

Board Policies

3.0 Board Function

The business and affairs of the Society shall be managed by the directors of the Society who may exercise all such powers and do all such acts and things as may be exercised or done by the Society and are not by the Act, the By-laws, any special resolution of the Society, or by statute expressly directed or required to be done in some other manner.

3.1 Governance

- a) The Alberta Gymnastic Federation currently has adequate and sufficiently qualified staff to carry out the ongoing activities of the Federation:
- b) The members of the Board of Directors generally have commitments and responsibilities in other facets of the sport, and;
- c) The members of the Board of Directors are generally most capable of providing vision and direction for the long term well being of the Federation, and;
- d) The long-term well being of the Federation will be best served by ensuring that management processes are both highly responsible and consistent.

3.2 Duties

Every director and officer of the Society in exercising his powers and discharging his duties shall:

- (a) act honestly and in good faith with a view to the best interests of the Society; and
- (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

3.3 Management Model

The Alberta Gymnastic Federation adopt and implement a model for management that expressly assigns operational responsibility and authority to the President/CEO and establishes the Board of Directors as the primary trustee of the Federation. The President/CEO is hereby appointed Chief Executive Officer and the Board of Directors shall ensure that mechanisms are established to provide for adequate monitoring of critical management functions.

3.4 Role and Responsibilities

3.4.1 The Board shall assume responsibility for:

- The monitoring of management activities with reference to pre-defined conditions.
- The establishment of long-term goals and priorities for the Federation.

As the primary trustee of the Alberta Gymnastic Federation, members of the Board of Directors shall comply with the following conditions in the conduct of Federation business:

- a) No individual Board Member or group of Board Members shall interfere with the management activities of the President/CEO.
- b) The decisions of the Board, reached through legitimate and democratic means, shall be binding for all Board Members and each individual Board Member shall respect Board solidarity.

c) Board Members shall review all reports and other submissions circulated to them and take any necessary action within agreed upon timelines.

d) Board members may from time to time be requested to participate on committees sub-committees, projects and or other special functions.

3.4.2 Reports of Committees

Each committee shall submit to the Board such reports as the Board may, from time to time, request, but, in any event, each committee shall submit an annual report to the Board at such time as the Board may, from time to time, determine.

3.5 Rules for Observers at Board Meetings

This criteria for observers at Board meetings is set to allow non-board members to observe the normal operations of the board while minimizing the impact at said board meetings.

Any member of AGF will be allowed to attend an AGF Board meeting. Any non-member may be allowed to attend, only by invitation from the chairperson and/or President/CEO of AGF.

Observers must be announced to the Board at the beginning of the meeting.

The Board will endeavor to set "in camera" items to the end of the meeting so as not to disrupt the observers throughout the meeting by asking them to leave and then return after. However, notwithstanding, if an item does come up during the course of the meeting, that the Board determines is "in camera" then the observers will be asked by the chair to step out for that portion of the meeting.

Unless an observer has previously asked to be put on the Board's agenda, they shall not be allowed to speak without having received permission from the chair.

Privacy/Confidentiality

The privacy of individuals connected with the sport of gymnastics, including athletes, coaches, parents and website visitors is of great importance to the Alberta Gymnastics Federation ("AGF"). Keeping personal information in strict confidence is an important aspect of our organization. Regardless of how the range of products and services we offer our members expands, and the technology we use changes, we will always strive to protect the privacy of personal information, subject to any consent an individual has provided for its use.

This policy describes the principles on which AGF and its member clubs will protect the privacy of personal information. The policy is based on the Canadian Standards Association Model Code for the Protection of Personal Information. This policy is part of AGF's commitment to ensure that all personal information of individuals in its possession is protected and used in accordance with the law. Privacy laws across Canada are evolving, and therefore this policy is subject to change.

Personal Information is any information about an identifiable person, other than the name, title, business address and business telephone number of a person. It includes such things as a person's home address, date of birth, social insurance number, medical and financial

information. With respect to athletes, such information is collected primarily in connection with services provided by AGF. Clubs may be asked to provide such information to AGF in connection with matters relating to their membership. In all cases, AGF is committed to protecting the privacy of individuals and the integrity of their personal information.

6.1 Accountability

AGF is responsible for personal information under its control, including any personal information disclosed to third parties for handling or administrative purposes. AGF has designated a Privacy Officer who is accountable for AGF's compliance with this Policy and with privacy legislation.

6.1.1 While ultimate accountability for AGF's compliance with the Policy rests with the Privacy Officer and the staff of AGF.

6.1.2 With respect to personal information that has been transferred to a third party for processing, AGF will use contractual or other means, which may include the examination of such third party's practices with respect to personal information, to safeguard personal information while it is being handled by a third party.

6.1.3 AGF has implemented internal guidelines and practices to give effect to this Policy, including:

- (a) establishing procedures to protect personal information;
- (b) establishing procedures to receive and respond to complaints and inquiries;
- (c) developing information to explain AGF's policies and procedures; and
- (d) training staff and communicating to staff information about AGF's policies and procedures.

6.1.4 AGF has implemented practices to effectively monitor compliance with this policy across its business, including the appointment of a Privacy Officer.

6.2 Identifying the Purposes for which Personal Information is Collected

The purposes for which personal information is collected will be identified by AGF at or before the time the information is collected, unless such purposes are obvious.

6.2.1 AGF will ensure that the purposes for which personal information is collected and the way in which the information may be used are clear to the individual. In some cases, the purpose will be clear from the context of the interaction, in other circumstances, a written or verbal explanation may be required.

6.3 Consent

AGF will not collect, use or disclose the personal information of a person without the individual's knowledge and consent, except in certain limited circumstances permitted by law, such as where immediate health of a person is at risk, or in connection with the breach of an agreement or a law.

6.3.1 AGF will obtain consent, either express or implied, for the use or disclosure of personal information at the time of the collection of the information. In certain circumstances, consent with respect to use or disclosure will be sought after the information has been collected but before use, particularly if AGF wants to use the information for a purpose not previously identified to the individual.

6.3.2 AGF is committed to obtaining meaningful consent to the collection, use and disclosure of personal information. To achieve this aim, the purposes for which the information will be used, if not obvious, will be explained in such a manner that the individual can reasonably understand how the information will be used or disclosed.

