

YELLOWKNIFE POLAR BEAR SWIM CLUB CONDUCT AND DISCIPLINE CODE

Introduction

1. The *Conduct and Discipline Code* applies to all members of the Yellowknife Polar Bear Swim Club (YKPBSC). Members of the Club are expected to conduct themselves at all times in a sportsmanlike and responsible manner. This includes ensuring they are informed and understand the expectations of conduct as outlined in this document. This standard of conduct is expected of club members at all times during club activities, including but not limited to practices, time trials, swim meets, and the travel to and from any of these activities.
2. It is expected that all participants (athletes, coaches, officials, and chaperons) will fulfill their roles and responsibilities as outlined in this document. Individuals who fail to comply will be subject to disciplinary action.

Standard of Conduct

3. Respect for Others. The Polar Bear Swim Club is committed to providing a safe, harassment-free environment where all club members are treated with respect, and an environment which is conducive to bringing out the maximal performance of each member. This commitment includes providing equal opportunities and prohibits discriminatory practices. All team members will refrain from comments or behaviours that are disrespectful, offensive, abusive, racist or sexist.
4. Drugs, Doping Penalties and Fair Play. The Polar Bear Swim Club strongly embraces the concept of Fair Play in Sport, and unequivocally opposes cheating, which includes the use of substances and methods banned by National Sport Organizations and the Canadian Centre for Drug Free Sport. As such we recognize the Canadian Policy on Penalties for Doping in Sport (endorsed by the Canadian Centre for Drug Free Sport, adopted by Fitness and Amateur Sport and the National Sport Organizations) and will honour suspensions of athletes or others determined to have committed doping or doping related infractions. Therefore, any person under suspension by the National or Territorial/Provincial Sport Organization shall be ineligible to participate in Club time trials or meets until the suspension has been lifted by the NSO or T/PSO.
5. Alcohol and Tobacco. Minors shall not consume alcohol, nor use any tobacco products, including snuff, at any time during meets or time trials, or during travel to or from meets. Minors found possessing any alcohol or tobacco products will have these items confiscated, and may be subject to further discipline. A minor is defined by the laws of the jurisdiction where meets, time trials, or any other associated activity is taking place.

6. Adults and swimmers of the age of majority shall not consume alcohol when accompanying swimmers on any club activity, nor shall they be under the influence of alcohol at any time they are performing their official duties as a member of the Polar Bear Swim Club.

7. Types of Infractions. The following are examples of minor infractions (misconduct), which will not be tolerated:

- use of tobacco products, including snuff, by minors
- disturbance or disruption during swim meets and time trials, including billeting
- disrespectful, offensive, abusive, racist or sexist comments or behaviour
- unsportsmanlike conduct such as arguing
- other similar infractions of minor severity

Note: The preceding list provides examples only of minor infractions, it does not include all possible minor infractions, and is intended to provide guidance as to what might be considered minor as opposed to major.

8. The following are examples of major infractions (gross misconduct), which will not be tolerated:

- unsportsmanlike conduct such as fighting
- repeated disturbances or disruptions during swim meets or time trials, including billeting
- repeated or gross display of disrespectful, offensive, abusive, racist or sexist comments or behaviour
- bringing disgrace to the Polar Bear Swim Club
- use of illegal drugs by any member of the Polar Bear Swim Club
- use of alcohol by a swimmer during a Polar Bear swim meet or time trial, or any other activity
- use of alcohol by an adult when accompanying swimmers on any club activity, or being under the influence of alcohol while performing official duties as a member of the club
- intoxication
- betting or gambling
- activities or behaviour which disrupts competition
- pranks, jokes or other activities which endanger the safety of others
- criminal activities
- other similar infractions of major severity

Note: The preceding list provides examples only of major infractions; it does not include all possible major infractions, and is intended to provide guidance as to what might be considered major as opposed to minor infractions.

Disciplinary Sanctions Applicable to the Polar Bear Swim Club

9. The following sanctions may be applied, singly or in combination, for minor infractions:
- verbal or written reprimand
 - formal verbal apology (witnessed)
 - formal written apology (hand-delivered)
 - removal from the remainder of a time trial or meet
 - suspension from certain Polar Bear Swim Club activities, which may include suspension from practices and/or the next scheduled competition
 - other sanctions as may be considered appropriate by the Head Coach
10. The following sanctions may be applied, singly or in combination, for major infractions:
- removal of certain club privileges
 - suspension from certain Polar Bear Swim Club activities, which may include suspension from future scheduled competitions
 - removal from the remainder of a time trial or meet
 - withdrawal of travel privileges with the club
 - expulsion from the club
 - other sanctions as may be considered appropriate by the Discipline Committee

Note: Further disciplinary action may be taken by Swim NWT and may involve suspension from future competitions.

