DRAGON BOAT CANADA POLICIES

Code of Conduct and Ethics	
Discipline and Complaints Policy	
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Policy Title	Date of Last Approval
Code of Conduct and Ethics	2019
Discipline and Complaints	2019
Appeal	2019
Equity and Inclusion	2019
Transgender Athlete Eligibility Policy	2019
Travel Policy	2019

CODE OF CONDUCT AND ETHICS

Definitions

- 1. The following terms have these meanings in this Code:
 - a) "Individuals" Individuals employed by, or engaged in activities with, Dragon Boat Canada including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, parents or guardians, and Directors and Officers of Dragon Boat Canada
 - b) "Workplace" Any place where business or work-related activities are conducted. Workplaces include but are not limited to, Dragon Boat Canada's office, work-related social functions, work assignments outside Dragon Boat Canada's offices, work-related travel, and work-related conferences or training sessions

Purpose

2. The purpose of this Code is to ensure a safe and positive environment (within Dragon Boat Canada's programs, activities, and events) by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with Dragon Boat Canada's core values. Dragon Boat 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

- 3. This Code applies to Individuals' conduct during Dragon Boat Canada's business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Dragon Boat Canada's activities, Dragon Boat Canada's office environment, and any meetings.
- 4. An Individual who violates this Code may be subject to sanctions pursuant to Dragon Boat Canada's *Discipline and Complaints Policy*. In addition to facing possible sanction pursuant to Dragon Boat 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 particular competition.
- 5. An employee of Dragon Boat Canada found to have engaged in acts of violence or harassment against any other employee, worker, contractor, member, customer, supplier, client or other third party during business hours, or at any Dragon Boat Canada event, will be subject to appropriate disciplinary action subject to the terms of Dragon Boat Canada's policies on human resources well as the employee's Employment Agreement (if applicable).
- 6. This Code also applies to Individuals' conduct outside of Dragon Boat Canada's business, activities, and events when such conduct adversely affects relationships within Dragon Boat Canada (and its work and sport environment) and is detrimental to the image and reputation of Dragon Boat Canada. Such applicability will be determined by Dragon Boat Canada at its sole discretion.

Responsibilities

- 7. Individuals have a responsibility to:
 - a) Maintain and enhance the dignity and self-esteem of Dragon Boat Canada members and other individuals by:
 - i. Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, sex, and sexual orientation
 - 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. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory
 - v. Consistently treating individuals fairly and reasonably
 - vi. Ensuring adherence to the rules of the sport and the spirit of those rules
 - b) Refrain from any behaviour that constitutes **harassment**, where harassment is defined as comment or conduct directed towards an individual or group, which is offensive, abusive, racist, sexist, degrading, or malicious. Types of behaviour that constitute harassment include, but are not limited to:
 - i. Written or verbal abuse, threats, or outbursts

- ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts
- iii. Leering or other suggestive or obscene gestures
- iv. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
- v. Practical jokes which endanger a person's safety, or negatively affect performance
- vi. Any form of hazing
- vii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing
- viii. Unwelcome sexual flirtations, advances, requests, or invitations
- ix. Physical or sexual assault
- x. Behaviours such as those described above that are not directed towards a specific individual or group but have the same effect of creating a negative or hostile environment
- xi. Retaliation or threats of retaliation against an individual who reports harassment to Dragon Boat Canada
- c) Refrain from any behaviour that constitutes workplace harassment, where workplace harassment is defined as vexatious comment or conduct against a worker in a workplace a comment or conduct 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 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. Repeated offensive or intimidating phone calls or emails
 - iii. Inappropriate sexual touching, advances, suggestions or requests
 - iv. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form
 - v. Psychological abuse
 - vi. Personal harassment
 - vii. Discrimination
 - viii. Intimidating words or conduct (offensive jokes or innuendos)
 - ix. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning
- d) Refrain from any behaviour that constitutes **workplace violence**, where workplace violence is defined as the exercise 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 harassment include, but are not limited to:
 - i. Verbal threats to attack a worker
 - ii. Sending to or leaving threatening notes or emails for a worker
 - iii. Making threatening physical gestures to a worker
 - iv. Wielding a weapon in a workplace
 - v. Hitting, pinching or unwanted touching of a worker which is not accidental
 - vi. Throwing an object at a worker
 - vii. Blocking normal movement or physical interference of a worker, with or without the use of equipment
 - viii. Sexual violence against a worker
 - ix. Any attempt to engage in the type of conduct outlined above
- e) Refrain from any behaviour that constitutes **sexual harassment**, where sexual harassment is defined as unwelcome sexual comments and sexual advances, requests for sexual favours, or conduct of a sexual nature. Types of behaviour that constitute sexual harassment include, but are not limited to:
 - i. Sexist jokes
 - ii. Display of sexually offensive material
 - iii. Sexually degrading words used to describe a person
 - iv. Inquiries or comments about a person's sex life
 - v. Unwelcome sexual flirtations, advances, or propositions
 - vi. Persistent unwanted contact

