



SAFE SPORT POLICY MANUAL

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SECTION 1: COMMITMENT TO SAFE SPORT

Karate New Brunswick and its members have a fundamental responsibility and legal and ethical obligation to protect the health, safety and physical and mental well-being of every individual that is involved in the sport of karate under the jurisdiction of Karate New Brunswick.

Karate New Brunswick takes any situation involving misconduct or maltreatment very seriously. For this reason, Karate New Brunswick is committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct or maltreatment.

These policies are intended to promote a Safe Sport environment in a manner that allows for consistent, immediate, and appropriate action should any issues arise, but also to prevent issues from arising in the first place by communicating expected standards of behaviour.

Karate New Brunswick also recognizes the recent development of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) in 2019. Since the UCCMS may continue to evolve in the foreseeable future, this *Safe Sport Policy Manual* incorporates the key elements of the current version of the UCCMS.

The Safe Sport Policy Manual provides a framework to ensure that athletes, officials, coaches, and volunteers are able to participate in a safe and inclusive environment that is free of abuse, harassment and discrimination.

SECTION 2: ATHLETE PROTECTION POLICY

Purpose

The *Athlete Protection Policy* describes how Persons in Authority shall maintain a safe sport environment for all Athletes.

Interactions between Persons in Authority and Athletes – the ‘Rule of Two’

1. Karate New Brunswick strongly recommends the ‘Rule of Two’ for all Persons in Authority who interact with Athletes. The Coaching Association of Canada describes the intention of the ‘Rule of Two’ as follows:

The goal of the Rule of Two is to ensure all interactions and communications are open, observable and justifiable. The purpose is to protect participants (especially minors) and coaches in potentially vulnerable situations by ensuring more than one adult is present. There may be exceptions for emergency situations.

2. Karate New Brunswick recognizes that fully implementing the ‘Rule of Two’, as described above, may not always be possible. Consequently, at a minimum, interactions between Persons in Authority and Athletes must respect the following:
 - a) The training environment should be open and transparent so that all interactions between Persons in Authority and Athletes are observable
 - b) Private or one-on-one situations should be avoided unless they are open and observable by another adult or Athlete
 - c) Persons in Authority shall not invite or have a Vulnerable Individual in their home without the written permission and knowledge of the Vulnerable Individual's parent or guardian
 - d) Vulnerable Individuals must not be in any situation where they are alone with a Person in Authority without another screened adult or Athlete present unless prior written permission is obtained from the Athlete’s parent or guardian

Practices and Competitions

3. As it relates to practices and/or competitions, the following shall be respected:
 - a) A Person in Authority should never be alone with a Vulnerable Individual prior to or following a competition or practice unless the Person in Authority is the Athlete’s parent or guardian
 - b) If the Vulnerable Individual is the first Athlete to arrive, the Athlete’s parent should remain until another Athlete or Person in Authority arrives
 - c) If a Vulnerable Individual would potentially be alone with a Person in Authority following a competition or practice, the Person in Authority should ask another Person in Authority (or a parent or guardian of another Athlete) to stay until all of the Athletes have been picked up. If an adult is unavailable, another Athlete, who is preferably not a Vulnerable Individual, should be present in order to avoid the Person in Authority being alone with a Vulnerable Individual
 - d) Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always do so within earshot and eyesight of another Person in Authority
 - e) When observing the Rule of Two is not possible due to training or competition circumstances, Persons in Authority and Athletes should take additional steps to achieve transparency and accountability in their interactions. For example, a Person in Authority and an Athlete who know

they will be away from other Individuals for a lengthy period of time must inform another Person in Authority where they are going and when they are expected to return.

Communications

4. Communications between Persons in Authority and Athletes should respect the following:
 - a) Group messages, group emails or team pages may be used as the regular method of communication between Persons in Authority and Athletes
 - b) Electronic communication between Persons in Authority and Athletes that is personal in nature should be avoided. If such communication occurs, it must be recorded and available for review by another Person in Authority and/or by the Athlete's parent/guardian
 - c) No sexually explicit language or imagery or sexually oriented conversation may be communicated in any medium. More information is available in Section 9: Social Media Policy.

Travel

5. Any travel involving Persons in Authority and Athletes shall respect the following:
 - a) Teams or groups of Athletes shall always have at least two Persons in Authority with them
 - b) For mixed gender teams or groups of Athletes, there should be one Person in Authority from each gender, whenever possible
 - c) Parents or other volunteers will be available in situations when two Persons in Authority cannot be present
 - d) No Person in Authority may drive a vehicle alone with a Vulnerable Individual unless the Person in Authority is the Athlete's parent or guardian
 - e) A Person in Authority should not be alone in a hotel room with an Athlete unless the Person in Authority is the Athlete's parent or guardian
 - f) Room or bed checks during overnight stays must be done by two Persons in Authority
 - g) For overnight travel when Athletes must share a hotel room, roommates will be age-appropriate and of the same gender identity

Locker Room/Changing Areas

6. The following shall apply to locker rooms, changing areas, and meeting rooms:
 - a) Interactions (i.e., conversations) between Persons in Authority and Athletes should not occur in any room where there is a reasonable expectation of privacy such as a locker room, restroom or changing area. A second adult should be present for any necessary interaction between an adult and an Athlete in any such room (i.e.: the Rule of Two must be respected).
 - b) If Persons in Authority are not present in the locker room or changing area, they should still be available and be able to enter the room or area if required.

Photography/Video

7. Any photograph or video involving an Athlete shall respect the following:
 - a) Photographs and video may only be taken in public view, must observe generally accepted standards of decency, and be both appropriate for and in the best interest of the Athlete
 - b) The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited
 - c) Examples of photos that shall be edited or deleted include:
 - i. Images with nudity or where undergarments are showing
 - ii. Suggestive or provocative poses
 - iii. Embarrassing images

- d) If any photographs or videos of competitors will be used on any form of public media, an Image Consent Form (**Appendix A**) must be completed before any images are taken and used

Physical Contact

- 8. It is recognized that some physical contact between Persons in Authority and Athletes may be necessary for various reasons including teaching a skill or tending to an injury. Any physical contact shall respect the following:
 - a) Unless it is otherwise impossible because of serious injury or other justifiable circumstance, a Person in Authority must always clarify with an Athlete where and why any physical contact will occur prior to the contact occurring. The Person in Authority must make clear that he or she is requesting to touch the Athlete and not requiring physical contact
 - b) Infrequent, non-intentional physical contact during a training session is permitted
 - c) Hugs lasting longer than five seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. It is recognized that some Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as celebrating or crying after a poor performance), but this physical contact should always be limited to circumstances where the Person in Authority believes it is in the best interest of the Athlete and when it occurs in an open and observable environment.

Enforcement

- 9. Any alleged violations of this *Athlete Protection Policy* shall be addressed pursuant to the Organization’s *Discipline and Complaints Policy*.