Procedures for Discipline

11. Levels of Discipline. During the swim season, the following levels of discipline will apply:

First Level The Head Coach (or the Travelling Coach during out of town meets) is responsible for discipline for minor infractions. Under extraordinary conditions, the Host Club may take immediate disciplinary action, pending further discipline by the Polar Bear Swim Club.

Second Level The Discipline Committee is responsible for discipline for all major infractions.

Third Level The Appeals Committee hears appeals of disciplinary decisions, whether made by the Head Coach or the Discipline Committee.

Fourth Level Swim NWT may apply further discipline after an incident for major infractions that have brought grave discredit on the club.

Roles and Responsibilities for Discipline

12. The Head Coach, in consultation with the Squad Coaches, shall be responsible for discipline for minor infractions, in accordance with the guidelines for sanctions outlined in this policy. The Head Coach shall keep a written log of all minor infractions in case incidents re-occur or escalate in severity.
13. Discipline Committee. The Discipline Committee shall be responsible for discipline for all major infractions. The Discipline Committee is made up of two members of the Board of Directors, and the Chair who is the President of the Polar Bear Swim Club. Members of the Discipline Committee shall be selected by the Board, and shall not be members who were involved in the incident. The Vice-President cannot be a member of the Discipline committee.
14. Appeals Committee. The Appeals Committee shall hear appeals of disciplinary decisions, from either the individual being disciplined or the parents in the case of a minor. The Appeals Committee is made up of the Vice-President, two members of the Board of Directors, and a fourth person selected by the Vice-President from among the appellant's peers (i.e. if the appellant is an athlete, this would be another athlete, if the appellant is a coach, then another coach, etc.)
15. Athlete's Advocate. An athlete involved in a discipline situation shall have the right to seek the advice and assistance of an Athlete's Advocate. The role of the Athlete's Advocate is to advise the athlete of his or her rights, to provide support and to speak on behalf of the athlete, if requested. An Athlete's Advocate may be any person who is approached by an athlete with a request to be their advocate, so long as that requested person has not been involved in the incident, and is willing and able to serve as an advocate. If an athlete is unable to secure an advocate, one will be appointed by the Club President from the Swim club Board.
16. NWT Swimming. NWT Swimming will be notified in writing of all sanctions imposed due to a major infraction.

Procedures for Discipline

17. The procedure for discipline during any club activity is as follows:
 - a) All minor infractions shall be reported to the Head Coach who shall determine appropriate disciplinary sanctions in accordance with the guidelines outlined in this policy. In determining discipline, the Head Coach shall give the individual being disciplined an opportunity to respond to the allegations.
 - b) All major infractions shall be reported to the Club President, or if this is not possible, to any member of the Executive of the Club Board of Directors, using the form shown in the APPENDIX "B" (Incident Report).

18. The individual being disciplined will be advised of the procedures in this policy, and of the right to consult with an Athlete's Advocate (if the individual is an athlete), a parent/guardian (if the individual is a minor) and/or legal counsel. The individual being disciplined will also have an opportunity to submit a written response, if so desired.
19. As soon as possible after the incident is reported, the Discipline Committee shall convene a hearing. The hearing shall be governed by the following principles and procedures:
 - a. The Discipline Committee shall hold the hearing as soon as possible, but not later than ten days after the incident report is received by the President;
 - b. The individual being disciplined shall be given five days written notice of the hearing and shall have an opportunity to address the Committee;
 - c. The individual being disciplined may be accompanied by an Athlete's Advocate, or any other adviser including legal counsel;
 - d. The hearing shall be held in private;
 - e. The committee may request that witnesses to the incident be present at the hearing to provide evidence;
 - f. The committee is only to hear evidence on the incident reported. Any previous incidents are not to be introduced as evidence during the investigative phase of the hearing;
 - g. After findings have been determined, and before the sanctions are awarded, the Athlete's Advocate and Squad Coach may be invited to speak on the behalf of the individual being disciplined;
 - h. In applying sanctions, the Disciplinary Committee may have regard to the following aggravating or mitigating circumstances:
 - the nature and severity of the offence,
 - whether the incident is a first offence, or has occurred repeatedly,
 - the individual's acknowledgment of responsibility,
 - the individual's extent of remorse,
 - the age, maturity and experience of the individual,
 - the individual's prospects for rehabilitation,
 - i. Decisions of the Discipline Committee shall be by consensus, where all members of the Committee must agree on the findings and any sanctions rendered.

