

SMLA Protocol – Incidents of Non-Compliance to Zero Tolerance

SMLA realizes that the severity of incidents of non-compliance to Zero Tolerance will encompass an entire spectrum and may have far-reaching affects over and above the participants in the actual event. It is the duty of member associations to report to the BC Lacrosse risk manager if:

- The incident involves international, inter-Branch or inter-District play
- The situation may bring embarrassment or public attention to BC lacrosse and/or its members
- The incident is such that it may affect the well-being of other members of BC Lacrosse
- The incident is precedent setting in some fashion
- The incident may require action by the BC Lacrosse or higher authority

Included in Zero Tolerance are: Alcohol/Drugs/Tobacco/Vap-ing; Adult Alcohol Guidelines; Social Media; and Hazing.

This list is not inclusive. Zero Tolerance issues will be dealt with through either the Complaints Policy or the Harassment and Abuse Policy (whatever one is most appropriate).

a) Alcohol/Drugs/Tobacco/ Chew & Vape-ing

SMLA expects athletes to strictly adhere to all laws governing the use of alcohol, drugs & tobacco (including chewing tobacco & Vape-ing). Should an athlete break the law and participate in the use of any alcohol, illegal or performance enhancing drug, or tobacco product during a SMLA event (i.e. practice, league game, exhibition game, tournament game or another other team function) he or she is subject to SMLA's non-compliance/zero tolerance policy regarding these items.

Coach's/Parents are to be advised of the following protocols:

- The Coach has the authority to remove a player from team activities including on and off ice activities
- The Coach informs the parent of the incident and if the parent is not present, arranges for the parent or a delegate named by the parent to resume care and conduct of the player
- The Coach arranges for supervision of the player until the parent or the parent's delegate resumes care and conduct of the player

b) Adult Alcohol Guidelines

SMLA has adopted Zero Tolerance guidelines. SMLA realizes there are certain situations when the responsible use of alcohol by adults is acceptable and believes adults have the right to make those decisions using reasonable judgement and discretion. When involved in a SMLA event (game, tournament weekend, practice, team party, etc.) alcohol is not considered appropriate:

- In dressing rooms or in public, non-licensed areas
- In team settings with minors in attendance
- In situations where minors are left unsupervised while adults attend “hospitality” type settings or where alcohol is not controlled by a server
- Consumption in buses or cars when traveling to and from an event
- By adults of a minor team when parents are not present
- Consumed by anyone at minor team parties hosted by other players, parents or team officials
- If forced on another person
- If used for drinking contests / games or as a form of hazing or initiation for rookies

c) **Social Media**

SMLA is cognizant of the many social media outlets that are used by players/parents/coaches. Any use of social media which is derogatory or negative in nature to another player, an opponent, a coach, an official, another Association or your own Association will not be tolerated. Offenders can expect to be disciplined accordingly.

d) **Hazing**

Hazing is defined as ***“an initiation practice that may humiliate, demean, degrade, or disgrace a person regardless of location or consent of the participant(s)”***. Pursuant to BC Lacrosse regulations, those involved in or complicit in any incidents of hazing will face discipline, including possible expulsion from all BC Lacrosse programs.

HARASSMENT AND ABUSE

SMLA is committed to providing an environment in which players and other participants are free of harassment and abuse. This policy applies to all persons participating in activities of SMLA including:

- Players
- Parents
- Volunteers
- Coaches and other team officials
- Referees
- Employees
- Board of Directors
- Other volunteers of SMLA

