



Special Olympics Canada

Policies & Procedures Manual

Section 1 - Administration

Special Olympics
Olympiques spéciaux
Canada



Special Olympics Canada

Policies & Procedures Manual Section 1 – Administration

Prepared by

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“Enriching the lives of Canadians with an intellectual disability through sport.”

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GUIDING PRINCIPLES TO SUPPORT THE MISSION STATEMENT

- Special Olympics provides sport opportunities directly for athletes with an intellectual disability.
- The athlete is all-important in Special Olympics. It is critical that coaches, parents and caregivers encourage and provide athletes with an intellectual disability with every opportunity to reach their highest level of athletic achievement.
- Special Olympics is a sport program. Sport involves the matching of strength, endurance and physical skills in formalized settings with structured rules and determined outcomes.
- Training and preparation are essential to meaningful participation in sport, and are an indispensable element of any Special Olympics program.
- Every Special Olympics athlete deserves the right to a trained coach.
- Special Olympics supports and promotes a fair and safe environment for both athletes and coaches.
- Special Olympics also links these athletes with other sport organizations that provide additional sport training and competitive opportunities.
- The practice of Divisioning athletes for competition, based on their abilities, is fundamental to the Special Olympics program. This practice ensures that all athletes experience equitable competition.
- Special Olympics uses the medium of sport to assist persons with an intellectual disability to become all that they can be - physically, mentally, socially, emotionally - and to become accepted, respected and productive members of society.

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Special Olympics Canada Inc. is recognized as the Sport Governing Body for athletes with an intellectual disability in Canada by the Federal Government and Special Olympics Inc. In keeping with this recognition it is the role of the National Office, under the direction of the Board of Directors, to:

- establish policies, procedures and standards for Special Olympics in Canada to ensure quality program delivery, to protect the name of Special Olympics and to ensure financial integrity at all levels;
- establish committees as required;
- accredit Chapters on an annual basis, based on an annual report;
- conduct Chapter review programs as required;
- develop and maintain Chapter support programs which include financial and technical support subject to the approval of the Board of Directors;
- approve and sanction the use of the SOC logo, name and symbols of the organization;
- liaise with the appropriate ministries of federal government, national agencies and sport governing bodies;
- assume sole responsibility for communication with Special Olympics Inc. and undertake to communicate the needs, interests and concerns of Special Olympics in Canada;
- approve and oversee National Games and organize teams for World Games;
- promote communications with athletes, coaches, volunteers, staff and sponsors of Special Olympics in Canada; and,
- seek opportunities for the promotion and sponsorship of Special Olympics in Canada at the national level.

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The Special Olympics Canada Board of Directors is the final authority of Special Olympics Canada Inc.

NATIONAL BOARD GOVERNANCE STRUCTURE & TERMS OF REFERENCE

i. Definition of Membership

Members of the organization are the members of the Board of Directors until such time as they cease to be a member of the Board of Directors. Other individuals may be admitted as members of the organization as determined by the Board for a term to be established by the Board.

ii. National Board Terms of Reference

The National Board plays a leadership role in Special Olympics Canada by:

1. Ensuring a clear vision for Special Olympics Canada that is founded in championing the health and social benefits afforded to Canadians with an intellectual disability through Special Olympics programs.
2. Setting the strategic direction for Special Olympics in Canada including participation in the development and oversight of the five-year strategic plan.
3. Acting with the utmost integrity in exercising our fiduciary duties and ensuring adherence to the legislation that governs the organization including the letters patent and by-laws.
4. Identifying the principal risks of the organization and ensuring implementation of management of all such risks.
5. Providing diligent financial oversight; approving the annual budget; and ensuring that all appropriate financial and operational controls are in place.
6. Hiring the CEO and supporting the position through clear policies and guidelines; direction on strategic matters; the provision of performance expectations; and regular performance assessments.
7. Ensuring all provincial/territorial organizations maintain national and international standards for training, coaching, competition, and appropriate conduct and ethical practices in order to be accredited Chapters.

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8. Participating in the fundraising activities of the organization to ensure financial stability and the ability to increase participation; introduce and improve programs; support National Games; and ensure Canadian athletes have the resources required to compete in World Games.

9. Acting as stewards of the Special Olympics brand and advocates for the movement to promote the participation of athletes, volunteers and sponsors in Chapters across the country.

10. Appointing, at its discretion, Task Forces to consider matters within its mandate or to transact such business as the Board sees fit.

11. Appointing Officers of the organization.

iii. Size & Composition of the Board of Directors

In accordance with our by-laws and in order to allow for diversity of opinion and full deliberation, the Board shall be comprised of 18 Directors¹. A quorum for meetings of the Board of Directors shall be half the number of Directors plus one.

The Board of Special Olympics Canada shall strive to reflect the diversity of our country and the nature of our work for individuals with an intellectual disability and their families.

Director candidates will be considered annually by a Task Force struck by, and accountable to, the Executive and Governance Committee. The Task Force will make recommendations to the Executive and Governance Committee for nomination and election of Directors at the Annual General meeting. In making such recommendations, the Task Force will ensure that potential candidates demonstrate certain qualities which include:

1. exemplary citizenship and integrity in their endeavors;
2. they must be respected business or community leaders and provide a professional or specialized expertise or distinctive knowledge that will assist the Board to fulfill its mandate;

¹ NOTE: While this is the desired number, to comply with current Ontario Corporations Act, the number as of November 2nd, 2013 has been fixed at 16. When the new ONCA is enacted, it is anticipated that the fixed number may be changed to "not less than 14 and not more than 18".

