ABSSCM – SAFE SPORT REPORTING AND INDEPENDENT RESOLUTION POLICY

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DEFINITIONS

Capitalized terms used in this Safe Sport Reporting and Independent Resolution Policy (this "**Policy**") shall have the meanings set forth below. Any capitalized terms used in this Policy that are not otherwise defined herein shall have the meanings given to such terms in the AB UCC, as may be amended from time to time.

AB UCC: The Alberta Universal Code of Conduct, as amended from time to time.

ABSSCM: The Alberta Safe Sport Complaint Mechanism, as administered and delivered by ASLA.

Adoption Agreement: A formal agreement between ASLA and an adopting Sport Organization that will integrate the ABSSCM into the rules of each Sport Organization. The Adoption Agreement will specify rights, obligations and responsibilities for the Sport Organization and for ASLA.

Activity / Activities: Any programs, business, activities, and events of a Sport Organization including, but not limited to competitions, practices, evaluations, treatment, or consultations (e.g., physical therapy, health services), training, travel associated with organizational activities, the office environment, online/virtual interactions, social media activities, and any meetings or events that occur in, or are organized by, sanctioned by, or reasonably connected to a Sport Organization. This includes conduct outside of the programs, business, activities, and events of a Sport Organization when such conduct by a Participant: (i) materially adversely affects a Sport Organization's relationships within the broader sport community; (ii) impacts the work and sport environment; (iii) affects Participant safety or wellbeing; or (iv) is detrimental to the image and reputation of a Sport Organization.

Affected Parties: Any individual or entity, as determined by the Appeal Manager, who may be affected by a Decision pursuant to this Policy and who may have recourse to an Appeal in their own right.

Appeal: An appeal of a Decision made by an IRA under this Policy.

Appeal Authority: Any qualified, external, neutral individual or panel, appointed by the Appeal Manager to decide an Appeal under this Policy and the ABSSCM guidelines, who may act: (i) alone as a single-member Hearing Panel; or (ii) as part of a multi-member Hearing Panel, to facilitate, adjudicate or otherwise resolve an Appeal in accordance with this Policy.

Appeal Manager: A qualified and independent individual who oversees the management and administration of Appeals. The Appeal Manager is appointed by the ITP. The Appeal Manager has full and sole discretion in exercising their decision-making authority under this Policy, including but not limited to determining the admissibility of Appeals, appointing an Appeal Authority, and managing procedural aspects of the Appeal process.

Appellant: The party Appealing a Decision.

ASLA: Alberta Sport Leadership Association.

Case Manager: A qualified and independent individual who oversees the management and administration of a Report in accordance with this Policy and the ABSSCM program guidelines. The Case Manager is appointed by the ITP, and must not be in a conflict of interest or have any direct relationship with the Parties.

CCES: The Canadian Centre for Ethics in Sport.

CSSP: The Canadian Safe Sport Program, administered by CCES.

CSSP Rules: The CSSP Rules, as amended or replaced from time to time.

CSSP Participant: An individual affiliated with a CSSP Sport Organization, as defined by the CSSP Rules, and is therefore subject to the CSSP Rules, or as otherwise designated by a CSSP Sport Organization. CSSP Participants may include an Athlete, a coach, a board member, an official, an Athlete Support Personnel, an employee, a Worker, an administrator, or a volunteer acting on behalf of, or representing a CSSP Sport Organization in any capacity.

CSSP Sport Organization: A sport organization that has adopted the CSSP and has retained the services of the CCES for the CSSP.

Complainant: An individual that files a Report.

Day: A calendar day, including Saturdays, Sundays and statutory holidays in the Province of Alberta. All references to days in this Policy refer to calendar days unless explicitly stated otherwise.

Decision: A written determination issued by an IRA (or by an Appeal Authority on Appeal) under this Policy that resolves a Report or Appeal, sets out any findings of fact, identifies any breach of the AB UCC or this Policy, states any sanctions, remedies or other orders/directions with reasons sufficient to resolve a Report or Appeal.

Hearing Panel: An IRA appointed under this Policy, consisting of either one or three qualified, external, neutral individual(s), to hear and decide a Report within the IRP and issue a written Decision with reasons.

Independent Resolution Authority (IRA): Any qualified, external, neutral individual, or panel, appointed under this Policy and the ABSSCM guidelines, who may act: (i) alone as a mediator, arbitrator, or single-member Hearing Panel; or (ii) as part of a multi-member Hearing Panel, to facilitate, adjudicate or otherwise resolve a Report in accordance with this Policy. Any IRA must disclose and avoid any actual, potential, or perceived conflict of interest with respect to a Report.

Independent Resolution Process (IRP): The mechanism selected by the Case Manager whereby an IRA resolves a Report under the ABSSCM through a range of methods and procedures engaged for arriving at or facilitating a solution to a Report, which may include an adjudicative

hearing panel, mediation, arbitration, or any combination or staged progression of those methods.

Independent Third Party (ITP): An individual or organization that is appointed or retained by ASLA to receive Reports with respect to violations of the AB UCC and oversee the operation of the ABSSCM on behalf of ASLA.

Investigator: A qualified, independent third-party appointed by the Case Manager or Appeal Manager, at the direction of the Case Manager, to conduct an investigation under this Policy.

Investigation Report: A report prepared by an Investigator following an investigation pursuant to this Policy, which sets out a summary of the relevant evidence, the findings of fact and credibility made by the investigator on a balance of probabilities, and the reasons for those findings, as set out in Schedule C.

Maltreatment: As defined in the AB UCC.

Minor: As defined in the AB UCC.

NSO: The national governing body for a given sport or discipline in Canada.

Participant: Any individual who, because of membership, registration, participation, appointment, employment, or contract with a Sport Organization, or through direct engagement in Activities of the Sport Organization, is subject to the ABSSCM and this Policy (including, but not limited to, athletes, coaches, referees, officials, volunteers, committee members, medical staff, and directors).

Party or Parties: The individual(s) or entities involved in a dispute, specifically the Complainant(s) and Respondent(s) to a Report and/or Appeal.

Prohibited Behaviour: As defined in the AB UCC.

Proposed Resolution: A written set of enforceable terms proposed by the Case Manager to resolve a Report through Remedial Resolution.

Provisional Measures: A temporary measure imposed by the Case Manager, prior to a final resolution or determination of a Report pursuant to this Policy.

Remedial Resolution: A discretionary, non-hearing process led by the Case Manager to resolve a Report.

Report: An allegation made that a Participant engaged in Prohibited Behaviour.

Respondent: Participant(s) named in a Report or Appeal and is required to respond to the Report or Appeal pursuant to this Policy.

Sport Organization: Any provincial sport organization, multisport service organization, disability sport organization or other similar sport organization receiving operating funding from the Government of Alberta, who has adopted the ABSSCM.

Support Person: An individual chosen by a Complainant, Respondent or witness to provide support and advisory assistance in proceedings under this Policy. A Support Person may include legal counsel, a parent/guardian, an interpreter, or a personal support worker (at the party's own expense and responsibility), among others. A Support Person must not be a witness or potential witness to the subject matter of a Report, except as expressly permitted under the limited exceptions set forth in Section 11.

SECTION 1 – PURPOSE

1.1 The purpose of this Policy is to establish a process for the administration of the ABSSCM in alignment with the AB UCC and all ABSSCM program guidelines and policies.

1.2 This Policy aims to facilitate a fair, transparent, and efficient resolution of Reports, prioritizing the use of IRP methods. IRP, including techniques such as negotiation, facilitation, and mediation, is emphasized as the preferred avenue under the ABSSCM for resolving disputes.

1.3 This Policy seeks to create a respectful and constructive environment for all Participants, ensuring that complaints and disputes are addressed in a timely manner that upholds the principles of natural justice and procedural fairness.

1.4 This Policy may be amended by ASLA from time to time.

SECTION 2 – SCOPE OF APPLICATION

2.1 Policy Application and Scope

2.1.1 This Policy applies to the conduct of Participants during all Activities and any conduct that has a direct and substantial connection to Activities or that constitutes Prohibited Behaviour in sport. This includes all communications and interactions between Participants, whether in person, by telephone, electronically or through any other means of communication.

2.1.2 The ABSSCM process is independent of, and does not limit or restrict, any rights and privileges a Sport Organization has in relation to an employee or an independent contractor who is a Respondent to a Report. The Sport Organization may exercise their rights in accordance with:

(a) for employees, the applicable employment agreement or human resources policies; or

(b) for independent contractors, the applicable contractor agreement, while the ABSSCM process is underway.

