

# Softball Ontario Sport Integrity Policy Suite



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**Softball Ontario**  
**SPORT INTEGRITY POLICY SUITE**

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## Softball Ontario

### Statement on Safe Sport

Softball Ontario has a fundamental obligation and responsibility to protect the health, safety and physical and mental well-being of every individual that is involved in the Softball Ontario community.

Softball Ontario takes situations involving misconduct or *Maltreatment* very seriously, whether the incident occurs on or off the field. For this reason, Softball Ontario is committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct or *Maltreatment*.

Softball Ontario's policies are intended to promote a safe environment in a manner that allows for consistent, immediate, appropriate, and meaningful action should any issues arise. They are also intended to prevent issues from arising in the first place by communicating expected standards of behaviour.

To this end, Softball Ontario has adopted the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport* as part of its conduct standard for all *Individuals* participating in the activities of Softball Ontario and its *Member Associations*.

Should anyone wish to report an incident or concern about misconduct or *Maltreatment* involving anyone associated with Softball Ontario, including but not limited to *Athletes*, coaches, officials, volunteers, and parents/guardians of *Athletes*, they may do so directly through the identified pathway identified below.

Softball Ontario makes the following commitments to a sport environment free from all forms of misconduct and *Maltreatment*:

- a) All participants in sport can expect to play, practice, and compete, work, and interact in an environment free from misconduct and *Maltreatment*.
- b) Addressing the causes and consequences of misconduct and *Maltreatment* is a collective responsibility and requires the deliberate efforts of all participants, broader sport community, sport administrators and organization leaders.
- c) Participants in positions of trust and authority have the general responsibility to protect the health and well-being of all other participants.
- d) Adult participants have a specific ethical and statutory duty and the additional responsibility to respond to incidents of misconduct and *Maltreatment* involving *Minors* and other *Vulnerable Participants*.

- e) All participants recognize that misconduct and *Maltreatment* can occur regardless of age, *Sex*, *Sexual Orientation*, *Gender Identity* or expression, race, ethnicity, Indigenous status, or level of physical and intellectual disability and their intersections. Moreover, it is recognized that those from traditionally marginalized groups have increased vulnerability to experiences of misconduct and *Maltreatment*.
- f) All participants recognize that individuals who have experienced misconduct and *Maltreatment* may experience a range of effects that may emerge at different time points and that can profoundly affect their lives.
- g) All adults working with children and youth have a duty to prevent or mitigate opportunities for misconduct.
- h) Individuals affiliated with Softball Ontario may be required to complete appropriate mandatory training on preventing and addressing *Harassment* and abuse.
- i) In recognition of the historic vulnerability to discrimination and violence amongst some groups, which persists today, participants in positions of trust and authority have a duty to incorporate strategies to recognize systemic bias, unconscious bias, and to respond quickly and effectively to discriminatory practices.

## Definitions

Terms in the Sport Integrity Policy Suite are defined as follows:

- a) **Alternative Dispute Resolution (ADR)** – a voluntary and flexible process for addressing disputes outside of formal adjudication, and can include a variety of methods, such as mediation or facilitated conversations. The process may lead to a settlement agreement and is intended to reduce the uncertainty, costs, and other challenges associated with investigations, hearings, and appeals.
- b) **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.
- c) **Appeal Manager** – an individual, who may be any staff member, committee member, volunteer, director, or an independent *Party*, who is appointed to oversee the *Appeal Policy*. The *Appeal Manager* will have responsibilities that include using decision making authority under the *Appeal Policy*.
- d) **Appellant** – the *Party* appealing a decision.
- e) **Athlete** – an individual who is engaged in Softball Ontario activities or its *Members* as an *Athlete* and who is subject to the policies of Softball Ontario.
- f) **Athlete Support Personnel** - any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent, or any other person working with, treating, or assisting an *Athlete* participating in or preparing for competition.
- g) **Bullying** – offensive behaviour and/or abusive treatment of an individual that typically, but not always, involves an abuse of power.
- h) **CADP** – Refers to the [Canadian Anti-Doping Program](#), administered by the *SIC*.
- i) **Code** – the *Code of Conduct and Ethics*.
- j) **Commercial Activity** – any particular transaction, act or conduct that is of a commercial character.
- k) **Complainant** – an individual who makes a report of an incident, or a suspected incident, of alleged *Maltreatment*, *Prohibited Behaviour* or other misconduct that may be a violation of the standards described in Softball Ontario’s policies, by-laws, rules or regulations, including the *UCCMS*.
- l) **Criminal Record Check (CRC)** – a search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
- m) **Canadian Safe Sport Program (CSSP)** – Program created by the Canadian Centre for Ethics in Sport (*CCES*) in accordance with its mandate to independently

administer and enforce the *UCCMS* for Sport Organizations as defined in the *CSSP* Rules (*CSSP* Sport Organization)

- n) ***CSSP Participant*** – an individual affiliated with a *CSSP* Sport Organization, has been defined by the *CSSP* Rules or otherwise designated by a *CSSP* Sport Organization and is therefore subject to the *CSSP* Rules. *CSSP* Participants may include an *Athlete*, a coach, a board member, an official, an *Athlete Support Personnel*, an employee, a *Worker*, an administrator, or a volunteer acting on behalf of, or representing a *CSSP* Sport Organization in any capacity. *CSSP* Participants must complete certain requirements, including signing the required consent form.
- o) ***CSSP Sport Organization*** – a federally funded sport organization that has adopted the *CSSP* and has retained the services of the *SIC* for the *CSSP*.
- p) ***Days*** – calendar *Days*<sup>1</sup>.
- q) ***Designated Person*** - Refers to a person designated by Softball Ontario removal-from-sport protocol and by its return-to-sport protocol for the purposes of fulfilling various duties indicated in this Policy.
- r) ***Dispute Resolution Officer*** – a panel of one or three people who are appointed by the *Independent Third Party* to decide on complaints that are assessed under Process #2 of the *Discipline and Complaints Policy*.
- s) ***Diversity*** – the presence and integration of a variety of individuals with different personal characteristics, particularly *Under-Represented Groups*, in a group or organization.
- t) ***Enhanced Police Information Check (E-PIC)*** – a *Criminal Record Check* plus a search of *Local Police Information*.
- u) ***Equity*** – fairness afforded to individuals with diverse personal characteristics regardless of those characteristics
- v) ***Field Area*** – Any part of the field of play which includes but is not limited to the bench/dugout, stands, or surrounding fence area.
- w) ***Gender*** – The socially constructed roles, behaviours, activities, and attributes that a

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<sup>1</sup> For the purpose of calculating deadlines, the following shall apply: the day of the act is not included in the calculation (i.e., the date of receipt of a decision is not Day 1); instead, the deadline would start on the day following receipt of the decision and would expire at midnight (in the location of the *Individual* seeking to file an appeal) on the last day of the period. If the end date is a Saturday, a Sunday or a legal holiday, the period runs until the next day that is not a Saturday, a Sunday or a legal holiday. For example, if an *Individual* receives a decision on Thursday December 17, 2020, the 14-day deadline to appeal this decision starts on Friday December 18, 2020 and would expire on Friday January 1, 2021. However, since January 1, 2021, is a legal holiday, January 2, 2021 is a Saturday, and January 3, 2021 is a Sunday, the deadline to appeal would expire at midnight (in the location of the *Individual* seeking to file an appeal) on January 4, 2021.

society assigns to masculinity or femininity.

- x) ***Gender Expression*** – The way an individual communicates their *Gender Identity* to others. This is done through behaviour, body language, voice, emphasis or de-emphasis of bodily characteristics, choice of clothing, hairstyle, and wearing make-up and/or accessories. Others perceive a person's *Gender* through these attributes. The traits and behaviours associated with masculinity and femininity are culturally specific and change over time. A person's chosen name and pronoun are also common ways people express their *Gender*.
- y) ***Gender Identity*** – A person's innermost sense of their own *Gender*. This can include man, woman, both, neither or something else entirely. *Gender* also refers to a variety of social and behavioural characteristics (e.g., appearance, mannerisms). A person's *Gender Identity* may be the same as or different from their birth-assigned *Sex*. There are lots of words people may use to talk about their *Gender Identity* and expression.
- z) ***Harass or Harassment*** – In addition to the definitions under the *UCCMS*, to *Harass* or *Harassment* is a course of vexatious comments or conduct against an individual or group, which is known or ought reasonably to be known to be unwelcome. *Harassing* behaviours may also be *Maltreatment*. Types of behaviour that constitute *Harassment* include, but are not limited to:
  - i. written or verbal abuse, threats, or outbursts;
  - ii. the display of visual material which is offensive or which one ought to know is offensive;
  - iii. unwelcome remarks, jokes, comments, innuendo, or taunts;
  - iv. leering or other suggestive or obscene gestures;
  - v. condescending or patronizing behaviour, which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
  - vi. practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance;
  - vii. any form of hazing;
  - viii. unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
  - ix. unwelcome sexual flirtations, advances, requests, or invitations;
  - x. physical or sexual assault;
  - xi. behaviours such as those described above that are not directed towards a specific individual or group but have the same effect of creating a negative or hostile environment; and/or
  - xii. retaliation or threats of retaliation against an individual who reports *Harassment*.

- aa) **Inclusion** – acceptance of individuals with diverse personal characteristics into a group or organization regardless of those characteristics.
- bb) **Individual(s)** – refers to all categories of *Individual* participants, including Registrants and Registrant Umpires as defined in the by-laws of Softball Ontario, who are subject to the policies, rules and regulations of Softball Ontario, as well as all persons employed by, contracted by, or engaged in activities with, Softball Ontario and its registrants, including, but not limited to, employees, contractors, *Athletes*, coaches, instructors, officials, volunteers, *Athlete Support Personnel*, managers, administrators, parents or guardians, spectators, committee members, or directors and officers.
- cc) **Independent Third Party** – the individual or entity retained by Softball Ontario to receive reports and complaints, and to fulfill the identified responsibilities outlined in the *Discipline and Complaints Policy* and *Appeal Policy*, as applicable. This individual or entity must not be in a real or perceived conflict of interest or have a direct relationship with any of the *Parties*.
- dd) **Fair Play Officer/Panel** – a panel of one or three people who are appointed by Softball Ontario to decide on complaints that are assessed under the Fair Play Process of the *Discipline and Complaints Policy*. The *Fair Play Officer* may be a director, head coach, umpire committee member, person from a *Member Association*, committee member, staff member, or other individual affiliated with Softball Ontario but must not be in a conflict of interest with any of the *Parties*.
- ee) **Interpersonal Communication** - Communication that occurs between two or more individuals within a communication medium.
- ff) **IP Address** – a numerical label that is assigned to electronic devices participating in a computer network that uses internet protocol for communication between devices.
- gg) **Local Police Information (LPI)** – additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought.
- hh) **Maltreatment** – as defined in the *UCCMS*.
- ii) **Member Association** – refers to the organizations that are admitted as *Member Associations* as indicated within Softball Ontario’s by-laws. *Member Associations* can have two sub-categories of membership, where “*Affiliated Member Associations*” are members with voting rights, and “*Associate or Non Affiliated Member Associations*” are members who are tied to the *Member Association* for solely insurance purposes.
- jj) **Minor** – as defined in the *UCCMS*.

- kk) **Minor Athlete(s)** – an individual who is an *Athlete* Participant in Softball Ontario who is subject to the policies of Softball Ontario and to this *Code* who is under the age of 19 years old.
- ll) **Party or Parties** – the individual(s) or entities involved in a dispute.
- mm) **Person in Authority** – any individual who holds a position of authority within the Softball Ontario including, but not limited to, coaches, instructors, officials, managers, *Athlete Support Personnel*, chaperones, committee members, or directors and officers.
- nn) **Personal Information** – any information about an individual that relates to the person’s personal characteristics including, but not limited to *Gender*, age, income, home address or phone number, ethnic background, family status, health history, and health conditions.
- oo) **Power Imbalance** – as defined in the *UCCMS*.
- pp) **Prohibited Behaviour** – as defined in the *UCCMS*.
- qq) **Provisional Suspension** – means that the individual is barred temporarily from participating in in any capacity in any *Sanctioned Event* or activity of Softball Ontario and its *Member Associations*, or as otherwise restricted in their ability to participate in sanctioned activities pursuant to the *Discipline and Complaints Policy*, prior to the decision rendered in a hearing conducted pursuant to the policy.
- rr) **Public Communication** – Communication that is or was posted publicly, such as on a Participant’s *Social Media* platform.
- ss) **Representatives** – directors, officers, committee members, employees, *Athletes*, coaches, officials, sport assistants, managers, trainers, volunteers, administrators, contractors operating within Softball Ontario.
- tt) **Respondent** – the *Party* responding to the complaint or an appeal, as applicable
- uu) **[Responsible Coaching Movement](#)** – A call to action for sport organizations, parents, and coaches to enact responsible coaching across Canada – on and off the field.
- vv) **Return-to-learn (RTL)**: return to preinjury learning activities with no new academic support, including school accommodations or learning adjustments.
- ww) **Sanctioned Event** – a *Sanctioned Event* sanctioned by Softball Ontario or a *Member Association*, including a travel tournament sanctioned by Softball Ontario or a *Member Association*.
- xx) **SDRCC** - Sport Dispute Resolution Centre of Canada.

- yy) **Sex** – The classification of people as male, female, or intersex. *Sex* is usually assigned at birth and is based on an assessment of a person’s reproductive system, hormones, chromosomes, and other physical characteristics, most notably by external genitalia.
- zz) **Sexual Orientation** - *Sexual Orientation* describes human sexuality, from gay and lesbian to bisexual and heterosexual *Orientations*. A person’s *Gender Identity* is fundamentally different from and not related to their *Sexual Orientation*. Because a person identifies as trans does not predict or reveal anything about their *Sexual Orientation*. A *trans* person may identify as gay, lesbian, queer, straight, bisexual, or asexual, just as people who do not identify as *trans*.
- aaa) **SIC** – Refers to [Sport Integrity Canada](#).
- bbb) **Social Media** – the catch-all term that is applied broadly to new computer-mediated communication media such as, but not limited to, blogs, YouTube, Facebook, Instagram, Threads, Tumblr, Tik Tok, Snapchat, Reddit and Twitter/X.
- ccc) **Transgender** or **Trans** – An umbrella term that describes people with diverse *Gender* identities and *Gender Expressions* that do not conform to stereotypical ideas about what it means to be a girl/woman or boy/man in society. It includes but is not limited to people who identify as *Transgender*, transexual, cross dressers (adjective), or *Gender* non-conforming (*Gender* diverse or *Gender*queer).
- ddd) **TUE** - Therapeutic Use Exemption.
- eee) **UCCMS** - *Universal Code of Conduct to Prevent and Address Maltreatment in Sport*, as amended from time to time.
- fff) **Under-Represented Groups** – includes women, individuals who identify as Black, Indigenous, or people of colour (BIPOC), children in low-income families, seniors, people with disabilities, newcomers to Canada, and members of the LGBTQ community.
- ggg) **Vulnerable Participant** or **Vulnerable Individual** – as defined in the *UCCMS*.
- hhh) **Vulnerable Sector Check (VSC)** – a detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, *Local Police Information*, and the Pardoned Sex Offender database. Softball Ontario may also recognize equivalent mechanisms, such as Sterling Backcheck or a similar service provider.
- iii) **Worker** – any person who performs work for Softball Ontario including employees, managers, supervisors, temporary *Workers*, volunteers, student volunteers, part-time *Workers*, the Board of Directors, and independent contractors.

- jjj) **Workplace** – any place where business or work-related activities are conducted. *Workplaces* include but are not limited to, the registered office(s), work-related social functions, work assignments outside the registered office(s), work-related travel, the training and competition environment, and work-related conferences or training sessions.
- kkk) **Workplace Harassment** – a course of vexatious comment or conduct against a *Worker* in a *Workplace* that is known or ought reasonably to be known to be unwelcome. *Workplace Harassment* should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for *Workplace* infractions.
- lll) **Workplace Violence** – the use of or threat of physical force by a person against a *Worker* in a *Workplace* that causes or could cause physical injury to the *Worker*; an attempt to exercise physical force against a *Worker* in a *Workplace* that could cause physical injury to the *Worker*; or a statement or behaviour that it is reasonable for a *Worker* to interpret as a threat to exercise physical force against the *Worker* in a *Workplace* that could cause physical injury to the *Worker*.

## Code of Conduct and Ethics

*Softball Ontario has adopted the UCCMS, as amended from time to time, provided at Appendix A, which shall be incorporated into the Code by reference as if set out in full.*

*Any modifications or amendments made to the UCCMS shall come into effect immediately upon their adoption and automatically without the need for any further action by Softball Ontario.<sup>2</sup>*

It is important to note that the *Code* applies to all *Individuals*, but not all *Individuals* are *CSSP* Participants and subject to the *CSSP* under the *CSSP* Rules.

### Purpose

1. The purpose of the *Code* is to ensure a safe and positive environment within the programs, business, activities, and *Sanctioned Events* of Softball Ontario and its *Member Associations* by making all *Individuals* aware that there is an expectation, at all times, of appropriate behaviour consistent with Softball Ontario's core values, mission, and policies.
2. Softball Ontario, its *Member Associations* and its *Individuals* support equal opportunity, prohibit discriminatory practices, and are committed to providing an environment in which all individuals can safely participate in sport and are treated with respect and fairness.

### Application - General

3. The *Code* applies to any *Individual's* conduct during the programs, business, activities, and *Sanctioned Events* of Softball Ontario and its *Member Associations* including, but not limited to competitions, practices, evaluations, treatment, or consultations (i.e., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings.
4. The *Code* also applies to *Individuals'* conduct outside of the programs, business, activities, and *Sanctioned Events* of Softball Ontario and its *Member Associations* when such conduct adversely affects Softball Ontario's and its *Member Associations'* relationships (and the work and sport environment) or is detrimental to the image and reputation of Softball Ontario and its *Member Associations*. Such applicability will be determined by Softball Ontario and/or its *Member Associations*, as applicable, at their discretion.
5. In addition, the *Code* will apply to incidents that occur when the individuals involved interact due to their mutual involvement in the sport or, if the breach occurred outside

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<sup>2</sup> It is important to note that the *Code* applies to all *Individuals*, but not all *Individuals* are *CSSP* Participants and subject to the process under the *CSSP*.

of the sport environment, if the breach has a serious and detrimental impact on the *Individual(s)*.

6. The *Code* applies to *Individuals* active in the sport or who have retired from the sport where any claim regarding a potential breach of the *Code* occurred when the *Individuals* were active in the sport of softball.

### **Prohibited Behaviours**

7. All *Individuals* must refrain from any behaviour that constitutes a *Prohibited Behaviour* as defined by the *UCCMS* and the *Code*.
8. *Individuals* are responsible for knowing what actions or behaviours constitute *Prohibited Behaviours* and *Maltreatment*.
9. *Prohibited Behaviours* under the *UCCMS* include, but are not limited to:
  - a) Physical *Maltreatment*
  - b) Psychological *Maltreatment*
  - c) Neglect
  - d) Sexual *Maltreatment*
  - e) Grooming
  - f) Boundary Transgressions
  - g) Discrimination
  - h) Subjecting to the Risk of *Maltreatment*
  - i) Failing to Report
  - j) Aiding and Abetting
  - k) Retaliation
  - l) Interference with or Manipulation of Process
  - m) False Reports
10. In addition to the *Prohibited Behaviours* as defined by the *UCCMS*, this *Code* sets out other expected standards of behaviour and conduct for all *Individuals* and *Member Associations*, and any failure to respect these expected standards of behaviour by an *Individual* or *Member Association* may constitute a breach of the *Code*. In addition, the following behaviours also constitute breaches of the *Code*:
  - a) *Bullying*
  - b) *Harassment*
  - c) *Workplace Harassment*
  - d) *Workplace Violence*

## Responsibilities of Individuals

11. All *Individuals* have a responsibility to:

- a) refrain from any behaviour that constitutes misconduct, *Maltreatment* and *Prohibited Behaviour* under the *Code*, the *UCCMS* and other conduct policies established by Softball Ontario;
- b) maintain and enhance the dignity and self-esteem of other *Individuals* by:
  - i. treating each other with the highest standards of respect and integrity;
  - ii. focusing comments or criticism appropriately and avoiding undue public criticism of *Athletes*, coaches, officials, organizers, volunteers, employees, or other *Individuals*;
  - iii. consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
  - iv. consistently treating individuals fairly and reasonably; and
  - v. ensuring adherence to the rules of the sport and the spirit of those rules.
- c) refrain from the use of power or authority to coerce another person to engage in inappropriate activities;
- d) in the case of *Minors*, not consume alcohol, tobacco, or cannabis at any competition or *Sanctioned Event*;
- e) In the case of adults, avoid consuming alcohol or other impairment inducing substances in situations where *Minors* are present, and take reasonable steps to manage the responsible consumption of alcoholic beverages in adult-oriented social situations associated with Softball Ontario activities;
- f) in the case of individuals who are not *Minors*, not consume cannabis or alcohol in the *Workplace* or in any situation associated with the activities of Softball Ontario and its Members (subject to protections under applicable human rights legislation), not consume alcohol during training or competitions, and take reasonable steps to manage the responsible consumption of alcohol and cannabis in adult-oriented social situations;
- g) when driving a vehicle:
  - i. have a valid driver's license;
  - ii. obey traffic laws;

- iii. not be under the influence of alcohol or illegal drugs or substances;
  - iv. have valid car insurance; and
  - v. refrain from engaging in any activity that would constitute distracted driving.
- h) respect the property of others and not wilfully cause damage;
  - i) promote softball in the most constructive and positive manner possible;
  - j) refrain from engaging in deliberate behaviour which is intended to manipulate the outcome of a competition, and/or not offer, receive or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or other anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages;
  - k) adhere to all applicable federal, provincial/territorial, municipal and host country laws; and
  - l) comply, at all times, with the By-laws, policies, procedures, and rules and regulations of Softball Ontario, its *Member Associations* and those of any other sport organization with authority over the *Individuals*, as applicable and as adopted and amended from time to time.

