



**LACROSSE CANADA SAFE SPORT  
POLICY MANUAL**

Definitions

Code of Conduct and Ethics

Investigations Policy – Discrimination, Harassment, And Abuse

Discipline and Complaints Policy

Dispute Resolution Policy

Appeal Policy

Whistleblower Policy

Event Discipline Procedure

Social Media Policy

Screening Policy

| <b><u>Policy Title</u></b>                            | <b><u>Date of Last Review</u></b> |
|---|-----------------------------------|
| Code of Conduct and Ethics                            | February 2023                     |
| Investigations - Discrimination, Harassment and Abuse | February 2023                     |
| Discipline and Complaints                             | February 2023                     |
| Dispute Resolution                                    | February 2023                     |
| Appeal  | February 2023                     |
| Whistleblower   | February 2023                     |
| Event Discipline                                      | February 2023                     |
| Social Media Policy                                   | February 2023                     |
| Screening Policy                                      | February 2023                     |



### **LC 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 Lacrosse Canada 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 Lacrosse Canada.
5. *“Case Manager”* – An independent individual appointed by the Executive Director or Independent Third Party, as applicable, to fulfill the responsibilities described in the *Discipline and Complaints Policy*. To be appointed as a Case Manager, the individual must have relevant experience and skills to manage complaints and perform their duties, either as a legal practitioner or sport administrator.
6. *“Complainant”* – The Party making a complaint pursuant to the *Discipline and Complaints Policy* and as referred to in the *Investigations Policy*.
7. *“Complaint Resolution Officer”* – An individual appointed to handle the duties of the Complaint Resolution Officer as described in the *Discipline and Complaints Policy*.
8. *“Criminal Record Check (CRC)”* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions.
9. *“Days”* – Calendar days.<sup>1</sup>
10. *“Director of Sanctions and Outcomes”* – The individual(s) responsible for overseeing the imposition of Provisional Measures, agreed outcomes, Sanctions and appearing before the Safeguarding Tribunal or the Appeal Tribunal in cases arising from a potential breach of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS; or other conduct rules, as applicable) within the jurisdiction of the OSIC.
11. *“Discrimination”* – As defined in the UCCMS and as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC).
12. *“Enhanced Police Information Check (E-PIC)”* – a Criminal Record Check plus a search of local police information, available from Sterling Backcheck.
13. *“Event”* – An event sanctioned by Lacrosse Canada, which may include a social Event.
14. *“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:

---

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



- 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 Lacrosse Canada.
15. *"Independent Third Party"* – The independent individual retained by Lacrosse Canada to receive complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy*, *Investigation Policy* and *Appeal Policy*, as applicable.
16. *"Individuals"* – Refers to all categories of membership defined in Lacrosse Canada's bylaws, as well as all individuals employed by, or engaged in activities for which Lacrosse Canada 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 Lacrosse Canada, spectators, and parents/guardians of athletes.
17. *"Maltreatment"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
18. *"Minor"* – Any Individual who is under the age of majority at the time and in the jurisdiction where the alleged breach of any Lacrosse Canada policy has occurred. Adult Individuals are responsible for knowing the age of a Minor in the relevant jurisdiction.
- \*\*\* Please verify local jurisdictions for potential changes \*\*\***
19. *"OSIC"* – The Office of the Sport Integrity Commissioner, an independent division of the SDRCC, which comprises the functions of the Sport Integrity Commissioner; also referred to as Abuse-Free Sport.



20. *"Parties"* – In the context of a complaint under the *Discipline and Complaints Policy*, the Complainant and Respondent; in the context of an appeal under the *Appeal Policy*, the Appellant, Respondent and Affected Party (or Parties).
21. *"Person in Authority"* – Any Individual who holds a position of authority within Lacrosse Canada, including, but not limited to, coaches, umpires, officials, managers, support personnel, chaperones, Committee members, and Directors and Officers.
22. *"Power Imbalance"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
23. *"Prohibited Behaviour"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
24. *"Prohibited Method"* – As defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
25. *"Prohibited Substance"* – As defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
26. *"Provisional Suspension"* – Means that the Individual is barred temporarily from participating in any capacity in any Event or activity of Lacrosse Canada, prior to the decision rendered in a hearing conducted pursuant to the *Discipline and Complaints Policy*.
27. *"Reporting (or Report)"*: As defined in the UCCMS and as amended from time to time by the SDRCC.
28. *"Respondent"* – the Party responding to a complaint or investigation; or, in the case of an appeal, the body or organization whose decision is being appealed, or the Individual who was the subject of a decision that is being appealed.
29. *"Sexual Harassment"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
30. *"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.
31. *"SDRCC"* – The Sport Dispute Resolution Centre of Canada.
32. *"Tampering"* – As defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
33. *"UCCMS"* – The Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the SDRCC.
34. *"UCCMS Participant"* – An Individual affiliated with Lacrosse Canada as designated by Lacrosse Canada and who has signed the required consent form. For Lacrosse Canada, UCCMS Participants Include: National Volunteers (LC Board of Directors, Sector & Committee Chairs), LC Staff, National Team Athletes, National Team Coaches, National Team Staff, National Team Event volunteers, and national championship officials and athletes.
35. *"Vulnerable Participant"* – As defined in the UCCMS and as amended from time to time by the SDRCC.
36. *"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.
37. *"Workplace"* - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of Lacrosse Canada, remote work, 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

38. *“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.

39. *“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 Lacrosse Canada's programs, activities, and Events<sup>1</sup>) by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with Lacrosse Canada's core values. Lacrosse Canada supports equal opportunity, prohibits discriminatory practices, 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 Lacrosse Canada's business, activities, and Events including, but not limited to, competitions, practices, tryouts, training camps, treatments or consultations (e.g. massage therapy), travel associated with Lacrosse Canada's activities, Lacrosse Canada'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 Lacrosse Canada's *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to Lacrosse Canada'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 Lacrosse Canada found to have engaged in acts of Workplace Violence, Workplace Harassment, or Prohibited Behaviour against any other employee, worker, contractor, member, customer, supplier, client or other third party during business hours, or at any event of Lacrosse Canada, will be subject to appropriate disciplinary action subject to the terms of any of Lacrosse Canada'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 Lacrosse Canada's business, activities, and events when such conduct adversely affects relationships within Lacrosse Canada (and its work and sport

---

<sup>1</sup> A separate document with term definitions that apply to all Lacrosse Canada policy is found online and in the Lacrosse Canada Safe Sport Policy Manual.





environment) and is detrimental to the image and reputation of Lacrosse Canada. Such applicability will be determined by Lacrosse Canada at its sole discretion.

### **UCCMS**

8. Lacrosse Canada has adopted the UCCMS which shall be incorporated into this Code by reference as if set out in full herein. Any modifications or amendments made to the UCCMS by the SDRCC shall come into effect immediately upon their adoption by the SDRCC, without the need for any further action by Lacrosse Canada.

### **Responsibilities**

9. Individuals have a responsibility to:
- a) Maintain and enhance the dignity and self-esteem of Lacrosse Canada'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. Ensuring adherence to the rules of the sport and the spirit of those rules.
  - b) Refrain from any behaviour that constitutes Harassment, Workplace Harassment, Sexual Harassment, Workplace Violence, Discrimination or any form of Maltreatment or Prohibited Behaviour
  - c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
  - d) Refrain from consuming tobacco products, or recreational drugs while participating in Lacrosse Canada's programs, activities, competitions, or Events or while representing Lacrosse Canada at any such programs, activities, competitions, or Events.
  - e) In the case of Minors, not consume alcohol, tobacco, or cannabis at any competition or Event;
  - f) In the case of adults, not consume cannabis in the Workplace or in any situation associated with Lacrosse Canada'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 Lacrosse Canada's events
  - g) Respect the property of others and not wilfully cause damage
  - h) Promote the sport in the most constructive and positive manner possible
  - i) 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
  - j) Adhere to all federal, provincial, municipal and host country laws



- k) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer or receive any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or anything of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages.
- l) Comply, at all times, with Lacrosse Canada's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time
- m) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving an Individual to Lacrosse Canada, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or Prohibited Substance or Method.
- n) 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 or Prohibited Behaviour. 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 or Prohibited Behaviour, assigning guides and other support staff to a para-athlete when the guide or support staff has a reputation for athlete Maltreatment or Prohibited Behaviour 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**

10. In addition to section 9 (above), Lacrosse Canada's directors, committee members, and staff will have additional responsibilities to:

- a) When performing their role as a director, committee member, or staff member of Lacrosse Canada, ensure that they respect their duty of loyalty to Lacrosse Canada and refrain from engaging in any activity or behaviour that could constitute a conflict of interest.
- b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of Lacrosse Canada's business and the maintenance of Individuals' confidence
- c) Ensure that Lacrosse Canada'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 Lacrosse Canada
- 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 Lacrosse Canada'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 Lacrosse Canada 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 Lacrosse Canada's governing documents