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SECTION 3: CODE OF CONDUCT AND ETHICS

Purpose

The purpose of the *Code of Conduct and Ethics* is to ensure a safe and positive environment within the activities of Karate New Brunswick by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with the core values and policies of Karate New Brunswick.

Application of this Code

1. This Code applies to any Individual's conduct during the activities of Karate New Brunswick including, for example, competitions, practices, evaluations, training camps and clinics, and travel associated with organizational activities.
2. This Code also applies to Individuals' conduct outside of the activities of Karate New Brunswick when such conduct adversely affects the organization's relationships (and the work and sport environment) or is detrimental to the image and reputation of Karate New Brunswick or a Member.
3. This Code applies to Individuals active in the sport or who have retired from the sport.
4. Any Individual who violates this Code may be subject to sanctions pursuant to the *Discipline and Complaints Policy*. In addition to facing possible sanctions pursuant to the *Discipline and Complaints Policy*, an Individual who violates this Code during a competition may be removed from the competition or training area, and the Individual may be subject to further sanctions.

Responsibilities

5. Individuals have a responsibility to:
 - a) Maintain and enhance the dignity and self-esteem of members and other individuals by:
 - i. Treating each other with the highest standards of respect and integrity;
 - ii. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or other participants;
 - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
 - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory;
 - v. Consistently treating individuals fairly and reasonably; and
 - vi. Ensuring adherence to the rules of the sport and the spirit of those rules.
 - b) Refrain from any behaviour that constitutes Harassment, Discrimination, or any form of Maltreatment
 - c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
 - d) Refrain from consuming tobacco products, cannabis, or recreational drugs while participating in the activities of Karate New Brunswick;
 - e) Respect the property of others and not wilfully cause damage
 - f) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition
 - g) Adhere to all federal, provincial, territorial, municipal and host country laws

- h) Comply, at all times, with the bylaws, policies, procedures, and rules and regulations of Karate New Brunswick
- i) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving an Individual to Karate New Brunswick, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method

Directors, Committee Members, and Staff

6. In addition to section 5 (above), Directors, Committee Members, and Staff of Karate New Brunswick will have additional responsibilities to:
 - a) Ensure their loyalty prioritizes the interests of Karate New Brunswick
 - b) Act with honesty and integrity
 - c) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
 - d) Comply with the *Screening Policy*
 - e) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
 - f) Behave with decorum appropriate to both circumstance and position
 - g) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws
 - h) Respect the confidentiality appropriate to issues of a sensitive nature
 - i) Respect the decisions of the majority and resign if unable to do so
 - j) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
 - k) Have a thorough knowledge and understanding of all governance documents

Coaches and Instructors

7. In addition to section 5 (above), coaches and instructors have many additional responsibilities. The coach-Athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the Athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, either consciously or unconsciously. Coaches and instructors will:
 - a) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes
 - b) Prepare Athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm Athletes
 - c) Support the coaching staff of a training camp, territorial team, or national team, should an Athlete qualify for participation with one of these programs
 - d) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate
 - e) Provide Athletes (and the parents/guardians of minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete
 - f) Act in the best interest of the Athlete's development as a whole person
 - g) Comply with the *Screening Policy*
 - h) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or prohibited substances

- i) Respect Athletes competing for other jurisdictions and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the Athletes
- j) Not engage in a sexual or intimate relationship with an Athlete of any age in which the coach is in a position of trust or authority
- k) Dress professionally
- l) Use inoffensive language, taking into account the audience being addressed

Athletes

8. In addition to section 5 (above), Athletes will have additional responsibilities to:
- a) Adhere to their Athlete Agreement (if applicable)
 - b) Report any medical problems in a timely fashion to their Coach and/or Instructor even when such problems may limit their ability to travel, practice, or compete
 - c) Participate and appear on time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations
 - d) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
 - e) Adhere to any rules and requirements regarding clothing and equipment
 - f) Dress to represent the sport and themselves with professionalism
 - g) Act in accordance with policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

9. In addition to section 5 (above), officials will have additional responsibilities to:
- a) Maintain any required certification
 - b) Not publicly criticize other officials
 - c) Work within the boundaries of their position's description while supporting the work of other officials
 - d) Act as an ambassador of the sport by agreeing to enforce and abide by national and territorial rules and regulations
 - e) Take ownership of actions and decisions made while officiating
 - f) Respect the rights, dignity, and worth of all Individuals
 - g) Act openly, impartially, professionally, lawfully, and in good faith
 - h) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
 - i) Respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about Individuals
 - j) Comply with the *Screening Policy*
 - k) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases, inform the event organizer at the earliest possible time
 - l) When writing reports, set out the actual facts to the best of their knowledge and recollection
 - m) Dress in proper attire for officiating

Parents/Guardians and Spectators

10. In addition to section 5 (above), parents/guardians and spectators at events will:
- a) Encourage Athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence
 - b) Condemn the use of violence in any form
 - c) Never ridicule a participant for making a mistake during a competition or practice

- d) Respect the decisions and judgments of officials, and encourage Athletes to do the same
- e) Support all efforts to remove verbal and physical abuse, coercion, intimidation, and sarcasm
- f) Respect and show appreciation to all competitors, and to coaches, officials and other volunteers
- g) Never harass competitors, coaches, officials, parents/guardians, or other spectators

Clubs

11. Clubs will:

- a) Adhere to all of Karate New Brunswick’s governing documents
- b) Recognize that their websites, blogs and social media accounts may be seen as extensions of Karate New Brunswick and must reflect the mission, vision and values of Karate New Brunswick
- c) Ensure that all Athletes and coaches participating in sanctioned competitions and events of the Organization are registered and in good standing
- d) Have well-defined practices and standards to ensure Athletes have a healthy and safe sport environment
- e) Ensure that any possible or actual misconduct is investigated promptly and thoroughly
- f) Impose appropriate disciplinary or corrective measures when misconduct has been substantiated
- g) Advise Karate New Brunswick immediately of any situation where a complainant has publicized a complaint in the media
- h) Provide Karate New Brunswick with a copy of all decisions rendered pursuant to its policies for complaints and appeals

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SECTION 4: ABUSE POLICY

Purpose

Karate New Brunswick is committed to a sport environment free from abuse. The purpose of the *Abuse Policy* is to stress the importance of that commitment by educating Individuals about abuse, outlining how Karate New Brunswick and its members will work to prevent abuse, and how abuse or suspected abuse can be reported to and addressed by Karate New Brunswick

Zero Tolerance Statement

1. Karate New Brunswick has zero tolerance for any type of abuse. Individuals are required to report instances of abuse or suspected abuse to the Board of Directors of Karate New Brunswick to be immediately addressed under the terms of the applicable policy.