20. The Discipline Committee shall determine appropriate sanctions in accordance with the guidelines outlined in this policy. The Committee's decision shall be communicated to the individual in writing, with reasons, using the form shown in the APPENDIX "C" (Decision of Head Coach/Discipline Committee), within five days of the hearing. The Committee's written decision shall take effect immediately. In the case of a major infraction, a copy of the Committee's decision shall also be provided to Swim NWT.

Appeals

21. Grounds for Appeal. Appeals of decisions of discipline may be heard only if there are sufficient grounds for the appeal. Sufficient grounds include the following:
- Decision made where the decision makers did not have the authority or jurisdiction;
 - Failure to follow proper procedures which includes providing a fair hearing;
 - Making a decision that was influenced by bias;
 - Failure to consider relevant information or taking into account irrelevant information in making the decision;
 - Making a decision for an improper purpose; and/or
 - Making a decision which was unreasonable.

Procedures for Appeal of Discipline Decisions

22. The individual being disciplined shall have seven days from the time of receiving a decision on discipline, whether from a Head Coach or from the Discipline Committee, to launch an appeal. The grounds for the appeal must be stated in writing using the form shown in the APPENDIX "D" (Notification of Appeal) and delivered to the Club President, or if this is not possible, to any member of the Executive of the Swim Club.
23. As soon as possible after receiving notification of an appeal, the Appeals Committee shall convene a hearing. The hearing shall be conducted by the following principles and procedures:
- a. The Appeals Committee shall hold the hearing as soon as possible, but not later than ten days after the Notification of Appeal is received by the President;
 - b. The appellant shall be given five days written notice of the hearing and shall have the opportunity to address the committee;
 - c. The appellant may be accompanied by an Athlete's Advocate or any other adviser including legal counsel;
 - d. The hearing shall be held in private;

- e. The committee may request that witnesses to the incident be present at the hearing to provide evidence;
 - f. Unless otherwise agreed by the parties, there shall be no communication between Committee members and the parties, except in the presence of, or by copy to, the other parties;
 - g. Decisions of the Appeals Committee shall be by consensus, where all members of the Committee must agree on the findings and any sanctions rendered.
24. The Appeals Committee shall have the authority to uphold the decision on discipline, to reverse the decision, and/or to modify any of the recommended disciplinary sanctions. The decision of the Appeals Committee shall be communicated to the appellant in writing, with reasons, using the form shown in the APPENDIX "E" (Decision of Appeals Committee), within five days of the hearing, and shall take effect immediately. The decision of the Appeals Committee shall be final and binding, and not open to any further appeal or intervention by any court of competent jurisdiction.
25. Confidentiality of Disciplinary Proceedings. All communication of disciplinary matters to outside parties shall be handled by the President or Vice-President of the Club. Every effort will be made to keep all information, including written documents, confidential. All individuals involved in a disciplinary matter, including the individual being disciplined, shall refrain from disclosing the details of the matter to outside parties.

APPENDIX "A"

CODE OF CONDUCT AGREEMENT

Members of the Yellowknife Polar Bear Swim Club (YKPBSC) include swimmers, coaches, officials, parents and board members. You, as a swimmer, are the most visible part of the Club. All members are ambassadors for competitive swimming, sport, the City of Yellowknife and the Northwest Territories. You gain many benefits from your participation in organized competitive swimming. Your participation brings with it the following responsibilities:

1. At all times be courteous and helpful to teammates, coaches, other swimmers, officials and the general public.
2. Participate according to the rules and in the spirit of fair play.
3. Adhere to any regulations that are established during competitions. These might include curfews; nutritional guidelines and other rules designed for safety and to maximize the benefits of participation. Members will be advised of regulations on a periodic basis.
4. Participate in team activities and strive to build team spirit.
5. Lead a positive alcohol, tobacco and drug free life style. Regardless of age, tobacco and alcohol products are not allowed during any YKPBSC event.
6. Be aware that you may be subject to random drug tests without notice if you achieve certain levels within the sport. Education programs will be provided at appropriate times.
7. Be punctual at all times.
8. Make restitution for any personal or property damage caused during club events.
9. Remain at competitions for award presentations, banquets and other events unless previous arrangements have been made.
10. Wear team uniforms when requested to do so.