#### **Coaches**





11. In addition to section 9 (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) Avoid any behaviour that abuses the Power Imbalance inherent to their position as a coach
  - b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
  - c) 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
  - d) Avoid compromising the present and future health of athletes by communicating and cooperating with sport medicine professionals (where applicable) in the diagnosis, treatment, and management of athletes' medical and psychological treatments
  - e) Support the coaching staff of a training camp, provincial team, or national team, should an athlete qualify for participation with one of these programs
  - f) Accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate
  - g) Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
  - h) Act in the best interest of the athlete's development as a whole person
  - i) Comply with Lacrosse Canada's *Screening Policy*, if applicable
  - 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 or intimate relationship with an athlete of any age where the coach is in a position of authority or trust;
  - m) 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
  - n) Dress appropriately
  - o) Use inoffensive language, taking into account the audience being addressed (e.g., the age/maturity of the participants)

### **Athletes**

12. In addition to section 9 (above), athletes will have additional responsibilities to:
- a) Adhere to their athlete agreement (if applicable)
  - b) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete;



- c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and Events
- d) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
- e) Adhere to Lacrosse Canada's rules and requirements regarding clothing and equipment
- f) Dress to represent the sport and themselves well and with professionalism
- g) Act in accordance with Lacrosse Canada's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

### **Officials**

13. In addition to section 9 (above), officials will have additional responsibilities to:

- a) Maintain and update their knowledge of the rules and rules changes
- b) Not publicly criticize any Individual, other officials or any club or association;
- c) Place the safety and welfare of competitors, and the fairness of the competition above all else
- d) Work within the boundaries of their position's description while supporting the work of other officials
- e) Act as an ambassador of Lacrosse Canada by agreeing to enforce and abide by national and provincial rules and regulations
- f) Take ownership of actions and decisions made while officiating
- g) Respect the rights, dignity, and worth of all Individuals
- h) Not publicly criticize other officials or any club or association
- i) Act openly, impartially, professionally, lawfully, and in good faith
- j) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
- k) 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
- l) 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
- m) When writing reports, set out the actual facts to the best of their knowledge and recollection
- n) Dress in proper attire for officiating

### **Parents/Guardians and Spectators**

14. In addition to section 9 (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



### **Anti-Doping**

15. All Individuals shall:

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

16. All Coaches or other Individuals who are using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to athletes that fall under Lacrosse Canada's jurisdiction.

### **Retaliation, Retribution or Reprisal**

17. It is a breach of this Code for any Individual to engage in any act that threatens or seeks to intimidate another individual with the intent of discouraging that Individual from filing, in good faith, a complaint pursuant to any Lacrosse Canada policy.

### **Privacy**

18. The collection, use and disclosure of any personal information pursuant to this Code shall be in accordance with any applicable privacy policies and practices of Lacrosse Canada.



## INVESTIGATIONS POLICY

### Purpose

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

### Investigation

3. The Independent Third Party shall appoint the investigator, taking into consideration the financial resources of Lacrosse Canada.
4. The investigator must be an independent third-party with training or investigation experience. The investigator must not be in a conflict of interest situation and should have no connection to either Party.
5. Federal and/or Provincial legislation related to Workplace Harassment or Workplace Violence may apply to the investigation if Harassment/Violence was directed toward a worker in a Workplace. The investigator shall review workplace safety legislation, Lacrosse Canada's policies, and/or consult independent experts to determine whether legislation applies to the Reported complaint.
6. The investigation may take any form as decided by the investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:
  - a) Interviews with the Complainant(s);
  - b) Interviews with the Respondent(s) ; and
  - c) Witness interviews

### Investigator's Report

7. Upon completion of their investigation, the investigator shall prepare a report that includes a summary of evidence from the Parties and any witnesses interviewed. The report shall include an executive summary, which Lacrosse Canada may share separately from the full report with the Parties.
8. The investigator's report shall contain a non-binding opinion regarding whether an allegation (or, where there are several allegations, which allegations) should be heard by a discipline panel pursuant to the *Discipline and Complaints Policy* because they constitute a likely breach of the *Code of Conduct and Ethics* or any other relevant and applicable Lacrosse Canada Policy, or whether the allegation(s)



are frivolous, vexatious or made in bad faith.<sup>1</sup> The investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review or investigation).

9. Where necessary to protect the identity of any person that participated in the investigation, the investigator may redact names and anonymize witness testimony that may result in the identification of the individual.
10. The investigator's report will be provided to the Independent Third Party who will disclose it to Lacrosse Canada, which may disclose, at its discretion, either the full report or only the executive summary to the Parties. If necessary, and at the discretion of the Independent Third Party, other relevant Parties may be provided with an executive summary of the investigator's findings.
11. The investigator's report shall be used for the purposes described in this Policy and in Section 25 of the *Discipline and Complaints Policy*.
12. The investigation report and any executive summary shall remain confidential once disclosed to Lacrosse Canada, the Complainant and Respondent or any other relevant Party. Any failure to respect this provision may be subject to a complaint and disciplinary measures being taken pursuant to the *Discipline and Complaints Policy*.
13. Should the investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to criminal harassment (or stalking), uttering threats, assault, sexual interference, or sexual exploitation, the investigator shall advise the Complainant and Lacrosse Canada to refer the matter to police.
14. The investigator must also inform Lacrosse Canada of any findings of criminal activity. Lacrosse Canada may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of Prohibited Substances or Prohibited Methods (as indicated in the version of the World Anti-Doping Agency's Prohibited List in force at the time), any sexual crime involving Minors, or any suspected abuse of a Minor, fraud against Lacrosse Canada, or other offences where the lack of reporting would bring Lacrosse Canada's reputation into disrepute.

### **Reprisal and Retaliation**

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

### **False Allegations**

---

<sup>1</sup> As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the investigator must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.



16. An Individual who submits allegations that the investigator determines to be malicious, false or for the purpose of retribution, retaliation or vengeance (or that otherwise fall within the definition of Prohibited Behaviour) may be subject to a complaint under the terms of the *Discipline and Complaints Policy*. The investigator may recommend to Lacrosse Canada 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 Lacrosse Canada Events, activities or business. Lacrosse Canada or the Individual against whom the allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this Section 16.

### **Confidentiality**

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

### **Privacy**

18. The collection, use and disclosure of any personal information pursuant to this Policy shall be in accordance with any applicable privacy policies and practices of Lacrosse Canada.
19. Lacrosse Canada and any of its delegates pursuant to this Policy (i.e., Independent Third Party, the investigator), shall comply with Lacrosse Canada's applicable privacy policies and practices in the performance of their services under this Policy.





## **DISCIPLINE AND COMPLAINTS POLICY**

### **Purpose**

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

### **Application of this Policy**

2. This Policy applies to all Individuals and to any alleged breaches of Lacrosse Canada's policies, by-laws, rules or regulations.
3. This Policy applies to matters that may arise during Lacrosse Canada's business, activities, and Events including, but not limited to, competitions, practices, tryouts, training camps, treatments or consultations (e.g. massage therapy), travel associated with Lacrosse Canada's activities, and any meetings.
4. This Policy also applies to Individuals' conduct outside of Lacrosse Canada's business, activities and Events when such conduct adversely affects relationships within Lacrosse Canada (and its work and sport environment), is detrimental to the image and reputation of Lacrosse Canada, or upon the acceptance of Lacrosse Canada. Applicability will be determined by Lacrosse Canada at its sole discretion.
5. Without limiting the generality of the foregoing, this Policy applies to alleged breaches of the *Code of Conduct and Ethics* by Individuals who have retired from the sport of lacrosse where any claim regarding a potential breach of the *Code of Conduct and Ethics* occurred when the Individual was active in the sport. In addition, this Policy will apply to breaches of the *Code of Conduct and Ethics* that occurred when the Individuals involved interacted due to their mutual involvement in 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).

If an Individual makes a complaint or Reports an incident that occurred at a time during which a different Lacrosse Canada policy was in force (i.e., *Code of Conduct and Ethics*, *Discipline and Complaints Policy*), the matter will be governed by the substantive rules in the policy in force at the time that the incident occurred to determine whether an offense or breach of the policy has occurred, unless the panel hearing the matter determines that the principle of *lex mitior* applies to the circumstances of the case; however, for such cases, this Policy will apply retroactively, prior to its approval date, as it relates to procedural matters.

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

6. In addition to being subject to discipline action pursuant to this Policy, an employee of Lacrosse Canada who is a Respondent may also be subject to appropriate disciplinary action in accordance with any of Lacrosse



Canada'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.

7. Lacrosse Canada will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

### **Alignment**

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

### **Minors**

9. Complaints may be brought for or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process. Any individual who Reports or brings a complaint on behalf of a Minor that involves known or suspected abuse, neglect or Maltreatment of a Minor that is not Reported to the OSIC pursuant to Sections 13-15 below must also Report this to local child welfare services, the applicable provincial or territorial social service ministries or departments, or local police.

10. Communication from the Executive Director, Independent Third Party, Discipline Chair or Case Manager, as applicable, must be directed to the Minor's representative.

11. If the Minor's representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the Minor's parent/guardian.

12. A Minor is not required to attend an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

### **Reporting a Complaint**

#### UCCMS Participants

13. Incidents that involve alleged Maltreatment or Prohibited Behaviour that occurred or continued as of March 31, 2023 involving a UCCMS Participant must be reported to the OSIC and will be addressed pursuant to the OSIC's policies and procedures.