Education – What is Abuse

2. Individuals can be abused in different forms.
 - a. An abuser may use a number of different tactics to gain access to vulnerable individuals, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. The abuse may happen once, or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.
 - b. Abuse of children or youth in sport can include emotional maltreatment, neglect, and physical maltreatment.
 - c. Importantly, emotional and physical maltreatment does not include professionally-accepted coaching methods (per the NCCP) of skill enhancement, physical conditioning, team building, discipline, or improving athletic performance.
 - d. Although individuals may be abused at virtually any life stage – childhood, adolescence, young adulthood, middle age, or old age – the nature and consequences of abuse may differ depending on an individual’s situation, disability, or circumstance.
3. Potential warning signs of abuse of children or youth can include:
 - a) Recurrent unexplained injuries
 - b) Alert behavior; child seems to always be expecting something bad to happen
 - c) Often wears clothing that covers up their skin, even in warm weather
 - d) Child startles easily, shies away from touch or shows other skittish behavior
 - e) Constantly seems fearful or anxious about doing something wrong
 - f) Appearing withdrawn from peers and adults
 - g) Behavior fluctuating between extremes (e.g., extremely cooperative or extremely demanding)
 - h) Acting either inappropriately beyond their age (like an adult; taking care of other children) or inappropriately younger than their age (like an infant; throwing tantrums)
 - i) Acting out in an inappropriate sexual way with toys or objects
 - j) New adult words for body parts and no obvious source

- k) Self-harm (e.g., cutting, burning or other harmful activities)
 - l) Not wanting to be alone with a particular child or young person
4. Potential warning signs of abuse of vulnerable adults can include:
- a) Depression, fear, anxiety, passivity
 - b) Unexplained physical injuries
 - c) Dehydration, malnutrition, or lack of food
 - d) Poor hygiene, rashes, pressure sores
 - e) Over-sedation

Preventing Abuse

5. Karate New Brunswick will enact measures aimed at preventing all types of abuse. These measures include screening, orientation, training, practice, and monitoring.

Screening

6. Individuals who interact with Vulnerable Individuals will be screened according to the Karate New Brunswick's *Screening Policy*.
7. Karate New Brunswick will use the *Screening Policy* to determine the level of trust, authority, and access that each Individual has with Vulnerable Individuals. Each level of risk will be accompanied by increased screening procedures which may include the following, singularly or in combination:
- a) Completing a Screening Declaration Form
 - b) Providing a Criminal Record Check ("CRC") and/or Vulnerable Sector Check ("VSC")
 - c) Other screening procedures, as required
8. An Individual's failure to participate in the screening process or pass the screening requirements as determined by a Screening Committee, may result in the Individual's ineligibility to participate in the activities of Karate New Brunswick.

Orientation and Training

9. Karate New Brunswick may deliver orientation and training to those Individuals who have access to, or interact with, Vulnerable Individuals. The orientation and training, and their frequency, will be based on the level of risk, as described in the *Screening Policy*.
10. Orientation and training may include, for example, certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
11. At the conclusion of the orientation and training, Individuals may be required to acknowledge, in written form, that they have received and completed the training.

Practice

12. When Individuals interact with Vulnerable Individuals, they may be required to enact certain practical approaches to these interactions. These include, but are not limited to:
- a) Limiting physical interactions to non-threatening or non-sexual touching
 - b) Ensuring that Vulnerable Individuals are always supervised by more than one adult
 - c) Ensuring that more than one person is involved with team selection (thereby limiting the consolidation of power onto one Individual)

- d) Including parents/guardians in all communication (e.g., electronic, telephonic) with Vulnerable Individuals
- e) Ensuring that parents/guardians are aware that some non-personal communication between Individuals and Vulnerable Individuals (e.g., coaches and athletes) may take place electronically (e.g., by texting) and that this type of communication is now considered to be commonplace, especially with older Vulnerable Individuals (e.g., teenagers). Individuals are aware that such communication is subject to Karate New Brunswick's *Code of Conduct and Ethics* and *Social Media Policy*.
- f) When traveling with Vulnerable Individuals, the Individual will not transport Vulnerable Individuals without another adult present and will not stay in the same overnight accommodation location without another adult present.

Monitoring

- 13. Karate New Brunswick will regularly monitor those Individuals who have access to, or interact with, Vulnerable Individuals. The monitoring will be based on the level of risk, as described in the *Screening Policy*.
- 14. Monitoring may include, but is not limited to: regular status reports, logs, on-site check-ins, feedback provided directly to the organization (from peers and parents/athletes), and regular evaluations.

Reporting Abuse

- 15. Reports of abuse that are shared confidentially with an Individual by a Vulnerable Individual may require the Individual to report the incident to parents/guardians, Karate New Brunswick, or police. Individuals must respond to such reports in a non-judgemental, supportive and comforting manner but must also explain that the report may need to be escalated to the proper authority or to the Vulnerable Individual's parent/guardian.
- 16. Complaints or reports that describe an element of **abuse** will be addressed by the process(es) described in Karate New Brunswick's *Discipline and Complaints Policy* and the *Investigations Policy*.

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SECTION 5: DISCIPLINE AND COMPLAINTS POLICY

Purpose

Individuals are expected to fulfill certain responsibilities and obligations including, complying with the policies, rules, and regulations of Karate New Brunswick. Non-compliance may result in the imposition of sanctions pursuant to the *Discipline and Complaints Policy*.

Application of this Policy

1. This Policy applies to matters that may arise during the activities of Karate New Brunswick including competitions, practices and training, camps and clinics, travel associated with the activities of Karate New Brunswick, and any meetings.
2. This Policy also applies to Individuals' conduct outside of the activities of Karate New Brunswick when such conduct adversely affects Karate New Brunswick.
3. Applicability of this Policy will be determined by Karate New Brunswick.
4. In the event that it is considered appropriate or necessary, immediate discipline or the imposition of a sanction may be applied, after which further discipline or sanctions may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition. In such situations, disciplinary sanctions may be for the duration of the competition, training, activity, or event only.

Minors

5. Complaints may be brought for or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
6. Communication from the Discipline Manager or Discipline Panel must be directed to the Minor's representative.
7. A Minor is not required to attend an oral hearing, if held.

Reporting a Complaint

8. Any person may report a complaint to any member of the Board of Directors or to Karate New Brunswick's Discipline Manager.
9. Complaints or incident reports should be made in writing and the person making the complaint may contact Karate New Brunswick's Discipline Manager for direction. The Discipline Manager may accept any report, in writing or not, at their sole discretion.

Discipline Manager's Responsibilities

10. Upon receipt of a complaint from an Individual (or Individuals), the Discipline Manager shall determine whether the complaint should be handled by the relevant Club or by Karate New Brunswick.

