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GOVERNANCE POLICIES

ONTARIO UNIVERSITY ATHLETICS

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Policy Title	Date of Last Review	Committee Oversight
Code of Conduct and Ethics	5/10/2021	OUA Governance and Nominations Committee
Policy on Member, Administrator, Participant, and Coach Discipline	2/26/2020	OUA Governance and Nominations Committee
Appeal Policy	2/26/2020	OUA Governance and Nominations Committee
Whistleblower Policy	2/26/2020	OUA Governance and Nominations Committee
Social Media Policy	2/26/2020	OUA Governance and Nominations Committee
Equity, Diversity, and Inclusion Policy	6/8/2021	OUA Governance and Nominations Committee
Privacy Policy	7/29/2020	OUA Governance and Nominations Committee
New Member Application Policy	7/29/2020	OUA Governance and Nominations Committee
Alternate Competition Policy	7/20/2021	OUA Governance and Nominations Committee
Equity, Diversity, and Inclusion Training & Education Policy	5/26/2022	OUA Governance and Nominations Committee

Separate Documents

Policy Title	Date of Last Review	Committee Oversight
Human Resources Manual		OUA Executive and HR Committee
Health and Safety Manual		OUA Executive and HR Committee
Workplace Harassment Policy		OUA Executive and HR Committee
Finance Policies		OUA Finance Committee

Code of Conduct and Ethics

Introduction

Ontario University Athletics is a member-based association that oversees the organization of university athletics in Ontario.

Mission

OUA's mission is developing student-athletes through academics and athletics to achieve excellence in life.

Vision

To be the Preeminent University Sport Conference in Canada

Values

- *Student-Athlete Experience*
  - As an integral part of our Members' academic mission we foster a learning environment where student-athletes can succeed in academics, athletics and community leadership
- *Pursuit of Excellence*
  - We pursue excellence in all that we do: striving for high standards, level of competition and innovation
- *Integrity*
  - We value and promote honest and ethical behaviour
- *Engagement and Collaboration*
  - Our strategic relationships provide value to student-athletes, member institutions, fans, partners, and other stakeholders
- *Inclusivity and Respect*
  - We honour and value each other in our diversity and respect the difference of member institutions in the pursuit of the common vision of OUA
- *Passionate and Positive*
  - We are passionate about our student-athletes and as a conference, strive to create positive lifetime experiences for all those involved
- *Transparency and Accountability*
  - We believe in effective communications and efficiently and effectively utilizing OUA's resources

Membership in the OUA, and participation in OUA events, competitions, sports and programs, as well as OUA-authorized participation in events of other entities (hereafter referred to as "OUA Activities"), brings with it many benefits and privileges that are balanced by Member, Participant and Coach responsibilities, obligations, and standards for behaviour.

Definitions

1. The following terms have these meanings in this Code:
    a. *"Member"* – Refers to an institution accepted as a member of the OUA. OUA defines Members as institutions that are members of the Council of Ontario Universities and which offer athletic programs. The OUA Bylaws also include within the definition of Members those institutions that or organizations that have playing privileges in OUA or those that participate in OUA interlocking league play
    b. *"Participant"* – refers to student-athletes and administrative support staff who participate in or support OUA activities. This group may include but is not limited to student-athletes, athletic trainers, event staff, officials, minor game officials, team support staff, institutional staff including athletic directors who support any OUA event program or service. The definition of Participants also includes all OUA staff, committee members, Directors and any individuals working on behalf of the OUA.
    c. *"Coach"* – Any individual who coaches student-athletes within an OUA member institution's athletic program in any capacity, including paid, full-time, part-time or volunteer/unpaid.
    d. *"Administrators"* – refers to the individuals responsible for day-to-day operations of a member institution's athletic programs.
    e. *"OUA Activity"* – OUA Activity includes participation in OUA events, competitions, sports and programs, as well as OUA-authorized participation in events.

Purpose

2. To provide the broad principles and values to which OUA Members, Participants, Coaches and Administrators are expected to comply.

3. To reinforce the principle that being a Member, Administrator, Participant or Coach in OUA brings responsibility, accountability, and consequences for breaches of expected levels of conduct.

4. To ensure the creation of a safe and positive environment within all OUA activities, programs, and events by ensuring that Members, Administrators, Participants and Coaches are aware that there is an expectation of appropriate behaviour.

5. To ensure that OUA, all Members, Administrators, Participants and Coaches are committed to providing an environment in which all individuals are treated with respect.

Application of the Code

6. This Code is applicable to all Members, Administrators, Participants and Coaches who undertake OUA related business, participate in OUA sanctioned games or events, participate in OUA Activities, and/or engage in behaviour that impacts the reputation of the OUA or interactions between member institutions.

7. This Code consists of statements prescribing the minimum standards of behaviour to be observed by all Members, Administrations, Participants and Coaches in the spirit and not merely the word of the present Code.

8. This Code may apply to conduct that occurs outside of OUA Activities when such conduct adversely affects relationships within OUA and its work within the broader sport, academic, media and business environment and which may be detrimental to the image and reputation of the OUA.

9. Nothing in this Code is meant to replace and/or negate a Member's specific code and/or standard of behaviour. Nor is this Code intended to interfere with the authority of Members to manage conduct within the scope of their athletic program when such conduct does not impact other Members or OUA. However, OUA reserves the right to determine if the conduct of any Member, Administrator, Participant or Coach has a material impact on other Members or has an impact on the reputation or image of the OUA. If it is determined that an incident does meet this criteria, it may be reviewed pursuant to OUA policies and , irrespective of a Member's policies, procedures or disciplinary response to the conduct.

10. Each Member's Athletic Director (or designated equivalent position) shall be the individual with primary responsibility for their own conduct and the conduct of all Administrators, Participants and Coaches within their member institution. This individual is expected to abide by and impose the appropriate provisions of this Code when necessary.

11. All Members, Participants, Coaches, and Administrators agree to the provisions of this Code as described below.

General Expected Standards of Conduct

12. OUA Members, Administrators, Participants and Coaches shall conduct themselves in a manner that is consistent with the principles, values and ethical standards described in the Code. Those who fail to meet this standard shall be subject to sanctions as per the OUA Policy on Member, Administration, Participant and Coach Discipline and identified within that Policy.

13. OUA principles, that guide the day-to-day activities of the organization, are aligned with the values of the Members. All Members, Administrators, Participants and Coaches are expected to abide by as the following standards of conduct:
    a. Refrain from any conduct defined as Prohibited Behaviour (section 19 of this Code)
    b. Maintain and enhance the dignity and self-esteem of all individuals associated with OUA by:
        i. Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, age, ancestry, colour, race, gender identity, gender expression, sex, or sexual orientation
        ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, officials, coaches, Members, organizers, volunteers, staff, or fans.
        iii. Consistently demonstrating a spirit of fair play, sport leadership and ethical conduct including a commitment to drug free and ethical sport.
        iv. Acting, when appropriate, to correct practices that are unjustly discriminatory.
        v. Consistently treating individuals fairly and reasonably.
        vi. Ensuring that the rules of sport, and the spirit of such rules, are adhered to including all recruiting, eligibility, financial awards, sport specific rules, and any other applicable rules and regulations as decided and agreed upon by the Members of the OUA.
    c. Respect the property of others and not willfully cause damage.
    d. Comply with any OUA imposed sanctions.
    e. Use social media responsibly and strategically, modelling appropriate behaviour expected of representatives of the OUA.
    f. Adhere to all federal, provincial, municipal and host country laws.

Member Institutions

14. In addition to section 1, member institutions and their designated representative will:
    a. Comply at all times with the By-Laws, policies, rules, and regulations of the OUA, as adopted and amended from time to time.
    b. Ensure that all Athletes and coaches participating in sanctioned competitions and events of the Organization are registered and in good standing

c. Advise OUA immediately of any situation where a student-athlete or coach has publicized a complaint in the media
d. Where possible, provide OUA with a copy of all decisions about student-athletes or coaches that are rendered pursuant to the member institution's policies for complaints and appeals
e. Comply with any OUA imposed sanctions

Board / Committee Members and Staff

15. In addition to section 1, members of the Board, Committees, Council and OUA Staff will:
    a. Function primarily as a member of the Board, Council, Committee or Staff of the OUA, as applicable, and not as a member of any other organizations or constituency.
    b. Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of OUA
    c. Ensure that the financial affairs of OUA are conducted in a responsive and transparent manner with due regard for their fiduciary responsibilities.
    d. Conduct themselves openly, professionally, lawfully and in good faith in the best interest of OUA
    e. Be independent and impartial and not be influence by self-interest, outside pressure, expectation of reward of fear of criticism
    f. Behave with decorum appropriate to both circumstance and position and to be fair, equitable, considerate and honest in all dealings with others
    g. Exercise the degree of care, diligence and skill required in the performance of their duties pursuant to the law under which OUA operates and is incorporated
    h. Respect the confidentiality appropriate to issues of a sensitive nature
    i. Ensure that all individuals are given sufficient opportunity to express opinions, and that all opinions are given due considerations and weight
    j. Respect the decisions of the majority
    k. Commit the time to attend meetings and to be diligent in preparation for, and participation in, discussion at such meetings
    l. Have a thorough knowledge and understanding of all OUA governance documents
    m. Conform to the bylaws and policies approved by the OUA, in particular this Code of Conduct and Ethics as well as policies on conflict of interest and confidentially

Coaches and Coaching Staff

16. In addition to section 1, Coaches have additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the academic, athletic, and personal development of student-athletes. 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. It is expected that coaches will always display high personal standards and act with integrity towards their student-athletes, fellow coaches, administrators, officials, parents/families, spectators, the public, media, and themselves.

