

ASSOCIATION POLICIES AND PROCEDURES

Skate Canada Policies and Procedures are organized according to Section 1000 – Skate Canada Constitution (Letters Patent and Association Bylaws) and Official Rules - Section 2000 – Individual Within the Association.

SECTION 1000 – SKATE CANADA CONSTITUTION – ASSOCIATION BYLAWS

POLICY: APPLICATION TO BECOME A CLUB

REFERENCE: By-law 1201 (1) (b) (ii)

EFFECTIVE DATE:

REVISED DATE: September 2000 (*Housekeeping Change 2003*)

Any club making application for membership in the Association shall forward a written application containing such information as the Board of Directors may require and request on the Skate Canada membership application form.

The Association reserves the right to request additional information of a general or specific nature regarding the applicant.

Applications for probationary membership must be received by September 1st if a club is to be considered for permanent membership at the next Annual General Meeting.

Such application for probationary membership shall include an impact statement of the two clubs lying geographically nearest the applicant.

Such application shall be recommended to the Rules/Membership Chair by the Section Chair where the Club is located.

Appeal process for denied applications for probationary membership: In the event that the applicant is not recommended for membership by the Section Chair then the application shall be forwarded to the CEO of the Association who shall forward details of same for investigation to the Rules/Membership Chair. The Rules/Membership Committee shall make a recommendation to the Board of Directors as to the action to be taken

REGISTRATION PROCESS:

- 1.0 Application to become a club is known as the new or probationary club application process. Application forms are available from Skate Canada National Office or Section Offices.
- 2.0 Contact the Section Membership Chair (or designate) to assist with filling out the application and relevant forms and providing pertinent information regarding Association by-laws, rules and

regulations. Skate Canada National Office or Section Offices can assist with providing applicants with these names and contact numbers.

- 3.0 Application forms include:
- Application for Probationary Club and forms.
 - Impact Statement Forms.
 - Blank Member Registration List.
 - Summary of Registration Fees.
 - Club Executive/Purchase Authority listing
 - Coaches Listing
- 4.0 Fill out the application and all relevant forms and send it to the Section Membership Chair (or designate). Only fully completed applications will be considered. Partially completed applications will be returned unapproved to the applicant.
- 5.0 Once the Section Membership Chair is satisfied that the application is complete, he/she will forward the application along with the Section Chair's recommendation to the Skate Canada Rules/Membership Committee Chair for approval as a probationary club. The Club Registration list and relevant fees must be attached before individual membership cards and an official club number is issued.
- 6.0 The applicant will be notified as soon as a decision is made. If the application is denied, the applicant may appeal to Skate Canada by writing a letter to the CEO.
- 7.0 If you have any questions, do not hesitate to contact your Section Chair or the National Office Member Services Department at 1.888.747.2372 or at memberservices@skatecanada.ca.
- 8.0 See Annual Club and Member Registration Procedures below to assist with filling out the application.
- 9.0 See Policy on Club and Member Fees and Insurance Premiums.

PROCEDURE: CLUB AND MEMBER ANNUAL REGISTRATION

REFERENCE: By-law 1201 (1) (c)

EFFECTIVE DATE:

REVISED DATE: September 2000

1.0 GENERAL INFORMATION

In July or August, a registration package for the upcoming year is mailed to all clubs registered in the most recent membership year.

The membership year runs from September 1–August 31. All members must register annually [Rule 1201(1)(c)(ix)]. Current membership cards expire August 31.

With the implementation of a new information system called iMIS, the Association is requesting additional information for each member on the member registration listing. These include the member's middle initial, home, work and fax telephone numbers (if applicable), an e-mail address and direct mailing authority.

Clubs may choose to utilize the On-Line Club Membership Registration program to register their club members. The online registration module is available for member registration. It is easy to use and will allow clubs to efficiently update their member records. Refer to the registration guide for information on how to utilize this tool.

If you have any questions, do not hesitate to contact your Section Chair or the National Office Member Services Department at 1.888.747.2372 or at memberservices@skatecanada.ca.

2.0 REGISTRATION APPLICATION

2.1 REGISTRATION OF SKATE CANADA CLUBS: Skate Canada clubs must be registered with the National Office by September 1 or by the start of the club's or member's first program session for the membership year. The annual club fee is \$45. The mandatory liability insurance coverage of \$75 and \$95 Directors and Officers insurance fee must also be enclosed with your registration fees. Please note registration listings must not be sent by fax.

2.2 CLUB EXECUTIVE/PURCHASE AUTHORITY LISTING: After each Club Annual General Meeting, a report must be provided to Skate Canada listing the names and addresses of the Directors, Officers, Committee Chairs and the Club Delegate [Rule 1201(1)(c)(xi)]. The information provided on the Club

Executive Listing is used by the National Office and Section Offices to contact key people in the club. The members who are authorized to purchase merchandise and services from Skate Canada on behalf of your club, must also be included on this form. The members listed on this form will be automatically registered. Your club may also choose to enter this information on-line through the Members Only area of Skate Canada's web site. (www.skatecanada.ca)

- 2.3 **AUTHORIZED INDIVIDUALS TO PURCHASE ON THE CLUB ACCOUNT:** A report must also be provided to Skate Canada with names and addresses of individuals who are authorized to purchase merchandise or services on behalf of your club. We recommend a maximum of 3 to 5 individuals, depending on the size of your club. Only those individuals named on the Club Purchasing Authority Listing will be authorized to make club purchases.
- 2.4 **CLUB NAME AND NUMBER:** Clubs are requested to use the name as it appears on the club constitution. As well, the club customer number as found on your club Account Statement should always appear on your cheques and in any correspondence with Skate Canada.
- 2.5 **PERMANENT CLUB ADDRESS:** For effective communication, we suggest you obtain a permanent club address such as a post office box.
- 2.6 **CLUB CONSTITUTION:** Any clubs whose constitution is less than five years old must ensure that the National Office has a copy including all amendments. All clubs whose constitution is more than five years old should consider a complete revision. A sample Club Constitution may be obtained from the National Office. [Rule 1201(1)(c)(xi)]
- 2.7 **PROFESSIONAL COACHES LISTING:** Please complete the Professional Coaches listing form provided for all coaches, full or part-time, who are teaching at your club This information may be updated on-line as well. [Rule 1201(1)(c)(xi)]
- 2.8 **SYNCHRONIZED SKATING TEAM LISTING:** Your club must complete the Synchronized Skating Team registration form for all teams. [Rule 1201(1)(c)(xi)]. The Association will provide a registration number for each team.
- 2.9 **REGISTRATION OF SKATE CANADA MEMBERS:** Any member who pays full, partial or no membership fees to your club must be registered as an associate or restricted member of Skate Canada each year [Rule 1201(1)(c)(ix)]. The Member registration fee of \$32.00 and the mandatory Member Accident Insurance fee of \$ 0.65 for each member must be forwarded to the National Office by September 1st or by the start of the club's first program session for the membership year. Clubs who foresee problems meeting this deadline should contact their Section Chair or the National Office Member Services Department. Skate Canada Rule 2208 now permits an Associate or Restricted eligible person to also register as a Skate Canada Professional Coach provided that they comply with all Rules, Regulations and Policies and meet all standards

applicable to Skate Canada Professional Coaches. Club members who wish to become an Associate Member or Restricted Member with coaching privileges must register as an Associate or Restricted Member through your club. They must also register as a Coaching Member and pay the appropriate Coaching Membership fee and the mandatory liability insurance fee directly through the National Office. **Do not list your Professional Coaches on the Club Registration List.**

- 2.10 **DECLARATION OF HOME ORGANIZATION:** An eligible person may be a member of more than one club or skating school, but can only have one home organization. Unless otherwise indicated, the first organization to submit a members' registration will be considered to be the Home Organization For purposes of competing in qualifying events, an eligible person must be registered in a member club (not a skating school). A member may change his or her HOME organization during the skating year, subject to the provisions of the Skate Canada Home Organization Policy. [Rule 2201(3)].

Verify with members who are in this multiple organization situation to determine whether or not they are declaring your organization as their HOME organization. If they are, include them on your Registration List.

Note that unless otherwise indicated, the first organization registration list received at the National Office will be accepted as being that member's HOME organization.

- 2.11 **SINGLE REGISTRATION NUMBER:** A member must be recorded only once on the club registration list and will receive only one Skate Canada Registration number during his/her skating career. Clubs should ensure that a registration number has not been issued previously to new members. If an individual has more than one Skate Canada registration number, this information should be reported immediately to the National Office Member Services Department for correction.

- 2.12 **SKATING NAMES:** A member's first and last name must be shown on the club Registration Listing. We are requesting that the member's middle initial be shown on the Club Registration Listing as well. This will ensure that problems are avoided for those members with the same first and last name. The National Office Member Services Department should be informed, in writing, of a change of name to avoid problems when researching a member's record.

3.0 UPDATING THE CLUB REGISTRATION LISTING

- 3.1 **DELETIONS:** Review your club registration listing. For members who are not returning to your club, enter D under the member's registration number. Please note that any member who has become a Skate Canada Professional coach must be deleted from the Club registration list. Do not cross out the existing registration number or name, as these records are required by National Office. Indicate the deletions with the letter D. (See sample registration listing provided in registration package).

- 3.2 **RETURNING CLUB MEMBERS:** Review the remaining members' information and make changes as follows:
- 3.3 **NAMES:** Review the member's name making sure the spelling is correct. Remember to include the member's middle name initial.
- 3.4 **ADDRESS:** Ensure that the full address and postal code for each member is up to date. Changes can be made directly on the sheet.
- 3.5 **TELEPHONE NUMBERS:** This year we are requesting that you provide the member's home telephone number on the club registration listings. If possible, a member's business telephone number and fax number must also be provided.
- 3.6 **ADDRESS:** In anticipation of increased electronic communication to our members in the future, we would like to begin building a database of addresses. Members' addresses will be used for internal purposes only.
- 3.7 **BIRTH DATE:** The member's date of birth is used to verify that members have not been registered with Skate Canada under more than one registration number. Enter the birth date of each member by day, month, year (DD/Month/YYYY). For example, a member born on November 30, 1987 will be listed as 30/Nov/1987.
- 3.8 **GENDER:** Enter the member's gender: F for female, M for male
- 3.9 **LANGUAGE:** Indicate the member's language: E for English, F for French.
- 3.10 **HEAD OF HOUSEHOLD:** If more than one member from the same family is registered with your club, please indicate the head of household by marking "Y" against the member's name. For our purposes, "Head of Household" is defined as the most senior family member registered with the club.
- 3.11 **DIRECT MAIL:** If the member wishes to receive direct mailings from time to time from Skate Canada, i.e. information on Skating Programs, Events, Sponsors, Member Benefits, etc., enter YES. If they do not wish to receive mailings, enter NO.

3.12 **SKATING ACTIVITY:** Enter the appropriate skating activity for each member. The primary activity is to be used to indicate the member’s primary program. The secondary activity field is provided to register a member who is participating in two club programs.

The skating Primary and Secondary activity are as follows:

For every registration you will need to enter at least one activity to indicate the **main** area of participation for the member.

Activity	Description
CanSkate	For members up to age 17 who are registered in the CanSkate learn-to-skate program.
STARSkate	For members up to age 17 who are primarily involved in the STARSkate program and who may compete in non-qualifying competitions such as invitational events or interclub competitions.
CompetitiveSkate	For members, including adult-age skaters, who compete in qualifying events.
SynchroSkate	For members up to age 17 who are active in a synchronized skating program.
CanPowerSkate	For members up to age 17 who are active in the CanPowerSkate program or who are participating in the Pre-Power program offered on a CanSkate session.
Adult CanSkate	For members aged 18 and over who are registered in the CanSkate learn-to-skate program.
Adult STARSkate	For members aged 18 and over who are primarily involved in the STARSkate program and who may compete in non-qualifying competitions such as invitational events, interclub competitions and/or the Adult Championships.
Adult SynchroSkate	For members aged 18 and over who are active in a synchronized skating program. <i>Skaters are registered in this category because of their age only and not as per the level of team on which they skate, e.g. a skater may be 18 years of age but may skate for a Senior team, not an “Adult” team.</i>
Adult CanPowerSkate	For members aged 18 and over who are active in the CanPowerSkate program or who are participating in the Pre-Power program offered on a CanSkate session.
Official	For all members who are Skate Canada evaluators, judges, referees and/or data specialists.
Executive	For all elected/appointed club board members (excluding the coaching representative) and volunteers who do not participate in any club skating program but are home club members.
Special Needs May only be entered as a Secondary Activity	For members with a mental or physical disability who participate in a Skate Canada skating program.
Restricted Member May only be entered as a Secondary Activity	For members who are paid club or school administrators, section or Association employees, performing professional skaters or professional dance partners.

Please note:

Officials: The list of individuals to be categorized as Officials includes Evaluators, Judges, Referees and Data Specialists. In order to be eligible to officiate in any capacity in a Skate Canada test day or competition, each official must be an Associate Member of the organization listing his or her **primary** (or 1st) activity as 6 - Official. In addition to having current membership status, each official is required to acknowledge receipt of and agree to abide by the terms of the Officials' Code of Ethics by signing and returning the acknowledgment page directly to the National Office. A package, which includes the Officials Code of Ethics, has been forwarded to Skate Canada Officials directly. **Officials may not register directly with the Association, they must be registered through their Home Club.** Individuals who are in training to become an official are not permitted to register as an Official until they have attained the first level of certification.

Restricted Member: A restricted member is an individual who is a paid employee (of the club, the Section or Association), a non-active coach, a performing professional skater or a professional dance partner. A restricted member shall be entitled to participate in the activities of the Association. A restricted member is not permitted to hold elected office, may not vote at meetings, is not permitted to compete in competitions, and is not permitted to officiate at tests or competitions. (Skate Canada Rule 1202(2)(b)). A restricted member must be registered through a member club listing their **primary** activity code between 1 to 5, depending on the skating program joined and their **secondary** (or 2nd) activity code as 99 – Restricted.

Special Needs Member: A special needs member is a skater with either a mental or physical disability e.g. Down Syndrome, Autism, Cerebral Palsy, amputee, etc. Special Needs members must be registered through a member club listing their **primary** activity code between 1 to 5, depending on the skating program joined and their **secondary** (or 2nd) activity code as 88 – Special Needs.

- 3.13 **TRANSFERS:** Members previously registered with Skate Canada through another club or individuals renewing their membership after a lapse must be indicated on the registration listing with T for transfer. They should already have a Skate Canada registration number and are now declaring your club as their HOME club. Enter T in the column beside the Registration number. Then complete all fields on the registration list including Registration number (if available), previous club and last year registered with Skate Canada.
- 3.14 **NEW MEMBERS:** These are individuals not previously registered with Skate Canada. Blank Registration forms listing all fields have been provided. The club may provide new member information to the National Office on a spread sheet (i.e. Excel) provided all fields as found on the club registration listing are included in the same order.
- 3.15 **SKATE CANADA PROFESSIONAL COACHES:** To ensure that coaches are registered prior to Sub-Sectionals and Sectionals, Skate Canada coaches are required to send their registration

form and fees directly to Skate Canada National Office prior to September 1. Coaches' registration packages are sent directly to all Skate Canada Professional coaches.