11. The Discipline Manager shall make this determination by taking into consideration whether the incident has occurred within the Club or during the activities of Karate New Brunswick. If the incident has occurred outside of the activities of either of these organizations, the Discipline Manager will determine which organization's relationships are adversely affected or which organization's image or reputation will be detrimentally affected by the incident.
12. The Discipline Manager may direct a complaint to be managed by Karate New Brunswick if the Club is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest or a lack of capacity.
13. Upon receipt of a complaint, the Discipline Manager has the responsibility to:
 - a) Determine whether the complaint is frivolous and/or within the jurisdiction of this Policy;
 - b) Determine the appropriate jurisdiction to manage the complaint;
 - c) Propose the use of alternate dispute resolution techniques;
 - d) Determine that the alleged incident may contain an element of discrimination, harassment, sexual harassment, or abuse.
 - e) Choose which process should be followed, and may use the following examples as a general guideline:

Process #1 - the Complaint alleges the following incidents:

- a) Disrespectful, abusive, racist, or sexist comments or behaviour
- b) Disrespectful conduct
- c) Minor incidents of violence (e.g., tripping, pushing, elbowing)
- d) Conduct contrary to the values Karate New Brunswick or Karate Canada
- e) Non-compliance with Karate New Brunswick's policies, procedures, rules, or regulations
- f) Minor violations of the *Code of Conduct and Ethics*

Process #2 - the Complaint alleges the following incidents:

- a) Repeated minor incidents
- b) Any incident of hazing
- c) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
- d) Major incidents of violence (e.g., fighting, attacking, sucker punching)
- e) Pranks, jokes, or other activities that endanger the safety of others
- f) Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
- g) Conduct that intentionally damages Karate New Brunswick's image, credibility, or reputation
- h) Consistent disregard for the bylaws, policies, rules, and regulations
- i) Major or repeated violations of the *Code of Conduct and Ethics*
- j) Intentionally damaging Karate New Brunswick's property or improperly handling Karate New Brunswick's monies
- k) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
- l) A conviction for any *Criminal Code* offense
- m) Any possession or use of banned performance enhancing drugs or methods

14. If the Discipline Manager determines the complaint is frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately.

Process #1: Handled by Discipline Manager

15. Following the determination that the complaint or incident should be handled under Process #1, the Discipline Manager may:
- a) Ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident; or
 - b) Convene the parties to a meeting, either in person or by way of video or teleconference in order to ask the parties questions.
16. Thereafter, the Discipline Manager shall determine if a breach occurred, if so, if one or more of the following sanctions should be applied:
- a) Verbal or written reprimand
 - b) Verbal or written apology
 - c) Service or other contribution to the Organization or Member
 - d) Removal of certain privileges
 - e) Suspension from certain teams, events, and/or activities for a designated period
 - f) Any other sanction considered appropriate for the offense
17. The Discipline Manager will:
- a) Advise the Board of Directors of their decision
 - b) Inform the Parties of the decision, which will take effect immediately
 - c) Maintain records of all sanctions
18. Records of all sanctions will be maintained by the Board of Directors of Karate New Brunswick.

Request for Reconsideration

19. If there is no sanction, the Complainant may contest the non-sanction by informing the Discipline Manager, within five (5) days of receiving the decision, that the Complainant is not satisfied with the decision. The initial complaint or incident will then be handled under Process #2 of this Policy.
20. If there is a sanction, the Respondent may contest the sanction by submitting a Request for Reconsideration within five (5) days of receiving the sanction. In the Request for Reconsideration, the Respondent must indicate:
- a) Why the sanction is inappropriate;
 - b) All evidence to support the Respondent's position; and
 - c) What penalty or sanction (if any) would be more appropriate
21. Upon receiving a Request for Reconsideration, the Discipline Manager may decide to accept or reject the Respondent's suggestion for an appropriate sanction.
22. Should the Discipline Manager accept the Respondent's suggestion for an appropriate sanction, that sanction will take effect immediately.
23. Should the Discipline Manager not accept the Respondent's suggestion for an appropriate sanction, the initial complaint or incident will be handled under Process #2 of this Policy.

Process #2: Handled by Discipline Panel

24. Following the determination that the complaint or incident should be handled under Process #2, the Discipline Manager has a responsibility to:
- a. Propose the use of alternate dispute resolution techniques
 - b. Appoint the Discipline Panel
 - c. Coordinate all administrative aspects and set timelines to ensure that the matter is heard in a timely fashion
 - d. Provide any other service or support that may be necessary to ensure a fair and timely proceeding
25. The Discipline Manager may propose the use of alternate dispute resolution such as mediation or a negotiated settlement. If the dispute cannot be resolved with these methods, the Discipline Manager will appoint a Discipline Panel, which shall consist of 3 members of Karate New Brunswick to hear the complaint.
26. The Discipline Manager, in cooperation with the Discipline Panel, will then decide the format under which the complaint will be heard. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Discipline Manager and the Discipline Panel deem appropriate in the circumstances, provided that:
- a) The Parties will be given appropriate notice of the day, time, and place of the hearing
 - b) Copies of any written documents which the parties wish to have the Discipline Panel consider will be provided to all Parties, through the Discipline Chair Manager, in advance of the hearing
 - c) The Parties may engage a representative, advisor, or legal counsel at their own expense
 - d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
 - e) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint
 - f) The decision will be by a majority vote of the Discipline Panel
27. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the Discipline Panel will determine the appropriate sanction. The Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
28. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.
29. If a decision may affect another party to the extent that the other party would have recourse to a complaint or an appeal in their own right, that party will become a Party to the current complaint and will be bound by the decision.
30. In fulfilling its duties, the Discipline Panel may obtain independent advice.

Decision

31. After hearing the matter, the Discipline Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all parties including the Board of Directors of Karate New Brunswick. In extraordinary circumstances, the Discipline Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period. The decision will be considered a matter of public record unless decided otherwise by the Discipline Panel.

Sanctions

32. The Discipline Panel may apply the following disciplinary sanctions, singularly or in combination:

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to the Karate New Brunswick
- d) Removal of certain privileges
- e) Suspension from certain teams, events, and/or activities
- f) Suspension from certain activities for a designated period
- g) Payment of the cost of repairs for property damage
- h) Suspension of funding from Karate New Brunswick
- i) Expulsion from Karate New Brunswick
- j) Any other sanction considered appropriate for the offense

33. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.

34. Records of all decisions will be maintained by the Board of Directors of Karate New Brunswick.

Appeals

35. The decision of the Discipline Panel may be appealed in accordance with the *Appeal Policy*.

Suspension Pending a Hearing

36. Karate New Brunswick may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of an investigation, criminal process, the hearing, or a decision of the Discipline Panel.

Criminal Convictions

37. Karate New Brunswick may determine in its sole discretion that an Individual's conviction for a *Criminal Code* offense will be deemed an infraction under this Policy and will result in expulsion from Karate New Brunswick.

Criminal Code offences may include, but are not limited to:

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

Confidentiality

38. The discipline and complaints process is confidential and involves only the applicable parties, the Discipline Manager, the Discipline Panel, the Board of Directors, and any independent advisors to the Discipline Panel. Once initiated and until a decision is released, none of the parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

39. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Discipline Manager or Discipline Panel (as applicable).