17. Coaches will:
    a. Be concerned primarily with the well-being, safety, protection, and future of the student-athlete. There must be a balance between the development of performance and the social, emotional, intellectual, and physical needs of the individual
    b. Avoid compromising the present and future health of student-athletes by cooperating with sport medicine professionals during the diagnosis, treatment, and management of student-athlete's medical and psychological treatments
    c. Not engage in sexual relationships with a student-athlete under 18 years of age, or an intimate or sexual relationship with a student - athlete over the age of 18.
    d. Actively discourage the use of drugs (other than those medically prescribed), performance enhancing substances alcohol, cannabis and/or tobacco
    e. Respect all medical processes including return to learn/play as determined by their respective university medical professionals.
    f. Be responsible for setting and monitoring the boundaries between a working relationship and friendship with their student-athletes. Coaches must realize that certain situations or friendly words and actions could be misinterpreted, not only by the student-athlete, but also by outsiders (or other members of a team or group of student-athletes) motivated by jealousy, dislike or mistrust, and could lead to allegations of misconduct or impropriety.
    g. Communicate and co-operate with other coaches, officials, and allied professionals in the best interests of their student-athletes.
    h. Encourage student-athletes to participate within the rules of their sport. Coaches should actively seek to discourage and condemn such action and encourage student-athletes to obey the spirit of the rules.
    i. Treat opponents with due respect, both in victory and defeat, and encourage their student-athletes to act in a similar manner. A key role for a coach is to prepare student-athletes to respond to success and failure in a dignified manner.
    j. Accept responsibility for the conduct of their student-athletes and discourage inappropriate behaviour in training, competition, and away from the sporting arena.
    k. Accept the role of officials in ensuring that competitions are conducted fairly and according to establish rules.

l. Demonstrate proper decorum at all times towards officials and opposing teams, refraining from use of profane language or verbal harassment and personal attacks on officials and other coaches.
m. Accept responsibility for their own conduct and engage in supporting an ethical workplace and profession at all time while carrying out their duties as an OUA coach.
n. The coach is privileged to have regular contact with student-athletes. A coach must not attempt to exert undue influence over the student-athlete in order to obtain personal benefit or reward.
o. Coaches will take all reasonable steps to ensure a safe environment and protect student-athletes from any form of maltreatment.
p. Coaches will speak positively about other institutions and the league within all recruiting processes.
q. Coaches will abide by all recruiting, eligibility and financial awards rules, processes, and policies, and will not misrepresent or offer inducements to recruits which fall outside of allowable OUA and U SPORTS parameters.

Student-Athletes

18. In addition to section 1, student-athletes will have additional responsibilities to:
    a. Report any medical problems in a timely manner and seek professional medical attention within the policies and guidelines of their respective member institution.
    b. Properly represent themselves and be truthful regarding all eligibility matters and adherence to all OUA policies.
    c. Comply at all times with CCES policies.
    d. Never ridicule a teammate or opponent.
    e. Conduct themselves with the upmost decorum and avoid use of foul language, gestures or comments towards other student-athletes, coaches, officials, spectators or support staff.

Prohibited Behaviour

19. The following behaviours are expressly prohibited.
    a. ***Discrimination*** or ***Discriminatory Practice*** – means any form of unequal treatment based on human rights legislation grounds, whether imposing extra burdens or denying benefits. Protected grounds under the Ontario Human Rights Code include: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, and disability. Discrimination may be intentional or unintentional. It may also be direct or indirect, such that it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people.

b. ***Harassment*** – as defined in the Ontario *Human Rights Code*, means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Behaviour giving rise to a complaint of harassment does not need to be intentional in order to be considered harassment. The key factor is how the recipient reasonably perceives the behaviour. Harassment can constitute a discriminatory practice where the objectionable conduct or comment relates to a ground protected under applicable human rights law. Types of behaviour that constitute harassment include but are not limited to:
    i. Written verbal abuse, threats or outbursts or persistent arguing.
    ii. The display of visual material which is offensive or which one ought to know is offensive
    iii. Persistent unwelcome or objectional remarks, jokes, comments, innuendo, or taunts
    ~~iv.~~ Racial and/or gender-based harassment, which can include slurs, jokes, name calling, offensive nicknames, or insulting behaviour or language that reinforces stereotypes or discounts abilities because of one's gender, race, ethnic origin, or any other prohibited ground of discrimination
    v. Leering or other suggestive or obscene gestures
    vi. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
    vii. Practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance
    viii. Any form of hazing where hazing is defined as "*Any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking athlete by a more senior teammate which does not contribute to either athlete's positive development but is required to be accepted as part of a team, regardless of the junior-ranking athlete's willingness to participate. This includes but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate based on class, number of years on the team, or athletic ability.*"
    ix. Physical assault
    x. Contributing to a poisoned sport environment, which can include:
        1. Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons)
        2. Groups where harassing behaviour is part of the normal course of activities
        3. Behaviour that causes embarrassment, awkwardness, endangers a person's safety or negatively affects performance

xi. Behaviours such as those described above that are not directed towards a specific individual or group, but have the same effect of creating a negative or hostile environment
xii. Retaliation or threats of retaliation against an individual or member who reports harassment to OUA

c. Refrain from behaviour that constitutes **sexual harassment** including behaviour that a reasonable person ought to know constitutes sexual harassment, where sexual harassment is defined as unwelcomed sexual comments and sexual advances, requests for sexual favours, or conduct of sexual nature. Types of behaviour that constitute sexual harassment include, but are not limited to:
   i. Sexist jokes
   ii. Threats, punishment, or denial of a benefit for refusing a sexual advance
   iii. Offering a benefit in exchange for a sexual favour
   iv. Displays of sexual offensive material
   v. Sexually degrading words used to describe a person
   vi. Unwanted physical contact including, but not limited to, touching, petting, pinching or kissing
   vii. Unwelcomed sexual flirtations, advances, requests or invitations
   viii. Inquiries or comments about a person's sex life, gender identity, or physical appearance
   ix. Persistent unwanted contact
   x. Persistent, unwanted attention after a consensual relationship ends
   xi. Persistent unwelcome sexual flirtations, advances, comments or propositions
   xii. Sexual assault
d. *Maltreatment*" – A volitional act that results in harm or the potential for physical or psychological harm, and includes any of the following behaviours or conduct:
   i. Psychological Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of an individual. Psychological Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes:
      1. Verbal Acts: verbally assaulting or attacking an individual, including but not limited to unwarranted personal criticisms; body shaming; derogatory comments related to an individual's identity (e.g., race, gender identity or expression, ethnicity, Indigenous status, or ability/disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about an Individual to diminish their

reputation; using confidential sport and non-sport information inappropriately. Verbal Maltreatment may also occur in online forms.

2. Non-assaultive Physical Acts (no physical contact): physically aggressive behaviours, including but not limited to throwing objects at or in the presence of others without striking another; hitting, striking, or punching objects in the presence of others.
3. Acts that Deny Attention or Support: acts of commission that deny attention, lack of support or isolation including but not limited to ignoring psychological needs or socially isolating an individual repeatedly or for an extended period of time; abandonment of an Athlete as punishment for poor performance; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same.

ii. Physical Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of an Individual. Physical Maltreatment is determined by the objective behaviour, and not whether harm is intended or results from the behaviour. It includes, without limitation:

1. Contact behaviours: including but not limited to deliberately punching, kicking, beating, biting, striking, strangling, or slapping another; deliberately hitting another with objects.
2. Non-contact behaviours: including but not limited to isolating an Individual in a confined space; forcing an Individual to assume a painful stance or position for no athletic purpose (e.g., requiring an athlete to kneel on a hard surface); the use of exercise for the purposes of punishment; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; denying access to a toilet; providing alcohol to an individual under the legal drinking age; providing illegal drugs or non-prescribed medications to an Individual; encouraging or knowingly permitting an athlete to return to play prematurely following any injury or after a concussion and without the clearance of a medical professional; encouraging an athlete to perform a skill for which they are known to not be developmentally ready.

iii. Sexual Maltreatment, including, but not limited to, any act targeting an Individual's sexuality, gender identity or expression, that is committed, threatened or attempted against that person, and includes but is not limited to the Criminal Code offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching,

indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Examples of Sexual Maltreatment include, but are not limited to:

1. Any penetration of any part of a person's body, however slight, with any object or body part by a person upon another person, including but not limited to:
    a. vaginal penetration by a penis, object, tongue, or finger; and
    b. anal penetration by a penis, object, tongue, or finger.
2. Any intentional touching of a sexual nature of any part of a person's body, however slight, with any object or body part by a person upon another person, including but not limited to:
    a. kissing;
    b. intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts;
    c. any contact, no matter how slight, between the mouth of one person and the genitalia of another person;
    d. making a person touch themselves or someone else with or on any of the body parts listed in 2); and
    e. any intentional touching in a sexualized manner.

iv. Neglect: any pattern or a single serious incident of lack of reasonable care, inattention to an individual's needs, nurturing or well-being, or omissions in care. Neglect is determined by the objective behaviour but the behaviour must be evaluated with consideration given to the individual's needs and requirements, not whether harm is intended or results from the behaviour. Neglect, or acts of omission, include without limitation, not providing an athlete recovery time and/or treatment for a sport injury; not being aware of and not considering an individual's physical or intellectual disability; not considering supervision of an athlete during travel, training or competition; not considering the welfare of the athlete when prescribing dieting or other weight control methods; disregarding the use of prohibited substances by an athlete; failure to ensure safety of equipment or environment; allowing an athlete to disregard sport rules, regulations, and standards, or subjecting Individuals to the risk of Maltreatment.

v. Grooming: includes, without limitation, deliberate conduct by an Individual to sexualize a relationship with a minor, and which includes making inappropriate

behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally-identified to Canadian standards (e.g., a degrading remark, a sexual joke, sexualized physical contact; adult participants sharing rooms with a minor who is not an immediate family member; providing a massage or other purported therapeutic interventions with no specific training or expertise; private social media and text communications; sharing personal photographs; shared use of locker rooms; private meetings; private travel; private social events, and providing gifts).

vi. Interference with or manipulation of process
    1. An adult individual violates the *Code of Conduct and Ethics* by directly or indirectly interfering with a process instituted pursuant to this Code or any other OUA policy by:
        a. falsifying, distorting, or misrepresenting information, the resolution process, or an outcome;
        b. destroying or concealing information;
        c. attempting to discourage an individual's proper participation in or use of OUA's processes;
        d. harassing or intimidating (verbally or physically) any person involved in OUA's processes before, during, and/or following any proceedings;
        e. publicly disclosing an individual's identifying information, without the Individual's agreement;
        f. failing to comply with any temporary or provisional measure or other final sanction;
        g. distributing or otherwise publicizing materials an individual gains access to during any investigation or hearing, except as required by law or as expressly permitted; or
        h. influencing or attempting to influence another Individual to interfere with or manipulate the process.