Skate Canada Professional Coaches teaching at your club must be able to produce either a receipt or a Skate Canada Professional Coaching Membership Card for the current year.

4.0 WHEN YOU HAVE COMPLETED REGISTRATION

Complete the Summary of Registration Fees form and attach it to the updated club registration listing. Forward both the list and payment to the National Office by September 1 or by the club's first program session for the membership year. Registration listings without fees attached will be returned.

Please note that Deletions are not permitted once the registration lists have been processed and membership cards have been issued.

5.0 ADDITIONAL REGISTRATIONS

If you need to register additional members throughout the year, use the forms enclosed for this purpose or you may provide the National Office with a listing on spread sheets (i.e. Excel) ensuring all fields as found on the club registration listing are included in the same order.

POLICY: CLUB FEES & INSURANCE PREMIUMS

REFERENCE: By-law 1201 (1) (b) (ii), 1201 (1) (c) (viii) and (ix)

EFFECTIVE DATE:

REVISED DATE: September 2008

1.0 CLUB FEES

The membership fee of a club shall be determined by the Association Board of Directors subject to change from time to time.

New clubs shall pay an initial club fee of \$45.00. Such fee shall cover the club until August 31st of the current “membership year” and shall be payable immediately upon request by the Association.

The club fee for each successive “membership year” shall be \$45.00 payable to the Association by September 1st or by the start of the club’s first program session each year.

The club is also responsible for registering all club members who pay partial, full or no club fees with the Association. Club members may only be Associate and Restricted members of the Association. The annual fee for an Associate or Restricted member is \$32.00. The Association shall supply numerical registration cards for each member.

2.0 CLUB LIABILITY AND GROUP ACCIDENT INSURANCE

In addition to the Club Fee specified above, the Club shall pay such an amount as is necessary to maintain Skate Canada Club Liability and Group Accident insurance coverage as designated in Skate Canada registration instructions issued annually.

Club Liability Insurance Fee	\$ 75.00
Directors’ & Officers’ Liability Insurance	\$ 95.00**
Ontario Insurance Sales Tax	\$ 5.25
Quebec Insurance Sales Tax	\$ 6.75
Member Accident Insurance Fee	\$ 0.65
Ontario Insurance Sales Tax	\$ 0.05
Quebec Insurance Sales Tax	\$ 0.06

*** (Quebec Exempt)*

POLICY: CLUB MINIMUM OPERATING STANDARDS

REFERENCE: By-law 1201 (1) (b) (v) and 1201 (1) (c) (xii)

EFFECTIVE DATE: September 2000

REVISED DATE: April 2011

1.0 GENERAL

As per By-law 1201 (1) (b) (v) and 1201 (1) (c) (xii), the minimum operating standards for a club are as indicated in By-law 1201 (1) (c). The Board of Directors reserves the right to add additional minimum operating standards. To become a permanent club, clubs must demonstrate an ability to maintain the minimum operating standards as specified in By-law 1201 and listed here.

2.0 ADDITIONAL MINIMUM OPERATING STANDARDS

The Board has approved the following minimum operating standards:

2.1 Club Code of Ethics – See Club Code of Ethics Policy.

2.2 Registration for all members, including skaters and volunteers, must be submitted to Skate Canada no later than 14 days after the start of a skater's first program session or a volunteer's election to or acceptance of a position. Failure to submit registration within this timeline may place insurance coverage for both the club and the skater in jeopardy as registrations received once the 14-day timeline has lapsed will only go into effect the day the registration is received by the Association.

2.3 Clubs applying for membership in the Association must have a minimum of 25 members (excluding club volunteers) in order for their membership to be considered.

2.4 All Skate Canada clubs must meet the minimum prescribed standards in the Skate Canada Program Delivery Standards document.

2.5 Clubs must have compilation statements prepared by a qualified accountant annually. Skate Canada has the right to at any time require that a club immediately provide its financial statements and supporting documentation to the Association. Upon request a club must provide a bank confirmation to support all deposit and loan balances; a bank reconciliation for each club account; confirmation from each staff coach including balance owing and fees paid during the year; and confirmation from each facility including balance owing and fees paid during the year. Upon request, clubs will also be required to produce a reconciliation of member fees and a copy of their registration fee schedule for each level of membership.

POLICY: CLUB CODE OF ETHICS

REFERENCE: By-law 1201 (1) (b) (v) and 1201 (1) (c) (xii)

EFFECTIVE DATE: September 2000

REVISED DATE:

1.0 SKATE CANADA MISSION STATEMENT

Skate Canada is an Association dedicated to the principles of enabling every Canadian to participate in skating throughout their lifetime for fun, fitness and/or achievement.

2.0 INTRODUCTION

This mission can only be accomplished successfully if all stakeholders involved in the sport of skating (including skaters and parents, coaches, officials and club directors) share a common vision and understanding of their role to create and maintain a positive learning environment. However, it is the actions of each stakeholder that ultimately contribute to or undermine the existence of a positive skating environment.

The onus of establishing and maintaining appropriate ethical behaviour in the pursuit of this worthwhile objective falls on and must be accepted by the leaders in our sport. At the club or skating school level, these people are: coaches, club directors and officials.

3.0 ETHICAL CONDUCT

To understand the fundamental principles of ethical conduct, it is useful to review the definition of the word "ethical":

- relating to morals or moral principles;
- philosophy which governs human character and conduct i.e. the distinction between right and wrong and/or moral duty and obligations to the community;
- originating from the Greek word "ethos," meaning character.

4.0 CLUB OBLIGATIONS TO THE SKATER AND PARENT

4.1 To provide up-to-date quality Skate Canada skating programs to all members in accordance with delivery standards prescribed by Skate Canada.

4.2 To provide the skater and parent(s) with the basic information necessary to enable them to choose a realistic and affordable course of action to achieve their goals and objectives.

- 4.3 To outline clearly all club programs including cost and method of payment.
- 4.4 To outline clearly all club policies including parent responsibilities, safety issues, carnival fees, test days, ice qualifications, etc.
- 4.5 To ensure that sufficient, qualified coaches are available to teach all programs within the club, including private and group instruction.
- 4.6 To adopt a philosophy of being athlete centered in all decision making.
- 4.7 To ensure that the best interests of all skaters in the club are taken into account in club decision making. To ensure that each skater is able to participate and progress at his/her own level and that no skater is held back.
- 4.8 To communicate as regularly and effectively as possible with skaters and parents as to club activities, changes in Skate Canada rules and regulations, club regulations and policies and other important or relevant information affecting the skater's participation in the sport.
- 4.9 To help ensure that a positive learning environment is maintained in the club.
- 4.10 To respect all members' racial and religious practices.
- 4.11 To inform all members regarding the club's constitution and by-laws and requirements for the Annual General Meeting.
- 4.12 To implement an appeal process to deal with customers requesting special consideration.

5.0 CLUB OBLIGATIONS TO THE SPORT

- 5.1 To maintain a current working knowledge of the ISU, Skate Canada and Section rules, policies, regulations and programs so as to be able to deliver the product of skating in an organized and professional manner.
- 5.2 To exhibit the important character traits of honesty, reliability/dependability and cooperation when dealing with all participants in the sport.
- 5.3 To share responsibility with the Skate Canada Board, the Section, Skate Canada Officials (judges, evaluators, referees, data specialists) and coaches to initiate and support actions that are required to meet the needs of the skaters and skating in general.
- 5.4 To promote Skate Canada and its programs and the sport of skating in general.

6.0 CLUB OBLIGATIONS TO THE COACHES

- 6.1 To hire only qualified Skate Canada coaches who have paid the current Skate Canada coaching membership fees.
- 6.2 To convey at the beginning of each year the club's expectations and the responsibilities of the coach.
- 6.3 To provide a reasonable contract to coaches which does not infringe upon their right to earn a living.
- 6.4 To negotiate coaching contracts in good faith and honour their terms.
- 6.5 To treat all coaches and staff fairly and with respect.
- 6.6 To respect a coach's teaching methods and judgment regarding a skater's readiness for testing.
- 6.7 To refrain from soliciting directly or indirectly another coach's students for a particular coach.
- 6.8 To refrain from interfering with a coach-skater or coach-parent relationship unless agreed upon by both parties.
- 6.9 To refrain from firing a coach for unjust reasons or become slanderous towards a coach.
- 6.10 To provide accurate information when advertising to attract coaches to a location.
- 6.11 To accept the name of the coach representative who is selected by the coaches.
- 6.12 To hold club executive meetings at a convenient time as to permit the coaching representative to attend.
- 6.13 To involve the club coach representative in the process of developing policies, procedures and regulations for the operation of the club, to monitor the club's programs and overall performance.

7.0 VIOLATION OF CLUB/ COACH ETHICS

All violations are to be dealt with in the following manner:

- 7.1 Upon concern of either party, the Section Coaching Representative (or designate) and a Section representative as determined by the Section Chair shall be notified in writing. Notification shall be provided to Skate Canada.
- 7.2 The matter will then be referred to the Section Conflict Resolution Committee.
- 7.3 The committee shall consist of at least three persons – the Section Coaching Representative or designate, the Section Chair or designate, the Area or Regional Representative or designate plus any other persons appointed by the Section.

- 7.4 The Conflict Resolution Committee will review the matter and if necessary, meet with the club and coach involved.
- 7.5 The Conflict Resolution Committee shall attempt to resolve the concern. The Committee shall then provide recommendation to the Section Board and its decision is final and absolute.
- 7.6 A fee may be charged by the Section to the Club and Coach.

POLICY: APPLICATION TO BECOME A SKATING SCHOOL

REFERENCE: By law 1201 (2) (b) (ii)

EFFECTIVE DATE: September 2000

REVISED DATE:

1.0 GENERAL

Any skating school making application for membership in the Association shall forward a written application containing such information as the Board of Directors may require and request on the Skate Canada membership application form.

The Association reserves the right to request additional information of a general or specific nature regarding the applicant.

Applications for membership must be received by September 1st if a skating school is to be considered for permanent membership at the next Annual General Meeting.

Such application for membership shall include an impact statement of the two clubs lying geographically nearest the applicant.

Such application shall be recommended to the Rules/Membership Chair by the Section Chair where the school is located indicating the programs approved and the membership registration process approved.

Appeal process for denied applications for membership: In the event that the applicant is not recommended for membership by the Section Chair then the application shall be forwarded to the Chief Executive Officer of the Association who shall forward details of same for investigation to the Rules/Membership Chair. The Rules/Membership Committee shall make a recommendation to the Board of Directors as to the action to be taken.

2.0 PROCESS TO BECOME A NEW SKATING SCHOOL

Obtain an application for a new skating school from Member Services, Skate Canada or from the section office of the Section where the school resides.

Once the application is fully completed submit it to the Chair of the Section where the school resides for approval. A letter from the Section shall be included with the application, indicating which Skate Canada skating programs the Section is approving and whether the school will be registering its members with the Association or through a member club.

Once the Section Chair is satisfied that the application is complete, it will be forwarded with the Section's approval to Skate Canada National Office for processing. The Skating School Registration list

and relevant fees must be attached before individual membership cards and an official Skating School number is issued.

Registration of Skating Schools - All Skate Canada Skating Schools must be registered with the National Office by September 1st or by the start of the Skating School's first program session of the membership year. The annual fee is \$170. In addition, skating schools pay \$1 per Skate Canada test or part thereof attempted at the school. This fee is paid at the time tests summary sheets are submitted to the National Office for processing. The mandatory liability insurance coverage premium of \$75 must be enclosed with your registration fees.

For assistance with the application form refer to the policy on Club and Member Annual Registration.

When the Application Form is complete - The following material must be completed and forwarded, along with the relevant fees, to the Section Chair for recommendation:

- Skating School Application form
- Section Recommendation Letter
- Skating School Registration Listing
- Skating School Purchasing Authority Listing
- Skating School Constitution
- Skating School Director/Administrator Listing
- Professional Coaches Listing

If you have any questions, do not hesitate to contact your Section Chair or the National Office Member Services Department at 1.888.747.2372 or at memberservices@skatecanada.ca.

POLICY: SKATING SCHOOL FEES & INSURANCE PREMIUMS

REFERENCE: By-law 1201 (2) (b) (ii), 1201 (1) (c) (v) and (vi)

EFFECTIVE DATE:

REVISED DATE: September 2008

1.0 SKATING SCHOOL FEE

The membership fee of a skating school shall be determined by the Association Board of Directors and subject to change from time to time.

New skating schools shall pay an initial club fee of \$170.00. Such fee shall cover the skating school until August 31st of the current “membership year” and shall be payable immediately upon request by the Association.

The skating school fee for each successive “membership year” shall be \$170.00 payable to the Association by September 1st or by the start of the club’s first program session each year.

In additions to the annual fee, the skating school shall pay \$1.00 for each test or part of test attempted. This \$1.00 fee is in addition to the test fees.

The skating school is also responsible for registering all skating school members with the Association as directed by the approval of the Section. Skating school members may only be Associate and Restricted members of the Association. The annual fee for an Associate or Restricted member is \$32.00.

2.0 SKATING SCHOOL LIABILITY AND GROUP ACCIDENT INSURANCE

In addition to the Skating School Fees specified above, the Skating School shall pay such an amount as is necessary to maintain Skate Canada Liability and Group Accident insurance coverage as designated in Skate Canada registration instructions issued annually.

Skating School Liability Insurance Fee	\$ 75.00*
Ontario Insurance Sales Tax	\$ 6.00
Quebec Insurance Sales Tax	\$ 6.75
Member Accident Insurance Fee	\$ 0.65
Ontario Insurance Sales Tax	\$ 0.05
Quebec Insurance Sales Tax	\$ 0.06

**(Effective September 1, 2008)*

POLICY: SKATING SCHOOL MINIMUM OPERATING STANDARDS

REFERENCE: By-law 1201 (2) (b) (iv) and 1201 (2) (c) (ix)

EFFECTIVE DATE: September 2000

REVISED DATE: April 2011

1.0 GENERAL

As per By-law 1201 (2) (b) (iv) and 1201 (2) (c) (ix), the minimum operating standards for a skating school are as indicated in By-law 1201 (2) (c). The Board of Directors reserves the right to add additional minimum operating standards, which would be listed here. To maintain membership in the Association skating schools must demonstrate an ability to meet the minimum operating standards as specified in By-law 1201 (2) and listed here.

2.0 ADDITIONAL MINIMUM OPERATING STANDARDS

2.1 Skating School Code of Ethics – See Skating School Code of Ethics Policy.

2.2 All members must be registered with Skate Canada no later than 14 days after the start of a skater's first program session. Failure to submit registration within this timeline may place insurance coverage for both the skating school and the skater in jeopardy as registrations received once the 14-day timeline has lapsed will only go into effect the day the registration is received by the Association. Only Skate Canada members may participate at a Skate Canada member skating school.

2.3 All Skate Canada skating schools must meet the minimum prescribed standards in the Skate Canada Program Delivery Standards document.

2.4 All member skating schools must offer only Skate Canada skating programs which are approved by the Section Board of Directors in the section where the skating school operates.