Timelines

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

Records and Distribution of Decisions

41. Other individuals or organizations, including, but not limited to, national sport organizations, provincial/territorial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

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SECTION 6: INVESTIGATIONS POLICY

Purpose

Karate New Brunswick is committed to eliminating all instances of Discrimination, Harassment, Sexual Harassment, and Maltreatment within their operations and activities. This Policy describes how Individuals can report instances of Discrimination, Harassment, Sexual Harassment, and Maltreatment and how Karate New Brunswick will lead the investigation of those reports.

Determination and Disclosure

1. When a complaint is submitted pursuant to the *Discipline and Complaints Policy*, the Discipline Manager will determine if such complaint is related to an instance of Discrimination, Harassment, Sexual Harassment, or Maltreatment, or any other matter requiring investigation.
2. Karate New Brunswick will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

Investigation

3. Complaints that are determined to contain an element of Discrimination, Harassment, Sexual Harassment, and Maltreatment will continue to be addressed by the process(es) described in the *Discipline and Complaints Policy*. However, the Discipline Manager may also appoint an Investigator to investigate the allegations.
4. The Investigator must not be in a conflict of interest and should have no connection to either party.
5. The investigation may take any form as decided by the Investigator, guided by Federal and/or Provincial legislation. The investigation may include:
 - a) Interviews with the Complainant
 - b) Witness interviews
 - c) Statement of facts (Complainant's perspective) prepared by Investigator, acknowledged by the Complainant and provided to the Respondent
 - d) Interviews with the Respondent
 - e) Statement of facts (Respondent's perspective) prepared by Investigator, acknowledged by the Respondent and provided to the Complainant

Investigator's Report

6. Upon completion of their investigation, the Investigator shall prepare a report that should include a summary of evidence from the parties and recommendations from the Investigator of whether, an incident occurred that could be considered Discrimination, Harassment, Sexual Harassment, or Maltreatment, or a breach of a governing document, including, but not limited to the *Code of Conduct and Ethics*.
7. The Investigator's report will be provided to the Discipline Manager who will disclose it to the Board of Directors of Karate New Brunswick.

8. Should the Investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the Investigator shall advise the Complainant and the Board of Directors to refer the matter to police.
9. The Investigator must also inform the Board of any findings of criminal activity. The Board is required to inform police if there are findings related to the trafficking of prohibited substances or methods (as indicated in the World Anti-Doping Agency’s Prohibited List currently in force), any sexual crime involving Minors, fraud against Karate New Brunswick, or other offences where the lack of reporting would bring Karate New Brunswick into disrepute.

False Allegations

10. An Individual who submits allegations that the Investigator determines to be malicious, false or for the purpose of retribution, retaliation or vengeance may be subject to a complaint under the terms of the *Discipline and Complaints Policy*.

Confidentiality

11. The Investigator will make every effort to preserve the confidentiality of the complainant, respondent, and any other party. However, Karate New Brunswick recognizes that maintaining anonymity of any party may be difficult for the Investigator during the investigation.

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SECTION 7: DISPUTE RESOLUTION POLICY

Purpose

Karate New Brunswick supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes.

Karate New Brunswick encourages all Individuals to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. Negotiated settlements are most often preferable to arbitrated outcomes.

Application of this Policy

1. Opportunities for ADR may be pursued at any point in a dispute when all parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

2. If all parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all parties, shall be appointed by the Discipline Manager to mediate or facilitate the dispute.
3. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the parties must reach a negotiated decision.
4. Should a negotiated settlement be reached, the settlement shall be reported to the Board of Directors. Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated decision, pending approval of the Board of Directors.
5. Should a negotiated settlement not be reached by the deadline specified by the mediator or if the parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy*, as applicable.

Final and Binding

6. Any negotiated settlement will be binding on the parties. Negotiated settlements may not be appealed.

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SECTION 8: APPEAL POLICY

Purpose

This *Appeal Policy* provides Individuals with a fair and expedient appeal process.

Scope and Application of this Policy

1. Any Individual who is directly affected by a decision made by Karate New Brunswick shall have the right to appeal that decision provided that there are sufficient grounds for the appeal under the **Grounds for Appeal** section of this Policy.
2. This Policy **will apply** to decisions relating to:
 - a) Eligibility
 - b) Selection
 - c) Conflict of Interest
 - d) Discipline
 - e) Membership
3. This Policy **will not apply** to decisions relating to:
 - a) Infractions for doping offenses
 - b) The rules of the sport
 - c) Selection criteria, quotas, policies, and procedures established by entities other than Karate New Brunswick
 - d) Substance, content and establishment of team selection or carding criteria
 - e) Volunteer/coach appointments and the withdrawal or termination of those appointments
 - f) Budgeting and budget implementation
 - g) The organization's operational structure and committee appointments
 - h) Decisions or discipline arising within the activities organized by entities other than Karate New Brunswick (appeals of these decisions shall be dealt with pursuant to the policies of those other entities)
 - i) Commercial matters for which another appeals process exists under a contract or applicable law

Timing of Appeal

4. Individuals who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit the following to the Appeal Manager:
 - a) Notice of the intention to appeal
 - b) Their contact information
 - c) Name and contact information of the Respondent and any other affected Parties
 - d) Date the Respondent was advised of the decision being appealed
 - e) A copy of the decision being appealed, or description of decision if written document is not available
 - f) Grounds for the appeal
 - g) Detailed reasons for the appeal
 - h) All evidence that supports these grounds
 - i) Requested remedy or remedies
 - j) An administration fee of two hundred dollars (\$200), which will be refunded if the appeal is upheld

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

Grounds for Appeal

6. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:
 - a) Made a decision that it did not have the authority or jurisdiction to make
 - b) Failed to follow its own procedures
 - c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views)
 - d) Made a decision that was patently unreasonable

Screening of Appeal

7. The parties may first attempt to resolve the appeal through the *Dispute Resolution Policy*. Appeals resolved under the *Dispute Resolution Policy* will result in the administration fee being refunded to the Appellant.
8. Should the appeal not be resolved by using the *Dispute Resolution Policy*, Karate New Brunswick will appoint an independent Appeal Manager (who must not be in a conflict of interest or have any direct relationship with the parties) who has the following responsibilities:
 - a) To determine if the appeal falls under the scope of this Policy
 - b) To determine if the appeal was submitted in a timely manner
 - c) To decide whether there are sufficient grounds for the appeal
9. If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision. This decision may not be appealed.
10. If the Appeal Manager is satisfied there are sufficient grounds for an appeal, the Appeal Manager will appoint an Appeal Panel composed of three members to hear the appeal. In this event, the Appeal Manager will serve as the chair of the Appeal Panel.