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3. experience as a Board Director at the regional/provincial/territorial or national level is preferred or a demonstrated knowledge of the role of a Not-for-Profit Director; and
4. a belief in the importance of social inclusion and a demonstrated understanding of the purpose of our organization and our strategic goals.

These criteria, along with a few others, have been incorporated into the recruitment framework found in Appendix 1.

The composition of the Board shall include the following persons:

SOI Accreditation Requirements

- SO athlete
- Close family relation of SO athlete
A "close family relation" includes an immediate relation (such as a sibling, parent or grandparent) of a current or former Special Olympics athlete. The term does not include a paid caregiver who is not related to an athlete.
- Expert in intellectual disability
A professional with a master's degree or a doctorate degree in the field of intellectual disabilities or development would qualify as an expert in intellectual disabilities.
- Sports expert
Definition under development

Ex-Officio Members of the Board

- Presidents' Council Representative
- SOC Foundation Representative
- Canadian Progress Club

iv. Director Terms of Reference

Directors of the Board of Special Olympics Canada must demonstrate a commitment to the purpose of the Board and the movement by meeting the following expectations. Directors must:

1. Act honestly and in good faith with a view to the best interest of Special Olympics Canada;

2. Respect and adhere to Board confidentiality and communication protocols on sensitive issues;
3. Adhere to the Special Olympics Canada Code of Conduct;
4. Understand the Terms of Reference for Directors and participate in Director onboarding and development activities;
5. Understand and support the vision, mission, values and strategic direction of the organization;
6. Commit to a sufficient level of engagement so as to contribute to the work of the Board and the continued growth of the organization;
7. Demonstrate leadership within the Special Olympics community through involvement at a Games or other SO events at a national, provincial/territorial or local level;
8. Participate in the organization's fundraising activities in order to meet the Board's annual fundraising goals;
9. Participate on either a Standing Committee of the Board, a time-limited Task Force of the Board, or a working group reporting to the CEO;
10. Participate in advocacy, outreach, and communications with stakeholders including corporate sponsors, donors, government representatives, Chapters, SOC families and the community at large; and
11. Notify the Board, through the Chair, of any known breaches of Board or organization policies.

v. Director Commitment and Performance Criteria

To ensure commitment and engagement of all Directors of the Board of Special Olympics Canada, Directors will be asked to sign a Director's Agreement (see Appendix II) annually. Director performance will be annually reviewed by the Executive and Governance Committee based on the following performance metrics:

1. Attendance and engagement in at least three (3) of four (4) meetings of the Board of Directors annually (formal excusal process to be added);
2. Attendance and engagement in at least one Special Olympics program activity and/or fundraising activity within a year;
3. An annual personal donation to the organization to the extent that they are able; and contribution to the annual fundraising goals of the Board as required;

4. Membership and participation in 50% of meetings of either a Standing Committee of the Board, a time-limited Task Force of the Board or a working group reporting to the CEO;
5. Indication of actively working to connect respective areas of influence to helping build the reputation of Special Olympics Canada, further the movement and reach SOC's strategic goals; and
6. Participation in onboarding and development activities.

vi. Director Review and Termination

The Executive and Governance Committee will review the performance of Directors on an annual basis based on the Directors' Terms of Reference and Commitment and Performance Criteria outlined in this document.

The Chair and/or their designate from the Executive and Governance Committee will give and receive feedback to the Directors on an annual basis.

The Chair will discuss Commitment and Performance criteria with Directors who have not satisfactorily met the expectations as specified in the Director's Terms of Reference.

The Executive and Governance Committee may recommend to the Chair that a Director who does not comply with the Terms of Reference or meet the Commitment and Performance Criteria be asked to resign.

As part of the review and to contribute to Board development, Directors will be asked to complete an annual survey about the effectiveness of the Board and its leadership.

vii. Director Resignation

Directors will be expected to submit their resignation from the Board to the Chair of the Special Olympics National Board if any of the following events occur:

1. the Director becomes unable to attend regularly scheduled meetings of the Board;
2. the Director becomes involved in any issue that could materially impact their ability to serve as a Director or negatively impact the reputation of Special Olympics Canada; or
3. the Director's responsibilities or circumstances in business, politics or the community change in a way which may conflict with the goals of Special Olympics Canada and materially reduce their ability to serve as a Director.

The Chair will review any submitted resignation with the Executive and Governance Committee and recommend to the Board whether the resignation should be accepted.

viii. Terms of Duty

Directors will be selected for a term of three (3) years. Directors may be elected to serve for one additional three-year term after which they will not be eligible for re-election, unless they are elected to serve as Chair, Vice-Chair, Treasurer, or Ombudsperson.

Annually, each Director will receive a notification of term status no later than 90 days prior to the next Annual General Meeting.

The Chair, Vice-Chair, and Past Chair will serve as such for a maximum of 6 years with 2 years served in each position.

The Executive and Governance Committee shall be responsible for decisions regarding nominating Directors for a second term. Should the Executive and Governance Committee decline to nominate a member for a second three-year term, it shall be the responsibility of the Chair to inform the member at least 90 days prior to the end of the Director's term (at the Annual General Meeting).

Former Directors may be asked to continue their involvement with the Board in other capacities after the completion of their term(s) as Director.

ix. Officers, Required Positions and Liaisons

Slate of Officers

The Board shall elect, from nominations received from the Executive and Governance Committee, the following Officers of Special Olympics Canada:

Chair of the Board
Vice Chair of the Board
Past Chair of the Board
Treasurer
Secretary*

All Officers will be guided by specific Terms of Reference as found in Appendix III. The CEO will also be an Officer of Special Olympics Canada.