2.1.3 The ABSSCM has been made available to receive Reports relating to Prohibited Behaviour, as outlined in the AB UCC, to be processed under this Policy.

2.2 Binding Effect on Participants

Each Sport Organization participating in the ABSSCM adopts this Policy and the AB UCC as binding regulations that govern its Participants. By virtue of membership, registration, participation, appointment, employment, or engagement in any Activities of the Sport Organization, all Participants are deemed to:

(a) agree to be bound by this Policy, the AB UCC, and the ABSSCM and any associated guidelines and regulations;

(b) consent to the collection, use, and disclosure of personal information as necessary for all ABSSCM processes; and

(c) agree to cooperate fully with the ABSSCM.

This Policy and the AB UCC expressly bind all Participants of any Sport Organization. Continued participation in Activities of a Sport Organization constitutes ongoing consent to the application of this Policy and the ABSSCM.

SECTION 3 – JURISDICTION

3.1 Jurisdiction

Subject to this Policy, upon execution of an Adoption Agreement, a participating Sport Organization designates the ABSSCM as its exclusive complaint and adjudication mechanism for Reports alleging Prohibited Behaviour under the AB UCC, regardless of where such behaviour occurs.

3.2 Determination of Jurisdiction

3.2.1 Upon receipt of a Report, the Case Manager shall promptly assess whether the ABSSCM has jurisdiction to accept and process the Report. In making this determination, the Case Manager will consider, among other factors:

(a) whether the allegations described in the Report, if proven, would constitute Prohibited Behaviour as defined in the AB UCC or this Policy;

(b) whether the Respondent(s) identified in the Report are Participants and subject to the AB UCC, this Policy and the ABSSCM;

(c) the Report falls within the time limits and procedural requirements set out in this Policy;

(d) whether the Report is frivolous, vexatious or brought for an improper purpose;

(e) whether the same or a substantially similar matter is already under review, has been decided or has been adequately addressed by another appropriate forum; and

(f) whether the Report does not fall within the scope of the ABSSCM, as described in Schedule B to this Policy.

3.2.2 The Case Manager may consult with the relevant Sport Organization(s), or external advisors to assist in determining jurisdiction of any Report. The final decision regarding jurisdiction of a Report rests solely with the Case Manager and is not subject to Appeal. If new or additional information becomes available after a decision to assume or not assume jurisdiction of any Report, the Case Manager may reconsider jurisdiction based on that new information.

3.2.3 If the Case Manager determines the ABSSCM lacks jurisdiction for any Report, the Case Manager shall notify the Complainant and provide brief reasons for the determination. Where appropriate, the Case Manager may:

(a) refer the Report and/or Complainant to another applicable body or jurisdiction, including a Sport Organization's internal discipline process, NSO complaint mechanism, the CSSP (such as OSIC/CCES), law enforcement, or regulatory authorities;

(b) recommend informal resolution or conflict management services outside of this Policy and the ABSSCM; or

(c) close the Report without further action.

3.2.4 The Case Manager shall make an initial determination regarding jurisdiction within 10 days of receiving a Report, unless the Case Manager determines that an extension of time is necessary to properly assess jurisdiction. The Case Manager may make reasonable inquiries from such persons or entities with information relevant to the Report in order to determine jurisdiction.

3.2.5 If, at any stage, the Case Manager determines, at its sole discretion, that the matters concerning a Report do not constitute Prohibited Behaviour, are out of scope of the ABSSCM or this Policy and/or are more appropriately managed under a Sport Organization's internal dispute resolution policies and procedures, the Case Manager may redirect the Report and/or the Complainant to the relevant Sport Organization and shall notify the Complainant in writing of such redirection.

3.3 **Other Jurisdictions**

3.3.1 Upon execution of an Adoption Agreement, a participating Sport organization designates the ABSSCM as its complaint and adjudication mechanism for Reports alleging Prohibited Behaviour arising from Activities under this Policy.

3.3.2 Participants may be simultaneously registered with one or more Sport Organizations and NSOs, which can create overlapping complaint and discipline pathways. National mechanisms (e.g., the CSSP) are distinct from the ABSSCM and may govern matters involving CSSP participants or NSO events/activities.

3.3.3 Reports concerning Participants or events under an NSO's jurisdiction should be filed with the NSO's independent third-party mechanism and/or discipline system, as applicable. Where a Report alleges Prohibited Behaviour against a CSSP Participant and/or arises from an NSO event or activity, it should be reported to the CCES/CSSP and such matters may fall outside the jurisdiction of the ABSSCM.

3.3.4 Where the same or a substantially similar matter is more appropriately handled by another forum (including an NSO, the CCES/CSSP, another sport body, or other similar processes), the Case Manager may decline ABSSCM jurisdiction in accordance with Section 3.2 and direct the Complainant to the appropriate reporting mechanism.

SECTION 4 – REPORTS

4.1 All Reports of alleged breaches of Prohibited Behaviour under the AB UCC must be reported directly to the ITP through the ABSSCM designated reporting mechanism provided in Schedule A attached hereto, or as provided on the applicable Sport Organization's website or the ASLA website.

4.2 Notwithstanding any other provision of this Policy, a Sport Organization may, at its discretion, or upon request or recommendation by a Case Manager, act as the Complainant and initiate the Report process under this Policy and the ABSSCM. Where the Sport Organization elects to do so, it shall appoint a designated representative, who is free of any actual, potential or perceived conflict

of interest with respect to the Report or the parties involved, to represent the organization for the Report.

4.3 If a Report is communicated to ASLA, ASLA will direct the Complainant to the ABSSCM reporting mechanism. Once a Report is submitted to the reporting mechanism, ASLA will have no further involvement in the management of the Report.

4.4 If a Report is made directly to a Sport Organization, the Sport Organization shall immediately direct the Complainant to the ABSSCM reporting mechanism.

4.5 All Participants must make any Report, complaint, response, statement, or submission under this Policy and the ABSSCM, honestly, accurately, and in good faith. The intentional filing of a false, frivolous, vexatious, or bad-faith Report, complaint or response, including any Report, complaint or response advanced for an improper purpose constitutes a breach of this Policy and the AB UCC and may result in sanctions or penalties in accordance with this Policy.

4.6 After confirming jurisdiction over a Report, the Case Manager will seek to confirm the scope of the allegations of the Report with the Complainant. The Case Manager may also, in its discretion, proceed with the Report in the absence of confirmation by a Complainant, in compliance with Applicable Law. The Case Manager may request additional information reasonably necessary to advance the Report and will set a reasonable deadline. If the requested information is not provided, the Case Manager may close the Report, with brief written reasons, and may re-open the file upon receipt of the requested information, or if new, material information becomes available.

SECTION 5 – ANONYMOUS REPORTS

5.1 The ABSSCM encourages identified Reports to support meaningful follow-up and procedural fairness. Anonymous Reports, being a Report that does not share the name or identity of the individual making the Report, may be accepted in limited circumstances, at the discretion of the Case Manager, acting reasonably, including where there is a credible concern for safety, a risk of reprisal, or other legitimate grounds for accepting an anonymous Report. The Case Manager may, where appropriate, require verification of the reporter's identity before taking certain steps.

5.2 In determining whether and how to proceed on an anonymous Report, the Case Manager may conduct a preliminary assessment considering, among other factors:

(a) seriousness and urgency of the alleged Prohibited Behaviour and any ongoing safety risk;

(b) specificity, credibility and verifiability of the information provided (including availability of independent corroboration or evidence of the alleged behavior such as photographs, videos, audio recordings, documents, or other physical evidence);

(c) whether the anonymous Report identifies a Participant and/or witnesses who can be contacted;

(d) the potential prejudice to a Respondent if measures are taken without disclosure;

(e) any legal reporting obligations; and

(f) whether the matter falls within ABSSCM jurisdiction.

Following such assessment, the Case Manager may take whatever further action it considers reasonable and appropriate in the circumstances, in accordance with this Policy.

5.3 The Case Manager retains discretion to decline, defer, or discontinue an anonymous Report, in whole or in part, if it cannot be fairly or reliably processed through the ABSSCM or if further action would be disproportionate or impracticable in the Case Manager's judgement. A decision by the Case Manager not to proceed with a Report pursuant to this section does not prevent an individual from making a subsequent Report in the future.