Members unable to comply with these responsibilities may be subject to disciplinary action up to and including suspension from activities, their immediate return home at their own cost and/or suspension from the YKPBSC.

Having read and understood the above YKPBSC Code of Conduct, I agree and comply as a member in good standing.

Members Name: _____ Date: _____

Member's Signature: _____

Parent/Guardian Signature: _____

(if under the age of 19)

APPENDIX "B"

INCIDENT REPORT

CONFIDENTIAL

INCIDENT REPORT # _____

DATE AND TIME OF INCIDENT:

DATE

TIME

NAME OF WRITER:

POSITION:

LOCATION OF INCIDENT: _____

IS THIS A: MINOR INFRACTION: MAJOR INFRACTION: _____

INDIVIDUAL(S) INVOLVED:

DESCRIPTION OF INCIDENT (BE AS CONCISE AND ACCURATE AS POSSIBLE):

NAMES OF WITNESSES: _____

WITNESS STATEMENTS ATTACHED? YES _____ NO _____

SIGNATURE OF WRITER: _____ **DATE:** _____

APPENDIX "C"

DECISION OF HEAD COACH/DISCIPLINE COMMITTEE

INCIDENT REPORT# _____

DATE OF INCIDENT: _____

NAME OF INDIVIDUAL INVOLVED: _____
(One for each Club Member involved)

DISCIPLINARY ACTIONS TAKEN BY HEAD COACH/DISCIPLINE COMMITTEE:
(Strike out whichever is not applicable)

REASONS:

**SIGNATURE OF HEAD COACH
OR DISCIPLINE COMMITTEE CHAIR**

DATE: _____

DATE INDIVIDUAL NOTIFIED OF DECISION: _____

APPENDIX "D"

NOTIFICATION OF APPEAL

THIS FORM MUST BE COMPLETED AND SUBMITTED TO AN EXECUTIVE MEMBER OF THE BOARD OF DIRECTORS WITHIN SEVEN DAYS AFTER ANY DISCIPLINE DECISION HAS BEEN MADE.

INCIDENT REPORT # _____ **DATE OF INCIDENT:** _____

DATE OF RECEIPT OF APPEAL: _____

NAME OF INDIVIDUAL INVOLVED: _____

NAME OF INDIVIDUAL REQUESTING APPEAL: _____

REASON FOR APPEAL:

SIGNATURE OF INDIVIDUAL RECEIVING APPEAL: _____

DATE: _____

THE WRITTEN APPEAL DOCUMENT MUST BE ATTACHED

APPENDIX "E"

DECISION OF APPEALS COMMITTEE

INCIDENT REPORT # _____ **DATE OF INCIDENT:** _____

NAME OF INDIVIDUAL INVOLVED: _____

DECISION OF APPEALS COMMITTEE:

REASON FOR DECISION:

SIGNATURE OF COMMITTEE CHAIR: _____

DATE: _____

DATE DECISION DELIVERED TO APPELLANT: _____

APPENDIX "F"

DISCIPLINE TABLE

ISSUE	POSSIBLE FORMS OF DISCIPLINE
1. INTOXICATION (Visibly drunk or hung over)	OVER LEGAL AGE 1 st offense - 24 hour suspension Event Disqualification Up to Two year suspension Letter of Reprimand UNDER LEGAL AGE Event Disqualification Up to Two year suspension Letter of Reprimand
2. DISORDERLY CONDUCT	Verbal Apology Written Apology Event Disqualification Suspension (up to six months) Letter of Reprimand
3. FIGHTING	Written Apology Event Disqualification Letter of Reprimand Community/Club Service Suspension (up to two years)
4. COACH (IRRESPONSIBILITY)	Suspension (up to two years) Verbal Apology Written Apology Letter of Reprimand
5. HARASSMENT	Verbal Apology Written Apology Event Disqualification Suspension (up to six months) Letter of Reprimand