The Board shall also elect an Ombudsperson from nominations received from the Executive and Governance Committee.

These positions will each be guided by specific Terms of Reference (see Appendix III).

***NOTE – The Secretary need not be a Director of the Board.**

Liaisons

Liaisons of other related organizations may assist the Board as requested by the Board.

x. Committee Structures

There are four Standing Committees of the Special Olympics Canada Board as follows:

1. Executive and Governance Committee
2. Finance, Risk and Audit Committee
3. Program Committee
4. Business Development Committee

Working through the CEO these committees will have specific mandates governed by Terms of Reference (see Appendix III). At the direction of the Board, Task Forces working on time-limited projects may be established to undertake the work of the Board and they will include, but shall not be limited to, members of the Board.

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Definitions

1. The following terms have these meanings in this Policy:
 - a) “Appellant” – The Party appealing a decision
 - b) “Case Manager” – An individual appointed by Special Olympics Canada, who may be any Special Olympics Canada Staff, Committee member, Volunteer, Director, or an independent third party, to oversee this Appeal Policy. The Case Manager will have responsibilities that include, but are not limited to:
 - i. Ensuring procedural fairness;
 - ii. Respecting the applicable timelines; and
 - iii. Using decision making authority empowered by this Policy.
 - c) “Days” – Any day of the week, including weekends and holidays
 - d) “Parties” – The Appellant, Respondent, and any other Individuals or persons affected by the appeal
 - e) “Respondent” – The party whose decision is being appealed
 - f) “Individuals” – All categories of membership defined in the Special Olympics Canada Bylaws, as well as all individuals engaged in activities with Special Olympics Canada including, but not limited to, athletes, coaches, mission staff, chefs de mission, officials, volunteers, and committee or board members of Special Olympics Canada.

Purpose

2. Special Olympics Canada is committed to providing an environment in which all Individuals involved with Special Olympics Canada are treated with respect. Special Olympics Canada provides Individuals with this Appeal Policy to enable fair, affordable, and expedient appeals of certain decisions made by Special Olympics Canada.

Scope and Application of this Policy

3. This Policy applies to all Individuals. Any Individual who is directly affected by a Special Olympics Canada decision shall have the right to appeal that decision; provided there are sufficient grounds for the appeal under the ‘Grounds for Appeal’ section of this Policy. This Policy does not apply to any Special Olympics Canada employees as such matters are governed by Special Olympics Canada’s policies that expressly apply to its employees.
4. This Policy **will apply** to decisions made by Special Olympics Canada relating to:
 - a) Eligibility
 - b) Coach/Athlete Selection for a Team
 - c) Conflict of Interest
 - d) Discipline
 - e) Membership

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5. This Policy **will not apply** to decisions relating to:

- a) Employment
- b) Infractions for doping offenses
- c) The rules of sport
- d) Selection criteria, quotas, policies, and procedures established by entities other than Special Olympics Canada
- e) Substance, content and establishment of team selection criteria
- f) Volunteer/coach appointments and the withdrawal or termination of those appointments
- g) Budgeting and budget implementation
- h) Special Olympics Canada’s operational structure and committee appointments
- i) Decisions or discipline arising within the business, activities, or events organized by entities other than Special Olympics Canada (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless accepted by Special Olympics Canada at its sole discretion)
- j) Decisions or discipline arising within competition
- k) Decisions made under this Policy

Timing of Appeal

6. Individuals who wish to appeal a decision have twenty-one (21) days from the date on which they received notice of the decision to submit, in writing to Special Olympics Canada’s office, the following:

- a) Notice of the intention to appeal
- b) Contact information of the appellant
- c) Name of the respondent and any affected parties
- d) Date the appellant was advised of the decision being appealed
- e) A copy of the decision being appealed, or description of decision if written document is not available
- f) Grounds for the appeal
- g) Detailed reasons for the appeal
- h) All evidence that supports these grounds
- i) Requested remedy or remedies

7. An Individual who wishes to initiate an appeal beyond the twenty-one (21) day period must provide a written request stating the reasons for an exemption. The decision to allow, or not allow, an appeal outside of the twenty-one (21) day period will be at the sole discretion of the Case Manager and may not be appealed.

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Grounds for Appeal

8. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds are limited to submissions that include the Respondent:
- a) Made a decision that it did not have authority or jurisdiction (as set out in the relevant governing documents)
 - b) Failed to follow its own procedures (as set out in the relevant governing documents)
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views)
 - d) Failed to consider relevant information or took into account irrelevant information in making the decision
9. The Appellant bears the onus of proof and must demonstrate, on a balance of probabilities, the occurrence of one of the circumstances set out in Section 8 (eight) of this Policy and that such circumstances had, or may reasonably have had, a material effect on the decision or decision-maker.

Screening of Appeal

10. Upon receiving the notice of the appeal, and all other information (outlined in the 'Timing of Appeal' section of this Policy), Special Olympics Canada will review the appeal and attempt to resolve the appeal by mediation.
11. Should the mediation fail to resolve the appeal, Special Olympics Canada will appoint an independent third-party Case Manager who has the following responsibilities:
- a) Determine if the appeal falls under the scope of this Policy
 - b) Determine if the appeal was submitted in a timely manner
 - c) Decide whether there are sufficient grounds for the appeal
12. If the appeal is denied on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
13. If the Case Manager is satisfied that the appeal should not be denied as provided in Section 12 (twelve) of this Policy, the Case Manager will appoint an Appeals Panel which shall consist of a single Panel Member to hear the appeal. At the discretion of the Case Manager, a Panel of three persons may be appointed to hear the appeal. In this event, the Case Manager will appoint one of the Panel's members to serve as the Chair.