### **Directors, Committee Member Associations, and Employees**

12. In addition to section 11 (above), Directors, committee members, and employees of Softball Ontario have additional responsibilities to:
- a) function primarily as a Director, committee member or staff member of Softball Ontario (as applicable) and ensure to prioritize their loyalty to Softball Ontario (and not to any other organization or group) while acting in this role). Certain obligations of Directors, such as confidentiality, continue after the end of a Director's or committee member's term;
  - b) act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the business and the maintenance of an *Individual's* confidence;
  - c) ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities;
  - d) comply with their obligations under the Screening Policy, including understanding ongoing expectations under the Screening Policy and fully cooperating in the screening process;

- e) conduct themselves openly, professionally, lawfully and in good faith;
- f) be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism influence their decision-making on behalf of Softball Ontario;
- g) exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws;
- h) maintain required confidentiality of organizational information;
- i) commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings; and
- j) have a thorough knowledge and understanding of all governance documents.

### **Athlete Support Personnel**

13. In addition to section 11 (above), *Athlete Support Personnel* have additional responsibilities. *Athlete Support Personnel* must understand and respect the inherent *Power Imbalance* that exists in this relationship and must not abuse it, either consciously or unconsciously.
14. *Athlete Support Personnel* will:
  - a) where required, meet the highest standards of credentials, integrity and suitability including, but not limited to, such considerations established by Softball Ontario Screening Policy, so that the softball community is satisfied it has minimized the risk of an unsafe environment;
  - b) avoid any behaviour that abuses the *Power Imbalance* inherent in the coaching position of the *Athlete Support Personnel*;
  - c) ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the *Athletes*;
  - d) 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*;
  - e) avoid compromising the present and future health of *Athletes* by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of *Athletes*' medical and psychological treatments;

- f) support the *Athlete Support Personnel* of a training camp, territorial team, or national team should an *Athlete* qualify for participation with one of these programs;
- g) comply with all established responsibilities and obligations as set out by the *Athlete Support Personnel's* professional governing association or order, if any;
- h) accept and promote *Athletes'* personal goals and refer *Athletes* to other coaches and sport specialists as appropriate;
- i) provide *Athletes* (and the parents/guardians of *Minor Athletes*) with the information necessary to be involved in the decisions that affect the *Athlete*;
- j) act in the best interest of the *Athlete's* development as a whole person;
- k) comply with their obligations under the Screening Policy, including understanding ongoing expectations under the *Code* and other conduct standards, and fully cooperating in the screening process;
- l) report (and cooperate in) any ongoing criminal investigation, and report any conviction or existing bail conditions, including those for violence, child pornography, or possession, use or sale of an illegal substance;
- m) under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or prohibited substances or prohibited methods and, in the case of *Minors*, *Minor Athletes*, alcohol, cannabis, and/or tobacco, including vaping products;
- n) respect competitor *Athletes* and, in dealings with them, not encroach upon topics or take 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*;
- o) when a *Power Imbalance* exists, not engage in a sexual or intimate relationship with an *Athlete* of any age;
- p) disclose to Softball Ontario any sexual or intimate relationship with an *Athlete* over the age of majority and, if requested by Softball Ontario, immediately discontinue any coaching involvement with that *Athlete*;
- q) avoid compromising the present and future health of *Athletes* by communicating and cooperating with sport science and sport medicine professionals in the diagnosis, treatment, and management of *Athletes'* medical and psychological treatments, including when discussing optimal nutritional strategies or weight control methods for junior-aged *Athletes* and

above (19 + years of age). Dieting and other weight control methods are not permitted for *Athletes* 19 years of age and younger;

- r) recognize the power inherent in the position of *Athlete Support Personnel* and respect and promote the rights of all *Individuals* in sport. This is accomplished by establishing and following procedures for confidentiality (right to privacy), informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of *Individuals* who are in a vulnerable or dependent position and less able to protect their own rights;
- s) respect all other teams and *Athletes* from other teams and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of coaching, unless first receiving approval from the coach who is responsible for the team or *Athlete(s)* involved; and
- t) dress professionally and use appropriate language, considering the audience being addressed (e.g., the age/maturity of the individuals).

## **Athletes**

15. In addition to section 11 (above), *Athletes* will have additional responsibilities to:

- a) follow their *Athlete* agreement (if applicable);
- b) report any medical problems in a timely fashion, 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 Softball Ontario's rules and requirements regarding clothing and equipment;
- f) never ridicule a participant for a poor performance or practice;
- g) act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other players, officials, coaches or spectators;
- h) dress in a manner representative of Softball Ontario with focus being on neatness, cleanliness, and discretion. Designated official clothing, if applicable, must be

worn  
when traveling and competing;

- i) adhere to any rules and requirements regarding clothing, professionalism, and equipment; and
- j) act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by *Athlete Support Personnel*.

### **Umpires and Officials**

16. In addition to section 11 (above), Umpires and Officials will have additional responsibilities to:

- a) maintain and update their knowledge of the rules and rules changes;
- b) not publicly criticize *Individuals*;
- c) adhere, at all times, to the rules of their international, national and provincial federation and any other organization that has relevant and applicable authority;
- d) place the safety and welfare of competitors, and the fairness of the competition above all else;
- e) strive to provide a fair sporting environment and, at no time, engage in misconduct, *Maltreatment* or *Prohibited Behaviour* toward any person on the field of play;
- f) respect the terms of any agreement that they enter with Softball Ontario;
- g) work within the boundaries of their position's description while supporting the work of other Umpires and Officials;
- h) act as an ambassador of the sport by agreeing to enforce and abide by national and provincial/territorial rules and regulations;
- i) take ownership of actions and decisions made while officiating;
- j) respect the rights, dignity, and worth of all *Individuals*;
- k) act openly, impartially, professionally, lawfully, and in good faith;
- l) be fair, equitable, considerate, independent, honest, and impartial in all dealings with others;

- m) respect the confidentiality required by issues of a sensitive nature, which may include discipline processes, appeals, and specific information or data about *Individuals*;
- n) comply with their obligations under the Screening Policy, including understanding ongoing expectations under the *Code* and fully cooperating in the screening process;
- o) honour all assignments, unless unable to do so by virtue of illness or personal emergency and, in these cases, inform a supervisor or Softball Ontario at the earliest possible time;
- p) when writing reports, set out the facts to the best of their knowledge and recollection;
- q) dress in proper attire for officiating.

### **Parents/Guardians**

**17.** In addition to section 11 (above), parents/guardians 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 an *Individual* 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 excessive sarcasm;
- f) respect and show appreciation to all competitors, and to coaches, officials and other volunteers;
- g) never *Harass Individuals*, competitors, coaches, officials, parents/guardians, or other spectators; and
- h) never encourage, aid, cover up or assist an *Athlete* in cheating through doping, competition manipulation or other cheating behaviours.

## Anti-Doping<sup>3</sup>

18. Softball Ontario adopts and adheres to the *CADP*. Softball Ontario will respect any sanction imposed on an individual as a result of a breach of the *CADP* or any other applicable Anti-Doping Rules.
19. Any infraction under this Program shall be considered an infraction of this *Code* and shall be subject to disciplinary action, and possible sanction, pursuant to Softball Ontario's *Discipline and Complaints Policy*.
20. All *Individuals* shall:
  - a) Abstain from the non-medical use of medications or drugs or the Use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force;
  - a) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development or supervision of the sport of competitive softball, who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the *CADP* and/or the World Anti-Doping *Code* and recognized by the *SIC*;
  - b) Cooperate with any Anti-Doping Organization that is conducting an investigation into any anti-doping rule violation(s);
  - c) Refrain from any offensive conduct toward a Doping Control official or other individual involved in Doping Control, whether such conduct constitutes "Tampering" as defined in the Canadian Anti-Doping Program;
  - d) All *Athlete Support Personnel* or other Persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to *Athletes* that fall under Softball Ontario's jurisdiction.

## Retaliation, Retribution or Reprisal

21. It is a breach of this *Code* for any *Individual* or other person to engage in any act that threatens or seeks to intimidate another *Individual* with the intent of discouraging that *Individual* or other person from filing, in good faith, a complaint pursuant to any Softball Ontario policy.

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<sup>3</sup> Any capitalized terms used in this Anti-Doping section shall, unless the context requires otherwise, have the meanings ascribed to them in the Definitions section of the Canadian Anti-Doping Program. Page | 10

22. It is also a breach of the *Code* for an *Individual* or other person to file a complaint for the purpose of retaliation, retribution, or reprisal against any other *Individual* or other person. Any *Individual* or other person found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

### Privacy

23. The collection, use and disclosure of any *Personal Information* pursuant to this policy is subject to Softball Ontario's *Privacy Policy*.

Policy History	
Approved	June 25, 2026
Revised	
Changes	

## **Appendix A – UCCMS**

The *UCCMS*, amended from time to time, is available [here](#).

## Athlete Protection Policy

### Purpose

1. This *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’

2. Softball Ontario requires that the ‘[Rule of Two](#)’ be followed for all *Persons in Authority* who interact with *Athletes*, to the maximum extent possible in the circumstances. The ‘Rule of Two’ is a directive that says that an *Athlete* must never be alone one-on-one with an unrelated *Person in Authority*.
3. Softball Ontario recognizes that fully implementing the ‘Rule of Two’ may not always be possible in some instances. Consequently, at a minimum, interactions between *Persons in Authority* and *Athletes* must respect the following:
  - a) To the maximum extent possible, the training environment should be visible and accessible so that all interactions between *Persons in Authority* and *Athletes* are observable.
  - b) Private and one-on-one situations that are not observable by another adult or *Athlete* should be avoided to the maximum extent possible.
  - c) A *Vulnerable Individual* may not be alone under the supervision of a *Person in Authority* unless prior written permission is obtained from the *Vulnerable Individual’s* parent or guardian.
  - d) *Persons in Authority* may not invite or host *Vulnerable Individuals* in their home without the written permission from parents or guardians or without parents or guardians having contemporaneous knowledge of the visit.

### Competitions, Training Sessions, and Practices

4. For competitions, training sessions and practices, Softball Ontario recommends:
  - a) A *Person in Authority* should never be alone with a *Vulnerable Individual* prior to or following a competition or training session unless the *Person in Authority* is the *Vulnerable Individual’s* parent or guardian.
  - b) If the *Vulnerable Individual* is the first *Athlete* to arrive, the *Athlete’s* parent(s) and/or guardian(s) 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 training session, the *Person in Authority*

should ask another *Person in Authority* (or a parent or guardian of another *Athlete*) to stay until all the *Athletes* have been picked up. If an adult is unavailable, another *Athlete*, who is preferably not a *Vulnerable Individual*, should be present 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) *Persons in Authority* and *Athletes* should take 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 must inform another *Person in Authority* where they are going and when they expect to return. *Persons in Authority* should always be reachable by phone or text message.

## **Communications**

- 5. For communication between *Persons in Authority* and *Athletes*, Softball Ontario recommends:
  - a) *Persons in Authority* may only send texts, direct messages on *Social Media* or emails to individual *Athletes* when necessary and only for communicating information related to team issues and activities (e.g., non-*Personal Information*). Any such texts, messages or emails shall be professional in tone.
  - b) Electronic communication between *Persons in Authority* and *Athletes* that is personal in nature should be avoided. If such personal communication is unavoidable, it must be recorded and available for review by another *Person in Authority* and/or by the *Athlete's* parent/guardian (when the *Athlete* is a *Vulnerable Individual*).
  - c) Parents/guardians may request that their child not be contacted by a *Person in Authority* using any form of electronic communication and/or may request that certain information about their child not be distributed in any form of electronic communication.
  - d) All communication between a *Person in Authority* and *Athletes* must be between the hours of 8:00am and 9:00pm, unless extenuating circumstances justify otherwise.
  - e) Communication concerning illegal drugs or alcohol use (unless regarding its prohibition) is not permitted.

- f) No sexually explicit language or imagery or sexually oriented conversation may be communicated in any medium.
- g) *Persons in Authority* may not ask *Athletes* to keep a personal secret for them.

## **Travel**

- 6. For travel involving *Persons in Authority* and *Athletes*, Softball Ontario recommends:
  - a) Teams or groups of *Athlete* 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*.
  - c) If two *Persons in Authority* cannot be present, reasonable efforts should be made to supplement supervision with screened parents or other volunteers.
  - d) To the maximum extent possible, no *Person in Authority* may drive a vehicle alone with an *Athlete* unless the *Person in Authority* is the *Athlete's* parent or guardian.
  - e) A *Person in Authority* may not share a hotel room or be alone with an *Athlete* unless the *Person in Authority* is the *Athlete's* parent/guardian or spouse.
  - 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 must be age-appropriate and of the same *Gender Identity*.

## **Locker Rooms/Changing Areas**

- 7. For changing areas and other closed meeting spaces, Softball Ontario recommends:
  - a) Interactions between *Persons in Authority* and *Athletes* should not occur in any area where there is a reasonable expectation of privacy such as a locker room, washroom or changing area. A second adult should be present for any necessary interaction between an adult and an *Athlete* in any such area.
  - b) If *Persons in Authority* are not present in the locker room or changing area, or if they are not permitted to be present, they should still be available outside the locker room or changing area and be able to enter the room or area if required, for reasons including but not limited to team communications and/or emergencies.

## Photography/Video

8. For all photography and video of an *Athlete*, Softball Ontario recommends:
  - a) Photographs and video should only be taken in public view. Content 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 in areas 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 misplaced apparel or where undergarments are showing;
    - ii. suggestive or provocative poses; and
    - iii. embarrassing images.
  - d) If any content featuring an *Athlete* will be used on any form of public media, a Photo and Video Consent Form (**Appendix A**) must be completed before the content is recorded.

## Physical Contact

9. Physical contact between *Persons in Authority* and *Athletes* may be necessary for various reasons including, but not limited to, teaching a skill, or tending to an injury. For physical contact, Softball Ontario recommends:
  - a) A *Person in Authority* must always request permission to make physical contact from the *Athlete* in advance and clearly explain where and why the physical contact will occur. The *Person in Authority* must make clear that they are requesting to touch the *Athlete* and not requiring physical contact.
  - b) Infrequent, incidental physical contact during training is not a violation of policy.
  - c) Non-essential physical contact may not be initiated by the Person of Authority. It is recognized that some *Athletes* may initiate non-essential physical contact such as hugging or other physical contact with a *Person in Authority* for various reasons (e.g., such as celebrating or crying after a poor

performance). This physical contact should always occur in an open and observable environment.

**Enforcement**

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

Policy History	
Approved	June 25, 2026
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Changes	

**Appendix A – Photo and Video Consent Form**

Name of *Individual* (print): \_\_\_\_\_

Name of Parent/Guardian (print): \_\_\_\_\_

*(When the Individual is a Minor)*

Date: \_\_\_\_\_

1. I, being the *Individual* or the parent or legal guardian of the *Minor Individual*, hereby grant to Softball Ontario and [Insert Name of *Member Association*] (collectively the “Organizations”) the permission to photograph and/or record the *Individual’s* image and/or voice in pictures or videos (collectively the “Images”), and to use the Images to promote the sport and/or the Organizations 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 X/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, being the *Individual* or the parent or legal guardian of the *Minor Individual*, hereby fully release, discharge, and agree to save harmless the Organizations, from 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 *Individual* 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, being the *Individual* or the parent or legal guardian of the *Minor Individual*, **UNDERSTAND AND AGREE**, that I have read and understood the terms and conditions of this document. On behalf of myself, my heirs, and assigns, I agree that I am signing this document voluntarily and to abide by such terms and conditions.

Signature of *Individual*: \_\_\_\_\_

**OR**, if the *Individual* is a *Minor*

Signature of Parent/Guardian: \_\_\_\_\_

## Discipline and Complaints Policy

### **PURPOSE**

1. The purpose of this policy is to set out the processes by which complaints or reports of violations of Softball Ontario's *Code*, the *UCCMS*, or other policy and/or applicable conduct standard will be dealt with through the dispute resolution process set out below.
2. *Individuals* are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with all policies, by-laws, rules, and regulations of Softball Ontario, as updated, and amended from time to time.
3. Non-compliance with any of Softball Ontario's policies, by-laws, rules, or regulations may result in the imposition of sanctions pursuant to this policy and/or the by-laws of Softball Ontario or, as applicable, those of its *Member Associations*.
4. There is an administrative fee of five hundred dollars (\$500) to submit a complaint. This fee may be waived by Softball Ontario or refunded by the respective decision maker. There is no fee associated with allegations of *Grooming* or sexual *Maltreatment*.

### **APPLICATION**

#### **Application – General**

5. This policy applies to all *Individuals* and to any alleged breaches of Softball Ontario's policies, by-laws, rules, or regulations.
6. In addition to being subject to disciplinary action pursuant to this policy, an employee of Softball Ontario or a *Member Association* who is a *Respondent* to a complaint may also be subject to consequences in accordance with the employee's employment agreement or human resources policies, as applicable.

### **REPORTING**

#### **Pathway for CSSP Participants**

7. Any incident that involves alleged *Maltreatment* or *Prohibited Behaviour* (as defined in the *UCCMS*) and involving an *CSSP* Participant must be reported to the [SIC](#) and will be addressed pursuant to the *CSSP* Rules.
  - a) Generally, *CSSP* Participants engaged in the Softball Ontario environment are National Team *Athletes* and Softball Canada Volunteers.

8. Notwithstanding the requirement in Section 6, the *SIC* shall determine the admissibility of complaints related to any incidents that involve alleged *Prohibited Behaviour* in accordance with the relevant and applicable *CSSP* Rules.
9. If Softball Ontario's *Independent Third Party* receives a complaint that they consider would otherwise fall within the above sections, they shall refer the matter to the *SIC* and notify the individual(s) that made the complaint of such action.
10. If a complaint involves multiple *Respondents*, including one or more *CSSP* Participants, the *Independent Third Party* may hold the complaint in abeyance pending a jurisdictional determination by *SIC*.

### **Pathways for Individuals**

11. Any complaints involving alleged breaches of Softball Ontario's policies that designates the *Discipline and Complaints* Policy as the applicable mechanism and that do not fall within Sections 6 or 7 above may be reported by an *Individual* or any other person to the *Independent Third Party* in writing within 60 *Days* of the occurrence of the incident. For the avoidance of doubt, this includes complaints referred to the *Independent Third Party* by the *SIC* if the *SIC* determine that a complaint initially reported through the *SIC* does not fall within its jurisdiction. The *SIC* is not required to comply with the deadline specified in this section.
  - a) If a complaint is filed with the *Independent Third Party* in writing within 60 *Days* of the occurrence of the incident the *Independent Third Party* will accept the complaint.
  - b) If the complaint is submitted after 60 *Days* of the occurrence of the incident but within five (5) years after the occurrence of the incident, the *Independent Third Party* may only accept a complaint if they determine that doing so is warranted based on their assessment of the following non-cumulative factors:
    - i. the relevant rules, norms and policies, including without limitation, social and legal norms, in effect at the time of the alleged event(s);
    - ii. the severity of the allegations and the facts and circumstances of the matter;
    - iii. the safety and well-being of participants and the sport community;
    - iv. the potential risks and prejudice from action and inaction, with safety being paramount;
    - v. the ability to identify potential *Parties* and witnesses and to obtain sufficient evidence; and

- vi. the best interest of sport and those who participate in it, including the views of the person(s) directly impacted, when feasible.
    - 1. If a complaint submitted five years after the incident involves allegations, if proven, would trigger a presumptive sanction of permanent ineligibility under the *UCCMS*, the complaint shall be accepted.
  - c) Complaints of *Sexual Maltreatment* may be brought at any time. While all complaints will be given due consideration, the ability to proceed may depend on the availability of evidence, the identification of involved *Parties*, and other necessary factors for a fair and effective process.
12. Notwithstanding any provision in this policy, Softball Ontario may, at its discretion, or upon request by the *Independent Third Party*, act as the *Complainant* and initiate the complaint process under the terms of this policy. In such cases, Softball Ontario will identify an individual as their representative.
  13. A *Complainant* or other individual who submits a report regarding a potential breach of Softball Ontario's policies who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may file a complaint with the *Independent Third Party* and request that their identity be kept confidential. If the *Independent Third Party* considers that the *Complainant's* identity must remain confidential during the initial stages, the *Independent Third Party* may ask that Softball Ontario take carriage of the complaint and act as the *Complainant*.<sup>4</sup>The confidentiality of the *Complainant's* identity may not be guaranteed . A *Complainant's* identity may need to be disclosed if required to ensure procedural fairness, if legally mandated, or if necessary to the effective resolution of the Complaint. If disclosure becomes necessary, the *Complainant* will be informed in advance, and reasonable measures will be taken to minimize any potential harm.
  14. If a complaint that would be handled by the *Independent Third Party* falls within the jurisdiction of the *Discipline and Complaints Policy*, the *Independent Third Party* will prepare a complaint summary which includes the specific allegations against the *Respondent* and supporting evidence. This complaint summary must be provided to the *Respondent*.
  15. Matters involving operational concerns or administrative decisions of a *Member Association* must be reported to the *Member Association* to be addressed.
  16. Where the *Independent Third Party* refers a matter to be managed by *Member Association*, or where a *Member Association* is otherwise responsible for managing a matter (i.e., because it involves operational issues of a *Member*

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<sup>4</sup> In such circumstances, the *Complainant(s)* may be required to provide evidence during the disciplinary process.

*Association*), and the *Member Association* fails to conduct appropriate proceedings within a reasonable timeline, Softball Ontario may, at its discretion, take jurisdiction over the matter and conduct the necessary proceedings.

- a) In such circumstances, Softball Ontario's costs to conduct the proceedings, including legal fees, shall be reimbursed by the *Member Association* to Softball Ontario.

## **MINORS**

17. Complaints may be brought by or against an *Individual* who is a *Minor*. *Minors* must have a parent/guardian or other adult serve as their representative during this process.
18. Communication from the *Independent Third Party*, *Fair Play Officer* or *Dispute Resolution Officer* (as applicable) must be directed to the *Minor's* representative.
19. If the *Minor's* representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the *Minor's* parent/guardian.
20. A *Minor* is not required to attend or participate in an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the *Minor*.

## **INDEPENDENT THIRD-PARTY RESPONSIBILITIES**

20. Upon receipt of a complaint, the *Independent Third Party* has a responsibility to:
  - a) determine whether the complaint falls within the jurisdiction of this Policy and whether it has been submitted in accordance with the deadlines indicated above;
  - b) determine the appropriate jurisdiction to manage the complaint by considering whether the incident occurred within the business, activities, or *Sanctioned Events* of Softball Ontario or one of its *Member Associations*;
  - c) determine whether the complaint is frivolous, vexatious or if it has been made in bad faith<sup>5</sup>;

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<sup>5</sup> As indicated in the *SDRCC's* Investigation Guidelines, a reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the *Independent Third Party* must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the *Complainant* and that there was an intention to mislead.