vii. Retaliation: An individual shall not take an adverse action against any other Individual for making a good faith report of possible Maltreatment or for participating in any process found in an OUA policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging or participating in OUA's processes. Retaliation after the conclusion of investigation and sanction processes is also prohibited. Retaliation may be present even where there is a finding that no

Maltreatment occurred. Retaliation does not include good-faith actions lawfully pursued in response to a report of possible Maltreatment.

viii. Aiding and Abetting:
    1. any act taken with the purpose of facilitating, promoting, or encouraging the commission of Maltreatment by a participant. Aiding and Abetting also includes, without limitation, knowingly:
        a. allowing any person who has been suspended or is otherwise ineligible to be in any way associated with sport or to coach or instruct individuals;
        b. providing any coaching-related advice or service to an athlete who has been suspended or is otherwise ineligible; and
        c. allowing any individual to violate the terms of their suspension or any other sanctions imposed.

ix. Failure by an adult Individual to report actual or suspected Maltreatment of a minor. This obligation is ongoing and is not satisfied by making an initial report; instead, this obligation includes reporting to OUA, on a timely basis, all relevant information that the adult participant is or becomes aware of, and requires making a direct report to OUA. Any report shall include the personally identifying information of the potential Minor complainant (to the extent known), and any such information learned at a later date.

x. Failure to report inappropriate conduct: Any individual who suspects or becomes aware of another Individual's inappropriate conduct, even if it is not defined as Maltreatment, has a duty to report such inappropriate conduct to OUA. Individuals in positions of trust and authority who become aware of another individual's inappropriate conduct have a responsibility for reporting the concern within their organization's policies and procedures.

xi. Intentionally filing a false allegation. An allegation is false if the events or conduct reported did not occur and the individual making the report knows that the events or conduct did not occur. An individual shall not be considered to have filed a false allegation in cases where the allegation cannot be substantiated by supporting evidence but was nevertheless filed in good faith

xii. ***Racial Discrimination*** – occurs when any distinction, exclusion, restriction, preference, conduct or action, whether intentional or not, based on race, colour, descent, or national or ethnic origin has the effect of imposing burdens on an individual or group not imposed upon others or which withholds or limits access to benefits available to other members of society. Racial Discrimination often occurs

because of overt prejudice or negative feelings held by someone about another person or a group. For example, discrimination including but not limited to Islamophobia, Anti-Black racism, Anti-Asian racism, Anti-Semitism. Racially discriminatory behaviour may also occur where other aspects of a person's identity or characteristics are used as a proxy for race, such as an individual or group's accent or manner of speech, name, clothing and grooming style, diet, beliefs and practices, leisure preferences, place of origin, and/or citizenship. Except in the most obvious circumstances, such as where individuals clearly intend to engage in racist behaviour, actions rather than individuals will be described as racist.

xiii. ***Racial Hatred*** *and/or* ***Racial Vilification*** – occurs when a public act inspires or provokes others to hate, have disrespect, or ruthlessly deride a person or group of people due to their perceived race, colour, nationality, ethnicity or ethno-religious or national origin. Such acts may include, for example, racist graffiti or the use of racist images and/or comments on social media.

xiv. ***Racial Profiling*** – is a form of Racial Discrimination and involves an action undertaken for reasons of safety, security or public protection that relies on stereotypes about race, colour, ethnicity, ancestry, religion, or place of origin rather than on reasonable suspicion, to single out an individual for greater scrutiny or different treatment.

xv. ***Xenophobic Behavior*** – refers to attitudes, prejudices and behavior that reject, exclude and vilify a person or group based on the perception that they are outsiders or foreigners to the community, society or national identity.

e. Abstain from the non-medical use of drugs or the use of performance enhancing drugs or methods. More specifically, OUA 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 further disciplinary action, and possible sanction, pursuant to the OUA discipline procedures. OUA will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping program imposed by any other sport organization.

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

g. Avoid consuming alcohol, tobacco and cannabis in the presence of minors and take reasonable steps to manage the responsible consumption of alcoholic beverages in adult-oriented social situations associated with the OUA. In the case of minors refrain from the consumption of alcohol and/or tobacco and/or cannabis while participating in all OUA Activities.

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

i. Refrain from any attempt to cause injury where the conduct demonstrates either deliberate intent or a careless disregard for another person's safety
j. Refrain from any public criticism (through conventional media, social media, or other communication channels) of OUA, an OUA Member or Participant, an OUA game official or the outcome of any OUA competition
k. Comply at all times with the By-Laws, policies, rules and regulations of the OUA, as adopted and amended from time to time
l. Comply with any OUA imposed sanctions
m. Refrain from any attempt, whether successful or not, to manipulate the outcome of a competition by cheating, dishonesty or accepting or offering a bribe or other inducement
n. Use social media responsibly and strategically, modelling appropriate behaviour expected of representatives of OUA
o. Adhere to all federal, provincial, municipal and host country laws
p. Refrain from negative recruiting of any form, including derogatory or critical remarks about an institution, specific programs offered at a school, coaches and administrators, or the athletic department.

Criminal Convictions

20. Consistent with the *Canadian Policy on Prohibited Conduct in Sport*, an Administrator, Participant or Coach convicted for any of the following Criminal Code offences, whenever obtained, will be deemed an automatic violation under this Policy and will result in the individual's expulsion from the OUA:
    a. Child pornography offences;
    b. Any sexual offences involving a minor;
    c. Any offence of assault involving a minor;
    d. Any offence of physical or psychological violence involving a minor; or
    e. Any offence involving trafficking of illegal drugs or substances listed on the Canadian Anti-Doping Program's Prohibited List.

21. Failure by a Member, Administrator, Participant or Coach to comply with the expected standard set out above may result in sanctions, a formal complaint, and/or a discipline process and the imposition of penalties, subject to the limitations in the ***OUA Policy on Member, Participant and Coach Discipline***.

Policy on Member, Administrator, Participant, and Coach Discipline

Definitions

1. The following terms have these meanings in this Policy:
    a. "*Member*" – Refers to a member institution. The OUA defines members as institutions who are members of the Council of Ontario Universities who offer athletic programs. The athletic director of each institution is the appointed representative of the member institution. OUA bylaws also define members as institutions who are not Members as legally defined but who have playing privileges in OUA or who participate in OUA interlocking league play
    b. "*Participant*" – refers to student-athletes and administrative support staff who participate in or support OUA activities. This group may include but is not limited to student-athletes, athletic trainers, event staff, minor game officials, institutional staff including athletic directors who support any OUA event program or service. It also includes all OUA staff, committee members, board members and any individuals working on behalf of the OUA.
    c. "*Coach*" – Any individual who coaches student-athletes within an OUA member institutions athletic program in any capacity, paid, full-time, part-time or volunteer.
    d. "*Administrator*" – refers to the individual or individuals responsible for day-to-day operations of a member institutions athletic programs.
    e. "*Panel*" – a group of appointed individuals to hear and decide cases pursuant to this Policy
    f. "*Complainant*" – The party alleging an infraction
    g. "*Respondent*" – The alleged infracting party
    h. "*Days*" – Days including holidays and weekends
    i. "*Parties*" – The Complainant, Respondent, and any other individuals, persons, or organizations affected by the complaint
    j. "*Case Manager*" – The independent individual appointed by the OUA who has the overall responsibility to implement this policy in a timely manner. The Case Manager will have responsibilities that include, but are not limited to, the decision-making authority empowered by this Policy.
    k. "*OUA Activity*" – Encompasses membership in OUA, participation in OUA events, competitions, sports and programs, as well as OUA-authorized participation in events.
    l. "*Hearing*" – The process by which members have the opportunity to know the allegations against them, address allegations, to be heard or to appeal decisions of the OUA. The hearing format may include, but is not limited to, presentation of written statements, written submissions, verbal statements or submissions, results of investigations, presentation of documentation and/or video. The hearing may take place either via

document review, telephone, video conference or in person as determined by the Panel overseeing the matter.

Purpose

2. This Policy defines the potential discipline, sanctions and procedures to apply those sanctions that may be applied to Members, Administrators, Participants and Coaches who are alleged to have violated the OUA Code of Conduct and Ethics and alleged to have engage in behaviour deemed unacceptable.

Application of this Process

3. This Policy applies to all Members, Administrators, Participants and Coaches, including but not limited to, groups and individuals participating in OUA activities as defined in the definitions.

4. This policy applies to discipline for alleged breaches of the ***OUA Code of Conduct and Ethics*** and is directed toward and effective for all Members, Administrators, Participants and Coaches who engage in behaviour that violates the ***OUA Code of Conduct and Ethics*** and impacts the reputation of the OUA or interactions between Members.

5. In all cases, conduct of an Administrator, Participant or Coach having a direct affiliation with an OUA Member will be reviewed and dealt with by that Member in accordance with their own policies and procedures for discipline in relationship to violations. For further clarity, nothing in this policy is meant to replace and/or negate a Members' specific code and/or standard of behaviour. Nor is this Policy intended to interfere with the authority of Members to manage Administrators, Participants or Coaches conduct within the scope of their athletic program when such conduct does not impact other Members or the OUA. Notwithstanding the above the OUA reserves for itself the right to determine that the conduct of any Participant or Coach has a material impact on other Members or has an impact on the reputation or image of the OUA. The OUA may be review such conduct using this Policy, irrespective of a Member's policies, procedures or disciplinary response to the conduct.

6. By virtue of participation in the OUA all parties and institutions defined in this policy agree to respect and follow all processes and any resulting sanctions outlined in this policy.

7. Conduct violations and complaints may be initiated by the following;
    a. **Member Driven** – Upon receipt of a written complaint from a Member, or self-disclosure in writing from a Member.

b. **Office Driven -** Incidents or complaints brought to the attention of the OUA or initiated by the OUA office.

General

8. This Policy does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviour that constitutes an infraction. Further sanctions may be applied in accordance with the procedures set out in this Policy.

9. Any conduct violations or complaints occurring within competition will first be assessed in accordance with specific sport discipline policies or, where applicable, the ***OUA In-Game Video Review Policy*** if appropriate.

10. As a matter of policy, the OUA will recognize any penalties imposed on a Member, Administrator, Participant or Coach by a provincial, territorial or national sport governing body.

