

Administrative Procedure 308

FAIRNESS AND SAFETY IN SPORT

Background

The Edmonton Catholic Separate School Division is committed to ensuring welcoming, caring, respectful, and safe Catholic learning environments for all students. The purpose of this Administrative Procedure is the promotion of fairness and safety in sport and sport disciplines, by addressing matters of eligibility to participate in amateur competitive sports in the Division in accordance with the *Fairness and Safety in Sport Act* and *Fairness and Safety in Sport Regulation*.

This Administrative Procedure applies to participation by athletes who are 12 years of age or older in female-only amateur competitive sports governed, regulated, coordinated, promoted or sponsored by the Division.

The following principles are to be followed for all challenges to athlete eligibility:

- Procedural fairness must be followed, including the right to an unbiased decision; and
- Appropriate timelines must be followed, that is, such challenges are to be dealt with within a thirty-day time frame.

Definitions

Amateur Competitive Sport means an organized extra-curricular athletic activity that participants are engaged in primarily for personal growth, skill enhancement and competitive experience. Within the Division, this includes athletes participating in:

- **Junior High Athletics** governed by the ECSD Junior High Athletic Association; or
- **Metro Edmonton High School Athletics** as part of sanctioned interschool competition

Applicant means an individual who submits a confidential challenge to an Athlete's eligibility.

Athlete means an individual participating in an Amateur Competitive Sport on behalf of the Division.

Birth Registration Document means a birth registration document as defined in the *Vital Statistics Act* or a similar document issued outside of Alberta that contains full name of the Athlete, the date and place where the birth of the Athlete occurred and the sex of the Athlete.

Minister means the Minister designated under the *Fairness and Safety in Sport Act*, being the Minister of Tourism and Sport.

sex at birth means the sex of an individual that appears on the Athlete's birth registration document.

Procedures

1. Eligibility

- 1.1 Pursuant to the *Fairness and Safety in Sport Regulation*, to participate in a female-only league, class or division of an Amateur Competitive Sport of the Division, an Athlete must be of the female sex at birth.
- 1.2 Before an Athlete may try out for or participate in an Amateur Competitive Sport, an Athlete (or their parent if the Athlete is under 18 years of age) must confirm in writing through the Division's eligibility confirmation process that they understand and meet the eligibility criteria set out in section 1.1.
- 1.3 Failure of an Athlete (or their parent if the Athlete is under 18 years of age) to confirm their eligibility in writing will render the Athlete ineligible to try out for or participate in female-only Amateur Competitive Sports in the Division.

2. Challenge to Athlete Eligibility

- 2.1 If there are reasonable grounds to believe that an Athlete is ineligible under article 1.1, a challenge may be submitted by:
 - 2.1.1 the parent of an Athlete who participates in the same league, class or division of a female-only Amateur Competitive Sport on behalf of the Division;
 - 2.1.2 an Athlete who is 18 years of age or older who participates in the same league, class or division of a female-only Amateur Competitive Sport on behalf of the Division;
 - 2.1.3 the team manager of a Division team in the same league, class or division of a female-only Amateur Competitive Sport;
 - 2.1.4 the coach of a Division team in the same league, class or division of a female-only Amateur Competitive Sport; or
 - 2.1.5 any athlete who is 18 years or older, a parent of an athlete who is 12 years of age but younger than 18 years of age, a team manager or coach who has competed against a Division Athlete or a Division team.
- 2.2 A challenge must be made in writing, emailed to the Division at fairnessandsafetyinsports@ecsd.net and include:
 - 2.2.1 the name and contact information of the Applicant;
 - 2.2.2 the name, club/team and sport of the Athlete subject to the eligibility challenge; and,
 - 2.2.3 information that supports the grounds for the challenge.

- 2.3 Any Athlete subject to an eligibility challenge shall be allowed to continue to participate in the applicable sport while the challenge is ongoing.
- 2.4 Upon receipt of a challenge made in accordance with this Administrative Procedure, the Division will confirm receipt to the Applicant and notify the Minister, without personal identifying information, within 3 business days.
- 2.5 The Division may dismiss the challenge if the Division determines that there are not reasonable grounds for the challenge in accordance with section 3.
- 2.6 If the Division does not dismiss the challenge, the Applicant and the Athlete subject to the eligibility challenge will be notified that the challenge is moving forward. The parent of the Athlete subject to the eligibility challenge (or in the case of an Athlete 18 years of age or older, the Athlete) will be required to provide the Division with a copy of the Athlete's Birth Registration Document within thirty business days (or such other time period as the Division determines to be reasonable given the Athlete's place of birth and the timeline for obtaining a Birth Registration Document from that jurisdiction).
- 2.7 Failure to provide the Birth Registration Document within the required timeframe will render the Athlete ineligible to participate in the Division's female-only leagues, classes or divisions of Amateur Competitive Sports.
- 2.8 Once the Birth Registration Document is received, the Division will determine the Athlete's eligibility and make a decision within thirty business days or such other period of time as may be reasonable in the particular circumstances. .
- 2.9 If the challenge is upheld and the Athlete is determined to be ineligible, the Division will notify the Applicant and the Athlete subject to the eligibility challenge. The Athlete will then be permanently ineligible for participation in the Division's female-only leagues, classes and divisions of Amateur Competitive Sports.
- 2.10 If the challenge is dismissed and the Athlete is determined to be eligible, the Division will notify the Applicant and the Athlete. The Athlete will then be permanently eligible for participation in all of the Division's female-only leagues, classes and divisions of Amateur Competitive Sport.
- 2.11 The Division will report to the Minister, without personal identifying information, within 30 business days after the day on which the challenge is received by the Division..
- 2.12 All information and data relating to an Athlete subject to an eligibility challenge will be treated as sensitive personal information and will be processed as such in accordance with applicable data protection and privacy laws. Such information and data will not be used for any purpose other than to determine Athlete eligibility.

3. Invalid Challenge

- 3.1 The Division may determine that reasonable grounds do not exist for a challenge, and dismiss the challenge, including but not limited to where:
 - 3.1.1 the Division previously resolved a challenge for the same Athlete;

- 3.1.2 not enough information has been provided by the Applicant to proceed as a valid challenge; or,
 - 3.1.3 the challenge is deemed to have been made in bad faith.
- 3.2 Upon dismissal of a challenge, the Division will notify the Applicant of the dismissal. The Applicant may appeal the dismissal within 5 business days by further email to fairnessandsafetyinsports@ecsd.net (Manager of Division Programs and Athletics) and the Division will reconsider the challenge.
- 3.3 If the Division determines that the challenge is made in bad faith, the Applicant may be subject to sanction. Factors relevant to determining whether a challenge was made in bad faith and merits sanctioning the Applicant include, without limitation:
 - 3.3.1 the Applicant's prior history;
 - 3.3.2 any pattern of inappropriate behavior or numerous unfounded challenges under this policy; and,
 - 3.3.3 the ages of the Athletes involved.
- 3.4 Sanctions for an Applicant may include, without limitation, a written warning and a determination that the Applicant has violated the Student Code of Conduct, where applicable.

Adopted: August 26, 2025

Reference: Fairness and Safety in Sport Act
Fairness and Safety in Sport Regulation