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Procedure for Appeal Hearing

14. The Case Manager shall notify the Parties that the appeal will be heard. The Case Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Case Manager and may not be appealed.
15. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.
16. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager and the Panel deem appropriate in the circumstances, provided that:
 - a) The hearing will be held within the appropriate timeline determined by the Case Manager
 - b) The Parties will be given reasonable notice of the day, time and place of the hearing
 - c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
 - d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
 - e) The Panel may request that any other individual participate and give evidence at the hearing
 - f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
 - g) If a decision in the appeal may affect another person to the extent that the other person would have recourse to an appeal in their own right under this Policy, that person will become a party to the appeal in question and will be bound by its outcome
 - h) The decision to uphold or reject the appeal will be by a majority vote of Panel members
17. In fulfilling its duties, the Panel may obtain independent advice.

Appeal Decision

18. The Panel shall issue its decision, in writing and with reasons, after the hearing's conclusion. The Panel may decide to:
 - a) Reject the appeal and confirm the decision being appealed

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- b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision
- c) Uphold the appeal and vary the decision

19. The Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Special Olympics Canada. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

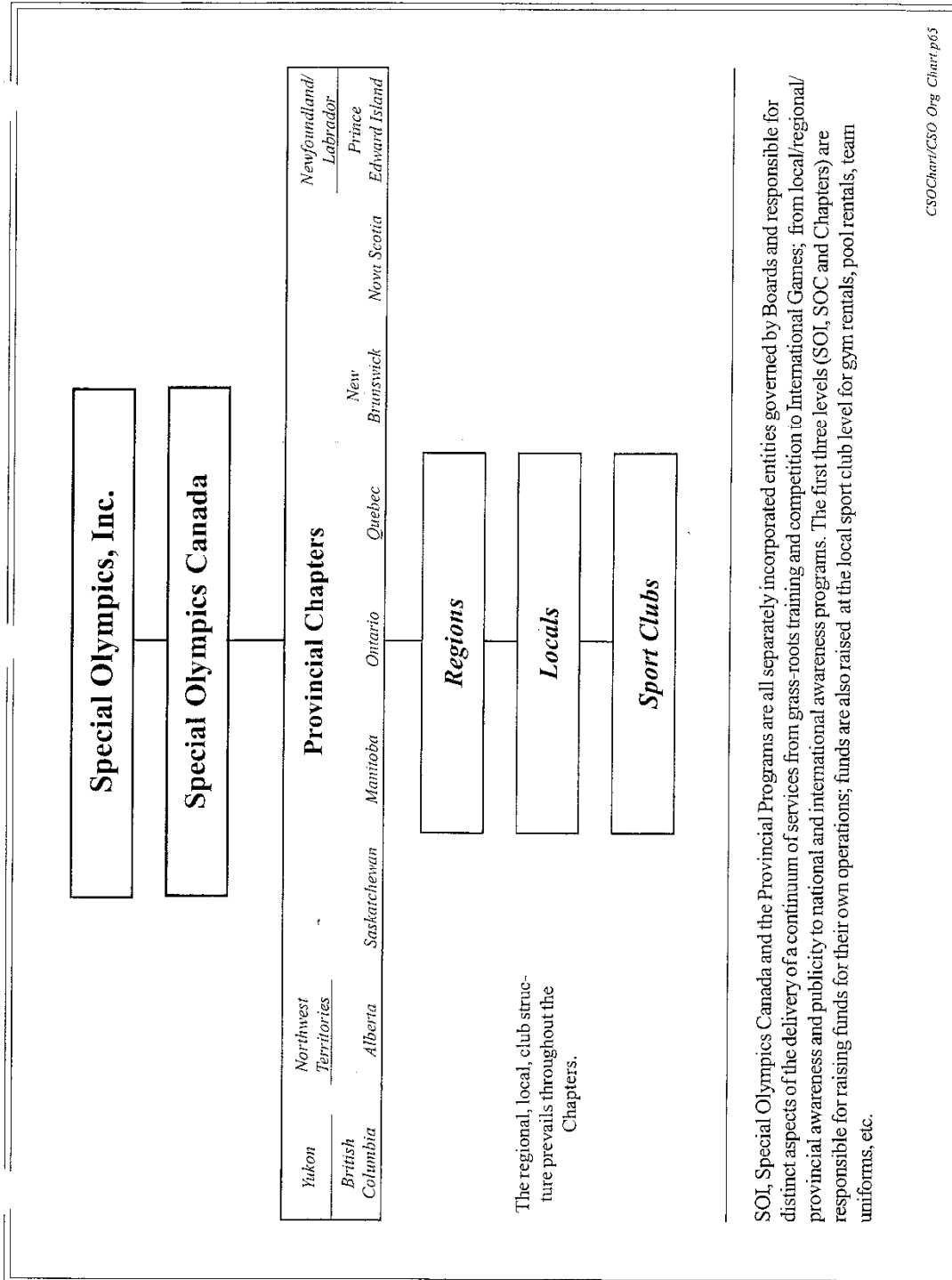
Confidentiality

- 20. The appeals process is confidential and involves only the Parties, the Case Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.
- 21. Appeal decisions that are matters of public interest shall be publicly available with the names of the individuals redacted. Names of persons disciplined/affected may be disclosed to the extent necessary to give effect to any decision imposed.

