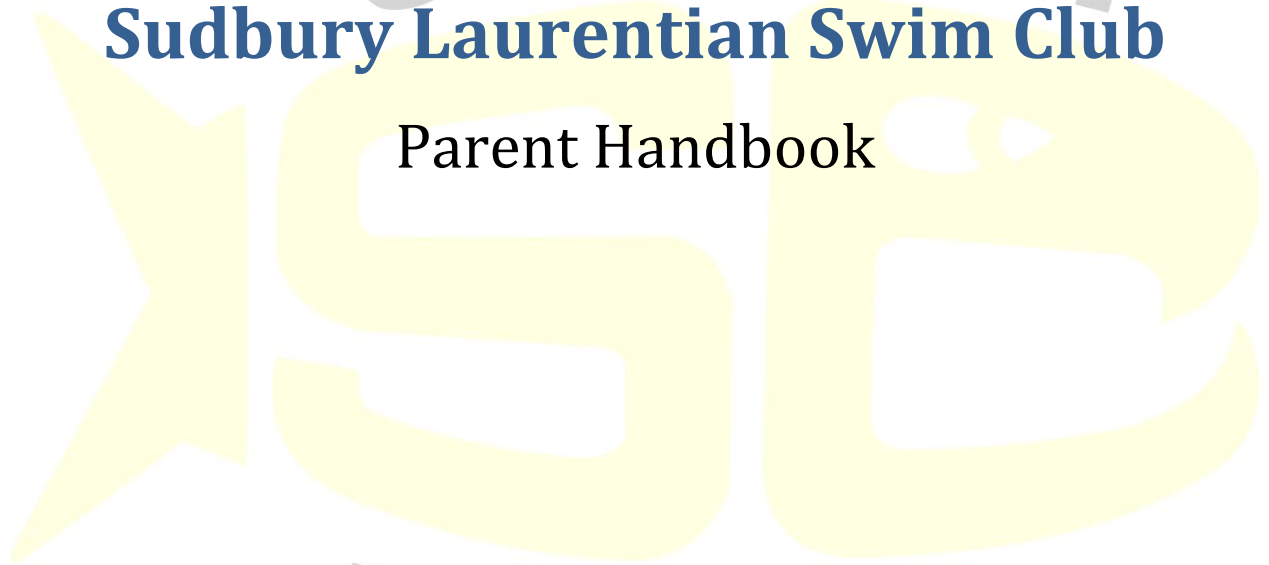


SUDBURY

Sudbury Laurentian Swim Club

Parent Handbook



LAURENTIAN

Contents

1 INTRODUCTION

Mission Statement

Club Affiliation

Club Structure

Club Office

This Handbook

2 CLUB ORGANIZATION

Executive Board

Working Committees

3 CLUB POLICIES AND PROCEDURES

Membership

Club accounts

Free Trial

Swim Ontario Fees

Training Fee

Payment of Fees

Meet Fees

Work Requirements/ Fundraising

Membership Participation

Club Uniform

4 SWIM OVERVIEW

COACH DIRECTORY

SWIM PROGRAMS

5 COMMUNICATIONS

Coach, Swimmer, Parent Triangle

Parent Information Meetings

Board Members

SLSC Newsletters

Members Handbook

6 SWIM MEETS

7 DISCIPLINE POLICY

Code of Conduct

SUDBURY



LAURENTIAN

Progressive Discipline Process

Welcome to the Sudbury Laurentian Swim Club. As the Head Coach of SLSC, I feel a little pressure each day to try and keep the integrity of the program that Dr Tihanyi had created while building LUSC/SLSC into the powerhouse it became in the early '80s. SLSC has seen drastic changes over the last 2 and half seasons with the continued closure of the Laurentian University pool. With support from the City of Greater Sudbury we have found new 'home pools' and are finding a new path forward. With the return of a more normal swim season ahead, we look forward to getting our numbers back into a healthy area and regaining our ability to produce top Provincial and National level swimmers.

Each day when I walk on the pool deck, I am greeted by one of the best swim groups I could ask to coach. I am very proud of them. I think I am fairly demanding, but my goal is to make THEM demanding of themselves. It serves no purpose if I want them to be better swimmers more than they want to be the BEST swimmers. My philosophy in trying to get our athletes to be their best is simple: encourage the swimmers to take responsibility for their own swimming. It is theirs to discover, I am just the hired help.

SLSC has some of the best swimmers in the province in certain disciplines and ages. Our younger swimmers are being coached well and learning the basic skills they will need to be GREAT senior swimmers. The club is on the rise -thanks for being part of it!

Head Coach Dean Henze

1. INTRODUCTION

Mission Statement

The mission of the Sudbury Laurentian Swim Club is to provide opportunities for every individual to reach their maximum potential in competitive swimming through a positive experience in the sport. To this end, SLSC:

1. Provides optimum instruction, training and competition for each swimmer.
2. Instills an appreciation of commitment, dedication and discipline in the pursuit of personal goals
3. Encourages a high degree of sportsmanship and team spirit
4. Provides opportunities for positive social interaction and emotional growth

Club Affiliation

The Sudbury Laurentian Swim Club is a non-profit minor sport organization. SLSC is designated "competitive swimming" and is recognized by the Greater City of Sudbury. The Club is a member of the Northeastern Ontario Swimming Association (NEOR), which is the "Northeastern Region" of Swim Ontario.

Swim Ontario, in turn, is a provincial body of Swimming/Natation Canada. SNC, along with the national bodies for diving, water polo and synchronized swimming, is affiliated with the Aquatic Federation of Canada (AFC). The body that regulates and controls

competitions in the four aquatic sports at the world level is World Aquatics, formerly known as FINA (Federation Internationale de Natation Amateur).

Club Structure

The Club's programs are directed by the Head Coach through the professional coaching staff. Administration, policy and operational activities supporting the programs are planned and executed under the direction of a volunteer Board of Directors and through working committees.

The ongoing success of the Club depends on the teamwork, dedication and supporting efforts of all involved.

Club Office

The Club address is

SUDBURY

Sudbury Laurentian Swim Club

c/o Laurentian University

935 Ramsey Lake Road

Sudbury, ON P3E 2C6

swimclub@laurentian.ca

www.sudburyswimming.ca

This Handbook

This booklet is published annually in the fall. Changes to Club policies will be communicated to the Membership as they occur. Your input and suggestions are both welcome and necessary. Please direct your comments to any Board Member.

2. CLUB ORGANIZATION

A key element in the continuing success of the Sudbury Laurentian Swim Club is a high level of participation by our members. This section describes the organization of the Club and the many activities that are needed to support the Club's goals are outlined, including the scope, time and approximate level of commitment each involves

As a member of the Sudbury Laurentian Swim Club, you can "share the dream" with our swimmers through your commitment and effort as a volunteer in the Club's many activities. Knowing that you have contributed to giving your young athlete every opportunity possible makes those moments of shared pride and excitement all the more poignant.

One of the key aspects of soliciting volunteer commitment is communication. As a prospective volunteer in any endeavor, you are entitled to know not only what jobs need to be done, but the time, effort and scope of each. As well, you must be assured that your efforts are part of a general willingness by all to contribute to the welfare of the Club.

With this information, each Club member can better appreciate the broad base of participation required to provide the support our athletes need if they are to have every opportunity to succeed. **To help ensure the continued success of our club consider serving on at least one committee.**

Shared tasks are not only more enjoyable, but they also help us to get to know each other better and to provide our own opportunities for social and personal growth. The organization of the Club as described by the Board positions and committees should not be taken as cast in concrete - any organization must be dynamic if it is to capitalize on the strengths of its individual members.

Executive Board

The Board usually meets monthly during the year and all Board meetings are open to Club members, except for in-camera discussions. Anyone wishing to make a presentation to the Board or wishing to have a specific item placed on the agenda for a Board meeting is advised to call the Club Secretary in advance.

2024-2025 Executive Board

President: Marie-Léa Bray

Vice President: Kristine DeMarco

Treasurer: Christie Laprairie

Secretary: Matt Demers

Members at Large: Amelia Bucko, Andrea Ford, Amanda Landry

President

Directs the overall policies and affairs of the Club, subject to the direction of the executive board; represents the Club to the City of Sudbury, the Northeastern Ontario Swimming Association and Swim Ontario; represents the Club to the local media and the business community in matters of sponsorship and public affairs.