- f) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, Dragon Boat Canada adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to Dragon Boat Canada's *Discipline and Complaints Policy*. Dragon Boat Canada will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by Dragon Boat Canada or any other sport organization
- g) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision of the sport, who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES)
- h) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- i) Refrain from consuming tobacco products, or recreational drugs while participating in Dragon Boat Canada's programs, activities, competitions, or events
- j) In the case of adults, avoid consuming alcohol in competitions and situations where minors are present and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with Dragon Boat Canada's events
- k) Respect the property of others and not wilfully cause damage
- I) Promote the sport in the most constructive and positive manner possible
- m) 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
- n) Adhere to all federal, provincial, municipal and host country laws
- o) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
- p) Comply, at all times, with Dragon Boat Canada's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time

Directors, Committee Members, and Staff

- 8. In addition to section 7 (above), Dragon Boat Canada's Directors, Committee Members, and Staff will have additional responsibilities to:
 - a) Function primarily as a Director or Committee Member of Dragon Boat Canada; not as a member of any other particular member or constituency
 - b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of Dragon Boat Canada's business and the maintenance of Individuals' confidence
 - c) Ensure that Dragon Boat Canada's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
 - d) Conduct themselves openly, professionally, lawfully and in good faith in the best interests of Dragon Boat Canada
 - e) Be independent and 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 Dragon Boat Canada's activities, the provincial sport community, and general trends in the sectors in which they operate
 - h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which Dragon Boat 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
 - Have a thorough knowledge and understanding of all Dragon Boat Canada governance documents
 - m) Conform to the bylaws and policies approved by Dragon Boat Canada

- 9. In addition to section 7 (above), coaches have many additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, consciously or unconsciously. Coaches will:
 - a) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
 - b) Prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm athletes
 - c) Avoid compromising the present and future health of athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of athletes' medical and psychological treatments
 - d) Support the coaching staff of a training camp, provincial team, or national team; should an athlete qualify for participation with one of these programs
 - e) Accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate
 - f) Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
 - g) Act in the best interest of the athlete's development as a whole person
 - h) Comply with Dragon Boat Canada's policies and procedures for screening if applicable
 - i) Report to Dragon Boat Canada any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal substance
 - j) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances and, in the case of minors, alcohol and/or tobacco
 - k) Respect athletes playing with other teams and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the athletes
 - l) Not engage in a sexual relationship with an athlete under 18 years old, or an intimate or sexual relationship with an athlete over the age of 18 if the coach is in a position of power, trust, or authority over the athlete
 - 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 professionally, neatly, and inoffensively
 - o) Use inoffensive language, taking into account the audience being addressed

Athletes

- 10. In addition to section 7 (above), athletes will have additional responsibilities to:
 - a) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete;
 - b) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and events
 - c) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
 - d) Adhere to Dragon Boat Canada's rules and requirements regarding clothing and equipment
 - e) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other athletes, officials, coaches, or spectators
 - f) Dress to represent the sport and themselves well and with professionalism
 - g) Act in accordance with Dragon Boat Canada's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

- 11. In addition to section 7 (above), officials will have additional responsibilities to:
 - a) Maintain and update their knowledge of the rules and rules changes
 - b) Work within the boundaries of their position's description while supporting the work of other officials

- c) Act as an ambassador of Dragon Boat Canada by agreeing to enforce and abide by national and provincial rules and regulations
- d) Take ownership of actions and decisions made while officiating
- e) Respect the rights, dignity, and worth of all individuals
- f) Not publicly criticize other officials or any club or association
- g) Act openly, impartially, professionally, lawfully, and in good faith
- h) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
- i) 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
- j) 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
- k) When writing reports, set out the true facts
- I) Dress in proper attire for officiating

Parents/Guardians and Spectators

- 12. In addition to section 7 (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