5.4 An anonymous Complainant may be asked to supply evidence or testimony, and complete anonymity cannot be guaranteed where disclosure of the identity of the Complainant is required to properly process or investigate the Report, to protect Participant safety, to comply with Applicable Law or to satisfy natural-justice and procedural fairness requirements in accordance with this Policy. The Complainant will be notified prior to any such required disclosure.

SECTION 6 – TIMELINESS

6.1 Reports should be filed under the ABSSCM as soon as reasonably possible after experiencing or witnessing the alleged Prohibited Behaviour, and no later than 120 days from either: (i) the occurrence of the last alleged Prohibited Behaviour; or (ii) the date the Complainant first knew or reasonably should have known of the Prohibited Behaviour. Subject to this Policy, this timeline may be waived at the sole discretion of the Case Manager, and any such decision is not subject to Appeal. In exercising this discretion, the Case Manager may consider, among other factors:

(a) the seriousness and any ongoing risk associated with the alleged Prohibited Behaviour;

(b) reasons for delay in filing the Report;

(c) the availability, reliability, and preservation of evidence;

(d) potential prejudice to the Respondent and any impact on procedural fairness; and

(e) where the passage of time would, in the Case Manager's judgment, compromise the fairness, reliability or practicability of the ABSSCM process.

6.2 An adult Participant who has information or reasonable grounds to suspect that a Minor has experienced or is experiencing alleged Sexual Maltreatment by a Participant shall immediately report to appropriate law enforcement agencies, child protective services, and any other mandated reporting authorities, as required by Applicable Law; a Report may simultaneously be submitted through the ABSSCM. The Case Manager shall coordinate with law enforcement and other authorities as appropriate while maintaining the integrity of the ABSSCM process.

SECTION 7 – HISTORICAL CASES

7.1 Where any alleged Prohibited Behaviour occurred within one year prior to the ABSSCM implementation, the Case Manager may, in their sole discretion, accept jurisdiction over the Report, subject to the jurisdiction considerations in Section 3 herein. The Case Manager may consider the full scope and duration of the alleged Prohibited Behaviour pattern in determining jurisdiction.

7.2 For the ABSSCM to accept jurisdiction over historical conduct, the Case Manager must be satisfied that either:

(a) the alleged conduct was prohibited by the relevant Sport Organization's policies, procedures, or applicable standards in effect at the time the conduct occurred; or

(b) the alleged conduct would constitute Prohibited Behaviour under the AB UCC.

7.3 Historical conduct accepted under this Section 7 will be evaluated and resolved according to the procedures and standards set out in this Policy and the AB UCC, subject to the principles of procedural fairness and natural justice.

7.4 Notwithstanding any other provision in this Section 7, the Case Manager may decline to accept any Report involving historical conduct at their sole discretion if, for any reason, the Case Manager determines it is not appropriate to proceed with the Report under the ABSSCM. Where historical conduct is already under review through a Sport Organization's existing disciplinary or complaint process, or has been resolved through such processes, the Case Manager shall not assume jurisdiction over the Report and shall allow the existing process to continue or respect the previous resolution. In exercising discretion under this Section 7, the Case Manager may consider any factors deemed relevant, including but not limited to the seriousness of the alleged Prohibited Behaviour, availability of evidence, potential impact on Participants, and the overall interests of the ABSSCM.

SECTION 8 – CASE MANAGER

8.1 Upon the submission of a Report through the designated mechanism, a Case Manager will be appointed by the ITP, in its sole discretion, to oversee the management and administration of the Report in accordance with the ABSSCM and all ABSSCM program guidelines. Such an appointment is final and not subject to Appeal.

8.2 Upon determining jurisdiction over a Report, in addition to other responsibilities outlined in this Policy, the Case Manager shall have the following responsibilities:

(a) administer and manage the Report in accordance with this Policy, all ABSSCM guidelines, and principles of procedural fairness;

(b) determine the appropriate ABSSCM pathway for the Report;

(c) determine whether an investigation is required pursuant to Schedule C, and appoint an Investigator, if applicable;

(d) assess if the Report is false, frivolous, vexatious, made in bad faith, or made without reasonable grounds;

(e) consolidate Reports, where appropriate, into a single process (e.g., multiple Reports against the same or related Respondents or arising from the same occurrence);

(f) coordinate with external authorities (e.g., police, child protection, regulators) as required under this Policy; and

(g) issue required notices and maintain the Report record consistent with any confidentiality and privacy requirements.

8.3 The Case Manager will determine whether to accept jurisdiction over a Report based on the factors outlined in Section 3.2. To open and assess a Report, the following minimum required information must be provided:

(a) name and contact information of the Complainant (unless the Complainant has elected to remain anonymous);

(b) identification of the relevant Sport Organization(s) and the Complainant's relationship to such Sport Organization(s);

(c) estimated or exact date(s) and location(s) when/where the alleged Prohibited Behaviour occurred;

(d) name of the Respondent(s) alleged to have engaged in the Prohibited Behaviour and, if known, the Respondent's role and/or status with the relevant Sport Organization(s);

(e) description or summary of the alleged Prohibited Behaviour; and

(f) any supporting documentation or evidence, if available.

Where any information is unavailable, the Case Manager may request clarifying information from the Complainant and set a reasonable deadline.

8.4 The Case Manager must, within 10 days of receiving a Report, determine whether to accept jurisdiction and may dismiss a Report where:

(a) the Complainant fails to provide the minimum information requested under Section 8.3 within a reasonable period as determined by the Case Manager;

(b) the Report cannot practicably proceed;

(c) the Report is manifestly false, frivolous, vexatious, or has been filed in bad-faith; or

(d) the Report lacks reasonable grounds in order to be accepted.

8.5 If the Report is within the jurisdiction of the ABSSCM and is not dismissed under this Policy, the Case Manager will accept it and notify the Complainant in writing (with a brief outline of next steps). If rejected or declined, the Case Manager will notify the Complainant in writing with brief reasons.

8.6 After a Report is accepted, the Case Manager will determine the appropriate ABSSCM pathway in accordance with this Policy.

8.7 The Case Manager, in its sole discretion, will determine the appropriate ABSSCM pathway for the Report. In selecting the appropriate pathway, the Case Manager may consider, among other factors:

(a) the needs and expectations of the Complainant;

(b) the facts, circumstances, nature and context of the Report;

(c) the severity and complexity of the allegations;

(d) any immediate safety concerns to Participants; and

(e) the most effective means of achieving fair, timely and cost-effective resolution.

8.8 Subject to this Policy, there are no filing fees for filing a Report under the ABSSCM. The ABSSCM will pay all reasonable fees and expenses incurred in the administration of the ABSSCM, including the services of the ITP, any Case Manager, any Investigator, or any IRA or Appeal Authority.

8.9 Any Complainant, Respondent or Sport Organization is responsible for their own costs (e.g., legal counsel or advisors, travel, and any evidence they elect to obtain) in relation to any process or proceeding under the ABSSCM.

SECTION 9 – REMEDIAL RESOLUTION AND MEDIATION

9.1 Remedial Resolution

9.1.1 The Case Manager may, at its sole discretion and at any stage following receipt of a Report, propose to resolve a Report by way of a Remedial Resolution, pursuant to Section 9.2, without proceeding to a formal IRP.

9.1.2 Remedial Resolution is generally suitable where:

(a) the alleged Prohibited Behaviour is less severe, isolated, or minor in nature, as determined by the Case Manager;

(b) the Respondent acknowledges the material facts of the Report; or

(c) a Remedial Resolution approach can effectively address the Report, in an efficient and less formal manner.

9.1.3 The Case Manager retains full discretion to offer, structure, continue, decline, modify or terminate Remedial Resolution and any resulting Proposed Resolution.

9.2 Remedial Resolution Process

9.2.1 The Case Manager will meet separately with each Party to explain the process, collect limited written statements or testimony only where necessary, and explore potential terms of the Remedial Resolution.

9.2.2 A Remedial Resolution is a voluntary process. If a Proposed Resolution is accepted by all Parties, it shall be binding between the Respondent (or their parent/guardian if they are a Minor) and the Complainant. A Remedial Resolution may include, without limitation, restrictions on participation in sport or Activities, such as Provisional Measures.

9.2.3 Upon review of all information received, the Case Manager issues a Proposed Resolution. Terms of the Proposed Resolution may include sanctions as provided by Section 7.2 of the AB UCC. The Proposed Resolution will be shared to all Parties. The Case Manager shall ensure the Proposed Resolution is clear, reasonable, enforceable, and addresses the Report.

