
HORIZON SCHOOL DIVISION

POLICY HANDBOOK

Policy Code:	IP
Policy Title:	Fairness & Safety in Sport
Cross Reference:	
Legal Reference:	<i>Fairness & Safety in Sport Act and Regulation</i>
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Amendment or Re-affirmation Date:	

POLICY

THE BOARD OF TRUSTEES OF HORIZON SCHOOL DIVISION IS COMMITTED TO THE PROMOTION OF FAIRNESS AND SAFETY IN SPORT BY ADDRESSING MATTERS OF ELIGIBILITY TO PARTICIPATE IN A RELEVANT SPORT IN ACCORDANCE WITH THE GOVERNMENT OF ALBERTA'S FAIRNESS AND SAFETY IN SPORT ACT AND REGULATION.

DEFINITIONS

Athlete means a participant registered in a relevant sport.

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 the following information respecting an individual:

- (i) the full name of the individual;
- (ii) the date and place where the birth of the individual occurred;
- (iii) the sex of the individual;

Unlike a birth certificate, a birth registration document cannot be changed.

Challenge means a procedure referred to in section 3(2)(c)(ii) by which an individual's eligibility to participate in a relevant sport may be challenged.

Female-only league, class or division means a league, class or division of a relevant sport intended to consist entirely of individuals whose sex at birth is female.

Personal information means personal information as defined in the Freedom of Information and Protection of Privacy Act.

Relevant sport means a school sport or sport discipline.

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

GUIDELINES

1. All Horizon's school sports teams shall comply with this policy.
2. This policy applies to athletes aged 12 years and older.
3. Female athletes may continue to compete in male and co-ed sports, leagues, or divisions.

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4. Athletes can continue to compete in a female-only league, class or division until the board of an in-scope entity has determined that the athlete does not meet the eligibility requirements. Athletes that do not meet the eligibility requirements are prohibited from participating in a female-only league, class or division.
 - 4.1. Determinations related to challenges as to whether an athlete meets the eligibility requirement shall be resolved within 30 days.
 - 4.2. Failure on the part of an individual to provide proof of eligibility within 30 days shall result in prohibition of the individual from participating in the relevant sport until proof of eligibility is received.
5. Principals shall report to the superintendent all requests for the establishment of mixed-gender, or mixed-sex leagues, classes, or divisions within 7 days of receipt of such requests.
6. The boards report to the Minister of Tourism and Sport shall contain no personal information about the individual involved in the challenge.
7. All policies, procedures, and school sport, league, class or division athletic handbooks require approved by the Superintendent.
 - 7.1. This includes all recommended changes prior to implementation.
 - 7.2. The Board acknowledges the governance role that the Alberta School Athletics Association has, but recognizes the Superintendent as the decision maker and individual having authority with regard to adherence to this policy.
8. An athlete (or their parent(s)/guardian(s) if the athlete is a minor under 18 years of age) is able to request their birth registration document from their birth jurisdiction. Processing and delivery times are typically published on the jurisdiction's website. Please see the Appendix below for information regarding specific Canadian jurisdictions.
 - 8.1. The Government of Alberta will cover these costs. An athlete (or their parents/guardians if the athlete is a minor under 18 years of age) will be responsible for immediate fees associated with retrieving a birth registration document. Once a birth registration document is retrieved and provided to an in-scope entity's board, the in-scope entity will reimburse the athlete for any fees paid by the athlete. In turn, the Government of Alberta will reimburse the board of an in-scope entity at its request.
9. The Horizon School Division may collect and use personal information contained in an individual's birth registration document for the purpose of determining whether the individual meets the eligibility requirement referred to in this policy.
 - 9.1. Personal information may be collected directly from an individual whose eligibility under is the subject of a challenge or, if the individual is a minor, indirectly from the individual's parent or guardian.
 - 9.2. All information and data relating to the athlete 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.