2.5 Skating schools must operate at least nine (9) months of a year in order to be considered for membership.

2.6 The skating school must employ at least one Skate Canada Professional Coach who is certified NCCP Level 3 or higher and a member in good standing with Skate Canada.

2.7 Skating schools must have compilation statements prepared by a qualified accountant annually. Skate Canada has the right to at any time require that a skating school immediately provide its financial statements and supporting documentation to the Association. Upon request a skating school must provide a bank confirmation to support all deposit and loan balances; a bank reconciliation for each club account; confirmation from each staff coach including balance owing and fees paid during the year; and confirmation from each facility including balance owing and fees paid during the year. Upon request, skating schools will also be required to produce a reconciliation of member fees and a copy of their registration fee schedule for each level of membership.

POLICY: SKATING SCHOOL CODE OF ETHICS

REFERENCE: New

EFFECTIVE DATE: October 2000

REVISED DATE:

1.0 SKATE CANADA MISSION STATEMENT

Skate Canada is an Association dedicated to the principles of enabling every Canadian to participate in skating throughout their lifetime for fun, fitness and/or achievement.

2.0 INTRODUCTION

This mission can only be accomplished successfully if all stakeholders involved in the sport of skating (including skaters and parents, coaches, officials and Administrators) share a common vision and understanding of their role to create and maintain a positive learning environment. However, it is the actions of each stakeholder that ultimately contribute to or undermine the existence of a positive skating environment.

The onus of establishing and maintaining appropriate ethical behaviour in the pursuit of this worthwhile objective falls on and must be accepted by the leaders in our sport. At the skating school level, these people are coaches, Administrators and Directors.

3.0 ETHICAL CONDUCT

To understand the fundamental principles of ethical conduct, it is useful to review the definition of the word "ethical":

- relating to morals or moral principles;
- philosophy which governs human character and conduct i.e. the distinction between right and wrong and/or moral duty and obligations to the community;
- originating from the Greek word "ethos," meaning character.

4.0 SKATING SCHOOL OBLIGATIONS TO THE SKATER AND PARENT

- 4.1 To provide up-to-date quality Skate Canada skating programs to all members in accordance with delivery standards prescribed by the Skate Canada Board of Directors.
- 4.2 To provide the skater and parent(s) with the basic information necessary to enable them to choose a realistic and affordable course of action to achieve their goals and objectives.

- 4.3 To outline clearly all skating school programs including cost and method of payment.
- 4.4 To outline clearly all skating school policies including parent responsibilities, safety issues, carnival fees, test days, ice qualifications, etc.
- 4.5 To ensure that sufficient, qualified professional coaches are available to teach all programs within the skating school, including private and group instruction.
- 4.6 To adopt a philosophy of being athlete centered in all decision making.
- 4.7 To ensure that the best interests of all skaters in the skating school are taken into account in skating school decision making. To ensure that each skater is able to participate and progress at his/her own level and that no skater is held back.
- 4.8 To communicate as regularly and effectively as possible with skaters and parents as to skating school activities, changes in Skate Canada rules and regulations, skating school regulations and policies and other important or relevant information affecting the skater's participation in the sport.
- 4.9 To help ensure that a positive learning environment is maintained in the skating school.
- 4.10 To respect all members' racial and religious practices.
- 4.11 To inform all members regarding the skating school's constitution and by-laws and make available such by-laws to its members and the Association upon request.
- 4.12 To implement an appeal process to deal with customers requesting special consideration.
- 4.13 To ensure that the eligible status of any member is not jeopardized by any action of the skating school or by unwitting action by the member.
- 4.14 To ensure that all skating school members are members of the Association in good standing.

5.0 SKATING SCHOOL OBLIGATIONS TO THE SPORT

- 5.1 To meet all minimum operating standards of a skating school as prescribed by the Skate Canada Board of Directors.
- 5.2 To maintain a current working knowledge of ISU, Skate Canada and Section rules, policies, regulations and programs so as to be able to deliver the product of skating in an organized and professional manner.
- 5.3 To exhibit the important character traits of honesty, reliability/dependability and cooperation when dealing with all participants in the sport.

- 5.4 To share responsibility with the Skate Canada Board, the Section, Skate Canada Officials (judges, evaluators, referees, data specialists) and coaches to initiate and support actions that are required to meet the needs of the skaters and skating in general.
- 5.5 To promote the Skate Canada and its programs and the sport of skating in general.
- 5.6 To operate only Skate Canada Skating Programs.
- 5.7 Skating Schools shall uphold and administer the by-laws, Rules and Regulations of the Association.

6.0 SKATING SCHOOL OBLIGATIONS TO THE PROFESSIONAL COACHES

- 6.1 To hire only qualified Skate Canada professional coaches who have paid the current Skate Canada coaching membership fees.
- 6.2 To convey at the beginning of each year the skating school's expectations and the responsibilities of the coach.
- 6.3 To provide a reasonable contract to coaches which does not infringe upon their right to earn a living.
- 6.4 To negotiate coaching contracts in good faith and honour their terms.
- 6.5 To treat all coaches and staff fairly and with respect.
- 6.6 To respect a coach's teaching methods and judgment regarding a skater's readiness for testing.
- 6.7 To refrain from soliciting directly or indirectly another coach's students for a particular coach.
- 6.8 To refrain from interfering with a coach-skater or coach-parent relationship unless agreed upon by both parties.
- 6.9 To refrain from firing a coach for unjust reasons or become slanderous towards a coach.
- 6.10 To provide accurate information when advertising to attract coaches to a location.

7.0 VIOLATION OF SKATING SCHOOL CODE/COACH ETHICS

All violations are to be dealt with in the following manner:

- 7.1 Upon concern of either party, the Section Coaching Representative (or designate) and a Section representative as determined by the Section Chairperson shall be notified in writing. Notification shall be provided to Skate Canada.

- 7.2 The matter will then be referred to the Section Conflict Resolution Committee.
- 7.3 The committee shall consist of at least three persons – the Section Coaching Representative or designate, the Section Chair or designate, the Area or Regional Representative or designate plus any other persons appointed by the Section.
- 7.4 The Conflict Resolution Committee will review the matter and if necessary, meet with the skating school and coach involved.
- 7.5 The Conflict Resolution Committee shall attempt to resolve the concern. The Committee shall then provide recommendations to the Section Board and its decision is final and absolute.
- 7.6 A fee may be charged by the Section to the Skating School and Coach.

POLICY: INDIVIDUAL MEMBER REGISTRATION FEE & INSURANCE PREMIUM

REFERENCE: By-law 1202 (1) (f), 1202 (2) (d) and 1202 (3) (d)

EFFECTIVE DATE:

REVISED DATE: September 2008

1.0 GENERAL

Individual members shall be registered by the Association upon payment of the annual registration fee and applicable insurance premium. The individual members registration fee and insurance premium is set by the Association Board of Directors and is subject to change from time to time.

For Associate and Restricted members the registration fee and insurance premium are payable through the member's designated home organization. For Professional Coaching members the registration fee and insurance premium are payable directly to the Association National Office.

No member shall be required to pay more than one annual registration fee and insurance premium.

2.0 ASSOCIATE MEMBER & RESTRICTED MEMBER FEES AND INSURANCE PREMIUMS

Annual Registration Fee	\$32.00
Group Accident Insurance	\$ 0.65 (plus applicable provincial sales tax)

3.0 PROFESSIONAL COACHING MEMBER FEES AND INSURANCE PREMIUMS

Annual Registration Fee	
• New Coach	\$100.00
• Active Coach	\$ 66.00
• Foreign Coach	\$120.00
Liability Insurance	\$ 65.00 (plus applicable provincial sales tax)
Group Accident Insurance	\$ 0.65 (plus applicable provincial sales tax)

POLICY: HELMET USE

REFERENCE:

EFFECTIVE DATE: July 1, 2011

REVISED DATE: October 1, 2011

1.0 GENERAL

All Skate Canada member clubs and skating schools who offer a CanSkate program must ensure all CanSkate and Adult CanSkate participants up to and including Stage 5 must wear a CSA approved hockey helmet while on the ice.

This policy also applies to all other Skate Canada programs, therefore anyone who lacks good control/balance when skating forward, backward and has difficulty stopping, as well as maneuvering around obstacles on the ice must wear a CSA approved hockey helmet.

Clubs and skating schools must ensure this policy is enforced during all skating activities including competitions, carnival days or any other special on ice activities throughout the season for this level of skater.

This policy is a minimum standard. Sections, at their discretion, may impose a higher standard which all clubs and skating schools within the sections' boundaries must adopt and implement.

2.0 HELMET USE DURING A COMPETITION OR TEST DAY

A skater beyond a CanSkate Stage 5 level that chooses to wear a CSA approved hockey helmet during a competition or test day will not be subjected to any deductions in relation to the use of a CSA approved hockey helmet.

POLICY: CLUB DISPUTE RESOLUTION PROCEDURES

REFERENCE: By-law 1204

EFFECTIVE DATE: October 4, 2008

General

1. Skate Canada supports the principles of dispute resolution and is committed to the techniques of negotiation, facilitation, mediation and arbitration as effective ways to resolve disputes with and among members.
2. In case of a conflict between Skate Canada members, the individuals involved in the dispute must make every effort to resolve the conflict amongst themselves.
3. Where reasonable efforts to resolve the conflict fail, a request may be made to the Board of Directors of the Club for assistance to resolve the dispute.

Referral to National Complaints Procedure

4. If a complaint involves allegations of misconduct described in the Membership Harassment Policy or the Complaints Policy, the Club shall refer it to the National Complaints Review Officer or a Harassment Officer.
5. As described in section 9 of the Complaints Policy, a complaint must be referred to the National Complaints Review Officer if it is of significance to skating and is based on one or more of the following grounds:
 - (a) that a member has committed an offence by engaging in conduct which has or could have a material adverse effect on:
 - (i) the sport of skating; or,
 - (ii) the goodwill and/or reputation of Skate Canada;
 - (b) that a member has committed a serious breach of the rules, regulations and policies of Skate Canada;
 - (c) that a member has engaged in conduct which constitutes personal harassment or abuse of power in relation to another Skate Canada member. For these purposes:
 - (i) "personal harassment" is defined as: improper conduct (comment, conduct, or gestures), which is directed toward an individual, and which is offensive or harmful to that individual, and which the person making the comment, conduct, or gestures knows or ought to know is unwelcome or unwanted.

- (ii) “abuse of power” is defined as: conduct which involves the improper use of power, trust or authority inherent in a position held, which is directed toward an individual, and which endangers the job or performance of the individual, or undermines his or her job or performance, or in any way interferes with or influences the performance or career of that individual.
 - (iii) the conduct includes verbal, psychological and physical forms of behaviour, is demeaning, belittling, or causes personal humiliation or embarrassment, and may be on a one-time or continuous basis;
 - (iv) the conduct does not have to be made with the intent to harass or to abuse power, as the case may be, to constitute personal harassment or abuse of power;
 - (v) the conduct takes place:
 - (1) at or during the course of any Skate Canada business or skating activity or event (including business or skating activities or events of member organizations); or,
 - (2) outside of those situations, when the conduct occurs between members of Skate Canada, and the conduct adversely affects Skate Canada skating environment.
6. Sexual harassment and discriminatory harassment must be dealt with under the procedures described in the Membership Harassment Policy.
7. The Membership Harassment Policy defines discriminatory harassment as improper conduct which is:
- directed toward an individual or group of individuals, and which is
 - related to or motivated by the race, national or ethnic origin, colour, religion, age, marital status, family status, disability, or pardoned conviction of that individual or group of individuals, and which is
 - offensive to that individual or group of individuals, and which
 - the person making the comment, conduct, or gestures knows or ought to know is unwelcome or unwanted.
8. The Membership Harassment Policy defines sexual harassment as:
- improper conduct which is

- directed toward an individual or group of individuals, and which is
- related to the sex or sexual orientation of that individual or group of individuals, and which
- might reasonably be expected to cause offense or humiliation to that individual or group of individuals, or which
- might reasonably be perceived by the individual or group of individuals as placing a condition of a sexual nature on employment, or on any opportunity for training or advancement.

Sexual harassment may be directed at members of the same sex or the opposite sex.

9. Harassment is improper behaviour, which may be on a one-time or continuous basis that is insulting, intimidating, humiliating, malicious, degrading, or embarrassing. The improper behaviour does not have to be made with the intent to harass or discriminate, to be in violation of this policy.
10. Complaints involving any of the above misconduct shall not be dealt with under the Club's Dispute Resolution Procedures.
11. The Club's Dispute Resolution Procedures do not apply to employment matters.

Section Dispute Resolution Process

12. Where the disputing parties agree in writing, the Club may refer a complaint to the Section Dispute Resolution Process for resolution.
13. The Dispute Resolution Process shall be initiated as soon as possible after the incident(s) or conduct which forms the basis for the dispute or the complaint.
14. The Club may summarily dismiss a complaint.
15. The Club's decision to dismiss a complaint may be appealed to the Section.
16. If the complaint involves allegations of misconduct described in the Membership Harassment Policy or the Complaints Policy (as outlined in paragraphs 4 through 10 of this Policy), it may be referred to the National Complaints Procedure notwithstanding the Club's dismissal.

Confidentiality

17. No person is permitted to disclose either the existence of a complaint or information about the complaint, except for the purposes of complying with the objectives of the Dispute Resolution Process.

POLICY: SECTION DISPUTE RESOLUTION PROCEDURES

REFERENCE: By-law 1204

EFFECTIVE DATE: October 4, 2008

General

1. Skate Canada supports the principles of dispute resolution and is committed to the techniques of negotiation, facilitation, mediation and arbitration as effective ways to resolve disputes with and among members.
2. In case of a conflict between Skate Canada members, the individuals involved in the dispute must make every effort to resolve the conflict amongst themselves.
3. A Club may refer a dispute to the Section Dispute Resolution procedure where:
 - reasonable efforts to resolve the conflict have failed; and
 - the disputing parties agree in writing to engage in dispute resolution to resolve the conflict.

Referral to National Complaints Procedure

4. If a complaint involves allegations of misconduct described in the Membership Harassment Policy or the Complaints Policy, the matter shall not be dealt with through the Section's Dispute Resolution Process.
5. As described in section 9 of the Skate Canada Complaints Policy, a complaint must be referred to the National Complaints Review Officer if it is of significance to skating and is based on one or more of the following grounds:
 - (a) that a member has committed an offence by engaging in conduct which has or could have a material adverse effect on:
 - (i) the sport of skating; or,
 - (ii) the goodwill and/or reputation of Skate Canada;
 - (b) that a member has committed a serious breach of the rules, regulations and policies of Skate Canada;
 - (c) that a member has engaged in conduct which constitutes personal harassment or abuse of power in relation to another Skate Canada member. For these purposes:

- (i) “personal harassment” is defined as: improper conduct (comment, conduct, or gestures), which is directed toward an individual, and which is offensive or harmful to that individual, and which the person making the comment, conduct, or gestures knows or ought to know is unwelcome or unwanted.
- (ii) “abuse of power” is defined as: conduct which involves the improper use of power, trust or authority inherent in a position held, which is directed toward an individual, and which endangers the job or performance of the individual, or undermines his or her job or performance, or in any way interferes with or influences the performance or career of that individual.
- (iii) the conduct includes verbal, psychological and physical forms of behaviour, is demeaning, belittling, or causes personal humiliation or embarrassment, and may be on a one-time or continuous basis;
- (iv) the conduct does not have to be made with the intent to harass or to abuse power, as the case may be, to constitute personal harassment or abuse of power;
- (v) the conduct takes place:
 - (1) at or during the course of any Skate Canada business or skating activity or event (including business or skating activities or events of member organizations); or,
 - (2) outside of those situations, when the conduct occurs between members of Skate Canada, and the conduct adversely affects Skate Canada skating environment.