9.2.4 The Proposed Resolution will be provided to all Parties. Each Party has five days from receipt to accept or reject the Proposed Resolution. If any Party rejects the Proposed

Resolution, the rejecting Party must provide the Case Manager with written notice containing the following;

(a) reasons for the rejection of the Proposed Resolution;

(b) summary of the evidence the Party would submit if there is a formal IRP; and

(c) state what outcome the Party believes is appropriate.

If no Party rejects the Proposed Resolution within 5 days of receipt, the Proposed Resolution is deemed accepted by all Parties. Upon acceptance (whether express or deemed) the Proposed Resolution becomes final and binding on all Parties.

9.2.5 Upon acceptance, the Proposed Resolution shall also be reported by the Case Manager to the applicable Sport Organization. Following receipt of the Proposed Resolution, the applicable Sport Organization shall take appropriate measures to give effect to any decisions or sanctions, in accordance with the timelines specified by the Proposed Resolution.

9.2.6 If an accepted Proposed Resolution is breached or not completed, the Case Manager may:

(a) issue a written notice to the Parties specifying the breach and providing a reasonable cure period where appropriate; and/or

(b) refer the matter to any appropriate ABSSCM process for further action;

9.3 A breach of any accepted Proposed Resolution may be considered a breach of this Policy.

9.4 **Mediation**

9.4.1 The Case Manager may, where appropriate, facilitate resolution of a Report through mediation. Either Party may request mediation, or the Case Manager may propose it where circumstances suggest it may be beneficial.

9.4.2 The Case Manager may appoint a qualified mediator to facilitate the mediation process.

9.4.3 Mediation under the ABSSCM:

(a) remains voluntary and requires consent of all Parties;

(b) is conducted by the appointed mediator acting as a neutral facilitator;

(c) focuses on collaborative problem-solving of a Report; and

(d) may include joint discussions, separate meetings, or structured dialogue among the Parties as determined by the mediator and in accordance with this Policy and the AB UCC.

9.4.4 Any appointed mediator must be independent and free from conflicts of interest with respect to the Parties and the subject matter of the Report.

9.4.5 Any resolution reached through mediation must:

(a) be reduced to writing and signed by all Parties;

(b) include clear terms regarding any acknowledgments, sanctions, restrictions, remedial measures, or other agreed outcomes; and

(c) be consistent with the objectives and sanctions framework of the AB UCC and this Policy.

9.4.6 Upon execution by all Parties, a settlement agreement entered into pursuant to this Section 9.4 becomes final and binding.

9.4.7 If mediation or negotiation is unsuccessful, the IRA may proceed to another appropriate IRP method hereunder. Statements made during mediation or settlement discussions are without prejudice and may not be used as evidence in subsequent proceedings.

SECTION 10 – MINORS

10.1 Reports may be brought by or against a Minor.

10.2 Generally, a Minor should be represented throughout the ABSSCM process and under any proceeding under this Policy by a parent, legal guardian or other properly appointed adult representative acceptable to the Case Manager. At the Case Manager's discretion, a Minor who demonstrates sufficient maturity and understanding may proceed without representation, provided this is in the Minor's best interests and complies with Applicable Law regarding minor's legal capacity. An adult representative may be required to produce documentation satisfactory to the Case Manager, establishing their legal authority to act on behalf of the Minor. If the Minor does not have an available or appropriate guardian, the Case Manager, in consultation with the Minor and the relevant Sport Organization, may designate an independent adult representative, who has no conflicts of interest. The Minor's preference regarding their representative should be considered, subject to their age and maturity level, unless it would be contrary to their best interests.

10.3 All formal communications from the ITP, Case Manager, Investigator, IRA, or Appeal Authority (as applicable) must be directed to the Minor's representative (if any). Where practicable, the Minor should also receive age-appropriate information about the ABSSCM process and their rights. The Minor may, where age-appropriate, receive direct communication from the ITP, Case Manager, Investigator, IRA, or Appeal Authority.

10.4 If the Minor's representative is not their parent/guardian, the representative must possess written authorization from the Minor's parent/guardian to act in such capacity, unless the parent or legal guardian is implicated in the Report or is otherwise unable to act in the Minor's best interest. In such circumstances the Case Manager may waive the authorization requirement and document the reasons for doing so.

10.5 A Minor is not required to attend or participate in a hearing, if held, or participate in an investigation, if conducted. No adverse inference shall be drawn from a Minor's decision not to participate. When a Minor does participate, the decision-maker must ensure appropriate safeguards are put in place to protect the Minor's well-being during their participation.

10.6 The name and identifying information of a Minor must be anonymized or redacted in any publicly released Decisions or documents, unless such disclosure is required under this Policy or by Applicable Law.

10.7 Except where contrary to the Minor's safety or prohibited by Applicable Law, the Case Manager shall inform a parent/guardian that a Report has been filed, regardless of whether the Minor is a Complainant or Respondent. If disclosure could place the Minor at risk, the Case Manager may delay or modify disclosure, document the reasons, and, where required, seek advice from child-protection authorities.

SECTION 11 – SUPPORT PERSONS

11.1 Any Party or witness participating in any process under this Policy, may be accompanied by a Support Person at their own expense. For a Minor or Vulnerable Participant, a Support Person (which may include a parent/guardian or other authorized representative) is strongly encouraged.

11.2 A Support Person must not be a witness (or potential witness) to any proceeding under this Policy unless specifically permitted pursuant to this Policy, and must disclose any actual, potential, or perceived conflict of interest prior to acting as a Support Person. The presiding IRA may, in its sole discretion and where necessary for procedural fairness, permit a Support Person to provide evidence or testimony. In such cases, unless the IRA directs otherwise for a Minor or required disability accommodation, the individual shall cease acting as a Support Person and will be treated as a witness for the remainder of the IRP proceeding in which they give evidence. The IRA may require any party to select a different Support Person.

11.3 The presiding IRA may restrict or disallow a Support Person whose involvement would compromise fairness, confidentiality, or safety. An exception may be made for a parent/guardian of a Minor, or for necessary disability accommodation (e.g., interpreter or personal support worker).

11.4 Support Persons must comply with this Policy and with all requirements set by any IRA. Such IRA has full discretion to establish additional guidelines regarding Support Person conduct during proceedings to ensure the fairness and efficiency of the ABSSCM process.

11.5 A Support Person may:

(a) attend meetings, interviews, and hearings;

(b) help the Party or witness understand the process, prepare documents, and organize evidence;

(c) request reasonable accommodations on behalf of the Party;

(d) confer with the Party during any proceeding hereunder; and

(e) inquire or speak on procedural matters when invited by the Case Manager, IRA, Appeal Authority or Investigator.

11.6 Unless expressly permitted by the Case Manager, IRA or Appeal Authority, a Support Person may not:

(a) give evidence or testimony on the Party's or witness' behalf;

(b) address the merits of any Report;

(c) examine or cross-examine any Party or witness, and may not pose questions directly to the other Party or any witness;

(d) obstruct or improperly influence any Party or witness; and

(e) make objections or otherwise intervene in any procedure hereunder,

The IRA or Appeal Authority retains discretion to set additional limits or to remove a Support Person who fails to comply with this Section 11.6.

11.7 Legal counsel may act as a Support Person. In any IRP, Appeal and investigation stages, legal counsel's role is advisory and any such legal counsel are generally subject to the restrictions set out in Section 11.6. The extent of legal counsel's participation as a Support Person shall be determined by the applicable decision-maker on a case-by-case basis, considering the principles of procedural fairness, natural justice, and efficient case management. Legal counsel may be authorized to participate beyond the general restrictions in Section 11.6 where the decision-maker determines such participation is necessary for a fair process.

11.8 If a Support Person disrupts any proceeding under this Policy, breaches confidentiality or any directions by an IRA, attempts to obstruct or improperly influence testimony, or otherwise undermines fairness or safety, the presiding IRA may, in their discretion, warn, limit, or remove the Support Person, and may adjourn to allow the Party to secure a replacement Support Person where fairness requires.

11.9 Support Persons must comply with all confidentiality, privacy and directions under this Policy.

SECTION 12 – PROVISIONAL MEASURES

12.1 Provisional Measures Following a Report

At any stage following receipt of a Report, the Case Manager may, at their sole discretion and subject to the considerations in Section 12.2, impose Provisional Measures for the Sport Organization to apply and enforce.

12.2 Considerations for Imposing Provisional Measures

12.2.1 Where supported by credible evidence and deemed appropriate or necessary based on the circumstances, an immediate Provisional Measure, including but not limited to an interim suspension, may be imposed against any Participant. Such measures must be proportionate to the alleged conduct and may be followed by further discipline or sanctions, subject to this Policy. The basis for any Provisional Measure must be documented in writing.