Vice President

In the absence of the President, the Vice President shall assume the duties and obligations of the President.

Secretary

Maintains the seal of the Corporation, the official minute's book and all records, correspondence and documents of the Corporation.

Treasurer

Develops, implements and controls all required budgets, accounting procedures and financial reports in accordance with the law, generally accepted accounting principles and good business management practices.

Members at Large

Responsible for coordinating all working committees and any other tasks delegated or needed by the Executive Board.

Working Committees

The second level of the board consists of various committees who plan, organize and direct the activities of the Club. This is done primarily by recruiting volunteers from the general membership and organizing them into working committees to address the various activities that support the Club's goals. The committee chairpersons report on a regular basis to their respective executive board members.

Meet Manager / Assistant Meet Manager

There may be one or two positions. Where there are two, it is intended that one be a more senior, experienced position, with the other being an entry level meet manager position. The Meet Manager organizes and runs meets within the guidelines established by Swim Ontario. The meets are planned and scheduled together with the Head Coach to meet the Club's competitive swimming objectives.

Officials Chairperson

Organizes and conducts training sessions as per Swim Ontario (Ontario Officials Committee) guidelines; solicits member participation in officiating positions; plans and provides for adequate officials coverage at all home meets; represents the Club to the Officials Committee of the Northeastern Ontario Swimming Association.

Home Meet Canteen & Hospitality

Organize the food canteen for the home swim meets. Arrange breakfasts, lunches and suppers for officials and coaches at every home swim meet.

Communication and Marketing

Coordinates and solicits advertising and sponsorship for meet programs.

Fundraising

Planning and running activities aimed at bringing money into the organization, this will help keep registration fees as low as possible.

Swim a Thon

Ensures that the Club's annual Swim-A thon fundraising activities operate to its maximum revenue-generating potential by designing, communicating and directing motivational and incentive programs; ensures that Swim-A-Thon fulfills Swim Ontario's requirements.

Social

Coordinate various social activities for both swimmers and parents.

Equipment Coordinator

Obtain, advertise, sell and distribute all clothing items, suits and accessories. With input from coaching staff; select clothing, suit design and colour scheme.

3. CLUB POLICIES AND PROCEDURES

Membership

Refer to the registration package for the current season for actual dollar amounts. Fees are established by the Executive Board prior to registration in September.

Club accounts

A Club account is established for each family to track meet entry fees, travel expenses, and other charges. A member's account must be in good standing from the previous season before registration will be accepted for the current season. No returning swimmer can participate in Club activities until registered.

If accounts are not kept current, swimmers may be suspended until the account is paid in full. If financial arrangements are necessary, arrangements must be made through the Executive Board.

Free Trial

A free trial shall not exceed two weeks of continuous training sessions. No fee will be charged for this.

Swim Ontario Fees

The Swim Ontario registration fee is payable in full at the time of registration and is non refundable and includes the mandatory Swim Ontario insurance coverage.

Training Fee

These fees are the club fees which cover the pool fees, lane fees and coaching salaries associated with the day-to-day training of our swimmers.

Refunds

Any swimmer deciding to resign from the club must email the Club Treasurer. treasurerslsc1@gmail.com

The \$125 administration fee is non-refundable. Any swimmer deciding to resign from the club prior to December 31st will incur a \$500 cancellation fee and monthly dues from September 1st to December 31st will be charged.

Swimmers who resign after December 31st all remaining dues will be charged.

If the swimmer has paid the fees in full and resigned prior to December 31st, a prorated refund will take place minus the \$500 cancellation fee and monthly fees from September to December.

Refunds for Medical Leave

Refunds will be granted at the discretion of the Board upon written application to the Club office, accompanied by a letter from a medical doctor, describing the nature of the illness. Such applications will be considered where the swimmer is unable to train for a minimum of 1 month due to medical reasons. A refund granted under this policy will not be assessed on administration fee. The refund will apply to the training fee only.

Fee Reductions

There will be no reduction in fees for a swimmer desiring a leave of absence from training, except for validated medical reasons as described above.

Free Trial

A free trial shall not exceed two weeks of continuous training sessions. No fee will be charged for this.

Payment of Fees

Swim Ontario fee is payable at time of registration. SLSC training fees can be paid in one lump sum OR over 8 equal payments due; September 1, October 1, November 1, December 1, January 2, February 1, March 1, and April 1. New members starting during the swim season will pay a prorated training fee.

Meet Fees and Coaches Fees

Meet fees are entry fees charged to participate in various competitions throughout the year. Each host club charges fees per individual event and relay or a flat fee (regardless of the number of events). When a swimmer is entered in a meet the fees plus a coach fee is charged to the family account.

\$15 Top Fish	\$75 Regional Champs/Invitational
\$75 out of town/ NEOR meet	\$100 Festival/Provincial/National/Out of Province

Clubs hosting meets do not give refunds for swimmers who scratch from events, the swimmer will be responsible for meet fees regardless of attendance for participation at the subscribed meet.

Work Requirements/ Fundraising

The Club requires that additional funds be generated over and above the Training Fee. Please refer to the Parent Information handout for Swim Meets and Officials Requirements.

Membership Participation

The Sudbury Laurentian Swim Club recognizes that participation from all members is a vital and necessary component of the Club's activities.

Individuals participating in activities of the Sudbury Laurentian Swim Club shall have the following responsibilities:

1. To be sincere in the offer of service.
2. To maintain the integrity and public image of the Club.
3. To promote a positive working relationship between the Club and the City of Greater Sudbury, Laurentian University, the press, sponsors, suppliers, governing sports bodies and other competitive swim clubs.
4. To complete accepted assignments reliably and on time.
5. To accept the guidance and decisions of those who supervise assignments.
6. To work within the definition and scope of assignments or committees.
7. To participate in orientation, training and meets and to continue to learn on the job.
8. To understand the coaches' roles and promote a positive working relationship with them.

Club Uniform

The SLSC Club colours are Blue and Gold. The Board will approve items of clothing for the Club uniform and optional accessories. Swimmers must wear approved clothing at meets.

4. SWIM OVERVIEW

SWIM PROGRAMS

Swim Skills: This is a 10-week sessional program that is geared to 5–7 year olds who want to learn basic water skills and learn skills that will enhance their long-term future in the water.

Novice 2: This is our introductory competitive program and teaches swimmers the basic swimming skills for Freestyle ("Front crawl"), Backstroke and Breaststroke.

Novice 1: Is an advanced version of Novice 2 and will introduce more advanced skills, as well as Butterfly.

Age Group 3: This group is geared towards our very best 10 and under swimmers and beginning 11-13 year old swimmers. Basic training concepts are expanded but emphasis is placed on continuing skill development.

Age Group 2: This group is the first of the groups that expects a larger time commitment. The commitment to learning to train and continued skill development are the expectations for this group. It is geared towards our best 10-12 year olds and developing 13-14 year olds.

Age Group 1: This group is geared towards teaching more advanced training concepts and advanced expectations in commitment levels. The focus is on our very best 12–14 year old swimmers and developing 14-16 year old swimmers as well.

Senior 2: This group is geared towards swimmers aiming to be Provincial or are current Provincial qualifiers aged 14 and over (high school). The main emphasis is on commitment to training and swimming at each individual's highest potential. This group trains 8 times per week and incorporates dry-land practices.

Senior 1: This group is the Senior Provincial squad and swimmers must have achieved an Eastern National Championship time standards to be in the group. The National group has 9 practices per week, plus dry-land commitments.

NOTE: Competitive opportunities are defined by the readiness of the particular competition, which is decided by the coaching staff, attendance at practices weigh heavily on whether a person is ready or not. No athlete will be entered in any competition with inappropriate entry times. Extenuating circumstances may be considered.

The swimming season is divided into two separate periods defined by the length of the competitive course.

1. Short course (S.C.) is 25 meters in length
2. Long course (L.C.) is 50 meters in length.

Swimmers must qualify for respective competitions over the appropriate length.