14. Incidents that involve alleged Maltreatment or Prohibited Behaviour that occurred before March 31, 2023 may be reported to the OSIC; however, the OSIC shall determine the admissibility of such complaints in accordance with the relevant and applicable OSIC Guidelines regarding the initial review and preliminary assessment, at their sole discretion. The matter may only proceed pursuant to the OSIC's procedures with the



express consent of the Parties involved where the Parties have not been designated by Lacrosse Canada as a UCCMS Participant.

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

#### Individuals

16. Any complaints involving alleged breaches of Lacrosse Canada's policies that do not fall within Sections 13 or 14 above must be Reported in writing by an Individual (or Individuals) to Lacrosse Canada's identified Independent Third Party within fourteen (14) days of the occurrence of the incident.<sup>1</sup> For the avoidance of doubt, this includes Reported complaints referred back to the Independent Third Party by the OSIC following a determination made by the OSIC that a complaint initially reported to it does not fall within its jurisdiction. The OSIC is not required to comply with the deadline specified in this Section 16.

17. A Complainant who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may Report a complaint to the Independent Third Party and request that their identity be kept confidential. If the Independent Third Party considers that the Complainant's identity must remain confidential, the Independent Third Party may ask that Lacrosse Canada take carriage of the complaint and act as the Complainant pursuant to Section 24 below.<sup>2</sup>

18. If the Independent Third Party considers that it is unnecessary to keep the Complainant's identity confidential, they shall inform the Complainant, who may decide whether or not to pursue the Reported complaint. However, the Independent Third Party may not reveal the identity of the Complainant unless the Complainant expressly informs them of their desire to pursue the complaint and has indicated, in writing, their approval to have their identity divulged.

#### **Independent Third Party Responsibilities**

19. Upon receipt of a Reported complaint from an Individual (or Individuals) or the OSIC, the Independent Third Party shall:

- determine whether the complaint falls within the jurisdiction of this Policy;
- if it can be accepted pursuant to Section 16 above; and
- whether it is either a frivolous or vexatious complaint, or if it has been made in bad faith.<sup>3</sup>

---

<sup>1</sup> This timeline may be waived at the Independent Third Party's sole discretion if they consider that there were extenuating circumstances that prevented the Individual from Reporting their complaint within fourteen (14) days of the occurrence of the incident.

<sup>2</sup> In such circumstances, the Complainant(s) may be required to provide evidence during the disciplinary process.

<sup>3</sup> As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.



If the Reported complaint is not accepted by the Independent Third Party for any of the aforementioned reasons, the Independent Third Party shall inform the Complainant and provide the reasons for which the complaint was not accepted. If the Reported complaint is accepted by the Independent Third Party, the Independent Third Party shall proceed to make the determinations indicated in Sections 21-23 below and notify the Parties accordingly that the Reported complaint has been accepted.

20. In cases where the Independent Third Party receives a complaint or Report involving known or suspected abuse, neglect or Maltreatment of a Minor that is not reported to the OSIC pursuant to Sections 13-15, they shall Report this to local child welfare services, the applicable provincial or territorial social service ministries or departments, or local police. The Independent Third Party shall not be responsible for fulfilling the aforementioned obligation if the Individual making the complaint or filing the Report confirms in writing that they have already Reported to any such authorities.

21. If a Reported complaint has been accepted by the Independent Third Party pursuant to Section 19 above, the Independent Third Party shall determine whether the Reported incident has occurred within Lacrosse Canada's business, activities or Events as described in Section 3 above. If the incident has occurred outside of the business, activities or Events of Lacrosse Canada, the Independent Third Party will determine if Lacrosse Canada's relationships are adversely affected or if Lacrosse Canada's image or reputation will be detrimentally affected by the incident as described in Section 4 above, or if the breach has had a serious and detrimental impact on the Individual(s), as described in Section 5 above.

22. The Independent Third Party shall direct a Reported complaint to be managed by a Complaint Resolution Officer if the Complainant alleges that any of the following incidents have occurred:

- i. Disrespectful conduct or behaviour
- ii. Minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Participant, in which case the matter will fall under Section 23 below
- iii. Conduct contrary to the values of Lacrosse Canada
- iv. Non-compliance with Lacrosse Canada's policies, procedures, rules, or regulations
- v. Minor violations of Lacrosse Canada's *Code of Conduct and Ethics*, or *Social Media Policy*

23. Subject to Sections 15, the Independent Third Party shall direct a Reported complaint to be managed by the Case Manager appointed by Lacrosse Canada if the Complainant alleges that any of the following incidents have occurred:

- i. Repeated incidents pursuant to Section 22
- ii. Abusive, racist, or sexist comments, conduct or behaviour
- iii. Any incident of hazing
- iv. Behaviour that constitutes abuse, Maltreatment, Prohibited Behaviour, Harassment, Sexual Harassment, or Workplace Harassment
- v. Major incidents of violence (e.g., fighting, attacking)
- vi. Pranks, jokes, or other activities that endanger the safety of others
- vii. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- viii. Conduct that intentionally damages Lacrosse Canada's image, credibility, or reputation
- ix. Consistent disregard for Lacrosse Canada's bylaws, policies, rules, and regulations



- x. Major or repeated violations of Lacrosse Canada's *Code of Conduct and Ethics*, or *Social Media Policy*
- xi. Intentionally damaging Lacrosse Canada's property or improperly handling Lacrosse Canada's monies
- xii. Abusive use of alcohol or any other intoxicating substance, any use or possession of alcohol or any other intoxicating substance by Minors, or use or possession of illicit drugs and narcotics
- xiii. A conviction for any *Criminal Code* offense
- xiv. Any possession or use of Prohibited Substances or Prohibited Methods

24. Notwithstanding any provision in this Policy, Lacrosse Canada may, at its discretion, or upon request by the Independent Third Party in accordance with Section 17, act as the Complainant and initiate the complaint Reporting process under the terms of this Policy. In such cases, Lacrosse Canada will identify an individual to represent the organization, unless Lacrosse Canada is acting as the Complainant pursuant to Section 17.

### Investigations

25. In exceptional circumstances, and only when the Independent Third Party considers that the conditions indicated in this section have been satisfied, the Independent Third Party may determine that a Reported incident requires further investigation by an independent third-party investigator. The Independent Third Party will direct that an investigation be conducted:

- Only if the Reported incident falls within Section 23 above;
- In accordance with and by an independent investigator appointed pursuant to the *Investigations Policy*;
- Where the Independent Third Party considers that there is a need for an independent assessment to determine whether an allegation (or, where there are several allegations, which allegations) should be heard by a discipline panel pursuant to this Policy because they constitute, if found to be true, a likely breach of the *Code of Conduct and Ethics* or any other relevant and applicable Lacrosse Canada policy, or whether the allegation(s) are frivolous, vexatious or made in bad faith;<sup>4</sup> and
- For the purpose of making non-binding recommendations to the Independent Third Party so that they may discharge their responsibilities pursuant to this Policy.

If the Independent Third Party considers that an independent investigation must be conducted for the reasons mentioned above, the investigation shall be conducted before any disciplinary procedures are commenced pursuant to this Policy; however, when an investigation is conducted and where it is necessary in the circumstances, a Provisional Suspension or interim measures may be imposed in accordance with Sections 26-30 below.

Upon receipt of the investigator's report, the Independent Third Party shall determine whether the matter will proceed pursuant to Sections 42 and below and shall inform the Parties and Lacrosse Canada.

If the Independent Third Party does not consider that an independent investigation is necessary and the Reported complaint has been accepted pursuant to Section 19, the matter shall proceed pursuant to Sections 42 and following below.

---

<sup>4</sup> Please see footnote 2, modified accordingly for the circumstances of an investigation.



### **Provisional Suspensions**

26. If it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a Provisional Suspension or interim measures may be imposed against any Individual by the Executive Director (or their designate)<sup>5</sup> upon the recommendation of the Independent Third Party (except where there are time constraints), after which further discipline or sanctions may be applied according to this Policy.

27. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. Provisional Suspensions or interim measures may be imposed for the duration of a competition, training, activity, or Event only, or as otherwise determined by the Executive Director (or their designate).<sup>6</sup>

28. Notwithstanding the above, Lacrosse Canada may determine that an alleged incident is of such seriousness as to warrant the imposition of a Provisional Suspension of a Respondent pending completion of an investigation, assessment and/or investigation by the OSIC, criminal process, hearing, or a decision of the discipline panel.

29. Any Respondent against whom a Provisional Suspension or interim measure is imposed may make a request to the Independent Third Party or discipline panel (if appointed) to have the Provisional Suspension or interim measure lifted. In such circumstances, Lacrosse Canada shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent's request to have their Provisional Suspension lifted. Provisional Suspensions or interim measures shall only be lifted in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the Provisional Suspension or interim measures against them.