6. Sexual harassment and discriminatory harassment must be dealt with under the procedures described in the Membership Harassment Policy.

7. The Membership Harassment Policy defines discriminatory harassment as improper conduct which is:

- directed toward an individual or group of individuals, and which is
- related to or motivated by the race, national or ethnic origin, colour, religion, age, marital status, family status, disability, or pardoned conviction of that individual or group of individuals, and which is
- offensive to that individual or group of individuals, and which
- the person making the comment, conduct, or gestures knows or ought to know is unwelcome or unwanted.

8. The Membership Harassment Policy defines sexual harassment as:
- improper conduct which is
 - directed toward an individual or group of individuals, and which is
 - related to the sex or sexual orientation of that individual or group of individuals, and which
 - might reasonably be expected to cause offense or humiliation to that individual or group of individuals, or which
 - might reasonably be perceived by the individual or group of individuals as placing a condition of a sexual nature on employment, or on any opportunity for training or advancement.

Sexual harassment may be directed at members of the same sex or the opposite sex.

9. Harassment is improper behaviour, which may be on a one-time or continuous basis, that is insulting, intimidating, humiliating, malicious, degrading, or embarrassing. The improper behaviour does not have to be made with the intent to harass or discriminate, to be in violation of this policy.
10. Complaints involving any of the above misconduct, or employment matters, shall not be dealt with under the Section's Dispute Resolution Process.

Referral of Disputes to the Section

11. A Club may refer a dispute to the Section's Dispute Resolution Process by delivering the following to the Chairperson of the Section:
- (a) the parties' written agreement to participate in mediation, and
 - (b) a statement by the Club that reasonable efforts to resolve the conflict have failed.
12. A member who wishes to appeal a Club's decision to dismiss a complaint may refer the matter to the Section by submitting a written request for reconsideration in writing to The Chairperson of the Section.
13. Where a member appeals a Club's decision to dismiss a complaint, the Section President or his or her delegate shall consider information provided from the parties involved and may do either of the following:
- (a) Uphold the Club's decision to dismiss the Complaint; or
 - (b) Refer the Complaint to the Section's Dispute Resolution Process.

14. The Section may summarily dismiss a complaint or an appeal at any time.

Section Dispute Resolution Process

15. Where a dispute is referred to the Section's Dispute Resolution Process, the Section may appoint a Mediator to meet with the parties to attempt to achieve a resolution if the Section considers that the matter is appropriate for resolution by Mediation.
16. The Section may appoint a Member of Skate Canada or an individual from outside Skate Canada to mediate the dispute.
17. The Mediator shall contact the parties as soon as possible after his or her appointment to arrange a meeting between the parties to resolve their dispute.
18. All parties must engage in the process in good faith with the full intention of resolving the dispute.
19. The purpose of the Mediation Process shall not be to judge, assign blame or mete out punishments but to mediate and facilitate a mutually satisfactory resolution between the parties.
20. If the parties are able to achieve a resolution of their dispute, the Mediator shall write out the terms of the parties' agreement, which shall be final and binding.

Decision By Section

21. If the parties are unable to resolve the dispute, the Section President or his or her delegate may make a decision to finally resolve the dispute.
22. Before making a determination, the President or his or her delegate must obtain and consider information from each of the disputing parties. The President or his or her delegate may obtain information from any other person with relevant knowledge of the dispute.
23. Member suspensions and terminations are within the sole power of Skate Canada National to order. The Section does not have the power to suspend or terminate any member.

No Appeal

24. There shall be no appeal from the Section's decision or dismissal of a complaint under this Policy.
25. If the complaint involves allegations of misconduct described in the Membership Harassment Policy or the Complaints Policy (as outlined in paragraphs 4 through 10 of this Policy), it may be referred to the National Complaints Procedure notwithstanding the Section's decision or dismissal.

Confidentiality

26. No person is permitted to disclose either the existence of a complaint or information about the complaint, except for the purposes of complying with the objectives of the Dispute Resolution Process. Information shared in the Mediation Process shall be kept confidential.

POLICY: MEMBERSHIP COMPLAINTS POLICY

REFERENCE: By-law 1204

EFFECTIVE DATE: October 4, 2008

Policy Statement

1. The primary objective of Skate Canada is to improve, encourage and advance figure skating and recreational skating on ice (collectively, “skating”). In pursuit of that objective, Skate Canada is mandated to take all steps necessary or desirable to regulate skating throughout Canada, and to provide standards and rules for all skating activities of its members.
2. From time to time, members engage in conduct which violates those standards and rules, and is sufficiently serious that it would be contrary to the primary objective of Skate Canada to permit that member to retain some or all of the privileges of membership in Skate Canada or on any Committee of Skate Canada.
3. In such instances, that member may be suspended or expelled from membership in Skate Canada or on any Committee of Skate Canada, or may be subject to some lesser penalty, on such terms and conditions, if any, as are deemed appropriate or necessary by the Board of Directors (or its delegate), in accordance with this policy.

General Application of Policy

4. Subject to the Preliminary Requirements set out in sections 5 to 7 below, this policy applies to any member of Skate Canada (of any class of membership) or any member of any Committee of Skate Canada (collectively referred to in this policy as a “member”).

Preliminary Requirements for Application of Policy

Events and Parties

5. Proceedings cannot be initiated under this policy unless:
 - (a) each of the person(s) making the complaint and the person(s) who are the subject of the complaint were members at the time of such events; and,
 - (b) each of the person(s) making the complaint and the person(s) who are the subject of the complaint are members at the time the complaint is delivered in accordance with the applicable procedures, or were members at any time

during the 12 month period immediately before the complaint is delivered in accordance with the applicable procedures;

Matter of Significance to Skating

6. This policy is not intended to apply to every dispute or complaint which a member may have.

The application of this policy is intended to be confined to situations where the conduct or issue in question is serious and significant. Therefore, proceedings cannot be initiated under this policy unless the subject matter of the complaint concerns conduct or issues which are not only of personal importance to the person(s) initiating the complaint, but are also sufficiently serious and significant as to be of general importance to skating and/or of general importance to the overall ability of Skate Canada to discharge its primary objective.

Determination of Compliance

7. The determination as to whether a complaint satisfies the Preliminary Requirements shall be made by the Complaints Review Officer (or the Alternate Complaints Review Officer) designated by the President in the sole and reasonable exercise of his or her discretion.
8. If the Complaints Review Officer determines that the dispute or complaint is not a matter of significance to skating, he or she may refer the complaint to be resolved through the Section Mediation Process (see below).

Permitted Grounds for Complaint

9. If a matter is of significance to skating and complies with the Preliminary Requirements in sections 5 and 6 above, proceedings can be initiated under this Policy where the complaint is based on one or more of the following grounds:
 - (a) that a member has committed an offence by engaging in conduct which has or could have a material adverse effect on:
 - (i) the sport of skating; or,
 - (ii) the goodwill and/or reputation of Skate Canada;
 - (b) that a member has committed a serious breach of the rules, regulations and policies of Skate Canada;
 - (c) that a member has engaged in conduct which constitutes personal harassment or abuse of power in relation to another Skate Canada member. For these purposes:
 - (i) “personal harassment” is defined as: improper conduct (comment,

conduct, or gestures), which is directed toward an individual, and which is offensive or harmful to that individual, and which the person making the comment, conduct, or gestures knows or ought to know is unwelcome or unwanted.

- (ii) “abuse of power” is defined as: conduct which involves the improper use of power, trust or authority inherent in a position held, which is directed toward an individual, and which endangers the job or performance of the individual, or undermines his or her job or performance, or in any way interferes with or influences the performance or career of that individual.
- (iii) the conduct includes verbal, psychological and physical forms of behaviour, is demeaning, belittling, or causes personal humiliation or embarrassment, and may be on a one-time or continuous basis;
- (iv) the conduct does not have to be made with the intent to harass or to abuse power, as the case may be, to constitute personal harassment or abuse of power;
- (v) the conduct takes place:
 - (1) at or during the course of any Skate Canada business or skating activity or event (including business or skating activities or events of member organizations); or,
 - (2) outside of those situations, when the conduct occurs between members of Skate Canada, and the conduct adversely affects Skate Canada skating environment.

10. In the case of sexual harassment or harassment based on discriminatory grounds (such as race, religion, sexual orientation, gender or disability) complaints must proceed under the Membership Harassment Policy.

11. Skate Canada may intervene or initiate a Complaint under this Policy wherever it is of the view that a circumstance has arisen which is sufficiently serious and significant as to be of general importance to skating and/or of general importance to the overall ability of Skate Canada to discharge its objectives.

Penalty for Offence

12. The appropriate penalty must be proportionate to, and reflective of, the nature and severity of the offence, and may involve one or more of a series of disciplinary measures, including suspension or expulsion from membership in Skate Canada or from any Committee of Skate Canada, on such terms and conditions, if any, as are deemed appropriate or necessary.

Malicious Complaints

13. Where it is determined that a complaint under this policy was made based on false information knowingly or in a malicious manner, the appropriate penalty against the complainant will be determined by the Board of Directors (or its delegate) in the reasonable exercise of its discretion.

Dispute Resolution Process – Club and Section Level

14. Every Club and Section must establish a Dispute Resolution Process to deal with disputes and complaints which arise between members of such Club or Section.
15. The Dispute Resolution Process shall apply to complaints and disputes that are of personal significance to the person(s) initiating the complaint and are not sufficiently serious and significant as to be of general importance to skating and/or of general importance to the overall ability of Skate Canada to discharge its primary objective.
16. The Dispute Resolution Process shall not be used if the Complaints Policy or Membership Harassment Policy apply. In particular, the Dispute Resolution Process should not be used for matters described in paragraph 9 of the Complaints Policy that are serious and significant, or when a member has made allegations of sexual or discriminatory harassment.
17. The Dispute Resolution Process must be outlined in writing, and copies should be made available to all members of the Club or Section upon request.
18. The Dispute Resolution Process should be initiated as soon as possible after the incident(s) or conduct which forms the basis for the dispute or the complaint.
19. Each Club Dispute Resolution Process must include the following:
 - (a) the circumstances where a complaint must be referred to the National Complaints Review Officer under the Membership Harassment Policy or the Complaints Policy;
 - (b) that, where the disputing parties agree, the Club may refer a complaint to the Section Mediation Process;
 - (c) that the Club may summarily dismiss a complaint and that there shall be no appeal from the Club's decision to do so.
20. Each Section Dispute Resolution Process must include the following:
 - (a) the circumstances where a complaint must be referred to the National Complaints Review Officer under the Membership Harassment Policy or the Complaints Policy;
 - (b) a Section Mediation Process through which the Section, if the parties agree,

may facilitate a resolution of a complaint or conflict between members;

- (c) that the purpose of the Section Mediation Process shall not be to judge, assign blame or mete out punishments but to mediate and facilitate a mutually satisfactory resolution between the parties;
- (d) that the Section may make a determination if the parties are unable to achieve a resolution;
- (e) that the Section may summarily dismiss a complaint and that there shall be no appeal from the Section's determinations or decision to dismiss a complaint.

Confidentiality

- 21. No person is permitted to disclose either the existence of a complaint or information or records that form part of the complaint, except for the purposes of complying with the objectives of the Complaints Policy and Procedures or as required by law.

Applicable Procedures

- 22. The Membership Complaints, Investigation and Hearing Procedures approved from time to time by the Board of Directors pursuant to this policy shall govern the initiation and conduct of proceedings taken under this policy.

Effective Date

- 23. This policy, as revised, has been approved by the Skate Canada Board of Directors to come into effect October 4, 2008.

POLICY: MEMBERSHIP HARASSMENT

REFERENCE: By-law 1204

EFFECTIVE DATE: October 4, 2008

Policy Statement

1. Skate Canada is committed to providing a skating environment in which all individuals are treated with respect and dignity. Each individual has the right to participate in an environment which promotes equal opportunities and prohibits discriminatory practices, including discriminatory and sexual harassment.
2. Every Skate Canada member is entitled to be free from harassment and discrimination based on discriminatory grounds such as:
 - age
 - ancestry
 - color
 - creed
 - handicap
 - ethnic origin
 - family status
 - gender
 - marital status
 - race
 - record of offenses (for which a pardon has been granted)
 - sexual orientation
 - political or religious affiliation
3. The Membership Harassment Policy applies to harassment based on prohibited grounds of discrimination, including sexual harassment.

Harassment

Discriminatory Harassment

4. For the purposes of this policy, discriminatory harassment is defined as improper conduct which is
 - directed toward an individual or group of individuals, and which is

- related to or motivated by the race, national or ethnic origin, colour, religion, age, marital status, family status, disability, or pardoned conviction of that individual or group of individuals, and which is
- offensive to that individual or group of individuals, and which
- the person making the comment, conduct, or gestures knows or ought to know is unwelcome or unwanted.

This improper behaviour, which may be on a one-time or continuous basis, is insulting, intimidating, humiliating, malicious, degrading, or embarrassing. The improper behaviour does not have to be made with the intent to harass or discriminate, to be in violation of this policy.

Sexual Harassment

5. For the purposes of this policy, sexual harassment is defined as:

- improper conduct which is
- directed toward an individual or group of individuals, and which is
- related to the sex or sexual orientation of that individual or group of individuals, and which
- might reasonably be expected to cause offense or humiliation to that individual or group of individuals, or which
- might reasonably be perceived by the individual or group of individuals as placing a condition of a sexual nature on employment, or on any opportunity for training or advancement.

Sexual harassment may be directed at members of the same sex or the opposite sex. This improper behaviour, which may be on a one-time or continuous basis, is insulting, intimidating, humiliating, malicious, degrading, or embarrassing. The improper behaviour does not have to be made with the intent to harass or discriminate, to be in violation of this policy.

6. Prohibited conduct includes but is not limited to the following behaviour:

- (a) racial or ethnic slurs
- (b) written or verbal abuse or threats
- (c) the display of pornographic, racist or other offensive or derogatory material

- (d) unwelcome remarks, jokes, comments, innuendo, taunting, or questions about a person's looks, body, attire, age, race, religion, sex, sexual orientation, or sex life
- (e) leering, whistling, or other suggestive or obscene gestures
- (f) condescending, paternalistic or patronizing behaviour which undermines self-esteem, diminishes performance, or adversely affects the skating environment
- (g) practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance
- (h) unwanted physical contact
- (i) unwelcome sexual flirtations, advances, requests for sexual favours, or invitations, whether indirect or explicit
- (j) physical or sexual assault.