- d) determine if the alleged incident should be investigated pursuant to the *Investigation Procedure Policy*, below and
- e) choose which process (the Fair Play Process or Process #2, as outlined below) should be followed to hear and adjudicate the matter.

## **AVAILABLE PROCESSES**

21. There are two different processes that may be used to hear and adjudicate complaints involving *Individuals* and *Member Associations*. Except where direct reports are permitted, the *Independent Third Party* decides which process will be followed at their discretion. Such decisions may not be appealable.

The following processes are available to *Individuals* of Softball Ontario or other individuals who have submitted a complaint.

**Fair Play Process** - the complaint contains allegations other than breaches of the *UCCMS* by an *Individual* falling under Softball Ontario's jurisdiction, or complaints between *Individuals* involving both Softball Ontario's and a *Member Association's* jurisdiction. These violations include, for example, violations of the *Code of Conduct*, or other applicable conduct standards.

**Process #2** - The complaint contains allegations involving violations of the *UCCMS* by an *Individual* under either Softball Ontario's or a *Member Association's* jurisdiction.<sup>6</sup>

Please refer to "**Procedural Steps**" below regarding how the Fair Play Process and Process #2 complaints are addressed.

22. If a complaint involves on-field behaviour that may be addressed under the Fair Play Process but includes violations of the *UCCMS*, such complaints will be referred to a *Dispute Resolution Officer* who will consider the applicable conduct standards in determining the appropriate sanction.

## **PROVISIONAL MEASURES**

23. Provisional Measures may be imposed in a reasonable and proportionate manner, without limitation, having regard to a consideration of the following factors:
- a) The safety or well-being of any *Individual* and the Softball Ontario community;

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<sup>6</sup> Any complaint submitted involving allegations of violations of the *UCCMS* by *Individuals* who have been designated by a Signatory as an *CSSP* Participants must be referred to the relevant body of *CSSP* for review.

- b) The seriousness of the allegations and the facts and circumstances of the case;
  - c) Potential risks and prejudice from action and inaction;
  - d) The best interest of sport and those who participate in it;
  - e) The impact of the measures on the *Respondent*; and
  - f) The integrity of the process.
24. If it is considered appropriate or necessary on the basis of the circumstances, immediate sanctions or the imposition of a Provisional Measure may be imposed against any *Individual* or other individual by the Chair of the Board of Directors of Softball Ontario, or designate pending completion of an investigation, assessment and/investigation under the CCSP, criminal process, or a decision of the *Fair Play Officer* or *Dispute Resolution Officer*, as applicable.
- a) The *Independent Third Party* will notify Softball Ontario of a complaint if the allegations involve behaviours identified under the Presumptive Sanction section of the *UCCMS*. In such circumstances, the *Independent Third Party* may only disclose a summary of the allegations and the identity of the *Respondent(s)*, with no other identifying information provided.
25. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. Provisional Measures may be imposed for the duration of a competition only, or as otherwise determined appropriate by the designated *Party* at the competition.<sup>7</sup>
26. Notwithstanding the above section, Softball Ontario may determine that an alleged incident at a competition is of such seriousness as to warrant the imposition of a *Provisional Suspension of a Respondent* pending completion of an investigation, assessment and/investigation under the *CSSP*, criminal process, the hearing, or a decision of the *Fair Play Officer* or *Dispute Resolution Officer*. For the avoidance of doubt, Softball Ontario shall have discretion to impose interim measures or a *Provisional Suspension* in addition to any measures imposed by the *SIC* through the *CSSP*, if applicable.
27. Any *Respondent* against whom a Provisional Measure is imposed may make a request to the *Fair Play Officer* or *Dispute Resolution Officer* (as applicable) to have the Provisional Measure lifted. In such circumstances, Softball Ontario shall be provided with an opportunity to make submissions, orally or in writing, regarding the *Respondent's* request to have the Provisional Measure lifted. Provisional Measures shall only be lifted in circumstances where the *Respondent*

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<sup>7</sup> In-competition discipline or sanction imposed by the applicable official or authority does not prevent an *Individual* from facing additional disciplinary proceedings under the *Code*.

establishes that it would be manifestly unfair to maintain the Provisional Measure against them pending the completion of the complaint process.

28. Any decision, which shall be in writing with appropriate reasons, not to lift a Provisional Measure, is not subject to appeal.

## **Procedural Steps**

### **Fair Play Process: Addressed by the Fair Play Officer**

29. Following the determination that the complaint or incident should be handled under the Fair Play Process, the *Independent Third Party* will notify Softball Ontario, who will administer the process moving forward, including by appointing a *Fair Play Officer*.<sup>8</sup>
  - a) Softball Ontario may, in their sole discretion, appoint a panel of three (3) individuals to serve as a *Fair Play Panel*.
  - b) When a three-person panel is appointed, Softball Ontario will appoint one of the *Fair Play Panel* to serve as the Chair.<sup>9</sup>
30. Once appointed, the *Independent Discipline Chair or Panel*, as applicable, will be the primary point of contact for the *Parties*, unless otherwise indicated.
31. Officials may submit Incident Reports through the designated portal. Incident Reports will be provided to the *Fair Play Officer* for review. Breaches of the applicable conduct standard will be reviewed by the *Fair Play Officer* if the *Ejection Policy* provides for an automatic sanction, the *Fair Play Officer* shall impose the identified sanction unless they determine that a hearing is necessary. For all other Incident Reports, the *Fair Play Officer* shall follow the procedure as set out below.

### **Dispute Resolution – General**

32. Hearings before the *Fair Play Officer* are intended to be quick, informal, and cost-effective proceedings. The format of a hearing may be a 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.
33. The *Fair Play Officer* is responsible for determining the appropriate procedure of a hearing, provided that:
  - a) within five (5) *Days* of their appointment, the *Fair Play Officer* shall contact the *Complainant(s)*/Official and the *Respondent(s)* to initiate the process;

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<sup>8</sup> The appointed *Fair Play Officer* must be unbiased and not in a conflict of interest.

<sup>9</sup> References to Fair Play Officer are applicable to Fair Play Panels, where appropriate in the circumstances.

- b) the process is expedited and must commence within one (1) to five (5) *Days* from the *Fair Play Officer's* first contact with the *Parties*, unless there are extenuating circumstances or scheduling considerations that reasonably delay the start of the hearing.
34. Once appointed, the *Fair Play Officer* will coordinate all administrative aspects of the process. They may, at their discretion:
- a) Propose and apply alternative dispute resolution techniques, if appropriate;
  - b) ask the *Complainant* and the *Respondent* for either written or oral submissions regarding the complaint or incident. Both *Parties* shall also have the right to submit to the *Fair Play Officer* any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos, or other recordings). The *Fair Play Officer* may exclude any evidence that is unduly repetitious or otherwise an abuse of process.
  - c) Each *Party* shall have the right to receive the other *Party's* submissions and evidence, including the *Complainant's* complaint. In the case of oral submissions, each *Party* shall be present when such submissions are made (unless waived by a *Party*);
  - d) following receipt of the *Parties'* submissions, the *Fair Play Officer* may convene the *Parties* to a meeting, either in person or by way of video or teleconference to ask the *Parties* questions. The *Fair Play Officer* may allow the *Parties* to ask questions of one another.
35. Following their review of the submissions and evidence related to the complaint, the *Fair Play Officer* shall determine if any of the incidents identified in the complaint summary occurred and, if so, determine the appropriate sanction (see Sanctions).
36. If, after hearing the *Parties* and reviewing their submissions, the *Fair Play Officer* considers that none of the incidents identified in the complaint occurred or the incidents did not violate the applicable conduct standard, they shall dismiss the complaint.
37. The *Fair Play Officer* will inform the *Parties* of the *Fair Play Officer's* decision, which shall be in writing and include appropriate reasons. The *Fair Play Officer's* decision will take effect immediately. Should the circumstances require a decision to be rendered immediately or within a short timeline, the *Fair Play Officer* may render a short decision, either orally or in writing, followed by a written reasoned decision.

38. Any decision rendered by the *Fair Play Officer* shall be provided to and maintained in the records of Softball Ontario.
39. Decisions of the *Fair Play Officer* may not be appealed.
40. Decisions will be kept confidential by the *Parties* and the aforementioned organizations and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Sanctions where an *Individuals'* eligibility is restricted in any manner for a period of three months or more must be published in accordance with the *Publication Guidelines*.

## **PROCESS #2:**

### **Independent Third Party and Dispute Resolution Officer(s)**

41. Process #2 deals with violations of the *UCCMS* by *Individuals*. Following the determination that the complaint should be handled under Process #2, the *Independent Third Party* will appoint a *Dispute Resolution Officer* to hear the complaint.
42. Thereafter, the *Independent Third Party* shall have the following responsibilities:
  - a) Coordinate all administrative aspects of the process;
  - b) provide administrative assistance and logistical support to the *Dispute Resolution Officer(s)* as required, including providing the *Dispute Resolution Officer(s)* with any information related to previously imposed disciplinary sanctions against the *Respondent(s)* of the policies of Softball Ontario, any *Member Association* or any other sport organization that had authority over the *Respondent*; and
  - c) provide any other service or support that may be necessary to ensure a fair and timely proceeding.
43. If warranted based on the extraordinary nature of the case, the *Independent Third Party* may, in their sole discretion, appoint a panel of three (3) *Dispute Resolution Officers*.
  - a) When a three-person panel is appointed, the *Independent Third Party* will appoint one of the *Dispute Resolution Officers* to serve as the Chair of the panel.
44. Once appointed, the *Dispute Resolution Officer* or the Chair, if applicable, will be the primary point of contact for the *Parties*, unless otherwise indicated.

### **Dispute Resolution - General**

45. The complaint process will be determined by the *Dispute Resolution Officer* or Chair, as they deem appropriate in the circumstances, provided that:
  - a) within five (5) working *Days* of their appointment, the *Dispute Resolution Officer* shall contact the *Complainant(s)* and the *Respondent(s)* to initiate the process;
  - b) all matters under this policy, including investigations, interviews, administrative meetings and hearings, may be held virtually or in person or a hybrid proceeding;
  - c) the process is expedited to be expedited, and must commence within five (5) working *Days* from the *Dispute Resolution Officer's* first contact with the *Parties*, unless there are extenuating circumstances or scheduling considerations which reasonably delay the start of the hearing;
  - d) the *Dispute Resolution Officer(s)* will determine whether it is appropriate for the matter to proceed to alternative dispute resolution first (**See: Alternative Dispute Resolution**). If the *Dispute Resolution Officer(s)* do not believe that the matter should proceed to alternative dispute resolution or any of the *Parties* refuse to go to alternative dispute resolution, the matter will move directly to arbitration (**See: Adjudication Process**).

### **Alternative Dispute Resolution**

46. Softball Ontario supports the principles of Alternative Dispute Resolution and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes. Alternative Dispute Resolution also avoids the uncertainty, costs, and other negative effects associated with lengthy investigation, hearings, and appeals.
47. All *Parties* are encouraged to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences.
48. Softball Ontario's position is that negotiated settlements are most often preferable to arbitrated outcomes.
49. The *Dispute Resolution Officer* or Chair, at their discretion, shall apply appropriate alternative dispute resolution techniques to assist the *Parties* in resolving the complaint by reaching a negotiated settlement.
50. Should a negotiated settlement be reached, the settlement shall be reported by the *Independent Third Party* to all *Parties* involved, as well as Softball Ontario. Following the settlement, any actions and/or sanctions shall be enacted in accordance with the timelines specified by the negotiated decision.

51. Should a tentative negotiated settlement be reached, the proposed settlement shall be reported to Softball Ontario for approval if it involves any obligations or may reasonably impact the operations or reputation of Softball Ontario. Softball Ontario may approve, reject, or propose amendments to a proposed settlement. Any decision by Softball Ontario to approve, reject, or propose amendments to a negotiated settlement may not be appealed.
52. Any actions that are to take place because of the proposed settlement shall be completed in accordance with the timelines specified by the negotiated settlement, pending approval.
  - a) The *Parties* may not withdraw from the proposed settlement pending the approval of any actions to be taken by Softball Ontario.
53. Failure to comply with a signed negotiated settlement will result in the suspension of the individual from participating in sanctioned activities. The lifting of the suspension will be reviewed by Softball Ontario upon the completion of all conditions identified in the signed negotiated settlement.
54. Any negotiated settlement will be final and binding on the *Parties*. Negotiated settlements may not be appealed.
55. A non-disclosure agreement (NDA) or any other confidentiality provision entered as part of a negotiated settlement may not prevent the publication by Softball Ontario or other applicable sport organization of sanctions on registries such as the Participant Abuse-Free Sport Sanctions Registry or Softball Canada database. NDAs may not be entered into if a complaint involves allegations of sexual *Maltreatment*, grooming and boundary transgressions unless such an agreement:
  - a) is the expressed wish and preference of the *Complainant(s)*;
  - b) includes an opportunity for the *Complainant(s)* to decide to waive their own confidentiality in the future and the process for doing so;
  - c) aligns with the principles of the *UCCMS*;
  - d) is of a set and limited duration; and
  - e) does not adversely affect:
    - i. the health or safety of a third *Party*, or
    - ii. the public interest
56. Any NDA in a complaint involving allegations of sexual *Maltreatment*, grooming and boundary transgressions must be reviewed and approved by the *Dispute Resolution Officer*. The *Dispute Resolution Officer* or Chair may, at their sole

discretion, approve, reject, or propose amendments to an NDA.

- a) Any decision by the *Dispute Resolution Officer* or Chair to approve, reject, or propose amendments to an NDA may not be appealed.

57. Any negotiated settlement will be binding on the *Parties*. Negotiated settlements may not be appealed.

58. Should a negotiated settlement not be reached, the matter will proceed to arbitration.

### **Adjudication Process**

59. The *Dispute Resolution Officer* is responsible for determining the appropriate process of a hearing. The format of a hearing may be an in-person hearing, a 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.

60. The *Dispute Resolution Officer(s)* shall ensure that:

- a) all *Parties* are given the opportunity to present evidence in a manner which complies with the fundamental principles of procedural fairness;
- b) nothing is admissible in evidence at a hearing that would be inadmissible in a court by reason of any privilege under the law of evidence or is inadmissible by any statute. The *Dispute Resolution Officer(s)* may allow any evidence at the hearing filed by the *Parties* and may exclude any evidence which is unduly repetitious or otherwise an abuse of process. The *Dispute Resolution Officer(s)* shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to evidence filed by the *Parties*.
- c) if the *Dispute Resolution Officer(s)* grants a request from either *Party* for additional time, the *Dispute Resolution Officer(s)* has the authority to impose additional interim conditions.
- d) the *Parties* must be given:
  - i. appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium, and
  - ii. copies of any written documents which the *Parties* wish to have the *Dispute Resolution Officer(s)* consider will be provided to all *Parties*, through the *Independent Third Party*, in advance of the hearing.
- e) the *Parties* may engage a representative, advisor, or legal counsel at their

own expense;

- f) if the *Respondent* acknowledges the facts of the incident(s), the *Respondent* may waive the hearing, in which case the *Dispute Resolution Officer(s)* will determine the appropriate sanction. The *Dispute Resolution Officer(s)* may still hold a hearing for the purpose of determining an appropriate sanction;
  - g) the process will proceed if a *Party* chooses not to participate in the hearing;
  - h) the *Dispute Resolution Officer(s)* may request that any other individual or organization participate and give evidence at the hearing, including Softball Ontario or a *Member Association* representative, provided such participation is reasonably required to effectively conduct the proceedings and is not prejudicial to the interest of the *Parties*.
  - i) If not a *Party*, a designated representative of Softball Ontario shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted, bound by the confidentiality requirements of this policy. With the permission of the *Dispute Resolution Officer*, Softball Ontario may make submissions at the hearing or may provide the discipline panel with clarifying information that may be required for the *Dispute Resolution Officer(s)* to render its decision.
61. Any procedural decisions by the *Dispute Resolution Officer(s)* may not be appealed.
62. The *Dispute Resolution Officer(s)* has the power to modify a Provisional Measure and relieve against non-compliance with time limits, or any other technicality or irregularity as set out in this policy.
63. The determination of procedures and timelines, as well as the hearing duration, shall be as expedient and cost-efficient as possible to ensure that costs to the *Parties* and Softball Ontario and/or the *Member Association* are reasonable.
64. In fulfilling its duties, the *Dispute Resolution Officer* may obtain independent advice.

## **DECISION**

65. After hearing the matter, the *Dispute Resolution Officer* will determine whether, on a balance of probabilities, an infraction has occurred and, if so, the sanctions to be imposed. If the *Dispute Resolution Officer* considers that an infraction has not occurred, the complaint will be dismissed.
66. Within fourteen (14) *Days* of the conclusion of the hearing, the *Dispute Resolution Officer's* written decision, with reasons, will be distributed to all *Parties* by the

*Independent Third Party*, including to Softball Ontario and the relevant *Member Association(s)*.

67. In extraordinary circumstances, the *Dispute Resolution Officer* may first issue a verbal or summary decision soon after the conclusion of the hearing, with the full written decision to be issued before the end of the fourteen (14) day period.
68. The *Dispute Resolution Officer's* decision will come into effect as of the date that it is rendered, unless decided otherwise by the *Dispute Resolution Officer*. The *Dispute Resolution Officer's* decision will apply automatically to Softball Ontario, its *Member Associations* and associated organizations, according to the terms of the *Reciprocation Policy*.
69. Unless the matter involves a *Vulnerable Participant*, once the appeal deadline in the *Appeal Policy* has expired, Softball Ontario shall publish on their website a summary of the decision, which shall include the outcome of the case, the provision(s) of the relevant policies that have been violated, the name(s) of the *Individual(s)* involved as *Respondent(s)* and the sanction(s) imposed, if any, or as otherwise specified by the Publication Guidelines. If the matter is appealed, the publication provisions in the *Appeal Policy* shall apply.
  - a) Identifying information regarding *Minors* or *Vulnerable Participants* will never be published.
70. If the *Dispute Resolution Officer* dismisses the complaint, the information referred to in the previous section may only be published with the *Respondent's* consent. If the *Respondent* does not provide such consent, the information referred to in the previous section will be kept confidential by the *Parties*, the *Independent Third Party*, Softball Ontario and the *Member Association* and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken against the *Party* who breaches confidentiality pursuant to this policy.
71. Other individuals or organizations, including but not limited to, *Member Associations*, shall be advised of the outcome of any decisions rendered in accordance with this policy.
72. Records of all decisions will be maintained by Softball Ontario in accordance with their *Privacy Policy*.
73. When the *Dispute Resolution Officer* imposes a sanction, the decision shall include, at a minimum, the following information:
  - a) jurisdiction;
  - b) summary of the facts and relevant evidence;

- c) where applicable, the specific provision(s) of Softball Ontario's policies, by-laws, rules or regulations that have been breached;
  - d) which *Party* is responsible for the costs of implementing any sanction;
  - e) which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction;
  - f) any reinstatement conditions that the *Respondent* must satisfy (if any);
  - g) which organization is responsible for ensuring that the conditions have been satisfied; and
  - h) any other guidance that will assist the *Parties* to implement the *Dispute Resolution Officer's* decision.
74. If necessary, a *Party* – or the organization that is responsible for implementing or monitoring a sanction – may seek clarifications from the *Dispute Resolution Officer* regarding the order so that it can be implemented or monitored appropriately.

## **SANCTIONS**

75. When determining the appropriate sanction, the *Fair Play Officer* or *Dispute Resolution Officer* (as applicable) will consider the following factors:
- a) the nature and duration of the *Respondent's* relationship with the *Complainant*, including whether there is a *Power Imbalance*;
  - b) the *Respondent's* prior history and any pattern of misconduct, *Prohibited Behaviour* or *Maltreatment*;
  - c) the respective ages of the individuals involved;
  - d) whether the *Respondent* poses an ongoing and/or potential threat to the safety of others;
  - e) the *Respondent's* voluntary admission of the offense(s), acceptance of responsibility for the misconduct, *Prohibited Behaviour* or *Maltreatment*, and/or cooperation in the investigative and/or disciplinary process of Softball Ontario;
  - f) real or perceived impact of the incident on the *Complainant*, sport organization or the sporting community;
  - g) circumstances specific to the *Respondent* being sanctioned (e.g., lack of appropriate knowledge or training regarding the requirements in the *Code*; addiction; disability; illness);

- h) whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate;
  - i) a *Respondent* who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or
  - j) other mitigating or aggravating circumstances.
76. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required, and a single incident of *Prohibited Behaviour, Maltreatment* or other misconduct may justify elevated or combined sanctions.
77. The *Fair Play Officer*<sup>10</sup> or *Dispute Resolution Officer*, as applicable, may apply the following disciplinary sanctions, singularly or in combination:
- a) **Verbal or Written Warning** - a verbal reprimand or an official written notice that an *Individual(s)* has violated the *Code* and that more severe sanctions will result should the *Individual(s)* be involved in other violations
  - b) **Education** - the requirement that an *Individual(s)* undertake specified educational or similar remedial measures to address the violation(s) of the *Code* or the *UCCMS*.
  - c) **Probation** - a specified amount of time within which certain terms and conditions must be met by the *Individual*, such as remaining in compliance with the *Code* and *UCCMS*. Should any further violations of the *Code*, the *UCCMS* or other applicable conduct standard occur during the probationary period, this may result in additional disciplinary measures, including, without limitation, a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period.
  - d) **Suspension** - either for a set time or until further notice, from participation, in any capacity, in any program, activity, *Sanctioned Event*, or competition sponsored by, organized by, or under the auspices of Softball Ontario and its *Member Associations*. A suspended *Individual(s)* may be eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the *Individual(s)* satisfying specific conditions noted at the time of suspension.
  - e) **Eligibility Restrictions** - restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions.

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<sup>10</sup> The *Fair Play Officer* is limited to imposing sanctions under sections 77.a to 77.e and 77.g. Any period of suspension must be less than three months.

