicable to vulnerable adults

12. Potential warning signs of abuse of vulnerable adults can include:

- a) Depression, fear, anxiety, passivity
- b) Unexplained physical injuries
- c) Dehydration, malnutrition, or lack of food
- d) Poor hygiene, rashes, pressure sores
- e) Over-sedation

Preventing Abuse

13. The Canadian Lacrosse Association will enact measures aimed at preventing abuse. These measures include screening, orientation, training, practice, and monitoring.

Screening

14. Individuals who coach, volunteer, officiate, deliver developmental programs, are affiliated with provincial teams, accompany a team to an event or competition, are paid staff, or otherwise engage with Vulnerable Individuals involved with the Canadian Lacrosse Association will be screened according to the organization's *Screening Policy*.

15. The Canadian Lacrosse Association will use the *Screening Policy* to determine the level of trust, authority, and access that each Individual has with Vulnerable Individuals. Each level of risk will be accompanied by increased screening procedures which may include the following, singularly or in combination:

- a) Completing an Application Form for the position sought (which includes alerting Individuals that they must agree to adhere with the organization's policies and procedures (including this *Abuse Policy*))
 - b) Completing a Screening Declaration Form
 - c) Providing letters of reference
 - d) Providing a Criminal Record Check ("CRC") and/or Vulnerable Sector Check ("VSC")
 - e) Providing a driver's abstract (for Individuals who transport Vulnerable Individuals)
 - f) Other screening procedures, as required
16. An Individual's failure to participate in the screening process or pass the screening requirements as determined by a Screening Committee, will result in the Individual's ineligibility for the position sought.

Orientation and Training

17. The Canadian Lacrosse Association will deliver orientation and training to those Individuals who have access to, or interact with, Vulnerable Individuals. The orientation and training, and their frequency, will be based on the level of risk, as described in the *Screening Policy*.
18. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or period of engagement.
19. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
20. At the conclusion of the orientation and training, Individuals will be required to acknowledge, in written form, that they have received and completed the training.

Practice

21. When Individuals interact with Vulnerable Individuals, they are required to enact certain practical approaches to these interactions. These include, but are not limited to:
- a) Limiting physical interactions to non-threatening or non-sexual touching (e.g., high-fives, pats on the back or shoulder, handshakes, specific skill instruction, etc.)
 - b) Ensuring that Vulnerable Individuals are always supervised by more than one adult
 - c) Ensuring that more than one person is responsible for team selection (thereby limiting the consolidation of power onto one Individual)
 - d) Including parents/guardians in all communication (e.g., electronic, telephonic) with Vulnerable Individuals
 - e) Ensuring that parents/guardians are aware that some non-personal communication between Individuals and Vulnerable Individuals (e.g., coaches and athletes) may take place electronically (e.g., by texting) and that this type of communication is now considered to be commonplace, especially with older Vulnerable Individuals (e.g., teenagers). Individuals are aware that such communication is subject to the Canadian Lacrosse Association's *Code of Conduct and Ethics* and *Social Media Policy*.
 - f) When traveling with Vulnerable Individuals, the Individual will not transport Vulnerable Individuals without another adult present and will not stay in the same overnight accommodation location without additional adult supervision.

Monitoring

22. The Canadian Lacrosse Association will regularly monitor those Individuals who have access to, or interact with, Vulnerable Individuals. The monitoring will be based on the level of risk, as described in the *Screening Policy*.
23. Monitoring may include, but is not limited to: regular status reports, logs, supervisor meetings, supervisor on-site check-ins, feedback provided directly to the organization (from peers and parents/athletes), and regular evaluations.

Reporting Abuse

24. Reports of abuse that are shared confidentially with an Individual by a Vulnerable Individual may require the Individual to report the incident to parents/guardians, the Canadian Lacrosse Association or the police. Individuals must respond to such reports in a non-judgemental, supportive and comforting manner but must also explain that the report may need to be escalated to the proper authority or to the Vulnerable Individual's parent/guardian.
25. Complaints or reports that describe an element of **abuse** will be addressed by the process(es) described in the Canadian Lacrosse Association's *Discipline and Complaints Policy* and the *Investigations Policy - Discrimination, Harassment and Abuse*.

INVESTIGATIONS POLICY – DISCRIMINATION, HARASSMENT, ABUSE AND MALTREATMENT

Purpose

1. The Canadian Lacrosse Association is committed to eliminating all instances of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, and Abuse within its operations and activities. This Policy describes how Individuals can report instances of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse and Maltreatment and how the Canadian Lacrosse Association will investigate those reports.