Reporting a Member-Driven Conduct Violation

11. A Member institution through its Director of Athletics or the OUA office may submit a written complaint to the OUA Director of Sport outlining an alleged violation of the OUA Code of Conduct and Ethics. Where the alleged violation occurred during the course of an athletic competition, the complaint must be made within 72 hours of the conclusion of the competition. Where the alleged violation did not occur during competition, the complaint must be made within seven (7) days of the discovery of the alleged violation.

12. A Complainant wishing to file a complaint beyond the filing deadline must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the notice of complaint outside the filing deadline will be at the sole discretion of the Director of Sport. This decision may not be appealed.

13. All conduct complaints must be in writing and must contain:
    a. particulars of the date and location of the alleged violation;
    b. the specific policy, rule or regulation that was allegedly violated;
    c. a concise statement of the facts and circumstances of the alleged violation;
    d. if available, any video evidence, witness statements, security reports, or relevant documentation
    e. the name; contact information; and signature of the Director of Athletics or OUA representative filing the complaint.

14. Complaints may also be initiated through self-disclosure, where a Member voluntarily discloses a violation that they have committed, either deliberately or inadvertently or by the OUA office directly.

Complaint Administration

15. The OUA Director of Sport will determine the admissibility of the complaint and either:
    a. Dismiss the complaint based on lack of evidence, failing to abide by procedural directions provided, or has determined that the complaint is frivolous in nature
    b. If the complaint does not fall within the jurisdiction of this Policy, the Director of Sport will refer it to the appropriate body having jurisdiction
    c. Determine that the complaint has merit and proceed to begin application of this policy.

16. The OUA Director of Sport may exercise one of the following options in seeking resolution to a complaint with merit:
    a. Informal resolution
    b. Mediation
    c. Formal Discipline Process, or
    d. Determine that an alleged violation is of such seriousness as to warrant a hearing to request immediate removal of the Member, Administrator, Participant or the Coach from OUA Activities, pending investigation; a hearing and a disciplinary decision; or to order an expedited discipline process. In this case, the OUA Director of Sport will consult with the OUA CEO (unless in conflict, in this case they would consult with a member of the OUA Directors Advisory Committee) to determine whether the matter is of such a serious nature to warrant such action.

17. If a Member or Respondent within the OUA pursue legal avenues to resolve the matter prior to exhausting all internal remedies available, that Member or Respondent will be responsible to cover all legal costs of the OUA in response to the matter regardless of the outcome.

Informal Resolution

18. The OUA Director of Sport has the authority to attempt to resolve the matter informally.

19. Cases resolved through informal resolution are binding and may not be appealed or subsequently re-submitted as a complaint under this policy.

Mediation

20. The OUA Director of Sport has the authority to enter into mediation to resolve the matter on behalf of the OUA.
    a. Both parties must agree to engage external mediation to settle the matter.
    b. Cases resolved through mediation are binding and may not be appealed or subsequently re-submitted as a complaint under this Policy
    c. The Respondent associated with the Member, or the Member, will be required to pay the cost of mediation.

21. In both an informal process and mediation, the OUA Director of Sport can immediately direct the matter immediately to a Formal Discipline Process if it becomes apparent that no resolution is possible or the evidence as it unfolds supports moving to a formal process.

Formal Discipline Process

22. In cases that proceed to a formal discipline process the OUA Director of Sport has authority to:
    a. Appoint a Discipline Panel;
    b. Appoint a Case Manager to oversee management and administration of a complaint submitted in accordance with this Policy;
    c. In consultation with the Panel and the parties involved determine the timelines in which the case will be heard.

23. The appointment of the Case Manager is not appealable.

24. The Case Manager has a responsibility to:
    a. In consultation with the parties determine the format of the hearing;
    b. Provide administrative assistance and logistical support to the Panel as required;
    c. Provide any other service or support that may be necessary to ensure a fair and timely proceeding

Formal Discipline Hearing Procedure

25. The Director of Sport will:
    a. Notify the parties that the complaint is legitimate, and the incident will proceed to a hearing.
    b. Establish a Discipline Panel
    c. Depending on the circumstances of the complaint, the Director of Sport may authorize an investigation into the alleged violation by an independent entity. Such an investigation will

be carried out in a timely manner. A copy of the investigative report will be shared with the Discipline Panel and the Parties.

26. The Case Manager will consult with the parties to decide the procedure and format under which the complaint will be heard. Once a format is agreed to it may not be appealed.

27. All Discipline Panel members must be free from conflict of interest and may not have any affiliation with any of the parties involved or their respective institutions and will sign a declaration to that effect.

28. If the Respondent acknowledges the facts of the incident, they may waive the hearing, in which case the Panel will determine the appropriate disciplinary sanction, if any.

29. As determined by the Case Manager and agreed to by the parties the hearing may involve an oral hearing in person, an oral hearing via telephone conference, a hearing based on written submissions, or a combination of these methods.

30. The Member against whom the complaint is made will be given reasonable notice of the agreed format as well as day, time and place of the hearing; will receive a copy of the Investigation Report if an investigation was carried out; may be accompanied by a representative; and will have the right to present evidence and argument before the Discipline Panel.

31. Member institutions are responsible for ensuring that any Respondent from their institution is informed of the allegations, the proceedings of the case and overseeing their participation.

32. If the respondent chooses not to participate in the hearing, the hearing will proceed in any event.

33. The Complainant must participate in the disciplinary process to present the complaint. The Director of Sport will participate in the disciplinary process as an observer and to provide context and information as requested by the Discipline Panel.

34. In fulfilling its duties, the Discipline Panel may obtain independent advice.

35. The sanctions applied through this process are appealable pursuant to the ***OUA Appeal Policy***.

Decision

36. After hearing the matter, the Discipline Panel will reach a decision as to whether a violation has occurred. If a violation has occurred, the Discipline Panel has the authority to impose sanctions.

37. The Discipline Panel will issue a written decision within ten (10) days of the conclusion of the hearing. The written decision with rationale, will be distributed to all parties, the CEO and the Board Chair of the OUA. In extraordinary circumstances, the panel may first issue a verbal or summary decision soon after the conclusion of the hearing, with the full written decision to be issued before the end of the ten (10) day period.

Disciplinary Sanctions for Violations

38. The following are examples of disciplinary penalties that may be applied, singularly or in combination:
    a. Reprimand or warning;
    b. Requirement of written apology or apologies;
    c. Ineligibility for competition within OUA for a specified period of time;
    d. Ineligibility for OUA playoffs or national competition;
    e. Ineligibility for appearance in any televised competitions;
    f. Probation for a period not exceeding two years during which time the Member may continue to participate in OUA Activities but subject to restrictions as determined by the Discipline Panel;
    g. Suspension from participation in all competition, or from participation in a particular sport or sports, for a period not exceeding two years;
    h. Forfeiture of all competitions played in the sport in which the violation occurred, for the season in which the violation occurred;
    i. Forfeiture of all competitions played by all sports occurring during the season in which the violation occurred;
    j. Levying of a financial penalty;
    k. Requirement to make restitution for any damage caused;
    l. Requirement for prescribed written undertakings;
    m. Requirement that the Member undertake any Policy or procedural changes to minimize the chance of future violations;
    n. Levying of costs of the hearing against a party, as determined by the Discipline Panel;
    o. Other penalties as may be considered appropriate by the Discipline Panel.

p. Suspension from further participation in any or all OUA Activities, including OUA committees, for a fixed or indefinite period of time, with or without conditions for reinstatement;
q. Rescinding any OUA award, record or title given to the Participant;
r. Other penalties as may be considered appropriate by the Discipline Panel, including any penalties formally prescribed in an OUA-approved "sanction chart or grid" for a particular sport.

39. In all cases, the Discipline Panel will determine a penalty that is proportional to the severity of the violation and may consider relevant aggravating and mitigating factors.

40. The Discipline Panel may take into consideration any penalty that a Member may have also imposed on the Respondent.

41. The OUA will maintain a register of penalties to assist the Discipline Panel in determining appropriate penalties suitable to the circumstances.

42. Unless the Discipline Panel determines otherwise, all penalties will take immediate effect.

43. Failure to comply with a penalty will result in immediate suspension from participation in all OUA Activities, until such time as compliance occurs.

44. In all cases where the Respondent is found in violation, the entire cost of the discipline process will be borne by the Respondent and the member institution.

Confidentiality

45. The discipline process for alleged Violations is confidential involving only the Parties, the Discipline Panel, the Investigator (if an Investigation was carried out), the Case Manager (if one was appointed), and the OUA CEO, Director of Sport (or designate). Once initiated and until a written decision is released, the parties will not disclose information relating to the complaint to any person not involved in the disciplinary proceedings. However, the decision of the Discipline Panel will be a matter of public record, unless the Discipline Panel orders otherwise.

46. This confidentiality provision does not apply if OUA is required by law, or by the provisions of the Canadian Anti-Doping Program, to disclose information about the complaint.

Appeals

47. Appeals of decisions rendered under this Policy may be dealt pursuant to the ***OUA Appeal Policy***, except where OUA has formally approved a "sanction chart or grid" for a particular sport that is intended to be binding upon Members, Administrations, Participants and Coaches and not subject to appeal.

Appeal Policy

Definitions

1. The following terms have these meanings in this Policy:
    a. "Member" – Refers to a member institution. The OUA defines members as institutions who are members of the Council of Ontario Universities who offer athletic programs. The athletic director of each institution is the appointed representative of the member institution. OUA bylaws also define members as institutions who are not Members as legally defined but who have playing privileges in OUA or who participate in OUA interlocking league play
    b. "*Participant*" – refers to student-athletes and administrative support staff who participate in or support OUA activities. This group may include but is not limited to student-athletes, athletic trainers, event staff, minor game officials, institutional staff including athletic directors who support any OUA event program or service. It also includes all OUA staff, committee members, board members and any individuals working on behalf of the OUA.
    c. "*Coach*" – Any individual who coaches student-athletes within an OUA member institutions athletic program in any capacity, paid, full-time, part-time or volunteer.
    d. "*Administrator*" – refers to the individual or individuals responsible for day-to-day operations of a member institutions athletic programs.
    e. "*Panel*" – a group of appointed individuals to hear and decide cases pursuant to this Policy
    f. "*Appellant*" – The party appealing a decision
    g. "*Respondent*" – The party that made the original decision
    h. "*Days*" – Days including of holidays and weekends
    i. "*Parties*" – The Appellant, Respondent, and any other individuals, persons, or organizations affected by the appeal
    j. "*Case Manager*" – The independent individual appointed by the OUA who has the overall responsibility to implement this policy in a timely manner. The Case Manager will have responsibilities that include, but are not limited to, the decision-making authority empowered by this Policy.
    k. "*OUA Activity*" – Encompasses membership in OUA, participation in OUA events, competitions, sports and programs, as well as OUA-authorized participation in events.
    l. "*Independent Administrator*" – an individual assigned by the OUA Director of Sport to determine the validity of an appeal.
    m. "*Hearing*" – The process by which members have the opportunity to know the allegations against them, address allegations, to be heard or to appeal decisions of the OUA. The hearing format may include, but is not limited to, presentation of written statements, written submissions, verbal statements or submissions, results of investigations,

presentation of documentation and/or video. The hearing may take place either via document review, telephone, video conference or in person as determined by the Panel and/or Independent Administrator overseeing the matter.