12.2.2 Provisional Measures may be imposed, without limitation, having regard to a consideration of the following factors:

(a) the factors described in Section 7.1 of the AB UCC; and

(b) the integrity of the ABSSCM process.

12.2.3 Provisional Measures must be reasonable and proportionate, having regard to the factors listed in Section 12.2.2.

12.2.4 To assess the possible imposition of Provisional Measures, the Case Manager may receive submissions from or consult with relevant persons, including the Complainant, Respondent or the applicable Sport Organization.

12.3 Notice to Respondent

Unless the Case Manager determines that immediate action is required to meet the protective and safety objectives in Section 12.2, the Case Manager will provide the Respondent with written notice of any Provisional Measures being imposed and the reasons for them. The Respondent may request that Provisional Measures be modified or lifted in accordance with Section 12.4.

12.4 Request to Modify Provisional Measures

At any time, the Respondent or the Complainant, may request that the Case Manager modify or lift Provisional Measures on the basis that there has been a change in circumstances, or the Provisional Measures are not effective or pragmatic, having regard to the factors set out in Section 12.2. Where a Provisional Measure is modified or lifted, the Case Manager will notify the Respondent, the Complainant and the Sport Organization(s).

12.5 Notification and Disclosure

12.5.1 When Provisional Measures are imposed, the Case Manager will provide the Respondent with written notice setting out the Provisional Measures and the reasons for them. The Case Manager will also notify the Complainant and relevant Sport Organization(s). All recipients must maintain confidentiality except as necessary to enforce the measures imposed.

12.5.2 To meet the protective objectives in Section 12.2, the Case Manager may, where reasonably necessary and determined in its sole discretion, disclose the Provisional Measures to other Sport Organizations that have a legitimate need to know for safety or enforcement purposes. If the Case Manager does so, the Case Manager will advise the Respondent and the Complainant of the additional disclosure.

12.6 Violation of Provisional Measures

A failure by a Respondent to comply with a Provisional Measure may be reviewed by the Case Manager as a violation of the ABSSCM and/or may result in the Case Manager modifying the Provisional Measures, including by imposing more restrictive measures. A violation of a Provisional Measure may also be an aggravating factor in the determination of any sanction under an IRP.

SECTION 13 – INDEPENDENT RESOLUTION PROCESS

13.1 Initiation and Appointment

13.1.1 Upon determining that a Report requires resolution through an IRP, the Case Manager shall appoint an IRA. Once appointed, the IRA becomes the primary point of contact for the Parties, unless otherwise indicated.

13.1.2 The IRP will be initiated by the IRA contacting the Complainant(s) and Respondent(s) within 7 days of appointment of the IRA, to outline next steps, timelines, and procedural expectations.

13.2 **Selection of IRP Procedure**

13.2.1 The Case Manager will determine, in their sole discretion and in accordance with the ABSSCM guidelines and procedures, which IRP process or combination of processes will apply to the Report.

13.2.2 In determining the appropriate IRP procedure, the Case Manager will consider the following factors:

(a) the seriousness and complexity of the allegations under the Report;

(b) the nature and availability of evidence under the Report;

(c) any response or submissions provided by the Respondent or Complainant; and

(d) the need for Participant safety, procedural fairness, timeliness, and cost-effectiveness.

13.2.3 The Case Manager may immediately initiate an IRP prior to receiving information, responses or submissions from the Complainant or Respondent.

13.3 **IRP Procedures and Guidelines**

13.3.1 The IRP will comply with the requirements of the AB UCC and all ABSSCM guidelines and procedures.

13.3.2 Findings and any Decisions rendered under an IRP are made on a balance of probabilities.

13.3.3 An IRP will be governed by a process determined by the IRA, as they deem appropriate in the circumstances, provided that:

(a) hearings, meetings, interviews and other similar procedures, may occur virtually, by teleconference, videoconference, in-person, or in writing at the discretion of the IRA;

(b) the IRA shall provide the Parties with adequate notice of dates, times, and formats of proceedings and deadlines for submission of evidence;

(c) the IRA shall ensure that all Parties are given the opportunity to present evidence in a manner which complies with the rules of natural justice and procedural fairness;

(d) evidence admissible in the IRP shall be governed by rules of procedural fairness, relevance and natural justice, provided that, any evidence that would be inadmissible in a court of competent jurisdiction in the Province of Alberta, by reason of any privilege under the law of evidence or other legal protections or that is otherwise inadmissible under Applicable Law shall also be inadmissible in any IRP;

(e) the IRA will manage all communications between Parties;

(f) if either Party requests additional time, the IRA may grant or deny the request and/or impose interim or Provisional Measures as appropriate;

(g) the Parties must be given:

(i) appropriate notice of the day, time, and place of any IRP proceeding, in the case of an oral in-person hearing or an oral hearing by telephone, videoconference or other electronic means, and

(ii) copies of any written documents which the Parties wish to have the IRA consider will be provided to all Parties, through the IRA (with administrative support provided by the ITP, if required), in advance of any IRP proceeding;

(h) the Parties may engage a Support Person at their own expense to accompany them at any IRP meeting or proceeding related to a Report, provided however, the Support Person(s) may not provide evidence or testimony on behalf of the Party or witness, but, at the discretion of the IRA, a Support Person may ask procedural questions and provide advice to the person they are supporting;

(i) if the Respondent acknowledges the facts of the incident(s), the Respondent may voluntarily waive the IRP process, in which case the IRA may immediately proceed to sanction determination, provided however, the IRA may still hold a hearing for the purpose of determining an appropriate sanction;

(j) if a Party declines to participate in any IRP proceeding, the IRP may, at the discretion of the IRA and upon consultation with the Case Manager, proceed based on available evidence;

(k) the IRA is responsible for managing all communication under the IRP, and the IRA may intervene if communications are inappropriate or risk causing unnecessary distress to the Parties and/or any witnesses.

13.4 The IRA holds broad authority to grant extensions, relieve procedural irregularities, and take necessary steps to ensure fairness and efficiency of the IRP, consistent with this Policy and the AB UCC. The IRA may consult with the ITP and/or Case Manager for any reason to appropriately administer the IRP.

SECTION 14 – IRP DECISION

14.1 After conclusion of an IRP, the IRA shall render a Decision, determining whether a violation of the AB UCC and/or this Policy has occurred and, if so, any sanctions to be imposed in accordance with Section 7.2 under the AB UCC.

14.2 Within 14 days following the conclusion of the IRP, the Case Manager shall distribute the IRA's written Decision, including reasons, to all required Parties, and the relevant Sport Organization(s).

14.3 In extraordinary circumstances, the IRA may first issue a verbal or summary Decision, to be followed by a complete written Decision to be issued within the 14-day period after the IRP.

14.4 Unless stated otherwise by the IRA, the IRA's Decision will come into effect as of the date on which it is rendered.

14.5 In making its Decision, the IRA may uphold or dismiss the Report:

(a) if the Report is upheld, the IRA may impose any sanction deemed appropriate including, but not limited to, those referred to in Section 7.2 of the AB UCC, or other such measures that the IRA, at their sole discretion, deems appropriate in the circumstances; and

(b) if the IRA determines that a violation of the AB UCC and/or this Policy has not occurred, the Report may be dismissed.

14.6 If the IRA finds that Prohibited Behaviour has occurred, the Decision shall outline:

(a) a summary of relevant facts and evidence considered;

(b) the specific provisions of the AB UCC or this Policy that were breached;

(c) any sanctions imposed, referencing Section 7.2 of the AB UCC;

(d) timelines and responsibility for implementation and monitoring of sanctions;

(e) any reinstatement conditions the Respondent must satisfy, if applicable;

(f) any additional guidance necessary for implementation;

(g) allocation of responsibility for costs of implementing sanctions, if relevant; and

(h) any other guidance or instructions to implement the IRA's Decision.

14.7 The Decision of any IRA is final and binding and is subject to Appeal only pursuant the terms of the Appeal Section 18 herein. Filing an Appeal does not automatically stay the effect of the IRA's Decision. A stay may only be granted by express order of the Appeal Authority.

14.8 A Party or organization responsible for implementing a sanction may request clarification from the IRA regarding the Decision, including scope, timelines, or conditions of the sanctions imposed (if any).