Determination and Disclosure

2. When a complaint is submitted in accordance with the Canadian Lacrosse Association's *Discipline and Complaints Policy*, the Executive Director or Safe Sport Officer, as applicable, will determine if such complaint is related to an instance of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse or Maltreatment.
3. The Canadian Lacrosse Association will adhere to all disclosure and reporting responsibilities required by the Minister of Sport and Persons with Disabilities and, if applicable, any government entity, local police force, or child protection agency.

Investigation

4. Complaints that are determined to contain an element of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Abuse or Maltreatment will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. However, the Executive Director or Safe Sport Officer, as applicable, may also appoint an investigator to investigate the allegations.
5. The investigator must be an independent third-party skilled in investigating claims of harassment. The investigator must not be in a conflict of interest situation and should have no connection to either Party.
6. Federal and/or Provincial legislation related to Workplace Harassment may apply to the investigation if Harassment was directed toward a worker in a Workplace. The investigator shall review workplace safety legislation and/or consult independent experts to determine whether legislation applies to the complaint.
7. 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) Complainant interviewed;
 - b) Statement of facts (Complainant's perspective) prepared by investigator and acknowledged by Complainant;
 - c) Statement delivered to Respondent;
 - d) Respondent interviewed;
 - e) Witnesses interviewed; and
 - f) Statement of facts (Respondent's perspective) prepared by investigator and acknowledged by Respondent.

Investigator's Report

8. Upon completion of their investigation, the investigator shall prepare a report that should include a summary of evidence from the Parties (including both statements of facts, if applicable) and the investigator's finding of fact regarding whether, on a balance of probabilities, an incident occurred that could be considered Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, or Maltreatment, or breach of a governing document, including, but not limited to the *Code of Conduct and Ethics*.
9. The investigator's report will be provided to the Safe Sport Officer or Executive Director, as applicable, who will disclose it to the Canadian Lacrosse Association (in the case that the Safe Sport Officer or Executive Director is provided with the report), the Complainant and the Respondent. If necessary, and at the discretion of the Safe Sport Officer, other relevant Parties may be provided with an executive summary of the investigator's findings.
10. Notwithstanding the aforementioned, if the investigator has found that the incident investigated could not be considered Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, or Maltreatment, or breach of a governing document, such as the *Code of Conduct or Ethics*, the investigator shall only provide the Complainant and the Respondent with an executive summary of their findings. The Canadian Lacrosse Association shall, nevertheless, be provided with the full investigation report.
11. The investigation report and any executive summary shall remain confidential once disclosed to the Canadian Lacrosse Association, 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*.
12. 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 to refer the matter to police. The investigator will further inform the Canadian Lacrosse Association that the matter should be directed to the police.
13. The investigator must also inform the Canadian Lacrosse Association of any findings of criminal activity. The Canadian Lacrosse Association may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of doping drugs or materials, any sexual crime involving minors, fraud against the Canadian Lacrosse Association, or other offences where the lack of reporting would bring the Canadian Lacrosse Association's reputation into disrepute.
14. The Discipline Chair, Case Manager or the discipline panel, as applicable, shall consider the investigator's report, in addition to submissions from the Parties, prior to deciding on the complaint.

Reprisal and Retaliation

15. An individual who submits a complaint to the Canadian Lacrosse Association, or who gives evidence in an investigation, may not be subject to reprisal or retaliation from any individual or group. Should anyone who participates in the process face reprisal or retaliation, that individual will have cause to submit a complaint.

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 Maltreatment) may be subject to a complaint under the terms of the *Discipline and Complaints Policy*. The investigator may recommend to the Canadian Lacrosse Association 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 Canadian Lacrosse Association Events, activities or business. The Canadian Lacrosse Association 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 information obtained about an incident or complaint (including identifying information about any individuals involved) will remain confidential, unless disclosure is necessary for the purpose of investigating or taking corrective action or is otherwise required by law.

18. The investigator will make every effort to preserve the confidentiality of the Complainant, Respondent, and any other Party's identity. However, the Canadian Lacrosse Association recognizes that maintaining confidentiality of the identity of any Party may be difficult for the investigator during the investigation.

DISCIPLINE AND COMPLAINTS POLICY

Purpose

1. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the Canadian Lacrosse Association's policies, bylaws, rules and regulations, and *Code of Conduct and Ethics*. Non-compliance may result in sanctions pursuant to this Policy.

Discipline Chair

2. The Discipline Chair will be an individual appointed by the Executive Director, or Safe Sport Officer to handle the duties of the Discipline Chair as described hereunder. The Executive Director or Safe Sport Officer may, if justified by the circumstances, choose to appoint three (3) individuals to serve as the Discipline Chair and, in this case, decisions of the Discipline Chair will be by majority vote.
3. The Discipline Chair appointed to handle a complaint or incident must be unbiased and not in a conflict of interest situation.