Swimmers 'on the move'

As each swimmer progresses in technical ability, endurance, strength and speed, they will be assessed with respect to moving up to the next group. The Age Group Coach for the swimmer's current group is responsible for assessing each swimmer's ability and for initiating the move process. Consultation among the swimmer, coaches and parents is vital to a successful move.

When a swimmer is ready to move up, the swimmer's coach will discuss the move with the coach of the new level. Then the coaches will discuss the move with the parent(s)/guardian and outline the transition, new workout schedule and financial and participation commitments. If agreed, the move will then be discussed with the swimmer.

Normally, swimmers will begin the move process by "swimming up" with the higher-level group one session per week.

As the swimmer is able to physically and psychologically accommodate the increased workload and different time demands, the number of sessions in the target group will be increased. The swimmer's new coach, again in consultation, will assess the swimmer's ability in the new group.

During the transition period, the coach of the lower level will remain the swimmer's coach of record for meet entries and other general matters.

5. COMMUNICATIONS

It is vital that several communication channels are exercised to keep all parties involved and aware of Club activities. There are various formal and informal communications channels that are available.

Coach, Swimmer, Parent Triangle

Perhaps the most important communication is that which occurs in the triangle between the coach and swimmer, swimmer and parent, and parent and coach. Parents are strongly encouraged to talk directly with their swimmer's coach to seek information, clarify training and meet situations, goals, and discuss any situations that may arise.

Coaches are usually around for a few minutes after workout- that's often the best time to approach them. If they are unavailable, please send an email.

Please follow the below course of action to address and concerns.

1. Discuss the situation with the coach of the swimmer's group.
2. Discuss the situation with the Head Coach
3. Discuss the situation with the President and through him/her, the Board.

Parent Information Meetings

The coach of each group holds a meeting with parents of swimmers in their group at the beginning of the season and again during the season as needed.

Board Members

All Club members are encouraged to contact us if you have a question, compliment, concern, query or complaint. We want to know how you feel about a situation, scenario or incident. We will work with you to resolve these as quickly as possible.

SLSC Newsletter

SLSC newsletter provides information on upcoming meets, fundraising activities, team performance, team activities, articles of interest and other important information for all club members.

Member's Handbook

The member's handbook is designed to be a general source of information about the Club and a reference for the Club's policies. The handbook is maintained on a volunteer basis. Please pass any suggestions, comments, corrections to any Board Member.

6. SWIM MEETS

Throughout the season, the Club hosts many "**at-home**" meets and attends many "**away**" meets. Each meet will be targeted to a specific range of swimmers and may or may not have qualifying or de-qualifying time standards for entry. The coaches will decide which away meets are to be entered. The home meet schedule is jointly developed by the Head Coach and the Meet Manager or Assistant Meet Manager. The various home meets usually hosted include the following:

Top Fish

These meets are the introductory meets for most of the swimmers at SLSC. They are NEOR-hosted meets and limited to swimmers who are 12 years and younger. The event list is simple and consists of events that help the development of new and young swimmers. There are typically three Top Fish meets each year.

NEOR Developmental Meets

These are hosted on a rotational basis by Clubs in the Northeastern Ontario Region. Open to all competitive swimmers, these meets have very limited entry standards and are designed to provide swimmers with a chance to test themselves. These meets also provided an opportunity to gain qualifying times for championship meets. There are 3 NEOR developmental meets each year.

NEOR "A-" and "B-" Championship meets

NEOR clubs bid to host NEOR Championship meets.

A-Championship meets:

- **Dave Kensit** is the short course meet held in early February, and starts Friday and winds down Sunday evening.
- **Jeno Tihanyi** is the long course meet held in early June in Sudbury. It is a special meet in that it serves as the championships for NEOR and Huronia regions. These meets include both preliminary heats as well as finals. We are hoping that we can run this meet again this coming season, but we will see.

B- Championship meet:

Fred Rams "B Championship" is designed to give B-level swimmers a chance to compete without the top A-Level swimmers racing against them. It's a chance for the developing swimmer to win, and a chance to gain qualifying times for higher level meets. Swimmers may not enter any event in which they have an A-Level time or better (de-qualifying time). The B-Champs (Fred Rams) is run over a weekend, starting Saturday and winding up Sunday -all timed finals.

Travel for Away Meets

When attending away meets, parents are responsible for their swimmer's travel, hotel and supervision.

If the Head Coach decides an away meet is to be a "Team Travel Meet";

1. A parent chaperone, or coach acting as chaperone, will be assigned when a team travels overnight.

2. Chaperones are responsible for swimmers staying with the team.
3. When chartered bus transportation is provided, all swimmers who have signed up to attend the meet must share the cost of transportation, whether they use this means or not. There is a provision for those who have more than 2 swimmers traveling (the cost of the 3rd and subsequent swimmers will be 50% of the transportation cost).
4. Chaperones' net travel and accommodation expenses shall be determined and approved by the Board prior to any team travel. Preference will be given to those who volunteer at no cost to the club.
5. The coach may act as sole chaperone upon Board approval. If the coach and the Board agree upon his/her chaperoning, he/she will follow all guidelines set down by the Club
6. No swimmer will travel with the team on an overnight meet without the parents' permission.

Team Overnight Stay Protocols

The following guidelines for overnight stays prioritize the physical and emotional safety of all athletes:

1. Swimmers are aimed to be roomed with those with whom they feel comfortable and safe, and invite athletes/parents to provide any details and specifications.
2. If a child's parent/guardian is not present, then arrangements should be made (signed permission form) for a child to share a room with another athlete and their screened guardian.
3. Athletes over the age of 13 are assigned to hotel rooms together, arrangements will include placing similarly aged and same gender teammates together
4. Coaches and/or SLSC staff/Chaperone are not permitted to share rooms with athletes.
5. Screened adult chaperones are placed on all floors with athletes. Whenever possible, athletes all stay on the same floor and same wing in the hotel. Interactions between athletes and adult chaperones, coaches, and/or athletic staff follow a rule of two (2 swimmers to one Chaperone at all times)
 - In the case of medical emergency or extenuating circumstances where the rule of 2 cannot be followed, Chaperons will contact the parent/guardian via phone and be in constant contact until the situation is resolved.
0. Expectations of privacy with athletes, coaches, and athletic staff with regards to bathroom use, showering, and changing in hotel rooms and dorm rooms. Adults, including team staff and chaperones, will not share bathrooms or showers with athletes.
0. Athletes must use the buddy system if permission is given from the Coaches/Chaperones when within the hotel, but outside of the room. If leaving the hotel, an adult chaperone must be informed, athletes must be in groups of three or more, and athletes must adhere to curfew hours and policies about where they can and cannot go unsupervised.

0. Athletes are not to leave the room after curfew without adult chaperones and only within team guidelines or with expressed permission (except in the event of emergency).
0. Conference rooms/meeting areas will be designated in hotels for socialization between athletes, coaches, athletic staff, and chaperones where available.
0. All socialization occurs in groups and is subject to a rule of two. Meetings and other interactions between swimmers, coaches, or chaperones take place in public areas or available designated area of the hotel or an athletic facility.
0. Chaperones are responsible for the safe transport of athletes and are to accompany them in groups. If a situation requires transporting a single athlete, adhere to a rule of two or parents should transport their own child. All transportation will be transparent and well communicated who is with the swimmer at all times.
0. Safety planning:
 - . Having adult chaperones, who adhere to a rule of two, in the hotel and available to athletes at all times.
 - . Answering the door (e.g., not opening the hotel room door for someone unknown or unexpected).
0. Behaviour expectations:
 - . Swimmer are not to leave their hotel room at night except in case of emergency (and in accordance with the emergency situation procedures)
 - . No alcohol/drugs
 - . Swimmers are representing the club at all times. Proper language, attire and etiquette is expected during the entire trip.
 - . Swimmers address any concerns with a Chaperone should there be behaviour issues with another athlete, coach, member of the athletic staff, chaperone, or other adult.
 - . All Swimmers will adhere to the pre-established curfew set by the Chaperones.
0. Emergency situation procedures (e.g., in case of injury, severe illness, accident, fire, hotel evacuation).
 - . A phone list and Group Chat will be shared/created with athletes and parents which includes numbers for coaches, chaperones and other staff on the trip
 - . Parents/guardians of each child, medical concerns, and emergency phone numbers will be provided to all Chaperons/Coaches
 - . Parents/guardians will be contacted immediately if/when an accident or illness occurs.
 - . If the swimmer is ill, parents will be consulted on how to proceed with medical treatment prior any clinic visit, medical treatment or medication being administered
 - . In the case of a medical emergency the parent/guardian will be contacted via phone, email and group chat to communicate the situation. If the parent/guardian cannot be reached by phone, email and group chat, all necessary medical procedures and treatment will be conducted in the swimmer's best interest.