Legal Context for Harassment and Abuse

- The most serious forms of abuse (physical abuse, sexual abuse and severe physical neglect) are subject to criminal sanction under the *Criminal Code of Canada*. Normally offences under this Act are reported to and investigated by the Police.
- In British Columbia, minors (that is, persons under the age of nineteen years) who are “in need of protection” from abuse or neglect by their care provider are subject to the provisions of the *Child, Family and Community Service Act*. Normally an incident involving abuse or neglect of a minor falls under the jurisdiction of the *Ministry for Children and Family Development*. At times the Ministry for Children and Family Development will work jointly with the police to investigate situations of child abuse or neglect.
- Some forms of discriminatory behavior may be the subject of an investigation under the *Human Rights Code of British Columbia* and some forms of harm, such as injury resulting from negligence, may be dealt with under the civil law.
- For the purpose of SMLA, situations of harassment and abuse that fall under other legal jurisdictions will be reported to the appropriate authorities. For all other incidents, SMLA will deal with the harassment or abuse within the framework of this Harassment and Abuse Policy.
- Any doubt with where jurisdiction for an incident of abuse or harassment lies will be referred to the Risk Manager and/or the President.

Abuse

Child abuse is any form of verbal, physical, emotional and/or sexual mistreatment or lack of care which causes physical or emotional harm to a child. A common characteristic of all forms of abuse against children and youths is an abuse of power or authority and/or a breach of trust. Within British Columbia a person is considered a child up to the age of nineteen years of age.

Child abuse can include:

- Emotional Abuse
- Physical abuse
- Sexual Abuse
- Exposure to Family Violence

Neglect Duty to Report Abuse or Neglect

The Province of British Columbia has mandatory reporting laws regarding the abuse and neglect of children and youth. Consequently, it is the policy of SAMLA that any SMLA member, director, volunteer, team official, on floor official, parent, etc. must immediately report any information regarding the abuse or neglect or the suspected abuse or neglect of a child to the local Ministry for Children and Family Development office (250 832-1719) or their After-Hours office (310-1234).

If you believe a child/youth to be in immediate danger, call 911 and ask the Police to respond (i.e. intoxicated parent driving away from the arena with children in the vehicle). Failure to report suspected child abuse is an offence under the *Child, Family and Community Service Act*. SMLA shall take no further action until such time as the authority has completed its investigation, unless at the request of and in consultation with such authority. The matter shall then, if necessary, be dealt with as a disciplinary matter pursuant to this policy.

HARASSMENT

Harassment is defined as conduct, gestures or comments which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals, and which create a hostile or intimidating environment for work or sport activities. Any of the different forms of harassment may be based on the grounds prohibited in human rights legislation, such as race, ethnicity, sex, sexual orientation and religion. Harassment may occur between peers (i.e. player to player, coach to coach, parent to parent, etc.) or between someone in a position of power or authority and person in a subordinate position (i.e. coach to player).

The following is a non-exhaustive list of examples of harassment:

- Unwelcome jokes, innuendo or teasing about a person's body, looks, race, sexual orientation, etc.
- Condescending, patronizing, threatening or punishing actions which undermine self esteem
- Practical jokes that cause awkwardness or embarrassment or may endanger a person's safety
- Any form of hazing
- Unwanted or unnecessary physical contact including touching, patting, pinching
- Unwanted conduct, comments, gestures or invitations of a sexual nature which are likely to cause offence or humiliation, or which might, on reasonable grounds, be perceived as placing a condition of a sexual nature on opportunity for training or advancement
- Sexual assault or physical assault It is important to note that some forms of harassment also constitute abuse under child pro

It is important to note that some forms of harassment also constitute abuse under child protection legislation or a crime under the *Criminal Code of Canada*. In such cases, the appropriate authority (or both) should be contacted.

It is the policy of SMLA that harassment in all its forms will not be tolerated during the course of any SMLA activity or program.

SAMLA recognizes that not all incidents of harassment are equally serious in their consequences. Harassment covers a wide spectrum of behaviors and the response to harassment must be equally broad in range, appropriate to the behavior in question.

Most incidents of harassment, (i.e. inappropriate jokes) should be corrected promptly and informally (i.e. by the Coach), taking a constructive approach with the aim of bringing about a change in negative attitudes and behavior. More serious incidents (i.e. a course of repeated taunting or hazing) may require a more formal approach involving those outside of the team staff.

Complaints should be handled in a timely, sensitive, responsible and confidential manner.