DISCIPLINE AND COMPLAINTS POLICY

Definitions

- 1. The following terms have these meanings in this Policy:
 - a) "Case Manager" An individual appointed by the Discipline Chair to implement certain complaints under this Discipline and Complaints Policy. The Case Manager does not need to be a member of, or affiliated with, Dragon Boat Canada
 - b) "Complainant" The Party alleging an infraction
 - c) "Days" Days including weekends and holidays
 - d) "Discipline Chair(s)" An individual or individuals appointed by the Executive Director to be the first point-of-contact for all discipline and complaint matters reported to Dragon Boat Canada
 - e) "Individuals" All categories of membership defined in Dragon Boat Canada's Bylaws, as well as all individuals employed by, or engaged in activities with, Dragon Boat Canada including, but not limited to, athletes, coaches, convenors, officials, umpires, volunteers, managers, administrators, committee members, Directors and Officers of Dragon Boat Canada, spectators, and parents/guardians of athletes
 - f) "Respondent" The alleged infracting Party

Purpose

2. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Dragon Boat Canada's policies, Bylaws, rules and regulations, and *Code of Conduct and Ethics*. Non-compliance may result in sanctions pursuant to this Policy.

Discipline Chair

- 3. The Discipline Chair will be a Director of the Board, or an individual appointed by the Executive Director to handle the duties of the Discipline Chair. The Board may choose to appoint three (3) individuals to serve as Discipline Chairs and, in this case, decisions of the Discipline Chairs will be by majority vote.
- 4. The Discipline Chair(s) appointed to handle a complaint or incident must be unbiased and not in a conflict of interest situation.

Application of this Policy

- 5. This Policy applies to all Individuals.
- 6. This Policy applies to matters that may arise during the course of Dragon Boat Canada's business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Dragon Boat Canada activities, and any meetings.
- 7. This Policy also applies to Individuals' conduct outside of Dragon Boat Canada's business, activities, and events when such conduct adversely affects relationships within Dragon Boat Canada (and its work and sport environment), is detrimental to the image and reputation of Dragon Boat Canada, or upon the acceptance of Dragon Boat Canada. Applicability will be determined by Dragon Boat Canada at its sole discretion.
- 8. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only.
- 9. An employee of Dragon Boat Canada who is a Respondent will be subject to appropriate disciplinary action per Dragon Boat Canada's policies on human resources 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.

Process

10. Any Individual may report an incident or complaint to the Discipline Chair in writing, within fourteen (14) days of the alleged incident, although this timeline can be waived or extended at the Discipline Chair's discretion.

- 11. At Dragon Boat Canada's discretion, Dragon Boat Canada may act as the Complainant and initiate the complaint process under the terms of this Policy. In such cases, Dragon Boat Canada will identify an individual to represent Dragon Boat Canada.
- 12. Upon receipt of a complaint, the Discipline Chair has discretion to choose which process should be followed, and may use the following examples as a general guideline:
 - a) Process #1 the Complaint alleges the following incidents:
 - i. Disrespectful, abusive, racist, or sexist comments or behaviour
 - ii. Disrespectful conduct
 - iii. Minor incidents of violence (e.g., tripping, pushing, elbowing)
 - iv. Conduct contrary to the values of Dragon Boat Canada
 - v. Non-compliance with Dragon Boat Canada's policies, procedures, rules, or regulations
 - vi. Minor violations of Dragon Boat Canada's Code of Conduct and Ethics
 - b) Process #2 the Complaint alleges the following incidents:
 - i. Repeated minor incidents
 - ii. Any incident of hazing
 - iii. Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
 - iv. Major incidents of violence (e.g., fighting, attacking, sucker punching)
 - v. Pranks, jokes, or other activities that endanger the safety of others
 - vi. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
 - vii. Conduct that intentionally damages Dragon Boat Canada's image, credibility, or reputation
 - viii. Consistent disregard for Dragon Boat Canada's bylaws, policies, rules, and regulations
 - ix. Major or repeated violations of Dragon Boat Canada's Code of Conduct and Ethics
 - x. Intentionally damaging Dragon Boat Canada property or improperly handling Dragon Boat Canada monies
 - xi. Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
 - xii. A conviction for any Criminal Code offense
 - xiii. Any possession or use of banned performance enhancing drugs or methods

Process #1: Handled by Discipline Chair

Sanctions

- 13. Following the determination that the complaint or incident should be handled under Process #1, the Discipline Chair will review the submissions related to the complaint or incident and determine one or more of the following sanctions:
 - a) Verbal or written reprimand
 - b) Verbal or written apology
 - c) Service or other contribution to Dragon Boat Canada
 - d) Removal of certain privileges
 - e) Suspension from certain teams, events, and/or activities
 - f) Suspension from all Dragon Boat Canada activities for a designated period of time
 - g) Any other sanction considered appropriate for the offense
- 14. The Discipline Chair will inform the Respondent of the sanction, which will take effect immediately.
- 15. Records of all sanctions will be maintained by Dragon Boat Canada.

