

Policy Re: Adherence to the requirements of Alberta's "Bill 29" or "Fairness and Safety in Sport Act" and its associated Regulations.

Commitment to Participation

The Alberta Whitewater Association (AWA) values the participation of *all athletes* and is committed to providing opportunities in both recreational and competitive streams. This policy is designed to adhere to the regulations of Alberta's Fairness and Safety in Sport Act, which only applies to Alberta residents and female-only competitive competition. Recreational opportunities remain open to all and AWA reaffirms its commitment to Safe Spaces for all participants through its Statement of Inclusion.

Definitions

1 In this policy,

- (a1) "amateur competitive" means a sport or sport discipline where:
 - (i) an athlete's primary focus for participation is on development, such as providing competitive experience; and
 - (ii) an athlete seeks personal or team excellence, measures performance against others and/or seeks opportunities for advancement.
- (a2) "amateur recreational" means a sport or sport discipline where:
 - (i) the primary goal is enjoyment and self-fulfillment; and
 - (ii) a participant or team doesn't have opportunity for advancement.
- (b) "applicant" means one of the following individuals who submits a confidential challenge to an athlete's eligibility to participate in a relevant sport:
 - (i) athlete;
 - (ii) parent or guardian of an athlete if the athlete is under 18 years of age;
 - (iii) team manager of athlete; and
 - (iv) coach of athlete.
- (c) "athlete" means a participant registered in a relevant sport in Alberta.

- (d) “birth registration document” means a birth registration document as defined in the Vital Statistics Act or a similar document issued outside of Alberta that contains the following information respecting an athlete:
 - (i) full name of the athlete;
 - (ii) date and place where the birth of the athlete occurred; and
 - (iii) the sex of the athlete.
- (e) “relevant sport” means an amateur competitive sport or sport discipline governed, regulated, coordinated, promoted or sponsored by the [name of in-scope entity].
- (f) “sex at birth” means the sex of an individual that appears on the athlete’s birth registration document.

Purpose

- 2 The purpose of this policy is to promote fairness, safety, and inclusivity in sport. The Alberta Whitewater Association (AWA) is committed to providing opportunities for participation in both recreational and competitive whitewater activities. This policy aligns with the Government of Alberta’s *Fairness and Safety in Sport Act* and its associated Regulations.

Support

- 3 Confidential support is available from the AWA for event organizers and athletes for athletes and families navigating eligibility, ensuring the process is clear, compassionate, and private.

Application

- 4 (1) This policy only applies to participation in a relevant sport by Alberta resident, female athletes who are ages 12 and older.

Athlete Eligibility

- 4 (1) In compliance with the Act, participation in the *female-only competitive division* is limited to athletes whose sex at birth is female.
- 4 (2) Athletes of all genders are welcome to participate in:
 - mixed or open divisions;
 - male categories;
 - all recreational programs and events, including female recreational categories.

Confirmation of Athlete Eligibility

- 5 (1) The AWA will require, as part of competitive event registration, a confirmation checkbox acknowledging that the athlete (or their parent or guardian if the athlete is under 18 years of age) understands and meets the eligibility criteria for participation in regulated female-only competitive divisions.
- 5 (2) This requirement does not apply to participation in recreational or open divisions.

Confidential Challenge to Athlete Eligibility

- 6(1) A confidential challenge may be submitted by an applicant if there are reasonable grounds to believe that an athlete is ineligible under section 4 of this policy.
- 6(2) A confidential challenge must be made in writing and sent to the Alberta Whitewater Association at admin@albertawhitewater.ca
- 6(3) A confidential challenge to an athlete's eligibility must include:
 - (a) the name of the applicant;
 - (b) the name of the athlete, their club/team and sport; and
 - (c) information that supports the grounds for the challenge.

Verification of Athlete Eligibility

- 7(1) Upon receipt of a confidential challenge to an athlete's eligibility under section 4 of this policy, the AWA will confirm receipt and notify the Minister of Tourism and Sport, without personal identifying information, within 3 business days.
- 7(2) AWA may dismiss the challenge if, in the opinion of the AWA reasonable grounds do not exist for the challenge. Upon dismissal of the challenge, the applicant will be notified by the AWA and may be subject to sanctions under section 9 of this policy. The AWA will notify the Minister of Tourism and Sport of the dismissal, without personal identifying information, within 30 business days of the challenge.
- 7(3) If the AWA does not dismiss the challenge under section 7(2) of this policy:
 - a) the applicant and the athlete whose eligibility is the subject of the challenge will be notified that the challenge is moving forward; and

- b) the athlete's whose eligibility is the subject of the challenge (or their parent or guardian if the athlete is under the age of 18) will be required to provide AWA with a copy of the athlete's birth registration document.

7(4) Failure to provide the birth registration document as defined in the *Vital Statistics Act* or similar document issued outside of Alberta to the AWA will render the athlete ineligible to participate in a relevant sport division.

Resolution

- 8(1) Once the birth registration document is received, the AWA will verify the athlete's eligibility under section 4 of this policy.
- 8(2) If the challenge is upheld and the athlete is determined to be ineligible, the AWA will notify the applicant and athlete whose eligibility has been challenged. The athlete will be permanently ineligible for participation in a competitive female-only league, class or division of a relevant sport.
- 8(3) If the challenge is dismissed and the athlete is determined to be eligible, the AWA will notify the applicant and the athlete whose eligibility has been challenged. The athlete will be permanently eligible for participation in a female-only league, class or division of a relevant sport.
- 8(4) Upon a determination under section 8(2) or 8(3) of this policy, the AWA will notify the Minister of Tourism and Sport of the decision, without personal identifying information, within 30 business days of the challenge.

Invalid Challenge

- 9(1) Pursuant to section 7(2) of this policy, the AWA may determine that reasonable grounds do not exist for a challenge, including but not limited to where:
 - (a) The AWA has previously resolved a challenge for the same athlete;
 - (b) Not enough information has been provided to proceed as a valid challenge; or
 - (c) The challenge is deemed to have been made in bad faith.
- 9(2) Factors relevant to determining whether a challenge, dismissed under section 7(2) of this policy, was made in bad faith and merits appropriate sanctions for the applicant include, without limitation:
 - (a) The applicant's prior history;

- c) A pattern of inappropriate behavior or numerous unfounded challenges under this policy; and
- d) The ages of the athletes involved.

9(3) Sanctions for an applicant may include, without limitation:

- (a) A written warning; and
- (b) A determination that the applicant has violated the AWA's Code of Conduct, where applicable.

Appeals

10 The applicant may appeal to the board of the in-scope entity a dismissal of a challenge under section 7(2) of this policy.

Protection of Personal Information

11 All information and data relating to the athlete will be treated as sensitive personal information and will be processed as such in accordance with applicable data protection and privacy laws. Such information and data will not be used for any purpose other than to determine athlete eligibility.

Assistance with this Policy

- 12(1) The AWA is committed to the participation of all athletes in accordance with the athlete eligibility requirements set out in this policy. Any individuals seeking information on the application of this policy should contact admin@albertawhitewater.ca for assistance.
- 12(2) Any individuals seeking information on the application of the Government of Alberta's Act and Regulation may contact the Ministry of Tourism and Sport at SPAR@gov.ab.ca for assistance.