Procedure for Appeal Hearing

11. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.
12. If a party chooses not to participate in the hearing, the hearing will proceed in any event.
13. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the Panel deem appropriate in the circumstances, provided that:
 - a) The hearing will be held within a timeline determined by the Appeal Manager
 - b) The Parties will be given reasonable notice of the day, time and place of the hearing
 - c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing

- d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- e) The Panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.
- f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal,
- g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become an Affected Party to the appeal in question and will be bound by its outcome
- h) The decision to uphold or reject the appeal will be by a majority vote of Panel members

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

Appeal Decision

15. The Panel shall issue its decision, in writing and with reasons, within seven (7) days after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:
- a) Reject the appeal and confirm the decision being appealed;
 - b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision; or
 - c) Uphold the appeal and vary the decision.
16. The Panel's written decision, with reasons, will be distributed to all parties, the Appeal Manager, and the Board of Directors. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

Timelines

17. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the appeal, the Appeal Manager and/or Panel may direct that these timelines be revised.

Confidentiality

18. The appeals process is confidential and involves only the parties, the Appeal Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.
19. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Discipline Manager or Discipline Panel (as applicable).

Final and Binding

20. No action or legal proceeding will be commenced against Karate New Brunswick in respect to a dispute, unless Karate New Brunswick failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

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SECTION 9: SOCIAL MEDIA POLICY

Purpose

Karate New Brunswick is aware that Individual interaction and communication occurs frequently on social media. Karate New Brunswick cautions Individuals that any conduct falling short of the standard of behaviour required by this *Social Media Policy* and the *Code of Conduct and Ethics* may be subject to the disciplinary sanctions identified within the *Discipline and Complaints Policy*.

Conduct and Behaviour

1. The following social media conduct may be subject to disciplinary action in accordance with the *Discipline and Complaints Policy*:
 - a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at any Individual connected with Karate New Brunswick and its members.
 - b) Posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, or otherwise offensive, and that is directed at any Individual connected with Karate New Brunswick and its members
 - c) Creating or contributing to a Facebook group, webpage, Instagram account, Twitter feed, blog, or online forum devoted solely or in part to promoting negative or disparaging remarks or commentary about Karate New Brunswick or its members and stakeholders
 - d) Inappropriate personal or sexual relationships over a social medium between Individuals who have a power imbalance in their interactions, such as between Athletes and coaches, officials, or instructors
 - e) Any instance of cyber-bullying or cyber-harassment which can include: insults, negative comments, vexatious or unwelcome behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.
2. All conduct and behaviour occurring on social media may be the subject of a complaint pursuant to the *Discipline and Complaints Policy*.

Individuals' Responsibilities

3. Individuals acknowledge that their social media activity may be viewed by anyone.
4. When using social media, an Individual must model appropriate behaviour befitting the Individual's role and status in connection with Karate New Brunswick.
5. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Individual from being subject to the *Discipline and Complaints Policy*.
6. An Individual who believes that another Individual's social media activity is inappropriate or may violate the policies and procedures of Karate New Brunswick should report the matter in the manner outlined by the *Discipline and Complaints Policy*.

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SECTION 10: SCREENING POLICY

Purpose

Karate New Brunswick understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the sport community.

Application of this Policy

1. This Policy applies to all individuals whose position with Karate New Brunswick is one of trust or authority.
2. Karate New Brunswick will determine which individuals will be subject to screening using the following guidelines:

Level 1 – Low Risk - Individuals involved in low-risk assignments who are not in a supervisory role, not involved with finances, and/or do not have unsupervised access to Vulnerable Individuals. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular or informal basis

Level 2 – Medium Risk – Individuals involved in medium-risk assignments who may be in a supervisory role, may be involved with finances, and/or who may have limited access to Vulnerable Individuals.

Examples:

- a) Non-coach managers
- b) Directors
- c) Coaches who are typically under the supervision of another coach
- d) Officials

Level 3 – High Risk – Individuals involved in high-risk assignments who occupy positions of trust and/or authority, have a supervisory role, are involved with finances, and/or who have frequent or unsupervised access to Vulnerable Individuals. Examples:

- a) Full-time coaches
- b) Coaches who travel with Athletes
- c) Coaches who could be alone with Athletes

3. The implementation of this policy is the responsibility of the Screening Manager who is appointed by the Board of Directors.
4. The Screening Manager is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within Karate New Brunswick.
5. Nothing in this Policy restricts or limits the Screening Manager from requesting that the individual attend an interview with the Board of Directors should the Screening Manager consider that an interview is appropriate and necessary to screen the individual's application.
6. Nothing in this Policy restricts or limits the Screening Manager from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's

suitability for the role within the organization.

7. Nothing in this Policy restricts or limits the Screening Manager from requesting further information from the individual.
8. The Screening Manager may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
9. When assessing an individual's screening application, the Screening Manager shall determine whether there is reason to believe that the individual may pose a risk to members of Karate New Brunswick.
10. If the Screening Manager determines that the individual does not pose a risk to the members of Karate New Brunswick, the Screening Manager shall approve the individual's participation.
11. In the case of a decision denying or approving an appointment with conditions, a copy of the decision shall be provided to the applicant and to Board of Directors, which may disseminate the decision as they see fit in order to best fulfil the mandate of the organization.
12. An Individual whose screening application has been denied or revoked may not re-apply to participate in Karate New Brunswick's programs or activities for two (2) years from the date the rejected application was made.

Screening Requirements

13. A Screening Requirements Matrix is provided as **Appendix B**.
14. It is the policy of Karate New Brunswick that
 - a) Level 1 individuals will:
 - i. Complete a Screening Disclosure Form (**Appendix C**)
 - ii. Participate in training, orientation, and monitoring as determined by Karate New Brunswick
 - b) Level 2 individuals will:
 - i. Complete a Screening Disclosure Form
 - ii. Complete and provide an Enhanced Police Information Check (E-PIC)
 - iii. Participate in training, orientation, and monitoring as determined by the organization
 - c) Level 3 individuals will:
 - i. Complete a Screening Disclosure Form
 - ii. Complete and provide an E-PIC and a Vulnerable Sector Check (VSC)
 - iii. Participate in training, orientation, and monitoring as determined by the organization
 - d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Karate New Brunswick. Additionally, the individual will inform the organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
 - e) If Karate New Brunswick learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to

further discipline in accordance with the *Discipline and Complaints Policy*.

Renewal

15. Unless the Screening Manager determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, VSC, or Screening Renewal Form, are required to submit the documents as follows:
 - a) An E-PIC every three years
 - b) A Screening Disclosure Form every three years
 - c) A Screening Renewal Form (**Appendix D**) every year
 - d) A Vulnerable Sector Check once
16. At any time, the Screening Manager may re-open an individual's file for additional screening if it is advised of new information that could affect the assessment of the individual's suitability for participation in Karate New Brunswick's activities.