6.3.3 AGF will not, as a condition of the supply of a product or service, unreasonably require an individual to consent to the collection, use, or disclosure of information beyond what is required in the circumstances.

6.3.4 The way in which AGF seeks consent may vary, depending on the circumstances and the type of information collected. In determining the type of consent that may be required, AGF will consider the nature of the information, the use to which the information will be put, applicable laws and the type of interaction in which the information is provided.

6.3.5 Consent may be express or implied, given orally, electronically or in writing and provided by an action or inaction. Consent may be given through a legally appointed representative or a legal guardian.

6.3.6 An individual, subject to legal or contractual limitations, may withdraw his or her consent at any time on sufficient notice to AGF. Withdrawal of consent may result in AGF becoming unable to provide or continue to provide the person with certain services, or membership and the individual will be given notice of the implications of the withdrawal of his or her consent.

6.4 Limits on the Collection of Personal Information by AGF
The collection of personal information by AGF will be limited to that which is necessary for the purposes identified by AGF. At all times, AGF will collect personal information by fair and lawful means.

6.5 Limits on the Use, Disclosure and Retention of Personal Information by AGF
Personal information will not be used or disclosed by AGF for purposes other than those for which it was collected, except with the consent of the individual or as required or permitted by law. Personal information will be retained only as long as reasonably necessary for the fulfillment of those purposes or as required by law.

6.6 Accuracy of Personal Information held by AGF
AGF will make reasonable efforts to ensure that personal information of individuals is as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

6.6.1 Personal information will not be updated without the consent of the individual and it will only be updated if it is necessary for the continued use of the personal information.

6.6.2 AGF will make reasonable efforts to obtain information from individuals in order to update information on hand if required to fulfill the purposes for which the information was collected. Once informed by a person that personal information held by AGF about them is inaccurate, AGF will update the information as soon as possible.

7.0 Safeguarding Personal Information

AGF will protect personal information by the use of security safeguards appropriate to the sensitivity of the information.

7.1 AGF will employ security safeguards that will protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification, regardless of the format in which the information is held.

7.2 The nature of the safeguards used by AGF will vary depending on the sensitivity of the information that has been collected, the amount, distribution, and format of the information, and the method of storage of the information. A higher level of protection will safeguard more sensitive information.

7.3 The methods of protection used by AGF will include:

- (a) physical measures, for example, locked filing cabinets and restricted access to offices;
- (b) technological measures, for example, the use of passwords and encryption.

7.4 AGF will ensure that its employees who are in contact with personal information are trained in the appropriate protection of personal information and that they are aware of the importance of maintaining the confidentiality of personal information. Employees are required to abide by this Policy.

8.0 Openness

AGF will make available to individuals information about its policies and practices relating to the management of personal information. AGF is open about the policy it has to ensure the protection of personal information.

8.1 AGF will make this information readily available to individuals. The information will be made available in a form that is generally understandable.

8.2 AGF may make information on its policies and practices available in a variety of ways, depending on the nature of the personal information.

9.0 Individual Access to Personal Information

Upon the receipt by AGF of a written request, an individual will be informed, within a reasonable time following such request, of the existence, use, and disclosure of his or her personal information and

will be given access to that information. In certain limited circumstances, as permitted by law, certain information, such as that collected and held in the context of an investigation may not be disclosed to the individual. AGF has established procedures for an individual to follow in order to access their personal information.

9.1 Subject to applicable laws, upon receipt of a written request from an individual, AGF will inform him or her whether or not AGF holds personal information about the individual and make reasonable efforts to indicate the source of the information. In addition, AGF will, upon written request, provide a summary of the use that has been made or is being made of this information.

9.2 An individual may be required to provide sufficient information to permit AGF to provide an account of the existence, use, and disclosure of personal information. The information provided will only be used for this purpose.

9.3 Upon receipt of a written request, AGF will provide an individual the identities of third parties to which it may have disclosed personal information about the individual and the purpose for which the information may have been disclosed to the third party.

9.4 AGF may charge a reasonable fee to cover its cost of providing the information, provided that AGF will inform the individual of the approximate cost of providing the information prior to doing so and will afford the individual the opportunity to withdraw his or her request.

9.5 If an individual successfully demonstrates the inaccuracy or incompleteness of personal information held by AGF, AGF will amend the information as required. Where appropriate, the amended information will be transmitted to third parties having access to the information in question.

9.6 AGF may decline to provide an individual access to his or her information in accordance with applicable laws. If such a refusal is made, AGF will inform the individual of the reasons why such access has been denied, except when AGF is prohibited from doing so by law.

10.0 Confidentiality

Where the behaviour reported in a Report of Violation may constitute harassment, or is of a similar highly sensitive nature, AGF shall keep all proceedings under this policy confidential, except where disclosure is directed by the Panel as part of a sanction, is required by law or is in the best interests of the public.

Throughout the process of this policy, every effort will be made to maintain confidentiality and information relating to the complaint, including contact of meeting interviews, results of investigations, and other relevant material. Disclosure will only occur if it is directed by the Panel as part of a sanction, is required by law or is in the best interests of the public.

11.0 Complaints and Questions

A person about whom personal information is kept may challenge AGF

concerning its compliance with this Policy.

11.1 Complaints and questions regarding AGF's compliance with this Policy may be made in writing to the AGF President/CEO at #207-5800-2 St. S.W., Calgary, Alberta or by phone at 403-259-5500 or by e-mail at shayes@abgym.ab.ca

11.2 AGF has procedures in place to receive and respond to inquiries or complaints about this Policy and its practices relating to the handling of personal information. These procedures will be provided upon request and are easily accessible on AGF's website, www.abgym.ab.ca, and in other published material with respect to privacy.

11.3 If an individual is not satisfied with a response by AGF to a complaint or is otherwise not satisfied with AGF's policies and practices with respect to its handling of personal information, a complaint may be made to the provincial privacy commissioner of the province where the personal information of the individual is kept, or to the Federal Privacy Commissioner at 112 Kent Street, Ottawa, Ontario, K1A 1H3, 1-800-282-1376. More information can be obtained at the federal privacy commissioner's website, www.privcom.gc.ca.