Request for Reconsideration

- 16. The sanction may not be appealed until the completion of a request for reconsideration. However, the Respondent may contest the sanction by submitting a Request for Reconsideration within two (2) days of receiving the sanction. In the Request for Reconsideration, the Respondent must indicate:
 - a) Why the sanction is inappropriate;
 - b) All evidence to support the Respondent's position; and
 - c) What penalty or sanction (if any) would be appropriate

- 17. Upon receiving a Request for Reconsideration, the Discipline Chair may decide to accept or reject the Respondent's suggestion for an appropriate sanction.
- 18. Should the Discipline Chair accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.
- 19. Should the Discipline Chair not accept the Respondent's suggestion for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

Process #2: Handled by Case Manager

Case Manager

- 20. Following the determination that the complaint or incident should be handled under Process #2, Dragon Boat Canada will appoint a Case Manager to oversee management and administration of the complaint or incident. Such appointment is not appealable.
- 21. The Case Manager has a responsibility to:
 - a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy
 - b) Appoint the Discipline Panel, if necessary
 - c) Coordinate all administrative aspects and set timelines
 - d) Provide administrative assistance and logistical support to the Discipline Panel as required
 - e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

Procedures

- 22. If the Case Manager determines the complaint is:
 - a) Frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately
 - b) Not frivolous and within the jurisdiction of this Policy, the Case Manager will notify the Parties that the complaint is accepted and of the applicable next steps
- 23. The Case Manager's decision to accept or dismiss the complaint may not be appealed.
- 24. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
- 25. After notifying the Parties that the complaint has been accepted, 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.
- 26. The Case Manager, in cooperation with the Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the Discipline Panel deem appropriate in the circumstances, provided that:
 - a) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral inperson hearing or an oral hearing by telephone or other communication medium
 - b) Copies of any written documents which the parties wish to have the Discipline Panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing
 - c) The Parties may engage a representative, advisor, or legal counsel at their own expense
 - d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
 - e) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious, and shall place such weight on the evidence as it deems appropriate
 - f) The decision will be by a majority vote of the Discipline Panel

- 27. 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.
- 28. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
- 29. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.
- 30. In fulfilling its duties, the Discipline Panel may obtain independent advice.

Decision

31. After hearing and/or reviewing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Dragon Boat 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. The decision will be considered a matter of public record unless decided otherwise by the Discipline Panel.

Sanctions

- 32. The Discipline Panel may apply the following disciplinary sanctions, singularly or in combination:
 - a) Verbal or written reprimand
 - b) Verbal or written apology
 - c) Service or other contribution to Dragon Boat Canada
 - d) Removal of certain privileges
 - e) Suspension from certain teams, events, and/or activities
 - f) Suspension from all Dragon Boat Canada activities for a designated period of time
 - g) Payment of the cost of repairs for property damage
 - h) Suspension of funding from Dragon Boat Canada or from other sources
 - i) Expulsion from Dragon Boat Canada
 - j) Any other sanction considered appropriate for the offense
- 33. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.
- 34. Records of all decisions will be maintained by Dragon Boat Canada.

<u>Appeals</u>

35. The decision of the Discipline Panel may be appealed in accordance with Dragon Boat Canada's Appeal Policy.

Suspension Pending a Hearing

36. Dragon Boat Canada may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of a criminal process, the hearing, or a decision of the Discipline Panel.

Criminal Convictions

- 37. An Individual's conviction for a *Criminal Code* offense, as determined by Dragon Boat Canada, will be deemed an infraction under this Policy and will result in expulsion from Dragon Boat Canada. *Criminal Code* offences may include, but are not limited to:
 - a) Any child pornography offences
 - b) Any sexual offences
 - c) Any offence of physical violence
 - d) Any offence of assault
 - e) Any offence involving trafficking of illegal drugs

Confidentiality

38. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the Discipline Panel, and any independent advisors to the Discipline Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