Application of this Policy

4. This Policy applies to all Individuals.
5. This Policy applies to matters that may arise during the Canadian Lacrosse Association's business, activities, and Events for which the Canadian Lacrosse Association is the governing or ruling body for the Event including, but not limited to, competitions, practices, tryouts, training camps, travel associated with the Canadian Lacrosse Association's activities, and any meetings.
6. This Policy also applies to Individuals' conduct outside of the Canadian Lacrosse Association's business, activities and Events when such conduct adversely affects relationships within the Canadian Lacrosse Association (and its work and sport environment), is detrimental to the image and reputation of the Canadian Lacrosse Association, or upon the acceptance of the Canadian Lacrosse Association. Applicability will be determined by the Canadian Lacrosse Association at its sole discretion.
7. This Policy does not prevent immediate discipline or a sanction from being applied as reasonably required. Specifically, the Executive Director or the President of the Canadian Lacrosse Association may, at their sole discretion, determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of a criminal process, the hearing, or a decision of the Discipline Chair or discipline panel. Further, any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only.
8. An employee of the Canadian Lacrosse Association who is a Respondent will be subject to appropriate disciplinary action in accordance with any of the Canadian Lacrosse Association's applicable policies, as well as the employee's employment agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

Alignment

9. The Canadian Lacrosse Association recognizes that Individuals may also be registered with Provincial/Territorial Organizations and/or Member Clubs. The Canadian Lacrosse Association requires that Provincial/Territorial Organizations and/or Member Clubs to submit discipline decisions involving Individuals to the Canadian Lacrosse Association for the purpose of record-keeping. Decisions rendered by Provincial/Territorial Organizations or Member Clubs will be recognized and implemented by the Canadian Lacrosse Association. Provincial/Territorial Organizations or Member Clubs must also recognize and implement decisions rendered by the Canadian Lacrosse Association.

Adult Representative

10. 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.

11. Communication from the Executive Director, Safe Sport Officer, Discipline Chair or Case Manager, as applicable, must be directed to the Minor's representative.

12. A Minor is not required to attend an oral hearing, if held.

Process

13. Any Individual may report an incident or complaint to the Safe Sport Officer or to the Executive Director in writing, within fourteen (14) days of the alleged incident. This timeline can be waived or extended at the Safe Sport Officer or Executive Director's discretion. If the complaint or incident involves the Executive Director, it shall be made to the Safe Sport Officer, who shall then retain authority to make any determinations that would have been within the authority of the Executive Director under this Policy.

14. The Canadian Lacrosse Association may, in its sole discretion, act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, the Canadian Lacrosse Association will identify an individual representative of the organization.

15. Upon receiving a report of an incident or a complaint, the Safe Sport Officer or Executive Director, as applicable,¹ may, at their sole discretion and depending on the nature of the issue, appoint a Discipline Chair, who will be responsible for following process #1, as described in Sections 18-24, or, alternatively, appoint a Case Manager, who will be responsible for following Sections 25 and following. The Executive Director or Safe Sport Officer's decision to appoint a Discipline Chair or a Case Manager is not subject to appeal.

16. When determining whether to appoint a Discipline Chair or a Case Manager, the Executive Director or Safe Sport Officer has the discretion to choose which process should be followed, and may use the following examples as a general guideline:

- a) Process #1 - the complaint alleges the following incidents:
 - i. Disrespectful, abusive, racist, or sexist comments or behaviour
 - ii. Disrespectful conduct
 - iii. Minor incidents of violence (e.g., tripping, pushing, elbowing)

¹ It should be noted that the determinations to be made by the Executive Director or the Safe Sport Officer pursuant to the *Discipline and Complaints Policy* shall be based on which individual receives the report of an incident or the complaint, unless the circumstances dictate otherwise. For example, if the Executive Director receives a report or complaint, it is they who shall determine whether to appoint a Discipline Chair or a Case Manager pursuant to Section 15.

- iv. Conduct contrary to the values of the Canadian Lacrosse Association
 - v. Non-compliance with the Canadian Lacrosse Association's policies, procedures, rules, or regulations
 - vi. Minor violations of the Canadian Lacrosse Association's *Code of Conduct and Ethics*
- b) Process #2 - the complaint alleges the following incidents:
- i. Repeated minor incidents
 - ii. Any incident of hazing
 - iii. Behaviour that constitutes Harassment, Sexual Harassment, or sexual misconduct
 - iv. Major incidents of violence (e.g., fighting, attacking, sucker punching)
 - v. Pranks, jokes, or other activities that endanger the safety of others
 - vi. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
 - vii. Conduct that intentionally damages the Canadian Lacrosse Association's image, credibility, or reputation
 - viii. Consistent disregard for the Canadian Lacrosse Association's bylaws, policies, rules, and regulations
 - ix. Major or repeated violations of the Canadian Lacrosse Association's *Code of Conduct and Ethics*
 - x. Intentionally damaging the Canadian Lacrosse Association's property or improperly handling the Canadian Lacrosse Association's monies
 - xi. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
 - xii. A conviction for any Criminal Code offense
 - xiii. Any possession or use of prohibited substances or methods