Orientation, Training, and Monitoring

17. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk.
18. Orientation may include, but is not limited to: introductory presentations, parent/Athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
19. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
20. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training.
21. Monitoring may include, but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

How to Obtain an E-PIC or VSC

22. An E-PIC may be obtained online via <http://www.backcheck.net/e-pic.htm>

OR

23. The Organization has joined the Coaching Association of Canada's Responsible Coaching Movement and therefore has access to the E-PIC at a discounted rate. Individuals can obtain an E-PIC via https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/
24. Individuals may only obtain a VSC by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
25. Karate New Brunswick understands that they may be required to assist an individual with obtaining a VSC. A Request for VSC (**Appendix E**) may need to be submitted or other documentation may need to be completed that describes the nature of the organization and the individual's role with Vulnerable

Individuals.

Procedure

26. Screening documents must be submitted to the Screening Manager.
27. An individual who refuses or fails to provide the necessary screening documents will be ineligible for the position sought. The individual will be informed that their appointment to the position will not proceed until such time as the screening documents are submitted.
28. Karate New Brunswick understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, Karate New Brunswick may permit the individual to participate in the role during the delay. This permission may be withdrawn at any time and for any reason.
29. Following the review of the screening documents, the Screening Manager will decide:
 - a) The individual has passed screening and may participate in the desired position;
 - b) The individual has passed screening and may participate in the desired position with conditions;
 - c) The individual has not passed screening and may not participate in the desired position; or
 - d) More information is required from the individual.
30. In making its decision, the Screening Manager will consider the type of offense, date of offense, and relevance of the offense to the position sought. The following examples are considered to be offenses that may cause the individual to fail the screening requirements or to have conditions imposed on the individual:
 - a) If imposed in the last ten years:
 - i. Any offense for trafficking and/or possession of drugs and/or narcotics
 - ii. Any offense involving conduct against public morals
 - iii. Any offense involving theft or fraud
 - b) If imposed at any time:
 - a. Any offense involving a Minor or Minors
 - b. Any offense of physical or psychological violence
 - c. Any crime of violence including all forms of assault
 - d. Any offense involving trafficking of illegal drugs
 - e. Any offense involving the possession, distribution, or sale of any child-related pornography
 - f. Any sexual offense

Conditions and Monitoring

31. Excluding the incidents above which, if revealed, would cause the individual to fail screening, the Screening Manager may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Screening Manager shall have discretion to apply and remove conditions, determine the length of time for the imposition of conditions, and determine the means by which adherence to conditions may be monitored.

Records

32. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings.

33. The records kept as part of the screening process include, but are not limited to:
- a) An individual's Vulnerable Sector Check
 - b) An individual's E-PIC (for a period of three years)
 - c) An individual's Screening Disclosure Form (for a period of three years)
 - d) An individual's Screening Renewal Form (for a period of one year)
 - e) Records of any conditions attached to an individual's registration by the Screening Manager
 - f) Records of any discipline applied to any individual

Criminal Convictions

34. An individual's conviction for any of the following *Criminal Code* offenses may result in expulsion from Karate NB and/or removal from designated positions.
- a) Any offense of physical or psychological violence
 - b) Any crime of violence including all forms of assault
 - c) Any offense involving trafficking of illegal drugs
 - d) Any offense involving the possession, distribution, or sale of any child-related pornography
 - e) Any sexual offense
 - f) Any offense involving theft or fraud

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SECTION 11: DEFINITIONS

The terms defined below shall apply to all policies included in this Safe Sport Manual.

1. *"Affected Party"* – Any individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right
2. *"Appellant"* – The Party appealing a decision
3. *"Athlete"* – Includes any individual who is a registered member of Karate New Brunswick
4. *"Board"* – The Board of Directors of Karate New Brunswick
5. *"Complainant"* – the Party making a complaint
6. *"Criminal Record Check (CRC)"* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
7. *"Discrimination"* – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability
8. *"Enhanced Police Information Check (E-PIC)"* – a Criminal Record Check plus a search of Local Police Information, available from Sterling Backcheck
9. *"Harassment"* – A course of vexatious comment or conduct against an Individual or group, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
 - a) Written or verbal abuse, threats, or outbursts;
 - b) Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
 - c) Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
 - d) Leering or other suggestive or obscene gestures;
 - e) Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
 - f) Practical jokes which endanger a person's safety, or may negatively affect performance;
 - g) Hazing;
 - h) Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
 - i) Deliberately excluding or socially isolating a person from a group or team;
 - j) Persistent sexual flirtations, advances, requests, or invitations;
 - k) Physical or sexual assault;
 - l) Contributing to a poisoned sport environment, which can include:
 - i. Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons)
 - ii. Groups where harassing behaviour is part of the normal course of activities
 - iii. Behaviour that causes embarrassment, awkwardness, endangers a person's safety or negatively affects performance.
 - m) Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
 - n) Retaliation or threats of retaliation against a person who reports harassment to Karate New Brunswick

10. *“Maltreatment”* – A volitional act by an Individual that results in harm or the potential for physical or psychological harm to another Individual, and includes any of the following behaviours or conduct:
- a) Psychological Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the psychological well-being of an Individual. It includes:
 - i. Verbal Acts: verbally assaulting or attacking an Individual, including, but not limited to, unwarranted personal criticisms; body shaming; derogatory comments related to an Individual’s identity (e.g., race, gender identity or expression, ethnicity, Indigenous status, ability/disability); comments that are demeaning, humiliating, belittling, intimidating, insulting or threatening; the use of rumours or false statements about an Individual to diminish their reputation; using confidential sport and non-sport information inappropriately. Verbal Maltreatment may also occur in online forms.
 - ii. Non-Assaultive Physical Acts (no physical contact): physically aggressive behaviours, including, but not limited to, throwing objects at or in the presence of others without striking another; hitting, striking or punching objects in the presence of others.
 - iii. Acts that Deny Attention or Support: including, but not limited to, ignoring psychological needs or socially isolating an Individual repeatedly or for an extended period of time; abandonment of an Athlete as punishment for poor performance; arbitrarily or unreasonably denying feedback, training opportunities, support or attention for extended periods of time and/or asking others to do the same.
 - b) Physical Maltreatment: any pattern or single serious incident of deliberate conduct that has the potential to be harmful to the physical well-being of an Individual. It includes:
 - i. Contact behaviours: including, but not limited to, deliberately punching, kicking, beating, biting, striking, strangling or slapping another; deliberately hitting another with an object.
 - ii. Non-contact behaviours: including, but not limited to, isolating an Individual in a confined space; forcing an Individual to assume a painful stance or position for no athletic purpose (e.g., requiring an Athlete to kneel on a hard surface); the use of exercise for the purposes of punishment; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; denying access to a toilet; providing alcohol to an Individual under the legal drinking age; providing illegal drugs or non-prescribed medications to an Individual; encouraging or knowingly permitting an Athlete to return to play prematurely following any injury or after a concussion and without the clearance of a medical professional; encouraging an Athlete to perform a skill for which they are known to not be developmentally ready.
 - c) Sexual Maltreatment, including, but not limited to, any act targeting an Individual’s sexuality, gender identity or expression, that is committed, threatened or attempted against that person, and includes, but is not limited to, the Criminal Code offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature.
 - d) Neglect: any pattern or a single serious incident of lack of reasonable care, inattention to an Individual’s needs, nurturing or well-being, or omissions in care. Neglect, or acts of omission, include: not providing an Athlete recovery time and/or treatment for a sport injury; not being aware of and not considering an Individual’s physical or intellectual disability; not considering supervision of an Athlete during travel, training or competition; not considering the welfare of the Athlete when prescribing dieting or other weight control methods; disregarding the use of prohibited substances by an Athlete; failure to ensure safety of equipment or environment;