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

### **Complaint Handled by the Complaints Resolution Officer**

31. Following the Independent Third Party's determination that the Reported complaint or incident shall be managed by a Complaint Resolution Officer pursuant to Section 22 above, Lacrosse Canada will appoint a Complaint Resolution Officer. The Complaint Resolution Officer appointed to handle a Reported complaint or incident must be unbiased and not in a conflict of interest situation.

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

---

<sup>5</sup> The term "designate" includes a person with authority to impose a Provisional Suspension, according to the situation.

<sup>6</sup> In-competition discipline or sanction imposed by the applicable official or authority does not prevent an Individual from facing additional disciplinary proceedings under the Policy.





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

34. Following receipt of the Parties' submissions, the Complaint Resolution Officer may convene the Parties to a meeting, either in person or by way of video or teleconference, in order to ask the Parties questions and/or, if permitted by the Complaint Resolution Officer, to allow the Parties to ask questions of one another.

35. Following their review of the submissions and evidence related to the Reported complaint or incident, the Complaint Resolutions Officer shall determine if any of the incidents listed in Section 22 above have occurred and, if so, if one or more of the following sanctions should be applied:

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to Lacrosse Canada
- d) Removal of certain privileges
- e) Suspension from certain teams, Events, and/or activities
- f) Suspension from all or some of Lacrosse Canada's activities for a designated period
- g) Education or training opportunities
- h) Any other sanction considered appropriate for the offense

If, after hearing the Parties and reviewing their submissions, the Complaint Resolution Officer considers that none of the incidents listed in Section 22 above have occurred, they shall dismiss the Reported complaint.

36. The Complaint Resolution Officer will inform the Parties of their decision, in writing and with reasons. Any sanction imposed shall take effect upon the Parties' receipt of the decision. Should the circumstances require a decision to be rendered immediately or within a short timeline, the Complaint Resolution Officer may render a short decision, either orally or in writing, followed by a written reasoned decision.

37. Any decision rendered by the Complaint Resolution Officer shall be provided to and maintained in the records of Lacrosse Canada. Decisions will be kept confidential by the Parties and Lacrosse Canada (subject to Section 8) and shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

#### Request for Reconsideration

38. If the Complaint Resolution Officer decides not to impose a sanction on the Respondent, the Complainant may request a reconsideration from the Complaint Resolution Officer by informing them in writing, within four (4) days of receiving the decision, that they are not satisfied with decision and explain why.



39. If the Complaint Resolution Officer imposes a sanction, the Respondent may request, in writing, a reconsideration from the Complaint Resolution Officer by informing them, within four (4) days of receiving the decision, that they are not satisfied with the decision. In their 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.

40. Upon receiving a request for reconsideration, the Complaint Resolution Officer shall render a decision within seven (7) days explaining whether they have accepted the request for reconsideration and, if so, their new decision.

41. The Complaint Resolution Officer's new decision may be appealed in accordance with the *Appeal Policy*; however, no party shall have a right to appeal unless they have exhausted their right to request a reconsideration pursuant to Sections 38 and 39 above.

#### **PHandled by Case Manager**

##### Case Manager

42. If the Independent Third Party determines that the Reported complaint or incident should be handled by Lacrosse Canada pursuant to Section 23 above, Lacrosse Canada shall appoint a Case Manager to fulfil the responsibilities listed in Sections 43 and following.

43. Following the Independent Third Party's determination that the Reported complaint or incident should be handled by Lacrosse Canada pursuant to Section 23 above, the appointed Case Manager will have a responsibility to:

- a) Propose the use of Lacrosse Canada's *Dispute Resolution Policy* (if considered appropriate in the circumstances)
- b) Appoint the discipline panel, if necessary
- c) Coordinate all administrative aspects and set timelines
- d) Provide administrative assistance and logistical support to the discipline panel as required, including providing the discipline panel with any information related to previously established infractions committed by the Respondent(s) of the policies of Lacrosse Canada, any Provincial/Territorial Organizations or Member Clubs or any other sport organization that had authority over the Respondent.
- e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

##### Procedures

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

45. If appropriate in the circumstances, , the Case Manager will propose that the Parties use Lacrosse Canada'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.

46. The Case Manager, in cooperation with the discipline panel, will then decide the format under which the Reported complaint will be heard. This decision may not be appealed.

47. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the discipline panel deem appropriate in the circumstances, provided that:

- a) The discipline panel determines procedures and timelines, as well as a hearing duration, that is as expedient and cost-efficient as possible in order to ensure that costs to the Parties and Lacrosse Canada are reasonable
- b) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
- c) Copies of any written documents which the parties wish to have the discipline panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing
- d) The Parties may engage a representative, advisor, translator, transcription services, or legal counsel at their own expense
- e) The discipline panel may request that any other individual participate and give evidence at the hearing
- f) If not a Party, Lacrosse Canada shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the discipline panel, Lacrosse Canada may make submissions at the hearing or may provide the discipline panel with clarifying information that may be required for the panel to render its decision.<sup>7</sup>
- g) The discipline panel may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The discipline panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties
- h) Nothing is admissible in evidence at a hearing that:
  - i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
  - ii. is inadmissible by any statute.
- i) Where a discipline panel composed of three members is appointed, the decision will be by a majority vote of the discipline panel

---

<sup>7</sup> The purpose of this provision is not to provide Lacrosse Canada with the possibility to try to influence whether a sanction is imposed and, if so, the duration or nature of the sanction. Instead, this provision is intended to provide Lacrosse Canada with the possibility to provide the discipline panel with clarifying information when the parties have sought a particular sanction against an Individual, but they may have misunderstood or misrepresented fundamental elements of the programming or membership structure (or other similar issues) which, if left unaddressed, could result in the discipline panel imposing a sanction that is unenforceable.



48. 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.
49. The hearing may proceed if a Party chooses not to participate in the hearing.
50. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the complaint, shall be permitted to participate in the proceedings as determined by the discipline panel, and will be bound by the decision.
51. In fulfilling its duties, the discipline panel may obtain independent advice.
52. Facts established by a criminal court, by a civil court, or by a professional disciplinary tribunal of competent jurisdiction shall be admissible as evidence within the disciplinary process, as allowed by applicable law.

#### **Decision**

53. After hearing and/or reviewing the matter, the discipline panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If the discipline panel considers that an infraction has not occurred, the Reported complaint will be dismissed.
54. Within fourteen (14) days of the hearing's conclusion, the discipline panel's written decision, with reasons, will be distributed by the Case Manager to all Parties and to Lacrosse Canada. 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.
55. Subject to Section 56 below, unless the matter involves a Vulnerable Participant, once the appeal deadline in the *Appeal Policy* has expired, Lacrosse Canada shall publish the outcome of the case on their website. Publication shall be limited to the provision(s) of the relevant policies that have been violated, the name(s) of the Individual(s) involved, and the sanction(s) imposed, if any. Additionally, where Lacrosse Canada acts as the Complainant under Section 17 above, only Lacrosse Canada, and not the original Complainant, shall be identified as an involved Individual. If the matter is appealed, the publication provisions in the *Appeal Policy* shall apply. Identifying information regarding Minors or Vulnerable Participants will never be published by Lacrosse Canada.
56. If the discipline panel dismisses the Reported complaint, its decision may only be published with the Respondent's consent. If the Respondent does not provide such consent, the information referred to in Section 55 will be kept confidential by the Parties, the Case Manager, and Lacrosse Canada, and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to this Policy.
57. The discipline panel's decision will come into effect as of the date that it is rendered, unless decided otherwise by the discipline panel. In accordance with Section 8 above, the discipline panel's decision will apply



automatically to and must be respected by Lacrosse Canada and Provincial/Territorial Organizations and/or Member Clubs.

58. The Case Manager shall communicate decisions rendered pursuant to this Policy to Lacrosse Canada, the Parties, and to the Independent Third Party. Decisions shall be considered confidential, unless the discipline panel orders otherwise. Records of all decisions will be maintained by Lacrosse Canada and any Provincial/Territorial Organizations and/or Member Clubs, if applicable, in accordance with their respective privacy policies.

59. When the discipline panel imposes a sanction, the decision shall include, at a minimum, the following details:

- a) Jurisdiction;
- b) Summary of the facts and relevant evidence;
- c) Where applicable, the specific provision(s) of Lacrosse Canada's policies, bylaws, rules or regulations that have been breached;
- d) Which Party or organization is responsible for the costs of implementing any sanction;
- e) Which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction;
- f) Any reinstatement conditions that the Respondent must satisfy (if any);
- g) Which organization is responsible for ensuring that the conditions have been satisfied; and,
- h) Any other guidance that will assist the Parties to implement the discipline panel's decision

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

### **Sanctions**

60. When determining the appropriate sanction, the discipline panel will consider the following factors (where applicable):

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



j) Other mitigating or aggravating circumstances.