No Retaliation

7. Retaliation against an individual for having filed a complaint under this policy, or for having participated or assisted in any procedure under this policy, will not be tolerated by Skate Canada and will be treated as harassment for the purposes of this policy.

Application of this Policy

8. This policy applies to all members of Skate Canada, including officials, coaches, athletes, volunteers and the Skate Canada Board of Directors. Skate Canada encourages the reporting of all incidents of harassment, regardless of who the offender may be.
9. This policy applies to discriminatory and sexual harassment which may occur at or during the course of any Skate Canada business or skating activity or event (including business or skating activities or events of member organizations). It also applies to harassment occurring outside of those situations, when the harassment is occurring between persons covered by this policy, and the harassment adversely affects the Skate Canada skating environment.
10. Every member of Skate Canada has a responsibility to play a part in ensuring that Skate Canada's skating environment is free from harassment. This means not engaging in, allowing, condoning, or ignoring behaviour which is contrary to this policy. In addition, any member of Skate Canada who believes that a fellow member of Skate Canada has experienced or is experiencing harassment, is encouraged to notify a Harassment Officer.

Complainant's Rights

11. An individual who believes he or she has been harassed has the right:

- (a) to file a complaint and to obtain an investigation and resolution of his or her complaint through the procedures established under the Membership Complaints, Investigation and Hearing Procedures, without fear of embarrassment or retaliation;
- (b) to be represented or accompanied by another person of his or her choice (including legal counsel) at any stage in the complaint process; and
- (c) to contact the appropriate provincial human rights commission directly, if desired.

Respondent's Rights

A person against whom a harassment complaint has been made ("Respondent") has the right:

- (d) to be informed that a complaint has been made;
- (e) to be provided with a copy of the complaint outlining particulars of the allegations;
- (f) to be afforded the opportunity to respond to the complaint, in accordance with the procedures under the Membership Complaints, Investigation and Hearing Procedures; and
- (g) to be represented or accompanied by another person of his or her choice (including legal counsel) at any stage in the complaint process.

Complaints Process

Harassment Officers

12. The President or the President's delegate ("the President") shall appoint up to four employees (at least one male and at least one female) to act as National Office Harassment Officers. In addition, the President shall appoint one Area Harassment Officer from each of the following geographical areas: British Columbia, the Mid-West, Ontario, Quebec, and the Atlantic Region. All Harassment Officers shall report directly to the Skate Canada Director General.
13. The role of the Harassment Officer is to provide impartial and confidential advice and information, to receive complaints under this Policy, to assist in informal resolution of complaints, and to refer complaints for investigation under the Membership Complaints, Investigation and Hearing Procedures where appropriate.

Reporting a Complaint

14. Skate Canada encourages individuals who believe they have been harassed to make it known to the alleged harasser that the behaviour is unwelcome and offensive.

15. If confronting the alleged harasser is not possible, or if after confronting that individual the offensive behaviour continues, Skate Canada encourages the individual who believes he or she has been harassed to seek the advice of his or her Area Harassment Officer or one of the National Office Harassment Officers.
16. If an individual believes that a colleague has experienced harassment, or is being harassed, Skate Canada encourages that individual to report this belief to his or her Area Harassment Officer or one of the National Office Harassment Officers.
17. If a Harassment Officer receives a report under this section, the Harassment Officer shall meet with the individual believed to be harassed.

Preliminary Complaint Process

18. Where an individual who believes he or she has been harassed seeks the advice of a Harassment Officer, the Harassment Officer shall inform that individual of:
 - (a) his or her rights under section 11 of this policy;
 - (b) the option of pursuing an informal resolution of his or her complaint with the assistance of the Harassment Officer;
 - (c) the right to file a formal written complaint under the Membership Complaints, Investigation and Hearing Procedures,
 - (d) the confidentiality provisions of this policy,
 - (e) other options for recourse, including the right to file a complaint with the appropriate provincial human rights commission, and, where appropriate, the right to contact local police to initiate charges under the Criminal Code.

No Further Action

19. As a result of the initial meeting with the Harassment Officer, if the individual and the Harassment Officer together conclude that the offensive behaviour does not constitute harassment within the meaning of this policy, then the Harassment Officer will take no further action, and will not maintain any written record of the meeting.

Informal Resolution Process

20. As a result of this initial meeting with the Harassment Officer, if the individual chooses to pursue an informal resolution of his or her complaint, the Harassment Officer will coordinate a meeting between that person and the alleged harasser, and will assist them in an attempt to negotiate a mutually acceptable solution to the complaint.
21. If a mutually acceptable solution results, the Harassment Officer will make a written memorandum that a complaint was made and was resolved informally to the satisfaction of both parties, but will take no further action.

22. If a mutually acceptable result is not achieved, the individual who believes he or she has been harassed has the option of filing a formal written complaint.

Initiating a Formal Complaint

23. As a result of this initial meeting with the Harassment Officer, if the individual decides to file a formal written complaint, then that individual will file a written complaint setting out the details of the incident(s), the names of any witnesses to the incident(s), and the nature of the offensive behaviour or misconduct, with the Harassment Officer. The complaint shall then be investigated and resolved in accordance with the process set out in the Membership Complaints, Investigation and Hearing Procedures.

Independent Action by Harassment Officer

24. As a result of this initial meeting with the Harassment Officer, if the individual who believes he or she has been harassed does not wish to take any further steps under this policy, the Harassment Officer may, on his or her own initiative, initiate the process set out in the Membership Complaints, Investigation and Hearing Procedures, if the Harassment Officer considers it to be in the interests of Skate Canada given the nature of the conduct in question.

Action by Complaints Review Officer

25. Skate Canada's Complaint Review Officer may initiate the process set out in the Membership Complaints, Investigation and Hearing Procedures, if the Complaint Review Officer considers it to be in the interests of Skate Canada given the nature of the conduct in question.

Confidentiality

26. Skate Canada understands that it can be extremely difficult to come forward with a complaint of harassment, and that it can be devastating to be wrongly accused of harassment. Skate Canada recognizes the interests of both the complainant and the respondent in maintaining confidentiality.
27. Skate Canada shall maintain all records in a confidential manner, and will not disclose the fact that a complaint has been made, the name of the complainant or the respondent, the circumstances giving rise to the complaint, the findings of any investigation, and the manner in which the complaint was resolved except to the extent that disclosure of any of this information is necessary for the purposes of investigating the complaint, or taking disciplinary and corrective action in relation to the complaint, or is required by law.
28. Section 27 does not apply to final determinations of the Hearing Panel and the Appeal Panel made under the Membership Complaints, Investigation and Hearing Procedures.
29. Harassment Officers shall maintain a complaint file in respect of any complaint, which shall be maintained at the National Office and shall be kept confidential. Access to the

file shall be restricted to Directors and the CEO. All written materials relating to a complaint, including complainant statements, responses from alleged harassers, witness statements, interview notes, and reports and memoranda regarding resolution shall be placed in the file.

Effective Date

30. This policy has been approved by the Board of Directors to come into effect October 4, 2008.

**PROCEDURES: MEMBERSHIP COMPLAINTS, INVESTIGATION AND HEARING
PROCEDURES**

REFERENCE: By-law 1204

EFFECTIVE DATE: October 4, 2008

REVISED: April 17, 2010

APPLICATION OF PROCEDURE

1. These procedures apply to the initiation and conduct of proceedings taken under the Membership Complaints Policy (“Complaints Policy”) and the Membership Harassment Policy.

COMPLAINTS

2. A complaint can only be made against a member of Skate Canada. For the purposes of this procedure “member” includes anyone that:
 - (a) was a member at the time of the conduct that is the subject of the complaint; or,
 - (b) was a member during the 12 month period preceding delivery of the complaint.
3. A complaint may be made by:
 - (a) any member of Skate Canada;
 - (b) any person who was a member of Skate Canada within 12 months preceding delivery of the complaint;
 - (c) a Harassment Officer appointed under the Membership Harassment Policy.
4. Complaints must be in writing, dated and signed by the complainant.
5. Complaints should contain as much information as possible about the conduct which is the subject of the complaint.
6. An individual who files a complaint has the responsibility to:
 - (a) provide details of the dates, times, and locations of the incident(s),

names of any witnesses to the incident(s), and a detailed description of the offensive behaviour or misconduct; and

- (b) refrain from discussing the fact that a complaint has been filed, or the allegations contained in the complaint, except with his or her representative or legal counsel, or except as directed by the Harassment Officer or Complaints Review Officer.
 - (c) delivered the complaint as soon as reasonably possible following the incident(s) or conduct which are the subject matter of the Complaint.
7. Complaints shall be delivered to the Complaint Review Officer, who shall be appointed by the President or the President's delegate (collectively "the President").

COMPLAINT REVIEW OFFICER

8. The responsibilities of the Complaint Review Officer are:
- (a) to determine whether the complaint meets the requirements of sections 2 and 3 above;
 - (b) in the case of a complaint made under the Complaints Policy, to determine whether the complaint complies with the Preliminary Requirements set out in sections 6 through 9 of the Complaints Policy;
 - (c) to refer complaints to investigation where the above requirements of the procedure and policy are met.
9. Both the Complainant and the person who is the subject of the complaint (the "Respondent") will be notified by the Complaint Review Officer in writing that the complaint will proceed to investigation. The Respondent will be provided with a copy of the complaint.

CONFIDENTIALITY

10. No person is permitted to disclose either the existence of a complaint or information or records that form part of the investigation of the complaint, except for the purposes of complying with the objectives of the Complaints Policy and these procedures.
11. Section 10 does not apply to final determinations of the Hearing Panel and the Appeal Panel.

DISPUTE RESOLUTION BODIES

12. Two bodies will be appointed to resolve disputes under the Complaints Policy and the Membership Harassment Policy: the Investigator and the Hearing Panel.

Investigator

13. Investigations will be conducted by an investigator appointed by the President. The President may retain an investigator from outside Skate Canada to conduct the investigation.
14. The responsibilities of the Investigator are:
 - (a) to gather information relating to disputes;
 - (b) to take any practical steps that may resolve disputes without the need for a hearing;
 - (c) to make a recommendation to the Hearing Panel as to whether a hearing into the matter is required; and
 - (d) when a hearing is necessary, to fairly present relevant evidence gathered in the course of the investigation.
15. In the case of a complaint made under the Membership Harassment Policy, the Investigator may confer with the provincial human rights commission or legal advisors, where required.

Hearing Panel

16. The Hearing Panel shall be composed of a member or members appointed by the President. The President may retain panel members from outside Skate Canada to conduct a hearing.
17. The Hearing Panel shall consist of one or three persons. In the case of a three-person Panel, the Panel shall select one of its members to be the Chairperson.
18. In the case of a three-person Hearing Panel, the Panel shall render, at a minimum, a majority decision.
19. The Hearing Panel shall determine at the outset whether a hearing is required, based on the Investigator's report and recommendation.
20. Should a hearing be required, the responsibility of the Hearing Panel is to provide a fair hearing. Characteristics of a fair hearing include:

- (a) Notice of the hearing;
 - (b) Knowledge of the case to be met;
 - (c) A right to hear or see all information provided to and considered by the Hearing Panel;
 - (d) An opportunity to provide information and arguments;
 - (e) If an oral hearing is conducted (rather than a hearing based solely on written submissions and documents), the right to question witnesses;
 - (f) An unbiased panel who will hear and consider all relevant information.
21. Subject to the provisions of section 20, the Hearing Panel shall have the power to establish its own procedures. The Panel may take such steps and conduct the proceedings as considered necessary or desirable by the Panel to avoid delay and achieve a just, speedy and cost-effective resolution of the dispute.

SUSPENSION PENDING INVESTIGATION OR HEARING

22. Pending an investigation or hearing, if the Investigator considers the action necessary to protect the members of Skate Canada or to otherwise fulfill the purposes of the Complaints Policy or Harassment Policy, the matter may be referred to the Hearing Panel who may, with or without notice to the Respondent:
- (a) set limits or conditions on the Respondent's membership; or,
 - (b) suspend the membership of the Respondent.
23. The Hearing Panel shall not suspend or limit the rights and privileges of a member unless the Panel is satisfied that the action is necessary to protect the members of Skate Canada or to otherwise fulfill the purposes of the Complaints Policy.
24. If action is taken under section 22 above, the Respondent must be notified in writing of the action that has been taken and of the right to apply to have the action rescinded or varied.
25. An application to vary or rescind the action shall be in writing and delivered either:

- (a) to the Hearing Panel that made the decision; or,
- (b) the Executive Committee who will determine the application as soon as practicable and notify the respondent.

INVESTIGATION

- 26. All members of Skate Canada, including the Respondent, must cooperate with an investigation under this section. Failure to cooperate with an investigation may result in a complaint against the member.
- 27. At the conclusion of the investigation, the investigator shall prepare an Investigation Report for the Hearing Panel. The Investigation Report shall contain a recommendation as to whether the complaint requires a hearing by a Hearing Panel.
- 28. The Investigation Report will be provided to each of the parties.
- 29. All parties shall be given an opportunity to respond in writing to the Investigation Report. Responses to the Investigation Report must be provided to the Hearing Panel within 14 days of delivery of the Investigation Report.

SELECTION OF HEARING PROCEDURE

- 30. The Hearing Panel shall determine, based on the Investigation Report and Responses, whether a hearing is required. If the Hearing Panel determines that a hearing is not required, the matter shall be considered resolved and the Respondent shall not be subject to any penalty.

Documentary Hearing

- 31. A documentary hearing may be held in cases where the misconduct would result in disciplinary consequences other than suspension or expulsion of the member from Skate Canada or any other penalty listed in section 56 of these procedures.
- 32. Where the Hearing Panel considers that the case is appropriate for a documentary hearing and meets the criteria in section 31 the parties shall be:
 - (a) informed that a Hearing Panel has been established;
 - (b) informed of the complaint to be heard;
 - (c) provided with copies of the Complaints Policy or Membership Harassment Policy, as appropriate, and these procedures;

- (d) invited, within a time specified by the Hearing Panel, to provide documentary evidence and make written submissions on information or arguments relevant to the Panel's deliberations;
- (e) informed of the decision of the Hearing Panel.

Oral Hearing for Major Misconduct

- 33. If the Hearing Panel considers the alleged misconduct to be major misconduct which could result in the member being suspended or expelled from Skate Canada, or subject to any other penalty listed in section 57 of these procedures, the parties shall have the right to be heard in person.

Reassessment of Process

- 34. If, during the course of a documentary hearing, the evidence shows that the Respondent may be guilty of misconduct different from or in addition to any misconduct specified in the Complaint or Notice of Hearing, the Hearing Panel may reassess the hearing process and elect to continue by way of an oral hearing.
- 35. The Hearing Panel may adjourn the hearing for any period that the Panel considers sufficient to give the Respondent an opportunity to prepare a defence to the amended complaint.

Respondent's Election

- 36. In every case, the Respondent may elect for the proceedings to be conducted in writing. The Respondent must give notice of his or her election within 7 days of receiving the notice of oral hearing.