SECTION 15 – SANCTION GUIDELINES AND ENFORCEMENT

15.1 Prior to imposing any sanctions under the AB UCC and this Policy, the IRA will evaluate the sanctioning considerations as set out at Section 7.4 of the AB UCC. Any single sanctioning consideration or factor, if severe enough, may be sufficient to justify the sanction(s) imposed. A combination of several sanctioning considerations may justify elevated or combined sanctions. In cases of multiple or repeated violations, the IRA will consider the cumulative effect and may impose progressively severe sanctions, up to and including permanent ineligibility.

15.2 The IRA has broad discretion to impose sanctions as provided by Section 7.2 of the AB UCC, as the IRA deems appropriate.

15.3 The sanctions identified in the AB UCC are representative penalties only. They may be modified by the IRA to fit the circumstances of the Prohibited Behaviour.

15.4 Unless the IRA decides otherwise, any disciplinary sanctions (such as a period of ineligibility) will begin immediately and timelines will be provided for fulfillment of other sanctions.

15.5 Non-compliance with any sanction imposed by the IRA constitutes an independent breach of this Policy, and may result in further disciplinary action, which may include extended suspension or permanent ineligibility. Failure of a Respondent to comply fully with sanctions imposed by the IRA may result in immediate suspension of Activities and participation rights until compliance is demonstrated to the satisfaction of the relevant Sport Organization or the relevant Case Manager. The Case Manager may monitor compliance and may consult with the Sport Organization regarding enforcement measures.

15.6 A Participant's criminal conviction, at any time, for Criminal Code offences considered to be Prohibited Behaviour under the AB UCC, shall automatically result in sanctions imposed by a Case Manager, as outlined in Section 6.2 of the AB UCC.

15.7 Findings of Prohibited Behaviour as under Section 7.3 of the AB UCC carry presumptive sanctions which may be rebutted by a Respondent. The IRA retains discretion to adjust sanctions according to the specific circumstances and evidence presented.

SECTION 16 – OTHER CONSIDERATIONS

16.1 Confidentiality of Process

16.1.1 The ABSSCM process is strictly confidential. Participation in the ABSSCM, including any Reports, IRP, Remedial Resolutions, investigations or Appeals must remain confidential and limited exclusively to:

(a) the Parties directly involved (Complainant, Respondent, and any relevant witnesses);

(b) the Case Manager, Appeal Manager, ITP, appointed IRA or Appeal Authority, any Investigator, and any administrative support or independent advisors retained by them; and

(c) any person whose involvement is essential to ensuring fairness, procedural integrity, or compliance with the ABSSCM and this Policy.

16.1.2 Except as required by Applicable Law or expressly permitted in this Policy, no person shall disclose confidential information relating to a Report or any proceeding pursuant to the ABSSCM to any third party or the general public. Any unauthorized disclosure shall constitute a breach of this Policy and may be subject to sanctions.

16.1.3 Disclosure is permitted only when strictly necessary:

(a) for enforcement of Provisional Measures, Decisions or any sanctions imposed, subject to Applicable Law;

(b) to notify relevant national or international sport organizations (such as NSOs) when required for enforcement, Participant safety, or compliance purposes;

(c) as otherwise explicitly permitted by the ITP, Case Manager, or IRA for the effective administration of justice; or

(d) such disclosure is otherwise required by Applicable Law

16.2 **Mandatory Reporting**

Notwithstanding the confidentiality provisions of Section 16.1, the ITP and any Case Manager, IRA, Investigator, and all PSOs/MSOs shall comply promptly and fully with all mandatory reporting obligations to child protection services, law enforcement authorities, or other applicable statutory bodies, as required by Applicable Law.

16.3 **Recordkeeping**

The ITP shall maintain accurate, complete, and confidential records of all Reports, investigations, Decisions, Appeals, Remedial Resolutions, and related processes under this Policy, as applicable, in accordance with Applicable Law and any applicable retention schedules.

All records must be stored securely and confidentially, with access restricted solely to authorized individuals required to carry out their responsibilities under the ABSSCM and this Policy, or as mandated by Applicable Law.

16.4 **Protection from Liability**

16.4.1 ASLA, the ITP, Sport Organizations, and any of their respective officers, directors, employees, agents, representatives, volunteers, Case Managers, Appeal Managers, IRAs, Appeal Authorities, Investigators, mediators, arbitrators, advisors, support staff, or other persons involved in applying, interpreting, administering, or enforcing the ABSSCM and this Policy shall not bear any civil, criminal, or administrative liability for any act or omission performed in good faith under this Policy, except where proven to involve gross negligence or willful misconduct.

16.4.2 Except as explicitly required by Applicable Law, no individual involved in the ABSSCM process, including intake, investigation, IRP, Remedial Resolution, Appeal, or any related procedure, shall be compelled as a witness in any civil, criminal, administrative, or other external proceeding arising from the same circumstances or facts covered by this Policy.

16.4.3 All notes, drafts, communications, records, and documents created, exchanged, or received in connection with any Report or procedure under this Policy are protected from subpoena, production, discovery, or any other form of compulsory disclosure in any civil, criminal, or administrative proceedings, except as explicitly required by Applicable Law.

16.5 **Clarification of Decisions and Enforcement**

If a Party, Sport Organization, or other organization responsible for enforcing or implementing a sanction or Decision imposed hereunder requires clarification regarding interpretation or scope, they may request clarification directly from the Case Manager or the Appeal Manager, as applicable. Such requests must be made promptly after receiving the Decision and may not revisit substantive findings.

16.6 **Cooperation of Participants**

Participants shall fully and promptly cooperate with any requests or directions made by the ITP or any Case Manager, Appeal Manager, Investigator, IRA, or Appeal Authority, as applicable, under this Policy.

SECTION 17 – PROCEDURAL VIOLATIONS

17.1 Procedural Violations

17.1.1 For the purposes of this Policy, the conduct described in this Section 17 constitutes Prohibited Behaviour and may result in Provisional Measures or sanctions in accordance with this Policy and the AB UCC. Participants are prohibited from:

(a) making false, frivolous, vexatious or bad-faith Reports, including as set out in Section 5.12 of the AB UCC;

(b) improperly interfering with or manipulating any ABSSCM process or this Policy, including as set out in Section 5.13 of the AB UCC;

(c) retaliating against anyone who makes a good faith Report or Appeal under the ABSSCM, including as set out in Section 5.14 of the AB UCC;

(d) breaching confidentiality obligations under this Policy or any order of the Case Manager or IRA;

(e) encouraging, soliciting, or influencing another person to engage in any conduct prohibited by this Section 17; and

(f) otherwise using the ABSSCM process for an improper purpose including but not limited to harassment or purposes unrelated to addressing Prohibited Behaviour.

17.2 General Powers and Remedies

17.2.1 At any time following receipt of a Report, the ITP, any Case Manager, any IRA, or any Appeal Authority (as applicable) have discretion to screen, investigate, and determine whether a Procedural Violation has occurred. Such decision-maker may take immediate action to preserve the integrity, fairness, and effectiveness of the ABSSCM process including:

(a) closing or dismissing a Report with reasons;

(b) staying or adjourning proceedings;

(c) imposing or modifying Provisional Measures; or

(d) any other measure reasonably necessary in the circumstances.

17.2.2 A Sport Organization or any individual affected by an alleged Procedural Violation may file a Report under this Section. Sport Organizations shall recognize and enforce any Provisional Measures, sanctions, or cost orders issued pursuant to this Section 17.

17.3 Cost Recovery for Procedural Violations

17.3.1 An individual who submits a Report or Appeal that a Case Manager, IRA or Appeal Authority (as applicable) determines to be false, vexatious or made in bad faith or for the purpose of retribution, retaliation or vengeance (or that otherwise falls within Sections 5.12, 5.13 or 5.14 of the AB UCC) may be subject to sanctions or cost orders under the terms of this Policy.

17.3.2 In limited circumstances, to protect the integrity of the ABSSCM, a Case Manager, IRA or Appeal Authority, may order a Participant to pay all or part of the reasonable costs incurred by the ABSSCM in connection with processing the Report or Appeal, including but not limited to:

(a) IRP or investigation costs;

(b) Case Manager and administrative costs;

(c) IRA or Appeal Authority fees and expenses; or

(d) other reasonable costs directly attributable to addressing the procedural violation.

17.3.3 A cost order may be imposed against any Participant who violates Section 5.12, Section 5.13 or Section 5.14 of the AB UCC. Until such costs are paid, the Participant will be deemed not in good standing with the relevant Sport Organization and may be barred from all Activities.