Timelines

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

Records and Distribution of Decisions

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

APPEAL POLICY

Definitions

- 1. The following terms have these meanings in this Policy:
 - a) "Appellant" The Party appealing a decision
 - b) "Case Manager" An individual appointed by Dragon Boat Canada who may be any staff member, committee member, volunteer, Director, or an independent third party, to oversee this Appeal Policy. The Case Manager will have responsibilities that include, but are not limited to:
 - Ensuring procedural fairness;
 - ii. Respecting the applicable timelines; and
 - iii. Using decision making authority empowered by this Policy.
 - c) "Respondent" The body whose decision is being appealed
 - d) "Parties" The Appellant, Respondent, and any other Individuals affected by the appeal
 - e) "Days" Days including weekends and holidays
 - f) "Individuals" All categories of membership defined in Dragon Boat Canada's Bylaws, as well as all individuals employed by, or engaged in activities with, Dragon Boat Canada including, but not limited to, athletes, coaches, convenors, referees, officials, volunteers, managers, administrators, committee members, Directors and Officers of Dragon Boat Canada, spectators at events, and parents/guardians of athletes

Purpose

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

Scope and Application of this Policy

- 3. This Policy applies to all Individuals. Any Individual who is directly affected by a Dragon Boat Canada decision shall have the right to appeal that decision provided there are sufficient grounds for the appeal under the 'Grounds for Appeal' section of this Policy.
- 4. This Policy will apply to decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of Interest
 - d) Discipline
 - e) Membership
- 5. This Policy will not apply to decisions relating to:
 - a) Employment
 - b) Infractions for doping offenses
 - c) The rules of the sport
 - d) Selection criteria, quotas, policies, and procedures established by entities other than Dragon Boat Canada
 - e) Substance, content and establishment of team selection criteria
 - f) Volunteer/coach appointments and the withdrawal or termination of those appointments
 - g) Budgeting and budget implementation
 - h) Dragon Boat Canada's operational structure and committee appointments
 - Decisions or discipline arising within the business, activities, or events organized by entities other than Dragon Boat Canada (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by Dragon Boat Canada at its sole discretion)
 - j) Commercial matters for which another appeals process exists under a contract or applicable law
 - k) Decisions made under this 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 Dragon Boat Canada, the following:
 - a) Notice of the intention to appeal
 - b) Contact information and status of the appellant
 - c) Name of the respondent and any affected parties, when known to the Appellant
 - d) Date the appellant was advised of the decision being appealed
 - e) A copy of the decision being appealed, or description of decision if written document is not available
 - f) Grounds for the appeal
 - g) Detailed reasons for the appeal
 - h) All evidence that supports these grounds
 - i) Requested remedy or remedies
 - j) An administration fee of one hundred dollars (\$100)
- 7. An Individual who wishes to initiate an appeal beyond the seven (7) day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the seven (7) day period will be at the sole discretion of the Case Manager and may not be appealed.

Grounds for Appeal

- 8. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
 - a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make
 - b) Failed to follow its own procedures (as set out in the Respondent's governing documents)
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
 - d) Failed to consider relevant information or took into account irrelevant information in making the decision
- 9. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the 'Grounds for Appeal' section of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

Screening of Appeal

- 10. Dragon Boat Canada will appoint an independent Case Manager who has the following responsibilities:
 - a) Determine if the appeal falls under the scope of this Policy
 - b) Determine if the appeal was submitted in a timely manner
 - c) Decide whether there are sufficient grounds for the appeal
- 11. If the appeal is denied on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
- 12. If the Case Manager is satisfied there are sufficient grounds for an appeal, the Case Manager will appoint an Appeals Panel which shall consist of a single Arbitrator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Case Manager, a Panel of three persons may be appointed to hear the appeal. In this event, the Case Manager will appoint one of the Panel's members to serve as the Chair.

Procedure for Appeal Hearing

- 13. The Case Manager shall notify the Parties that the appeal will be heard. The Case Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Case Manager and may not be appealed.
- 14. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
- 15. 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 Case Manager and the Panel deem appropriate in the circumstances, provided that:

- a) The hearing will be held within a timeline determined by the Case Manager
- b) The Parties will be given reasonable notice of the day, time and place of the hearing
- c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
- d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- e) The Panel may request that any other individual participate and give evidence at the hearing
- f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
- g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become a party to the appeal in question and will be bound by its outcome
- h) The decision to uphold or reject the appeal will be by a majority vote of Panel members
- 16. In fulfilling its duties, the Panel may obtain independent advice.

Appeal Decision

- 17. The Panel shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:
 - a) Reject the appeal and confirm the decision being appealed
 - b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision
 - c) Uphold the appeal and vary the decision
- 18. The Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Dragon Boat Canada. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

Timelines

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

Confidentiality

20. The appeals process is confidential and involves only the Parties, the Case Manager, the 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.