17. The Executive Director or Safe Sport Officer, as applicable, may determine that the alleged incident may contain an element of Discrimination, Harassment, Workplace Harassment, Workplace Violence, Sexual Harassment, Maltreatment or Abuse. In this case, the Executive Director or Safe Sport Officer may appoint an investigator in accordance with the Canadian Lacrosse Association's *Investigations Policy - Discrimination, Harassment, Abuse and Maltreatment*, and the Canadian Lacrosse Association and the investigator, will have additional responsibilities as described in that Policy. When making determinations pursuant to this Section 17, the Executive Director may seek independent advice or the advice of the Safe Sport Officer.

Process #1: Handled by Discipline Chair

Sanctions

18. Following the determination that the complaint or incident should be handled under Process #1, the Discipline Chair will review the submissions related to the complaint or incident and determine one or more of the following sanctions:
- a) Verbal or written reprimand
 - b) Verbal or written apology
 - c) Service or other contribution to the Canadian Lacrosse Association
 - d) Removal of certain privileges
 - e) Suspension from certain teams, Events, and/or activities
 - f) Suspension from all or some of the Canadian Lacrosse Association's activities for a designated period
 - g) Any other sanction considered appropriate for the offense

19. The Discipline Chair shall provide the parties with a written decision, which shall include reasons. If applicable, the Discipline Chair will inform the Respondent of the sanction, which will take effect immediately.

20. Records of all sanctions will be maintained by the Canadian Lacrosse Association.

Request for Reconsideration

21. The sanction may not be appealed until the completion of a request for reconsideration. However, the Respondent may contest the sanction by submitting a request for reconsideration within four (4) days of receiving the sanction. In the request for reconsideration, the Respondent must indicate:

- a) Why the sanction is inappropriate;
- b) All evidence to support the Respondent's position; and
- c) What penalty or sanction (if any) would be appropriate.

22. Upon receiving a request for reconsideration, the Discipline Chair may decide to accept or reject the Respondent's suggestion for an appropriate sanction.

23. Should the Discipline Chair accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.

24. Should the Discipline Chair not accept the Respondent's suggestion for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

Process #2: Handled by Case Manager

Case Manager

25. Following the determination that the complaint or incident should be handled under Process #2, the Executive Director or Safe Sport Officer will appoint a Case Manager to oversee management and administration of the complaint or incident. The Case Manager should not be in a conflict of interest and should have expertise in dispute resolution matters. Such appointment is not appealable.

26. The Case Manager has a responsibility to:

- a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy
- b) Propose the use of the Canadian Lacrosse Association's *Dispute Resolution Policy*
- c) Appoint the discipline panel, if necessary
- d) Coordinate all administrative aspects and set timelines
- e) Provide administrative assistance and logistical support to the discipline panel as required
- f) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

Procedures

27. If the Case Manager determines the complaint is:

- a) Frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately
- b) Not frivolous and within the jurisdiction of this Policy, the Case Manager will notify the Parties that the complaint is accepted and of the applicable next steps

28. The Case Manager's decision to accept or dismiss the complaint may not be appealed.

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

30. After notifying the Parties that the complaint has been accepted, the Case Manager may propose using the Canadian Lacrosse Association's *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 *Dispute Resolution Policy*, the Case Manager will appoint a discipline panel, which shall consist of a single arbitrator, to hear the 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.
31. The Case Manager, in cooperation with the discipline panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. 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 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
 - b) 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
 - c) The Parties may engage a representative, advisor, or legal counsel at their own expense
 - d) The discipline panel may request that any other individual participate and give evidence at the hearing
 - e) The discipline panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
 - f) The decision will be by a majority vote of the discipline panel
32. 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.
33. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
34. 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 current complaint and will be bound by the decision.
35. In fulfilling its duties, the discipline panel may obtain independent advice.

Decision

36. 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. Within fourteen (14) days of the hearing's conclusion, the discipline panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and the Canadian Lacrosse Association. 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. The decision will be considered a matter of public record unless decided otherwise by the discipline panel.