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

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

- a) **Verbal or Written Warning** - A verbal reprimand or an official, written notice that an Individual has violated the *Code of Code and Ethics* (or other applicable policy) and that more severe sanctions will result should the Individual be involved in other violations
- b) **Education** - The requirement that an Individual undertake specified educational or similar remedial measures to address the violation(s) of the *Code of Conduct and Ethics* (or other applicable policy) or the UCCMS
- c) **Probation** - Should any further violations of *Code of Conduct and Ethics* (or other applicable policy) or the UCCMS occur during the probationary period, this may result in additional disciplinary measures, including, without limitation, a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period
- d) **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of Lacrosse Canada. A suspended Individual may be eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Individual satisfying specific conditions noted at the time of suspension
- e) **Eligibility Restrictions** - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions
- f) **Permanent Ineligibility** - Ineligibility to participate in any capacity in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of Lacrosse Canada
- g) **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate

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

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





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

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

65. When imposing sanctions under this Policy, the discipline panel may take into account any previously established infractions committed by the Respondent(s) of the disciplinary policies of Lacrosse Canada, any Provincial/Territorial Organizations and/or Member Clubs, or any other sport organization that had authority over the Respondent.

66. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension from participation in the activities of Lacrosse Canada until such time as compliance occurs.

67. Records of all decisions will be maintained by Lacrosse Canada and any Provincial/Territorial Organizations and/or Member Clubs, as applicable. Such records shall be retained and discarded in accordance with relevant and applicable privacy legislation.

#### **OSIC Sanction**

68. As a Program Signatory to the OSIC, Lacrosse Canada will ensure that any sanctions or measures imposed by the OSIC's Director of Sanctions and Outcomes (DSO) will be implemented and respected within Lacrosse Canada's jurisdiction (including at the provincial, territorial and club level), once Lacrosse Canada receives appropriate notice of any sanction or measure from the OSIC.

#### **Appeals**

69. The decision of the discipline panel may be appealed in accordance with Lacrosse Canada's *Appeal Policy*.

#### **Confidentiality**

70. The discipline and complaints process is confidential and involves only Lacrosse Canada (Executive Director and relevant staff as determined by the Executive Director), the Parties, the Independent Third Party, the investigator (if one is appointed), the Complaint Resolution Officer, the Case Manager, the discipline panel, and any independent advisors to the discipline panel.

71. None of the Parties (or their representatives or witnesses) or persons/organizations referred to in Section 70 will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings, unless Lacrosse Canada is required to notify an organization such as an international federation, Sport Canada, or other sport organization (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.



72. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Complaint Resolution Officer or discipline panel (as applicable) against the Party(ies) in breach.

#### **Timelines**

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

#### **Privacy**

74. The collection, use and disclosure of any personal information pursuant to this Policy shall be in accordance with any applicable privacy policies and practices of Lacrosse Canada.

75. Lacrosse Canada and any of its delegates pursuant to this Policy (i.e., Independent Third Party, Complaint Resolution Officer, Case Manager, discipline panel) shall comply with Lacrosse Canada's applicable privacy policies and practices in the performance of their services under this Policy.



## **DISPUTE RESOLUTION POLICY**

### **Purpose**

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

### **Application of this Policy**

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

### **Facilitation and Mediation**

5. If all Parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all Parties, shall be appointed to mediate or facilitate the dispute. The costs of mediation or facilitation shall be borne by the Parties, unless otherwise agreed with Lacrosse Canada.
6. Where Lacrosse Canada is involved in the matter, it may, upon agreement of the Parties, refer the matter for mediation using the mediation services of the SDRCC.
7. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the Parties must reach a negotiated settlement.
8. Should a negotiated settlement be reached, the settlement shall be reported to Lacrosse Canada. Any actions that are to take place as a result of the settlement shall be enacted on the timelines specified in the negotiated settlement. Where Lacrosse Canada may be required to implement any part of a negotiated settlement, it shall become a Party to the mediation or it shall be given the opportunity to approve the negotiated settlement, but only with respect to aspects of the settlement that it may be required to implement.



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

#### **Final and Binding**

10. Any negotiated settlement will be binding on the Parties and shall, unless the Parties decide otherwise, remains confidential and will be protected in accordance with any applicable privacy policies and practices of Lacrosse Canada. Negotiated settlements may not be appealed.

11. No action or legal proceeding will be commenced against Lacrosse Canada in respect of a dispute unless Lacrosse Canada has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents.

#### **Privacy**

12. The collection, use and disclosure of any personal information pursuant to this Policy shall be in accordance with any applicable privacy policies and practices of Lacrosse Canada.

13. Lacrosse Canada or any of its delegates pursuant to this Policy shall comply with Lacrosse Canada's applicable privacy policies and practices in the performance of their services under this Policy.



## **APPEAL POLICY**

### **Purpose**

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

### **Scope and Application of this Policy**

2. This Policy applies to all Individuals. However, it does not apply to appeals of decisions that were managed by the OSIC, which shall be handled in accordance with the policies and procedures of the OSIC or the Director of Sanctions and Outcomes (DSO), as applicable.
3. Subject to Section 2, any Individual who is affected by a decision taken by Lacrosse Canada specifically with regard to that Individual, including a decision by the Board, by any Committee of the Board, or by any body or individual within Lacrosse Canada who has been delegated authority to make decisions in accordance with Lacrosse Canada by-laws and governance policies (as applicable), shall have the right to appeal that decision provided that it is a decision that is subject to appeal pursuant to Section 4 of this Policy, that the conditions indicated in Sections 6 or 7 of this Policy (as applicable) have been satisfied, and provided that there are sufficient grounds for the appeal pursuant to Section 8 of this Policy.
4. This Policy **will apply** to decisions relating to:
  - a) Eligibility
  - b) Selection
  - c) Conflict of Interest
  - d) Disciplinary decisions made pursuant to Lacrosse Canada's relevant and applicable policies
  - e) Membership
5. This Policy **will not apply** to decisions relating to:
  - a) Reported complaints that were managed by the OSIC;
  - b) Matters of general application such as amendments to the Lacrosse Canada's by-laws;
  - c) Lacrosse Canada's operational structure and committee appointments;
  - d) Issues of budgets and budget implementation;
  - e) Employment matters or matters of staffing or volunteer leadership opportunities;
  - f) Except as otherwise provided for in this Policy, decisions made by organizations other than Lacrosse Canada, such as Lacrosse Canada's Member Clubs, international federations, or any other governing body;
  - g) Selection criteria, quotas, policies and procedures established by entities other than Lacrosse Canada;
  - h) Substance, content and establishment of team selection criteria;
  - i) The Athlete Assistance Program (AAP) policies and procedures established by Sport Canada;
  - j) Policy and procedures established by any other agency, association or organization external to Lacrosse Canada;
  - k) Infractions for doping offences, which are dealt with pursuant to the Canadian Anti-



Doping Program, by the Canadian Centre for Ethics in Sport and by international federations;

- l) Contractual matters between Lacrosse Canada and its staff or Member Clubs for which another dispute resolution process exists under the provisions of the applicable contract; or
- m) Settlements negotiated pursuant to the *Dispute Resolution Policy*.

### **Timing of Appeal**

6. 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 Lacrosse Canada's Executive Director, the following:
- a) Notice of the intention to appeal
  - b) Contact information
  - c) Name of the Respondent and any Affected Parties, when known to the Appellant
  - d) Date the Appellant was advised of the decision being appealed
  - e) A copy of the decision being appealed, or description of decision if written document is not available
  - f) Grounds and detailed reasons for the appeal
  - g) All evidence that supports these grounds
  - h) Requested remedy or remedies
  - i) An administration fee of five hundred dollars (\$500), which will be refunded if the appeal is upheld.

Notwithstanding the above, appeals in relation to disciplinary decisions made pursuant to the *Discipline and Complaints Policy* must be filed with the Independent Third Party and must otherwise comply with the requirements of this Section 6.

7. An Individual who wishes to initiate an appeal beyond the seven (7) day period may only do so if exceptional circumstances prevented them from filing their appeal within the deadline indicated in Section 6 above. Any such individual must provide a written request stating the reasons for which they are seeking an exception. The decision to allow, or not allow, an appeal of the fourteen (14) day period will be at the sole discretion of the Appeal Manager.

### **Grounds for Appeal**

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





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

### **Submitting an Appeal**

#### **Complaint Resolution Officer Decision**

10. A decision made by Lacrosse Canada's Complaint Resolution Officer following a request for reconsideration by one of the Parties pursuant to the *Discipline and Complaints Policy* may be appealed to the appeal panel in accordance with the terms of this *Appeal Policy*.

#### **Discipline Panel Decision**

11. A decision made by Lacrosse Canada's discipline panel pursuant to the *Discipline and Complaints Policy* may be appealed to the appeal panel in accordance with the terms of this *Appeal Policy*.

#### **Other decisions**

12. Any other Lacrosse Canada decision relating to the matters indicated in Section 4 above may be appealed in accordance with Sections 16 and following of this Policy.
13. Notwithstanding any other provision in this *Appeal Policy*, by agreement between the Parties, the internal appeal process may be bypassed, and the appeal may be heard directly before the SDRCC.
14. Except where an appeal proceeds before the SDRCC, Lacrosse Canada shall appoint an Appeal Manager and shall follow the process outlined in Sections 16 and following of this *Appeal Policy*.

#### **Dispute Resolution**

15. The Parties may first attempt to resolve the appeal through the *Dispute Resolution Policy* once the notice of the appeal, the fee, and the information required pursuant to Section 6 has been received.