- f) **Permanent Ineligibility** - ineligibility to participate in any capacity in any program, activity, *Sanctioned Event*, or competition sponsored by, organized by, or under the auspices of Softball Ontario.
  - g) **Other Discretionary Sanctions** - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary or appropriate.
78. The *Dispute Resolution Officer* may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed *Maltreatment*.
- a) Sexual *Maltreatment* involving a *Minor Complainant*, or a *Complainant* who was a *Minor* at the time of the incidents complained of, shall carry a presumptive sanction of permanent ineligibility.
  - b) Sexual *Maltreatment*, Physical *Maltreatment* with contact, and *Maltreatment* related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions.
  - c) While a *Respondent* has pending charges or allegations of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction shall be a period of suspension until a final determination is made by the applicable process.
79. An *Individual* who is convicted of certain *Criminal Code* offenses involving harmful conduct shall be subject to a presumptive sanction of permanent ineligibility from participating with Softball Ontario. Such *Criminal Code* offences may include, but are not limited to:
- a) any child pornography offences;
  - b) any sexual offences; and
  - c) any offence of physical violence.
80. Any *Individual* who is alleged to be charged with any of the above *Criminal Code* offenses shall be subject to a *Provisional Suspension* from all Softball Ontario and *Member Association* activities pending the outcome of the criminal process. The decision to suspend an *Individual* indefinitely, pending the outcome of the *Criminal Code* investigation, is not appealable.
81. Failure to comply with a sanction as determined by the *Dispute Resolution Officer* will result in an automatic suspension until such time as compliance occurs.

## **CSSP SANCTION**

82. Softball Ontario will ensure that any sanctions or measures imposed by the *SIC* will be implemented and respected within Softball Ontario's jurisdiction if Softball Ontario receives appropriate notice of any sanction or measure under the *CSSP*, including with respect to any sanctions and/or measures implemented by Softball Canada that affects or concerns Softball Ontario and its *Individuals*.

## **APPEALS**

83. The decision of a *Dispute Resolution Officer* may be appealed in accordance with the *Appeal Policy*, except where excluded by this policy.

## **CONFIDENTIALITY**

84. The disciplinary process is confidential and involves only Softball Ontario, the *Member Association* (where applicable) the *Parties*, the *Independent Third Party*, the *Dispute Resolution Officer* (as appropriate), and any independent advisors to the *Dispute Resolution Officer*.
85. None of the *Parties* (or their *Representatives* or witnesses) or organizations referred to in Section 85 will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings, unless Softball Ontario is required to notify an organization such as an international federation, Softball Canada or other sport organization (i.e., where a *Provisional Suspension* or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.
86. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the *Fair Play Officer* or *Dispute Resolution Officer* (as applicable).

## **TIMELINES**

87. 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 *Independent Third Party* may direct that these timelines be revised. Such decisions may not be appealed.

## **STATISTICAL REPORTING**

88. Softball Ontario may publish a general statistical report of the activity that has been conducted pursuant to this *Discipline and Complaints Policy*. This report shall not contain any information that is confidential under this policy, or that has been ordered to be kept confidential by a discipline or appeal panel, but may

include the number of complaints reported to the *Independent Third Party* (for Softball Ontario and *Member Associations*), and statistics regarding the number of cases that were resolved through alternate dispute resolution, the *Dispute Resolution Officer* process, the discipline panel process, and the number of appeals filed pursuant to the *Appeal Policy* and whether the appeals were upheld, partially upheld or dismissed.

**PRIVACY**

- 89. The collection, use and disclosure of any *Personal Information* pursuant to this policy is subject to Softball Ontario’s *Privacy Policy*.
- 90. Softball Ontario, its *Member Associations*, or any of their delegates pursuant to this policy (i.e., *Independent Third Party*, *Dispute Resolution Officer*, *Fair Play Officer*) shall comply with Softball Ontario’s *Privacy Policy* in the performance of their services under this policy.
- 91. The *Independent Third Party* will maintain all information securely in accordance with industry standard data retention and privacy policy.

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## **Appendix A - Investigation Procedure**

### **Determination**

1. When a complaint is submitted pursuant to the Policy and is accepted by the *Independent Third Party*, the *Independent Third Party* will determine if the incident(s) should be investigated.
2. Investigations are only to be conducted in limited circumstances, including where the allegations include breaches of the *UCCMS* that involve a Presumptive Sanction under the *UCCMS*.

### **Investigation**

3. If the *Independent Third Party* considers that an investigation is necessary, they will appoint an investigator. The investigator must be independent of the *Independent Third Party* and Softball Ontario, with experience in investigating. The investigator must not be in a conflict-of-interest situation and should also have no connection to either *Party*.
4. Federal and/or provincial legislation related to *Workplace Harassment* may apply to the investigation if *Harassment* was directed toward an employee in a *Workplace*. The investigator should review *Workplace* safety legislation, the applicable organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the complaint.
5. The investigation may take any form as decided by the investigator, guided by any applicable provincial legislation. The investigation may include:
  - a) interviews with the *Complainant*,
  - b) witness interviews;
  - c) statement of facts (*Complainant's* perspective) prepared by the investigator, acknowledged by the *Complainant* and provided to the *Respondent*,
  - d) interviews with the *Respondent*, and
  - e) statement of facts (*Respondent's* perspective) prepared by the investigator, acknowledged by the *Respondent*, and provided to the *Complainant*.

### **Investigator's Report**

6. Upon completion of their investigation, the investigator shall prepare a written report that shall include a summary of evidence from the *Parties* and any witnesses interviewed. The report shall also include a non-binding recommendation from the investigator regarding whether an allegation or, where

there are several allegations, which allegations, should be heard by a *Dispute Resolution Officer* pursuant to the *Discipline and Complaints Policy* because they constitute a likely breach of the *Code*, the *UCCMS* or any other relevant and applicable Softball Ontario or *Member Association* policy. The investigator may also make non-binding recommendations regarding the appropriate next steps.

7. The Investigator's Report will be provided to the *Independent Third Party* who will disclose it, at their discretion, all or part of the investigation report to Softball Ontario and the relevant *Member Associations* (if applicable). The *Independent Third Party* may also disclose the Investigator's Report – or a redacted version to protect the identity of witnesses – to the *Parties*, at their discretion, with any necessary redactions. Alternatively, and only, if necessary, other relevant *Individuals* may be provided with an executive summary of the investigator's findings by the *Independent Third Party*.
8. Should the investigator find that there are possible Criminal *Code* offences, the investigator shall assess whether reporting to law enforcement or Softball Ontario and its Members (as applicable) is necessary. Where reporting to law enforcement or to Softball Ontario and its Members (as applicable) is not legally required, the safety, well-being, and informed consent of affected individuals shall be considered before making a report. Affected individuals shall be informed before any report is made and provided with appropriate support resources.
9. Softball Ontario or the Member (as applicable) may decide whether to report such findings to police but is required to inform police if there are findings related to the trafficking of prohibited substances or methods, any crime involving acts against a *Minor*, fraud against Softball Ontario or any Member(s) (as applicable), or other offences where the lack of reporting would bring Softball Ontario or the Member (as applicable) into disrepute. The safety risks and well-being of survivors of abuse or trauma should be considered before police involvement where feasible, and limit internal disclosure.

### **Reprisal and Retaliation**

10. An individual who submits a complaint to the *Independent Third Party* or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group.
11. Any such conduct may constitute *Prohibited Behaviour* be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy* or, as applicable, the policies and procedures of the *CSSP* through the *SIC*.

## False Allegations

12. 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* and may be required to pay for the costs of any investigation that comes to this conclusion. The investigator may recommend to Softball Ontario or the *Member Association* (as applicable) that the *Individual* be required to pay for the costs of any investigation that comes to this conclusion. Any *Individual* who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full and shall be prohibited from participating in any *Member Association* and Softball Ontario *Sanctioned Events*, activities, or business. Softball Ontario or any *Member Association(s)* (as applicable), or the *Individual* against whom the allegations were submitted, may act as the *Complainant* with respect to making a complaint pursuant to this section.

## Confidentiality

13. The investigator will make reasonable efforts to preserve the anonymity of the *Complainant*, witness or participant where appropriate and necessary. However, Softball Ontario and its *Member Associations* recognize that maintaining full anonymity during an investigation may not be feasible. The investigator must inform any witness or participant in the investigation of this limitation.

## Privacy

14. The collection, use and disclosure of any *Personal Information* pursuant to this policy by Softball Ontario is subject to Softball Ontario's *Privacy Policy*.
15. Softball Ontario, its *Member Associations*, or any of their delegates pursuant to this policy (i.e., *Independent Third Party, Dispute Resolution Officer, Dispute Resolution Officer*), shall comply with Softball Ontario's *Privacy Policy* and *Confidentiality Policy* (or, in the case if a *Member Association*, the *Member Association's* applicable policies) in the performance of their services under this policy.

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## **Appendix B - Publication Guidelines**

1. Subject to Softball Ontario's *Discipline and Complaints Policy*, sanctions issued by the *Dispute Resolution Officer* will be considered a matter of public record, subject to the restrictions set out below.
2. Publication of any sanction will not take place until the disciplinary process undertaken by Softball Ontario is complete, and/or appeal period, as the case may be, except as set out below.
3. Publication means the communication of information by making it known or accessible to the public through any means, including print, telecommunication or electronic means.
4. Notification means providing a written copy of any decision to an organization as required by the *Reciprocation Policy*. *Parties* who receive information regarding a decision may not publicly disclose this information, except as reasonably necessary to implement the terms of any sanction.
5. After receiving a copy of a decision, Softball Ontario will, unless otherwise directed by the *Dispute Resolution Officer*, publish a summary of the decision. This summary will include the name of the *Respondent(s)*, the nature of the breach or breaches, the policies, by-laws, rules, or regulations that have been breached, the outcome and any sanction imposed, as well as the date of the decision.
6. Summaries will be posted in accordance with the following:
  - a) Where a sanction is imposed for a set period where an *Individual* is restricted in their involvement with the sanctioned activities of Softball Ontario and its *Member Associations*, such as a suspension or a probationary period, the sanction will be posted for the duration of the sanction. It will be removed once the identified time has passed.
  - b) If there is a sanction involves a period of ineligibility, the sanction will be posted for the period of ineligibility plus one year, except in the case of a sanction of permanent ineligibility. A sanction of permanent ineligibility will be posted indefinitely.
  - c) If a sanction or discipline is conditional on the completion of training, education or other conditions, the sanction will be posted until the *Individual* has completed the required conditions to the satisfaction of Softball Ontario.
  - d) Publication shall take place following the completion of the complaint process. In exceptional circumstances, publication will take place to protect the public and/or if the integrity of Softball Ontario and its activities will be affected by not publishing the sanction.

- e) Publication bans are standard while a complaint is in progress with Softball Ontario. All information, except for information already publicly available or released, is subject to a publication ban and must be kept confidential until the process is completed, to protect the integrity of the process.
  - f) The publishing of interim suspensions and/or Provisional Measures will only take place in exceptional circumstances described above in subsection (d).
  - g) Publication bans are standard while a complaint is in progress with Softball Ontario. All information, except for information already publicly available or released, is subject to a publication ban and must be kept confidential until the process is completed to protect the integrity of the process.
7. Prior to publishing the summary, Softball Ontario will, at their discretion, remove any confidential or sensitive material from the summary, including any identifying information about *Individuals* or other individuals named, unless these *Individuals* are subject to a sanction and/or discipline in the decision.
  8. Identifying or *Personal Information* regarding *Minor* or *Vulnerable Individuals* will never be published by Softball Ontario.
  9. Matters which are resolved prior to a decision will be subject to publication in accordance with the requirements of Section 6.
  10. Decisions involving sanctions imposed under the *CSSP* will be published according to the guidelines established by the *SIC*.
  11. Nothing in the above prohibits Softball Ontario from notifying relevant sport organizations of any decision imposing a sanction and/or discipline on an *Individual*, including *Minor* or *Vulnerable Individual*, as required by the *Reciprocation Policy*.
  12. If a *Minor* or *Vulnerable Individual* is sanctioned and/or disciplined under a decision, any organization who receives notification of this decision must keep the decision confidential, except as reasonably necessary to implement the terms of the decision.
  13. Records of all decisions will be maintained by Softball Ontario in accordance with the *Privacy Policy*.

Policy History	
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## **Appendix C – Jurisdictional Guideline for Available Pathways and Processes**

*\*These Guidelines are provided as an interpretive aid only. If there is any conflict with this Jurisdictional Guideline and the Discipline and Complaints Policy, the Discipline and Complaints Policy will prevail\**

1. *CSSP* Participants designated by Softball Ontario must follow the pathway indicated in sections 6 and 7 of this *Discipline and Complaints* policy.
2. Violations of the *UCCMS* by Softball Ontario *Member Associations* or *Individuals* who are not designated *CSSP* Participants will be reported to Softball Ontario's *Independent Third Party* for screening and triage.
3. Violations of all Softball Ontario policies by Softball Ontario *Member Associations* or *Individuals* taking part in Softball Ontario activities shall be reported to Softball Ontario's *Independent Third Party* for review and triage.
4. For clarity, Softball Ontario's *Independent Third Party* will screen and triage in accordance with the following structure:
  - a) Complaints submitted by *Individuals* while taking part in activities that fall within the scope of a *Member Association's* jurisdiction (i.e., *Athletes, Athlete Support Personnel* and volunteers of *Affiliated Members* or *Associated Members*) alleging breaches of *Member Association* policies and procedures shall be sent by the *Independent Third Party* to the relevant *Member Association* to address according to the applicable *Member Association* policy. In addition, violations of specific *Member Association* policies involving matters outside the purview of Softball Ontario's policies (i.e., involving operational concerns or administrative decisions of a *Member Association*), as well as allegations of *Workplace Harassment* or *Workplace Violence* at the *Member Association* level, will be dealt with by the *Member Association*. Examples of matters involving operational concerns or administrative decisions include, but are not limited to, the following:
    - i. Issues involving refunds or fees specific to the *Member Association*;
    - ii. Issues involving jerseys or equipment; and/or
    - iii. Administration of *Member Association*-specific policies, practices or rules, generally.
  - b) The relevant discipline policies and procedures of the *Member Association* shall govern the adjudication of this complaint, including policies related to the appeal of a decision of the *Member Association*.

- c) Complaints submitted by *Individuals* (i.e., board members, staff, umpires and volunteers) alleging breaches of Softball Ontario policies and procedures related to any Softball Ontario programs (i.e. matters involving fast-pitch or slo-pitch umpires, coach education, and CANPitch) shall be submitted to Softball Ontario.
  - d) Complaints submitted by *Individuals* under either the *Member Association* or Softball Ontario's jurisdiction alleging breaches of the *UCCMS* by those who are not designated as *CSSP* Participants shall be submitted to Softball Ontario to be addressed through this policy.
  - e) Complaints submitted by *Individuals* under Softball Ontario's jurisdiction who are not *CSSP* Participants against *Individuals* under the jurisdiction of a *Member Association* who are not *CSSP* Participants (and/or vice versa) (i.e., a complaint arising between an *Athlete* of a *Member Association* and a Softball Ontario Umpire) shall be submitted to Softball Ontario to address.
5. Decisions by the *Independent Third Party* to direct a complaint to a *Member Association* may not be appealed.
6. If a complaint is submitted to the *Independent Third Party* and it does not fall within the jurisdiction of the Policy, the *Independent Third Party* must either direct the matter to a *Member Association* if appropriate or reject the complaint, providing appropriate reasons in writing. This decision may not be appealed.

## Appeal Policy

### Purpose

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

### Scope and Application of this Policy

2. This policy applies to all *Individuals*.
3. Any *Individual* or other individual who is directly affected by a decision of Softball Ontario or a *Dispute Resolution Officer*, as the case may be, shall have the right to appeal that decision if there are sufficient grounds for the appeal under the **Grounds for Appeal** section of this policy.
4. This policy **will apply** to decisions relating to the following, except where excluded by policy:
  - a) eligibility;
  - b) selection;
  - c) conflict of interest;
  - d) discipline; and
  - e) membership, including application for membership.
5. This policy **will not apply** to decisions relating to:
  - a) employment;
  - b) infractions for doping offenses;
  - c) the rules of the sport;
  - d) selection criteria, quotas, policies, and procedures established by entities other than Softball Ontario;
  - e) substance, content and establishment of team selection or carding criteria;
  - f) volunteer/coach appointments and the withdrawal or termination of those appointments;
  - g) budgeting and budget implementation;

- h) the applicable organization's operational structure and committee appointments;
- i) Operational decisions of a *Member Association* or decisions or discipline arising within the business, activities, or *Sanctioned Events* organized by entities other than Softball Ontario, including *Member Associations* (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by Softball Ontario, at its sole discretion);
- j) commercial matters for which another appeals process exists under a contract or applicable law;
- k) decisions made under this policy;
- l) decisions made by the *Fair Play Officer* under the Fair Play Process of the *Discipline and Complaints Policy*, or
- m) any complaint dealt with under the *CSSP*, and any decision made thereunder.

### **Timing of Appeal**

6. Individuals who wish to appeal a decision have seven (7) *Days* from the date on which they received notice of the decision to submit all the following, in writing, to Softball Ontario or their identified designate:
  - a) notice of the intention to appeal;
  - b) their contact information;
  - c) name and contact information of the *Respondent* and any *Affected Parties*, when known to the *Appellant*;
  - d) date the *Appellant* was advised of the decision being appealed;
  - e) a copy of the decision being appealed, or description of decision if written document is not available;
  - f) grounds for the appeal;
  - g) detailed reasons for the appeal;
  - h) all evidence that supports these grounds;
  - i) requested remedy or remedies; and

- j) an administration fee of five hundred dollars (\$500), which will be refunded if the appeal is upheld.
7. A *Party* to a *Discipline and Complaints Policy* process or 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 *Appeal Manager* and may not be appealed.

### **Grounds for Appeal**

8. A decision cannot be appealed on its merits alone. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include Softball Ontario or designate:
- a) made a decision that it did not have the authority or jurisdiction (as set out in the applicable governing documents) to make;
  - b) failed to follow its own procedures (as set out in the applicable governing documents);
  - c) made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views); or
  - d) made a decision that was unreasonable.

### **Screening of Appeal**

9. Softball Ontario will appoint an independent *Appeal Manager* (who must not be in a conflict of interest, have had any prior involvement in the matter under appeal 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; and
  - c) to decide whether there are sufficient grounds for the appeal.
10. If the *Appeal Manager* denies the appeal because 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.
11. If the *Appeal Manager* is satisfied there are sufficient grounds for an appeal, the *Appeal Manager* will appoint an Appeal Panel which shall consist of a single individual, to hear the appeal.

12. In extraordinary circumstances, and at the discretion of the *Appeal Manager*, an Appeal Panel composed of three persons may be appointed to hear the appeal. In this event, the *Appeal Manager* will appoint one of the Appeal Panel's members to serve as the Chair.
13. When appointing the Appeal Panel, the *Appeal Manager* must select individuals who are impartial, free from any real or perceived conflict of interest (and who shall remain so until a final decision has been rendered or the proceedings have otherwise finally terminated), and who do not have any direct relationship with any of the *Parties*.
  - a) Although not a requirement, the *Appeal Manager* should attempt to appoint individuals to the appeal panel who have a legal or administrative background and who understand the sport of softball.
  - b) When justified by the circumstances, the *Appeal Manager* may appoint individuals to the appeal panel who have specific areas of expertise that would assist in resolving the matter

#### **Determination of Affected *Parties***

14. To confirm the identification of any *Affected Parties*, the *Appeal Manager* will engage Softball Ontario. The *Appeal Manager* may determine whether a *Party* is an *Affected Party* in their sole discretion.

#### **Procedure for Appeal Hearing**

15. 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.
16. If a *Party* chooses not to participate in the hearing, the hearing will proceed without further notice or opportunity to participate or provide submissions for the *Party* refusing to participate.
17. The format of the hearing may involve an 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 Appeal Panel deem appropriate in the circumstances. The following guidelines will apply to the hearing:
  - 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 an oral, in-person hearing or oral hearing by telephone or electronic communications;
- c) Copies of any written documents which any of the *Parties* wish to have the Appeal 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 Appeal 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 Appeal Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate;
- g) If a decision in the appeal may affect another *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; and
- h) The decision to uphold or reject the appeal will be by a majority vote of Appeal Panel members.

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

### **Appeal Decision**

19. The *Appellant* must demonstrate, on a balance of probabilities, that the *Respondent* has made an error as described in the Grounds for Appeal section of this policy and that this error had a material effect on the decision or decision-maker.
20. The Appeal Panel shall issue its decision, in writing and with reasons, within seven (7) *Days* after the hearing's conclusion. In making its decision, the Appeal Panel will have no greater authority than that of the original decision-maker. The Appeal 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.
21. If the appeal hearing concerns a decision related to selection to competition for which Softball Ontario is responsible for selecting the team, such decision shall be issued within seven (7) *Days* of the hearing's conclusion, unless a decision must be rendered sooner due to an impending departure, or entry deadline.
  22. The Appeal Panel will also determine whether costs of the appeal will be assessed against any *Party*. In assessing costs, the Appeal Panel will consider the outcome of the appeal, the conduct of the *Parties*, and the *Parties'* respective financial resources.
  23. The Appeal Panel's written decision, with reasons, will be distributed to all *Parties*, the *Appeal Manager*, and Softball Ontario. In extraordinary circumstances, the Appeal 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 and published according to the Publication Guidelines unless decided otherwise by the Appeal Panel.
  24. Publication of an Appeal shall follow the *Publication Guidelines* outlined in Appendix "B" of the *Discipline and Complaints Policy*.
  25. All decisions and appeals rendered by Softball Canada shall be respected by Softball Ontario. Softball Ontario shall be in receipt of the outcome of any decisions rendered in accordance with Softball Canada's policies governing discipline and appeals, where necessary and required by Softball Canada.

### **Timelines**

26. 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 Appeal Panel may direct that these timelines be revised.

### **Confidentiality**

27. The appeals process is confidential and involves only the *Parties*, Softball Ontario, the *Appeal Manager*, the Appeal Panel, and any independent advisors to the Appeal Panel. Once initiated and until a decision is released, none of the *Parties* (or their *Representatives* or witnesses) will disclose confidential information relating to the appeal to any person not involved in the proceedings, unless Softball Ontario is required to notify an organization such as an international federation, Softball Canada or other sport organization (i.e., where a *Provisional Suspension* or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.

28. Any failure to respect the confidentiality requirement may result in further sanctions or discipline by the Appeal Panel.

### **Final and Binding**

29. The decision of the Panel shall be binding on the *Parties*.
30. No action or legal proceeding will be commenced against Softball Ontario, its designates or *Individuals* in respect of a dispute, unless Softball Ontario has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

<b>Policy History</b>	
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## Reciprocation Policy

### Purpose

1. The purpose of this policy is to ensure national enforcement and recognition of all disciplinary sanctions applied by Softball Ontario and *Member Associations*.