0. A clear expectations for use of electronic devices prior to travel will be given by Coaches/Chaperones (e.g., phones, tablets, computers), including:
 - . Prohibiting taking pictures or recording videos of others in private situations (e.g., in bathrooms, when changing, or when sleeping), or in a secretive or disrespectful manner
 - . Ensuring athletes receive permission from another athlete prior to taking pictures of or recording videos that person both in field of play or off
 - . Prohibiting private communications between an individual athlete and a coach/athletic staff member/ chaperone other than for that which is directly related to and necessary for the sporting event. Should communication be in an electronic format, the athlete's parent/guardian should be included in the communication.
- COMPREHENSIVE CODE OF CONDUCT AND ETHICS**

POLICY

SECTION: ORGANIZATION – RISK MANAGEMENT PROCEDURE

O-002-07

RESPONSIBILITY: Program Policy Committee

**SUBJECT: COMPREHENSIVE CODE OF CONDUCT
AND ETHICS EFFECTIVE June 2015**

AUTHORIZED

BY: Board of Directors REVISED August 2015

BACKGROUND

This procedure covers anyone participating in Swim Ontario sanctioned activities. Individuals can and typically will be subject to the provisions of more than one code simultaneously (please see Swimming Canada, athlete club, tour teams and more). This procedure defines the appropriate actions and conduct of people participating in a Swim Ontario sanctioned activity. Although other organizations may have their own conduct standards this is the minimum expectation of Swim Ontario.

This procedure supports Swim Ontario's Risk Management policy.

Definitions

1. The following terms have these meanings in this Policy:

a. "Individuals" – All categories of Membership within the Swim Ontario, as per the Swim Ontario Bylaws, as well as all individuals engaged in activities with Swim Ontario, including but not limited to, clubs, athletes, coaches, officials, volunteers, manage

rs, administrators, directors and officers of Swim Ontario, and parents/guardians of Swim Ontario Registrants.

Purpose

2. The purpose of this Code of Conduct and Ethics ("Code") is to ensure a safe and positive environment within Swim Ontario programs, activities and events, by making all individuals aware that there is an expectation at all times of appropriate behavior consistent with the values of Swim Ontario as set out in Section 3 below.

3. Swim Ontario is committed to providing an environment in which all individuals are treated with respect.

Individuals are expected to conduct themselves at all times in a manner consistent with the values of Swim Ontario that include fairness, integrity, open communication and mutual respect.

4. Conduct that violates this Code may be subject to sanctions pursuant to Swim Ontario's policies related to discipline and complaints.

Application of this Policy

5. This Policy applies to conduct that may arise during the course of Swim Ontario business, activities and events, including but not limited to, its office environment, competitions, practices, training camps, travel, and any meetings of, or on behalf of, Swim Ontario.

6. This Policy also applies to the conduct of Individuals that may occur outside of Swim Ontario's business, activities, events and meetings when such conduct adversely affects relationships within Swim Ontario and its work and sport environment and is detrimental to the image and reputation of Swim Ontario.

Responsibilities

7. All Individuals have a responsibility to:

a) maintain and enhance the dignity and self-esteem of Swim Ontario Members and other Individuals by:

i. demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, gender, ancestry, color, ethnic or racial origin, nationality, national origin, sexual orientation, age, marital status, religion, religious belief, political belief, disability or economic status;

ii. focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees and Members;

iii. consistently demonstrating the spirit of sportsmanship, sports leadership and ethical conduct;

iv. acting, when appropriate, to prevent or correct practices that are unjustly discriminatory;

v. consistently treating individuals fairly and reasonably; and,

vi. ensuring that the rules of swimming, and the spirit of such rules, are adhered to.

b) Refrain from any behavior 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 behavior that constitute harassment include, but are not limited to:

i. written or verbal abuse, threats or outbursts;

ii. the display of visual material which is offensive or which one ought to know is offensive in the circumstances;

iii. unwelcome remarks, jokes, comments, innuendos or taunts;

iv. leering or other suggestive or obscene gestures;

v. condescending or patronizing behavior which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;

vi. practical jokes which cause awkwardness or embarrassment, endanger a person's safety or negatively affect performance;

vii. any form of hazing;

viii. unwanted physical contact including, but not limited to, touching, petting, pinching or kissing;

ix. physical or sexual assault;

xi. behaviors 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; or

xii. retaliation or threats of retaliation against an individual who reports harassment to Swim Ontario.

c) Refrain from any behavior that constitutes sexual harassment, where sexual harassment is defined as unwelcome sexual comments and sexual advances, requests for sexual favors, or conduct of a sexual nature. Types of behavior 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, propositions, requests or invitations;
 - vi. persistent unwanted contact; and
 - vii. sexual assault.
- d) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods.

More specifically, Swim Ontario adopts and adheres to the Canadian Anti-Doping Program. Any infraction of such Program shall be considered an infraction of this Policy and shall be subject to disciplinary action, and possible sanction, pursuant to Swim Ontario's Discipline Policy. Swim Ontario will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by Swim Ontario or any other sport organization.

e) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development or supervision of the sport of competitive swimming, who has incurred 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). Provided the foregoing is properly established pursuant to the Swim Ontario Discipline Policy, such association on the part of the Member shall be considered a breach of Swim Ontario's Code of Conduct and Ethics and appropriate disciplinary sanction may be applied.

f) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities.

g) In the case of adults, avoid consuming alcohol in situations where minors are present, and take reasonable steps to manage the responsible consumption of alcoholic beverages in adult-oriented social situations associated with Swim Ontario events.

h) Respect the property of others and not willfully cause damage.

i) Promote swimming in the most constructive and positive manner possible.

j) Adhere to all federal, provincial, municipal and host country laws.

k) Comply at all times with the Bylaws, policies, procedures, rules and regulations of Swim Ontario, as adopted and amended from time to time.

Board/Committee Members and Staff

8. In addition to paragraph 7 above, Board and Committee Members and Staff of Swim Ontario will:

- a. respect the rights, dignity and worth of all persons with whom they engage on behalf of Swim Ontario;
- b. be responsible for, first and foremost, the welfare of Swim Ontario functioning primarily as a member of the Board of Directors and/or committee(s) of Swim Ontario, not as a member of any other particular constituency;
- c. conduct oneself openly, professionally, lawfully and in good faith in the best interests of Swim Ontario;
- d. behave with decorum appropriate to both circumstance and position;
- e. be fair, equitable, considerate and honest in all dealings with others;
- f. exercise due diligence in upholding one's fiduciary responsibility to the Membership of Swim Ontario;
- g. respect the confidentiality appropriate to issues of a sensitive nature;
- h. ensure that all Members are given sufficient opportunity to express opinions, and that all opinions are given due consideration and weight;
- i. respect the decisions of the majority and resign if unable to do so;
- j. commit the time to attend meetings and to be diligent in one's preparation for and participation in discussions at such meetings;
- k. have a thorough knowledge and understanding of all Swim Ontario governance documents including, but not limited to, the following documents:
 - (i) Swim Ontario By-Laws
 - (ii) Swim Ontario policies and procedures
 - (iii) roles and responsibilities of volunteer Board Members; and,
 - (iv) the most recent Club Manual, when dealing with specific clubs;
 - (v) completed confidentiality forms; and,
- l. meet the highest standards of integrity and suitability, including but not limited to such considerations established by Swim Ontario's Screening Policy, so that the swimming community is satisfied it has minimized the risk of an unsafe environment.