AGF Discipline Policy

Note: In this policy, "days" shall mean total days irrespective of weekends or holidays.

21.1 Preamble (Purpose)

21.1.1 Membership and participation in the activities of AGF offers many benefits and privileges. At the same time members and participants are expected to fulfill certain responsibilities and obligations, including complying with the Code of Conduct of AGF. This Code of Conduct identifies the standard of behaviour, which is expected of members and participants, and those who fail to meet this standard may be subject to the disciplinary procedures set out in this policy.

21.2 Application of this Policy

21.2.1 This policy applies to all categories of members of AGF and to all individuals participating in activities with or employed by AGF. These include, but are not limited to athletes, coaches, officials, organizers, managers, volunteers, directors, officers and employees.

21.2.2 This policy applies to all disciplinary matters, which may arise during the course of AGF's business, activities and events, including, but not limited to the office environment, competitions, practices, training camps, travel associated with competitive activities, and any meetings of staff, committees or the Board of Directors.

21.3 Reporting an Infraction

21.3.1 Any individual may report to the President/CEO a disciplinary infraction. It shall be at the sole discretion of the President/CEO to determine if the infraction is best dealt with as a minor or a major infraction.

21.3.2 Any individual may also seek assistance and information from the Harassment Office prior to reporting an Infraction.

21.4 Minor Infractions

21.4.1 Minor infractions are single incidents of misconduct, which breach the Code of Conduct but generally do not result in harm to others. All disciplinary situations involving minor infractions will be dealt with by the appropriate person having authority as appointed by the AGF Board of Directors over the individual involved: this person may include, but is not restricted to, the Board, committee/assemblies, Harassment Officers, coach or the President/CEO.

21.4.2 Procedures for dealing with minor infractions shall be informal as compared to those for major infractions and shall be determined at the discretion of the person having authority provided the individual being disciplined is told the nature of the infraction. This policy shall not prevent an appropriate person having authority from taking immediate, informal, corrective disciplinary action in response to behaviour that constitutes a minor infraction.

21.4.3 Types of Infractions

Examples of minor infractions, but not limited to - "misconduct" which will not be tolerated

- failing to follow the dress code
- bullying and/or harassment
- disturbances or disruptions
- unbecoming conduct such as arguing, rudeness, or disrespect
- use of tobacco products, including snuff, by minors
- missing curfew
- leaving the group without permission
- failure to stop a behavior when asked to
- not following through on a behavior that you were asked to do. (i.e. meet in the lobby in 10 minutes, put your team jacket on)

21.4.4 Disciplinary sanctions for minor infractions may include the following:

- a) verbal or written reprimand;
- b) verbal or written apology;
- c) service or other voluntary contribution to AGF;
- d) any other similar sanction considered appropriate for the offense.

21.5 Major Infractions

21.5.1 Major infractions are instances of misconduct which violate the Code of Conduct and which result, or have the potential to result, in harm to other persons, to AGF or to the sport of Gymnastics. Breach of applicable laws or infractions deemed major by the President/CEO would also apply.

21.5.2 If the incident is a major infraction, a hearing is required. The President/CEO shall notify the individual alleged to have committed a major infraction of the matter as soon as possible, and shall provide the individual with a copy of the Report of Violation. (Appendix 2)

21.5.3 Major infractions occurring within competition may be dealt with immediately, if necessary, by the appropriate person having authority. The individual being disciplined shall be told the nature of the infraction and shall have an opportunity to provide information concerning the incident. In such situations, disciplinary sanctions shall be for the duration of the competition only. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this policy for major infractions. This review does not replace the appeal provisions of this policy.

21.6 Investigation

21.6.1 Depending on the nature and severity of the infraction, the President/CEO may appoint an independent individual to conduct an investigation. If this is the case, the Investigator shall carry out the investigation in a timely manner and at the conclusion of the investigation shall submit a written report to the President/CEO.

21.7 Discipline Committee (Non-Harassment/Abuse)

21.7.1 Within 7 days of receiving an Report of Violation documenting a major infraction or of receiving the written report of the Investigator if an investigation was carried out, the President/CEO shall contact the appropriate Chair of the Discipline Committee.

21.7.2 Having regard to the nature of the discipline matter and the potential consequences of any resulting sanctions, the Committee shall decide whether to conduct the hearing by way of review of documentary evidence, by way of oral hearing or by way of a combination of these two methods. If the Committee decides to conduct an oral hearing, it may decide to do so in-person or by means of telephone conference.

21.7.3 The Discipline Committee shall commence the hearing as soon as possible, but not more than 21 days after being appointed.

21.8 Preliminary Meeting

21.8.1 The Committee may determine that the circumstances of the infraction warrant a preliminary meeting. The Committee may delegate to one of its members the authority to deal with these preliminary matters, which may include but are not limited to:

- a) format for the hearing;
- b) date and location of the hearing;
- c) timelines for the exchange of documents;
- d) clarification of issues in the infraction;
- e) order and procedure of the hearing;
- f) evidence to be brought before the hearing;
- g) identification of any witnesses; or
- h) any other procedural matter, which may assist in expediting the hearing.

21.9 Hearing

21.9.1 The Committee shall govern the hearing as it sees fit, provided that:

- a) the individual being disciplined shall be given 10 days written notice of the day, time and place of the hearing;
- b) the individual being disciplined shall receive a copy of the Investigator's report, if an investigation was carried out;
- c) a quorum shall be all three Committee members, and decisions shall be by majority vote where the Chair carries a vote;
- d) in the case of an oral hearing, the individual being disciplined may be accompanied by a representative;
- e) in the case of an oral hearing, the individual being disciplined shall have the right to present evidence and argument;
- f) in the case of an oral hearing, the Investigator may participate in the hearing at the request of the Committee;

- g) the Committee may request that any witness be present at the hearing or submit written evidence in advance of the hearing;
- h) if the individual being disciplined chooses not to participate in the hearing, the hearing shall nonetheless proceed;
- i) the hearing shall be held in private;
- j) once appointed, the Committee shall have the authority to abridge or extend timelines associated with any aspect of the hearing.