### Application

2. This policy applies to all *Member Associations*.

### Responsibilities

3. Softball Ontario will:
  - a) provide summaries of all final decisions made under the *Discipline and Complaints Policy* and appeal decisions to all *Member Associations*;
  - b) for decisions provided to Softball Ontario by *Member Associations*, determine per the *Discipline and Complaints Policy* whether to initiate further action against the individual(s) named in the decision; and
  - c) recognize and enforce the disciplinary sanctions imposed by *Member Associations*.
4. *Member Associations* will:
  - a) adhere to the *Publication Guidelines* and follow any instructions provided to it by Softball Canada or Softball Ontario with respect to distributing decisions of complaints and/or appeals handled by Softball Canada or Softball Ontario that apply to and/or affect the *Member Association*;
  - b) provide copies of discipline and appeal decisions involving *Individuals* to Softball Ontario;
  - c) recognize and enforce the disciplinary sanctions imposed by Softball Ontario, Softball Canada and/or *SIC*;
  - d) update their registration documents to appropriate reflect the publication and requirements of the reciprocation procedures; and
  - e) update their governing documents to reference the reciprocation procedures described herein.

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## Social Media Policy

### Preamble

1. Softball Ontario is aware that *Individual* interaction and communication occurs frequently on *Social Media*. Softball Ontario 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* (the “*Code*”) may be subject to the disciplinary sanctions identified within the *Discipline and Complaints Policy*.
2. Softball Ontario recognizes that communication between *Individuals* should be guided by principles that ensure the safety of the *Individuals* and that maintain and strengthen effective relationships.
3. Softball Ontario further recognizes that *Minor Athletes*, who are *Vulnerable Individuals*, may prefer to communicate through electronic interaction. Softball Ontario strives to ensure that *Athletes* are protected during electronic interactions with *Persons in Authority* and that they are not placed in a vulnerable situation.

### Application of this Policy

4. This policy applies to all *Individuals*.

### Conduct and Behaviour

5. All conduct and behaviour occurring on *Social Media* must comply with the *Code*.
6. *Individuals* may not engage in the following behaviour on *Social Media*:
  - a) posting a disrespectful, hateful, harmful, disparaging, or insulting comment on a social medium;
  - b) posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, embarrassing, suggestive, provocative, or otherwise offensive;
  - c) creating or contributing to any *Social Media*, blog, or online forum devoted solely or in part to promoting negative or disparaging remarks or commentary about Softball Ontario or its community or reputation; or
  - d) any instance of *cyber-Bullying* or *cyber-Harassment* where incidents of *cyber-Bullying* and *cyber-Harassment* can include but are not limited to the following conduct on any social medium, via text message, or via email: regular insults, negative comments, vexatious behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.

## **Individuals' Responsibilities**

7. *Individuals* should be aware that their *Social Media* activity may be viewed by anyone, including Softball Ontario.
8. If Softball Ontario (or any representative of Softball Ontario) unofficially engages with an *Individual* on *Social Media* (such as by retweeting a tweet or sharing a photo on Facebook) the *Individual* may, at any time, ask Softball Ontario (or any representative of Softball Ontario, as applicable) to cease this engagement.
9. When using *Social Media*, an *Individual* must model appropriate behaviour befitting the *Individual's* role and status in connection with Softball Ontario.
10. 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*.
11. An individual who believes that an *Individual's* Electronic Communication Media and/or *Social Media* activity is inappropriate or may violate policies and procedures should report the matter to Softball Ontario in the manner outlined by the *Discipline and Complaints Policy*.

## **Softball Ontario's Responsibilities**

12. Softball Ontario has a responsibility to understand if and how *Persons in Authority* and *Athletes* are using *Social Media* to communicate with each other. *Persons in Authority* and *Athletes* may need to be reminded that behaviour in *Social Media* is still subject to the *Code* and *Social Media Policy*.
13. Complaints and concerns about the behaviour of a *Person in Authority* or *Athlete* in *Social Media* can be addressed under the *Discipline and Complaints Policy*.

## **Social Media Guidelines**

14. The Guidelines in this section provide *Persons in Authority* and *Athletes* with tips and suggestions for *Social Media* use. *Persons in Authority* and *Athletes* are strongly encouraged to develop their own strategy for *Social Media* use (either written down or not) and ensure that their strategy for *Social Media* use is acceptable pursuant to the *Code*.
15. Given the nature of *Social Media* as a continually developing communication sphere, *Persons in Authority* and *Athletes* must use their best judgment when interacting with *Social Media*. These guidelines are not hard and fast rules or behavioural laws; but rather recommendations that will inform individuals' best judgment.

16. Any behaviour on *Social Media* which violates the *Code* may be subject to discipline.

### **Social Media Guidelines for Persons in Authority**

17. *Persons in Authority* should consider the following guidelines to inform their own strategy for *Social Media* use:

- a) with *Minor Athletes*, ensure that parents/guardians are aware if some interactions may take place on *Social Media* and the context for those interactions, and give parents/guardians the option to prohibit or restrict communication in this space;
- b) attempt to make communication with *Athletes* in *Social Media* as one-sided as possible. Be available for *Athletes* if they initiate contact – *Athletes* may wish to have this easy and quick access to you – but *Persons in Authority* should never impose themselves onto an *Athlete's* personal *Social Media* space, in keeping with the requirements of the Rule of Two;
- c) ensure all *Social Media* communication is professional, unambiguous, and on-topic. Avoid emojis and unspecific language that can be interpreted in multiple ways;
- d) choosing not to engage with *Social Media* is an acceptable strategy. Be prepared to inform *Athletes* (and/or parents/guardians) if you will not engage in this space and explain which media you will use to communicate with them;
- e) *Athletes* will search for your *Social Media* accounts. Be prepared for how you will respond when an *Athlete* attempts to interact with you on *Social Media*;
- f) annually review and update the privacy settings on all your *Social Media* accounts;
- g) consider monitoring or being generally aware of *Athletes'* public *Social Media* behaviour to ensure compliance with the *Code* and this policy;
- h) never demand access to an *Athlete's* private posts on any *Social Media* platform;
- i) do not send friend requests to *Athletes*. Never pressure *Athletes* to send you a friend request or follow your *Social Media* accounts;
- j) if you accept a friend request from one *Athlete*, you should accept these requests from all *Athletes*. Be careful not to show favouritism on *Social Media*;

- k) consider managing your *Social Media* so that *Athletes* do not have the option to follow or add your *Social Media* accounts;
- l) do not identify *Minor Athletes* on publicly available *Social Media*;
- m) seek permission from adult *Athletes* before identifying them on publicly available *Social Media*;
- n) *Persons in Authority* are expressly prohibited from communicating with *Athletes* over Snapchat. This means *Persons in Authority* shall not add *Athletes*, nor engage with any *Athlete*, in any capacity, over Snapchat;
- o) do not post pictures or videos of *Minor Athletes* on your private *Social Media* accounts;
- p) be aware that you may acquire information about an *Athlete* that imposes an obligation of disclosure on your part (such as seeing pictures of *Minor Athletes* drinking during a trip);
- q) if selection decisions and other official team business are announced on *Social Media*, ensure they are also posted on a less-social medium like a website or distributed via email;
- r) never require *Athletes* to join any *Social Media* page about your team or organization;
- s) if you create a page on *Social Media* for your team or *Athlete*, do not make this *Social Media* site the exclusive location for important information. Duplicate important information in less-social channels (like on a website or via email);
- t) exercise appropriate discretion when using *Social Media* for your own personal communications (with friends, colleagues, and other *Persons in Authority*) with the knowledge that your behaviour may be used as a model by *Athletes*;
- u) avoid association with *Social Media* with explicit sexual conduct or viewpoints that might offend or compromise your relationship with an *Athlete*; and
- v) never misrepresent yourself by using a fake name or fake profile.

### **Social Media Guidelines for Athletes**

18. The following tips should be used by *Athletes* to inform their own strategy for *Social Media* use:

- a) set your privacy settings to restrict who can search for you and what private information other people can see;
- b) coaches, teammates, officials, or opposing competitors may all add you on *Social Media*. You are not required to respond to anyone's *Social Media* request;
- c) *Athletes* are expressly prohibited from communicating with *Persons in Authority* over Snapchat. This means *Athletes* shall not add *Persons in Authority*, nor engage with any *Person in Authority*, in any capacity, over Snapchat;
- d) if you feel *Harassed* by someone in a social medium, report it to your coach or another *Person in Authority* with your organization;
- e) you do not have to join any *Social Media* page;
- f) content posted on a social medium, relative to your privacy settings, is considered public. In most cases, you do not have a reasonable expectation of privacy for any material that you post;
- g) content posted to a social medium is almost always permanent – consider that other individuals may take screenshots of your *Social Media* content before you can delete them;
- h) avoid posting pictures of, or alluding to, participation in illegal activity such as: speeding, physical assault, *Harassment*, drinking alcohol (if underage), and smoking cannabis (if underage);
- i) model appropriate behaviour in *Social Media* befitting your status as a) an *Athlete*, and b) a member of your organization and its governing organizations. As a representative of your organization, you have agreed to the *Code* and must follow the *Code* when you post material and interact with other people through electronic communication and *Social Media*; and
- j) be aware that your public *Social Media* page(s) may be monitored by your organization, coach, or by another organization and content or behaviour demonstrated in *Social Media* may be subject to sanction under the *Discipline and Complaints Policy*.

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## Screening Policy

### Preamble

1. Softball Ontario 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

2. This policy applies to all individuals whose position with Softball Ontario is one of trust or authority which may relate to, at a minimum, finances, supervision, or *Vulnerable Individuals*.
3. Not all individuals associated with Softball Ontario will be required to obtain a *Criminal Record Check* or submit screening documents because not all positions pose a risk of harm to Softball Ontario or *Individuals*. Softball Ontario will determine which individuals will be subject to screening using the following guidelines (Softball Ontario may vary the guidelines at their discretion):

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

- a) *Athlete Support Personnel*;
- b) non-coach employees or managers;
- c) directors;
- d) coaches who are typically under the supervision of another coach; and
- e) officials.

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

- a) *Athlete Support Personnel*;
- b) full-time coaches;
- c) *Athlete Support Personnel* who travel with *Athletes*; and
- d) *Athlete Support Personnel* who could be alone with *Athletes*.

### **Screening Committee**

- 4. The implementation of this policy is the responsibility of the Screening Committee which is a committee composed of either one (1) or three (3) members. Softball Ontario will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge, and abilities to accurately screen documents and render decisions under this policy.
- 5. The Screening Committee is responsible for reviewing all documents submitted and based on the review, making decisions regarding the appropriateness of individuals filling positions within Softball Ontario. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.
- 6. Nothing in this policy restricts or limits the Screening Committee from requesting that the individual attend an interview with the Screening Committee if the Screening Committee considers that an interview is appropriate and necessary to screen the individual's application.
- 7. Nothing in this policy restricts or limits the Screening Committee from requesting the individual's authorization to contact any professional, sporting, or other organization to assess the individual's suitability for the position that they are seeking. The Screening Committee may also request further information from the individual on more than one occasion, subject to the individual's right to insist that the Screening Committee decide based on the information before it.
- 8. The Screening Committee 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 Committee shall determine whether there is reason to believe that the individual may pose a risk to Softball Ontario or to another individual.

10. An individual having been previously penalized for a prior offence shall not prevent the Screening Committee from considering that offence as part of the individual's screening application.
11. If the Screening Committee determines based on the individual's screening application, in addition to any further material received by it, that the individual does not pose a risk to the members of Softball Ontario, the Screening Committee shall approve the individual's application, subject to the Screening Committee's right to impose conditions.
12. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and to the Board of Directors of Softball Ontario, which may disseminate the decision as they see fit to best fulfil the mandate of Softball Ontario.
13. An *Individual* whose screening application has been denied or revoked may not re-apply to participate in the programs or activities of Softball Ontario for two (2) years from the date the rejected application was made.

### **Screening Requirements**

14. A Screening Requirements Matrix is provided as **Appendix A**.
15. It is the policy of Softball Ontario that when an individual is first engaged with their organization:
  - a) Level 1 individuals will:
    - i. complete an Application Form (**Appendix B**);
    - ii. complete a Screening Disclosure Form (**Appendix C**); and
    - iii. participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**).
  - b) Level 2 individuals will:
    - i. complete an Application Form (**Appendix B**);
    - ii. complete a Screening Disclosure Form (**Appendix C**);
    - iii. complete and provide an *E-PIC*;
    - iv. provide one letter of reference related to the position;
    - v. participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**); and

- vi. provide a driver's abstract, if requested.
- c) Level 3 individuals will:
- i. complete an Application Form (**Appendix B**);
  - ii. complete a Screening Disclosure Form (**Appendix C**);
  - iii. complete and provide an *E-PIC* and a *VSC*;
  - iv. provide one letter of reference related to the position; and
  - v. participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**).
  - vi. provide a driver's abstract, if requested.
- d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Softball Ontario. Additionally, the individual will inform Softball Ontario of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
- e) If Softball Ontario 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*.

## Minors

16. For the purposes of this policy, Softball Ontario defines a *Minor* as someone who is younger than eighteen (18) years of age. When screening *Minor*, Softball Ontario will:
- a) not require the *Minor* to obtain a *VSC* or *E-PIC*; and
  - b) in lieu of obtaining a *VSC* or *E-PIC*, require the *Minor* to submit up to two (2) additional letters of reference.
17. Notwithstanding the above, Softball Ontario may ask a *Minor* to obtain a *VSC* or *E-PIC* if Softball Ontario suspects the *Minor* has an adult conviction and therefore has a criminal record. In these circumstances, Softball Ontario will be clear in its request that it is not asking for the *Minor's youth record*. Softball Ontario understands that they may not request to see a *Minor's youth record*.

## Renewal

18. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an *E-PIC*, Screening Disclosure Form, 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; and
  - d) a *Vulnerable Sector Check* once every five years.
19. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Screening Committee may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of Softball Ontario, could affect the assessment of the individual's suitability for participation in the programs or activities of Softball Ontario, or the individual's interactions with other individuals involved with Softball Ontario.

### **Orientation, Training, and Monitoring**

20. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of Softball Ontario.
21. Orientation may include, but is not limited to, introductory presentations, facility tours, equipment demonstrations, parent/*Athlete* meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
22. Training may include, but is not limited to, certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
23. At the conclusion of orientation and training, the individual may be required to acknowledge, in written form, that they have received and completed the orientation and training (**Appendix E**).
24. 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**

25. An *E-PIC* may be obtained online via <http://www.backcheck.net/E-PIC.htm>.

26. *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.
27. Fingerprinting may be required if there is a positive match with the individual's *Gender* and birth date.
28. Softball Ontario understands that it may be required to assist an individual with obtaining a *VSC*. A Request for *VSC* (**Appendix F**) may need to be submitted or other documentation may need to be completed that describes the nature of Softball Ontario and the individual's role with *Vulnerable Individuals*.

## **Procedure**

29. Screening documents must be submitted to the Screening Committee.
30. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
31. Softball Ontario understands that there may be delays in receiving the results of an *E-PIC* or a *VSC*. At the discretion of Softball Ontario, an individual may be permitted to participate in the role during the delay. This permission may be withdrawn at any time and for any reason.
32. Softball Ontario recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an *E-PIC* may show details of a specific offense, or not, and/or a *VSC* may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
33. Following the review of the screening documents, the Screening Committee 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.

34. In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
35. The Screening Committee may decide that an individual has not passed screening if the screening documentation reveals any of the following:
  - a) if imposed in the last three years:
    - i. any offense involving the use of a motor vehicle, including but not limited to impaired driving;
    - ii. any offense of assault, physical or psychological violence;
    - iii. any offense involving trafficking or possession of illegal drugs;
    - iv. any offense involving conduct against public morals; or
    - v. any offense involving theft or fraud.
  - b) if imposed at any time:
    - i. any offense involving a *Minor* or *Minors*;
    - ii. any offense involving the possession, distribution, or sale of any child-related pornography; or
    - iii. any sexual offense.

### **Conditions and Monitoring**

36. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Screening Committee 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 Committee shall have the sole and unfettered discretion to apply and remove conditions, determine the length of time for the imposition of conditions, and determine how adherence to conditions may be monitored.

### **Records**

37. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, for use in legal, quasi-legal, or disciplinary proceedings.
38. 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 Committee; and
- f) records of any discipline applied to any individual by Softball Ontario or by another sport organization.

Policy History	
Approved	June 25, 2026
Revised	
Changes	

### **Appendix A – Screening Requirements Matrix**

Risk Level	Roles (note <i>Minor</i> exception below)	Training Recommended /Required	Screening
<p style="text-align: center;">Level 1 Low Risk</p>	<p>a) Parents, youth, or volunteers acting in non-regular or informal basis</p>	<p>Recommended:</p> <ul style="list-style-type: none"> <li>● <u>CAC Safe Sport Training</u></li> </ul>	<ul style="list-style-type: none"> <li>● Complete an Application Form (<b>Appendix B</b>)</li> <li>● Complete a Screening Disclosure Form (<b>Appendix C</b>)</li> <li>● Participate in training, orientation, and monitoring as determined by Softball Ontario</li> </ul>
<p style="text-align: center;">Level 2 Medium Risk</p>	<p>a) <i>Athlete Support Personnel</i></p> <p>b) Non-coach employees or managers</p> <p>c) Directors</p> <p>d) Coaches who are typically under supervision of another coach.</p> <p>e) Umpires and Officials</p>	<p>Recommended based on role:</p> <ul style="list-style-type: none"> <li>● Respect in Sport for Activity Leaders</li> <li>● Commit to Kids</li> </ul> <p>Required:</p> <ul style="list-style-type: none"> <li>● Respect in Sport Activity Leaders (National Officials)</li> <li>● MED Certified (Coaches)</li> <li>● <u>CAC Safe Sport Training</u></li> </ul>	<ul style="list-style-type: none"> <li>● Level 1 Requirements</li> <li>● Complete and provide an <i>E-PIC</i></li> <li>● Provide one letter of reference related to the position</li> <li>● Provide a driver's abstract, if requested</li> </ul>
<p style="text-align: center;">Level 3 High Risk</p>	<p>a) Full Time Coaches</p>	<p>Recommended based on role:</p> <ul style="list-style-type: none"> <li>● Respect in Sport for Activity Leaders</li> </ul>	<ul style="list-style-type: none"> <li>● Level 2 Requirements</li> <li>● Provide a <i>VSC</i></li> </ul>

	b) Coaches who travel with <i>Athletes</i>  c) Coaches who could be alone with <i>Athletes</i>	<ul style="list-style-type: none"> <li>• Commit to Kids</li> </ul> Required: <ul style="list-style-type: none"> <li>• MED Certified</li> <li>• <u>CAC Safe Sport Training</u></li> </ul>	<ul style="list-style-type: none"> <li>• A second letter of reference from a sport organization</li> </ul>
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***Minor***

For the purposes of this policy, Softball Ontario defines a *Minor* as someone who is younger than eighteen (18) years old. When screening *Minor*, Softball Ontario will:

- a) not require the *Minor* to obtain a *VSC* or *E-PIC*; and
- b) in lieu of obtaining a *VSC* or *E-PIC*, require the *Minor* to submit up to two (2) additional letters of reference.

**Appendix B – Application Form**

*Note: Individuals who are applying to volunteer or work within certain positions with Softball Ontario must complete this Application Form. Individuals need to complete an Application Form once for the position sought. If the individual is applying for a new position within Softball Ontario, a new Application Form must be submitted.*

**NAME:** \_\_\_\_\_  
                    First  Middle  Last

**CURRENT PERMANENT ADDRESS:**  
\_\_\_\_\_  
Street  City  Province  Postal

**DATE OF BIRTH:** \_\_\_\_\_                      **GENDER IDENTITY:** \_\_\_\_\_  
  Month/Day/Year

**EMAIL:** \_\_\_\_\_                      **PHONE:** \_\_\_\_\_

**POSITION SOUGHT:** \_\_\_\_\_

By signing this document below, I agree to adhere to the policies and procedures of Softball Ontario, including but not limited to the *Code of Conduct and Ethics, Privacy Policy, and Screening Policy*. Policies are located at the following link: <https://softballontario.ca/documents/>

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Screening Committee will determine my eligibility to volunteer or work in the position.

**NAME (print):** \_\_\_\_\_                      **DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**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

**MEMBER (if applicable):** \_\_\_\_\_ **EMAIL:**  
\_\_\_\_\_

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

**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 Softball Ontario 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, *Member Association* members or school members, and other organizations involved in the governance of sport. Softball Ontario 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 Softball Ontario 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 – Volunteer Orientation and Training Acknowledgement Form**

1. I have the following role(s) with Softball Ontario (**circle all that apply**):

Parent/Guardian

Coach

Director/Volunteer

Athlete

Umpire

Committee Member Association

Other

2. As an individual affiliated with Softball Ontario, I acknowledge I have received completed the following orientation and training:

Name of Training or Orientation:

\_\_\_\_\_

Instructor: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Name of Training or Orientation: \_\_\_\_\_

Instructor: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Name of Training or Orientation: \_\_\_\_\_

Instructor: \_\_\_\_\_ Date Completed: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Appendix F – Request for Vulnerable Sector Check**

**INTRODUCTION**

Softball Ontario is requesting a *Vulnerable Sector Check* for \_\_\_\_\_ **[insert individual’s full name]** who identifies as a \_\_\_\_\_ **[insert Gender Identity]** and who was born on \_\_\_\_\_ **[insert birthdate]**.

**DESCRIPTION OF ORGANIZATION**

Softball Ontario is a not-for-profit Softball Association for the sport of softball in Ontario.

**[Insert additional description]**

**DESCRIPTION OF ROLE**

\_\_\_\_\_ **[insert individual’s name]** will be acting as a \_\_\_\_\_ **[insert individual’s role]**. In this role, the individual will have access to *Vulnerable Individuals*.

**[Insert additional information re: type and number of *Vulnerable Individuals*, frequency of access, etc.]**

**CONTACT INFORMATION**

If more information is required, please contact Softball Ontario:

**[Insert contact information]**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## **Privacy Policy**

### **General**

1. **Background** – Privacy of *Personal Information* is governed by the federal *Personal Information Protection and Electronics Documents Act* ("PIPEDA"). This policy describes the way that Softball Ontario collects, uses, safeguards, discloses, and disposes of *Personal Information*, and states Softball Ontario's commitment to collecting, using, and disclosing *Personal Information* responsibly. This policy is based on the standards required by PIPEDA and Softball Ontario's interpretation of these responsibilities.
2. **Purpose** –The purpose of this policy is to govern the collection, use and disclosure of *Personal Information* during commercial activities in a manner that recognizes the right to privacy of *Individuals* with respect to their *Personal Information* and the need of Softball Ontario to collect, use or disclose *Personal Information*.