Clubs

9. In addition to paragraph 7 above, Clubs of Swim Ontario will:

- a. deliver their services in compliance with the By-Laws, policies, rules, regulations and procedures of Swim Ontario, and, where necessary, amend their own rules to comply with those of Swim Ontario;
- b. ensure that all athletes and coaches participating in sanctioned competitions are registered Members, in Good Standing, of their respective organizations and Swim Ontario.
- c. ensure that all coaches of Swim Ontario clubs join Swim/Natation Canada (SNC), Swim Ontario, the Ontario Swim Coaches Committee (OSCC), and the Canadian Swimming Coaches and Teachers Association (CSCTA) as coach members.
- d. operate on an ethical foundation including, but not limited to, engaging only authorized coaching personnel and non-sanctioned athletes, and ensuring all participants are properly registered with the club.

Parents/Guardians and Spectators

10. In addition to paragraph 7 above, Parents/Guardians of Swim Ontario Members and Spectators at events will:

- a. encourage athletes to play by the rules and resolve conflicts without resorting to hostility or violence;
- b. never ridicule a participant for a poor performance or practice; provide positive comments that motivate and encourage participants' continued efforts;
- c. respect the decisions and judgments of officials and encourage athletes to do the same;
- d. not question a referee, officials' or Swim Ontario's staffs' judgment or honesty;
- e. respect and show appreciation to all competitors and to the coaches, officials, referees and other volunteers who give their time to the sport; and,
- f. keep off of the competition area and not interfere with events or calls.

Athletes

11. In addition to paragraph 7 above, Athletes will have additional responsibilities to:

- a. report any medical problems in a timely fashion, where such problems may limit the athlete's ability to travel, train or compete;

- b. participate and appear on time, well-nourished and prepared to participate to one's best abilities in all competitions, practices, training sessions, events, activities or projects;
- c. properly represent oneself and not attempt to enter a competition for which one is not eligible, by reason of age, classification or other reason;
- d. adhere to Swim Ontario's rules and requirements regarding clothing and equipment;
- e. at all times, present oneself in a positive manner to all other athletes, Members and coaches;
- f. show respect for, and co-operate with, meet management, pool management, team staff, fellow competitors and people in authority positions within Swim Ontario, as required;
- g. encourage other athletes to play by the rules and to resolve conflicts without resorting to hostility or violence;
- h. never ridicule a participant for a poor performance or practice. Provide positive comments that motivate and encourage participants continued effort;
- i. respect and show appreciation to all competitors, coaches, officials and other volunteers who give their time to the sport; and,
- j. when competing, abide at all times with Swim Ontario's Code of Conduct and Ethics Policy.

Coaches (Registrants of Swim Ontario and OSCC)

12. In addition to paragraph 7 above, Coaches have additional responsibilities. The athlete-coach relationship is a privileged one and plays a critical role in the personal as well as 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 at all times:

a. be registered with Swim/Natation Canada (SNC), Swim Ontario, the Ontario Swim Coaches Committee

(OSCC), and the Canadian Swimming Coaches and Teachers Association (CSCTA) as coach members in good standing.

b. meet the highest standards of integrity and suitability, including, but not limited to, such considerations established by Swim Ontario's Screening Policy, so that the swimming community is satisfied it has minimized the risk of an unsafe environment.

c. ensure a safe environment by selecting activities and establishing controls that are suitable for the age,

experience, ability and fitness level of athletes, and educating athletes as to their responsibilities in contributing to a safe environment;

d. 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;

e. 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 problems;

f. avoid any self-induced disability, such as the use of intoxicants or drugs, which interferes with or prejudices the one's ability to provide services to the athlete.

g. report any ongoing criminal investigation, bail conditions and convictions, including those for violence; child pornography; the possession, use or sale of any illegal substance or anti-doping activity.

h. never provide, promote or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances pursuant to the Canadian Anti-Doping Policy and, in the case of minors, alcoholic beverages and/or tobacco;

i. consider paramount the welfare and provision of services for athletes;

j. accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate and as opportunities arise;

k. recognize the role and importance of parents being involved in decisions of importance of athletes who have not attained the legal age in his or her jurisdiction;

l. respect the responsibilities and preferences of other coaches and interact in a professional manner;

m. respect all other teams, and athletes from other teams, and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless first receiving approval from the coach who is responsible for the team or athlete(s) involved.

n. react to requests by athletes and parents that relate to the joining of another club in an objective manner, with the athlete's welfare always being the primary concern. This includes contact with the head coach of the club that a swimmer may be leaving. This will normally be done within 3 days of first contact from a swimmer or parent, unless extraordinary circumstances intervene.

o. must not engage in a sexual relationship with an athlete of under the age of 18 years or an intimate or sexual relation with an athlete over the age of 18 if the coach is in a position of power, trust or authority over such athlete.

p. where an athlete has qualified for a training camp, provincial team, national team, or other such competitive opportunity, the athlete's coach will support the program, applicable coaching staff and Swim Ontario.

q. give athletes the opportunity to contribute to proposed training and performance standards as appropriate. Coaches will provide athletes, and the parents/guardians of athletes who are minors, with the information necessary for such persons to be involved in the decisions that affect the athlete, as appropriate; refrain from intervening in personal affairs that are outside the generally accepted jurisdiction of a coach;

r. act in the best interest of the athlete's development as a whole person;

s. 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;

t. dress professionally, neatly and inoffensively;

u. use inoffensive language, taking into account the audience being addressed;

Officials

13. In addition to paragraph 7 above, Officials will have additional responsibilities to:

a. accept an assignment to officiate at a meet only if one intends to honour that commitment. If, for any reason, one is unable to attend, let the person in charge of officials know as soon as possible.

b. be fair and objective;

c. avoid situations for which a conflict of interest may arise pursuant to Swim Ontario's Conflict of Interest

Policy

d. make independent judgments;

e. have a positive attitude when going to work at a competition, time trial, and swim meet;

f. All officials to follow the dress code prescribed by Swim Ontario and/or Swimming Canada for Swim Ontario sanctioned competitions and SNC designated competitions.

g. be at the pool and ready to work at least 45 minutes before the session begins, particularly if one is doing strokes and turns as the Referee will be giving instructions as to any rule changes or interpretations and procedures for the session at this time;

h. report promptly to the officials' area to sign in. Officials must remain in the sign-in area until briefing has been completed;

i. accept the assignment one has been given at the meet;

j. remain at your assigned station for the entire session. If you need a replacement for any reason, arrangements must be made with the Referee before leaving your post;

k. know the rules thoroughly as they apply to your assigned position;

l. be as impartial, unobtrusive and inconspicuous as possible. Officials do not coach or cheer while working. Your role is to assist by providing adequate technical supervision for the meet;

m. respect the final decision of the referee - he or she has the right to overturn your decision; and,

n. do not lecture a coach or debate disqualifications with a swimmer while working the deck. Remain composed and professional at all times. Refer any questions or problems that come your way to the referee.

Complaint, Discipline and Appeal Procedure

POLICY SECTION: ORGANIZATION – RISK MANAGEMENT PROCEDURE # O-002-05

RESPONSIBILITY: Chief Operating Officer

**SUBJECT: COMPLAINT, DISCIPLINE AND APPEAL PROCEDURE EFFECTIVE
January**

2009

AUTHORIZED BY: Board Of Directors REVISED

May 19

Dec.19

COMPLAINT, DISCIPLINE AND APPEAL PROCEDURE

Policy Statement

Swim Ontario is committed to providing a safe, ethical and positive environment within its programs, activities and events. All individuals and entities associated with Swim Ontario are expected to conduct themselves at all times in a manner consistent with the values of Swim Ontario that include fairness, integrity, open communication and mutual respect.

Conduct that violates the Swim Ontario values, bylaws, policies, procedures and comprehensive code of conduct and ethics may be subject to discipline and sanctions pursuant to this Procedure. This Procedure provides Individuals with a fair and expedient process to address alleged infractions.