Sanctions

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

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to Canadian Lacrosse Association
- d) Removal of certain privileges
- e) Suspension from certain teams, Events, and/or activities
- f) Suspension from all or some of the Canadian Lacrosse Association's activities for a designated period
- g) Payment of the cost of repairs for property damage
- h) Suspension of funding from the Canadian Lacrosse Association or from other sources
- i) Expulsion from the Canadian Lacrosse Association
- j) Any other sanction considered appropriate for the offense

38. Unless the discipline panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the discipline panel will result in an automatic suspension until such time as compliance occurs.

39. Records of all decisions will be maintained by the Canadian Lacrosse Association.

Appeals

40. The decision of the discipline panel may be appealed in accordance with the Canadian Lacrosse Association's *Appeal Policy*. Decisions of the discipline panel shall remain in force pending the outcome of any appeal unless the appeal panel grants provisional measures if applied for by the Appellant.

Criminal Convictions

41. An Individual's conviction for a Criminal Code offense will be deemed an infraction under this Policy and will result in expulsion from the Canadian Lacrosse Association. 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
- d) Any offence of assault
- e) Any offence involving trafficking of illegal drugs

Confidentiality

42. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the discipline panel, and any independent advisors to the discipline panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings. Failure to respect the aforementioned confidentiality requirements may result in disciplinary action being taken against the Party(ies) in breach.

Timelines

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

Records and Distribution of Decisions

44. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

DISPUTE RESOLUTION POLICY

Purpose

1. The Canadian Lacrosse Association supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. ADR also avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.
2. The Canadian Lacrosse Association encourages all Individuals to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. The Canadian Lacrosse Association believes that negotiated settlements are preferable to outcomes resolved through other dispute resolution techniques. 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. The dispute will first be referred to the Canadian Lacrosse Association's Executive Director for review, with the objective of resolving the dispute via ADR and/or mediation.
6. If all Parties to a dispute agree to ADR or mediation, the Executive Director may refer the alternate dispute resolution process to a resolution facilitator of the Sport Dispute Resolution Centre of Canada (SDRCC). There is no cost to the Parties to engage the resolution facilitation process before the SDRCC.
7. 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.
8. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may specify a deadline by which the Parties must reach a negotiated settlement.
9. Should a negotiated settlement be reached, the settlement shall be reported to the Canadian Lacrosse Association. Any actions that are to take place, as a result of the settlement, shall be enacted on the timelines specified in the negotiated settlement.
10. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process, or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the Canadian Lacrosse Association's *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

11. Any negotiated settlement will be binding on the Parties. Negotiated settlements may not be appealed.

APPEAL POLICY

Purpose

1. The Canadian Lacrosse Association is committed to providing an environment in which all Individuals involved with the Canadian Lacrosse Association are treated with respect and fairness. The Canadian Lacrosse Association provides Individuals with this *Appeal Policy* to enable fair, affordable, and expedient appeals of certain decisions made by the Canadian Lacrosse Association. Further, some decisions made by the process outlined in the Canadian Lacrosse Association's *Discipline and Complaints Policy* may be appealed under this Policy.

Scope and Application of this Policy

2. This Policy applies to all Individuals. Any Individual who is directly affected by a decision of the Canadian Lacrosse Association shall have the right to appeal that decision provided there are sufficient grounds for the appeal under the 'Grounds for Appeal' section of this Policy.
3. This Policy **will apply** to CLA decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of Interest
 - d) Discipline
 - e) Member Association Membership
4. This Policy **will not apply** to CLA decisions relating to:
 - a) Employment
 - b) Infractions for doping offenses
 - c) The rules of the sport
 - d) Selection criteria, quotas, policies, and procedures established by entities other than the Canadian Lacrosse Association
 - e) Substance, content and establishment of team selection criteria
 - f) Volunteer/coach appointments and the withdrawal or termination of those appointments
 - g) Budgeting and budget implementation
 - h) the Canadian Lacrosse Association's operational structure and committee appointments
 - i) Decisions or discipline arising within the business, activities, or events organized by entities other than the Canadian Lacrosse Association (appeals of these decisions shall be dealt with pursuant to the policies of those other entities)
 - j) Commercial matters for which another appeals process exists under a contract or applicable law
 - k) Decisions made under this Policy

Timing of Appeal

5. Individuals who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit, in writing to the Canadian Lacrosse Association, the following:
 - a) Notice of the intention to appeal
 - b) Contact information and status of the Appellant
 - 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 decision if written document is not available
 - f) Grounds for the appeal
 - g) Detailed reasons for the appeal
 - h) All evidence that supports these grounds
 - i) Requested remedy or remedies
 - j) Subject to Section 10 below, a non-refundable administration fee of five hundred dollars (\$500)
6. An Individual who wishes to initiate an appeal beyond the seven (7) day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the seven (7) day period will be at the sole discretion of the Appeal Manager and may not be appealed.