### **Application of this Policy**

3. **Application** – This Policy applies to *Representatives* in connection with *Personal Information* that is collected, used, or disclosed during any *Commercial Activity* related to Softball Ontario.
4. **Ruling on Policy** – Except as provided in the *Act*, the Board of Directors of Softball Ontario will have the authority to interpret any provision of this Policy that is contradictory, ambiguous, or unclear.

### **Obligations**

5. **Statutory Obligations** – Softball Ontario is governed by the *Personal Information Protection, Electronic Documents Act* in matters involving the collection, use and disclosure of *Personal Information*.
6. **Additional Obligations** – In addition to fulfilling all requirements of the *Act*, Softball Ontario and its *Representatives* will also fulfill the additional requirements of this Policy. *Representatives* of Softball Ontario will not:
  - a) Disclose *Personal Information* to a third *Party* during any business or transaction unless such business, transaction or other interest is properly consented to in accordance with this Policy;
  - b) Knowingly place themselves in a position where they are under obligation to any organization to disclose *Personal Information*;

- c) In the performance of their official duties, disclose *Personal Information* to family members, friends or colleagues, or to organizations in which their family members, friends or colleagues have an interest;
- d) Derive personal benefit from *Personal Information* that they have acquired during the course of fulfilling their duties with Softball Ontario; or
- e) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, the disclosure of *Personal Information*.

## **Accountability**

- 7. Privacy Officer – The Privacy Officer is responsible for the implementation of this policy and monitoring information collection and data security and for ensuring that all staff receives appropriate training on privacy issues and their responsibilities. The Privacy Officer also handles *Personal Information* access requests and complaints. The Privacy Officer may be contacted as follows:

### **Softball Ontario**

Email: [Info@softballontario.ca](mailto:Info@softballontario.ca)

- 8. Duties – The Privacy Officer will:
  - a) Implement procedures to protect *Personal Information*;
  - b) Establish procedures to receive and respond to complaints and inquiries;
  - c) Record all persons having access to *Personal Information*;
  - d) Ensure any third-Party providers abide by this Policy; and
  - e) Train and communicate to staff information about Softball Ontario's privacy policies and practices.
- 9. Employees – Softball Ontario shall be responsible to ensure that the employees, contractors, agents, or otherwise of Softball Ontario are compliant with the *Act* and this Policy.

## **Identifying Purposes**

- 10. Purpose – *Personal Information* may be collected from *Representatives* and prospective *Representatives* for purposes that include, but are not limited to, the following:

*Communications:*

- a) Sending communications in the form of e-news or a newsletter with content related to Softball Ontario programs, *Sanctioned Events*, fundraising, activities, discipline, appeals, and other pertinent information
- b) Publishing articles, media relations and postings on Softball Ontario website, displays or posters
- c) Award nominations, biographies, and media relations
- d) Communication within and between *Representatives*
- e) Discipline results and long-term suspension list
- f) Checking residency status
- g) Posting images, likeness or other identifiable attributes to promote Softball Ontario

*Registration, Database Entry and Monitoring:*

- a) Registration of programs, *Sanctioned Events* and activities
- b) *SIC* Database and/or Public Registry entry
- c) Database entry at the Coaching Association of Canada and to determine level of coaching certification coaching qualifications and coach selection.
- d) Database entry to determine level of officiating certification and qualifications
- e) Determination of eligibility, age group and appropriate level of play/competition
- f) *Athlete* Registration, outfitting uniforms, and various components of *Athlete* and team selection
- g) Technical monitoring, officials training, educational purposes, sport promotion, and media publications
- h) Selection
- i) Implementation of classification
- j) Technical monitoring, *coach/Member Association* review, officials training, educational purposes, media publications, and sport promotion

*Sales, Promotions and Merchandising:*

- a) Purchasing equipment, coaching manuals, resources and other products
- b) Promotion and sale of merchandise

*General:*

- a) Travel arrangement and administration
  - b) Implementation of Softball Ontario's screening program
  - c) Medical emergency, emergency contacts or reports relating to medical or emergency issues
  - d) Determination of membership demographics and program wants and needs
  - e) Managing insurance claims and insurance investigations
  - f) Video recording and photography for personal use, and not commercial gain, by spectators, parents, and friends
  - g) Video recording and photography for promotional use, marketing and advertising by Softball Ontario
  - h) Payroll, honorariums, company insurance and health plans
11. Purposes not Identified – Softball Ontario shall seek consent from individuals when *Personal Information* is used for *Commercial Activity* not previously identified. This consent will be documented as to when and how it was received.

**Consent**

12. Consent – Softball Ontario shall obtain consent by lawful means from individuals at the time of collection and prior to the use or disclosure of this information. Softball Ontario may collect *Personal Information* without consent where reasonable to do so and where permitted by law.
13. Implied Consent – By providing *Personal Information* to Softball Ontario, *Individuals* are consenting to the use of the information for the purposes identified in this policy.
14. Withdrawal – An individual may declare to the Privacy Officer in writing to withdraw consent to the collection, use or disclosure of *Personal Information* at any time, subject to legal or contractual restrictions. Softball Ontario will inform the individual of the implications of such withdrawal.

15. Legal Guardians – Consent shall not be obtained from individuals who are *Minors*, seriously ill, or mentally incapacitated and therefore shall be obtained from a parent, legal guardian or person having power of attorney of such an individual.
16. Exceptions for Collection – Softball Ontario is not required to obtain consent for the collection of *Personal Information* if:
  - a) It is clearly in the *Individual's* interests and consent is not available in a timely way;
  - b) Knowledge and consent would compromise the availability or accuracy of the information and collection is required to investigate a breach of an agreement or contravention of a federal or territorial law;
  - c) The information is for media or journalistic purposes; or
  - d) The information is publicly available as specified in the *Act*.
17. Exceptions for Use – Softball Ontario may use *Personal Information* without the *Individual's* knowledge or consent only:
  - a) If Softball Ontario has reasonable grounds to believe the information could be useful when investigating a contravention of a federal, territorial or foreign law and the information is used for that investigation;
  - b) For an emergency that threatens an individual's life, health or security;
  - c) Aggregate information for statistical or scholarly study or research;
  - d) If it is publicly available as specified in the *Act*;
  - e) If the use is clearly in the individual's interest and consent is not available in a timely way; or
  - f) If knowledge and consent would compromise the availability or accuracy of the information and collection was required to investigate a breach of an agreement or contravention of a federal or territorial law.
18. Exceptions for Disclosure – Softball Ontario may disclose *Personal Information* without the individual's knowledge or consent only:
  - a) To a lawyer representing Softball Ontario;
  - b) To collect a debt the individual owes to Softball Ontario;
  - c) To comply with a subpoena, a warrant or an order made by a court or other body with appropriate jurisdiction;

- d) To a government institution that has requested the information, identified its lawful authority, and indicated that disclosure is for the purpose of enforcing, carrying out an investigation, or gathering intelligence relating to any federal, territorial or foreign law; or that suspects that the information relates to national security or the conduct of international affairs; or is for the purpose of administering any federal or territorial law;
- e) To an investigative body named in the *Act* or government institution on Softball Ontario's initiative when Softball Ontario believes the information concerns a breach of an agreement, or a contravention of a federal, territorial, or foreign law, or suspects the information relates to national security or the conduct of international affairs;
- f) To an investigative body for the purposes related to the investigation of a breach of an agreement or a contravention of a federal or territorial law;
- g) In an emergency threatening an individual's life, health, or security (Softball Ontario must inform the individual of the disclosure);
- h) Aggregate information for statistical, scholarly study or research;
- i) To an archival institution;
- j) 20 years after the individual's death or 100 years after the record was created;
- k) If it is publicly available as specified in the regulations; or
- l) If otherwise required by law.

### **Limiting Collection, Use, Disclosure and Retention**

19. Limiting Collection, Use and Disclosure – Softball Ontario shall not collect, use or disclose *Personal Information* indiscriminately. Information collected will be for the purposes specified in this Policy, except with the consent of the individual or as required by law.
20. Retention Periods – *Personal Information* shall be retained as long as reasonably necessary to enable participation in Softball Ontario, to maintain accurate historical records and or as may be required by law.
21. Destruction of Information – Documents shall be destroyed by way of shredding and electronic files will be deleted in their entirety.

## Safeguards

22. Safeguards – *Personal Information* shall be protected by security safeguards appropriate to the sensitivity of the information against loss or theft, unauthorized access, disclosure, copying, use or modification.

## Breaches

23. Breaches – Softball Ontario is required to report breaches of its security safeguards and any unauthorized disclosure of, or access to, *Personal Information* to the Office of the Privacy Commissioner if the breach, disclosure, or access may pose a “real risk of significant harm” to an individual. A “real risk of significant harm” is defined as: “*Bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property*”.
24. Reporting – Softball Ontario will report the breach or unauthorized access or disclosure to the Office of the Privacy Commissioner in the form and format specified by the Office of the Privacy Commissioner or will be subject to financial penalties.
25. Records and Notification – In addition to reporting the breach or unauthorized access or disclosure, Softball Ontario will keep records of the breach and inform affected individuals.

## Individual Access

26. Access – Upon written request, and with assistance from Softball Ontario, an individual may be informed of the existence, use and disclosure of his or her *Personal Information* and shall be given access to that information. Further, an individual is entitled to be informed of the source of the *Personal Information* along with an account of third *Parties* to whom the information has been disclosed.
27. Response – Requested information shall be disclosed to the individual within 30 *Days* of receipt of the written request at no cost to the individual, or at nominal costs relating to photocopying expenses, unless there are reasonable grounds to extend the time limit.
28. Denial – An individual may be denied access to his or her *Personal Information* if the information:
  - a) Cannot be disclosed for legal, security, or commercial proprietary purposes;  
or

- b) Is subject to solicitor-Softball Ontario privilege or litigation privilege.
29. Reasons – Upon refusal, Softball Ontario shall inform the individual the reasons for the refusal and the associated provisions of the *Act*.
30. Identity – Sufficient information shall be required to confirm an individual's identity prior to providing that individual an account of the existence, use, and disclosure of *Personal Information*.

### **Challenging Compliance**

31. Challenges – An individual shall be able to challenge compliance with this Policy and the *Act* to the designated individual accountable for compliance.
32. Procedures – Upon receipt of a complaint Softball Ontario shall:
- a) Record the date the complaint is received;
  - b) Notify the Privacy Officer who will serve in a neutral, unbiased capacity to resolve the complaint;
  - c) Acknowledge receipt of the complaint by way of written communication and clarify the nature of the complaint within three (3) *Days* of receipt of the complaint;
  - d) Appoint an investigator using Organization personnel or an independent investigator, who shall have the skills necessary to conduct a fair and impartial investigation and shall have unfettered access to all relevant file and personnel, within ten (10) *Days* of receipt of the complaint;
  - e) Upon completion of the investigation and within twenty-five (25) *Days* of receipt of the complaint, the investigator will submit a written report to Softball Ontario; and
  - f) Notify the *Complainant* to the outcome of the investigation and any relevant steps taken to rectify the complaint, including any amendments to policies and procedures within thirty (30) *Days* of receipt of the complaint.
33. Whistleblowing – Softball Ontario shall not dismiss, suspend, demote, discipline, *Harass* or otherwise disadvantage any director, officer, employee, committee member volunteer, trainer, contractor, and other decision-maker within Softball Ontario or deny that person a benefit because the individual, acting in good faith and on the basis of reasonable belief:
- a) Disclosed to the commissioner that Softball Ontario has contravened or is about to contravene the *Act*,

- b) Has done or stated an intention of doing anything that is required to be done in order to avoid having any person contravene the *Act*, or
- c) Has refused to do or stated an intention of refusing to do anything that is in contravention of the *Act*.

**IP Address**

34. IP Address – Softball Ontario does not collect, use, or disclose *Personal Information* such as *IP Addresses*.

**Applicable Law**

35. Applicable Law – Softball Ontario website is created and controlled by Softball Ontario in Ontario. As such, the laws of Ontario shall govern these disclaimers, terms, and conditions.

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Changes	

## Whistleblower Policy

### Purpose

1. Softball Ontario is committed to fostering an environment conducive to open communication regarding the business practices of Softball Ontario and to protecting *Workers* from unlawful retaliation and discrimination for their having properly disclosed or reported illegal or unethical conduct.
2. To further this commitment, this Policy:
  - a) establishes guidance for the receipt, retention and treatment of verbal or written reports received by Softball Ontario from a *Worker* regarding actions that (i) are illegal, unethical or contrary to Softball Ontario's policies in respect of accounting, internal controls, disclosure, or business practices or (ii) constitute discrimination, *Harassment*, violence or abuse against a *Worker* by a Director or another *Worker*;
  - b) provides *Workers* who make a report with a means to make reports in a confidential and anonymous manner; and
  - c) demonstrates Softball Ontario's intention to discipline any person who commits an act of retaliation or reprisal against a *Worker* up to and including termination of employment for just cause, in the case of employees.

### Application

3. This policy only applies to *Workers* who observe, or experience incidents of wrongdoing committed by directors or by other *Workers*.
4. Incidents of wrongdoing or misconduct observed or experienced by *Individuals*, volunteers, spectators, parents of *Individuals*, or other individuals not employed or contracted by Softball Ontario can be reported under the terms of the *Discipline and Complaints Policy* and/or reported to Softball Ontario's Board of Directors or senior staff person to be handled under the terms of the individual *Worker's* Employment Agreement or Contractor Agreement, as applicable, and/or Softball Ontario's policies for human resources.
5. Matters reported under the terms of this policy may be referred to be heard under the *Discipline and Complaints Policy*, at the discretion of the Compliance Officer .
6. Any violation of this Policy that may be considered "*Prohibited Behaviour*" or "*Maltreatment*" (as defined in the *UCCMS*) when the *Respondent* is an *Individual* who has been designated by a Signatory as an *CSSP* Participant, will be handled pursuant to the policies and procedures of the *CSSP*, subject to the rights of

Softball Ontario as set out in the *Discipline and Complaints Policy* and any applicable *Workplace* policies.

### **Wrongdoing**

7. Wrongdoing can be defined as:
  - a) violating the law;
  - b) intentionally or seriously breaching of the *Code*;
  - c) committing or ignoring risks to the life, health, or safety of an *Individual*, volunteer, *Worker*, or other individual;
  - d) directing an individual or *Worker* to commit a crime, serious breach of a policy, or other wrongful act; or
  - e) fraud.

### **Pledge**

8. Softball Ontario pledges not to dismiss, penalize, discipline, or retaliate or discriminate against any *Worker* who discloses information or submits, in good faith, a report against another *Worker* or director under the terms of this policy.
9. Any individual affiliated with Softball Ontario who breaks this **Pledge** will be subject to disciplinary action.

### **Reporting Wrongdoing**

10. A *Worker* who believes that a director or another *Worker* has committed an act of wrongdoing should prepare a report that includes the following:
  - a) a written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
  - b) the identities and roles of other individuals or *Workers* (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
  - c) why the act or action should be considered to be wrongdoing; and
  - d) how the wrongdoing affects the *Worker* submitting the report (if applicable).

### **Authority**

11. The following Compliance Officer has been appointed to receive reports made under this policy:

Executive Director - [executivedirector@softballontario.ca](mailto:executivedirector@softballontario.ca)

12. After receiving the report, the Compliance Officer has the responsibility to:
  - a) assure the *Worker* of the **Pledge**;
  - b) connect the *Worker* to the Alternate Liaison if the individual feels that they cannot act in an unbiased or discrete manner due to the individual's role with Softball Ontario and/or the content of the report;
  - c) determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious) and, if so, inform the *Worker* that no action will be taken on the report and the reasons why the report has been considered frivolous, vexatious, or not in good faith;
  - d) determine if the *Whistleblower Policy* applies or if the matter should be handled under the *Discipline and Complaints Policy*;
  - e) determine if the local police service be contacted;
  - f) determine if mediation or alternative dispute resolution can be used to resolve the issue;
  - g) determine if Softball Ontario's President and/or senior staff person should or can be notified of the report; and
  - h) begin an investigation.

### **Alternate Liaison**

13. If the *Worker* feels that the Compliance Officer is unable to act in an unbiased or discrete manner due to the individual's role with Softball Ontario and/or the content of the report, the *Worker* should contact the following individual who will act as an independent liaison between the *Worker* and the Compliance Officer:

ITP Sport - [safezone@itpsport.ca](mailto:safezone@itpsport.ca)

14. The Alternate Liaison will not disclose the *Worker's* identity to the Compliance Officer or to anyone affiliated with Softball Ontario without the *Worker's* consent.
15. A *Worker* who is unsure if they should submit a report, or who does not want to have their identity known, may contact the Alternate Liaison for informal advice about the process.

## Investigation

16. If the Compliance Officer determines that an investigation should be launched, the Compliance Officer may decide to contract an external investigator. In such cases, Softball Ontario's President and/or senior staff person may be notified that an investigation conducted by an external investigator is necessary without the nature of the investigation, content of the report, or identity of the *Worker* who submitted the report being disclosed. Softball Ontario's President and/or senior staff person may not unreasonably refuse the decision to contract an external investigator.
17. An investigation launched by the Compliance Officer, Alternate Liaison or by an external investigator should, generally, take the following form:
  - a) follow-up interview with the *Worker* who submitted the report;
  - b) identification of *Workers*, *Individuals*, volunteers or other individuals that may have been affected by the wrongdoing;
  - c) interviews with such-affected individuals;
  - d) interview with the director(s) or *Worker(s)* against whom the report was submitted; and
  - e) interview with the supervisor(s) of the *Worker(s)* against whom the report was submitted, if applicable.
18. The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to Softball Ontario's President and/or senior staff person for review and action.

## Decision

19. Within fourteen (14) *Days* after receiving the Investigator's Report, Softball Ontario's President and/or senior staff person will take corrective action, as required. Corrective action may include, but is not limited to including:
  - a) enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
  - b) revision of job descriptions; or
  - c) discipline, suspension, termination, or other action as permitted by the By-laws, territorial employment legislation, applicable policies for human resources, and/or the *Worker's* Employment Agreement or Contractor Agreement.

20. The corrective action, if any, will be communicated to the investigator who will then inform the *Worker* who submitted the report.
21. Decisions made under the terms of this policy may be appealed under the terms of the *Appeal Policy* provided that:
  - a) if the *Worker* who submitted the initial report is appealing the decision, the *Worker* understands that their identity must be revealed if they submit an appeal; and
  - b) if the director or *Worker* against whom the initial report was submitted is appealing the decision, the *Worker* or director understands that the identity of the *Worker* who submitted the report will not be revealed and that Softball Ontario will act as the *Respondent*.

### **Confidentiality**

22. Confidentiality at all stages of the procedures outlined in this policy – from the initial report to the final decision – is the goal for all individuals (the *Worker*, the *Worker(s)*, or director(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this policy will be subject to disciplinary action.
23. In all stages of the investigation, the investigator will take every precaution to protect the identity of the *Worker* who submitted the report and/or the specific nature of the report itself. However, Softball Ontario recognizes that there are some instances where the nature of the report and/or the identity of the *Worker* who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

<b>Policy History</b>	
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## Diversity, Equity, and Inclusion Policy

### Purpose

1. Softball Ontario is committed to encouraging *Diversity, Equity* and *Inclusion* in its administration, policies, programs, and activities.
2. The purpose of this policy is to ensure that Softball Ontario provides *Under-Represented Groups* with a full and equitable range of opportunities to participate and lead.
3. Softball Ontario fully supports and is continuously working toward enhancing and ensuring that equitable programming and opportunities to all Softball Ontario *Individuals* are provided, regardless of factors such as age, national or ethnic origin, Indigenous identity, race and colour of skin, religion, *Sex, Sexual Orientation, Gender Identity* or expression, abilities, socioeconomic background, and language.

### General

4. Softball Ontario will:
  - a) provide this policy to all *Individuals* and provide education on the importance of *Diversity, Equity, and Inclusion* and what this entails in terms of practices, policies, procedures, and norms of behaviour;
  - b) provide registration forms and other documents that allow:
    - i. the *Individual* to indicate their *Gender Identity* and expression, rather than their *Sex* or *Gender*;
    - ii. the *Individual* to abstain from indicating a *Gender Identity* with no consequence to the *Individual*;
    - iii. the *Individual* to indicate their pronoun(s); and
    - iv. the *Individual* to indicate their preferred name.
  - c) maintain organizational documents and Softball Ontario's website in a manner that promotes inclusive language and images;
  - d) refer to *Individuals* by their preferred name and their pronoun(s);
  - e) work with *Under-Represented Groups* on the implementation, monitoring and/or modification of this policy;

- f) when Softball Ontario has the authority to determine *Individuals'* use of washrooms, change rooms, and other facilities, Softball Ontario will permit individuals to use the facilities of their *Gender Identity*;
- g) ensure uniforms and dress *Codes* that respect an *Individual's Gender Identity* and *Gender Expression*;
- h) support *Inclusion, Equity, and access for Under-Represented Groups*; and
- i) exercise influence with external agencies to encourage *Equity*.

## **Programming**

5. Softball Ontario is committed to creating and supporting programs that address *Diversity, Equity, and Inclusion* in sport. For example, Softball Ontario will:
  - a) ensure that the achievement of equitable opportunities is a key consideration when developing, updating, or delivering Softball Ontario's programs and policies;
  - b) ensure that *Individuals* from *Under-Represented Groups* have no barriers to participation in Softball Ontario's programs, training, and coaching opportunities;
  - c) create and support new programming that specifically addresses *Diversity, Equity, and Inclusion*;
  - d) monitor and evaluate the success of its *Diversity, Equity, and Inclusion* programming;
  - e) fund programs and services equitably;
  - f) encourage *Under-Represented Groups* to act as role models for young *Individuals*;
  - g) create opportunities to advance the number and levels of women in coaching; and
  - h) when planning educational sessions, consider a balance of presenters from all *Gender* identities.

## **Staff, Board of Directors, Committee**

6. Softball Ontario will:

- a) strive to achieve *Gender* balance in the appointment of all committees, task forces and other decision-making or decision-influencing bodies, and in seeking nominations for and appointments to the Board;
- b) include *Gender Equity* as a stated value that is accepted and promoted on nominating and selection committees;
- c) ensure equal opportunities exist for all staff to receive professional development to move towards senior levels of decision-making;
- d) develop, update, and deliver all policies, programs and services ensuring the concerns and needs of *Under-Represented Groups* are identified, promoted, and supported; and
- e) deal with any incidence of discriminatory behaviour according to Softball Ontario's *Discipline and Complaints Policy*.