Final and Binding

- 22. The decision of the Panel will be binding on the Parties and on all Individuals associated with Special Olympics Canada, subject to the right of any Party to seek a review of the Panel's decision pursuant to the rules of the Sport Dispute Resolution Centre of Canada (SDRCC).
- 23. No action or legal proceeding will be commenced against Special Olympics Canada or Individuals in respect of a dispute, unless Special Olympics Canada has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in Special Olympics Canada's policies, procedures, rules and regulations.

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In keeping with current professional standards, "people first" language is used when making reference to persons with a disability.

People first language rests on the premise that people with a disability, like all people, should be described in terms that portray them with dignity and respect. More specifically, the Active Living Alliance for Canadians with a Disability suggests the following guiding principles:

- describe the person, not the disability (e.g., person with an intellectual disability not "the mentally disabled" or the "mentally disabled person");
- refer to the person's disability only when it is relevant and necessary; and
- avoid images or terms designed to evoke pity or guilt (e.g., suffers with a..., a victim of...).

Special Olympics Canada supports the use of people first language. As such, Special Olympics in Canada will use the term "people with an intellectual disability" to describe and identify the participants within the programs.

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Definitions

1. In this Code of Conduct and Ethics policy the terms
 - a) "Individuals" **means all** categories of membership defined in the Special Olympics Canada Bylaws, as well as all individuals engaged in activities with Special Olympics Canada including, but not limited to, athletes, coaches, mission staff, chefs de mission, officials, volunteers, and committee or board members of Special Olympics Canada.

Purpose

2. The purpose of this Code is to ensure a safe and positive environment within Special Olympics Canada programs, activities, and events by making Individuals aware that there is an expectation of appropriate behaviour consistent with Special Olympics Canada's mission and objectives. Special Olympics Canada supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect.

Application of this Code

3. This Code applies to Individuals' conduct during Special Olympics Canada business, activities, and events including, but not limited to, competitions, tournaments, practices, tryouts, training camps, travel associated with Special Olympics Canada activities, Special Olympics Canada Board of Director meetings and any other Special Olympics Canada meetings. This Policy does not apply to any Special Olympics Canada employees as such matters are governed by Special Olympics Canada's policies that expressly apply to its employees.
4. An Individual who violates this Code may be subject to sanctions pursuant to Special Olympics Canada's Discipline and Complaints Policy. In addition to facing possible sanctions pursuant to Special Olympics Canada's Discipline and Complaints Policy, an Individual who violates this Code during a competition may be ejected from the competition or the playing area, and the Individual may be subject to sanctions pursuant to that competition's policies.
5. This Code also applies to Individuals' conduct outside of Special Olympics Canada's business, activities, and events when such conduct adversely affects relationships within Special Olympics Canada (and its work and sport environment) and is detrimental to the image and reputation of Special Olympics Canada. Such applicability will be determined by Special Olympics Canada at its sole discretion.

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Responsibilities

6. Individuals have a responsibility to:

- a) Maintain and enhance the dignity and self-esteem of Individuals and other individuals by:
 - i. Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, gender, ancestry, ethnic origin, race, place of origin, sexual orientation, age, marital status, religion, political belief, disability, or economic status
 - ii. Focusing comments, criticism or disciplinary actions appropriately
 - iii. Demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct
 - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory
 - v. Treating individuals fairly and reasonably
 - vi. Adhering to Special Olympics Canada's rules and policies and the spirit of those rules and policies
- b) Refrain from any behaviour that constitutes **harassment**, where harassment is defined as comment or conduct directed towards an individual or group, which is offensive, abusive, racist, sexist, degrading, or malicious. Types of behaviour that constitute harassment include, but are not limited to:
 - i. Written or verbal abuse, threats, or outbursts
 - ii. The display of visual material which is offensive or which a reasonable person ought to know is offensive in the circumstances
 - iii. Unwelcome remarks, jokes, comments, innuendo, or taunts
 - iv. Leering or other suggestive or obscene gestures
 - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
 - vi. Practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance
 - vii. Any form of hazing 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.
 - viii. Retaliation or threats of retaliation against an individual who reports harassment to Special Olympics Canada
 - ix. Bullying
 - x. Offensive or intimidating phone calls or emails

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- xi. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form
 - xii. Psychological abuse
 - xiii. Discrimination
 - xiv. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, demeaning or intimidating
 - xv. 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
- c) Refrain from any behaviour that constitutes **violence**, where violence is defined as the exercise of physical force, that causes or could cause physical injury; an attempt to exercise physical force that could cause physical injury; or a statement or behaviour that it is reasonable to interpret as a threat to exercise physical force. Types of behaviour that are applicable to this section include, but are not limited to:
- i. Verbal threats to attack
 - ii. Sending to or leaving threatening notes or emails
 - iii. Making threatening physical gestures
 - iv. Wielding a weapon
 - v. Hitting, pinching or unwanted touching which is not accidental
 - vi. Throwing an object Blocking normal movement or physical interference, with or without the use of equipment
 - vii. Any attempt to engage in the type of conduct outlined above
- d) Refrain from any behaviour that constitutes **sexual harassment**, where sexual harassment is defined as unwelcome sexual comments and sexual advances, requests for sexual favours, or conduct of a sexual nature. Types of behaviour that constitute sexual harassment include, but are not limited to:
- i. Sexist jokes
 - ii. Sexual violence
 - iii. Display of sexually offensive material
 - iv. Sexually degrading words used to describe a person
 - v. Inquiries or comments about a person's sex life
 - vi. Unwelcome sexual flirtations, advances, or propositions
 - vii. Inappropriate sexual touching, advances, suggestions or requests
 - viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing
 - ix. Unwelcome sexual flirtations, advances, requests, or invitations
 - x. Physical or sexual assault