Application

2. This Policy applies to decisions made by OUA, by committees of OUA, and by representatives who are delegated authority to make decisions on behalf of OUA.

3. This Policy will apply to decisions regarding eligibility, the allocation of competitive opportunities, disciplinary penalties imposed, and similar matters arising from decisions made by OUA, its committees or its representatives to grant or revoke the benefits and privileges of OUA membership.

4. For further clarity, this Policy will not apply to:
    a. Decisions made by Member institutions;
    b. Decisions made by organizations external to OUA;
    c. Decisions relating to the technical rules of OUA sports and the interpretation of those rules made by the OUA Director of Sport or designate during the course of a competition;
    d. Decisions relating to penalties for doping offences which are imposed under the rules of the Canadian Anti-Doping Program;
    e. Decisions about operational structure, staffing or employment within OUA;
    f. Decisions about allocation of volunteer appointments within OUA;
    g. Decisions on budgets or budget implementation within OUA;
    h. Decisions which are within the jurisdiction of the general membership of OUA to decide;
    i. Eligibility appeals in sports within U Sports jurisdiction for which there is a national championship, in which case such appeals will be heard by U Sports; and
    j. Decisions of a commercial nature for which another dispute resolution process exists under a contract or applicable law.

5. OUA will appoint an Independent Administrator to evaluate the validity of an appeal under this Policy. The Independent Administrator has an overall responsibility to:
    a. Determine if appeals lie within the jurisdiction of this Policy;
    b. Determine if appeals are brought in a timely manner;
    c. Determine if appeals are brought on permissible grounds

6. The OUA Director of Sport or delegate has the authority to:

a. Appoint a Panel to hear and decide the appeal
b. Appoint a Case Manager to oversee management and administration of an appeal submitted in accordance with this Policy.
c. In consultation with the Panel and the parties involved determine the timelines in which the case will be heard.

7. The appointment of the Case Manager is not appealable.

8. The Case Manager has authority to;
    a. In consultation with the parties determine the format of the hearing;
    b. Determine if there are other affected parties who should participate in the appeal;
    c. Coordinate all administrative and procedural aspects of the appeal, including timelines;
    d. Provide administrative assistance and logistical support to the Panel as required; and
    e. Provide any other service or support that may be necessary to ensure a fair and timely appeal proceeding.

9. Members who wish to appeal under this Policy will submit a written Notice of Appeal to the CEO of OUA indicating their intention to appeal, their contact information, the reasons and grounds for the appeal, a summary of evidence to support the appeal, and the remedy requested, signed by the institutions Director of Athletics. This Notice must be submitted within seven (7) days of OUA issuing the decision that is being appealed.

10. Administrations, Participants and Coaches may appeal a decision but only with the approval of the member institution that they represent and the signature of the Director of Athletics. In this case the member institution will be the lead Appellant and the Administration, Participant or Coach will work through the member institution to appeal the matter.

11. Unless otherwise stated, decisions may only be appealed on procedural grounds, which are limited to OUA, its committees or its representatives:
    a. Making a decision for which they did not have authority or jurisdiction as set out in OUA's governing documents;
    b. Failing to follow procedures laid out in OUA's approved policies; or
    c. Making a decision that was influenced by bias.

12. Notwithstanding Section 11, all appeals of decisions of the OUA Eligibility Review Officer will be heard, provided they are brought in a timely manner, irrespective of whether or not such appeals satisfy procedural grounds.

13. As per the OUA Fee Schedule, the appropriate appeal fee, payable to OUA, must accompany all appeals. This fee is non-refundable.

14. Except in the case of appeals of decisions of the OUA Eligibility Review Officer (all of which will be heard irrespective of a consideration of procedural grounds provided they are brought in a timely manner), the Independent Administrator will review the Notice of Appeal and will determine if the appeal falls within the jurisdiction of this Policy, is brought in a timely manner, and satisfies procedural grounds. If the Independent Administrator is satisfied that the appeal may not proceed as it is not under this Policy's jurisdiction, is not timely, or is without grounds, the parties will be notified in writing, stating reasons.
    a. If the Independent Administrator is satisfied that the appeal may proceed, the Independent Administrator will notify the OUA Director of Sport.

15. The OUA Director of Sport or designate will then:
    a. Notify the parties that the appeal is legitimate, and will proceed to a hearing
    b. Appoint a Panel to hear the appeal.
    c. Appoint a Case Manager to oversee the administration of the process
    d. Consult with the parties to obtain agreement on timelines to hear the case.

16. The parties in the appeal are the Appellant and the Respondent (OUA). If the decision in the appeal may affect another party to the extent that the other party would have recourse to its own appeal under this Policy, that party will become a party to the appeal in question, will participate in the appeal, and will be bound by its outcome. The Case Manager and the Panel may request assistance from OUA representatives to identify potentially affected parties.

17. The hearing will be governed by the procedures that the Case Manager and the Panel deem appropriate in the circumstances. These procedures will be conveyed to the parties. The Panel will have authority to rule in the event of any dispute about the procedures.

18. After the Hearing, the Panel will issue a written decision with reasons. The Panel may decide:
    a. To reject the appeal and confirm the decision being appealed; or

b. To uphold the appeal, identify the error and refer the matter back to OUA, its committee or its representative to decide again with the error corrected; or
c. To uphold the appeal and vary the decision but only where the Panel has determined that the error or errors cannot be corrected by OUA, its committee or its representative due to lack of clear procedures, lack of time, or lack of neutrality; or,
d. In the case of an appeal of a decision of the OUA Eligibility Review Officer, to decide the appeal on the basis of technical or compassionate considerations, where compassionate considerations may take precedence over a strict interpretation of the technical rules governing eligibility.

19. The Appellant whose appeal is unsuccessful is responsible for all costs associated with the appeal.

20. The written decision of the Panel will be distributed to the parties in the appeal, the OUA CEO and to the Board Chair of OUA. Where time is of the essence, the Panel may issue a verbal decision or a summary written decision, with written reasons to follow in a timely manner.

21. The appeal process is confidential involving only the OUA, CEO, OUA Director of Sport, the parties, the Case Manager and the Panel. Once initiated and until a written decision is released, the parties will not disclose confidential information relating to the appeal to any person not involved in the appeal process. The decision of the Panel will be a matter of public record and will be distributed to all Members of OUA, unless the Panel orders otherwise.

22. The decision of the Case Manager rendered under Section 14, and the decision of the Panel rendered under Section 19, will be final and binding upon the parties and not subject to any further review.

Whistleblower Policy

Definitions

1. The following terms have these meanings in this Policy:
    a. *"Director"* – An individual appointed or elected to OUA's Board of Directors
    b. *"Worker"* – An individual who has signed an Employment Agreement or Contractor Agreement with OUA

Purpose

2. The purpose of this Policy is to allow Workers to have a discrete and safe procedure by which they can disclose incidents of wrongdoing in the workplace without fear of unfair treatment or reprisal.

Application

3. This Policy only applies to Workers who observe or experience incidents of wrongdoing committed by Directors or by other Workers.

4. Incidents of wrongdoing or misconduct observed or experienced by participants, volunteers, spectators, parents of participants, or other individuals not employed or contracted by OUA can be reported under the terms of OUA's ***Policy on Member, Administrator, Participant, and Coach Discipline*** and/or reported to OUA's CEO to be handled under the terms of the individual Worker's Employment Agreement or Contractor Agreement, as applicable, and/or OUA's policies for human resources.

5. Matters reported under the terms of this Policy may be referred to be heard under OUA's ***Policy on Member, Administrator, Participant, and Coach Discipline***, at the discretion of the Compliance Officer.

Wrongdoing

6. Wrongdoing can be defined as:
    a. Violating the law;
    b. Intentionally or seriously breaching of OUA's ***Code of Conduct and Ethics***;
    c. Intentionally or seriously breaching OUA's policies for workplace violence and harassment;
    d. Committing or ignoring risks to the life, health, or safety of a participant, volunteer, Worker, or other individual;
    e. Directing an individual or Worker to commit a crime, serious breach of a policy of OUA, or other wrongful act; or
    f. Fraud.

Pledge

7. OUA pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any Worker who discloses information or submits, in good faith, a report against a Worker under the terms of this Policy.

8. Any individual affiliated with OUA who breaks this Pledge will be subject to disciplinary action.

Reporting Wrongdoing

9. A Worker who believes that a Director or another Worker has committed an incident of wrongdoing should prepare a report that includes the following:
    a. Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
    b. Identities and roles of other individuals or Workers (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
    c. Why the act or action should be considered to be wrongdoing; and
    d. How the wrongdoing affects the Worker submitting the report (if applicable).