## **Media Relations**

7. Softball Ontario will:

- a) strive to ensure that *Under-Represented Groups* are portrayed equitably in promotional materials and official publications, and that *Gender-neutral* language is used in all communications;
- b) produce all written and visual materials in a *Gender-inclusive* manner;
- c) develop a communication plan that strives to give media visibility to *Under-Represented Groups*; and
- d) use *Gender-appropriate* or *Gender-neutral* language and positive, active visuals in all publications, graphics, videos, posters and on websites.

## **Human Resource Management**

8. As part of its commitment to the use of equitable human resource management practices, Softball Ontario will:

- a) adopt, when possible, work practices such as flex-time, job-sharing, and home-based offices;
- b) provide a physically accessible *Workplace* environment;
- c) use non-discriminatory interview techniques;
- d) provide opportunities for all staff to advance to senior decision-making levels and receive equitable remuneration;
- e) publicly declare Softball Ontario to be an equal opportunity employer and respect and implement the principle of pay *Equity* in relation to salaried and contract employees; and
- f) when appropriate, make available access to Employee Assistance counselling.

## Ongoing Commitment to *Diversity, Equity, and Inclusion*

9. Softball Ontario resolves to continue to incorporate *Diversity, Equity and Inclusion* matters in its strategies, plans, actions, and operations including technical programs, business management, sponsorship, marketing, media, and communications.

## Eligibility Guidelines

10. As a general guiding principle for the Softball Ontario's eligibility guidelines, the organization supports the following statement from *Creating Inclusive Environments for Trans Participants in Canadian Sport*: Based on this background and available evidence, the Expert Working Group felt that trans *Athletes* should be able to participate in the *Gender* with which they identify, regardless of whether or not they have undergone hormone therapy. Exceptions could be made if a sport organization is able to provide evidence that demonstrates hormone therapy is a reasonable and bona fide requirement (i.e., a necessary response to a legitimate need) to create a fair playing field at the high-performance level (p. 19)
11. At both recreational and competitive levels, an *Individual* may participate in their expressed and identified *Gender* category.
12. *Individuals* are not required to disclose their trans identity or history to the Association or any of Softball Ontario's *Representatives* (e.g., coaches, staff, Directors, officials, etc.).
13. All *Athletes* must be aware that they may be subject to doping control testing pursuant to the *CADP*. Trans *Athletes* undergoing *Gender* reassignment are encouraged to contact the *SIC* to determine what procedures, if any, are required to obtain a *Therapeutic Use Exemption (TUE)*.

## Confidentiality

14. Softball Ontario will not disclose to outside *Parties* any documentation or information about an *Individual's Gender Identity* and expression. A trans *Individual's* privacy and confidentiality will be respected.

## Resolving Gender Identity and Expression Issues

15. Should an *Individual* feel they have been subject to, or witness, discrimination, *Bullying, Harassment, sexual Harassment, vilification* or victimization based on *Gender Identity* or expression, they should take appropriate action through Softball Ontario's Discipline and Complaints Policy. Should the person not feel safe in doing so, they should seek assistance from the President and Secretary of Softball Ontario for advice and support, or action on their behalf.

16. Any decision rendered by Softball Ontario in accordance with this Policy may be appealed in accordance with Softball Ontario’s Appeal Policy.

**Evaluation**

17. Softball Ontario will continually monitor and evaluate its *Diversity, Equity, and Inclusion* progress.

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## Anti-Doping Policy

### Purpose

1. The purpose of this policy is to confirm that Softball Ontario has adopted the 2021 *CADP* as its primary domestic anti-doping policy.
2. Softball Ontario has obligations to report potential violations of the 2021 *CADP*.

### Scope and Authority

3. This policy applied to all *Individuals*.
4. In the event of a conflict between this policy and the 2021 *CADP*, the 2021 *CADP* shall prevail.

### Commitment, Adoption and Cooperation

5. Softball Ontario is committed to clean sport in Canada and endorses the 2021 *CADP* and the WADC.
6. Softball Ontario has adopted and agrees to abide by the *CADP* as it may be amended from time to time.
7. Softball Ontario is unequivocally opposed to the practice of doping in sport on ethical, medical, and legal grounds.
8. Softball Ontario shall cooperate with the *SIC*'s investigations regarding potential anti-doping rule violations.

### Education and Training

9. Anti-doping links and resources are provided as **Appendix A**.
10. Softball Ontario will ensure that every *Athlete* and other person participating in the sport who is subject to the *CADP* by way of Softball Ontario's adoption of the *CADP* knows that they are subject to the anti-doping rules contained in the *CADP* and are appropriately informed.

### Conduct Standards

11. Softball Ontario will include the following requirements in the applicable section of its *Code*:
  - a) *Individuals* must reasonably cooperate with the *SIC* or another anti-doping organization that is investigating anti-doping rule violations.

- b) Coaches, trainers, and other *Athlete Support Personnel* who use methods or substances prohibited by the *CADP* without valid and acceptable justification may not coach, train, or otherwise support *Athletes*.
- c) Per the *CADP*, '*Athlete Support Personnel*' are defined as any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent, or any other person working with, treating, or assisting an *Athlete* participating in or preparing for sports competition.
- d) Per the *CADP*, designated *Athlete Support Personnel* are specifically identified by Softball Ontario as those *Individuals* who are:
  - i. Working as *Athlete Support Personnel* under contract with or under the direct control and/or supervision of Softball Ontario; and
- e) Providing training, treatment and assistance to *Athletes* preparing for sports competition at the elite level, which includes NAP *Athletes*, development teams and national team members.
- f) *Individuals* may not *Harass*, intimidate, or otherwise conduct themselves offensively towards a doping control official or other *Individual* involved in doping control.

**Sanctions and Reciprocity**

- 12. Softball Ontario will comply with the *CADP* with respect to public announcements of positive test results.
- 13. Softball Ontario will respect any penalty enacted pursuant to the breach of the *CADP* whether imposed by WADA or the *SIC*.
- 14. Softball Ontario will respect the sanctions applied to an *Individual* due to an anti-doping rule violation, whether imposed by WADA, the *SIC*, or any national or provincial sport organization.
- 15. All *Individuals* sanctioned for an anti-doping rule violation will be ineligible to participate in any role with Softball Ontario or in any competition or activity organized, convened, held, or sanctioned by Softball Ontario as per the penalties imposed.

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## **Appendix A – Anti-Doping Links and Resources**

### Anti-Doping and Values-Based Sport Information:

- SIC website: [www.cces.ca](http://www.cces.ca)
- SIC E-Learning: contact the *SIC* for additional information
- SIC Advisory Notes and Media Releases: [www.cces.ca/subscribe](http://www.cces.ca/subscribe)

### Substance Information:

- Global DRO: [www.globaldro.com](http://www.globaldro.com)
- Contacting the *SIC*: 1-800-672-7775 or [substances@cces.ca](mailto:substances@cces.ca)

### Therapeutic Use Exemptions (*TUEs*):

- SIC Medical Exemption Wizard: [www.cces.ca/mewizard](http://www.cces.ca/mewizard)
- Contacting the *SIC*: 1-800-672-7775 or [tue-aut@cces.ca](mailto:tue-aut@cces.ca)

### Report Doping:

- Report Doping Hotline: 1-800-710-CCES or [www.cces.ca/reportdoping](http://www.cces.ca/reportdoping)

**Note:** Various printed resources are available.

Contact the *SIC* for more information ([education@cces.ca](mailto:education@cces.ca) or 1-800-672-7775).

## Sanctioned Event Discipline Procedure

\*This *Sanctioned Event Discipline Procedure* does not supersede or replace the *Discipline and Complaints Policy*\*

### Purpose

1. Softball Ontario is committed to providing a competition environment in which all *Individuals* are treated with respect. This Procedure outlines how alleged misconduct during a *Sanctioned Event* will be handled.

### Scope and Application

2. This Procedure will be applied to all *Sanctioned Events* designated by Softball Ontario as using this Procedure.
3. If the *Sanctioned Event* is being sanctioned by an organization other than Softball Ontario (e.g., by a *Member Association*, or by Softball Canada), the procedures for *Sanctioned Event* discipline adopted by the host organization will replace this procedure, which may include the *CSSP Rules*, unless this procedure is adopted by the organizing authority.
4. Incidents involving *Individuals* connected with Softball Ontario (such as *Athletes*, *Athlete Support Personnel*, and directors and officers) must be reported by the head coach or team representative to *Discipline and Complaints Policy*, if necessary.
5. This Procedure, or any procedure adopted by the organizing authority, does not replace or supersede the *Discipline and Complaints Policy*. Instead, *Sanctioned Event* procedures work in concert with the *Discipline and Complaints Policy* by outlining, for a *Designated Person* with authority at a *Sanctioned Event* sanctioned by Softball Ontario, the procedure for taking immediate corrective action in the event of a possible violation of the *Code*.

### Misconduct During Sanctioned Events

6. Incidents that violate or potentially violate the *Code* or any additional applicable conduct standards, which can occur during a competition, away from the area of competition, or between *Parties* connected to the *Sanctioned Event*, shall be reported to the *Designated Person* (usually the chief umpire) responsible at the *Sanctioned Event*.
  - a) If an incident occurs that leads to an *Individual* being ejected from a sanctioned game, that *Individual* must serve a minimum suspension of (1) additional game, subject to any supplemental discipline followed through in accordance with this policy.

- b) Any *Individual* who is suspended shall not be present on the *Field Area* and field of play, including, but not limited to, the diamond, stands, bench, dugout and surrounding fence area, for the duration of their suspension. This restriction applies during warm-up, the duration of the game, and any post-game activities that may take place on the field of play.
  - c) *Individuals* who violate the terms of their suspension are subject to further disciplinary action pursuant to the *Discipline and Complaints Policy*.
  - d) If an *Individual* is suspended during the final game of a *Sanctioned Event*, they must serve their 1 (one)-game suspension at their next sanctioned game. This suspension shall remain in effect until it is served.
7. The *Designated Person* at the *Sanctioned Event* shall use the following procedure to address the incident that violated or potentially violated the *Code*:
- a) notify the involved *Parties* that there has been an incident that violated or potentially violated the *Code*;
  - b) convene a *Sanctioned Event Discipline Panel* of either one person or three people (one of whom shall be designated the Chairperson), who shall not be in a conflict of interest or involved in the original incident, to determine whether the *Code* has been violated;
  - c) The *Sanctioned Event Discipline Panel* may interview and secure statements from any witnesses to the alleged violation;
  - d) If the violation occurred during a competition, interviews may be held with the officials who officiated or observed the competition and with the coaches and captains of each team when necessary and appropriate;
  - e) The Sanctioned Event Discipline Panel will attempt to secure a statement from the person(s) accused of the violation;
  - f) The Sanctioned Event Discipline Panel will render a decision and determine a possible penalty; and,
  - g) The Sanctioned Event Discipline Panel will inform all *Parties* of the Sanctioned Event Discipline Panel's decision.
8. The penalty determined by the Sanctioned Event Discipline Panel may include any of the following, singularly or in combination:
- a) oral or written warning;
  - b) oral or written reprimand;

- c) suspension from future competitions at the *Sanctioned Event*;
  - d) ejection from the *Sanctioned Event*; or
  - e) other appropriate penalty as determined by the *Sanctioned Event Discipline Panel*.
9. The Sanctioned Event Discipline Panel does not have the authority to determine a sanction that exceeds the duration of the *Sanctioned Event*.
  10. A full written report of the incident and the Sanctioned Event Discipline Panel's decision shall be submitted to Softball Ontario by the Sanctioned Event Discipline Panel following the conclusion of the *Sanctioned Event*.
  11. A complaint and further discipline may then be applied in accordance with the *Discipline and Complaints Policy*, if necessary.
  12. Decisions made pursuant to this Procedure may not be appealed.
  13. This Procedure does not prohibit other *Individuals* from reporting the same incident to Softball Ontario to be addressed as a formal complaint under the *Discipline and Complaints Policy* and/or through the *CSSP*, if applicable.
  14. Softball Ontario shall record and maintain records of all reported incidents. Decisions by the Sanctioned Event Discipline Panel may be published according to the Publication Guidelines.

**Timelines**

15. The procedures outlined in this Procedure are *Sanctioned Event*-specific and therefore shall be exercised and implemented as soon as it is reasonable to do so. The final decision of the Sanctioned Event Discipline Panel must be reached and communicated to the *Parties* prior to the conclusion of the *Sanctioned Event* for it to be effective.
16. Decisions issued by the Sanctioned Event Discipline Panel after the conclusion of the *Sanctioned Event* will not be enforceable.

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## Concussion Policy and Code

### Preamble

1. The *Concussion Policy and Code* (the “Policy”) is based on the 6<sup>th</sup> Consensus Statement on Concussion in Sport, released in June 2023, and *Rowan’s Law*.<sup>11</sup>
2. *Rowan’s Law* imposes three obligations on sporting organizations:
  - a) Receive an acknowledgment from *Individuals* who are under 26 years of age, parents of *Athletes* under 18, as well as their coaches, team trainers (including *Athlete Support Personnel*) and officials that they have reviewed the published Concussion awareness resources;
  - b) Establish a Concussion *Code of Conduct*, and
  - c) Establish a removal-from-sport and Return-to-Sport protocol.
3. *Rowan’s Law* is the only legislation addressing Concussion safety in the country, and Softball Ontario recognizes this legislation is the leading standard in Concussion prevention and awareness in Canada, and it is reflected within the Policy.
4. This Policy also incorporates the report of the 2022 Concussion in Sport Group (2022 CISG), a group of sport Concussion medical practitioners and experts that provided recommendations for preventing Concussions. These include implementing laws and protocols for mandatory removal from play following actual or *Suspected* Concussion; requirements to receive clearance for return-to-play from a healthcare provider; and education of coaches, parents and *Athletes* regarding Concussion signs and symptoms. These actions are associated with a reduction in recurrent Concussion rates.
5. A Concussion is a clinical diagnosis that can only be made by a physician. The 2022 CISG defined Sport-Related Concussion, in part as:

*...a traumatic brain injury caused by a direct blow to the head, neck or body resulting in an impulsive force being transmitted to the brain that occurs in sports and exercise-related activities... Symptoms and signs may present immediately, or evolve over minutes or hours, and commonly resolve within Days, but may be prolonged [...] Sport-Related Concussion results in a range of*

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<sup>11</sup> [Rowan’s Law \(Concussion Safety\)](#), 2018, S.O. 2018, c. 1. (Note: *Rowan’s Law* applies ONLY to organizations located in Ontario. Participation by all other SOs is voluntary).

*clinical symptoms and signs that may or may not involve loss of consciousness.*

6. Timely recognition and removal, proper assessment and appropriate management are linked to faster recovery and improved outcomes following Concussions.

### **Purpose**

7. Softball Ontario believes that increased awareness of Concussions and their long-term effects, as well as prevention of Concussions is paramount to protecting the health and safety of *Individuals*.
8. This Policy applies to all activities and *Sanctioned Events* for which Softball Ontario is the governing or sanctioning body, including, but not limited to, competitions, practices, and training sessions.

### **Definitions**

9. This Policy defines the following terms:
  - a) ***Athlete***: An individual who is engaged in Softball Ontario activities as an *Athlete* and who is subject to the policies of Softball Ontario.
  - b) ***Athlete Support Personnel***: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent, or any other person working with, treating or assisting an *Athlete* participating in or preparing for sports competition with Softball Ontario.
  - c) ***Concussion*** – a brain injury that can result in an alteration in thinking and behaviour because of a physical impact to the head, neck, face or body.
  - d) ***Designated Person***: Refers to a person/people designated by Softball Ontario removal-from-sport protocol and by its Return-to-Sport protocol for the purposes of fulfilling various duties indicated in this Policy. The *Designated Person(s)* is/are responsible for ensuring that:
    - i. an *Athlete* is immediately removed from further training, practice or competition if the *Athlete* is suspected of having sustained a Concussion,
    - ii. if the *Athlete* is under 18 years of age or such other age as may be prescribed, the parent or guardian is informed of the removal,
    - iii. such persons or entities as may be prescribed are informed of the removal, and

- iv. once removed, the *Athlete* is not permitted to return to training, practice or competition, except in accordance with Softball Ontario's Return-to-Sport protocol.
- e) ***Individual(s)*** – refers to all categories of *Individual* participants, including Registrants and Registrant Umpires as defined in the by-laws of Softball Ontario, who are subject to the policies, rules and regulations of Softball Ontario, as well as all persons employed by, contracted by, or engaged in activities with, Softball Ontario and its registrants, including, but not limited to, employees, contractors, *Athletes*, coaches, instructors, officials, volunteers, *Athlete Support Personnel*, managers, administrators, parents or guardians, spectators, committee members, or directors and officers.
- f) ***Qualified Healthcare Professional***: refers to a licensed health care professional who has been trained in Concussion assessment and treatment.
- g) ***Return-to-Sport (RTS)***: completion of the RTS strategy with no symptoms and no clinical findings associated with the current Concussion at rest and with maximal physical exertion.
- h) ***Sport-Related Concussion ("SRC")***: a Sport-Related Concussion is a traumatic brain injury induced by biomechanical forces. Several common features that may be used to define the nature of a SRC may include:
  - i. it was caused either by a direct blow to the head, face, neck or elsewhere on the body with an impulsive force transmitted to the head;
  - ii. it typically results in the rapid onset of short-lived impairment of neurological function that resolves spontaneously. However, in some cases, signs and symptoms evolve over several minutes to hours;
  - iii. it may result in neuropathological changes, but the acute clinical signs and symptoms largely reflect a functional disturbance rather than a structural injury and, as such, no abnormality may be visibly apparent; or
  - iv. it results in a range of clinical signs and symptoms that may or may not involve loss of consciousness. Resolution of the clinical and cognitive features typically follows a sequential course. However, in some cases symptoms may be prolonged.
- i) ***Suspected Concussion***: means the recognition that an individual appears to have either experienced an injury or impact that may result in a Concussion, or who is exhibiting unusual behaviour that may be the result of Concussion.

## Registration

10. When an *Individual* under the age of 26 years old registers with Softball Ontario, the *Individual* **must** provide written or electronic confirmation that they have reviewed Concussion awareness resources within the past 12 months, pursuant to *Rowan's Law*. The Ontario Government has produced age-appropriate Concussion resources:
  - a) [Ages 10 and under](#)
  - b) [Ages 11-14](#)
  - c) [Ages 15+](#)
11. *Individuals* under the age of 26 years old must also sign the Concussion *Code of Conduct* (**Appendix A, Part A**).
12. For *Individuals* younger than 18 years old, their parent or guardian **must** provide confirmation that they have also reviewed the Concussion resources and signed the Concussion *Code of Conduct*.
13. *Athlete Support Personnel* must provide confirmation that they have also reviewed the Concussion resources and sign the Concussion *Code of Conduct* (**Appendix A, Part B**); but not if they will be interacting exclusively with *Individuals* who are 26 years old or older.
14. While *Rowan's Law* mandates *Individuals* and *Athlete Support Personnel* **under** 26 years of age to sign the Concussion *Code of Conduct*, Softball Ontario also requires that those over the age of 26 familiarize themselves with relevant Concussion information and sign on the Concussion *Code of Conduct*.

### **Removal from Sport Protocol: Recognizing Concussions**

15. Although the formal diagnosis of Concussion should be made following a medical assessment, the broader sport community, including *Athletes*, parents, teachers, coaches, officials, and *Qualified Healthcare Professionals* are responsible for the recognition and reporting of *Athletes* who may demonstrate visual signs of a head injury or who report Concussion-related symptoms. Some sport and recreation venues will not have access to on-site *Qualified Healthcare Professionals*.
16. A Concussion should be suspected:
  - a) in any *Athlete* who sustains a significant impact to the head, face, neck, or body and demonstrates ANY of the visual signs of a *Suspected Concussion* or reports ANY symptoms of a *Suspected Concussion* as detailed in the Concussion Recognition Tool (see **Appendix B**); and/or
  - b) if an *Athlete* reports ANY Concussion symptoms to one of their peers, parents, teachers, or coaches or if anyone witnesses an *Athlete* exhibiting

any of the visual signs of Concussion.

17. Concussions can be identified with the help of the Concussion Recognition Tool, 6<sup>th</sup> Edition (“CRT6”), **Appendix B**<sup>12</sup>
18. If an ambulance is called involving a *Minor Individual*, the parent/guardian and/or emergency contact of the *Minor Individual* must be contacted immediately.

### **Removal from Sport Protocol: Steps and Process**

19. Removal of an *Individual* from the field of play should be done by the *Designated Person(s)* if there is suspicion of a possible Concussion. This person is either:
  - a) An on-site Softball Ontario staff member; and/or
  - b) The *Designated Person* for the *Sanctioned Event*.
20. Softball Ontario will identify the *Designated Person(s)*.
21. Recognition and removal from sport are actions that should be taken following reference to the CRT6 (Appendix B) The CRT6 is provided as a tool that non-medically trained personnel can use (i.e., the *Designated Person(s)*) for the identification and immediate management of a *Suspected Concussion*. It is not used to diagnose a Concussion.
22. Following the removal of any *Individual* on the basis of a *Suspected Concussion*:<sup>13</sup>
  - a) the *Designated Person(s)* who removed the *Individual* must call 9-1-1 if, in the *Designated Person’s* opinion, doing so is necessary;
  - b) Softball Ontario must create and keep a record of the removal;
  - c) The *Designated Person(s)* must inform the *Individual’s* parent or guardian of the removal if the *Individual* is younger than 18 years old, and inform the parent or guardian that the *Individual* is required to undergo a medical assessment by a *Qualified Healthcare Professional* before the *Individual* will be permitted to return to participation; and
  - d) The *Designated Person(s)* will remind the *Individual*, and the *Individual’s* parent or guardian as applicable, of Softball Ontario’s Removal from Sport and Return-to-Sport protocol as described in this Policy.

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<sup>12</sup> As the CRT6 is updated and new versions are implemented, Softball Ontario will update this Policy.

<sup>13</sup> An *Athlete* must be removed by the *Designated Person* on the basis of a *Suspected Concussion* regardless of whether the Concussion was sustained or is suspected to having been sustained during a sport activity associated with Softball Ontario.

