

# CANADIAN SWIMMING COACHES AND TEACHERS ASSOCIATION SCREENING POLICY

## Definitions

1. These terms will have these meanings in this policy:
  - a. "CSCTA" – Canadian Swimming Coaches and Teachers Association.
  - b. "Individual" – Any person who is a member as defined in the CSCTA Bylaws or applying for membership within the CSCTA.
  - c. "PRC" – Police Criminal Records Check.
  - d. "VSC" – Vulnerable Sector Check.

## Preamble

2. Screening of Individuals is an important part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the community.

## Purpose

3. The purpose of screening is to identify Individuals who may pose a risk to the CSCTA and those that they coach and/or teach.

## Executive Director and Screening Committee

4. The implementation of this Policy is the responsibility of the Executive Director and the Screening Committee. The Screening Committee will be persons appointed by, and at the sole discretion of, the Executive Director of the CSCTA.
5. The Executive Director is responsible for assisting the Screening Committee, receiving all submitted Registration and Screening Disclosure Forms and all requested PRCs and VSCs.

## Obligations

6. All Individuals will be required to undergo screening at a minimum through a Registration and Screening Disclosure Form. Upon the request of the Screening Committee, a Police Records Check ("PRC") and Vulnerable Sector Check ("VSC") will be required within the province, state or country as determined by the Screening Committee.
7. Failure or refusal to participate in the screening process as outlined in this Policy will result in automatic ineligibility for membership, suspension or termination of membership within the CSCTA, as determined by the Screening Committee.
8. All Individuals will:
  - a. Complete the Registration and Screening Disclosure Form when applying for Membership with the CSCTA on an annual basis, and at any other time as requested by the CSCTA.
  - b. Provide a PRC, VSC and any other information as requested by the CSCTA.
  - c. Immediately inform the CSCTA of any changes in their circumstances that would alter their original responses to the Registration and Screening Disclosure Form (*i.e., if an Individual receives a conviction for, or is found guilty of, an offence, or if they receive a disciplinary sanction relating to coaching, they will report this circumstance immediately to the CSCTA*).
9. At the sole discretion of the Screening Committee, in the instance of an Individual providing falsified or misleading information, the Screening Committee may immediately implement conditions, suspend or terminate that Individual from membership within the CSCTA and the Individual may be subject to further sanctions pursuant to CSCTA's *Discipline Policy*.

## Procedure

10. Every Individual seeking membership within CSCTA will submit the Registration and Screening Disclosure Form at time of application, re-application and/or as requested by the CSCTA. Further, the Screening Committee may

request that an Individual provide PRCs, VSCs, or other screening documents for review and consideration at any time.

11. Individuals who do not undertake the screening requirements required by this policy will receive a notice to that effect and will be informed that their application will not proceed until such time as the screening requirements are followed. If an individual does not undertake the screening requirements by the date determined by the Executive Director or the Screening Committee, the application will be dismissed.
12. If an Individual's documents do not reveal a positive response ("yes") or the possibility of a relevant offence; the Executive Director will grant the Individual CSCTA membership.
13. In the event that a Screening Disclosure Form discloses a positive response ("yes") or the possibility of an offence, the following will occur:
  - a. The Executive Director, on behalf of the Screening Committee, will initiate a telephone or electronic conversation with the Individual with respect to a positive response for clarification, information and fact finding.
  - b. Documentation may be requested, as determined by the Screening Committee, from the Individual describing the positive response and any additional information the Individual wishes the Screening Committee to consider.
  - c. Documentation may be requested, as determined by the Screening Committee, from the Individual outlining any community service or other initiatives the Individual is or was involved, for example: school/teenage educations programs, volunteer work, courses, etc.
  - d. Documentation may be requested, as determined by the Screening Committee, from the Individual's employer confirming that they are aware of any positive response, relevant offence or historical charges.
  - e. The Screening Committee may request the Individual submit a PRC and VSC, from any and all jurisdictions as stipulated by the Screening Committee, at their own expense.
  - f. The Individual will be informed by the Executive Director that their application will not proceed until such time as the required documents are received.
14. The Screening Committee will receive and review all relevant and requested documents and information.
15. In the event that a Screening Disclosure Form discloses a positive response ("yes") or the possibility of an offence, the Screening Committee, by majority vote, will:
  - a. Approve an Individual's membership within the CSCTA; or
  - b. Approve an Individual's membership within the CSCTA subject to terms and conditions as deemed appropriate; or
  - c. Suspend the Individual's membership within the CSCTA; or
  - d. Deny an Individual's membership within the CSCTA.
16. Subject to the review of the documents and information, the Screening Committee, by majority vote, will:
  - a. Approve an Individual's membership within the CSCTA; or
  - b. Approve an Individual's membership within the CSCTA subject to terms and conditions as deemed appropriate; or
  - c. Deny an Individual's membership within the CSCTA; or
  - d. Deny an Individuals' membership within the CSCTA and prohibit the Individual from re-applying for membership for a determined period of time; or
  - e. Terminate and expel the Individual's membership within the CSCTA for a determined period of time or indefinitely.
17. Where the Screening Committee denies an Individual's membership or approves an Individual's membership subject to terms and conditions, the reasons for such decision will be provided, in writing, to the Individual.
18. The decision of the Screening Committee is final and binding and will be effective immediately.

19. 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.

#### **Records**

20. The CSCTA will return all copies of PRCs and/or VSCs to the individual or destroy such documents, but will retain written records of communication with Individuals whose Screening Disclosure Form, PRCs, or VSCs indicate a relevant offence, as well as copies of its decisions and written reasons for decisions. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal or disciplinary proceedings.
21. Any information relating to a Screening Disclosure Form, PRC or VSC, or decision rendered under this Policy will be disclosed to any third party deemed appropriate by the CSCTA, including but not limited to, FINA, national sport governing bodies inside and outside of Canada, Aquatics Canada, Swimming Canada, provincial and territorial bodies within Canada governing swimming, and any other international or Canadian body that govern sport, the sport of swimming and/or the coaching profession.