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- e) Abstain from the use of illegal drugs or the use of performance-enhancing drugs or methods. Special Olympics Canada adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program shall be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to Special Olympics Canada's Discipline and Complaints Policy. Special Olympics Canada will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by Special Olympics Canada or 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
- g) While acting in the capacity as either a coach or volunteer responsible for supervising activities and/or athletes, refrain from consuming recreational drugs, intoxicants or alcohol.
- h) Respect the property of others and not willfully cause damage
- i) Adhere to all federal, provincial, municipal and host country laws
- j) Comply, at all times, with Special Olympics Canada's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time
- k) Treat other coaches with respect
- l) Report to Special Olympics Canada any ongoing criminal investigation, conviction, or existing bail conditions involving yourself, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal substance

Volunteers

7. In addition to section 6 (above) volunteers have additional responsibilities. Volunteers are a critical part of the organization and the organization's success is directly related to volunteers carrying out their assigned responsibilities. Volunteers will:

- a) Act with honesty and integrity while carrying out any assigned responsibilities
- b) Comply with both the letter and the spirit of any training or orientation provided by Special Olympics Canada
- c) Take responsibility for actions and decisions. Follow reporting lines to facilitate the effective resolution of problems
- d) Prudently manage and allocate assets and resources, both financial and material
- e) Abide by Special Olympics Canada's Conflict of Interest and Confidentiality policies
- f) Use inoffensive language
- g) Dress professionally, neatly, and inoffensively

8. Volunteers will **not:**

- a) Exceed the authority of assigned position
- b) Encourage athletes to consume illegal drugs, alcohol or performance-enhancing drugs

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- c) Engage in a sexual relationship with an athlete

Coaches

9. In addition to section 6 (above), coaches have many additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, consciously or unconsciously. Coaches will:
- a) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
 - b) Prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm athletes
 - c) Avoid compromising the present and future health of athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of athletes' medical and psychological treatments
 - d) Support the coaching staff of a training camp, provincial team, or national team, should an athlete qualify for participation with one of these programs
 - e) Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
 - f) Act in the best interest of the athlete's development as a whole person
 - g) Meet the coaching credentials, as required by Special Olympics Canada
 - h) Respect athletes playing with other teams and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the athletes
 - i) Recognize the power inherent in the position of coach and respect and promote the rights of all participants in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of participants who are in a vulnerable or dependent position and less able to protect their own rights
 - j) Dress professionally, neatly, and inoffensively
 - k) Use inoffensive language
10. Coaches will **not**:
- a) Exceed the authority of assigned position
 - b) Provide athletes with, or promote, encourage or condone the use by athletes of illegal drugs, alcohol, or performance enhancing substances or methods.
 - c) Engage in a sexual relationship with an athlete

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Athletes (with the assistance of their caregivers when necessary)

11. In addition to section 6 (above), athletes will have additional responsibilities to:
- a) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete; or in the case of carded athletes, interfere with the athlete’s ability to fulfill requirements under the Athlete Assistance Program
 - b) Participate and appear on-time and be prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and events
 - c) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
 - d) Adhere to Special Olympics Canada’s rules and requirements regarding clothing and equipment
 - e) Never ridicule a participant for a poor performance or practice
 - f) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other players, officials, coaches, or spectators
 - g) Dress in a manner representative of Special Olympics Canada, focusing on neatness, cleanliness, and discretion
 - h) Act in accordance with Special Olympics Canada’s policies and procedures and, when applicable, additional rules as outlined by coaches or managers
 - i) Refrain from consuming illegal drugs, alcohol or performance enhancing substances or methods while participating in Special Olympics Canada competitions.

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Definitions

1. The following terms have these meanings in this Policy:
 - a) "Complainant" – The Party alleging an infraction
 - b) "Days" – Any day of the week, including weekends and holidays
 - c) "Individuals" – All categories of membership defined in the Special Olympics Canada Bylaws, as well as all individuals engaged in activities with Special Olympics Canada including, but not limited to, athletes, coaches, mission staff, chefs de mission, officials, volunteers, and committee or board members of Special Olympics Canada.
 - d) "Parties" – The Complainant, Respondent, and any other Individuals or persons affected by the complaint
 - e) "Respondent" – The alleged infracting Party

Purpose

2. Special Olympics Canada is committed to providing an environment in which all Individuals involved with Special Olympics Canada are treated fairly and with respect. Association with Special Olympics Canada, as well as participation in its activities, brings many benefits and privileges. At the same time, Individuals are expected to fulfill certain responsibilities and obligations including complying with Special Olympics Canada's policies, bylaws, rules and regulations, and Code of Conduct and Ethics. Conduct that violates these values may be subject to sanctions pursuant to this Policy. Since discipline may be applied, Special Olympics Canada provides Individuals with the mechanism outlined in this Policy so that complaints are handled fairly, expeditiously, and affordably.

Application of this Policy

3. This Policy applies to all Individuals defined in the Definitions Section. This Policy does not apply to any Special Olympics Canada employees as such matters are governed by Special Olympics Canada's policies that expressly apply to its employees.
4. This Policy applies to discipline matters that may arise during the course of Special Olympics Canada business, activities, and events including, but not limited to, competitions, tournaments, practices, tryouts, training camps, travel associated with Special Olympics Canada activities, Special Olympics Canada Board of Director meetings and any other Special Olympics Canada meetings.
5. Discipline matters and complaints arising within the business, activities, or events organized by entities other than Special Olympics Canada will be dealt with pursuant to the policies of these other entities unless accepted by Special Olympics Canada at its sole discretion.