17.3.4 A cost order under this Section 17.3 shall only be imposed where:

(a) the conduct was demonstrably in bad faith or involved abuse of the ABSSCM process; and

(b) a costs order is necessary and proportionate to maintain the integrity of the ABSSCM.

SECTION 18 – APPEALS

18.1 Decisions that may be Appealed

Subject to this Policy, an Appeal may be brought in respect of a Decision issued by an IRA pursuant to this Policy. For clarity, outcomes from any Remedial Resolution, mediation or any other voluntary process under the ABSSCM are not subject to Appeal. Filing an Appeal does not automatically pause or stay any Decision or sanction imposed under this Policy, unless a stay is granted pursuant to this Section 18. All other decisions of the IRA are final and binding and are not subject to Appeal or review.

18.2 Scope of Appeal

An Appeal is an administrative review on the existing record. The Appeal Authority may receive oral or written submissions, but will not re-hear evidence or call witnesses, except where fresh evidence is admitted under Section 18.3(c). Appeals are limited to the grounds in Section 18.3 and ask whether the IRA's Decision was fair, within authority, and reasonable on the record and this Policy.

18.3 Grounds for Appeal

An Appeal may proceed only on one or more of the following grounds:

(a) the IRA made a Decision that it did not have the authority or jurisdiction to make;

(b) a material breach of procedural fairness occurred during the IRP;

(c) fresh evidence has become available that:

(i) could not, with due diligence, have been discovered and presented earlier;

(ii) is relevant to a material issue of the Report;

(iii) is credible; and

(iv) is sufficiently probative that it could reasonably have affected the result of the Decision of the IRA.

(d) the Decision was influenced by bias; or

(e) no reasonable decision-maker, properly applying this Policy and the sanctioning factors in Section 7.4 of the AB UCC, could have reached the Decision.

18.4 **Who may Appeal**

Only an Affected Party or a Sport Organization directly affected by the Decision of an IRA may Appeal. No other person has standing. Where a Minor is an Appellant or Affected Party, a Parent/Guardian may act on their behalf. The ITP may participate to address jurisdictional, procedural, safety, or administrative issues.

18.5 **Timing of Appeal**

18.5.1 An Appellant must submit an Appeal through the designated reporting mechanism to the ITP within seven days from receipt of the IRA's written Decision, and containing:

(a) notice of the intention to Appeal;

(b) Appellant contact information;

(c) name and contact information of the Respondent and any Affected Parties (if known);

(d) the date the Decision was rendered;

(e) a copy of the Decision being Appealed, or a written description of the Decision, if a written copy of the Decision is not available;

(f) the ground(s) relied on for the Appeal;

(g) reasons for the Appeal;

(h) any supporting evidence; and

(i) the remedy sought.

18.5.2 The Appeal Manager shall have the discretion to extend deadlines, before or after expiry, where fairness requires, provided that such extension does not cause material prejudice to any Party. Relevant considerations may include:

(a) the length and reason for the delay in filing the Appeal (including late discovery of material fresh evidence);

(b) the Appellant's diligence and capacity (including where the Appellant is a Minor or Vulnerable Participant);

(c) prejudice to other Parties;

(d) the apparent merits of the Appeal; and

(e) Participant safety.

18.5.3 After appointment, an Appeal Authority may also vary deadlines at its sole discretion.

18.6 **Appeal Fee**

18.6.1 An Appeal must be accompanied by a non-refundable administrative fee of $250.00 payable to ASLA. The Appeal fee must be paid at the time the Appeal is submitted through the designated reporting mechanism. An Appeal that is not accompanied by the required fee will not be processed and may be dismissed by the Appeal Manager without further notice.

18.6.2 The Appeal fee is non-refundable regardless of the outcome of the Appeal, including where an Appeal is dismissed by the Appeal Manager or withdrawn by the Appellant.

18.7 **Appeal Manager**

18.7.1 An Appeal Manager will be appointed by the ITP to oversee management of the Appeal process as set out in this Policy. The Appeal Manager must not have previously acted as the Case Manager or as a member of the IRA with respect to the Report under Appeal.

18.7.2 On receipt of an Appeal, the Appeal Manager will:

(a) acknowledge receipt;

(b) screen the Appeal for timeliness, standing, completeness, and arguable grounds under Section 18.3; and

(c) if satisfied, appoint an Appeal Authority.

18.7.3 An Appeal Manager may summarily dismiss an Appeal, with written reasons, where:

(a) the Appeal is filed out of time and no extension is warranted;

(b) the Appellant lacks standing;

(c) the Appeal discloses no arguable grounds for Appeal under Section 18.3; or

(d) the Appeal is otherwise not able to proceed pursuant to this Policy, as determined by the Appeal Manager in its sole discretion.

If the Appeal Manager denies the Appeal, the Appellant will be notified, in writing, of the reasons for this decision. This screening decision is final.

18.7.4 To confirm the identification of any Affected Parties, the Appeal Manager may consult the relevant Sport Organization(s), and/or the Case Manager.

18.7.5 The Appeal Manager may determine whether a Participant or Sport Organization is an Affected Party.

18.7.6 Where multiple Appeals raise common questions or arise from the same Decision, the Appeal Manager may consolidate them or sever issues and/or Parties for efficiency and fairness.

18.8 **Appeal Procedure**

18.8.1 An Appeal shall take the form of an administrative review of the IRA's Decision on the record. The Appeal Authority shall evaluate whether the Decision is fair, within the IRA's authority, and reasonably supported by the record and this Policy. The record includes the Report intake materials, documents, any rulings, exhibits, any transcript/recording (if available), and the IRA's Decision and reasons. Fresh evidence may be admitted only under Section 18.3(c), provided it was not reasonably available at the time of the original Decision.

18.8.2 The Appeal Manager shall notify the Parties that the Appeal will be heard.

18.8.3 The Appeal Authority decides the format under which the Appeal will be heard. The format of the Appeal may proceed by written submissions, an oral hearing (in-person or by telephone, videoconference or other electronic means), review of written submissions, or a combination of these methods, as determined by the Appeal Authority in its sole discretion.

18.8.4 The Appeal Authority may request additional written submissions, convene oral hearings, and make procedural orders (including confidentiality, no-contact, and accommodations for Minors or Vulnerable Participants).

18.8.5 The following guidelines will apply to the Appeal procedure:

(a) the Appeal will be held within a timeline determined by the Appeal Manager and the Appeal Authority;

(b) the Parties will be given reasonable notice of the day, time, and place of any hearing;

(c) copies of any written documents which any of the Parties wish to have the Appeal Authority consider will be provided to all Parties;

(d) the Parties may be accompanied by a Support Person, at their own expense;

(e) the Appeal Authority may invite other individuals or entities to participate and provide information where required for fairness or efficiency of the Appeal;

(f) subject to Section 18.3(c), the Appeal Authority shall determine the admissibility and relevance of any fresh evidence and may exclude evidence that is unduly repetitious, prejudicial, or of minimal probative value;

(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, that Party will become an Affected Party to the Appeal in question and will be bound by its outcome; and

(h) on request, the Appeal Manager (pending appointment of the Appeal Authority) or the Appeal Authority may grant a stay of all or part of the Decision under Appeal

or issue interim directions, having regard to the apparent strength of the Appeal, potential prejudice, Participant safety, and the interests of the ABSSCM.

18.9 **Decision and Remedies**

18.9.1 The Appeal Authority will issue a written decision on any Appeal within a reasonable time, but no more than 14 days after the Appeal procedure's conclusion. The Appeal Authority's decision is final and binding under this Policy and not subject to further Appeal. A verbal or summary outcome may be issued first, followed by written reasons.

18.9.2 The Appeal Authority's written decision, with reasons, will be distributed by the Appeal Manager to all Parties, and the relevant Sport Organization(s), as applicable.

18.9.3 In making its decision, the Appeal Authority may:

(a) dismiss the Appeal;

(b) uphold, increase, decrease, remove or vary any sanction previously imposed by the IRA; or

(c) remit the matter to the IRA with directions (including for further findings or reasons) for a new decision.

SECTION 19 – ADOPTION BY SPORT ORGANIZATIONS

19.1 **Formal Adoption**

19.1.1 Each Sport Organization wishing to participate in the ABSSCM must formally adopt this Policy and the AB UCC into its governing documents and rules, in a manner binding on its Participants, members and member organizations.