allowing an Athlete to disregard sport rules, regulations, and standards, or subjecting Individuals to the risk of Maltreatment.

- e) Grooming: includes, without limitation, deliberate conduct by an Individual to sexualize a relationship with a Minor, and which includes making inappropriate behaviour seem normal and gradually engaging in 'boundary violations' which have been professionally identified to Canadian standards (e.g., a degrading remark, a sexual joke, sexualized physical contact; adult participants sharing rooms with a Minor who is not an immediate family member; providing a massage or other purported therapeutic interventions with no specific training or expertise; private social media and text communications; sharing personal photographs; shared use of locker rooms; private meetings; private travel; and providing gifts).
11. "*Minor*" – Any Individual who is under the age of majority at the time and in the jurisdiction where the alleged Maltreatment has occurred.
 12. "*Parties*" – the groups involved with the particular dispute. In the *Discipline and Complaints Policy*, the Parties are the Complainant and Respondent. In the *Appeal Policy*, the Parties are the Appellant, Respondent, and any Affected Party
 13. "*Person in Authority*" – Any Individual who holds a position of authority within Karate New Brunswick including, but not limited to, coaches, instructors, officials, managers, support personnel, chaperones, committee members, and Directors
 14. "*Respondent*" – The party responding to a complaint or, in the case of an appeal, the body whose decision is being appealed
 15. "*Social media*" – The catch-all term that is applied broadly to new computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, TikTok, Snapchat, and Twitter.
 16. "*Vulnerable Individuals*" – Includes Minors and adults (people who, because of age, disability or other circumstance, are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority);

SECTION 12: APPENDICES

Appendix A – Image Consent Form

Name of Participant (print): _____

1. I hereby grant to Karate New Brunswick, the permission to photograph and/or record the Participant’s image and/or voice on still or motion picture film and/or audio tape (collectively the “Images”), and to use the Images to promote the sport and/or Karate New Brunswick through traditional media such as newsletters, websites, television, film, radio, print and/or display form, and through social media such as Instagram, Facebook, YouTube, and Twitter. I understand that I waive any claim to remuneration for use of audio/visual materials used for these purposes. This consent will remain in effect in perpetuity.
2. I hereby fully release, discharge, and agree to save harmless Karate New Brunswick, for any and all claims, demands, actions, damages, losses or costs that might arise out of the collection, use or disclosure of the Images or taking, publication, distortion of the Images, negatives, and masters or any other likeness or representation of the Participant that may occur or be produced in the taking of said Images or in any subsequent processing thereof, including without limitation any claims for libel, passing off, misappropriation of personality or invasion of privacy.
3. **I UNDERSTAND AND AGREE**, that I have read and understood the terms and conditions of this document. On behalf of me, my heirs and assigns, I agree that I am signing this document voluntarily and to abide by such terms and conditions.

Signature of Participant: _____

OR, if the Participant is younger than the age of majority

Signature of Parent/Guardian: _____

Date: _____

Appendix B – Screening Requirements Matrix

Risk Level	Roles (Note Young People Exception Below)	Training Recommended/Required	Screening
Level 1 Low Risk	a) Parents, youth or volunteers acting in non-regular or informal basis	Recommended: <ul style="list-style-type: none"> • Respect in Sport for Activity Leaders 	<ul style="list-style-type: none"> • Complete a Screening Disclosure Form (Appendix C) • Participate in training, orientation, and monitoring as determined by the organization
Level 2 Medium Risk	a) Non-coach managers b) Directors c) Coaches who are typically under supervision of another coach d) Officials	Recommended based on role: <ul style="list-style-type: none"> • Respect in Sport for Activity Leaders • Commit to Kids Required: <ul style="list-style-type: none"> • Respect in Sport Activity Leaders (National Officials) • National Coaching Certification Program (NCCP) Making Ethical Decisions (MED) Certified (Coaches) 	<ul style="list-style-type: none"> • Level 1 Requirements • Provide an E-PIC
Level 3 High Risk	a) Full-time coaches b) Coaches who travel with Athletes c) Coaches who could be alone with Athletes	Recommended based on role: <ul style="list-style-type: none"> • Respect in Sport for Activity Leaders • Commit to Kids Required: <ul style="list-style-type: none"> • NCCP MED Certified (Coaches) 	<ul style="list-style-type: none"> • Level 2 Requirements • Provide a VSC

Appendix C – Screening Disclosure Form

NAME: _____
First Middle Last

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

CLUB (if applicable): _____ **EMAIL:** _____

Note: Failure to disclose truthful information below may be considered an intentional omission and may result in the loss of volunteer responsibilities or other privileges and/or disciplinary action.

1. Have you been convicted of a crime? If so, please complete the following information for each conviction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year Convicted: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.

Name of disciplining or sanctioning body: _____

Date of discipline, sanction or dismissal: _____

Reasons for discipline, sanction or dismissal: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of disciplining or sanctioning body: _____

Further Explanation: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, I consent and authorize Karate New Brunswick to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of the *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial/Territorial Sport Organizations, Clubs, and other organizations involved in the governance of sport. Karate New Brunswick does not distribute personal information for commercial purposes.

CERTIFICATION

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform Karate New Brunswick (as applicable) of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

NAME (print): _____

DATE: _____

SIGNATURE: _____

Appendix E – Request For Vulnerable Sector Check



INTRODUCTION

Karate New Brunswick is requesting a Vulnerable Sector Check for the following:

Name: _____

Address: _____

Date of Birth: _____

DESCRIPTION OF ORGANIZATION

Karate New Brunswick is a not-for-profit provincial organization for the sport of karate located in New Brunswick.

DESCRIPTION OF ROLE

_____ will be acting as a _____. In this role, the individual will have access to vulnerable individuals. Their conduct may include: coaching, chaperoning, driving and/or direct personal support.

CONTACT INFORMATION

If more information is required from Karate New Brunswick, please contact the undersigned.

Name: _____

Position: _____

Signature: _____

Date: _____