Authority

10. OUA has appointed the following Compliance Officer to receive reports made under this Policy:

    CEO unless under conflict, in which case the Chair of the HR Committee

11. After receiving the report, the Compliance Officer has the responsibility to:
    a. Assure the Worker of OUA's **Pledge**
    b. Connect the Worker to the Alternate Liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual's role with OUA and/or the content of the report
    c. Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious)
    d. Determine if OUA's *Whistleblower Policy* applies or if the matter should be handled under OUA's *Discipline and Complaints Policy*
    e. Determine if the local police service be contacted
    f. Determine if mediation or alternate dispute resolution can be used to resolve the issue
    g. Determine if OUA's Board Chair and/or CEO should or can be notified of the report
    h. Begin an investigation

Investigation

12. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, OUA's CEO and/or Board Chair may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the Worker who submitted the report being disclosed. OUA's CEO and/or Board Chair may not unreasonably refuse the decision to contract an external investigator

13. An investigation launched by the Compliance Officer or by an external investigator should generally take the following form:
    a. Follow-up interview with the Worker who submitted the report
    b. Identification of Workers, participants, volunteers or other individuals that may have been affected by the wrongdoing
    c. Interviews with such-affected individuals
    d. Interview with the Director(s) or Worker(s) against whom the report was submitted
    e. Interview with the supervisor(s) of the Worker(s) against whom the report was submitted, if applicable

14. In all stages of the investigation, the investigator will take every precaution to protect the identity of the Worker who submitted the report and/or the specific nature of the report itself. However, OUA recognizes that there are some instances where the nature of the report and/or the identity of the Worker who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

15. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to OUA's Board Chair and/or CEO for review and action.

Decision

16. Within fourteen (14) days after receiving the Investigator's Report, OUA's Board Chair and/or CEO will take corrective action, as required. Corrective action may include, but is not limited to including:
    a. Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
    b. Revision of job descriptions; or

c. Discipline, suspension, termination, or other action as permitted by OUA's Bylaws, provincial employment legislation, OUA's policies for human resources, and/or the Worker's Employment Agreement or Contractor Agreement.

17. The corrective action, if any, will be communicated to the investigator who will then inform the Worker who submitted the report.
18. Decisions made under the terms of this Policy may be appealed under the terms of OUA's *Appeal Policy* provided that:
    a. If the Worker who submitted the initial report is appealing the decision, the Worker understands that his or her identity must be revealed if he or she submits an appeal, and
    b. If the Director or Worker against whom the initial report was submitted is appealing the decision, the Worker or Director understands that the identity of the Worker who submitted the report will not be revealed and that OUA will act as the Respondent

Confidentiality

19. Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the Worker, the Worker(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.

Social Media Policy

Definitions

1. The following terms have these meanings in this Policy:
    a. "*Social media"* – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, and Twitter.
    b. "*Individuals"* – Individuals employed by, or engaged in activities with, OUA including, but not limited to, athletes, coaches, convenors, officials, volunteers, managers, administrators, committee members, medical and paramedical personnel, and Directors and Officers of OUA

Statement

2. The ***OUA Code of Conduct and Ethics*** establishes the expectation that members will use social media in a positive manner. The OUA will work with the OUA member regarding any issues that are brought forward to ensure that any complaints or concerns are addressed appropriately and are in line with the OUA's ***Policy on Member, Administrator, Participant, and Coach Discipline***.

Application of this Policy

3. This Policy applies to all Individuals.

Equity, Diversity, and Inclusion Policy

Purpose

1. OUA is committed to encouraging Equity, Diversity, and Inclusion in its administration, policies, programming and events.

Definitions

2. Equity: the fair and respectful treatment of all individuals
3. Diversity: the demographic mix of a community
4. Inclusion: an environment where all individuals feel welcome, are treated respectfully and are able to fully participate

Procedures

5. OUA will ensure equitable, diverse, and inclusive programs by:
    a. Supporting equity, diversity, and inclusion
    b. Ensuring that the achievement of equitable, diverse, and inclusive opportunities is a key consideration when developing, updating, or delivering OUA's programs and policies
    c. Ensuring that individuals have no barriers to participation in OUA programming, training, and coaching/development opportunities
    d. Fostering inclusive environments for all OUA members and participants
    e. Dealing with any incidence of discriminatory behaviour according to OUA's ***Code of Conduct and Ethics*** and ***Policy on Member, Administrator, Participant, and Coach Discipline***

Communications

6. OUA will ensure that promotional materials and official publications have equitable, diverse, and inclusive representation, and that gender-neutral language is used in all communications.

Ongoing Commitment to Equity, Diversity, and Inclusion

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

Evaluation

8. OUA will continually monitor and evaluate its equity, diversity, and inclusion progress.

Privacy Policy

General

1. *Background* – Privacy of personal information is governed by the federal *Personal Information Protection and Electronics Documents Act* ("PIPEDA"). This policy describes the way that OUA collects, uses, safeguards, discloses and disposes of personal information, and states OUA's commitment to collecting, using and disclosing personal information responsibly. This policy is based on the standards required by PIPEDA and OUA's interpretation of these responsibilities.

2. *Purpose* –The purpose of this policy is to govern the collection, use and disclosure of personal information in the course of commercial activities in a manner that recognizes the right to privacy of individuals with respect to their personal information and the need of OUA to collect, use or disclose personal information.

3. *Definitions* – The following terms have these meanings in this Policy:
    a. *"Commercial Activity"* – Any particular transaction, act or conduct that is of a commercial character.
    b. *"IP Address"* – A numerical label that is assigned to electronic devices participating in a computer network that uses internet protocol for communication between devices.
    c. "*Personal Information*" – any information about an individual that relates to the person's personal characteristics including, but not limited to: gender, age, income, home address or phone number, ethnic background, family status, health history, and health conditions
    d. *"Representatives"* – Members, directors, officers, committee members, employees, coaches, officials, referees, managers, trainers, volunteers, administrators, contractors and participants within OUA

Application of this Policy

4. *Application* – This Policy applies to Representatives in connection with personal information that is collected, used or disclosed during any commercial activity related to OUA.

5. *Ruling on Policy* – Except as provided in the *Act*, the Board of Directors of OUA will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

Obligations

9. *Statutory Obligations* – OUA is governed by the *Personal Information Protection, Electronic Documents Act* in matters involving the collection, use and disclosure of personal information.

10. *Additional Obligations* – In addition to fulfilling all requirements of the *Act*, OUA and its Representatives will also fulfill the additional requirements of this Policy. Representatives of OUA will not:
    a. Disclose personal information to a third party during any business or transaction unless such business, transaction or other interest is properly consented to in accordance with this Policy or the university has provided a disclaimer for information to be used for any public recognition associated with the OUA;
    b. Knowingly place themselves in a position where they are under obligation to any organization to disclose personal information;
    c. In the performance of their official duties, disclose personal information to family members, friends or colleagues, or to organizations in which their family members, friends or colleagues have an interest;
    d. Derive personal benefit from personal information that they have acquired during the course of fulfilling their duties with OUA; or
    e. Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, the disclosure of Personal Information.

Accountability

11. *Privacy Officer* – The Privacy Officer is responsible for the implementation of this policy and monitoring information collection and data security and for ensuring that all staff receives appropriate training on privacy issues and their responsibilities. The Privacy Officer also handles personal information access requests and complaints. The Privacy Officer may be contacted at the following address:

    CEO or designate

12. *Duties* – The Privacy Officer will:
    a. Implement procedures to protect personal information;
    b. Establish procedures to receive and respond to complaints and inquiries;
    c. Record all persons having access to personal information;
    d. Ensure any third party providers abide by this Policy; and
    e. Train and communicate to staff information about OUA's privacy policies and practices.

13. *Employees* – OUA shall be responsible to ensure that the employees, contractors, agents, or otherwise of OUA are compliant with the *Act* and this Policy.

Identifying Purposes

14. *Purpose* – Personal information may be collected from Representatives and prospective Representatives for purposes that include, but are not limited to, the following:

Communications:

a. Sending communications in the form of e-news or a newsletter with content related to OUA programs, bulletins, events, fundraising, activities, merchandise sales, discipline, appeals, and other pertinent information
b. Publishing articles, media relations and postings on the OUA website, displays or posters
c. Award nominations, biographies, and media relations
d. Communication within and between Representatives
e. Discipline results and long-term suspension list
f. Checking residency and eligibility status
g. Posting images, likeness or other identifiable attributes to promote the OUA

Registration, Database Entry, Selection and Monitoring:

a) Registration of programs, events and activities
b) Database entry at the Coaching Association of Canada and to determine level of coaching certification coaching qualifications and coach selection.
c) Database entry to determine level of officiating certification and qualifications
d) Determination of eligibility, age group and appropriate level of play/competition
e) Athlete registration, outfitting uniforms, and various components of athlete and team selection
f) Technical monitoring, officials training, educational purposes, sport promotion, and media publications
g) Selection
h) Implementation of anti-doping policies and drug testing
i) Implementation of classification
j) Technical monitoring, coach review, officials training, educational purposes, media publications, and sport promotion

Sales, Promotions and Merchandising:

k) Purchasing equipment, coaching manuals, resources and other products
l) Promotion and sale of merchandise

General:

m) Travel arrangement and administration
n) Implementation of the OUA's screening program
o) Medical emergency, emergency contacts or reports relating to medical or emergency issues
p) Determination of membership demographics and program wants and needs

q) Managing insurance claims and insurance investigations
r) Video recording and photography for personal use, and not commercial gain, by spectators, parents and friends
s) Video recording and photography for promotional use, marketing and advertising by the OUA
t) Payroll, honorariums, company insurance and health plans

15. *Purposes not Identified* – OUA shall seek consent from individuals when personal information is used for Commercial Activity not previously identified. This consent will be documented as to when and how it was received.

Consent

16. *Consent* – OUA shall obtain consent by lawful means from individuals at the time of collection and prior to the use or disclosure of this information. OUA may collect personal information without consent where reasonable to do so and where permitted by law.
17. *Implied Consent* – By providing personal information to OUA, individuals are consenting to the use of the information for the purposes identified in this policy.

18. *Withdrawal* – An individual may declare to the Privacy Officer in writing to withdraw consent to the collection, use or disclosure of personal information at any time, subject to legal or contractual restrictions. OUA will inform the individual of the implications of such withdrawal.

19. *Legal Guardians* – Consent shall not be obtained from individuals who are minors, seriously ill, or mentally incapacitated and therefore shall be obtained from a parent, legal guardian or person having power of attorney of such an individual.

20. *Exceptions for Collection* – OUA is not required to obtain consent for the collection of personal information if:
    a. It is clearly in the individual's interests and consent is not available in a timely way;
    b. Knowledge and consent would compromise the availability or accuracy of the information and collection is required to investigate a breach of an agreement or contravention of a federal or provincial law
    c. The information is for journalistic, artistic or literary purposes; or
    d. The information is publicly available as specified in the *Act*.