21.9.2 After hearing the matter, the Committee shall determine whether or not the individual has breached the Code of Conduct and if so, the appropriate penalty to be imposed and any measures to mitigate the harm suffered by others as a result. The Committee's written decision, with reasons, shall be distributed to all parties and to the President/CEO within 7 days of the conclusion of the hearing.

21.9.3 Where the individual acknowledges the facts of the incident, he or she may waive the hearing, in which case the Committee shall determine the appropriate disciplinary sanction. The Committee may hold a hearing for the purpose of determining an appropriate sanction.

21.10 Sanctions

21.10.1 The Committee may apply the following disciplinary sanctions singly or in combination, for major infractions:

- a) written reprimand;
- b) removal of certain privileges of membership or AGF employment;
- c) suspension from certain events which may include suspension from the current competition or from future teams or competitions for a designated period of time;
- d) suspension from certain Association activities such as competing, coaching or judging for a designated period of time;
- e) suspension from AGF employment with or without pay;
- f) suspension from all Association activities for a designated period of time;
- g) expulsion from membership for a designated period of time (insurance coverage revoked)
- h) publication of the decision;
- i) monetary fines;
- j) other sanctions as may be considered appropriate for the offense.

21.10.2 Unless the Committee decides otherwise, any disciplinary sanctions shall commence immediately. Failure to comply with a sanction as determined by the Committee shall result in automatic suspension of

membership or participation in AGF until such time as the sanction is complied with.

21.10.3 In applying sanctions, the Committee may have regard to the following aggravating or mitigating circumstances:

- a) the nature and severity of the infraction;
- b) the extent to which others have been harmed by the infraction;
- c) the cooperation of the individual being disciplined in the proceedings under this policy;
- d) whether the incident is a first offense or has occurred repeatedly;
- e) the individual's acknowledgement of responsibility;
- f) the individual's remorse and post-infraction conduct;
- g) the age, maturity or experience of the individual;
- h) whether the individual retaliated, where the incident involves harassment; and
- i) the individual's prospects for rehabilitation.

21.11 Serious Infractions

21.11.1 The President/CEO and/or the Board may determine that the alleged infraction is of such seriousness as to warrant suspension of the individual pending the hearing and decision of the Panel.

21.12 Automatic Sanction

21.12.1 Notwithstanding the procedures set out in this policy, any individual who is charged with a criminal offense involving sexual exploitation, invitation to sexual touching, sexual interference or sexual assault, shall face automatic suspension from participating in any activities of AGF for a period of time corresponding to the length of the criminal sentence imposed by the Court, and may face further disciplinary action in accordance with this policy.

21.12.2 All AGF members are obliged to report any such convictions.

21.13 Appeals Procedure

21.13.1 Except where otherwise provided, the decision of the Panel may be appealed in accordance with AGF's Appeal Policy.

22.0 Abuse Prevention Policy

22.1 Preamble (Purpose)

22.1.1 The purpose of this policy is to provide guidelines for dealing with abuse, discrimination and harassment complaints in an effective and timely manner, and to provide a procedure for informal and formal review and resolution.

22.1.2 In addition to the procedure available under this policy, every person who experiences harassment continues to have the right to seek assistance:

- A complaint may be filed with Alberta Human Rights Commission if the complaint falls under the definition of discrimination.
- A complaint may be filed with the police and/or other appropriate

authorities if the behavior is criminal activity (i.e. abuse, stalking, etc).

22.1.3 If the Complainant initiates proceedings with the Alberta Human Rights Commission with respect to the same incident(s), which is the subject matter of a complaint under this policy, the complainant shall be deemed to have withdrawn the complaint under this policy and the internal process would cease until such investigation is complete. The result of such an investigation would be taken into consideration for disciplinary procedures.

22.1.4 Where the Complainant or the Respondent is a minor, or otherwise unable to speak for him or herself, a parent, guardian, or other adult of the person's choice may speak on behalf of the Complainant or Respondent.

22.1.5 If child abuse is suspected or disclosed, reporting to the proper authorities is mandatory and it should be reported to the police and/or the Child Protection Branch of the Alberta Social Services.

22.2 Statement of Policy

22.2.1 The Alberta Gymnastics Federation is committed to the prevention of abuse, discrimination and harassment through educational programs including information and training.

22.2.2 There will be no tolerance of abuse, discrimination and harassment within the Alberta Gymnastics Federation.

22.2.2 The Alberta Gymnastics Federation is committed to providing a sport and work environment in which all individuals are treated with respect and dignity.

Each individual has the right to participate and work in an environment, which promotes equal opportunities and prohibits discriminatory practices.

22.2.3 This policy applies to all employees as well as to all directors, officers, volunteers, coaches, athletes, officials, and members of the Alberta Gymnastics Federation. The Alberta Gymnastics Federation encourages the prompt reporting of all incidents of harassment, regardless of who the alleged offender may be.

22.2.4 For the purposes of this policy, harassment may occur at, but is not limited to, the following places:

- a) at sporting events, competitions, and in training sessions;
- b) at the office;
- c) at office-related social functions;
- d) at the organization's business functions, such as meetings, conferences, training sessions, and workshops;
- e) during work-related travel;
- f) over the telephone; or
- g) elsewhere if the person harassed is there as a result of work-related responsibilities or a work-related relationship.

22.2.5 The procedure followed under this policy shall adhere to the process of natural justice, which means that:

- a) everyone will have an opportunity to provide his/her version of events;
- b) the issues will be clearly and concisely stated so that the respondent is aware of the allegations;
- c) the respondent and complainant have the right to be represented at any stage of the process at their own expense;
- d) the respondent and complainant will receive a copy of the investigation report;
- e) the decision-makers (disciplinary committee, appeal panel, and harassment officer) have a duty to listen fairly to both sides and to reach a decision untainted by bias.