#### **Screening of Appeal**

16. 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 Lacrosse Canada will appoint an independent Appeal Manager (who must not be in a conflict of interest or have any direct relationship with the Parties) who has the following responsibilities:
  - a) Determine if the appeal falls under the scope of this Policy (Sections 2-5)
  - b) Determine if the appeal was submitted in a timely manner (Sections 6-7)
  - c) Decide whether there are sufficient grounds for the appeal (Section 8)
17. If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision.



18. If the Appeal Manager accepts an appeal because it falls under the scope of this Policy, there are sufficient grounds, and it was submitted in a timely manner, the Appeal Manager will notify the Parties of their decision in writing and will follow the steps described hereunder.

#### **Appointment of Appeal Panel**

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

#### **Determination of Affected Parties**

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

#### **Procedure for Appeal Hearing**

22. 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.
23. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
24. 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 appeal panel deem appropriate in the circumstances, provided that:
- a) The hearing will be held in a timely manner within a timeline determined by the Appeal Manager
  - b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications
  - c) Copies of any written documents which the parties wish to have the appeal panel consider will be provided to all Parties in advance of the hearing
  - d) The Parties may be accompanied by a representative, advisor, translator, transcription services, or legal counsel at their own expense
  - e) The appeal panel may request that any other individual participate and give evidence at an



oral in-person hearing or oral hearing by telephone or electronic communications

- f) The panel may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The appeal panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties
- g) Nothing is admissible in evidence at a hearing that:
  - i. would be inadmissible in a court by reason of any privilege under the law of evidence, or
  - ii. is inadmissible by any statute
- h) Any Affected Party shall be permitted to make submissions and file evidence before the appeal panel. The appeal panel's decision is binding on any Affected Party.
- i) The decision to uphold or reject the appeal will be by a majority vote of the appeal panel members, except in cases where the appeal panel consists of a single member

25. In fulfilling its duties, the appeal panel may obtain independent advice.

#### **Provisional Measures**

26. 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**

27. The appeal panel shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the appeal panel will have no greater authority than that of the original decision-maker. The appeal panel may decide to:

- a) Reject the appeal and confirm the decision being appealed
- b) Uphold the appeal, in whole or in part, and refer the matter back to the initial decision-maker for a new decision
- c) Uphold the appeal, in whole or in part, and vary the decision
- d) Determine whether costs of the appeal, excluding legal fees and legal disbursements of any Parties, may be assessed against any Party. In assessing costs, the appeal panel will take into account the nature and amount of the costs, the outcome of the appeal, the conduct of the Parties, and the Parties' respective financial resources

28. The appeal panel's written decision, with reasons, will be distributed to all Parties, the Appeal Manager, and Lacrosse Canada. 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.

29. Subject to Section 30 below, unless the matter involves a Vulnerable Participant, once the deadline to appeal to the SDRCC (where applicable), as indicated in the Canadian Sport Dispute Resolution Code, has expired, Lacrosse Canada will publish the outcome of the appeal on their website. Publication shall be limited to, where applicable, the provision(s) of any relevant policies that have been violated, the name(s) of the Individual(s) involved, the sanction(s) or order imposed, if any. Additionally, where Lacrosse Canada acts as the Complainant under Section 17 of the *Discipline and*



*Complaints Policy* and any decision issued pursuant to that Policy is appealed, only Lacrosse Canada, and not the original Complainant, shall be identified as an involved Individual. Identifying information regarding Minors or Vulnerable Participants will never be published by Lacrosse Canada.

30. If the appeal panel dismisses the appeal, the decision may only be published, as provided for in Section 29, with the Respondent's consent. If the Respondent does not provide such consent, the decision will be kept confidential by the Parties, the Appeal Manager, and Lacrosse Canada and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to the *Discipline and Complaints Policy*.
31. Other individuals or organizations, including but not limited to, Provincial/Territorial Organizations and/or Member Clubs, shall be advised of the outcome of any decisions rendered in accordance with this Policy.
32. Any decision rendered pursuant to this Policy shall apply automatically to and must be respected by Lacrosse Canada and Provincial/Territorial Organizations and/or Member Clubs.
33. Records of all decisions will be maintained by Lacrosse Canada and Provincial/Territorial Organizations and/or Members Clubs, if applicable, in accordance with their respective privacy policies.
34. The appeal panel's decision is final and binding on the Parties, subject to their right to appeal the decision before the SDRCC in accordance with the Canadian Sport Dispute Resolution Code.

#### **Timelines**

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

#### **Confidentiality**

36. 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.
37. Any failure to respect the aforementioned confidentiality requirement may result in disciplinary action being taken against the Individual(s) in accordance with Lacrosse Canada's applicable policies.

#### **Final and Binding**

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

#### **Privacy**

38. The collection, use and disclosure of any personal information pursuant to this Policy shall be in accordance with any applicable privacy policies and practices of Lacrosse Canada.



**LACROSSE CANADA**  
**CROSSE CANADA**

**INFO@LACROSSE.CA**  
**LACROSSE.CA**  
**18 RUE LOUISA STREET, SUITE 310**  
**OTTAWA, ON K1R 6Y6**

39. Lacrosse Canada and any of its delegates pursuant to this Policy (i.e., Appeal Manager, appeal panel) shall comply with Lacrosse Canada's applicable privacy policies and practices in the performance of their services under this Policy.



## WHISTLEBLOWER POLICY

### Purpose

1. The purpose of this Policy is to allow Workers<sup>1</sup> 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 Lacrosse Canada that observes a Worker engage in wrongdoing or misconduct can file a report with Lacrosse Canada's Independent Third Party 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 Lacrosse Canada policy.
4. Matters reported under the terms of this Policy may be referred by the Independent Third Party to be heard under Lacrosse Canada's *Discipline and Complaints Policy*, at their sole discretion.
5. Lacrosse Canada has adopted the UCCMS which applies to all individuals designated by Lacrosse Canada as UCCMS Participants. Any alleged breaches of the UCCMS by a UCCMS Participant should be reported to the OSIC, in which case the policies and procedures of the OSIC will govern.

### Wrongdoing

6. Wrongdoing can be defined as:
  - a) Violating the law;
  - b) Intentionally or seriously breaching of Lacrosse Canada's *Code of Conduct and Ethics*;
  - c) Intentionally or seriously breaching Lacrosse Canada'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 Lacrosse Canada, or other wrongful act; or
  - f) Fraud.

### Pledge

7. Lacrosse Canada 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.

---

<sup>1</sup> "Worker" has the meaning set out in the Ontario *Occupational Health and Safety Act*, as amended.





8. Any Individual affiliated with Lacrosse Canada who breaks this pledge will be subject to disciplinary action, up to and including termination of employment.

### **Reporting Wrongdoing**

9. 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).
10. Reports of wrongdoing shall be reported to the Independent Third Party within fourteen (14) days of the alleged incident.
11. After receiving the report, the Independent Third Party has the responsibility to:
  - a) Assure the Worker of Lacrosse Canada'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 Lacrosse Canada's *Whistleblower Policy* applies or if the matter should be handled under Lacrosse Canada'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 Lacrosse Canada's President and/or Executive Director should or can be notified of the report
  - g) Determine whether an investigation is required and, if so, facilitate an investigation that is appropriate in the circumstances

### **Investigation**

12. If the Independent Third Party determines that an investigation should be launched, they may decide to contract an external investigator. In such cases, Lacrosse Canada'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. Lacrosse Canada's Executive Director and/or President may not unreasonably refuse the decision to contract an external investigator
13. Where an external investigator is appointed, the Independent Third Party shall take into consideration the nature of the allegations and the financial resources of Lacrosse Canada.
14. 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 and, where appropriate, interviews with such affected individuals
  - c) Interview with the Director(s) or Worker(s) against whom the report was submitted
  - d) Interview with the supervisor(s) of the Director(s) or Worker(s) against whom the report was submitted, where necessary and appropriate
15. 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, Lacrosse Canada 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.
16. The investigator will prepare a report – omitting names whenever possible to ensure confidentiality – that will be submitted to Lacrosse Canada’s President and/or Executive Director to determine whether action pursuant to Section 17 below should be taken.

#### **Decision**

17. Within fourteen (14) days after receiving the Investigator’s Report, Lacrosse Canada’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 Lacrosse Canada’s bylaws, provincial employment legislation, any relevant and applicable Lacrosse Canada policy, and/or the Worker’s employment agreement or contractor agreement.
18. The corrective action, if any, will be communicated to the Independent Third Party who will then inform the Worker who submitted the report.
19. Decisions made under the terms of this Policy may be appealed under the terms of Lacrosse Canada’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 Lacrosse Canada will act as the Respondent

#### **Confidentiality**

20. 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) to the greatest extent possible.