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Reporting a Complaint

6. Any Individual may report any complaint to the Special Olympics Canada office. Such a complaint must be in writing and signed, and must be filed within twenty-one (21) days of the alleged incident. Anonymous complaints may be accepted at the sole discretion of Special Olympics Canada.
7. A Complainant wishing to file a complaint outside of the twenty-one (21) day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the complaint outside of the twenty-one (21) day period will be at the sole discretion of Special Olympics Canada. This decision may not be appealed.

Dispute Resolution and Mediation

8. Before any complaint proceeds to the formal stage, the dispute will first be referred to a Special Olympics delegate for review, with the objective of resolving the dispute via alternate dispute resolution (ADR) and/or mediation.

Case Manager

9. Should the alternate dispute resolution not resolve the dispute, Special Olympics Canada will appoint a Case Manager to oversee management and administration of complaints submitted in accordance with this Policy and such appointment is not appealable. The Case Manager can be, but is not required to be associated with Special Olympics Canada. The Case Manager has an overall responsibility to ensure procedural fairness is respected at all times in this Policy, and to implement this Policy in a timely manner. More specifically, the Case Manager has a responsibility to:
 - a. Determine whether the complaint is frivolous or vexatious and within the jurisdiction of this Policy. If the Case Manager determines the complaint is frivolous or vexatious or outside the jurisdiction of this Policy, the complaint will be dismissed immediately. The Case Manager's decision to accept or dismiss the complaint may not be appealed
 - b. Determine if the complaint is a minor or major infraction
 - c. Appoint the Panel, if necessary, in accordance with this Policy
 - d. Coordinate all administrative aspects of the complaint
 - e. Provide administrative assistance and logistical support to the Panel as required
 - f. Provide any other service or support that may be necessary to ensure a fair and timely proceeding

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10. The Case Manager will inform the Parties if the incident is to be dealt with as a minor infraction or major infraction and the matter will be dealt with according to the applicable section relating to the minor or major infraction.
11. This Policy does not prevent an appropriate person having authority from taking immediate, informal or corrective action in response to behaviour that constitutes either a minor or major infraction. Further sanctions may be applied in accordance with the procedures set out in this Policy.
12. Any infractions or complaints occurring within competition will be dealt with pursuant to the appropriate procedures at that competition. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this Policy.

Minor Infractions

13. Minor infractions are **incidents** of failing to achieve expected standards of conduct that generally do not result in harm to others or to Special Olympics Canada. Examples of minor infractions can include, but are not limited to, an incident of:
 - a) Disrespectful, offensive, abusive, racist, or sexist comments or behaviour
 - b) Disrespectful conduct such as outbursts of anger
 - c) Conduct contrary to the values of Special Olympics Canada
 - d) Being late for, or absent from, Special Olympics Canada events and activities at which attendance is expected or required
 - e) Non-compliance with Special Olympics Canada's policies, procedures, rules, or regulations
 - f) Minor violations of Special Olympics Canada's Code of Conduct and Ethics
14. All disciplinary situations involving minor infractions will be dealt with by a person who has authority over both the situation and the individual involved. The person in authority can be, but is not restricted to being, staff, organizers, or Special Olympics Canada decision-makers.
15. Provided that the Individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident, procedures for dealing with minor infractions will be informal (compared to the procedures for major infractions) and will be determined at the discretion of the person responsible for discipline of such infractions (as noted above).
16. Penalties for minor infractions, which may be applied singularly or in combination, include the following:
 - a) Verbal or written reprimand from Special Olympics Canada to one of the Parties
 - b) Verbal or written apology from one Party to the other Party

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- c) Service or other voluntary contribution to Special Olympics Canada
- d) Removal of certain privileges of membership for a designated period of time
- e) Suspension from the competitions, activities, or events
- f) Restriction of activities
- g) Any other sanction considered appropriate for the offense

17. Minor infractions that result in discipline will be recorded and records will be maintained by Special Olympics Canada. Repeat minor infractions may result in further such incidents being considered a major infraction.

Major Infractions

18. Major infractions are instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, or to Special Olympics Canada. Examples of major infractions include, but are not limited to:
- a) Repeated minor infractions
 - b) Any incident of hazing
 - c) Incidents of physical or sexual abuse
 - d) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
 - e) Pranks, jokes, or other activities that endanger the safety of others
 - f) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
 - g) Conduct that intentionally damages Special Olympics Canada's image, credibility, or reputation
 - h) Disregard for Special Olympics Canada's bylaws, policies, rules, and regulations
 - i) Major or repeated violations of Special Olympics Canada's Code of Conduct and Ethics
 - j) Intentionally damaging Special Olympics Canada property or the property at which the activity takes place or improperly handling Special Olympics Canada monies
 - k) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illegal drugs
 - l) Any possession or use of performance enhancing substances or methods
 - m) Theft of money and/or property of others
 - n) Cheating during a competition
19. Major infractions will be handled using the Procedure for Major Infraction Hearing set out in this Policy, except where a dispute resolution procedure contained within a contract, or other formal written agreement takes precedence.

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Procedure for Major Infraction Hearing

20. The Case Manager shall notify the Parties that the complaint is potentially legitimate and the incident shall be dealt with as a major infraction. The Case Manager shall then decide the format under which the complaint will be heard. This decision is at the sole discretion of the Case Manager and may not be appealed.

21. The Case Manager will appoint a Discipline Panel, which shall consist of a single Adjudicator, to hear the complaint. In extraordinary circumstances, and at the discretion of the Case Manager, a Panel of three persons may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the Panel’s members to serve as the Chair.

22. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Panel will determine the appropriate disciplinary sanction. The Panel may still hold a hearing for the purpose of determining an appropriate sanction.

23. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.

24. The Case Manager will determine the format of the hearing, which may involve an oral in-person hearing, an oral hearing by telephone, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Case Manager deems appropriate in the circumstances, provided that:
 - a) The Parties will be given appropriate notice of the day, time, and place of the hearing
 - b) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
 - c) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
 - d) The Panel may request that any other individual participate and give evidence at the hearing
 - e) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
 - f) The decision will be by a majority vote of Panel members

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25. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the complaint in question and will be bound by the decision.

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

Decision

27. After hearing the matter, the Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and Special Olympics Canada. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Panel.

Sanctions

28. The Panel may apply the following disciplinary sanctions, singularly or in combination, for major infractions:

- a) Verbal or written reprimand from Special Olympics Canada to one of the Parties
- b) Verbal or written apology from one Party to the other Party
- c) Service or other voluntary contribution to Special Olympics Canada
- d) Suspension from Special Olympics Canada competitions, activities, or events
- e) Expulsion or dismissal from Special Olympics Canada
- f) Withholding of awards
- g) Payment of the cost of repairs for property damage
- h) Suspension of funding from Special Olympics Canada or from other sources
- i) Any other sanction considered appropriate for the offense

29. Unless the Panel decides otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction as determined by the Panel will result in automatic suspension from Special Olympics Canada competitions, activities or events until such time as compliance occurs.

Suspension Pending a Hearing

30. Special Olympics Canada may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual from Special Olympics Canada competitions, activities or events pending a hearing and a decision of the Panel or completion of criminal proceedings.

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Criminal Convictions

31. An Individual's conviction for any of the following Criminal Code offenses will be deemed a major infraction under this Policy and will result in ineligibility from Special Olympics Canada competitions, activities or events upon the sole discretion of Special Olympics Canada:

- a) Any child pornography offences
- b) Any sexual offences
- c) Any offence of physical or psychological violence
- d) Any offence of assault
- e) Any offence involving trafficking of illegal drugs

Confidentiality

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

Timelines

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

Records and Distribution of Decisions

34. Minor and major infractions that result in discipline, as well as decisions of any appeals, shall be recorded and maintained by Special Olympics Canada.

35. Other provincial associations may be advised of any decisions and, if there was an appeal, the appeal decision.

36. Decisions and appeals are matters of public interest and shall be publicly available with the names of the individuals redacted. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed.

Appeals Procedure

37. The decision of the Panel may be appealed in accordance with Special Olympics Canada's Appeal Policy.

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No Accredited Program, or Games Organizing Committee, may exclude or isolate from participation in any Special Olympics training or competition any individual who is known to be a carrier of a blood-borne contagious infection or virus, or otherwise discriminate against such athlete solely because of that medical condition.

In view of the risk that one or more individual may have a blood-borne contagious infection or virus, in conducting training and competition events, Accredited Programs and Games Organizing Committees, shall follow so-called “Universal Precautions”, or “Universal Blood and Body Fluid Precautions” for every exposure to any person’s blood, saliva or other bodily fluid.

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TOPIC	Equity Policy – 1000-15		PAGE 1 OF 2
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Special Olympics Canada is committed to the principles of equity, where equity is defined as the belief and practice of fair and just treatment of all persons regardless of race, ethnic origin, religion, gender, sexual orientation or disability.

Special Olympics Canada is an advocate for people with an intellectual disability in sport and physical activity, and promotes the values of equity, inclusiveness, fairness, and respect.

The Equity Policy applies to all individuals engaged in activities with, or employed by, Special Olympics Canada, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, administrators and employees and contract personnel (herein referred to as “participants”).

Purpose:

The purpose of this Policy is to achieve equity in the administration, policies, programs and activities of Special Olympics Canada.

Policy Statement:

Special Olympics Canada is an inclusive organization that strives to provide opportunities within the organization for of all persons regardless of race, ethnic origin, religion, gender, sexual orientation or disability.

Governance:

Special Olympics Canada assesses its current policies and procedures for their impact on equity and amends such policies and procedures, where necessary, to reflect the principles of equity adopted by Special Olympics Canada.

Human Resource Management:

As part of its commitment to the use of equitable human resource management practices Special Olympics Canada will:

- adopt, where possible, family-friendly work practices such as flex-time, job-sharing and home-based offices;
- provide a physically accessible workplace environment, when possible;
- ensure compliance to the harassment policy;
- use non-discriminatory interview techniques;
- adopt a pay scale reflecting market realities and equal pay for work of equal value for its employees; and
- when appropriate, make available access to Employee Assistance counselling.

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Communication:

Special Olympics Canada will use non-discriminatory language in all official communications, correspondence and other written materials.

Special Olympics Canada will ensure that persons with a disability, indigenous people, people of both gender and visible minorities are portrayed in an equitable way in all promotional materials, whenever possible.

Programs:

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

Team Selection Criteria:

Special Olympics Canada includes equity principles and practices as part of its Team Selection process. Special Olympics Canada establishes selection criteria and standards that are fair and just to all.

Mission Staff, Medical Staff, and Support Staff:

Special Olympics Canada ensures equitable representation of both genders and persons with a disability in leadership positions on the Canadian Mission.

Stakeholder Organizations:

Special Olympics Canada will encourage its stakeholder organizations to develop and adopt equity policies that encourage equity in their administration, policies, programs and activities.