22.2.6 Discipline is an indispensable part of high performance sport and should not be confused with abuse, discrimination or harassment. However, it is of vital importance that those in authority:

- set and communicate performance and training standards to all participants
- ensure that training involving touching or other physical contact occur in an appropriate setting and only after informed consent has been sought and received
- be consistent and non-harassing in taking any corrective or punitive action
- use non-harassing terminology; address individuals by name and avoid the use of derogatory, slang or offensive terms
- refer to the Code of Conduct and follow them accurately

22.3 Definitions

22.3.1 Abuse: Abuse can be sexual abuse, physical abuse, neglect, bullying and harassment

- a) Sexual Abuse - can be identified as fondling, genital exposure and exhibitionism, inappropriate kissing and hugging, sexual gestures and sexual or even obscene language. Forcible intercourse, oral sex, sexual assault, sexually oriented hazing, commercial exploitation for the purposes of pornography, and the display or distribution of sexually explicit materials is the other forms of sexual abuse. Inappropriate touching may occur on the virtually any part of the body; however there are five parts of the body that are considered overtly sexual. These are: 1) Genitals, 2) Anus, 3)Mouth, 4) Breasts, and 5) Buttocks.
- b) Physical Abuse - exists when a person in a position of authority over children or youth intentionally hurts or threatens the young person in their care. Physical abuse can take the form of hitting, shaking, restraining, pushing, grabbing, throwing objects or otherwise causing physical harm.
- c) Neglect - occurs when a caregiver fails to meet a child's basic necessities of the life that are appropriate to their age and level of development. Systematic or prolonged neglect is likely to result in the serious impairment of a child's health.
- d) Bullying - athletes, coaches, parents and volunteers can all be bullies. However, in most cases bullying occurs between children under the age of 12. The bullies can be both boys and girls. Bullying is deliberately hurtful behaviour or intimidation intended to exercise power over a victim. The victim may be younger, smaller or weaker than the bully and hence not in a position to defend him or herself. The bullying behaviour is usually repeated over a period of time.
- e) Harassment - is behaviour that is:
 - Insulting

- Intimidating
- Humiliating
- Malicious
- Degrading
- Offensive

22.3.2 Abuse: Behavior including comments, conduct or gestures which is insulting, intimidating, humiliating, hurtful, malicious, degrading, or otherwise offensive to an individual or group of individuals. Behavior which creates an uncomfortable environment, or which might reasonably be expected to cause embarrassment, insecurity, discomfort, offense, or humiliation to another person or group, including, but not limited to:

- written or verbal abuse or threats;
- physical assault;
- unwelcome remarks, jokes, innuendoes, or taunting about a person's body, sexual orientation, attire, age, marital status, ethnic or racial origin, religion;
- displaying of racist or other offensive or derogatory material, racial, ethnic or religious graffiti;

- practical jokes which cause awkwardness or embarrassment, endangering a person's safety or negatively affecting performance;
- hazing or initiation rites;
- obscene gestures;
- intimidation;
- behavior which undermines self-respect or adversely affects performance or working conditions;
- false accusations of harassment motivated by malice or mischief, and meant to cause other harm, is considered harassment;

In reference to the examples above, harassment may also include:

Ⓕ when submission to any such conduct is made either implicitly or explicitly a condition of employment; and/or

Ⓕ when rejection of such conduct is used as a basis for any employment decision; and/or

Ⓕ when such conduct has the purpose or the effect of interfering with a person's work/sport performance or creating an intimidating, offensive or hostile work environment

22.3.3 Sexual Harassment: Includes, but is not limited to, one or a series of incidents of harassment. Also includes, unwelcome sexual advances; requests for sexual favours; or other conduct of a sexual nature.

22.3.4 Discrimination: The Alberta Human Rights Code provides that no person shall discriminate against a person with respect to employment, publication, accommodation, service, and facilities on any of the following grounds:

- race
- colour
- ancestry
- place of origin
- political belief
- marital status
- conviction for an offense unrelated to employment
- physical disability

- mental disability
- sex
- age
- sexual orientation
- family status
- religion

These are called 'Prohibited Grounds'. Harassment on prohibited grounds is a form of discrimination.

22.3.5 Complainant: Person making a complaint.

22.3.6 Respondent: The alleged offender.

22.3.7 Harassment Officer(s): A designate of the Alberta Gymnastics Federation who has been trained in respect of this policy and its procedures. The role of the Harassment Officer is to serve in a neutral, unbiased capacity, to provide information about the resources and support available, and to receive complaints, assist in informal resolution of complaints, and to make recommendations as to further action. The Harassment Officer(s) will handle all complaints, once they have been reviewed and forwarded by the AGF President/ CEO.

22.3.8 The Federation shall appoint at least two persons, preferably, one male and one female, who are themselves members or employees of AGF, to serve as officers under this policy.

22.3.9 The role of harassment officers is to serve in a neutral, unbiased capacity and to receive complaints and assist in informal resolution of complaints. In carrying out their duties under this policy officers shall be directly responsible to the President/CEO.

The harassment officer shall inform the complainant of:

- a) the options for pursuing an informal resolution of his or her complaint, including voluntary mediation;
- b) the right to lay a written formal complaint under this policy when an informal resolution is inappropriate or not feasible. This includes the completion and signing of the AGF complaint form;
- c) the confidentiality provisions of this policy;
- d) the right to be represented by a person of choice (including legal counsel) at any stage in the complaint process;
- e) the right to withdraw from any further action in connection with the complaint at any stage (even though AGF might continue to investigate the complaint); and,
- f) other avenues of recourse, including the right to file a complaint with a Human Rights commission or, where appropriate, to contact the police to have them lay a formal charge under the Criminal Code.

There are four possible outcomes to this initial meeting of complainant and officer.

- a) The complainant and officer agree that the conduct does not constitute harassment; No further action is taken
- b) The complainant brings evidence of harassment and chooses to pursue an informal resolution of the complaint;

- c) The complainant brings evidence of harassment and decides to lay a formal written complaint;
- d) The complainant brings evidence of harassment which is criminal in nature and is referred to the appropriate law enforcement agency where applicable, child welfare will also be notified

22.3.10 AGF shall ensure that officers receive appropriate training and support for carrying out their responsibilities under this policy.

22.4 Complaint Procedure

1. A person who thinks he or she has been subjected to conduct which constitutes harassment under this policy (the "Complainant") is encouraged to make it known to the person responsible for the conduct (the "Respondent") that the behavior is unwelcome, offensive, and contrary to this policy.