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REGULATIONS

1. Eligibility requirements to participate in the relevant sport where the participation is in a female-only league, class or division of the sport includes:
 - 1.1. female at birth for individuals 12 years of age or older.
2. At the time of registration of an individual as a participant in the relevant sport (female-only league, class or division), the individual or, if the individual is a minor, the parent or guardian of the individual provide confirmation in writing that:
 - 2.1. the individual, parent or guardian, as the case may be, understands the eligibility requirement, and
 - 2.2. the individual meets the eligibility requirement.
3. Failure of an athlete (or their parent or guardian if the athlete is under 18 years of age) to confirm their eligibility in writing will render the athlete ineligible to participate.
4. A confidential challenge may be submitted by an applicant if there are reasonable grounds to believe that an athlete is ineligible under this policy.
5. The Board delegates the authority to deal with challenges related to the eligibility of an individual under regulation 1. to the Superintendent of schools.
 - 5.1. The eligibility of an individual under regulation 1. may be challenged by the following applicants by submitting a written request to the Superintendent:
 - 5.1.1. An athlete (or their parent(s)/guardian(s) if the athlete is a minor under 18 years of age) who tried out for the team of the individual whose eligibility is being challenged,
 - 5.1.2. Team manager of athletics, and
 - 5.1.3. Team coach of athlete.
6. Written challenges shall include the following:
 - 6.1. The name, address, and phone number, of the individual who is challenging the eligibility of an individual,
 - 6.2. Whether the individual who is challenging the eligibility is a school athlete, team mate, or parent of an athlete or parent,
 - 6.3. The school and school division where the individual (or their parent(s)/guardian(s) if the individual is a minor under 18 years of age) who is making the challenge attends,
 - 6.4. The school where the individual whose eligibility is being challenged is participating in sport,
 - 6.5. The sport, class, and league the challenge is related to,
 - 6.6. If the individual who is filing a challenge is a parent(s)/guardian(s) if the individual is a minor under the age of 18 years of age, the name of their child who they are submitting the challenge on behalf of,
 - 6.7. Information that supports the grounds for the challenge, and

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6.8. Clarification as to which of the three eligible points as per regulation 5.1. applies to them.

7. The Superintendent may:

- 7.1. dismiss a challenge, if, in the opinion of the Superintendent,
 - 7.1.1. reasonable grounds do not exist for the challenge,
 - 7.1.2. a previously resolved challenge exists,
 - 7.1.3. not enough information has been provided to proceed as a valid challenge, or
 - 7.1.4. the challenge has been made in bad faith.
 - 7.2. direct the individual or, if the individual is a minor, the individual's parent, or guardian to file a copy of the individual's birth registration document with the division;
 - 7.3. within a reasonable time of the individual's birth registration document being filed with the division, to determine that the individual:
 - 7.3.1. meets the eligibility requirement referred in regulation 1, if the birth registration document filed with the Superintendent indicates that the individual's sex at birth is female, or
 - 7.3.2. does not meet the eligibility requirement, referred to in regulation 1,
 - 7.4. prohibit an individual from participating in a female-only league, class, or division;
 - 7.5. allow an athlete to be permanently eligible for participation in a female-only league, class, or division;
 - 7.6. allow the Superintendent to impose reasonable sanctions against a person who, in the opinion of the Superintendent, challenges the eligibility of an individual under regulation 1 in bad faith; and
 - 7.6.1. Reasonable sanctions may include, but not be limited to, written warnings, code of conduct violations, or any existing policy and procedure that the Division may have in place.
 - 7.7. provide a copy of this policy to any person on request.
8. The decision of the Superintendent to dismiss a challenge may be appealed to the Board as per Policy IFH – Formal Parent and Student Appeal.
9. The frequency and timing in which the board will provide information to the Minister of Tourism and Sport (via SPAR@gov.ab.ca) is as follows:
- 9.1. on the request of the Minister, where the information is respecting complaints relating to
 - 9.1.1. the board's policy or
 - 9.1.2. any decisions made under this policy.
 - 9.2. once every 12 months, where the information is respecting:

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- 9.2.1. requests for the establishment of mixed-gender or mixed-sex leagues, classes or divisions, or
- 9.2.2. the establishment of mixed-gender or mixed-sex leagues, classes or divisions;
- 9.3. within 3 business days after the day on which a challenge is made;
- 9.4. within 30 business days after the day on which a challenge is made, where the information is respecting decisions by the board respecting challenges.

Appendix

Jurisdiction	Document Name	Website
Alberta	Photocopy of a Registration of Birth	Order a birth certificate or document Alberta.ca
British Columbia	Certified True Copy of Birth Registration Document	BC Birth Certificates – Vital Statistics Online Ordering System
Saskatchewan	Certified Copy of Original Birth Registration	eHealth Saskatchewan – Order a Birth Certificate
Manitoba	Copy of Registration	Manitoba Vital Statistics Branch – Identity Certificates
Ontario	Certified Copy of Birth Registration	ServiceOntario – Online Certificate Application
Quebec	Copy of an Act of Birth	DEClic!Online application for a certificate or copy of an act
New Brunswick	Document is not available to order	New Brunswick Vital Statistics – Birth Registration
Nova Scotia	Photographic Print of Birth Registration	Vital Statistics fees for certificates, licences and services - Government of Nova Scotia
Newfoundland and Labrador	Certified copy of Birth Registration	https://www.gov.nl.ca/dgsnl/vitalstats/
Yukon	Restricted photocopy of the registration	Application for certificate or search Yukon.ca
Northwest Territories	Restricted Photocopy of a Birth Certificate	Order a Birth Certificate Health and Social Services
Nunavut	Restricted Photocopy of a Birth Certificate	Birth Certificate Government of Nunavut
Prince Edward Island	Certified Copy of Registration of Birth	Apply for a Birth Certificate Government of Prince Edward Island