1. Definitions

The following terms have these meanings in this Procedure:

a) “Appellant” – The party(ies) appealing a decision of the Chief Operating Officer of Swim Ontario

b) “Complainant” – The party(ies) alleging an infraction

c) “Complaints” – Complaints are considered to be incidents of failing to achieve expected standards of

conduct that have the potential to result in harm to others, Swim Ontario, or to the sport of swimming.

d) “Days” – Days irrespective of weekends and holidays

e) “Individuals” –all individuals engaged in activities with Swim Ontario, including but not limited to, athletes,

coaches, officials, volunteers, managers, administrators, directors and officers of Swim Ontario, and

parents/guardians of Swim Ontario registrants.

f) “Members” – any registered club of Swim Ontario, who remains in Good Standing with Swim Ontario,

incorporated or unincorporated,

g) “Parties” – The Complainant(s), Appellant(s), Respondent(s), and any other Individuals or Members

affected by the Complaint

h) “Respondent” – The alleged infracting party (ies) or the party(ies) responding to an appeal, as applicable

2. Scope and Application

This Procedure applies to all Members and Individuals.

This Procedure applies to Complaints and related discipline/sanctions that may arise during the course of Swim Ontario business, activities, and events including, but not limited to, competitions, practices, try-outs, tournaments, training camps, travel associated with Swim Ontario activities, business affairs, and meetings.

This Procedure does not prevent discipline from being applied, during a competition or event, according to specific in accordance with Swim Ontario Bylaws Article II Membership, Section 2.05 and 2.06, Swim Ontario will utilize the following Complaint and Appeal procedure in dealing with matters of appeal and dispute with Swim Ontario.

PROCEDURE MANUAL

Procedures in place for the particular event. Further sanctions may be applied according to this Procedure.

This Procedure does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviour that constitutes an infraction. The person in authority can be, but is not restricted to being, staff, officials, coaches, organizers or Swim Ontario decision-makers. Further sanctions may be applied in accordance with this Procedure.

Discipline matters and complaints arising within the business, activities, or events organized by entities other than Swim Ontario will be dealt with pursuant to the policies of these other entities unless requested and accepted by Swim Ontario at its sole discretion.

3. Complaint Process

3.1 Notice of Complaint

Any Individual or Member who wishes to file a Notice of Complaint is expected to do so as soon as possible after the events giving rise to the Complaint and to submit, in writing, a Notice of Complaint to the attention of the Swim Ontario Dispute Resolution Officer containing the following:

- a) Contact information of the Complainant or his/her counsel or authorized representative
- b) Name of the Respondent(s) and any affected Parties and/or witnesses
- c) Date and location of the incident
- d) Detailed summary of the incident
- e) All evidence that supports the incident

Anonymous complaints will be evaluated and screened based on the seriousness of the matter, their merits and level of detail. The decision to proceed with an anonymous complaint rests with the Chief Operating Officer of Swim Ontario based on recommendation from the Swim Ontario Dispute Resolution Officer.

For Complaints that are screened in (see Screening of Notice of Complaint section below), the Dispute Resolution Officer will inform the Respondent(s) and affected Parties named in the Complaint and will provide a copy of the Notice of Complaint and other materials submitted by the Complainant(s). The Respondent(s) cited, will have the opportunity to submit in writing, any additional information to be considered. The Respondent(s) can be represented by counsel or an authorized representative if they so choose.

3.2 Screening of Notice of Complaint

The Swim Ontario Dispute Resolution Officer will have the authority to determine if a Complaint will be accepted.

Complaints that relate to matters outside the scope and application of this Procedure will be screened out. Other reasons for a Complaint to be screened out include submissions that are unreasonably untimely, frivolous or vexatious; allegations that do not, on the face of it, meet the threshold of a breach; and insufficient information to support the allegation(s). The Complainant will be advised in writing of the reasons for which a Complaint has been screened out. The decision of the Swim Ontario Dispute Resolution Officer to screen out a Complaint is not subject to appeal.

3.3 Procedure for Addressing a Complaint

Once a Complaint has been accepted, the Swim Ontario Dispute Resolution Officer will attempt to mediate the Complaint within thirty (30) Days, with the participation of the

Complainant and Respondent and any other affected Party. Should the mediation be successful, the proposed resolution and sanctions (as appropriate) will be communicated to the Chief Operating Officer of Swim Ontario for approval.

If mediation is unsuccessful or is not held within thirty (30) Days of acceptance of the Complaint, the Complaint will be referred to the Swim Ontario Chief Operating Officer for a hearing. In referring the Complaint, the Swim Ontario Dispute Resolution Officer will provide a preliminary assessment of the Complaint and may make recommendations including recommended sanctions. All materials submitted by the Complainant and Respondent regarding the Complaint as well as the recommendations of the Swim Ontario Dispute Resolution Officer will be shared Complainant and Respondent.

The Chief Operating Officer of Swim Ontario will hear the Complaint providing the Respondent the opportunity to submit any written material within a reasonable timeframe that shall be shared with the Complainant. The Chief Operating Officer will further provide both the Complainant and Respondent with the opportunity to make oral submissions at the hearing. The Chief Operating Officer of Swim Ontario will decide the format under which the hearing will be conducted, may choose to invite any other Parties or persons to participate in the hearing and may obtain independent advice.

The Swim Ontario Chief Operating Officer will issue his/her decision and sanctions, if applicable, in writing and with reasons. The reasoned decision will be distributed to the parties and the Chief Executive Officer of Swim Ontario within fourteen (14) Days after the hearing's conclusion, unless it is unreasonable or impractical to do so, in which case the decision will be distributed as soon as possible after the hearing.

If the Swim Ontario Chief Operating Officer deems it necessary or appropriate, he/she may first issue a verbal or summary decision after the hearing's conclusion, with the full written decision to be issued thereafter.

3.4 Sanctions

Sanctions for infractions, which may be applied singularly or in combination, may include the following, but are not limited to:

- a) verbal or written apology from one Party to another Party
- b) service or other voluntary contribution to Swim Ontario
- c) removal of certain privileges of membership for a designated period of time
- d) suspension from the current competition, activity, or event
- e) suspension from all Swim Ontario activities for a period of time
- f) fines
- g) with holding of prizemoney, awards

h) payment of costs(e.g. event-related costs such as flight, room/board; property damage)

i) suspension of funding from Swim Ontario or from other sources

j) discipline specific to the activity, if applicable

k) any other sanction considered appropriate for the infraction

l) any other sanction determined by a third party, as applicable

Unless the Chief Operating Officer of Swim Ontario determines otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction will result in automatic suspension until such time as compliance occurs.

3.5 Suspension Pending a Hearing

The Chief Operating Officer of Swim Ontario may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual or Member pending a hearing and decision.

3.6 Criminal Convictions

An Individual's conviction for any of the following "Criminal Code" offences will result in immediate suspension from Swim Ontario and/or removal from Swim Ontario competitions, programs, activities and events upon the sole discretion of the Chief Operating Officer of Swim Ontario:

a) any child pornography offences

b) any sexual offences

c) any offence of physical or psychological violence

d) any offence of assault

e) any offence involving trafficking of illegal drugs

f) any offence of abuse or maltreatment

g) any offence of stalking

h) any conviction deemed by the Chief Operating Officer to be detrimental to the reputation or safety of Swim Ontario.

4. Appeal Process

Complaint findings and sanctions issued by the Chief Operating Officer of Swim Ontario or by its Members are subject to appeal as outlined below.

4.1 Appealing a Swim Ontario Decision

4.11 Timing and Notice of Appeal

Individuals or Members who wish to appeal a decision of Swim Ontario or of the Chief Operating Officer of Swim Ontario shall submit, in writing, a Notice of Appeal to the attention of the Chief Executive Officer of Swim Ontario, within fourteen (14) Days from the date on which the Individual or Member received notice of the decision being appealed.

The Notice of Appeal shall contain:

- a) Contact information and status of the Appellant or his/her counsel or authorized representative
- b) Name of the Respondent and any affected Parties
- c) Date the Appellant was advised of the decision being appealed
- d) A copy of the decision being appealed, or description of decision if written document is not available
- e) Grounds for the appeal
- f) Detailed reasons for the appeal
- g) All evidence that supports these grounds
- h) Requested remedy or remedies
- i) A \$750.00 fee must accompany the filing of the Notice of Appeal.

An Individual or Member who wishes to initiate an appeal beyond the fourteen (14) Day period must provide

a written request stating the reasons for an extension. The Chief Executive Officer of Swim Ontario shall

retain sole discretion as to whether an extension to the deadline shall be granted.