2. If confronting the Respondent is not possible, or if after confronting the Respondent the conduct continues, the Complainant should seek the advice of the President/CEO. If the President/CEO determines there is sufficient evidence to precede the appropriate Harassment officer will be consulted.

3. During the first communication between the Harassment Officer and the Complainant, the Harassment Officer shall inform the Complainant of:

- a) the option of pursuing informal resolution of the complaint;
- b) the option to proceed with a formal investigation under this policy when an informal resolution is inappropriate or not feasible;
- c) the availability of counseling and other resources;
- d) the confidentiality provisions of this policy;
- e) the right to be represented by a person of choice (including legal counsel) at any stage in the complaint process;
- f) other avenues of recourse, including the right to file a complaint with the Alberta Human Rights Commission or, where appropriate, to contact the police where the conduct may be an offense pursuant to the Criminal Code.

4. If the Complainant is a minor, or someone otherwise unable to speak for him or herself, a "Responsible Adult" may bring the complaint forward. The Responsible Adult will have the right to act on behalf of the Complainant throughout the complaint process, including:

- a) making a complaint;
- b) receiving all notices on behalf of the Complainant;
- c) being present at all dealings with the Complainant.

If the Respondent is a minor, or someone otherwise unable to speak for him or herself, the following shall apply:

- a) If the Harassment Officer is attempting an informal resolution of a complaint, the Harassment Officer may speak to the Respondent directly concerning the complaint PROVIDED THAT prior to speaking to the Respondent the Harassment Officer informs the Respondent that he/she may have a Responsible Adult present during the meeting.
- b) If the complaint is referred to a Harassment Officer for investigation:

- i) a copy of the written complaint shall be forwarded to a parent or guardian of the Respondent if such person is known;
- ii) the Respondent shall be advised that he/she has the right to be represented by a Responsible Adult; and
- iii) The Respondent's designated Responsible Adult will have the right to act on behalf of the Respondent throughout the investigation process, including:
 - A) responding to a written complaint;
 - B) receiving all notices on behalf of the Respondent; and
 - C) being present at all dealings with the Respondent.

5. Following the initial meeting between the Complainant and the Harassment Officer, either of the following steps may be taken.

- a) If the Complainant and the Harassment Officer agree that the conduct does not constitute harassment, the Harassment Officer will take no further action.
- b) If the Complainant wished to proceed with the complaint, the Harassment Officer shall assist the Complainant in preparing a written complaint, if one has not previously been completed, outlining the name of the respondent, the details of the alleged incident(s) of harassment, and the names of any witnesses. The written complaint shall be dated and signed by the Complainant.

6. If the Complainant wishes to attempt resolution of the complaint on an informal basis, the Harassment Officer will attempt informal resolution of the complaint. This may include the following:

- " The Complainant talks to the Respondent about the behavior
- " The Officer talks to the Respondent about the behavior
- " The Officer acts as an informal mediator between the Complainant and Respondent
- " Other types of informal resolution that do not include an investigation

7. If the Complaint is resolved informally to the satisfaction of the Harassment Officer, the Complainant and the Respondent, or if the Complainant decides to withdraw the complaint, the Harassment Officer will make careful notes of the actions taken and no report shall be submitted to AGF, but the President/CEO will be advised accordingly.

8. If the Complaint can not be resolved informally, or the Harassment Officer feels it can not be informally resolved, then the Harassment Officer shall:

- a) review and clarify the Complainant's written complaint; and
- b) give a copy of the written complaint to the Respondent.

9. A copy of the written complaint will be delivered to the Respondent. The Harassment Officer will include with the written complaint a copy of this policy and a notice that the Respondent has the right to be represented by any person of choice at any stage of the process when the Respondent is required or entitled to be present.

10. The Respondent will provide a written response to the Harassment Officer within ten (10) working days of receiving the written complaint. If there are special circumstances, the Harassment Officer may extend the time for response.

11. The Harassment Officer will receive the written response from the Respondent and forward a copy to the Complainant.

12. In a timely manner, the Investigating Officer shall conduct an investigation and prepare a written Investigation Report.

13. During the investigation, the Complainant and Respondent shall advise the investigator of all evidence, which is relevant to the complaint.

14. The Investigation Report from the Investigating Officer shall contain:

- a) a summary of the relevant facts;
- b) a determination as to whether the acts in question constitute harassment as defined in this policy;
- c) the act(s) constitute harassment, recommendations for resolution, which may include disciplinary action against the Respondent.

15. When recommending disciplinary action, the Harassment Officer shall consider factors such as:

- a) the nature of the harassment;
- b) whether the harassment involved any physical contact;
- c) whether the harassment was an isolated incident or part of an ongoing pattern;
- d) the nature of the relationship between the Complainant and the Respondent;
- e) the ages and mental abilities of the Complainant and/or Respondent;
- f) whether the Respondent had been involved in previous harassment incidents;
- g) whether the Respondent retaliated against the Complainant.

16. On completion of the report, the Harassment Officer shall forward a copy of the Report of violation and Investigation Report to the President/CEO. The President/CEO will then adhere to policy 21.7 Discipline Committee (Non-Harassment/Abuse).

17. After considering the Investigation Report, the Discipline Committee shall:

- a) make a determination as to whether the Respondent breached the harassment policy; and
- b) if it is determined that Respondent has breached the harassment policy, recommend resolutions or disciplinary action to be taken against the Respondent as is appropriate in the circumstances.

18. The Discipline Committee shall, not more than 7 days after the hearing, determine whether or not the individual has breached the Code of Conduct and if so, the appropriate penalty to be imposed and any measures to mitigate the harm suffered by others as a result. The Committee's written decision, with reasons, shall be distributed to all parties and to the President/CEO within 7 days of the conclusion of the hearing.

22.5 Appeals

Except where otherwise provided, the decision of the Panel may be appealed in accordance with AGF's Appeal Policy.

22.6 Responsibility

22.6.1 The Board of the Alberta Gymnastics Federation will be responsible for the implementation of this policy.

22.6.2 The Alberta Gymnastics Federation will identify and designate Harassment Officers.

22.6.3 The Alberta Gymnastics Federation will act quickly on any complaint of harassment with the goal of resolving the situation fairly and of preventing future occurrences, including determining and enforcing appropriate discipline, if required.