Anyone making a complaint which is found to be clearly unfounded, false, malicious or frivolous will be subject to discipline.

Harassment and Abuse; differences and similarities

Types	Abuse Emotional, physical, sexual, lack of care	Harassment Emotional, physical, sexual; may be motivated by racial or other forms of prejudice
Victim	Any person under the age of majority as determined by the Provincial Child Protection Acts, may be male or female	Person of any age; may be male or female
Offender	Any person who has power or authority over victim and/or breaches trust; may be male or female	May be peer or person with power or authority over adult victim; may be Male or Female
Investigation	External to the organization, referred to child welfare or police who may in some instances refer back to organization	Most often internal unless referred to police in cases of suspected physical or sexual assault or criminal harassment (stalking)
Follow-up Actions	Determined by Provincial Child Protection Acts and Criminal Code; civil suits may also occur	Determined by organizational harassment policies, Criminal Code, labour tribunals, civil action and/ or Provincial Human Rights Tribunals; may be used concurrently or alone
Philosophy	The victim is not to blame; offenders are responsible for their behavior	The victim is not to blame; offenders are responsible for their behavior

Process for dealing with Abuse or Harassment

- A person who has experienced harassment, any person who witnesses harassment, or any person who believes that harassment has occurred is encouraged to make it known that the behavior is contrary to this policy.
- For more minor forms of harassment, team officials shall attempt to investigate and resolve the matter informally through team meetings, discussions with parents and players, etc. The Division Manager should be made aware of the situation and may be involved at this stage if deemed helpful.

- Should the matter not be resolved at this informal stage, the Coach/Division Manager may decide to bring in a Board member - to act as a neutral party and further explore if the matter can be resolved on an informal basis.
- If an informal response is not feasible or if the harassment is more serious, the matter should be reported to the President to determine if a formal investigation is required.
- Reports to the President must be in writing.
- After receiving the report, the President has the option to:
 1. Make a ruling to solve the matter immediately, wherein his/her decision will stand
 2. To investigate the matter further himself/herself or
 3. To appoint a Board member or another individual to investigate the matter further.
 4. If upon further investigation, it is felt that a formal response is necessary a three-person Conflict Resolution Committee (Panel) will be formed to oversee a formal hearing. All sides will be given opportunity to have their opinions and perspectives heard.
- At the end of the hearing, the Panel will decide if disciplinary action is necessary and will recommend disciplinary sanctions and/or restorative actions.
- If the President is of the opinion that the alleged harassment or abuse is sufficiently serious, he/she may immediately suspend the respondent from SMLA while the complaint is being reviewed.

Disciplinary and / or Restorative Action

Disciplinary and / or Restorative Action In the event that harassment or abuse is found to have occurred, the appropriate disciplinary action should take into consideration aggravating or mitigating circumstances. These include:

- The nature and severity of the harassment or abuse
- Whether the harassment or abuse involved any physical contact and/or was sexual in nature
- Whether the harassment or abuse was an isolated incident or part of an ongoing pattern of behavior
- The nature of the relationship between the complainant and respondent and if there was a marked difference in power and authority between them
- The age of the complainant and where relevant, the difference in age between the complainant and respondent
- Whether the respondent had been involved in previous harassment incidents
- Whether the respondent admitted responsibility and expressed a willingness to change
- Whether the respondent retaliated against the complainant in recommending disciplinary action, The Panel may consider any of the following options, (but are not limited to the options listed here):
 - Verbal apology
 - Written apology
 - Letter of reprimand from SMLA
 - Probationary period
 - Suspension or removal of privileges

- Suspension or removal from office or position
- Expulsion from membership
- Recommendation for counseling
- Such other actions as the Panel deems appropriate.

In recommending a disciplinary action, the Panel should endeavour to select a sanction commensurate with previous sanctions for similar circumstances. Additionally, the Panel should ensure sanctions are appropriate in severity to the severity of the infraction and where possible, have some sort of restorative component.