Final and Binding

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

EQUITY POLICY

Definitions

- 1. The following terms have these meanings in this Policy:
 - a) Under-Represented Groups Under-Represented Groups include women, children in low income families, Indigenous people, people with disabilities, newcomers to Canada, and members of the LGBTQ2 community

Purpose

2. Dragon Boat Canada is committed to encouraging inclusion, equity and access in its administration, policies, programs, and activities. The purpose of this Policy is to ensure that Dragon Boat Canada provides Under-Represented Groups with a full and equitable range of opportunities to participate and lead.

Procedures

- 3. Dragon Boat Canada will enhance the quality of, and increase the level of participation in, Dragon Boat Canada's leadership and programs by:
 - a) Supporting inclusion, equity, and access for Under-Represented Groups
 - Ensuring that the achievement of equitable opportunities is a key consideration when developing, updating, or delivering Dragon Boat Canada's programs and policies
 - c) Ensuring that individuals from Under-Represented Groups have no barriers to participation in Dragon Boat Canada's programs, training, and coaching opportunities
 - d) Dealing with any incidence of discriminatory behaviour according to Dragon Boat Canada's *Code of Conduct and Ethics* and *Discipline and Complaints Policy*

Decision-Making

4. Dragon Boat Canada will encourage balanced representation by Under-Represented Groups on its Board and on all committees.

Communications

5. Dragon Boat Canada will ensure that Under-Represented Groups are portrayed equitably in promotional materials and official publications, and that gender-neutral language is used in all communications.

Human Resource Management

- 6. As part of its commitment to the use of equitable human resource management practices, Dragon Boat Canada will:
 - a) Adopt, when possible, family-friendly work practices such as flex-time, job-sharing and home-based offices
 - b) Provide a physically accessible workplace environment
 - c) Ensure a non-smoking environment
 - d) Use non-discriminatory interview techniques
 - e) Adopt a pay scale reflecting equal pay for work of equal value for its employees
 - f) When appropriate, make available access to Employee Assistance counselling

Programs

7. Dragon Boat Canada will provide opportunities to participants within its activities and programs on the basis of their skills, knowledge, and abilities. Dragon Boat Canada will ensure participants are neither disadvantaged nor denied access on the basis of a prohibited ground pursuant to federal human rights legislation.

Ongoing Commitment to Inclusion, Diversity and Equity

8. Dragon Boat Canada understands that one key to being a more inclusive, diverse, and equitable organization is to incorporate equity principles in all strategies, plans and actions of the organization, whether they relate to technical programs, operations, business management, sponsorship, marketing, media or communications. Dragon Boat Canada resolves to incorporate equity concerns in its own strategies, plans, actions, and operations on a continuing basis.

Evaluation

9. Dragon Boat Canada will continually monitor and evaluate its inclusion, equity, and access progress.

INCLUSION POLICY

Guiding Principles

- Dragon Boat Canada supports the recommendations outlined in Creating Inclusive Environments for Trans Participants
 in Canadian Sport, the guidance document developed by the Trans Inclusion in Sport Expert Working Group and
 published by the Canadian Centre for Ethics in Sport (CCES). Association adopts the best practices outlined in the
 document and has used the four Policy Guidance statements in the development of this Inclusion Policy. The Policy
 Guidance statements are:
 - a. Individuals participating in development and recreational sport (LTAD stages Active Start, FUNdamental, Learn to Train, Train to Train, Train to Compete (until international federation rules apply) and Active for Life) should be able to participate in the gender with which they identify and not be subject to requirements for disclosure of personal information beyond those required of cisgender athletes. Nor should there be any requirement for hormonal therapy or surgery
 - b. Hormone therapy should not be required for an individual to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) in the gender category that is consistent with their gender identity, unless the sport organization can prove that hormone therapy is a reasonable and bona fide requirement
 - c. Individuals should not be required to disclose their transgender identity or history to the sport organization in order to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) unless there is a justified reason requiring them to do so.
 - d. Surgical intervention should not be required for an individual to participate in high-performance sport (LTAD stages Train to Compete (once international federation rules become a factor) and Train to Win) in the gender category that is consistent with their gender identity