22.6.4 All members of the Alberta Gymnastics Federation have the responsibility to follow their codes of conduct and behave according to the rules outlined by AGF.

22.7 Confidentiality

Throughout the process of this policy, every effort will be made to maintain confidentiality and information relating to the complaint, including contact of meeting interviews, results of investigations, and other relevant material. Disclosure will only occur if it is directed by the Panel as part of a sanction, is required by law or is in the best interests of the public.

22.8 Records

The President/CEO shall be required to keep all records under this policy, in a locked and confidential area.

Each Harassment Officer shall have access to notes and records made by any other AGF Harassment Officer.

If the Complaint is not resolved informally and the complaint is referred to a Discipline Panel for investigation, a copy of the written complaint shall be placed in AGF's records relating to the Respondent at the time the written complaint is forwarded to the Discipline Panel.

Where an investigation results in a finding of harassment, the outcome of the investigation and any disciplinary action shall be recorded in AGF's records relating to the Respondent. The records shall include copies of the Complaint, the Report of violation, the Discipline Panel report and, if applicable, the Appeal decision.

23.0 Appeals Policy

23.1 Preamble (Purpose)

23.1.1 This policy applies to matters, which may arise during the course of AGF's business, activities and events, including, but not limited to the office environment, competitions, practices, training camps, travel associated with competitive activities, and any meetings of staff, committees or the Board of Directors.

23.1.2 The purpose of this policy is to enable disputes with members to be dealt with fairly, expeditiously and affordably, without recourse to formal legal and court-like procedures.

23.2 Application of this Policy

23.2.1 This policy applies to all categories of members of AGF and to all individuals participating in activities with or employed by AGF. These include, but are not limited to athletes, coaches, officials, organizers, managers, volunteers, directors, officers and employees.

23.3 Definitions

Days -- shall mean total days, irrespective of weekends or holidays.

Member -- refers to all categories of Members in AGF, as well as to all individuals engaged in activities with or employed by AGF, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees (including contract personnel)

Appellant -- refers to the member appealing a decision

Respondent -- refers to the body whose decision is being appealed.

23.4 Scope of Appeal

23.4.1 Any member of AGF who is affected by a decision of the Board of Directors, of any Committee of the Board of Directors, or of any body or individual who has been delegated authority to make decisions on behalf of the Board of Directors, shall have the right to appeal that decision, provided there are sufficient grounds for the appeal. Decisions, which may be appealed, are those relating to eligibility, harassment, team selection, discipline, employment and contract matters (except decisions relating to staffing matters).

23.4.2 This policy shall not apply to matters relating to the rules of the sport of gymnastics, which may not be appealed, nor to infractions for doping offenses which have their own appeal provisions separate from AGF.

23.5 Timing of Appeal

23.5.1 Members who wish to appeal a decision shall have 21 days from the date on which they received notice of the decision, to submit in writing notice of their intention to appeal, grounds for the appeal and a summary of the evidence which supports these grounds, to the President/CEO of AGF.

23.5.2 Any party wishing to initiate an appeal beyond the 21-day period must provide a written request stating reasons for an exemption. The decision to allow, or not allow an appeal outside the 21 day period shall be at the sole discretion of the President/CEO.

23.6 Grounds for Appeal

23.6.1 A decision cannot be appealed, nor can an appeal be heard, on the merits of the decision. Decisions may only be appealed, and appeals may only be heard, on procedural grounds. Procedural grounds are limited to the Respondent:

a) making a decision for which it did not have authority or jurisdiction as set out in AGF's governing documents;

- b) failing to follow procedures as laid out in the bylaws or approved policies of AGF; or
- c) making a decision, which was influenced by bias.

23.7 Screening of Appeal

23.7.1 Within 7 days of receiving the notice and grounds of an appeal, the President/CEO shall determine whether there are sufficient grounds for the appeal (23.6 Grounds for Appeal). In the absence of the President/CEO, the Chair shall perform this function.

23.7.2 If the appeal is denied on the basis that it has no grounds, the Appellant shall be notified of this decision within 7 days of making the decision, in writing, giving reasons. This decision is at the sole discretion of the President/CEO, or designate, and may not be appealed.

23.8 Appeals Panel

23.8.1 If the President/CEO, or designate, is satisfied that there are sufficient grounds for an appeal, within 21 days of having received the original notice of appeal the President/CEO shall establish an Appeals Panel (the "Panel") as follows:

- a) The Panel shall be comprised of three individuals who shall have no significant relationship with the affected parties, shall have had no involvement with the decision being appealed, and shall be free from any other actual or perceived bias or conflict.
- b) The Panel's members shall select from themselves a Chairperson.

23.9 Preliminary Conference

23.9.1 The Panel may determine that the circumstances of the appeal warrant a preliminary conference. The matters, which may be considered at a preliminary conference, include:

- a) format of the appeal (hearing by documentary evidence, oral hearing or a combination of both);
- b) timelines for exchange of documents;
- c) clarification of issues in dispute;
- d) clarification of evidence to be presented to the Panel;
- e) order and procedure of hearing;
- f) identification of witnesses; and
- g) any other procedural matter, which may assist in expediting the appeal proceedings.

23.9.2 The Panel may delegate to its Chair the authority to deal with these preliminary matters.

23.10 Procedure for the Hearing

23.10.1 Where the Panel has determined that the appeal shall be held by way of oral hearing, the Panel shall govern the hearing by such procedures as it deems appropriate, provided that:

- a) The hearing shall be held within 21 days of the Panel's appointment.
- b) The Appellant and Respondent shall be given 10 days written notice of the date, time and place of the hearing.
- c) A quorum shall be all three Panel members.

- d) Decisions shall be by majority vote, where the Chair carries a vote.
- e) If the decision of the Panel may affect another party to the extent that the other party would have recourse to an appeal in their own right, that party shall become a party to the appeal in question.
- f) A representative or advisor, including legal counsel may accompany any of the parties.
- g) The Panel may direct that any other person participate in the appeal.