Legal Counsel

- 37. Parties may be represented by legal counsel at their own expense.

PROCEDURES FOR ORAL HEARING

Time, Place and Date of Hearing

- 38. The time, place and date of hearing shall be determined by the Hearing Panel.
- 39. A Notice of Hearing shall be delivered to the Respondent no less than 14 days before the commencement of the hearing. The Notice of Hearing shall include a statement of the matters to be enquired into and a copy of these procedures and the Complaints Policy or Membership Harassment Policy, as appropriate.

40. The date of the hearing may be adjourned prior to the commencement of the hearing, from time to time, by the Chair of the Hearing Panel on application of either of the parties.

Conduct of the Hearing

41. Unless otherwise directed by the Hearing Panel, the hearing will be in camera.
42. Proceedings may be recorded by a court reporter if requested by either of the parties or the Hearing Panel.
43. Skate Canada and the Respondent may, at their own expense, call witnesses to testify. Witnesses shall be truthful in their testimony and may be subject to examination and cross-examination.
44. Unless the Hearing Panel orders otherwise, witnesses called by Skate Canada shall testify first, followed by witnesses for the Respondent.
45. The Hearing Panel may:
- (a) Accept any written statement of agreed facts as executed by both the Respondent or Respondent's counsel; and by Skate Canada or Skate Canada's counsel;
 - (b) Admit evidence tendered in a form which is agreed to by both the Respondent or Respondent's counsel and by Skate Canada or Skate Canada's counsel;
 - (c) Admit evidence in any other manner it considers appropriate; and
 - (d) Receive submissions in writing either at the request of the Panel or by agreement of the parties.

Experts

46. The Hearing Panel may retain an individual who is an expert on matters at issue in the hearing to advise the Hearing Panel. The expert's advice and any report the expert may create shall be disclosed to the parties.
47. Parties shall be given an opportunity to respond to an expert's evidence.

Attendance at the Hearing

48. If the Respondent fails to attend at the hearing, the Hearing Panel may proceed with the hearing of the matter on the date and time specified in the Notice of

Hearing without further notice to the Respondent and may make any determination and impose any penalty available to the Hearing Panel, which decision will be final and not subject to appeal.

49. Any member of Skate Canada may be required by a Hearing Panel to:
 - (a) attend before it at the hearing and give evidence respecting any matter involved in the proceeding; and
 - (b) produce any documents or other thing relevant to the matters being considered.
50. Failure of a member to attend a hearing as required by the Hearing Panel may result in a complaint against the member and action under section 22.

Submissions

51. Following completion of the evidence, the Respondent and Skate Canada or their counsel may make submissions on the allegations in the complaint.
52. After receiving the parties' submissions, the Hearing Panel shall invite the Respondent and Skate Canada counsel to present evidence and to make submissions as to penalty and costs.

ACTION FOLLOWING HEARING

Decision

53. After a written or oral hearing, the Hearing Panel will prepare a written report of its decision and determination regarding penalty (the "Decision"):
54. The Hearing Panel may:
 - (a) Dismiss the complaint or any part of it;
 - (b) Determine that the Respondent has committed an offence(s) described under the Complaints Policy or the Membership Harassment Policy.
55. A copy of the Decision shall be delivered to the parties or their counsel and to the Complainant.

PENALTY

56. Where the Hearing Panel determines that a documentary hearing is appropriate, the penalty may include one or more of the following, on such terms and conditions, if any, as the Hearing Panel considers appropriate. The Hearing Panel

may order:

- (a) a verbal apology;
- (b) a written apology;
- (c) that a letter of reprimand be placed on the Respondent's membership file;
- (d) payment of a fine or levy (in money or in volunteer hours);
- (e) that the Respondent participate in counselling or training.

57. In the case of major misconduct, the Hearing Panel may order:

- (a) that the Respondent's membership in Skate Canada or any one or more of the Respondent's privileges of membership be temporarily suspended or permanently revoked;
- (b) that the member's participation in any Skate Canada Committee, business, skating activity or event (including Committees, business or skating activities or events of member organizations) be suspended or cancelled;
- (c) that the Respondent be granted a right to apply for reinstatement of membership in Skate Canada or on any Committee of Skate Canada on terms and conditions (including but not limited to temporarily suspending any right granted, or requiring the member to fulfill certain terms and conditions as a prerequisite to any right granted); and
- (d) any other penalty that the Panel deems just, including those set out in section 56.

Considerations under the Membership Harassment Policy

58. In selecting a penalty for an offence described under the Membership Harassment Policy, the Panel shall take into consideration relevant factors including, but not limited to:

- (a) the nature of the harassment
- (b) whether the harassment involved any physical contact
- (c) whether the harassment was an isolated incident or part of an ongoing pattern

- (d) the nature of the relationship between the complainant and the harasser
- (e) the respective ages and positions of the complainant and the harasser
- (f) whether the harasser had been involved in previous harassment incidents
- (g) whether the harasser admitted responsibility and expressed a willingness to change
- (h) whether the harasser retaliated or attempted to retaliate against the complainant.

COSTS

59. The Hearing Panel may make an award of costs against a party.

APPEAL PROCEDURES

Urgent Appeals

60. An appeal will be treated as an “Urgent Appeal” if the Decision will adversely and directly affect the member’s ability to:
- (a) Continue to participate in an ongoing Skate Canada event; or
 - (b) Participate in a Skate Canada event scheduled to commence not later than 15 days from the date of the Decision.
61. Urgent appeals must be decided in an expedited manner, and not later than 12 days from the date of the Decision.

Deadline for Notice of Appeal

62. Skate Canada or a member who has been found guilty of misconduct may appeal the Decision of the Hearing Panel by delivering a written Appeal Notice addressed to the Skate Canada President;
- (a) In case of an urgent appeal, within 3 days of the date of the Decision;
 - (b) In all other cases, within 14 days of the date of the Decision.

Contents of Appeal Notice

63. The Appeal Notice must be dated and signed and must include:

- (a) The specific ground(s) which the Appellant relies upon in the appeal;
- (b) Whether the Appellant is requesting that the Urgent Appeal process be followed and if so, the circumstances of urgency to support that request.

Appointment of Appeal Panel

- 64. Upon receiving an Appeal Notice, the Skate Canada President shall appoint a three person Appeal Panel consisting of at least two members of Skate Canada.

Scheduling of Appeal

- 65. Appeals will be in writing. At the discretion of the Appeal Panel, urgent appeals may be done orally or by teleconference.

Appeal Procedure

- 66. In the case of an Urgent Appeal, the Appellant will deliver its written brief with the Notice of Appeal. The Respondent to the Appeal will have 3 days to deliver its materials to the Appeal Panel.
- 67. For regular Appeals, the written brief of the Appellant must be delivered to the Appeal Panel, care of Skate Canada, no later than 21 days after the Notice of Appeal.
- 68. The written brief of the Respondent to the Appeal must be delivered to the Appellant and to the Appeal Panel, care of Skate Canada, within 14 days of receipt of the Appellant's brief.
- 69. The Appellant may deliver a reply submission within 7 days of receipt of the Respondent's brief.
- 70. The Appeal Panel can vary any of the times set out in this section as required or on application by either party.

Decision of Appeal Panel

- 71. The Appeal Panel has the authority to uphold, set aside, or vary the Decision and/or the penalty and/or any costs assessed by the Hearing Panel.
- 72. The Appeal Panel shall deliver its decision and reasons to the Appellant and Skate Canada, in writing, as soon as practicable. In the case of Urgent Appeals

the Appeal Panel Decision will be delivered in accordance with section **Error! Reference source not found.**

73. The Appeal Panel may give its decision orally to be followed by a written decision.
74. Subject to section 74 (a), below, decisions of the Appeal Panel shall be final and binding and shall not be subject to further appeal and shall not be altered or set aside in an application for judicial review or in any other proceeding
 - (a) Decisions of the Appeal Panel concerning matters that are within the jurisdiction of the Sport Dispute Resolution Centre of Canada ("SDRCC") may be appealed or otherwise referred to the SDRCC for resolution.

MEMBERSHIP RECORDS

75. Decisions of the Hearing Panel shall be placed in the membership file of the person against whom the complaint was made.
76. Where there is an Appeal, both the Panel Decision and the Appeal Decision will be placed in the membership file of the Respondent.

REINSTATEMENT APPLICATION PROCESS

Application

77. Where a member has been granted a right to apply for reinstatement of membership in Skate Canada, the following process for application will apply:
 - (a) The applicant will deliver a written application for reinstatement to the Chair of the Rules/Membership Committee setting out the facts in support of the application.
 - (b) The Committee will review the application and will deliver its decision ("Reinstatement Decision"), in writing, to the member within 14 days of receiving the application. The Reinstatement Decision of the Committee will be final, and there will be no right of appeal.

Re-Application

78. A member whose previous application for reinstatement has been denied may, after 6 months, re-apply by following the process set out under section 77, if there are new facts or circumstances which support the re-application.

Effective Date

79. These procedures have been approved by the Skate Canada Board of Directors to come into effect October 4, 2008.

**POLICY: VOTING FOR OFFICERS & DIRECTORS AT THE AGM – ELECTION
PROCESS**

REFERENCE: By-law 1306 (3) (b)

EFFECTIVE DATE: May 1999

REVISED DATE: May 2000

1.0 PROCESS FOR ELECTION

The process described below ensures that all persons elected to any position are elected by a majority of votes cast and is consistent both with all applicable Skate Canada Rules and with “Robert’s Rules of Order”.

1.1 The assembly will vote for the number of nominees required to fill the number of vacancies available for a given position. For example, if four directors are to be elected each voter must cast only one vote for each of the four different nominees.

1.2 Except as provided for in paragraphs 1.6 and 1.7 below, on any ballot any nominee receiving a majority of the votes cast shall be declared elected and the next ballot will be conducted among those remaining nominees who did not receive a majority of votes cast on the previous ballot. (See Example 1)

1.3 On this next ballot the assembly will vote only for the number of nominees required to fill the remaining number of vacancies available for that position. For example, if there are only two vacancies for the position of director remaining each voter must cast only one vote for each of two different nominees. (See Example 1)

1.4 If as a result of any ballot there is no majority of votes cast for any of the nominees, one further ballot will be conducted among those same nominees.

1.5 If as a result of such further ballot there is no majority of votes cast for any of the nominees to be elected for that position, then unless one or more nominees withdraw the nominee receiving the lowest number of votes on the previous ballot will be dropped and another ballot will be conducted.

1.6 If as a result of any ballot the number of nominees receiving a majority of votes cast is greater than the number of vacancies available for that position, only those nominees receiving the largest majority of votes cast shall be declared elected, so that the number of nominees declared elected for any position will not exceed the number of vacancies available for that position. (See Example 2)

1.7 If on any ballot for that position, two (or more) nominees both (or all) receive an equal majority of the votes cast such that if both (or all) of those nominees were declared elected in addition to nominees otherwise declared elected the number of nominees declared elected for that position would exceed the number of vacancies available for that position and a tie-breaking ballot will be conducted between (or among) the tied

nominees only and in accordance with the above process. (See Example 3) Nevertheless the tie-breaking ballot will also include any nominee who on the immediately preceding ballot received a majority of the votes cast but fewer votes than were received by the tied nominees on that ballot. (See Example 4)

1.8 The above process will continue until all vacancies for that position have been filled.

Example 1

**NUMBER OF NOMINEES RECEIVING A MAJORITY OF VOTES CAST BEING
LESS THAN THE NUMBER OF VACANCIES TO BE FILLED**

Assumptions:

- (a) 4 vacancies available to be filled.
- (b) 8 nominees.
- (c) 1,000 voters (each proxy also counting as a voter).
- (d) Each voter to cast only 1 vote for each of 4 different nominees.
- (e) Total votes cast is 4,000.
- (f) Maximum possible votes which any nominee can receive is 1,000.
- (g) For any nominee to be declared elected, a majority is required.
- (h) A majority is 501 votes.

Results of Ballot:

<u>Nominees</u>	<u>Votes Received</u>
A	820
B	790
C	480
D	470
E	450
F	360
G	340
H	290
Total Votes Cast	4,000

Consequences of Ballot:

- (1) Nominees A and B are declared elected, each having received a majority of the votes cast.
- (2) The next ballot will be conducted among the remaining six nominees namely C, D, E, F, G, and H, with each voter casting only one vote for each of two different nominees.

** Shading indicates nominees declared elected.

Example 2

**NUMBER OF NOMINEES RECEIVING A MAJORITY OF VOTES CAST BEING
GREATER THAN THE NUMBER OF VACANCIES TO BE FILLED**

Assumptions:

- (a) 4 vacancies available to be filled.
- (b) 8 nominees.
- (c) 1,000 voters (each proxy also counting as a voter).
- (d) Each voter to cast only 1 vote for each of 4 different nominees.
- (e) Total votes cast is 4,000.
- (f) Maximum possible votes which any nominee can receive is 1,000.
- (g) For any nominee to be declared elected, a majority is required.
- (h) A majority is 501 votes.

Results of Ballot:

<u>Nominees</u>	<u>Votes Received</u>
A	810
B	740
C	680
D	590
⇒E	520⇐
F	450
G	150
H	60
Total Votes Cast	4,000

Consequences of Ballot:

- (1) Nominees A, B, C and D are declared elected, each having received a majority of the votes cast.
- (2) Nominee E is not declared elected. Although nominee E has received a majority of the votes cast, that majority is a smaller majority than the majorities received by each of nominees A, B, C and D. There were only four vacancies available to be filled. If nominee E were declared elected the number of nominees declared elected would exceed the number of vacancies available to be filled.

**Shading indicates nominees declared elected.

⇒ Arrows indicate focus of example.

Example 3

**NUMBER OF NOMINEES RECEIVING A MAJORITY OF VOTES CAST BEING GREATER THAN THE
NUMBER OF VACANCIES TO BE FILLED,
WITH TIED MAJORITY FOR LAST VACANCY TO BE FILLED**

Assumptions:

- (a) 4 vacancies available to be filled.
- (b) 8 nominees.
- (c) 1,000 voters (each proxy also counting as a voter).
- (d) Each voter to cast only 1 vote for each of 4 different nominees.
- (e) Total votes cast is 4,000.
- (f) Maximum possible votes which any nominee can receive is 1,000.
- (g) For any nominee to be declared elected, a majority is required.
- (h) A majority is 501 votes.

Results of Ballot:

<u>Nominees</u>	<u>Votes Received</u>
A	650
B	640
C	630
⇒D	620⇐
⇒E	620⇐
F	440
G	220
H	180
Total Votes Cast	4,000

Consequences of Ballot:

- (1) Nominees A, B, and C are declared elected, each having received a majority of the votes cast. Neither of nominees D or E are declared elected. Although nominees D and E have each received a majority of the votes cast there were only four vacancies available to be filled and if nominees D and E were both declared elected the number of nominees declared elected would exceed the number of vacancies available to be filled.
- (2) A tie-breaking ballot will be conducted between the tied nominees only, namely nominees D and E, with each voter casting one vote for only one of those two nominees.

**Shading indicates nominees declared elected.

⇒ Arrows indicate focus of example.