Grounds for Appeal

7. A decision cannot be appealed on its merits alone. 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)
 - d) Failed to consider relevant information or took into account irrelevant information in making the decision
 - e) Made a decision that was grossly unreasonable
8. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the 'Grounds for Appeal' section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.
9. Upon receiving the notice of the appeal, the fee, and all other information required by Section 5, the Canadian Lacrosse Association and the Appellant may first attempt to resolve the dispute pursuant to the Canadian Lacrosse Association's *Dispute Resolution Policy* or through the Early Resolution Facilitation services offered by the Sport Dispute Resolution Centre of Canada (SDRCC).
10. Appeals resolved by mediation under the Canadian Lacrosse Association's *Dispute Resolution Policy* or through the Early Resolution Facilitation at the SDRCC will result in the administration fee indicated in Section 5(j) being refunded to the Appellant.

Screening of Appeal

11. Should the appeal not be resolved by using the *Dispute Resolution Policy* or through resolution facilitation at the SDRCC, the Executive Director or President of the Canadian Lacrosse Association will appoint an independent Appeal Manager (who must not be in a conflict of interest) who has the following responsibilities:
- a) Determine if the appeal falls under the scope of this Policy
 - b) Determine if the appeal was submitted in a timely manner
 - c) Decide whether there are sufficient grounds for the appeal

12. If the appeal is denied 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. This decision may not be appealed.
13. If the Appeal Manager is satisfied there are sufficient grounds for an appeal, the Appeal Manager will appoint an impartial appeal panel which shall consist of a single arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Appeal Manager, an impartial panel of three persons 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.

Procedure for Appeal Hearing

14. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager shall then, in collaboration with the appeal panel, 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.
15. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
16. 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, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the panel deem appropriate in the circumstances, provided that:
 - a) The hearing will be held within a timeline determined by the Appeal Manager
 - b) The Parties will be given reasonable notice of the day, time and place of the hearing
 - c) Copies of any written documents which the parties wish to have the panel consider will be provided to all Parties in advance of the hearing
 - d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
 - e) The panel may request that any other individual participate and give evidence at the hearing
 - f) The panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
 - g) If a decision in the appeal may affect another Party to the extent that the other Party would have recourse to an appeal in their own right under this Policy, that Party will become a Party to the appeal in question and will be bound by its outcome
 - h) The decision to uphold or reject the appeal will be by a majority vote of the appeal panel members, unless the appeal panel consists of a single member
17. In fulfilling its duties, the appeal panel may obtain independent advice.

Provisional Measures

18. The decision that is subject to appeal shall remain in effect pending the outcome of the appeal unless the appeal panel grants provisional measures if applied for by the Appellant. The appeal panel's decision to grant or reject provisional measures is not subject to appeal.

Appeal Decision

19. 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 and refer the matter back to the initial decision-maker for a new decision
 - c) Uphold the appeal and vary the decision
20. The appeal panel's written decision, with reasons, will be distributed to all Parties, the Appeal Manager, and the Canadian Lacrosse Association. 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. The decision will be considered a matter of public record unless decided otherwise by the appeal panel.
21. The appeal panel's decision may be appealed by any of the Parties to the SDRCC in accordance with the Canadian Sport Dispute Resolution Code.

Timelines

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

Confidentiality

23. The appeals process is confidential and involves only the Parties, the Appeal Manager, the appeal panel, 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. Failure to respect the aforementioned confidentiality requirements may result in disciplinary action being taken against the Party(ies) in breach.

Final and Binding

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

SDRCC

25. By agreement between the Parties, the internal appeal process may be bypassed and the appeal may be heard directly by the SDRCC.

WHISTLEBLOWER POLICY

Purpose

1. The purpose of this Policy is to allow Workers to have a discrete and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

Application

2. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by directors or by other Workers.
3. An Individual who is not employed or contracted by the Canadian Lacrosse Association that observes a Worker engage in wrongdoing or misconduct can file a report with the Canadian Lacrosse Association's Safe Sport Officer or Executive Director. Such complaints will be handled under the terms of the Worker's employment agreement or contractor agreement, as applicable, and/or any other relevant and applicable Canadian Lacrosse Association policy.
4. Matters reported under the terms of this Policy may be referred to be heard under the Canadian Lacrosse Association's *Discipline and Complaints Policy*.

Wrongdoing

5. Wrongdoing can be defined as:
 - a) Violating the law;
 - b) Intentionally or seriously breaching of the Canadian Lacrosse Association's *Code of Conduct and Ethics*;
 - c) Intentionally or seriously breaching the Canadian Lacrosse Association's policies for workplace violence and harassment;
 - d) Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Worker, or other Individual;
 - e) Directing an Individual or Worker to commit a crime, serious breach of a policy of the Canadian Lacrosse Association, or other wrongful act; or
 - f) Fraud.