4.12 Grounds

An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include that

Swim Ontario:

- a) Made a decision in regard to the Complaint and/or related sanction(s) that it did not have the authority or jurisdiction to make (asset out in the Swim Ontario governing documents).
- b) Failed to follow its own procedures (asset out in the Swim Ontario 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 is unable to consider other views).
- d) Failed to consider relevant information or took into account irrelevant information in making the decision.
- e) Made a decision that was grossly unreasonable.

The Appellant bears the onus of proof and must demonstrate, on a balance of probabilities, that Swim Ontario has made an error as described in the grounds listed above and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

4.2 Appealing a Member Decision

4.2.1 Timing and Notice of Appeal

Individuals or other Members who wish to appeal a decision of one of Swim Ontario's Members, shall submit, in writing, a Notice of Appeal to the attention of the Dispute Resolution Officer of Swim Ontario, within fourteen (14) Days from the date on which they received notice of the decision being appealed.

The Notice of Appeal shall contain:

- a. Contact information and status of the Appellant or his/her counsel or authorized representative
- b. Name of the Respondent and any affected Parties
- c. Date the Appellant was advised of the decision being appealed
- d. A copy of the decision being appealed, or description of decision if written document is not available
- e. Grounds for the appeal
- f. Detailed reasons for the appeal
- g. All evidence that supports these grounds
- h. Requested remedy or remedies
- i. A \$500.00 fee must accompany the filing of the Notice of Appeal.

4.2.2 Grounds

An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include that a Member:

- a) Made a decision in regard to the Complaint and/or related sanction(s) that it did not have the authority or jurisdiction to make (asset out in the Member's governing documents).

- b) Failed to follow its own procedures (asset out in the Member'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 is unable to consider other views).
- d) Failed to consider relevant information or took into account irrelevant information in making the decision.
- e) Made a decision that was grossly unreasonable.

The Appellant bears the onus of proof and must demonstrate, on a balance of probabilities, that the

Member has made an error as described in the grounds listed above and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

4.2.3 Screening

Upon receiving the Notice of Appeal, the Chief Executive Officer or the Dispute Resolution Officer of Swim Ontario,

as applicable, will:

- a) Determine if the appeal falls under the scope of this Procedure
- b) Determine if the appeal was submitted in a timely manner
- c) Decide whether, on the face of the Notice of Appeal, there appear to be sufficient grounds for the appeal.

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 Procedure, the appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.

If there is no basis to screen out an appeal, the Chief Executive Officer of Swim Ontario will appoint a single arbitrator or a panel of three persons to hear the appeal. If a panel, the Chief Executive Officer of Swim Ontario will name the person to serve as panel chair with accountability to prepare the written decision and oversee the appeal process. Arbitrators or panel members may be members of the Swim Ontario Board of Directors or external sport or legal experts or a combination thereof. In all cases they must be free from any actual or perceived conflict of interest in the circumstances of the appeal.

4.4 Procedure

The sole arbitrator or appeal panel shall decide the format under which the appeal will be considered. In all cases the Respondent will be provided the opportunity to submit any written material within a reasonable time frame that shall be shared with the Appellant. The Respondent(s) can be represented by counsel or an authorized representative if they so choose.

The appeal may be directed to be decided based solely on the written information submitted or a hearing may be held. The Parties shall be given a fair opportunity to present their respective cases at the hearing, if any.

In fulfilling appeal-related duties, the Chief Executive Officer of Swim Ontario, arbitrators, and panel chairs may obtain independent advice.

The appeal decision shall be issued in writing and with reasons, normally within fourteen (14) Days after the hearing conclusion or receipt of the final written submission, as applicable, unless it is unreasonable or impractical to do so, in which case the decision will be issued as soon as possible.

In reaching a decision, the arbitrator or appeal panel shall have the same scope of authority as the original decision-maker. The arbitrator or appeal panel may decide to:

- a) Reject the appeal and confirm the decision being appealed
- b) Uphold the appeal based on one or more of the grounds listed in sections 5.1.1 or 5.2.1 above, as applicable, and refer the matter back to the initial decision-maker for a new decision
- c) Uphold the appeal based on one or more of the grounds listed in sections 5.1.1 or 5.2.1 above, as applicable, and vary the decision

The written decision, with reasons, will be distributed to the Parties, the Dispute Resolution Officer, and the CEO. The CEO has the discretion to send the decision to other stakeholders as appropriate.

If deemed necessary or appropriate by the arbitrator or appeal panel chair, he or she may first issue a verbal or summary decision after the hearing's conclusion, with the full written decision to be issued thereafter.

Should the arbitrator or appeal panel resolve the matter in favour of the Appellant, the appeal fee may be refunded to the Appellant at the discretion of the arbitrator or appeal panel chair.

5. Confidentiality

The complaint, discipline and appeal process is confidential. Once initiated, none of those involved will disclose information relating to the on-going process to any person not involved in the proceedings.

Once a final decision has been reached in respect of a Complaint or appeal, the following information will be considered a matter of public record and the following may be released publicly by Swim Ontario:

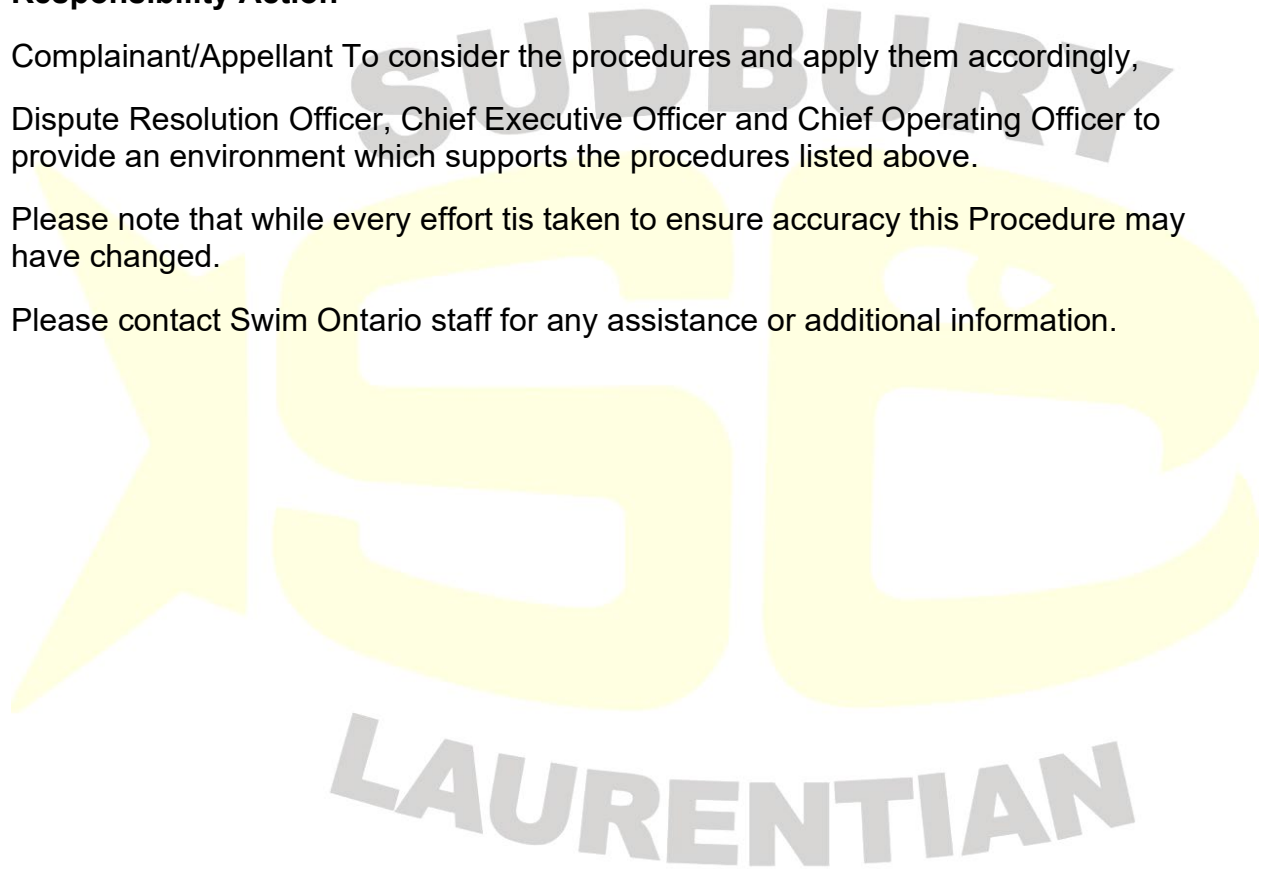
- a) The identity of the Respondent;
- b) The nature of the infraction and/or the provision of the applicable bylaw, policy, procedure, or code of conduct or ethics that has been breached; and/or
- c) Whether a sanction has been imposed on the Respondent, and if so, details concerning the sanction.