21. *Exceptions for Use* – OUA may use personal information without the individual's knowledge or consent only:

a. If OUA has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial or foreign law and the information is used for that investigation;
b. For an emergency that threatens an individual's life, health or security;
c. If it is publicly available as specified in the *Act;*
d. If the use is clearly in the individual's interest and consent is not available in a timely way; or
e. If knowledge and consent would compromise the availability or accuracy of the information and collection was required to investigate a breach of an agreement or contravention of a federal or provincial law.

22. *Exceptions for Disclosure* – OUA may disclose personal information without the individual's knowledge or consent only:
    a. To a lawyer representing OUA;
    b. To collect a debt the individual owes to OUA;
    c. To comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;
    d. To a government institution that has requested the information, identified its lawful authority, and indicated that disclosure is for the purpose of enforcing, carrying out an investigation, or gathering intelligence relating to any federal, provincial or foreign law; or that suspects that the information relates to national security or the conduct of international affairs; or is for the purpose of administering any federal or provincial law;
    e. To an investigative body named in the *Act* or government institution on OUA's initiative when OUA believes the information concerns a breach of an agreement, or a contravention of a federal, provincial, or foreign law, or suspects the information relates to national security or the conduct of international affairs;
    f. To an investigative body for the purposes related to the investigation of a breach of an agreement or a contravention of a federal or provincial law;
    g. In an emergency threatening an individual's life, health, or security (OUA must inform the individual of the disclosure);
    h. To an archival institution;
    i. 20 years after the individual's death or 100 years after the record was created;
    j. If it is publicly available as specified in the regulations; or
    k. If otherwise required by law.

Limiting Collection, Use, Disclosure, and Retention

23. *Limiting Collection, Use and Disclosure* – OUA shall not collect, use or disclose personal information indiscriminately. Information collected will be for the purposes specified in this Policy, except with the consent of the individual or as required by law.

24. *Retention Periods* – Personal information shall be retained as long as reasonably necessary to enable participation in OUA, to maintain accurate historical records and or as may be required by law.

25. *Destruction of Information* – Documents shall be destroyed by way of shredding and electronic files will be deleted in their entirety.

Safeguards

26. *Safeguards* – Personal information shall be protected by security safeguards appropriate to the sensitivity of the information against loss or theft, unauthorized access, disclosure, copying, use or modification.

Breaches

27. *Breaches* – OUA is required to report breaches of its security safeguards and any unauthorized disclosure of, or access to, personal information to the Office of the Privacy Commissioner if the breach, disclosure, or access may pose a "real risk of significant harm" to an individual. A "real risk of significant harm" is defined as: "*Bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property".*

28. *Reporting* – OUA will report the breach or unauthorized access or disclosure to the Office of the Privacy Commissioner in the form and format specified by the Office of the Privacy Commissioner or will be subject to financial penalties.

29. *Records and Notification* – In addition to reporting the breach or unauthorized access or disclosure, OUA will keep records of the breach and inform affected individuals.

Individual Access

30. *Access* – Upon written request, and with assistance from OUA, an individual may be informed of the existence, use and disclosure of his or her personal information and shall be given access to that

information. Further, an individual is entitled to be informed of the source of the personal information along with an account of third parties to whom the information has been disclosed.

31. *Response* – Requested information shall be disclosed to the individual within 30 days of receipt of the written request at no cost to the individual, or at nominal costs relating to photocopying expenses, unless there are reasonable grounds to extend the time limit.

32. *Denial* – An individual may be denied access to his or her personal information if the information:
    a. Is prohibitively costly to provide;
    b. Contains references to other individuals;
    c. Cannot be disclosed for legal, security, or commercial proprietary purposes; or
    d. Is subject to solicitor-client privilege or litigation privilege.
33. *Reasons* – Upon refusal, OUA shall inform the individual the reasons for the refusal and the associated provisions of the *Act*.

34. *Identity* – Sufficient information shall be required to confirm an individual's identity prior to providing that individual an account of the existence, use, and disclosure of personal information.

Challenging Compliance

35. *Challenges* – An individual shall be able to challenge compliance with this Policy and the *Act* to the designated individual accountable for compliance.

36. *Procedures* – Upon receipt of a complaint OUA shall:
    a. Record the date the complaint is received;
    b. Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
    c. Acknowledge receipt of the complaint by way of telephone conversation and clarify the nature of the complaint within three (3) days of receipt of the complaint;
    d. Appoint an investigator using Organization personnel or an independent investigator, who shall have the skills necessary to conduct a fair and impartial investigation and shall have unfettered access to all relevant file and personnel, within ten (10) days of receipt of the complaint;
    e. Upon completion of the investigation and within twenty-five (25) days of receipt of the complaint, the investigator will submit a written report to OUA; and

f. Notify the complainant to the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures within thirty (30) days of receipt of the complaint.

37. *Whistleblowing* – OUA shall not dismiss, suspend, demote, discipline, harass or otherwise disadvantage any director, officer, employee, committee member volunteer, trainer, contractor, and other decision-maker within OUA or deny that person a benefit because the individual, acting in good faith and on the basis of reasonable belief:
    a. Disclosed to the commissioner that OUA has contravened or is about to contravene the *Act*;
    b. Has done or stated an intention of doing anything that is required to be done in order to avoid having any person contravene the *Act*; or
    c. Has refused to do or stated an intention of refusing to do anything that is in contravention of the *Act*.

IP Address

38. *IP Address* – OUA does not collect, use or disclose personal information such as an IP Addresses.

Applicable Law

39. *Applicable Law* – The OUA website is created and controlled by OUA in the province of Ontario. As such, the laws of the province of Ontario shall govern these disclaimers, terms and conditions.

New Member Application Policy

OUA Membership

1. OUA membership may be granted to Ontario degree granting institutions of higher learning that are members of the Council of Ontario Universities (COU).

2. Current OUA members include:

Algoma University	Queen's University
Brock University	Royal Military College of Canada
Carleton University	Ryerson University
University of Guelph	University of Toronto
Lakehead University	Trent University
Laurentian University	University of Waterloo
McMaster University	Western University
Nipissing University	Wilfrid Laurier University
University of Ottawa	University of Windsor
Ontario Tech University	York University

Submissions

3. An institution applying for OUA membership shall complete an application (**Appendix A**) which must be signed by the Chancellor or President and be received in the OUA office. An applicant institution must be sponsored by an active member institution. A nonrefundable general application fee equivalent to the annual OUA Membership Fee shall accompany the application form.

Membership

4. The Board of Directors has the authority to accept or deny an application to enter the OUA membership process.

5. If the Board of Directors supports the application an initial membership fee of $50,000 shall be submitted to the OUA office 30 days prior to the Annual General Meeting (see below).

Application Categories

6. Institutions can apply for membership as Full Members.

Full Member

7. The application for full membership must be submitted with the agreement that the applying institution commits to participation in a minimum of six (6) sports (12 teams) with equal gender representation (i.e. men's and women's basketball; men's and women's wrestling). For the sports basketball, soccer and volleyball, the OUA Directors Advisory Committee will not consider applications that do not include both genders for these sports.
8. OUA single gender sports (i.e. football, baseball, figure skating, field hockey and lacrosse) are to be considered one (1) sport and must include an equal gender balance in the institutions sport offering (ex. Men's Rugby and Women's Figure Skating).

9. Included in the six (6) sports needed to apply, the applying institution must be committed to the participation in a minimum of two (2) sports in the G1 and/or G2 categories as per the OUA Sport Model.

Minimum Requirements to be Considered for OUA Membership

10. In order for an application to be considered by the OUA Directors Advisory Committee for entrance into the OUA membership process, an institution must demonstrate that it meets the following minimum requirements. Ultimately, the committee has the authority to accept or deny an institution's application to enter the OUA membership process, even if the institution is meeting the minimum requirements at the time of application. Every application is considered on its own merit. Recommendations for an institution's improvement provided by the committee post selection, will not guarantee approval in the next cycle.

(1) Analysis/Feasibility Study

11. The institution shall demonstrate that broad-based campus-wide discussions involving multiple constituencies, which includes, but is not limited to the governing body of the institution, occurred regarding membership in the OUA, and involved a discussion of the necessary resources as well as the personnel to operate an OUA interuniversity athletics program. The institution should also demonstrate consideration of its overall fit and alignment with OUA philosophy, attributes and the strategic platform. If the institution used the services of an outside firm or consultant to conduct a feasibility study, the institution must share the findings of the study with the committee.

(2) History of a Varsity Athletics Program

12. The institution shall demonstrate that it has been offering an athletics program at the varsity level for a minimum of one academic year prior to submitting an application to enter the OUA membership process.

(3) Strategic Plan for the Interuniversity Athletics Program

13. The institution shall provide a clear, detailed strategic plan for its interuniversity athletics program, including an outline of key goals and priorities, associated timeline and commitment of financial and personnel resources. The institution must demonstrate the documented approval of the strategic plan by the institution's governing body and how the implementation of the strategic plan will occur.

(4) Financial Model for the Interuniversity Athletics Program.

14. The institution shall demonstrate that it administers its interuniversity athletics program with prudent management and fiscal practices to ensure financial stability including but not limited to sufficient operating and travel budgets for the effective operation of an OUA Department of Athletics.

(5) Commitment of Personnel and Current Staff

15. The institution shall demonstrate that it has personnel to operate the interuniversity athletics program at the OUA level, demonstrating that it has adequate staffing to cover all responsibilities associated with operating an OUA athletics department that include but is not limited to eligibility compliance, coaching, sports information, event management, therapy and athletics training. The staff member(s) may have other duties within the department of athletics.

(6) Commitment to the OUA

16. The institution shall demonstrate the commitment to meet all of the OUA By-Laws, and Sport Operation requirements, rules and regulations, hosting guidelines and other league requirements. In addition, schools will be required to meet the sport specific technical requirements of the OUA including meeting the required officiating standards of the OUA within their local community.

(7) Facilities

17. The institution shall demonstrate that it has adequate facilities to operate an OUA interuniversity athletics program. If the institution is upgrading and/or building new facilities, the institution shall include a detailed plan, including a timeline and a commitment of resources (e.g., finances) to upgrading and/or building the facilities. If the institution is renting facilities the institution shall demonstrate that it has a long-term agreement in place for use in both practice and competition.