Pledge

6. The Canadian Lacrosse Association pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker under the terms of this Policy.
7. Any Individual affiliated with the Canadian Lacrosse Association who breaks this pledge will be subject to disciplinary action.

Reporting Wrongdoing

8. A Worker who believes that a director or another Worker has committed an incident of wrongdoing should prepare a report that shall include the following:
 - a) Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);

- b) Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
 - c) Why the act or action should be considered to be wrongdoing; and
 - d) How the wrongdoing affects the Worker submitting the report (if applicable).
9. Reports of wrongdoing shall be reported to the Safe Sport Officer within fourteen (14) days of the alleged incident.
10. After receiving the report, the Safe Sport Officer has the responsibility to:
- a) Assure the Worker of the Canadian Lacrosse Association's pledge
 - b) Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
 - c) Determine if the Canadian Lacrosse Association's *Whistleblower Policy* applies or if the matter should be handled under the Canadian Lacrosse Association's *Discipline and Complaints Policy*
 - d) Determine if the local police service be contacted
 - e) Determine if mediation or alternate dispute resolution can be used to resolve the issue
 - f) Determine if the Canadian Lacrosse Association's President and/or Executive Director should or can be notified of the report
 - g) Begin an investigation

Investigation

11. If the Safe Sport Officer determines that an investigation should be launched, they may decide to contract an external investigator. In such cases, the Canadian Lacrosse Association's Executive Director and/or President may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Worker who submitted the report being disclosed. The Canadian Lacrosse Association's Executive Director and/or President may not unreasonably refuse the decision to contract an external investigator
12. An investigation launched by the Safe Sport Officer or by an external investigator should generally take the following form:
- a) Follow-up interview with the Worker who submitted the report
 - b) Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing
 - c) Interviews with such-affected individuals
 - d) Interview with the Director(s) or Worker(s) against whom the report was submitted
 - e) Interview with the supervisor(s) of the Director(s) or Worker(s) against whom the report was submitted
13. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, the Canadian Lacrosse Association recognizes that there are some instances where the nature of the report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

14. The investigator will prepare a report – omitting names whenever possible to ensure confidentiality – that will be submitted to the Canadian Lacrosse Association’s President and/or Executive Director to determine whether action pursuant to Section 15 below should be taken.

Decision

15. Within fourteen (14) days after receiving the Investigator’s Report, the Canadian Lacrosse Association’s President and/or Executive Director will take corrective action, as required. Corrective action may include, but is not limited to including:
 - a) Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
 - b) Revision of job descriptions; or
 - c) Discipline, suspension, termination, or other action as permitted by the Canadian Lacrosse Association’s bylaws, provincial employment legislation, any relevant and applicable Canadian Lacrosse Association policy, and/or the Worker’s employment agreement or contractor agreement.
16. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.
17. Decisions made under the terms of this Policy may be appealed under the terms of the Canadian Lacrosse Association’s *Appeal Policy* provided that:
 - a) If the Worker who submitted the initial report is appealing the decision, the Worker understands that his or her identity must be revealed if he or she submits an appeal; and
 - b) If the director or Worker against whom the initial report was submitted is appealing the decision, the Worker or director understands that the identity of the Worker who submitted the report will not be revealed and that the Canadian Lacrosse Association will act as the Respondent

Confidentiality

18. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy may be subject to disciplinary action.

EVENT DISCIPLINE PROCEDURE

*** This Event Discipline Procedure does not supersede or replace the Canadian Lacrosse Association's Discipline and Complaints Policy ***

Purpose

1. The Canadian Lacrosse Association is committed to providing a competition environment in which all Individuals are treated with respect. This Procedure outlines how alleged misconduct during an Event will be handled.

Scope and Application of this Policy

2. This Procedure will be applied to all Canadian Lacrosse Association-sanctioned Events unless the Event host has a different procedure and this procedure has been approved by the Canadian Lacrosse Association Executive Director and/or President. Changes to this procedure must also be outlined in the Event host's sanctioning request, when applicable.
3. If the Event is being sanctioned by an organization other than the Canadian Lacrosse Association, the Event Discipline Procedure of the sanctioning organization will replace this procedure. Incidents involving Individuals connected with the Canadian Lacrosse Association (such as athletes, coaches, members, and Directors and Officers) must still be reported to the Canadian Lacrosse Association to be addressed under the Canadian Lacrosse Association's *Discipline and Complaints Policy*, if necessary.
4. This procedure does not replace or supersede the Canadian Lacrosse Association's *Discipline and Complaints Policy*. Instead, this procedure works in concert with the *Discipline and Complaints Policy* by outlining, for a designated person with authority at an Event sanctioned by the Canadian Lacrosse Association, the procedure for taking immediate, informal, or corrective action in the event of a possible violation of the Canadian Lacrosse Association's *Code of Conduct and Ethics* at an Event.