Example 4

**NUMBER OF NOMINEES RECEIVING A MAJORITY OF VOTES CAST BEING GREATER THAN THE
NUMBER OF VACANCIES TO BE FILLED,
WITH TIED MAJORITY FOR LAST VACANCY TO BE FILLED AND
WITH FURTHER NOMINEE ALSO RECEIVING A MAJORITY OF VOTES CAST**

Assumptions:

- (a) 4 vacancies available to be filled.
- (b) 8 nominees.
- (c) 1,000 voters (each proxy also counting as a voter).
- (d) Each voter to cast only 1 vote for each of 4 different nominees.
- (e) Total votes cast is 4,000.
- (f) Maximum possible votes which any nominee can receive is 1,000.
- (g) For any nominee to be declared elected, a majority is required.
- (h) A majority is 501 votes.

Results of Ballot:

<u>Nominees</u>	<u>Votes Received</u>
A	720
B	710
C	610
⇒D	560⇐
⇒E	560⇐
⇒F	510⇐
G	270
H	60
Total Votes Cast	4,000

Consequences of Ballot:

- (1) Nominees A, B, and C are declared elected, each having received a majority of the votes cast. Neither of nominees D or E are declared elected. Although nominees D and E have each received a majority of the votes cast there were only four vacancies available to be filled and if they were both declared elected the number of nominees declared elected would exceed the number of vacancies available to be filled.
- (2) A tie-breaking ballot will be conducted among three nominees only, namely the two tied nominees D and E as well as nominee F, since nominee F also received a majority of the votes cast.

**Shading indicates nominees declared elected.

⇒ Arrows indicate focus of example.

POLICY: BOARD MEMBER POSITION DESCRIPTION

REFERENCE: By-law 1402 (2) (d)

EFFECTIVE DATE: November 1997

REVISED DATE:

1.0 PURPOSE:

To act as a voting member of the Board with full authority and responsibility to develop policies, procedures and regulations for the operation of Skate Canada; to monitor Skate Canada's financial health, programs and overall performance; to provide the Director General with the resources to meet the needs of the Association.

2.0 THE FULL BOARD'S RESPONSIBILITIES

- 2.1 Establish and support the implementation of policy.
- 2.2 Delegate the responsibility for the day to day operation of Skate Canada to the Executive Committee and support its actions.
- 2.3 Review and approve budgets, receive financial reporting necessary to carrying on business, accept auditor's statement and recommendations.
- 2.4 Review and approve in-year and long range plans.
- 2.5 Adopt and monitor key operating policies and procedures.

3.0 INDIVIDUAL BOARD MEMBERS DUTIES

- 3.1 Attend all Board meetings and activities.
- 3.2 Serve and represent the national interests of Skate Canada and not special interest groups inside or outside Skate Canada.
- 3.3 Become knowledgeable about Skate Canada.
- 3.4 Come to Board meetings well prepared and well informed regarding issues on the agenda.
- 3.5 Receive reports of Association activity from time to time; approve requests for action as appropriate.
- 3.6 Contribute to meetings by expressing your point of view.

- 3.7 Observe parliamentary procedures and consider others' point of view; make constructive suggestions and help the Board make decisions that benefit skaters and the sport of skating.
- 3.8 Serve on committees, commissions and working groups as requested and participate in the accomplishment of their objectives.
- 3.9 As Chair of committees, commissions or working groups:
- (a) operate within the committee, commission or working group terms of reference and refer appropriate matters to the Board of Directors;
 - (b) call meetings as necessary until objectives are met;
 - (c) ensure notice of meeting is mailed to all members six weeks in advance of the meeting;
 - (d) ensure the agenda and support materials are mailed to all members three weeks in advance of the meeting;
 - (e) conduct the meetings in an orderly, fair, open and efficient manner;
 - (f) ensure discussion is limited to agenda topics and bring the discussion back on track when members stray;
 - (g) encourage quiet and reserved members to speak up and keep one person from monopolizing discussion;
 - (h) make assignments when work needs to be completed;
 - (i) build consensus among members when disagreements arise;
 - (j) declare all conflicts of interest related to the objectives of the meeting and refrain from voting on subjects relating to personal conflicts of interest; ensure committee members are given the opportunity to declare all conflicts of interests and refrain from voting as above;
 - (k) liaise immediately before and after the meeting with the V.P. assigned;
 - (l) produce and distribute minutes of committee meetings and reports of commission and working group meetings to Board members and meeting members within two weeks after the meeting;
 - (m) adhere to approved plans and budgets;
 - (n) prepare policy changes as recommendations to the Board.

- 3.10 Represent Skate Canada in a positive and supportive manner at all times and in all places.
- 3.11 Assume Board leadership roles when asked.
- 3.12 Keep the Director General informed about any concerns from within and/or from outside the skating community that affect the direction and best interests of the sport of skating and the Association.
- 3.13 Once the Board establishes policy, the National Office implements policy and carries out administrative tasks associated with policy. Refrain from intruding on administrative issues that are the responsibility of management, except to monitor the results and prohibit methods that conflict with Board policy.
- 3.14 Avoid conflicts of interest between the position of Board Member and your personal life. If such a conflict does arise, declare that conflict before the Board and refrain from voting on matters in which you have conflict.
- 3.15 Support in a positive manner all actions taken by the Board of Directors even when you are in a minority position, including supportive participation in debate regarding all Board decisions at all venues.
- 3.16 Draft motions for consideration before the Board meeting.
- 3.17 Protect the confidentiality of discussions at the Board table.
- 3.18 Assist, when in attendance at all major events of the Association, in all activities and demonstrate support for skaters, sponsors, and event management.
- 3.19 Participate in Board self-evaluation programs, Board development workshops, seminars, and other educational events which enhance Board Member skills.

I _____ have read and fully understand the roles and responsibilities of the position of Board of Director and agree to carry out my duties consistent with the expectations as outlined in the above position description. If, for any reason, I find myself unable to carry out the above duties to the best of my abilities, I agree to resign my position as a board member.

Board Member's Signature

Date

Board Member's Name (please print)

**POLICY: CONFLICT OF INTEREST FOR DIRECTORS, COMMITTEE MEMBERS
& TRUSTEES**

REFERENCE: By-law 1402 (2) (d)

EFFECTIVE DATE: June 2000

REVISED DATE:

1.0 PREAMBLE

This Policy has been developed to address the need for Skate Canada to avoid conflicts of interest at all levels of operation, including in the actions of the organization as a whole, in decisions of committees and the Board, and in the work of the professional staff, at all levels - national, section and club.

The Skate Canada Conflict of Interest Policy is part of the overall code of ethics and position descriptions for the directors, committee members and trustees who are involved in Skate Canada activities.

The Skate Canada Ethics Review Panel will be responsible for issuing guidelines and examples to assist in applying this Policy at the National, Section, Region and Club levels.

2.0 APPLICATION OF THE POLICY

This Policy applies to:

- every member of any Board of Directors or Board of Trustees (“Board”)
- every member of any committee (which includes sub-committees and task forces) established at the National, Section, Region and Club levels.

This Policy applies regardless of whether the director, committee member or trustee is an employee, official, coach, athlete, or volunteer.

3.0 GENERAL OBLIGATIONS OF DIRECTORS, COMMITTEE MEMBERS AND TRUSTEES

Understanding conflict of interest requires some understanding of the general duties of directors, committee members, and trustees.

Directors and trustees are fiduciaries, meaning that they owe a duty of good faith, skill, and care. Generally, directors and trustees must, at all times:

- act honestly and in good faith, in the best interests of the organization

- exercise their powers properly, and their discretion reasonably
- exercise their powers and discretion for the purpose for which they are conferred
- avoid conflict of interest.

While committee members are not always fiduciaries, the organization still requires that its committee members, at all times:

- act honestly and in good faith, in the best interests of the organization
- exercise their powers properly, and their discretion reasonably
- exercise their powers and discretion for the purpose for which they are conferred
- avoid conflict of interest.

The Duty to Act Honestly and in Good Faith_ Acting honestly and in good faith means that the director, committee member or trustee is not seeking to gain an advantage for him or herself, or for someone else; is not intending to deceive anyone, and is not blindly following the lead of others on the Board or the committee.

The Duty to Properly Exercise Powers_ Properly exercising powers conferred on the director, committee member or trustee, means the person is not acting upon some personal “hidden agenda”, but is exercising his or her powers for legitimate purposes which serves the best interests of the organization.

The Duty to Avoid Conflicts of Interest - Conflict of interest arises when a person has (or could have) divided loyalties. Directors, committee members and trustees owe the organization their undivided loyalty. Therefore, they need to be conscious of the potential for conflict of interest, and they need to act with candour and care in those situations.

“Avoiding” conflict of interest does not mean that a director, committee member or trustee will never be in a conflict of interest position - it means that when the person is (or could be) in a conflict of interest position, the situation is recognized and properly handled.

It is important to remember that conflicts of interest arise naturally, and often, in ordinary circumstances. There is nothing inherently wrong or illegal about the mere existence of a conflict of interest involving a director, committee member or trustee. The mere existence of a conflict of interest does not automatically reflect badly on the integrity of the director, committee member, trustee, or the integrity of the Board or the committee.

Conflicts of interest only become problematic if the director, committee member, trustee, or the Board or committee, fail to recognize the conflict of interest, or fail to deal with the situation properly.

Avoiding conflict of interest, in the narrow sense, means putting the duty to the organization ahead of any other interest or duty.

Generally, conflict of interest in this narrow sense arises when the director, committee member or trustee (or a person, company, or group associated with the director, committee member or trustee) wants to obtain some benefit (financial, professional, personal, or otherwise) from the organization.

Avoiding conflict of interest, in the broader sense, means that the director, committee member or trustee must assess his or her views and proposals in light of their benefit to the organization. Every Board or committee member should contribute his or her unique skills and perspective, and his or her honest views, to any Board or committee discussion. However, when it comes to decision-making, the person's actions will be judged in terms of the benefit to the organization as a whole.

For example, a committee member who is a coaching representative is entitled - and expected - to bring the coaching perspective to the table. However, when that member is called upon to make a committee decision, he or she must give priority to the best interests of the organization as a whole, even if that means the decision being made is not in the best interests of the coaching "constituency".

Need to Avoid both Actual and Perceived Conflicts of Interest - A conflict of interest may be actual and obvious. Most commonly, this will arise when the director, committee member or trustee has a material interest in a proposed contract or transaction to which the organization may be a party.

This material interest may arise directly because the director, committee member or trustee is personally involved with the contract or transaction. Or, the material interest may arise more indirectly, because the director, committee member or trustee has an employment or investment relationship with the entity dealing with the organization, or because of some family or other personal relationship.

Material interest is generally interpreted to mean an interest which is sufficient to result in some benefit - even a minimal one - to the director, committee member or trustee. Usually, although not always, that benefit is (directly or indirectly) a financial one.

The corporate and trust laws which govern Skate Canada and other organizations impose certain disclosure obligations on a director or trustee who is in any way, whether directly or indirectly, interested in any contract or proposed contract with the organization. Those same laws require the director or trustee to abstain from any discussion, debate and vote related to the contract or proposed contract. (Because committee members can also find themselves in these types of conflict situations, under this Policy Skate Canada applies the same rules to directors, committee members and trustees.)

There can be serious legal consequences when such "legal" conflicts of interest are not properly handled. For example, the decision about the contract may be vulnerable to court challenge,

and insurance protection under Directors and Officers (D&O) insurance may be placed in jeopardy, if an undeclared conflict leads to a lawsuit.

Sometimes, even though there may be no “legal” conflict of interest, there is still potential for the reasonable perception of a conflict of interest, when viewed from the perspective of an objective outside observer.

For example, if a committee is considering which skaters to nominate to a list for skater development sessions, and one of the skaters belongs to the same club as one of the members, an objective outside observer might expect the committee member to be biased toward that skater. In that case, even if the committee member in fact has no actual bias, there is a potential for the perception of a conflict of interest. Whether the perception is reasonable or not in a given situation will depend on the facts and circumstances, including what is “at stake” in the decision being considered.

Again, there can be serious consequences when a reasonable perception of a conflict of interest exists, and the situation is not properly handled. The integrity of the Board or committee may be undermined, and their decision may also be vulnerable to court challenge, if the conflict is not properly handled.

For all of these reasons, the rules set out below for awareness, disclosure, objective review, and resolution of disputes must be followed by all directors, committee members and trustees.

4.0 AWARENESS

All directors, committee members and trustees must be vigilant to identify:

- whether they have any material interest in the contract or transaction which is being considered by the Board or the committee (“legal conflict of interest”)
- whether, even if there is no legal conflict of interest, there is some other factor which does, or could, prevent them from exercising objective judgment (“potential conflict of interest”)
- whether, even if there is no potential conflict of interest, there is some other factor which might give an objective outside observer a reasonable basis to perceive that the director, committee member or trustee might not exercise objective judgment (“reasonably perceived conflict of interest”).

5.0 DISCLOSURE

Generally - A director, committee member or trustee who is employed by, performing services for or has a financial interest in any business enterprise doing business with or seeking to do business with Skate Canada, or with a Section, Region or Club, has a general and ongoing duty to disclose that interest in writing to Skate Canada, the Section, Region or Club in question.

Legal Conflict of Interest - Where a director, committee member or trustee has a legal conflict of interest, the person must disclose that interest as soon as possible to Skate Canada, the Section, Region or Club in question by completing a Declaration of Conflict of Interest in the form set out in Appendix "A" to this Policy, and submitting it to:

- the President/Chairman of the Board or his/her designate (in the case of directors and trustees)
- the Committee Chair (in the case of committee members)
- the Executive Committee (in the case of a President/Chairman of the Board).

The nature of the interest must be disclosed in sufficient detail to allow the other directors, committee members or trustees to understand what the interest is and how far it goes.

In some cases, the director, committee member or trustee may have a legal conflict of interest but be unable, because of duties to others, to disclose the full nature of the interest. In that case, the person must still complete and submit the Declaration of Interest form, and at least disclose that an unidentified interest exists.

Potential or Perceived Conflict of Interest - Where a director, committee member or trustee has a potential conflict of interest, or there is some basis for a perceived conflict of interest, the person must at least disclose that interest to the Board or the committee, in sufficient detail to allow the other directors, committee members or trustees to understand what the interest is and how far it goes.

The Chair of the Board or the committee may then require the director, committee member or trustee to complete a Declaration of Conflict of Interest form and submit it to the President/Chairman of the Board or his/her designate (in the case of directors and trustees), to the Committee Chair (in the case of committee members), or to the Executive Committee (in the case of a President/Chairman of the Board).

6.0 OBJECTIVE REVIEW

Objective review means that only those directors, committee members or trustees who are objective and disinterested can participate in a decision being made by the Board or committee.

When a director, committee member or trustee:

- has disclosed a conflict of interest in a matter
- is found, as a result of the Resolution Process, to have a legal, potential or reasonably perceived conflict of interest in a matter
- then that director, committee member or trustee is not "disinterested" and must not participate in or influence the discussion, debate, or vote relating to the matter.