19.1.2 Participation in the ABSSCM requires execution of an Adoption Agreement with ASLA, in a form approved by ASLA. The Adoption Agreement integrates the ABSSCM into the Sport Organization's rules and confirms acceptance of this Policy and all ABSSCM guidelines and procedures.

19.1.3 The Adoption Agreement will specify rights, obligations and responsibilities for the Sport Organization. Failure by the adopting Sport Organization to comply in all respects with the Adoption Agreement (including enforcement of any Provisional Measure or sanction imposed hereunder) may result in the Sport Organization being deemed non-compliant with the ABSSCM by ASLA, which may result in the Sport Organization's suspension or termination from participation in the ABSSCM.

19.2 **Recognition and Enforcement**

Any Sport Organization shall recognize and enforce all Provisional Measures, Decisions, and sanctions issued or rendered under this Policy.

SECTION 20 – AMENDMENTS AND RESOURCES

20.1 ASLA may amend, restate, or repeal this Policy (including its Schedules) from time to time. Any Amendments shall become effective on the date specified by ASLA. References in this Policy to the AB UCC are deemed to refer to the version of the AB UCC in force at the time of any Report.

20.2 ASLA and/or the ITP may issue guidelines, resources, practice notes, or procedural directions to support the administration of this Policy. Such instruments are subordinate to this Policy and do not create independent rights or obligations.

SCHEDULE A – REPORTING MECHANISM

All Reports must be reported by using the online form, accessible 24 hours a day, every day, accessible via the Sport Organization's website.

For individuals who would like to file a Report via phone, please call 1-855-603-0483.

SCHEDULE B – OUT-OF-SCOPE REPORTS

This Schedule outlines the categories of Reports that the Case Manager will generally consider outside the jurisdiction of the ABSSCM. This list is non-exhaustive, and the Case Manager retains absolute and sole discretion to determine whether a Report is within the scope of the ABSSCM and this Policy. The Case Manager may also decline to accept a Report if, in their reasonable judgment, it is not appropriate, practical, or possible to address the matter under the ABSSCM and this Policy, including where insufficient information is available or where jurisdiction more appropriately lies with another process or body.

The ABSSCM will not assume jurisdiction over a Report in any of the following circumstances:

(a) the Report does not contain allegations relating to a Participant or Sport Organization or does not sufficiently identify a Respondent;

(b) the Report does not contain allegations which, if proven, would constitute Prohibited Behaviour under the AB UCC or this Policy;

(c) the allegations in the Report were already addressed and resolved by another domestic or international sport organization, court, tribunal or other comparable forum and the Case Manager determines no further action is warranted;

(d) the Report involves alleged conduct that due to circumstances outside of the control of the ABSSCM, such as the passage of time, the Case Manager determines that it is not appropriate, practical or possible to address the Report;

(e) the Report lacks sufficient detail, coherence, or credibility to allow the ABSSCM to proceed;

(f) the Report relates to internal governance, operations, bylaws, team selection, membership eligibility, or similar matters of a Sport Organization that do not include allegations of Prohibited Behaviour;

(g) the Report involves business arrangements, employment contracts, sponsorship, financial obligations, or other commercial disputes unrelated to Prohibited Behaviour;

(h) the Report concerns decisions related to officiating, scoring, competition rules, technical standards, or eligibility that are not alleged to involve Prohibited Behaviour; and/or

(i) the Report does not fall within the scope of the ABSSCM's application, as determined by the Case Manager in their sole discretion.

SCHEDULE C – INVESTIGATIONS

SECTION 1 – INVESTIGATIONS

1.1 Authority and Purpose of Investigations

At any time after accepting a Report, the Case Manager may direct that an investigation be conducted by an independent Investigator, where, in the Case Manager's sole discretion, an investigation is reasonably required to fairly address or resolve a Report.

1.2 Appointment of Investigator

1.2.1 If an investigation is required, the Case Manager (or Appeal Manager, if applicable) will appoint an Investigator who is skilled in investigating cases that align with the nature and general subject matter of the allegations of the Report.

1.2.2 The Investigator must be an independent third-party and must not have any real or perceived conflict of interest or bias relating to the Parties or the subject matter of the Report.

1.3 Investigation Principles and Standards

Any investigation conducted in accordance with this Policy will be conducted fairly, impartially, and confidentially, respecting the principles of natural justice and procedural fairness. The Investigator will employ a trauma-informed and Participant-centered approach, ensuring sensitivity, respect, and protection of the rights and safety of all Participants involved.

1.4 Conduct of Investigation

1.4.1 The investigation may take any form as decided by the Investigator, guided by any Applicable Law. The Investigator shall have broad discretion to determine the method, scope, and structure of the investigation, taking into consideration applicable best practices, the nature and seriousness of the allegations of the Report, and any relevant Applicable Law, including provincial workplace or occupational health and safety legislation where relevant.

1.4.2 The Investigator may request the production of relevant documents, such as texts, emails or other social media or recorded evidence of the Parties and/or applicable Sport Organization.

1.4.3 An investigation may include, but is not limited to:

(a) interviews with the Complainant, Respondent and relevant witnesses;

(b) review of documents or electronic communication in relation to the Report;

(c) review of all relevant policies, procedures or applicable standards in relation to the Report.

1.4.4 The Complainant and the Respondent will have an opportunity in the investigation to submit information and relevant evidence and identify witnesses who may have relevant information.

1.4.5 Investigations shall be completed within 45 days of the appointment of the Investigator, unless otherwise extended by the Case Manager. Procedural orders may be made by the Case Manager to ensure the timely processing of investigations. The Case Manager may extend the timeline for completion of an Investigation, including in complex cases or where other circumstances so warrant.

1.4.6 A Complainant, Respondent and any witness may be accompanied by Support Person(s) at any meeting or proceeding related to an investigation. The Support Person(s) may not provide evidence on behalf of the party or witness but may ask procedural questions and provide advice to the person they are supporting.

1.5 Cooperation

1.5.1 All Parties, Sport Organizations and witnesses shall cooperate fully and in good faith with the Investigator and participate in the investigation process in a timely manner.

1.5.2 Non-cooperation with any investigation may result in an adverse inference being drawn by the Investigator.

1.5.3 If a Party or witness declines to cooperate with or participate in an investigation, the investigation may proceed in their absence, on the basis of the available information at that time.

1.6 Criminal Conduct and Mandated Reporting

If the Investigator becomes aware of credible evidence suggesting potential criminal conduct and/or an offence under the Criminal Code of Canada, the Investigator shall immediately inform the Case Manager in writing. The Case Manager will ensure the information is reported promptly to applicable law enforcement, child protection agencies, or other mandated authorities, where required by Applicable Law.

1.7 Investigation Report

1.7.1 Upon completion of any investigation, the Investigator shall submit a written Investigation Report to the Case Manager containing:

(a) a summary of the investigative steps taken;

(b) summaries of relevant evidence from the Complainant, Respondent, and witnesses;

(c) analysis of the relevant facts and evidence based on the balance of probabilities standard;

(d) findings of fact and credibility made by the Investigator and the reason for those findings; and

(e) non-binding recommendations on appropriate next steps, including referral to an IRA, IRP procedures, or further review or investigation.

1.7.2 The Investigator shall not determine sanctions or disciplinary measures pursuant to this Policy, but may recommend to the Case Manager if the matter warrants consideration by an IRA.

1.7.3 If additional investigation is required, the Parties shall be advised and provided an opportunity to respond to any further investigation, as appropriate.

1.8 Acceptance of Investigation Report

1.8.1 Within 10 days of receipt of the final Investigation Report, or such longer period as the Case Manager determines necessary in their sole discretion, the Case Manager will review the Investigation Report and may provide a copy to the Complainant and Respondent, along with such attachments or exhibits as the Case Manager deems necessary for procedural fairness.

1.8.2 The Case Manager may provide the full Investigation Report, or, at their sole discretion, a redacted or anonymized version to protect witness confidentiality, sensitive personal information, or Participant safety. This decision is final and not subject to Appeal.

1.8.3 Following receipt of the Investigation Report, the Case Manager shall determine, in their sole discretion, the appropriate next steps pursuant to this Policy, including but not limited to:

(a) directing further investigation;

(b) referring the matter to an IRA for determination under an IRP; or

(c) closing the Report without any further action.

1.9 Investigator Involvement in Subsequent Proceedings

The Investigator may be asked to testify or provide evidence in any subsequent IRA or Appeal, if required by the IRA or Appeal Authority to clarify findings, explain the investigation process, or provide further information. In such cases, the Investigator does not advocate for any Party.