23.10.2 In order to keep costs to a reasonable level the Panel may conduct the appeal by means of a telephone or video conference.

23.11 Procedure for Documentary Appeal

23.11.1 Where the Panel has determined that the appeal shall be held by way of documentary evidence, it shall govern the appeal by such procedures as it deems appropriate provided that:

- a) All parties are given an opportunity to provide written submissions to the Panel, to review written submissions of the other parties, and to provide written rebuttal.

23.12 Evidence which may be considered

23.12.1. As a general rule, the Panel shall only consider that evidence which was before the original decision-maker. At its discretion the Panel may hear new evidence which is material and which was not available at the time of the original decision.

23.13 Appeal Decision

23.13.1 Within 7 days of concluding the appeal, the Panel shall issue its written decision, with reasons. In making its decision, the Panel shall have no greater authority than that of the original decision-maker. The Panel may decide:

- a) To confirm the decision being appealed;
- b) To vary the decision where it is found that an error occurred;
- c) To determine how costs of the appeal, excluding legal fees and legal disbursements of any of the parties, shall be allocated, if at all.

23.13.2 A copy of this decision shall be provided to each of the parties and to the President/CEO.

23.14 Timeline

23.14.1 If the circumstances of the dispute are such that this policy will not allow a timely appeal, or if the circumstances of the disputes are such the appeal cannot be concluded within the timelines dictated in this policy, the Panel may direct that these timelines be revised.

23.15 Location

23.15.1 Any appeal shall take place, unless held by way of telephone conference call, at a location agreed to by all parties involved.

23.16 Final and Binding

23.16.1 The decision of the Panel shall be final and binding on the parties and on all members of AGF, subject only to the provisions of AGF's policies relating to the Alternative Dispute Resolution. (Appendix 7)

24.0 Screening Policy

24.1 Application

This Policy applies to Alberta Gymnastics Federation (AGF) and to any organization that has the responsibility for the management of an activity under the auspices of AGF.

Every Club that is members of AGF shall adapt and implement this Policy within their own jurisdictions.

24.2 Definitions

For the purposes of this Policy, the term "relevant offense" refers to a criminal conviction for fraud and theft related offences, assault, sexual assault, sexual interference, sexual exploitation, and invitation to sexual touching or criminal harassment.

For the purposes of this Policy, the terms "staff" and "staff person" refers to both employees and independent contractors.

24.3 Purpose

The purpose of screening is to identify staff and volunteers who pose a risk to children or youth. Sport organizations have a legal responsibility to protect minors, as well as other members, from foreseeable harm and may be held responsible for failing to take reasonable measures in the area of screening staff and volunteers who will be working directly or indirectly with minors.

24.4 Screening of Staff and Volunteers

AGF endorses the concept of screening staff and volunteers (coaches/judges/delegation support staff) in situations where the age of participants, the setting, the nature of the activity and the degree of supervision are such as to potentially give rise to a risk of harm.

As a result, screening shall occur for all staff and volunteer positions relating to AGF programs and events that can be categorized as "high risk" (whether organized by AGF directly or by another organization on behalf of AGF).

24.5 Assessment of High Risk Situations

"High risk" situations are those involving interactions between a staff person or volunteer and a minor, where such interactions may at times be:

- a) one-on-one;
- b) in settings which may be private; or
- c) in situations where there is little regular supervision of the activity by persons in positions of authority.

The responsibility for assessing high-risk situations, which require screening procedures, rests with the President/CEO of AGF or, where another organization is managing an activity on behalf of the AGF with the chief organizer of that activity.

24.5 Minimum Screening Procedures

For the appointment of staff or volunteers to positions deemed to represent a high risk, the following minimum screening activities will occur.

24.5.1 The position shall have a written job description that will set out clear guidelines about appropriate behaviour and conduct.

24.5.2 The staff person or volunteer shall be provided with a copy of AGF's Code of Conduct.

24.5.3 The recruitment process for the position shall involve:

- a) Requiring the candidate to complete an application form for the position;
- b) Interviewing the candidate for the position;
- c) Checking a minimum of two references for each candidate being selected. At least one of the references shall be specific to working with children or youth.

24.5.4 Each staff person and volunteer shall be provided with an orientation session that shall explain performance expectations. As well, each staff person and volunteer shall be provided with the training necessary for satisfactory performance in the position.

24.5.5 In the case of volunteers, for the duration of the volunteer's appointment, there shall be a designated person in a position of authority with AGF who shall regularly monitor the volunteer's work, provide feedback where appropriate and report any concerns to the leadership of AGF.

24.5.6 Each staff person or volunteer shall either authorize AGF to conduct a criminal record check, or shall provide AGF with an official criminal record check obtained no more than six months previously.

24.5.7 Should a staff person or volunteer once appointed by AGF, subsequently receive a conviction for, or be found guilty of, a relevant offense, he or she shall report this circumstance immediately to AGF.

Where the screening procedures described above are being conducted for an activity which is managed by an organization on behalf of AGF, that organization shall take the place of AGF in implementing the above procedures.

24.6 Follow-up to Screening

As a result of screening procedures or a criminal record check, AGF (or the organization managing an activity on behalf of AGF) shall have the authority:

24.6.1 Where a criminal record check indicates a previous criminal conviction, to request further information from the staff person or volunteer about the nature and circumstances of the conviction in order to determine whether the conviction relates to a relevant offense.

24.6.2 To not hire a staff person or not appoint a volunteer who does not cooperate in providing further information pertaining to the nature and circumstances of a criminal conviction.

24.6.3 To not hire any staff person or not appoint a volunteer who has a conviction for, or has been found guilty of, a relevant offense.

24.6.4 To reassign the duties and responsibilities of any staff person or volunteer as a result of a criminal conviction for a relevant offense.

24.6.5 To dismiss a staff person or volunteer who does not cooperate in providing further information pertaining to the nature and circumstances of a criminal conviction.

24.6.6 To dismiss any staff person or volunteer who has or receives a conviction for, or is found guilty of, a relevant offense.

24.7 Confidentiality

AGF shall keep the results of criminal record checks confidential and shall not disclose these results to any person unless such disclosure is required by law, is necessary for a disciplinary proceeding, or is in the best interests of the public.