Where a decision/directions regarding the conflict of interest is obtained under the Resolution Process, the decision/directions must be implemented.

In many circumstances, it will be appropriate that the director, committee member or trustee who has the conflict of interest physically removes him or herself from the room, while the particular matter is being discussed, debated and voted upon.

The minutes of the Board or committee meeting should record the director's, committee member's or trustee's absence from the discussion and debate, and his or her abstention from any related votes (or compliance with the decision/directions obtained under the Resolution Process, as the case may be).

7.0 RESOLUTION OF DISPUTES

The awareness and disclosure rules must always be followed. However, Skate Canada recognizes that it is not always clear whether a particular fact situation does or does not amount to a legal, potential, or a reasonably perceived conflict of interest. In addition, it is not always clear what steps should be taken to deal with the conflict of interest.

In such cases, once a dispute about a possible conflict of interest arises, the applicable Resolution Process should be initiated as soon as possible to determine what actions should be taken to address the possible conflict. The time frames to be followed must be reasonable, in all the circumstances.

7.1 RESOLUTION PROCESS - NATIONAL LEVEL: The following Resolution Process applies where the director, committee member or trustee is acting at the National level:

- (a) The recipient of the Declaration of Conflict of Interest form shall consult with the Executive Committee and with the Skate Canada Ethics Review Panel with respect to the nature of the possible conflict, and what actions should be taken to address it.
- (b) As part of this consultation process, the director, committee member or trustee may be required to provide additional information concerning the nature of the conflict of interest.
- (c) The Skate Canada Ethics Review Panel shall communicate a decision/direction regarding the conflict of interest, in writing, to the director, committee member or trustee, and to the Chair of the Board or committee in question.
- (d) If the director, committee member or trustee, or the Chair of the Board or committee in question, object to the decision/direction, then a written letter stating the reasons for the objection must be delivered to the Skate Canada Executive Committee.

- (e) Upon receiving a letter of objection, the Skate Canada Executive Committee, in consultation with the Skate Canada Ethics Review Panel, shall appoint an independent advisor to review the matter.
- (f) As part of this review process, the director, committee member or trustee may be required to provide additional information to the independent advisor.
- (g) The independent advisor shall deliver to the President/Chairman of the Board or his/her designate(s) recommendations regarding the conflict of interest, in writing, within 15 days of being appointed.
- (h) The President/Chairman of the Board, or his/her designate(s), shall communicate a decision/directions regarding the conflict of interest, in writing, to the director, committee member or trustee, and to the Chair of the Board or committee in question, within 5 days of receiving the recommendations of the independent advisor.

7.2 **RESOLUTION PROCESS – SECTION, REGION AND CLUB LEVEL:** Every Section must establish a Section Ethics Review Panel to deal with conflicts of interest and ethical issues which arise at the Section, Region or Club level. The following Resolution Process applies where the director, committee member or trustee is acting at the Section, Region or Club level. For disputes which arise at the Club level, the director, committee member or trustee must first seek the assistance of the Club President or his or her designate to resolve the dispute. If a resolution is not possible, then the Resolution Process below will apply.

- (a) The recipient of the Declaration of Conflict of Interest form shall consult with the Section Executive Committee and with the Section Ethics Review Panel with respect to the nature of the possible conflict, and what actions should be taken to address it.
- (b) As part of this consultation process, the director, committee member or trustee may be required to provide additional information concerning the nature of the conflict of interest.
- (c) The Section Ethics Review Panel shall communicate a decision/direction regarding the conflict of interest, in writing, to the director, committee member or trustee, and to the Chair of the Board or committee in question.
- (d) If the director, committee member or trustee, or the Chair of the Board or committee in question, object to the decision/direction, then a written letter stating the reasons for the objection must be delivered to the Section Executive Committee.
- (e) Upon receiving a letter of objection, the Section Executive Committee, in consultation with the Section Ethics Review Panel, shall appoint an independent advisor to review the matter.

- (f) As part of this review process, the director, committee member or trustee may be required to provide additional information to the independent advisor.
- (g) The independent advisor shall deliver to the President of the Section, the Region or the Club in question or his/her designate(s) recommendations regarding the conflict of interest, in writing, within 15 days of being appointed.
- (h) The President, or his/her designate(s), shall communicate a decision/directions regarding the conflict of interest, in writing, to the director, committee member or trustee, and to the Chair of the Board or committee in question, within 5 days of receiving the recommendations of the independent advisor.

8.0 BREACH OF THIS POLICY

Any breach of this policy (including the failure to abide by any final decision/directions obtained under the Resolution Process) is a disciplinary matter to be dealt with under the Skate Canada Complaint, Suspension and Expulsion Policy.

9.0 EFFECTIVE DATE

This Policy has been approved by the Skate Canada Board of Directors to come into effect June 1, 2000.

POLICY: SIGNING AUTHORITIES OF THE ASSOCIATION

REFERENCE: By-law 1401 (3)

EFFECTIVE DATE:

REVISED DATE:

1.0 DIRECTORS WITH AUTHORITY TO SIGN CHEQUES

The Board of Directors, at its first meeting after election to office shall appoint by resolution four officers or directors, including the Secretary-Treasurer, to sign cheques and other banking documents of the Association. The signatures of any two signing officers shall be necessary on every document.

2.0 CORPORATE SEAL

The Chief Executive Officer shall have the custody and control of the Corporate Seal. It shall not be affixed to any document except by authority of a resolution of the Board of Directors and by such officer or officers of the Association as may be prescribed in and by such resolution and such officer or officers shall sign every document to which the seal is affixed in his/her or their presence.

3.0 AUTHORITY TO COMMIT THE ASSOCIATION

Authority to commit the Association to expenditures for items not provided for in the budget may be exercised by:

3.1 The Executive Committee – up to \$30,000

3.2 The Board of Directors – over \$30,000

POLICY: FINANCES OF THE ASSOCIATION

REFERENCE:

EFFECTIVE DATE:

REVISED DATE:

1.0 TRAVELLING EXPENSES OF THE BOARD OF DIRECTORS TO THE AGM

Travelling expenses of the Skate Canada Board of Directors in attending the Annual or special meeting of members or meetings of the Board of Directors or travelling expenses of any other committee or committee members in attending a meeting when such expenses are authorized by the Board of Directors, may be paid by the Association. Expenses of Association staff travelling on Association business shall be paid with the approval of the Chief Executive Officer.

2.0 BUDGET LINE ITEMS

The allocation of funds to budget line items may be altered during the fiscal year by the Executive Committee by transfers between line items, provided the overall planned expenditure is not exceeded.

3.0 SECTION GRANTS

- 3.1 **ASSOCIATE MEMBER FEES:** The Association shall allot a grant equivalent to 50% of Associate Member fees to the Section to which the Associate Member's club belongs.
- 3.2 **PROFESSIONAL COACHING FEES:** The Association shall allot a grant equivalent to 20% of Professional Coaching Member fees to the Section to which the Professional Coaching Member belongs.
- 3.3 **TEST FEES:** The Association shall allot a grant equivalent to 30% of test fees to the Section in which the tests are conducted.

POLICY: ELIGIBILITY FOR EXPENSES

REFERENCE:

EFFECTIVE DATE:

REVISED DATE:

1.0 INDIVIDUALS ENTITLED TO REIMBURSEMENT

The following shall be entitled to reimbursement for expenses in connection with the stated events, in compliance with the rules below:

- 1.1 **SKATERS:** a skater giving an exhibition or participating in an event or activity sanctioned by the Association;
- 1.2 **OFFICIALS:** an evaluator/judge or other official for a test day or sanctioned competition;
- 1.3 **OTHERS:** any person travelling on Association business.

2.0 ALLOWABLE EXPENSES

- 2.1 **TRANSPORTATION EXPENSES:** First class transportation by regularly scheduled train, or bus including sleeping accommodation on overnight journeys or economy class transportation by plane. If travelling in a private automobile, an allowance at a rate determined by the Board of Directors which shall be announced at the Annual Meeting (See Notice Board). Such allowance for a private automobile shall not exceed the highest cost of transportation by any of the preceding methods. This allowance shall be paid to one person only and not to additional passengers.
- 2.2 **LIVING EXPENSES:** Reasonable hotel, meal and incidental expenses at a rate determined by the Board of Directors from time to time. See Notice Board.
- 2.3 **REASONABLE EXPENSES:** All reasonable expenses incurred within the above limits. This may include expenses for one day before and one day after the event. The number of days for which expenses are to be paid shall be determined, and agreed upon in advance by the club holding the event and the individual's home club, or the Section Evaluators/Judges Committee, or the Association, whichever is applicable. The expenses charged shall not exceed the actual expenses incurred and a detailed expense account shall be submitted to the club or organization responsible for paying the expenses within two weeks after the last date on which the expenses were incurred.
- 2.4 **LOSS OF WAGES:** Payment for loss of time or wages shall not be requested or accepted, directly or indirectly, except that payment for loss of salary may be accepted, at the

discretion of the Skate Canada Board of Directors, provided evidence of salary loss is submitted to the Board in the manner and details required by the Board of Directors.

- 2.5 **COMPETITIONS:** For competitions Skate Canada shall ensure that suitable hotel accommodation is arranged, and shall set a daily allowance for meals and incidentals, subject to the approval of the Technical Representative based on local conditions. All officials shall be advised in advance of the allowances so set.
- 2.6 **BEFORE MAKING PAYMENT:** A club or organization receiving an expense account may, before making payment, submit the account for approval to the Section Evaluators/Judges Committee or to the Association National Office.

3.0 EXPENSES FOR CHAPERONES

Skaters under the age of eighteen may apply for the payment of expenses of one additional person, provided that such person is a qualified chaperone and acts as such. For skaters travelling in a group, the number of chaperones that may be claimed as an expense may not exceed one for every five girls under eighteen years and one for every five boys under eighteen years.

4.0 EXPENSES OF COMPETITORS

A competitor may accept financial assistance for expenses in attending a competition from any source. The total amount received from all sources shall not exceed the actual out-of-pocket expenses. The competitor shall, if requested by the Association, submit a detailed list of these receipts and expenditures.

5.0 EXPENSES FOR FOREIGN APPEARANCES

For judging or skating in a foreign country, the expense rules of that association, subject to ISU rules, shall apply.

6.0 GIFTS TO ELIGIBLE PERSONS

- 6.1 **TOTAL VALUE:** The total value of all gifts to one participant in a figure skating exhibition shall not exceed the amount prescribed by the Board of Directors (currently \$200.00) or, in the case of ISU sanctioned events and exhibition tours, the amounts prescribed by the ISU. An exhibition for the purposes of this rule shall be interpreted as being all of the performances during the period of the sanctioned event as stated on the official Skate Canada Sanction form.
- 6.2 **TYPE OF GIFT:** The gift may take the form of a gift-certificate or purchase voucher provided that such certificate or voucher may not be sold or converted (wholly or in part) for cash.
- 6.3 **AUTHORIZED DIRECT PAYMENTS NOT AFFECTED:** A direct payment to eligible persons performing in skating events sanctioned by the Association under the provisions of Rule

2206 to the amount authorized by the Board of Directors shall not be affected by this rule. See Rule 2205(2).

- 6.4 **CLUB HONORARY MEMBERSHIP:** An honorary membership in a skating club, which does not include any financial benefits other than ordinary membership, shall not be affected by this rule.

7.0 PENALTIES FOR VIOLATION OF EXPENSE RULES

Individuals or clubs violating rules regarding expenses shall be subject to disciplinary action by the Association which may include:

- (i) in the case of individuals, loss or suspension of eligible status
- (ii) in the case of clubs, loss or suspension of membership in the Association

8.0 SKATE CANADA OFFICIAL BUSINESS TRAVEL

A copy of the Travel and Living Policy which sets out the conditions governing travel on official business for Skate Canada is available from the Corporate Affairs Department at National Office.

POLICY: AGREEMENTS WITH OTHER BODIES

REFERENCE: By-law 1402 (3)

EFFECTIVE DATE:

REVISED DATE: September 2000

The Board of Directors shall have the power on behalf of the Association to enter into agreements with the governing bodies of other sports with reference to competitions and eligible status.

The Board of Directors shall have the power on behalf of the Association to join with, or become associated with, other organizations whose object is the promotion of sport.

POLICY: CENTRES OF EXCELLENCE

REFERENCE:

EFFECTIVE DATE: 1996

REVISED DATE: 1997

The Association may, from time to time, designate facilities or other entities as "A Skate Canada Centre of Excellence".

The granting of such designation shall be on such terms and conditions as may be beneficial to and in the best interests of the Association from time to time.

No Section, nor Member Club or other Association Member, nor Skating School shall designate itself or any facility as "A Skate Canada Centre of Excellence" nor purport to grant such designation to any facility or other entity.

POLICY: SECTION COMMITTEES

REFERENCE: By-law 1503

EFFECTIVE DATE:

REVISED DATE:

1.0 REPORT OF ELECTION

A report of the election of officers and executive committee shall be sent to the Chief Executive Officer of the Association immediately following the election.

2.0 SECTION FINANCES

2.1 CUSTODY OF SECTION FUNDS: Section funds shall be kept in such financial institutions which have been approved by the Section Board of Directors.

2.2 INVESTMENT OF SURPLUS FUNDS: Surplus funds of the Section may be invested in low-risk, non-speculative investments as approved by the Section Board of Directors.

2.3 DEPOSIT AND WITHDRAWAL OF SECTION FUNDS: Deposits and withdrawals of Section funds shall be made by such officers as the Section Board of Directors appoints for the purpose. A minimum of two signing officers shall be required for all transactions.

POLICY: SECTION & REGION INSURANCE FEES

REFERENCE: Rule 1503 (10)

EFFECTIVE DATE: September 1, 2010

REVISED DATE:

1.0 SECTION & REGION INSURANCE FEES

Sections (as defined in Skate Canada Rule 1503) and Regions [as defined in Skate Canada Rule 1503 (10)] are not subjected to an annual membership fee.

Sections shall provide the Skate Canada National Office with a listing of all members of their Board of Directors including their position on the Board. This listing shall be provided annually following the election/appointment of the Section Board of Directors.

The Section Board of Directors will be included in the Directors' & Officers' Liability Insurance and the General Liability Insurance policies offered through Skate Canada. The Section will be responsible for the fees associated with this insurance.

All Regions as defined by the Sections' bylaws will be required to submit a report of their representatives to the National Office. This listing shall be provided annually following the elections/appointments.

All Region representatives listed will be included in the Directors' & Officers' Liability Insurance and the General Liability Insurance policies offered through Skate Canada. The Region will be responsible for the fees associated with this insurance.

It is the responsibility of the Section Board of Directors and the Region Representatives to report any changes to their Board of Directors or representatives.

2.0 DIRECTORS' & OFFICERS' LIABILITY INSURANCE

Directors' & Officers' Liability Insurance	\$ 95.00**
Ontario Insurance Sales Tax	\$ 5.25
Liability Insurance	\$ 75.00
Ontario Insurance Sales Tax	\$ 6.00
Quebec Insurance Sales Tax	\$ 6.75

*** (Quebec exempt as they are covered under the program through "Regroupement Loisir Québec".)*