Definitions

- 2. The following terms have these meanings in this document:
 - a. "Association" Dragon Boat Canada
 - b. "Cisgender" People whose gender identity aligns with the sex they were assigned at birth
 - c. "Gender" The socially constructed roles, behaviours, activities and attributes that a society assigns to masculinity or femininity
 - d. "Gender Expression" The manner in which an individual represents or expresses gender to others through behaviour, hairstyles, activities, voice, mannerisms, etc.
 - e. "Gender Identity" An individual's deeply held sense or knowledge of their own gender
 - f. "Gender reassignment" medically-supervised program of treatment to transition a person's body to align with their gender identity through hormone therapy and/or surgery
 - g. "Intersex" Refers to a combination of features that distinguish male and female anatomy
 - h. "Sex" An individual's biology that is generally categorized as male, female, or intersex
 - i. "Transgender" People whose gender identity differs from the sex they were assigned at birth. In order to align their bodies with their sense of gender, some transgender individuals undergo gender reassignment
 - j. "Transgender Female" Someone who was assigned the male sex at birth, but whose gender identity is female
 - k. "Transgender Male" Someone who was assigned female sex at birth, but whose gender identity is male

Purpose

3. The Association believes that all individuals deserve respectful and inclusive environments for participation that value the individual's gender identity and gender expression. The Association wants to ensure that all participants have access to programming and facilities in which they feel comfortable and safe. The Association is committed to implementing this policy in a fair and equitable manner.

Actions for Inclusion

- 4. The Association pledges to:
 - a. Provide this *Policy* to Association staff, Directors and coaches
 - b. Provide registration forms and other documents that allow:
 - i. the individual to indicate their gender identity, rather than their sex or gender; and

- ii. the individual to abstain from indicating a gender identity with no consequence to the individual
- Maintain organizational documents and the Association website in a manner that promotes inclusive language and images
- d. Refer to individuals by their preferred name and pronoun
- e. Work with transgender athletes on the implementation and/or modification of this Policy
- f. When the Association has the authority to determine participants' use of washrooms, change rooms, and other facilities, the Association will permit individuals to use the facilities of their gender identity
- g. Ensure uniforms and dress codes that respect an individual's gender identity and gender expression
- h. Determine Eligibility Guidelines for transgender participants (as described in this Policy)

Eligibility Guidelines - Exceptions

5. When applicable, the eligibility guidelines any major Games regarding transgender athlete participation will supersede the eligibility guidelines as outlined in this Policy.

Eligibility Guidelines

6. As a general guiding principle for the Association's eligibility guidelines, the Association supports the following statement from *Creating Inclusive Environments for Trans Participants in Canadian Sport*:

Based on this background and available evidence, the Expert Working Group felt that trans athletes should be able to participate in the gender with which they identify, regardless of whether or not they have undergone hormone therapy. Exceptions could be made if a sport organization is able to provide evidence that demonstrates hormone therapy is a reasonable and bona fide requirement (i.e., a necessary response to a legitimate need) to create a fair playing field at the high-performance level (p. 19)

- 7. At both recreational and competitive levels, an individual may participate in their expressed and identified gender category.
- 8. Individuals are not required to disclose their transgender identity or history to the Association or any of the Association's representatives (e.g., coaches, staff, Directors, officials, etc.).
- 9. All athletes must be aware that they may be subject to doping control testing pursuant to the Canadian Anti-Doping Program. Transgender athletes undergoing gender reassignment are encouraged to contact the Canadian Centre for Ethics in Sport (CCES) to determine what procedures, if any, are required to obtain a Therapeutic Use Exemption (TUE).

Confidentiality

10. The Association will not disclose to outside parties any documentation or information about an individual's gender identity.

Ongoing Monitoring

11. The Association commits to monitoring ongoing developments regarding national and international participation guidelines for transgender athletes and pledges to review and/or revise this *Policy* whenever new information becomes available.

Appeal

12. Any decision rendered by the Association in accordance with this *Policy* may be appealed in accordance with the Association's *Appeal Policy*.

TRAVEL POLICY

Purpose

1. The purpose of this Policy is to inform athletes, parents, and coaches travelling to events outside of Canada of their responsibilities and the expectations of Dragon Boat Canada.

Application of this Policy

- 2. Specific individuals have responsibilities when teams travel outside of the country. These individuals include:
 - a) Parents traveling with the athlete
 - b) Parents not traveling with the athlete
 - c) Chaperones
 - d) Coaches
 - e) Team Managers
 - f) Athletes

Travel Consent Form

3. Minor athletes traveling with individuals other than their parent/guardian must keep with them a Travel Consent Form (signed by their parent/guardian). A Travel Consent Form is provided at the end of this Policy.