**LACROSSE CANADA  
CROSSE CANADA**

**INFO@LACROSSE.CA**

**LACROSSE.CA**

**18 RUE LOUISA STREET, SUITE 310  
OTTAWA, ON K1R 6Y6**

Information will only be disclosed for the purpose of fully investigating the report or where required by law (including, but not limited to, where the disclosure of information is necessary to ensure the safety of other Workers). 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 Lacrosse Canada's Discipline and Complaints Policy \*\**

### Purpose

1. Lacrosse Canada 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 Lacrosse Canada-sanctioned Events unless the Event host has a different procedure and this procedure has been approved by Lacrosse Canada 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 Lacrosse Canada (e.g., an international federation), the Event Discipline Procedure of the sanctioning organization will replace this procedure. Incidents involving Individuals connected with Lacrosse Canada (such as athletes, coaches, members, and Directors and Officers) must still be reported to Lacrosse Canada to be addressed under Lacrosse Canada's *Discipline and Complaints Policy*, if necessary.

4. This procedure does not replace or supersede Lacrosse Canada's *Discipline and Complaints Policy* or the jurisdiction of the OSIC, where the parties involved are UCCMS Participants. Instead, this procedure works in concert with the *Discipline and Complaints Policy* or the UCCMS (as administered by the OSIC) by outlining, for a designated person with authority at an Event sanctioned by Lacrosse Canada, the procedure for taking immediate, informal, or corrective action in the event of a possible violation of Lacrosse Canada's *Code of Conduct and Ethics* at an Event.

### Misconduct During Events

5. Incidents that violate or potentially violate Lacrosse Canada'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 Lacrosse Canada's *Code of Conduct and Ethics*:

- a) Notify the involved parties that there has been an incident that violated or potentially violated Lacrosse Canada'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 Lacrosse Canada'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 whether it is appropriate to impose a 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 Lacrosse Canada following the conclusion of the Event. Further discipline may then be applied in accordance with Lacrosse Canada's *Discipline and Complaints Policy* or the UCCMS (as administered by the OSIC), 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 of all parties involved, 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 Lacrosse Canada or to the OSIC, as applicable, to be addressed as a formal complaint pursuant to Lacrosse Canada's *Discipline and Complaints Policy* or the UCCMS.
11. Lacrosse Canada shall record and track all reported incidents.

#### **Privacy**

12. The collection, use and disclosure of any personal information pursuant to this Policy shall be in accordance with any applicable privacy policies and practices of Lacrosse Canada.



## **SOCIAL MEDIA POLICY**

### **Preamble**

1. Lacrosse Canada is aware that Individual interaction and communication occurs frequently on social media. Lacrosse Canada cautions Individuals that any conduct falling short of the standard of behaviour required by Lacrosse Canada's *Code of Conduct and Ethics* or this *Social Media Policy* may be subject to the disciplinary sanctions identified within Lacrosse Canada's *Discipline and Complaints Policy*.<sup>1</sup>

### **Application of this Policy**

2. This Policy applies to all Individuals.

### **Conduct and Behaviour**

3. For the avoidance of doubt, the following social media conduct may be subject to disciplinary action in accordance with the *Discipline and Complaints Policy*:

- a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at an Individual, at Lacrosse Canada, or at other individuals connected with Lacrosse Canada.
- 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 Lacrosse Canada, or at other individuals connected with Lacrosse Canada
- 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 Lacrosse Canada, its stakeholders, or its reputation
- d) Inappropriate personal or sexual relationships over a social medium between Individuals who have a Power Imbalance in their interactions, such as between athletes and coaches, directors or officers, committee members and staff, officials, etc.
- e) Any instance of cyber-bullying or cyber-harassment between one Individual and another Individual where incidents of cyber-bullying and cyber-harassment can include but are not limited to the following conduct on any social medium, via text-message, or via email: regular insults, negative comments, vexatious or unwelcome behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.

4. All conduct and behaviour occurring on social media may be Reported pursuant to Lacrosse Canada's *Discipline and Complaints Policy*.

### **Individuals Responsibilities**

5. Individuals acknowledge that their social media activity may be viewed by anyone, including Lacrosse Canada and other Individuals.

---

<sup>1</sup> In addition to this Policy, employees and contractors of Lacrosse Canada are subject to Lacrosse Canada's Social Media Guidelines (which may be found in the CLA Operations Manual).





**LACROSSE CANADA**  
**CROSSE CANADA**

INFO@LACROSSE.CA  
LACROSSE.CA  
18 RUE LOUISA STREET, SUITE 310  
OTTAWA, ON K1R 6Y6

6. If Lacrosse Canada 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 Lacrosse Canada 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 Lacrosse Canada.
8. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Individual from being subject to Lacrosse Canada's *Discipline and Complaints Policy*.
9. An individual who believes that an Individual's social media activity is inappropriate or may violate Lacrosse Canada's policies and procedures should report the matter to Lacrosse Canada in the manner outlined by Lacrosse Canada's *Discipline and Complaints Policy*.

#### **Privacy**

10. The collection, use and disclosure of any personal information pursuant to this Policy shall be in accordance with any applicable privacy policies and practices of Lacrosse Canada.



## SCREENING POLICY

### Preamble

1. Lacrosse Canada<sup>1</sup> understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice amongst sport organizations that provide programs and services to the Canadian sport community.

### Application of this Policy

2. This Policy applies to all individuals whose position with Lacrosse Canada is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
3. Not all individuals associated with Lacrosse Canada will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to Lacrosse Canada or to its participants. Individuals will be subject to the screening requirements described in the Screening Requirements Matrix found in **Appendix A** of this Policy and shall comply with the screening application requirements as detailed therein. For information on how to obtain an E-PIC or a VSC, please contact Lacrosse Canada.

### Screening Committee

4. The implementation of this Policy is the responsibility of Lacrosse Canada's Screening Committee which is a committee of either one (1) or three (3) independent individuals appointed by Lacrosse Canada. Lacrosse Canada will ensure that the individual(s) appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately screening documents and render decisions under this Policy.
5. The Screening Committee will carry out its duties, in accordance with the terms of this Policy.
6. The Screening Committee is responsible for reviewing all documents submitted with an Application Form and, based on the review, making decisions regarding the appropriateness of individuals filling positions within Lacrosse Canada. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.

### Screening Requirements

7. A Screening Requirements Matrix is provided as **Appendix A**. All individuals must comply with the requirements detailed therein when first engaged by Lacrosse Canada and shall respect the renewal requirements indicated in Section 12 below.
8. If an individual subsequently receives a charge, conviction for, or is found guilty of an offense they will report this circumstance immediately to Lacrosse Canada. Additionally, the individual will inform Lacrosse Canada of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.

---

<sup>1</sup> A separate document with term definitions that apply to all Lacrosse Canada policy is found online and in the Lacrosse Canada Safe Sport Policy Manual.



9. If Lacrosse Canada learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with Lacrosse Canada's *Discipline and Complaints Policy*.

### **Minors**

10. When screening Minors, Lacrosse Canada will:
- a) Not require the Minor to obtain a VSC or E-PIC; and
  - b) In lieu of obtaining a VSC or E-PIC, require the Minor to submit up to two (2) additional letters of reference.
11. Notwithstanding the above, Lacrosse Canada may ask a Minor to obtain a VSC or E-PIC if Lacrosse Canada suspects the Minor has an adult conviction and therefore has a *criminal record*. In these circumstances, Lacrosse Canada will be clear in its request that it is not asking for the Minor's *youth record*. Lacrosse Canada understands that it may not request to see a Minor's youth record.

### **Renewal**

12. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, VSC, or Screening Renewal Form, are required to submit the documents as follows:
- a) An E-PIC every three years
  - b) A Screening Disclosure Form every three years
  - c) A Screening Renewal Form every year
  - d) A Vulnerable Sector Check once
13. The Screening Committee may request that an individual provide any of the above documents at any time. Such request will be in writing and reasons will be provided for the request.

### **Orientation, Training, and Monitoring**

14. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at Lacrosse Canada's discretion.
15. Orientation may include, but is not limited to: introductory presentations, facility tours, safe sport policy training, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
16. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
17. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training.
18. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.