#### **Appeals**

22. Decisions made under this policy are final and binding and are NOT appealable under the CSCTA Appeal Policy.

#### **Review and Approval**

23. This Policy was approved by the Board of Directors of the CSCTA on August 29, 2018



*In order to actively coach in Canada, all CSCTA members working with affiliated Swimming Canada swimmers or programs must also register with Swimming Canada and their jurisdictional Provincial Sport Organization.*

<b>Last Name:</b>	<b>First Name:</b>
<b>Middle Name:</b>	<b>Other Names Used:</b>
<b>Street:</b>	<b>City:</b>
<b>Province:</b>	<b>Postal Code:</b>
<b>Date of Birth:</b>	<b>Gender:</b>
<b>Club:</b>	<b>Email Address:</b>

**Note: Failure to disclose a conviction/sanction, even if a pardon has been granted, may be considered an intentional omission and subject to failure of screening requirements as required by the CSCTA's Screening Policy.**

1. **Have you ever been convicted of a crime or subject to a peace bond?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below for each conviction and you may be required to provide a copy of the conviction / peace bond:

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Year Convicted: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

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2. **Are criminal charges or any other sanctions, including those from a sport body, tribunal or government agency, currently pending or threatened against you?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please explain for each pending charge:

Name or Type of Offense/Charge: \_\_\_\_\_

Name and Jurisdiction of proceeding: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

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3. **Have you ever been subject to a lawsuit (Civil Action or Claim) (i.e. finding, judgement, ruling, out of court settlement, etc.) relevant to the profession of coaching or sport including but not limited to all forms of assault (physical or psychological), fraud, child pornography, sexual offences, harassment or the trafficking of illegal drugs,?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe each finding, judgment or ruling below and you may be required to provide a copy

Court Finding: \_\_\_\_\_ Out of Court Settlement: \_\_\_\_\_

Type of Offense or Finding: \_\_\_\_\_

Year of Offense or Settlement: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

\_\_\_\_\_

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4. **Have you ever been subject to a settlement agreement, plea bargain, charges stayed, etc. relevant to the profession of coaching or sport including but not limited to all forms of assault (physical or psychological), fraud, child pornography, sexual offences, harassment or the trafficking of illegal drugs?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe each outcome and you may be required to provide a copy

Court Finding: \_\_\_\_\_ Out of Court Settlement: \_\_\_\_\_

Type of Offense or Finding: \_\_\_\_\_

Year of Offense or Settlement: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

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5. **Have you ever been dismissed from a coaching position relating to allegations of ethical or moral misconduct?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below:

Name of applicable Organization: \_\_\_\_\_

Date of Dismissal: \_\_\_\_\_

Reason for Dismissal: \_\_\_\_\_

\_\_\_\_\_

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6. **Have you ever been disciplined or sanctioned by FINA, by a National sport governing body outside Canada, by Swimming/Natation Canada, by a PSO, or by any other body that governs sport or the coaching profession?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below and you may be required to provide a copy:

Name of applicable Organization: \_\_\_\_\_

Date of Discipline or Sanction: \_\_\_\_\_

Reason for Discipline or Sanction: \_\_\_\_\_

\_\_\_\_\_

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7. **Have you ever been disciplined or sanctioned by an independent body (sport body, private tribunal, government agency, etc.) or banned from an aquatic facility?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below and you may be required to provide a copy:

Name or Type of Offense: \_\_\_\_\_

Name and Independent Body: \_\_\_\_\_

Date of Sanction: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

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For more information please attach additional page(s) as necessary.

**Certification**

I hereby certify that the information contained in this application is accurately, correctly, truly and completely represented. By completing and submitting this membership application I agree to abide by the CSCTA's Bylaws and policies as they relate to membership, and to be governed by the CSCTA Code of Professional Conduct and Disciplinary Procedures.

I further certify that I will immediately inform the CSCTA of any changes in circumstances that would alter my original responses to the Registration and Screening Disclosure Form. Failure to do so may result in termination of membership.

Signature: \_\_\_\_\_

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

Please return form to the CSCTA:

Email: [chris@cscta.org](mailto:chris@cscta.org)

Mail: 358 – 2242 Kingsway Vancouver BC V5N 5X6

- ***In order to actively coach in Canada, a CSCTA member must be registered with Swimming Canada and their jurisdictional PSO. In order to facilitate full compliance, the CSCTA membership database will be shared with Swimming Canada to ensure each CSCTA member actively coaching within Canada has been duly registered with both organizations. Your completion of this Registration and Screening Disclosure Form implies and confirms your consent to such disclosure.***
- ***Privacy Statement: By completing and submitting this Registration and Screening Disclosure Form, the member candidate consents and authorizes the CSCTA to collect, use and disclose his or her personal information, including all information provided in the Registration and Screening Disclosure Form, for the purposes of screening membership, implementation of the CSCTA Screening Policy, administering membership services and communicating with other organizations in Canada and internationally, including Swimming Canada, National Sport Organizations, Provincial Sport Organizations, Sport Clubs, and other organizations involved in the governance of the sport of swimming or the profession of coaching. CSCTA does not distribute personal information for commercial purposes. For more information on CSCTA's Privacy Policy, please contact the CSCTA's Privacy Officer.***

**By signing below I agree to have read and agree to the Privacy statement and that all information provided is accurate.**

Signature: \_\_\_\_\_

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