Misconduct During Events

5. Incidents that violate or potentially violate the Canadian Lacrosse Association's *Code of Conduct and Ethics*, which can occur during a competition, away from the area of competition, or between parties connected to the Event, shall be reported to the CLA Convenor (or their designate).
6. The designated person at the Event shall use the following procedure to address the incident that violated or potentially violated the Canadian Lacrosse Association's *Code of Conduct and Ethics*:
 - a) Notify the involved parties that there has been an incident that violated or potentially violated the Canadian Lacrosse Association's *Code of Conduct and Ethics*
 - b) Convene the Discipline Committee, who shall not be in a conflict of interest or involved in the original incident, to determine whether the Canadian Lacrosse Association's *Code of Conduct and Ethics* has been violated.
 - c) The Discipline Committee will interview and secure statements from any witnesses to the alleged violation
 - d) If the violation occurred during a competition, interviews will be held with the officials who officiated or observed the competition and with the coaches and captains of each team when necessary and appropriate
 - e) The Discipline Committee will secure a statement from the person(s) accused of the violation
 - f) The Discipline Committee will render a decision and determine a possible penalty

- g) The Chairperson of the Discipline Committee will inform all parties of the Discipline Committee's decision
7. The penalty determined by the Discipline Committee may include any of the following, singularly or in combination:
 - a) Oral or written warning
 - b) Oral or written reprimand
 - c) Suspension from future competitions at the Event
 - d) Ejection from the Event
 - e) Other appropriate penalty as determined by the Discipline Committee
 8. The Discipline Committee does not have the authority to determine a penalty that exceeds the duration of the Event. A full written report of the incident and the Discipline Committee's decision shall be submitted to the Canadian Lacrosse Association following the conclusion of the Event. Further discipline may then be applied in accordance with the Canadian Lacrosse Association's *Discipline and Complaints Policy* if necessary.
 9. Decisions made in the scope of this procedure may be appealed in accordance with the Appeal Policy; however, if there are time constraints and by agreement, the parties may agree to bypass the internal appeal and have the matter heard before the Sport Dispute Resolution Centre of Canada (SDRCC) in an expedited process.
 10. This procedure does not prohibit other Individuals from reporting the same incident to the Canadian Lacrosse Association to be addressed as a formal complaint pursuant to the Canadian Lacrosse Association's *Discipline and Complaints Policy*.
 11. The Canadian Lacrosse Association shall record and track all reported incidents.

SOCIAL MEDIA POLICY

Preamble

1. The Canadian Lacrosse Association is aware that Individual interaction and communication occurs frequently on social media. The Canadian Lacrosse Association cautions Individuals that any conduct falling short of the standard of behaviour required by the Canadian Lacrosse Association's *Code of Conduct and Ethics* or its Social Media Guidelines (which may be found in the CLA Operations Manual) will be subject to the disciplinary sanctions identified within the Canadian Lacrosse Association's *Discipline and Complaints Policy*.

Application of this Policy

2. This Policy applies to all Individuals.

Conduct and Behaviour

3. In accordance with the Canadian Lacrosse Association's *Discipline and Complaints Policy* and *Code of Conduct and Ethics*, the following social media conduct may be considered minor or major infractions:
 - a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at an Individual, at the Canadian Lacrosse Association, or at other individuals connected with the Canadian Lacrosse Association
 - 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, at the Canadian Lacrosse Association, or at other individuals connected with the Canadian Lacrosse Association
 - 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 the Canadian Lacrosse Association, its stakeholders, or its reputation
 - d) Any instance of cyber-bullying or cyber-harassment between one Individual and another Individual (including a teammate, coach, opponent, volunteer, or official), 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 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 subject to the Canadian Lacrosse Association's *Discipline and Complaints Policy*.

Individuals Responsibilities

5. Individuals acknowledge that their social media activity may be viewed by anyone, including the Canadian Lacrosse Association.
6. If the Canadian Lacrosse Association 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 the Canadian Lacrosse Association 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 the Canadian Lacrosse Association.
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 Canadian Lacrosse Association's *Discipline and Complaints Policy*.

9. An individual who believes that an Individual's social media activity is inappropriate or may violate the Canadian Lacrosse Association's policies and procedures should report the matter to the Canadian Lacrosse Association in the manner outlined by the Canadian Lacrosse Association's *Discipline and Complaints Policy*.