Responsibilities

- 4. Parents traveling with a minor athlete are responsible for their child during the entirety of the event and have the following additional responsibilities:
 - a) Pay all event fees prior to the start of travel
 - b) Register for event accommodations in a timely manner. Accommodations outside of those arranged by the manager (such as staying with family, or at a different hotel) must be approved by the coach in advance of arrangements being made
 - c) Punctual drop off and pick up of their children at times and places indicated by coaches
 - d) Adhere to coach or manager requests for parent meetings, team meetings, or team functions and be punctual to such events
 - e) Adhere to coach requests for athlete curfew times
 - f) Adhere to coach requests for limiting outside activities (swimming, shopping, etc.)
 - g) Report any athlete illness or injury
 - h) Report any incident likely to bring discredit to Dragon Boat Canada
 - i) Adhere to Dragon Boat Canada's policies and procedures, particularly the Code of Conduct and Ethics
 - j) Ensure that all passports are valid and not expired
- 5. Parents not traveling with the athlete have the following responsibilities:
 - a) Assign to their child a chaperone from among the other parents in attendance. The chaperone may not be a team coach, assistant coach, or manager
 - b) Provide the chaperone with a Travel Consent Form
 - c) Provide the chaperone with emergency contact information
 - d) Provide the chaperone with any necessary medical information
 - e) Pay all event fees prior to the start of travel
 - f) Provide the child with enough funds to pay for food and incidentals
 - g) Ensure that all passports are valid and not expired
- 6. Chaperones have the following responsibilities:
 - a) Obtain and carry any Travel Consent Forms, emergency contact information, and medical information
 - b) Punctual drop off and pick up of their children at times and places indicated by coaches
 - c) Adhere to coach or manager requests for parent meetings, team meetings, or team functions and be punctual to such events
 - d) Adhere to coach requests for athlete curfew times
 - e) Adhere to coach requests for limiting outside activities (swimming, shopping, etc.)
 - f) Report any athlete illness or injury
 - g) Report any incident likely to bring discredit to Dragon Boat Canada

- h) Inspect hotel rooms rented for damage before check in and after check out. Report any damage to the coach
- i) Approve visitors to the athlete accommodations, at their discretion
- j) Adhere to Dragon Boat Canada's policies and procedures, particularly the Code of Conduct and Ethics
- 7. Coaches have the following responsibilities:
 - a) Arrange all team meetings and training sessions
 - b) Determine curfew times
 - c) Work in close co-operation with the chaperones on all non-sport matters
 - d) Report to Dragon Boat Canada any incident likely to bring discredit to Dragon Boat Canada
 - e) Together with the chaperones, decide temporary disciplinary action to be taken at the scene of an incident, and report such incident and action to the parents of the athletes involved as well as to Dragon Boat Canada for further disciplinary action, if applicable, under Dragon Boat Canada's *Discipline and Complaints Policy*
 - f) Adhere to Dragon Boat Canada's policies and procedures, particularly the Code of Conduct and Ethics
- 8. Team/Event Managers of Minors have the following responsibilities:
 - a) Ensure an appropriate chaperone-to-athlete ratio that does not exceed five athletes per chaperone
 - b) Organize accommodations and inform parents and chaperones how to register and pay for accommodations
 - c) Room female and male athletes separately. Coaches and chaperones must be roomed separately from athletes, unless the athlete is the child of the coach or chaperone
 - d) Coordinate and collect all travel expenses from parents
- 9. Athletes have the following responsibilities:
 - a) Arrive at each event ready to participate
 - b) Make any visitor requests to chaperones before the visit is expected
 - c) Represent Dragon Boat Canada to the best of their abilities at all times
 - d) Communicate any problems or concerns to the coaches and chaperone just as they would their own parents
 - e) Check in with the chaperone when leaving their rooms
 - f) Not leave the hotel alone or without permission of the coach/chaperone and check-in when returning
 - g) Adhere to Dragon Boat Canada's policies and procedures, particularly the Code of Conduct and Ethics

Travel Consent Form

To whom it may concern, I / we, the parent(s)/guardian(s) of ______ officially give my / our consent for my / our minor child to travel with the following individuals who are also associated with Dragon Boat Canada: My / our child was born on ______ at the location of ______ . If required, my / our child's passport number is ______. Attached to this form is a list of any additional medical needs my / our child requires. I / we understand that the event is a ______ which is located in _____. Barring extenuating circumstances the event should last for a duration of ______ days between the dates of _____ and _____ . If there are any questions about the consent provided, I / we can be reached at the following telephone number(s) and the following email addresses Sincerely, Signed, _____ Dated, _____