Responsibility Action

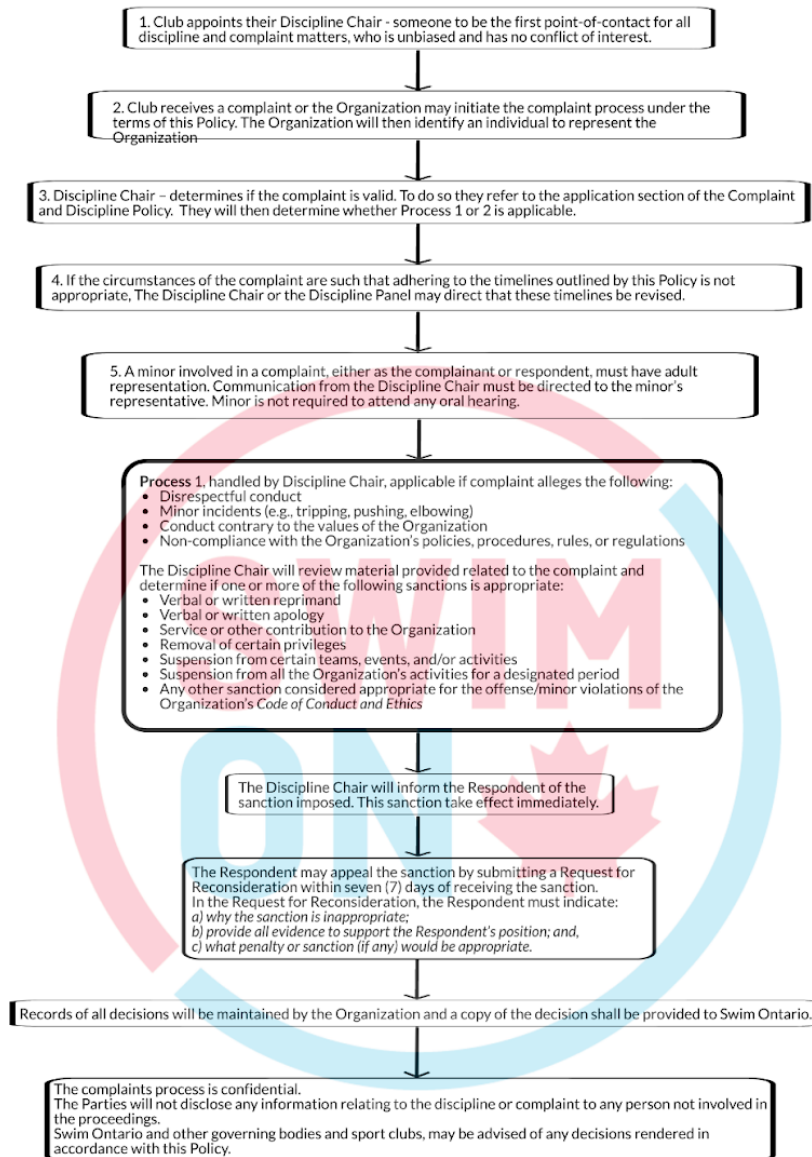
Complainant/Appellant To consider the procedures and apply them accordingly, Dispute Resolution Officer, Chief Executive Officer and Chief Operating Officer to provide an environment which supports the procedures listed above.

Please note that while every effort is taken to ensure accuracy this Procedure may have changed.

Please contact Swim Ontario staff for any assistance or additional information.



Complaints Process #1 (Simple Stuff)



Complaints Process #2 (Hard Stuff)

1. Club appoints their Discipline Chair - someone to be the first point-of-contact for all discipline and complaint matters, who is unbiased and has no conflict of interest.

2. Club receives a complaint or the Organization may initiate the complaint process under the terms of this Policy. The Organization will then identify an individual to represent the Organization.

3. Discipline Chair - determines if the complaint is valid. To do so they refer to the application section of the Complaint and Discipline Policy. They will then determine whether Process 1 or 2 is applicable.

4. A minor involved in a complaint, either as the complainant or respondent, must have adult representation. Communication from the Discipline Chair/Case Manager must be directed to the minor's representative. Minor is not required to attend any oral hearing.

5. Investigation - The Discipline Chair may determine that the complaint received requires the appointment of an independent individual to conduct an investigation. The roles and responsibilities of the investigator shall be determined by the Discipline Chair.

The Discipline Chair may determine that an alleged incident is serious enough to warrant immediate suspension of an individual pending completion of a criminal process, the hearing, or a decision of the Discipline Panel.

An Individual's conviction for a *Criminal Code* offense, will be deemed an infraction under this Policy and will result in discipline up to and including expulsion from the Organization.

6. The Discipline Chair appoints a Case Manager to administer certain complaints under this *Discipline and Complaints Policy*. They do not need to be a member of, or affiliated with, the Organization. The Case Manager should not have a conflict of interest and should have expertise in dispute resolution matters.

Process 2, handled by by Case Manager, applicable if complaint alleges the following:

- Repeated minor incidents
- Any incident of hazing
- Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- Major incidents of violence (e.g., fighting, attacking, sucker punching)
- Pranks, jokes, or other activities that endanger the safety of others
- Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- Conduct that intentionally damages the Organization's image, credibility, or reputation
- Consistent disregard for the Organization's bylaws, policies, rules, and regulations
- Major or repeated violations of the Organization's *Code of Conduct and Ethics*
- Intentionally damaging the Organization's property or improperly handling the Organization's monies
- Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- A conviction for any *Criminal Code* offense
- Any possession or use of banned performance enhancing drugs or methods

The Case Manager has a responsibility to:

- determine whether the complaint is frivolous and/or within the jurisdiction of this Policy
- propose the use of the Organization's *Alternate Dispute Resolution Policy*
- appoint the Discipline Panel, if necessary
- coordinate all administrative aspects and set timelines
- provide administrative assistance and logistical support to the Discipline Panel as required, and
- provide any other service or support that may be necessary to ensure a fair and timely proceeding.

7. If the Case Manager determines the complaint is 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. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy is not appropriate, The Discipline Chair, Case Manager or, the Discipline Panel may direct that these timelines be revised.

8. The Case Manager will then decide the format under which the complaint will be heard. The hearing will be governed by the procedures that the Case Manager deems appropriate in the circumstances, *provided that it adheres to sections 32-36 of the Discipline and Complaints Policy*.

If the dispute can not be resolved by Alternate Dispute Resolution, the Case Manager will appoint a Discipline Panel, which shall consist of a single Arbitrator to hear the complaint.

See Alternate Dispute Resolution Flow Chart

After hearing and/or reviewing the matter, the Discipline Panel will determine any sanctions to be imposed within fourteen (14) days of the hearing's conclusion. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately.

The Discipline Panel may apply the following disciplinary sanctions, singularly or in combination:

- verbal or written reprimand;
- verbal or written apology;
- service or other contribution to the Organization;
- removal of certain membership or registration privileges;
- suspension from certain teams, events, and/or activities;
- suspension from all the Organization's activities for a designated period;
- payment of the cost of repairs for property damage;
- suspension of funding from the Organization;
- expulsion from the Organization; and,
- any other sanction considered appropriate for the offense.

Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs

Records of all decisions will be maintained by the Organization and a copy of the decision shall be provided to Swim Ontario.

The decision of the Discipline Panel may be appealed in accordance with the Organization's *Appeal Policy*.

The complaints process is confidential. The Parties will not disclose any information relating to the discipline or complaint to any person not involved in the proceedings. Swim Ontario and other governing bodies and sport clubs, may be advised of any decisions rendered in accordance with this Policy.