23. If an *Individual* is suspected of sustaining a Concussion but there is no concern for a more serious head or spine injury (i.e., no red flags as indicated in the CRT6), they should be immediately removed from the field of play, and proceed as follows:
- a) If a *Qualified Healthcare Professional* is present, the *Individual* should be taken to a quiet area and undergo sideline medical assessment.
  - b) If a *Qualified Healthcare Professional* is not present, the *Individual* should be referred for medical assessment by a *Qualified Healthcare Professional* as soon as possible. They must not return to play until medical clearance is received.
24. Once an *Individual* is assessed medically, and:
- a) is determined to **not** have not sustained a Concussion, they must provide a [Medical Assessment Letter](#) indicating this. The *Individual* can return to sport activities without restriction.
  - b) is diagnosed with a Concussion, they should be provided with a [Medical Assessment Letter](#) indicating this. The *Individual* may return in accordance with the Return-to-Sport Protocol in this Policy.

**Return-to-Sport (RTS) Protocol**

25. The table below contains the RTS Protocol, which is a requirement of Rowan’s Law, once medical clearance has been received.

Policy History	
Approved	June 25, 2026
Revised	
Changes	

Stage	Aim	Activity	Stage Goal
1	Activities of daily living and relative rest (first 24 to 48 hours)	Daily activities that do not exacerbate symptoms	Gradual reintroduction of work/school activities
After a maximum of twenty-four (24) to forty-eight (48) hours after injury, progress to Step 2			
2A	Light effort and aerobic exercise	<p>Light aerobic exercise, such as stationary cycling or walking at slow to medium pace.</p> <p>Light resistance training that does not result in more than mild and brief exacerbation<sup>14</sup> *of Concussion symptoms. *(see Concussion <i>Policy and Code</i>, <a href="#">Appendix B – Concussion Recognition Tool 6</a>)</p> <p>Exercise up to approximately 55% of maximum heart rate</p> <p>Take breaks and modify activities as needed</p>	Increase heart rate

<sup>14</sup> Mild and brief exacerbation of symptoms (i.e., an increase of no more than 2 points on a 0–10 point scale for less than an hour when compared with the baseline value reported prior to physical activity).

*Athletes* may begin Step 1 (i.e., symptom-limited activity) within twenty-four (24) hours of injury, with progression through each subsequent step typically taking a minimum of twenty-four (24) hours. If more than mild exacerbation of symptoms (i.e., more than 2 points on a 0–10 scale) occurs during Steps 1–3, the *Athlete* should stop and attempt to exercise the next day. *Athletes* experiencing Concussion-related symptoms during Steps 4–6 should return to Step 3 to establish full resolution of symptoms with exertion before engaging in at-risk activities. Written determination of readiness to RTS should be provided by a healthcare provider before unrestricted RTS as directed by local laws and/or sporting regulations.

2B	Moderate effort aerobic exercise	<p>Gradually increase tolerance and intensity of aerobic activities, such as stationary cycling and walking at a brisk pace</p> <p>Exercise up to approximately 70% of maximum heart rate</p> <p>Take breaks</p>	Increase heart rate
3	Individual sport-specific activities, without risk of inadvertent head impact with school accommodations (as needed)	<p>Add sport-specific activities</p> <p>Perform activities individually and under supervision from a teacher, parent/caregiver, or coach</p> <p>Progress to where <i>Athlete</i> is free of Concussion-related symptoms, even when exercising</p>	Increase the intensity of aerobic activities and introduce low-risk sport-specific movements
<p><b>Medical clearance</b></p> <p>If the <i>Individual</i> has been medically cleared, progress to Step 4.<sup>15</sup></p>			
4	Non-contact training drills and activities	Progress to exercises with no body contact at high intensity, including more challenging drills and activities	Resume usual intensity of exercise, coordination, and activity-related cognitive skills.
<p>If the <i>Individual</i> can tolerate usual intensity of activities with no return of symptoms, progress to step 5.</p>			

<sup>15</sup> *Athletes* who have been diagnosed with a Concussion can be considered for medical clearance to return to sport activities with risk of contact or fall once they have successfully completed: Steps 1 to 3 of the sport-specific RTS strategy. To progress to Step 4 of RTS, the *Athlete* must provide their coach with a Medical Clearance Letter that specifies that a medical doctor or nurse practitioner has personally evaluated the patient and has cleared the *Athlete* to return to sport. In geographic regions of Canada with limited access to medical doctors (e.g., rural, remote, or northern communities), a *Qualified Healthcare Professional* (e.g., a nurse) with pre-arranged access to a medical doctor or nurse practitioner can provide this documentation.

5	Return to all non-competitive activities, full contact practice and physical education activities	Progress to higher-risk activities, including typical training activities  Do not participate in competitive gameplay	Return to activities that have a risk of falling or body contact, restore confidence and assess functional skills by coaching staff
6	Return to sport	Normal participation; unrestricted sport and physical activity	

26. The *Individual's* Return-to-Sport strategy should be guided and approved by a physician with regular consultations throughout the process. Specifically, progression through the later RTS strategy (Steps 4–6) should be monitored by a health care professional.

27. To fully return to sport, the affected *Individual* must provide Softball Ontario with a medical clearance form, signed by a physician, following Stage 5 and before proceeding to Stage 6.

28. Additional consultation with a *Qualified Healthcare Professional* is recommended if there is recurrence of symptoms when progressing through RTS strategies.<sup>16</sup>

**Administrative Responsibilities**

29. *Members* must maintain records of reported and *Suspected Concussions* and documentation of Participant diagnosis and clearance to return to play.

30. Softball Ontario will conduct a review of this policy at regular intervals.

**Non-Compliance**

31. Failure to abide by any of the guidelines and/or protocols contained within this policy may result in disciplinary action in accordance with Softball Ontario's *Discipline and Complaints Policy*.

**Not Advice**

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<sup>16</sup> In some cases, it may be in the best interest of the *Athlete* to discontinue their participation in Curling as a result of potential head injuries and Concussions.

32. Nothing in this Policy is to be interpreted as medical or legal advice.

Policy History	
Approved	June 25, 2026
Revised	
Changes	

## **Appendix A – Concussion Code of Conduct**

### **PART A**

*The following section of the Concussion Code of Conduct must be signed by all Individuals under the age of 26 years old. For Individuals who are younger than the age of majority in the applicable territory, a parent/guardian must also sign this section.*

#### **I will help prevent Concussions by:**

- wearing the proper equipment for my sport and wearing it correctly;
- developing my skills and strength so that I can participate to the best of my ability;
- respecting the rules of my sport or activity;
- demonstrating my commitment to fair play and respect for all (respecting other *Athletes*, coaches, team trainers and officials).

#### **I will care for my health and safety by taking Concussions seriously, and I understand that:**

- a Concussion is a brain injury that can have both short-term and long-term effects;
- a blow to my head, face or neck, or a blow to the body that causes the brain to move around inside the skull may cause a Concussion;
- I don't need to lose consciousness to have had a Concussion;
- I have a commitment to Concussion recognition and reporting, including self-reporting of possible Concussion and reporting to a *Designated Person* when and an *Individual* suspects that another *Individual* may have sustained a Concussion. (Meaning: If I think I might have a Concussion I should stop participating in further training, practice, or competition **immediately**, and I will tell an adult if I think another *Athlete* has a Concussion);
- continuing to participate in further training, practice or competition with a possible Concussion increases my risk of more severe, longer lasting symptoms, and increases my risk of other injuries;
- I have a commitment to zero-tolerance for prohibited play that is considered high-risk for causing Concussions;
- I acknowledge that mandatory expulsion from competition may occur for violating zero-tolerance for prohibited play that is considered high-risk for causing consequences; and
- I acknowledge that there are escalating consequences for those who repeatedly violate this Concussion *Code of Conduct*.

#### **I will not hide Concussion symptoms. I will speak up for myself and others.**

- I will not hide my symptoms. I will tell a coach, official, team trainer, parent or another adult I trust if I experience **any** symptoms of Concussion.
- If someone else tells me about Concussion symptoms, or I see signs they might have a Concussion, I will tell a coach, official, team trainer, parent or another adult I trust so they can help.
- I understand that, if I have a *Suspected* Concussion, I will be removed from sport and that I will not be able to return to training, practice or competition until I undergo a medical assessment by a medical doctor or nurse practitioner and have been medically cleared to return to training, practice or competition.
- I have a commitment to sharing any pertinent information regarding incidents of removal from sport with my school and any other sport organization with which I have registered. (Meaning: If I am diagnosed with a Concussion, I understand that letting all my other coaches and teachers know about my injury will help them support me while I recover.)

**I will take the time I need to recover because it is important for my health.**

- I understand my commitment to supporting the Return-to-Sport process and I will follow my sport's Return-to-Sport Protocol.
- I understand I will have to be medically cleared by a medical doctor or nurse practitioner before returning to training, practice or competition.
- I will respect my coaches, team trainers, parents, health-care professionals, and medical doctors and nurse practitioners, regarding my health and safety.

**By signing here, I acknowledge that I have fully reviewed and commit to this Concussion *Code of Conduct*.**

Name of Individual (Print)	Signature of Individual	Date

Name of Parent or Guardian (print)	Signature of Parent or Guardian	Date

## PART B

*The following section of the Concussion Code of Conduct must be signed by all coaches and team trainers who interact with Individuals under the age of 26 years old.*

### **I can help prevent Concussions through my:**

- efforts to ensure that my *Athletes* wear the proper equipment and wear it correctly;
- efforts to help my *Athletes* develop their skills and strength so they can participate to the best of their abilities;
- respect for the rules of my sport or activity and my efforts to ensure that my *Athletes* do, too; and
- commitment to fair play and respect for all (respecting other coaches, team trainers, officials and all *Individuals* and ensuring my *Athletes* respect others and play fair).

### **I will care for the health and safety of all Individuals by taking Concussions seriously. I understand that:**

- a Concussion is a brain injury that can have both short-term and long-term effects;
- a blow to the head, face, or neck, or a blow to the body may cause the brain to move around inside the skull and result in a Concussion;
- a person doesn't need to lose consciousness to have had a Concussion;
- an *Individual* with a *Suspected* Concussion should stop participating in training, practice or competition **immediately**;
- I have a commitment to Concussion recognition and reporting, including self-reporting of possible Concussion and reporting to a *Designated Person* when an *Individual* suspects that another *Individual* may have sustained a Concussion;
- continuing to participate in further training, practice or competition with a *Suspected* Concussion increases a person's risk of more severe, longer lasting symptoms, and increases their risk of other injuries or even death;
- I have a commitment to zero-tolerance for prohibited play that is considered high-risk for causing Concussions;
- I acknowledge that mandatory expulsion from competition may occur for violating zero-tolerance for prohibited play that is considered high-risk for causing consequences; and
- I acknowledge that there are escalating consequences for those who repeatedly violate this Concussion *Code of Conduct*.

**I will create an environment where Individuals feel safe and comfortable speaking up. I will:**

- encourage *Athletes* not to hide their symptoms, but to tell me, an official, parent or another adult they trust if they experience **any** symptoms of Concussion after an impact;
- lead by example. I will tell a fellow coach, official, team trainer and seek medical attention by a physician or nurse practitioner if I am experiencing any Concussion symptoms;
- understand and respect that any *Athlete* with a *Suspected* Concussion must be removed from sport and not permitted to return until they undergo a medical assessment by a physician or nurse practitioner and have been medically cleared to return to training, practice or competition.
- *For coaches only:* commit to providing opportunities before and after each training, practice and competition to enable *Athletes* to discuss potential issues related to Concussions.

**I will support all Individuals to take the time they need to recover.**

- I understand my commitment to supporting the Return-to-Sport process.
- I understand the *Athletes* will have to be cleared by a physician or nurse practitioner before returning to sport.
- I will respect my fellow coaches, team trainers, parents, physicians and nurse practitioners and any decisions made with regards to the health and safety of my *Athletes*.

**By signing here, I acknowledge that I have fully reviewed and commit to this Concussion *Code of Conduct*.**

\_\_\_\_\_  
Name and role (print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Appendix B – Concussion Recognition Tool 6 (CRT6)

# CRT6™

## Concussion Recognition Tool

To Help Identify Concussion in Children, Adolescents and Adults



### What is the Concussion Recognition Tool?

A concussion is a brain injury. The Concussion Recognition Tool 6 (CRT6) is to be used by non-medically trained individuals for the identification and immediate management of suspected concussion. It is not designed to diagnose concussion.

### Recognise and Remove

#### Red Flags: CALL AN AMBULANCE

If **ANY** of the following signs are observed or complaints are reported after an impact to the head or body the athlete should be immediately removed from play/game/activity and transported for urgent medical care by a healthcare professional (HCP):

- Neck pain or tenderness
- Seizure, 'fits', or convulsion
- Loss of vision or double vision
- Loss of consciousness
- Increased confusion or deteriorating conscious state (becoming less responsive, drowsy)
- Weakness or numbness/tingling in more than one arm or leg
- Repeated Vomiting
- Severe or increasing headache
- Increasingly restless, agitated or combative
- Visible deformity of the skull

### Remember

- In all cases, the basic principles of first aid should be followed: assess danger at the scene, check airway, breathing, circulation; look for reduced awareness of surroundings or slowness or difficulty answering questions.
- Do not attempt to move the athlete (other than required for airway support) unless trained to do so.
- Do not remove helmet (if present) or other equipment.
- Assume a possible spinal cord injury in all cases of head injury.
- Athletes with known physical or developmental disabilities should have a lower threshold for removal from play.

#### If there are no Red Flags, identification of possible concussion should proceed as follows:

Concussion should be suspected after an impact to the head or body when the athlete seems different than usual. Such changes include the presence of **any one or more** of the following: visible clues of concussion, signs and symptoms (such as headache or unsteadiness), impaired brain function (e.g. confusion), or unusual behaviour.

This tool may be freely copied in its current form for distribution to individuals, teams, groups, and organizations. Any alteration (including translations and digital re-formatting), re-branding, or sale for commercial gain is not permissible without the expressed written consent of BMJ.

CRT6™

Developed by: The Concussion in Sport Group (CISG)

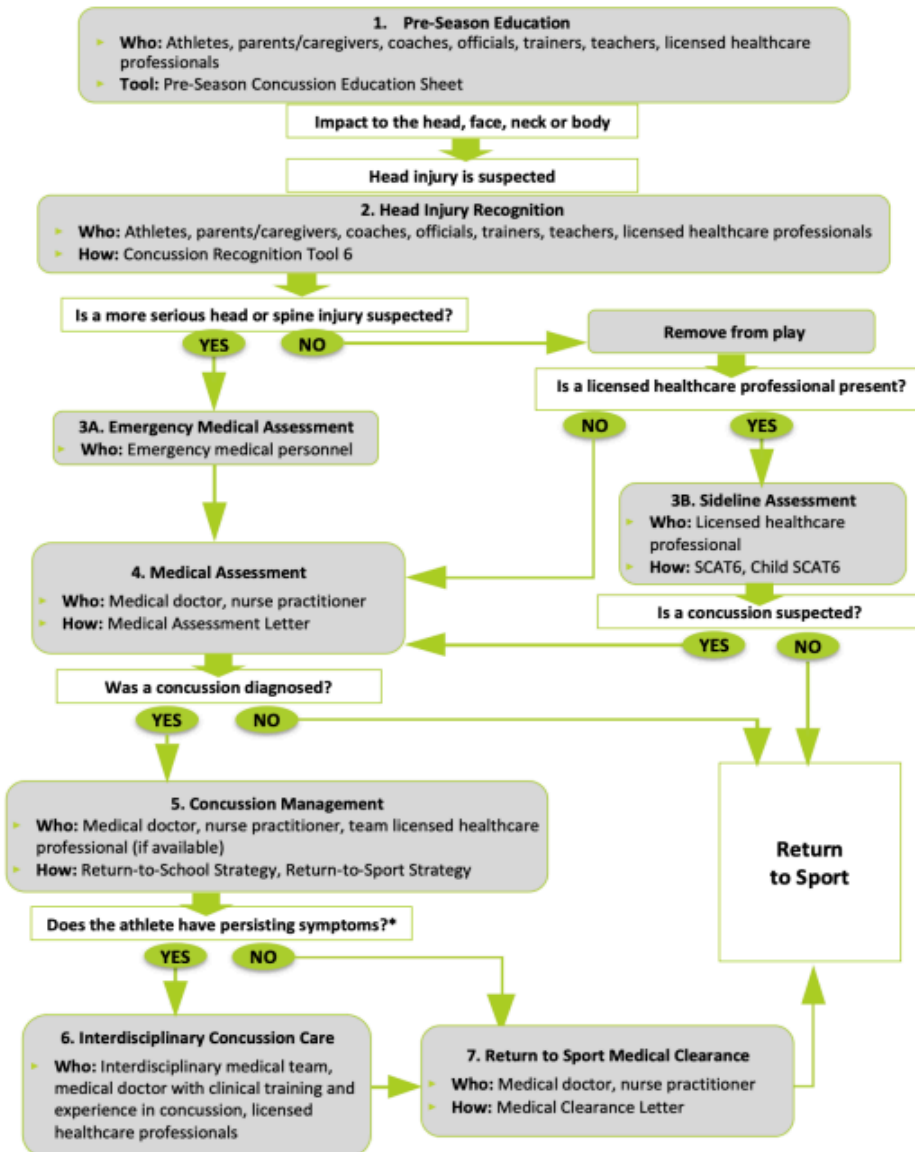
Supported by:



## Appendix C – Sport Concussion Pathway

# Canadian Sport Concussion Pathway

The flowchart that follows is a visual representation of the decision-making pathway that reflects the recommendations in this guideline.



\*Persisting symptoms: lasting longer than 4 weeks

## **Appendix D – Key Points from CISG Recommendations**

### **Refine**

- The 2022 CISG identified several areas of refinement to strengthen future consensus statements: *Para Sport, Paediatrics, the Athlete's Voice* and *Ethical Considerations, limitations, and improvements*. The following are relevant for Softball Ontario's application of this policy.

### **Para-sport**

- The Concussion experience of the para-*Athlete* is unique, due to the interaction of the *Individual's* primary impairment and the pathophysiology of Concussion. Para-*Athletes* require a more individualized approach when it comes to evaluating Concussions.
- Softball Ontario should be aware that prevention approaches, detection of initial symptoms, diagnosis, recovery (i.e., potential for persisting symptoms of Concussion) and treatment strategies may be impacted by the characteristics of the *Individual's* underlying impairment.
- *Individuals* with visual impairment may be at even greater risk of Concussion, as the mechanisms of injury in this population are primarily through collisions or direct head contact.
- The following considerations by the Concussion in Para-sport Group are important for Softball Ontario to keep in mind when dealing with para-sport *Individuals*:
  - a) Para-sport *Individuals* may benefit from baseline testing given the variable nature of their disability and the potential for atypical presenting signs/symptoms of Concussion;
  - b) Para-sport *Individuals* with a history of central nervous system injuries (e.g., cerebral palsy, stroke) may require an extended period of initial rest;
  - c) Testing for symptoms of Concussion through recovery may require modification such as the use of arm ergometry as opposed to a treadmill/stationary bike; and
  - d) RTS protocols must be tailored and include the use of the individual's personal adaptive equipment and, for applicable participants with visual impairment, partnership with their guide.

### Paediatrics

- Child and adolescent *Athletes* are less likely to have trained medical personnel available on the sidelines, and it is strongly recommended that the CRT6 be used by all adults supervising child and adolescent sport.
- Children and adolescents with repeat Concussions wishing to continue to play or to progress to the next age-level group or elite pathway/national level programs that require individualized assessment.

## Appendix E – Form Template for Members to Track Injury Incidents

NAME:	AGE:	DATE OF THE INCIDENT:
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<h3 style="margin: 0;">1. RECOGNITION</h3> <p><input type="checkbox"/> Immediately remove the participant from the activity, <b>never leave the participant unattended</b> and direct the participant to the person responsible for checking symptoms.</p> <p><input type="checkbox"/> <b>In the presence of warning signs (obtain transportation to a hospital emergency department):</b> FILL OUT THE WARNING SIGNS SECTION AND THE SYMPTOMS SECTION.</p> <p><input type="checkbox"/> <b>In the presence of symptoms (seek a medical evaluation as soon as possible to obtain a diagnosis):</b> FILL OUT THE SYMPTOMS SECTION.</p> <p><input type="checkbox"/> <b>In the absence of symptoms</b> Preventive removal of the participant due to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> an impact or a sudden movement of the head</li> <li><input type="checkbox"/> doubt regarding the information provided</li> <li><input type="checkbox"/> history of concussions</li> </ul> <p><input type="checkbox"/> In the case of a minor, inform the parents as quickly as possible.</p> <p>Circumstances of the incident:</p> <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>	<div style="text-align: center; font-weight: bold; color: white; background-color: #ff0000; padding: 5px; margin-bottom: 5px;"> <b>WARNING SIGNS</b>              (IMMEDIATE MEDICAL EVALUATION AT A HOSPITAL EMERGENCY DEPARTMENT REQUIRED)         </div> <ul style="list-style-type: none"> <li><input type="checkbox"/> Loss or deterioration of consciousness</li> <li><input type="checkbox"/> Confusion</li> <li><input type="checkbox"/> Repeated vomiting</li> <li><input type="checkbox"/> Convulsions</li> <li><input type="checkbox"/> Headaches getting worse</li> <li><input type="checkbox"/> Significant drowsiness</li> <li><input type="checkbox"/> Difficulty walking, speaking, recognizing people or places</li> <li><input type="checkbox"/> Double vision</li> <li><input type="checkbox"/> High state of agitation, excessive crying</li> <li><input type="checkbox"/> Serious balance problems</li> <li><input type="checkbox"/> Weakness, tingling or numbness in arms or legs</li> <li><input type="checkbox"/> Intense neck pain</li> </ul>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #f4a460;"> <th style="padding: 5px;">SYMPTOMS</th> <th style="padding: 5px;">UNDER 24 HOURS</th> <th style="padding: 5px;">BETWEEN 24 AND 48 HOURS</th> </tr> </thead> <tbody> <tr><td style="padding: 2px 5px;">Headaches or pressure in the head</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Fatigue, drowsiness</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Difficulty sleeping</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Nausea</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Vomiting</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Dizziness, vertigo</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Feeling slowed down</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Concentration problems</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Memory problems</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Blurred vision</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Sensitivity to light</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Sensitivity to noise</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Unusually emotional, irritable, sad</td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px 5px;"><input type="checkbox"/></td></tr> <tr><td style="padding: 2px 5px;">Nervous, anxious</td><td style="text-align: center; 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