## Procedure

19. Individuals must submit the screening documents indicated in **Appendix A**, according to the category in which they fall, to the Screening Committee. If an individual is uncertain of which category they fall into, they may contact Lacrosse Canada for assistance. Any information submitted shall be subject to Lacrosse Canada's *Privacy Policy*, will only be viewed on a need-to-know basis, and will be protected in accordance with the relevant and applicable privacy legislation.
20. An individual who refuses or fails to provide the necessary screening documents, or who makes an incomplete application, will be ineligible for the position sought. The individual will be informed by the Screening Committee that their application and/or position will not proceed until such time as the screening documents are submitted.
21. Lacrosse Canada understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, Lacrosse Canada may permit the individual to participate in the role during the delay, provided that the individual demonstrates that they have initiated the E-PIC or VSC application process. Lacrosse Canada may withdraw this permission at any time and for any reason.
22. Lacrosse Canada recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
23. The Screening Committee will review all Level 1 and Level 2 screening applications, including any supporting documents, and shall make a decision as indicated in Section 24 below. For Level 3 screening applications, the Screening Committee will only review cases where the individual has made a declaration in their declaration form that may impact whether they can participate in the desired position.
24. Following the review of any Level 1 and Level 2 screening applications, the Screening Committee will decide whether:
  - a) The individual has passed screening and may participate in the desired position;
  - b) The individual has passed screening and may participate in the desired position with conditions;
  - c) The individual has not passed screening and may not participate in the desired position; or
  - d) More information is required from the individual.
25. In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
26. The Screening Committee must decide that an individual has not passed screening if the screening documentation reveals any of the following:
  - a) If imposed in the last three years:
    - i. Any offense involving the use of a motor vehicle that constitutes an offence under the *Criminal Code*
    - ii. Any offence of assault, physical or psychological violence



- iii. Any offense for trafficking and/or possession of drugs and/or narcotics
- iv. Any offense involving conduct against public morals
- v. Any offence involving theft or fraud
- b) If imposed at any time:
  - i. Any offense involving a Minor or Minors
  - ii. Any offense involving the possession, distribution, or sale of any child-related pornography
  - iii. Any sexual offense

### **Conditions and Monitoring**

27. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Screening Committee may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Screening Committee may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

### **Records**

28. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings. This includes protecting all records in accordance with the relevant and applicable privacy legislation.
29. The records kept by Lacrosse Canada as part of the screening process include but are not limited to:
- a) An individual's Vulnerable Sector Check
  - b) An individual's E-PIC (for a period of three years)
  - c) An individual's Screening Disclosure Form (for a period of three years)
  - d) An individual's Screening Renewal Form (for a period of one year)
  - e) Records of any conditions attached to an individual's registration by the Screening Committee
  - f) Records of any discipline applied to any individual by Lacrosse Canada or by another sport organization

### **Privacy**

30. The collection, use and disclosure of any personal information pursuant to this Policy shall be in accordance with any applicable privacy policies and practices of Lacrosse Canada.
31. Lacrosse Canada or any of its delegates pursuant to this Policy (i.e., Screening Committee) shall comply with Lacrosse Canada's applicable privacy policies and practices in the performance of their services under this Policy.



## Appendix A – Screening Requirements Matrix

|                | Description   | Requirements  | Examples  |
|----------------|---|---|---|
| <b>Level 1</b> | Individual that holds a decision-making position, involved in high risk assignments, occupies position of trust and/or authority, has a supervisory role, directs others, involved with finances, and who have frequent or unsupervised access to Vulnerable Participants | <ul style="list-style-type: none"><li>- Complete an Application Form</li><li>- Complete a Screening Disclosure Form</li><li>- Complete and provide a VSC</li><li>- Provide one reference related to the position</li><li>- Participate in training, orientation, and monitoring as determined by the organization</li><li>- Provide a driver's abstract, if requested</li></ul>                                 | Senior Lacrosse Canada staff, Case Managers, full-time coaches, coaches that travel with athletes, coaches that could be alone with athletes  |
| <b>Level 2</b> | Athletes and individuals with direct athlete contact, individuals involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Participants                   | <ul style="list-style-type: none"><li>- Complete an Application Form</li><li>- Complete a Screening Disclosure Form</li><li>- Complete and provide an E-PIC</li><li>- Provide one reference related to the position</li><li>- Participate in training, orientation, and monitoring as determined by the organization</li><li>- Provide a driver's abstract, if requested and relevant to the position</li></ul> | Athletes, coaches, training staff and athlete support personnel, non-coach employees or managers, Directors, coaches who are typically under the supervision of another coach, officials, event organizing committees |
| <b>Level 3</b> | Individuals with no direct contact with athletes, involved in low risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Participants                                 | <ul style="list-style-type: none"><li>- Complete an Application Form</li><li>- Complete a Screening Disclosure Form</li><li>- Participate in training, orientation, and monitoring as determined by the organization</li></ul>  | Certain staff and Board members, certain volunteers, parents, youth, or volunteers who are helping out on a non-regular or informal basis   |





**LACROSSE CANADA**  
**CROSSE CANADA**

INFO@LACROSSE.CA  
LACROSSE.CA  
18 RUE LOUISA STREET, SUITE 310  
OTTAWA, ON K1R 6Y6

## Appendix B – Application Form

*Note: Individuals who are applying to volunteer or work within certain positions with Lacrosse Canada must complete this Application Form. Individuals need to complete an Application Form once for the position sought. If the individual is applying for a new position within Lacrosse Canada, a new Application Form must be submitted.*

**NAME:** \_\_\_\_\_  
First Middle Last

**CURRENT PERMANENT ADDRESS:**

\_\_\_\_\_  
Street City Province Postal

**DATE OF BIRTH:** \_\_\_\_\_ **GENDER IDENTITY:** \_\_\_\_\_  
Month/Day/Year

**EMAIL:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_

**POSITION SOUGHT:** \_\_\_\_\_

By signing this document below, I agree to adhere to Lacrosse Canada's policies and procedures, including but not limited to the *Code of Conduct and Ethics*, *Conflict of Interest Policy*, and *Screening Policy*. Lacrosse Canada's policies are located at the following link: [www.lacrosse.ca](http://www.lacrosse.ca)

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Screening Committee will determine my eligibility to volunteer or work in the position.

**NAME (print):** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_



## Appendix C – Screening Disclosure Form

**NAME:** \_\_\_\_\_  
First Middle Last

**OTHER NAMES YOU HAVE USED:** \_\_\_\_\_

**CURRENT PERMANENT ADDRESS:**

\_\_\_\_\_  
Street City Province Postal

**DATE OF BIRTH:** \_\_\_\_\_ **GENDER IDENTITY:** \_\_\_\_\_  
Month/Day/Year

**CLUB (if applicable):** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

*Note: Failure to disclose truthful information below may be considered an intentional omission and result in the loss of responsibilities or other privileges*

- 1. Do you have a criminal record? If so, please complete the following information for *each conviction*. Attach additional pages as necessary.**

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Year Convicted: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

- 2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.**

Name of disciplining or sanctioning body: \_\_\_\_\_

Date of discipline, sanction or dismissal: \_\_\_\_\_

Reasons for discipline, sanction or dismissal: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_



**LACROSSE CANADA  
CROSSE CANADA**

INFO@LACROSSE.CA  
LACROSSE.CA  
18 RUE LOUISA STREET, SUITE 310  
OTTAWA, ON K1R 6Y6

Further Explanation: \_\_\_\_\_

- 3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.**

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Name of disciplining or sanctioning body: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

#### **PRIVACY STATEMENT**

The collection, use, and disclosure of personal information by Lacrosse Canada shall be in accordance with applicable privacy and human rights legislation. By completing and submitting this Screening Disclosure Form, I consent and authorize Lacrosse Canada to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of Lacrosse Canada's *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial Sport Organizations, Sport Clubs, and other organizations involved in the governance of sport. Lacrosse Canada does not distribute personal information for commercial purposes.

#### **CERTIFICATION**

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform Lacrosse Canada of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of responsibilities or other privileges and/or disciplinary action.

**NAME (print):** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_



**LACROSSE CANADA**  
**CROSSE CANADA**

INFO@LACROSSE.CA  
LACROSSE.CA  
18 RUE LOUISA STREET, SUITE 310  
OTTAWA, ON K1R 6Y6

## Appendix D – Screening Renewal Form

**NAME:** \_\_\_\_\_  
First Middle Last

**CURRENT PERMANENT ADDRESS:**

\_\_\_\_\_  
Street City Province Postal

**DATE OF BIRTH:** \_\_\_\_\_ **GENDER IDENTITY:** \_\_\_\_\_  
Month/Day/Year

**EMAIL:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to Lacrosse Canada. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I would obtain or submit on the date indicated below would be no different than the last Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I submitted to Lacrosse Canada. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to Lacrosse Canada's Screening Committee instead of this form.

**I recognize that if there have been changes to the results available from the Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form, and that if I submit this form improperly, then I am subject to disciplinary action and/or the removal of responsibilities or other privileges at the discretion of the Screening Committee.**

**NAME (print):** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_



**LACROSSE CANADA  
CROSSE CANADA**

INFO@LACROSSE.CA  
LACROSSE.CA  
18 RUE LOUISA STREET, SUITE 310  
OTTAWA, ON K1R 6Y6

## **Appendix E – Request for Vulnerable Sector Check**

*Note: Lacrosse Canada may be required to modify this letter to adhere to any requirements from the VSC provider*

### **INTRODUCTION**

Lacrosse Canada is requesting a Vulnerable Sector Check for \_\_\_\_\_ [insert individual's full name] who identifies as a \_\_\_\_\_ [insert gender identity] and who was born on \_\_\_\_\_ [insert birthdate].

### **DESCRIPTION OF THE CANADIAN LACROSSE ASSOCIATION**

Lacrosse Canada is a not-for-profit national organization for the sport of lacrosse located in Ottawa, Ontario.

### **DESCRIPTION OF ROLE**

\_\_\_\_\_ [insert individual's name] will be acting as a \_\_\_\_\_ [insert individual's role]. In this role, the individual will have access to vulnerable individuals.

### **CONTACT INFORMATION**

If more information is required from the Lacrosse Canada, please contact the Screening Committee:

[Insert information for Screening Committee]

Signed: \_\_\_\_\_ Date: \_\_\_\_\_