(8) Demonstrated Commitment to the Community

18. The institution shall demonstrate that it is committed to Student Athlete Engagement for developing student-athletes and communities by actively engaging in shared experiences. The institution shall demonstrate with specific examples, a commitment to serving the community by the institution and the Department of Athletics including coaches and student-athletes.

(9) Academic Achievement of Student-Athletes

19. The institution shall demonstrate a commitment to the academic success of its student-athletes through a specific Student Athlete Development Program.

(10) Demonstrated Commitment to the OUA Code of Conduct & Ethics

20. The institution shall have policies in place that demonstrate a commitment to the ***OUA Code of Conduct and Ethics*** including good sportsmanship by all coaches, fans and student-athletes.

(11) Site Visit

21. Site visits will be conducted within 60 days of the Board receiving the application. Members of an OUA Directors Advisory Committee will visit the institution's campus.
22. The purpose of the campus visit is to allow the OUA OUA Directors Advisory Committee to learn more about the applying institution, reporting back to the OUA Board of Directors, assisting them to make an educated decision concerning the institution's application for OUA membership. The campus visit also presents a unique educational opportunity for the institution to learn firsthand about the OUA, its structure and rules from current OUA sport administrators and OUA staff members.

23. A member of the OUA office staff will contact the applicant to arrange the campus visit date. The visit is usually completed in one day and includes a variety of opportunities for campus staff to interact informally with the OUA Directors Advisory Committee.

(12) Recruitment and Athletic Financial Support

24. The institution should demonstrate a commitment to recruiting excellence that illustrates that their institution is a destination of choice for Ontario student athletes. This includes a demonstrated strategy of supporting student athletes through Athletic Financial Awards.

25. This AFA Strategy should include an understanding of both U SPORTS and OUA athletic financial award compliance and reporting requirements, including the OUA Corridor of Compliance.

(13) Marketing and Promotion

26. The institution shall demonstrate the ability to fulfill OUA marketing, communication and promotion obligations.

Application and Review Procedures

27. The institution must fully complete the OUA Membership Application and the application must be received in the OUA office in order to be reviewed by the committee for consideration to enter the OUA membership process. The application must be signed by the Chancellor or President as well as the Director of Athletics. The Board of Directors shall review and consider all applications received within 30 days of receiving the application, and the institution(s) shall be notified of the committee's decision to either accept or deny its application to enter the membership process and any additional sport specific application fees.

28. Once the Board of Directors accepts the application to enter the OUA membership process and the initial membership fee is received, a site visit will be arranged for the OUA Directors Advisory Committee. The OUA Directors Advisory Committee will provide a recommendation to the Board within 30 days of the completed site visit.

29. The application must be approved by a two-thirds majority vote of the Board members.

30. Consideration for membership will be based on the application, the site visit and the applicant institution's potential to meet the conditions of the By-Laws, Regulatory Rules, and any other conditions of membership as deemed necessary.

Approval and Probationary Period

31. The Board will make a final decision within 90 days of receiving this recommendation

32. Once the membership application has been approved:
    a. The institution will be notified formally of the decision within 5 days of the decision.
    b. The OUA office will work with the institution to prepare press releases on the OUA website and to select local and regional media outlets.
    c. The institution will receive an invoice for the first year's membership dues.

33. Approval will include a two (2) year probationary period. A full evaluation will be conducted after the completion of the first year and representatives of the Board of Directors will meet with the

institution's athletic department staff for the purposes of providing feedback to the institution regarding its first year as an OUA member. Probationary status members cannot hold office or vote on any matters, even those matters pertaining to sports declared for a period of one year.

34. After the completion of the probationary period, the Board of Directors will make a decision whether to extend the probationary period, promote the institution to full membership, or rescind its membership.

Timelines

35. Applications may be submitted to the OUA Board at any time, with the understanding that applicants are eligible to participate within the OUA Sport Model a minimum of 18 months following the successful decision.

36. The Board will review the application and determine whether the membership process will be followed within 30 days of receiving the application.

37. Site visits will be completed within 60 days of the application being accepted by the Board.

38. The OUA Directors Advisory Committee will submit a recommendation to the Board within 30 days of the completed site visit.

39. The Board will make a final decision within 90 days of receiving this recommendation and provide notice within 5 days to the institution.

40. Accepted institutions' membership will be placed on a 2-year probationary period.

New Member Application Form

Name of Institution: _____

Year Established: _____

Address: _____

City: _____ **Province:** _____

Postal Code: _____

Main Campus Phone: _____

Web Address: _____

What year did your institution begin sponsoring varsity interuniversity athletics?

Year: _____

What Sports?: _____

_____

_____

What OUA sports are you applying to participate in?

G1 Sports

Football (Men Only) _____

Basketball _____

Hockey _____

G2 Sports

Soccer _____

Swimming _____

Field Hockey (Women Only) _____

Wrestling _____

Cross Country _____

Track & Field _____

Rugby _____

Rowing _____

Volleyball _____

G3 Sports

Baseball (Men Only) _____

Fencing _____

Golf _____

Tennis _____

Badminton _____

Squash _____

Water Polo (Men Only) _____

Lacrosse (Women Only) _____

Curling _____

Figure Skating _____

Nordic Skiing _____

Administration

President / Chancellor: _____

Phone: _____ **Fax:** _____

Email: _____

Senior Administrator outside athletics with direct oversight of abilities:

Name: _____

Title: _____

Phone: _____ **Fax:** _____

Email: _____

Director of Athletics: _____

Phone: _____ **Fax:** _____

Email: _____

Interuniversity Coordinator: _____

Phone: _____ **Fax:** _____

Email: _____

Sports Information: _____

Phone: _____ **Fax:** _____

Email: _____

Additional Mandatory Information for Submission with Application

- One copy of the institutions athletics Analysis/Feasibility Study
- One copy of the Intercollegiate Athletics Program Strategic Plan
- One copy of the Financial Model for the Intercollegiate Athletics Program
- List of Athletic Department staff and personnel
- Overview of Athletic facilities to be used to support the Intercollegiate Athletics Program
- Overview of commitment to Community Engagement
- Overview of the commitment to the academic success of Student Athletes
- Overview of commitment to Sportsmanship
- Overview of commitment to OUA Marketing and Sponsorship commitments
- Overview of commitment to Recruitment and Athletic Financial Award Support

Signatures

The individuals who sign below certify that the information provided in this document, and the accompanying information provided separately, is complete and accurate.

_____

Chief Executive Officer (President or Chancellor) Name

_____ _____

Signature **Date**

_____

Director of Athletics Name

_____ _____

Signature **Date**

Alternate Competition Policy (effective 2022-23)

OUA Members are expected to participate within the OUA for all sports offered. Those wishing to compete in other conferences in a sport that is offered within the OUA Sport Model must apply for permission via this policy. Applications will be approved if the OUA Members fulfills the following criteria:

- Applications must be submitted to the OUA prior to the AGM the year preceding
- A rationale must be provided and signed off by the Athletic Director
- It must be demonstrated that 80%* of their teams will compete within the OUA, with those student-athletes participating in their sport through the OUA Championship pathway
- Agree to pay an annual Alternate Competition fee (as outlined in the chart below)
- Understand that a return to the OUA in that sport will need to abide by the timelines outlined within the OUA Sport Participation Entry & Exit Policy

OUA Members who are approved to participate in Alternate Competition will not be eligible for any sport-specific or Honour awards for student-athletes participating in that sport. OUA Members will be expected to abide by the OUA AFA Policy for student-athletes participating outside the OUA, as approved by this policy.

2022-23	**Alternate Competition Fee (subject to change)**
Football	$5,208
Basketball, Hockey	$1,447
Rugby, Soccer, Volleyball	$868
Cross Country, Field Hockey, Rowing, Swimming, Track & Field, Wrestling	$694
G3 Sports	$463

**80% will be calculated based off OUA Sport-Specific Fees. For example, if a Member has a Men's and Women's Track & Field team, they would pay two sport-specific fees and subsequently count as two teams.*

Equity, Diversity, and Inclusion Training & Education Policy

The OUA requires all individuals at each member institution's athletic department (e.g., student-athletes, coaches, administrators, game day staff, therapists, etc.) to participate in mandatory Equity, Diversity, and Inclusion (EDI) training and education, inclusive of Safe Sport training.

Athletic Directors will be required to confirm completion of EDI training and education annually by January 31st.

Failure to complete the mandatory training will result in OUA Discipline if not in compliance.

Appendix A - Consent

OUA will include the following paragraph (or a variation) whenever Personal Information is being collected:

1. I authorize OUA to collect and use personal information about me for the purposes described in OUA's *Privacy Policy*.
2. In addition to the purposes described in OUA's *Privacy Policy*, I authorize OUA to:
    a. Distribute my information to the _____ (*insert the names of any other organizations)*
    b. Photograph and/or record my image and/or voice on still or motion picture film and/or audio tape, and to use this material to promote the sport through the media of newsletters, websites, television, film, radio, print and/or display form. I understand that I waive any claim to remuneration for use of audio/visual materials used for these purposes
    c. (*insert other specific purposes*)
3. I understand that I may withdraw such consent at any time by contacting OUA's Privacy Officer. The Privacy Officer will advise the implications of such withdrawal.

Appendix B – Website Disclaimer

OUA will include the copyright and legal disclaimer in the application section on OUA's website:

Website – The OUA website is a product of OUA. The information on the website is provided as a resource to those interested in OUA. OUA disclaims any representation or warranty, express or implied, concerning the accuracy, completeness or fitness for a particular purpose of the information. Persons accessing this information assume full responsibility for the use of the information and understand and agree that OUA is not responsible or liable for any claim, loss or damage arising from the use of this information. Reference to specific products, processes or services does not constitute or imply recommendation or endorsement by OUA. OUA also reserves the right to make changes at any time without notice.

Outside Links – Links made available through the website may allow you to leave the OUA website. Please be aware that the internet sites available through these links are not under the control of OUA. Therefore, OUA does not make any representation to you about these sites or the materials available there. OUA is providing these links only as a convenience to you, and in no way guarantees these links and the material available there. OUA is not responsible for privacy practices employed by other companies or websites.