FAIRNESS AND SAFETY IN SPORT

Background

The Board is committed to creating welcoming, caring, respectful and safe learning environments that respect diversity and foster a sense of belonging. The purpose of this administrative procedure is the promotion of fairness and safety in sport, by addressing matters of eligibility to participate in a relevant sport in accordance with the Government of Alberta's *Fairness and Safety in Sport Act* (the Act) and Fairness and Safety in Sport Regulation (the Regulation).

Definitions

"Amateur Competitive" means a sport or sport discipline where:

a) A student athlete's primary focus for participation is on development, such as providing competitive experience, skill improvement, and opportunities for active participation; and
b) A student athlete seeks personal or team excellence, measures performance against others and/or seeks opportunities for advancement.

"Applicant" means one of the following individuals who submits a confidential challenge to a student athlete's eligibility to participate in a relevant sport:

a) Student athlete; or
b) Parent or guardian of a student athlete if the student athlete is under 18 years of age.

"Student Athlete" means a participant registered in a relevant sport.

"Birth Registration Document" means a birth registration document as defined in the *Vital Statistics Act* or a similar document outside of Alberta that contains the following information respecting a student athlete:

a) Full name of the student athlete;
b) Date and place where the birth of the student athlete occurred; and
c) The sex of the student athlete.

"Board" means the STEM Innovation Academy Board.

"Relevant Sport" means an amateur competitive sport or sport discipline governed, regulated, coordinated, promoted or sponsored by STEM Innovation Academy.

"Sex at Birth" means the sex of an individual that appears on the student athlete's birth registration document.

Student Athlete Eligibility

1. This administrative procedure only applies to participation in a relevant sport by student athletes who are ages 12 and older.

2. To participate in a female-only league, class or division of a relevant sport, a student athlete must be of the female sex at birth.

Confirmation of Student Athlete Eligibility

3. Before a student athlete may participate in a relevant sport, a student athlete (or their parent/guardian if the student athlete is under 18 years of age) must confirm in writing through the registration process with STEM Innovation Academy that they understand and meet the eligibility criteria set out in section 2 of this administrative procedure.

4. Failure of a student athlete (or their parent or guardian if the student athlete is under 18 years of age) to confirm their eligibility in writing with the STEM Innovation Academy will render the student athlete ineligible to participate.

Confidential Challenge to Student Athlete Eligibility

5. A confidential challenge may be submitted by an applicant, as defined in this administrative procedure, where there are reasonable grounds to believe that a student athlete is ineligible under section 2 of this administrative procedure.

6. A confidential challenge must be made in writing and sent to the STEM Innovation Academy at info@stemia.ca.

7. A confidential challenge to a student athlete's eligibility must include:
   a) The name of the applicant;
   b) The name of the student athlete, their club/team and sport; and
   c) Information that supports the grounds for the challenge.

Verification of Student Athlete Eligibility

8. Upon receipt of a confidential challenge to a student athlete's eligibility under section 2 of this administrative procedure, STEM Innovation Academy will confirm receipt and notify the Minister of Tourism and Sport, without personal identifying information, within 3 business days.

9. STEM Innovation Academy may dismiss the challenge if, in the opinion of STEM Innovation Academy, reasonable grounds do not exist for the challenge. Upon dismissal of the challenge, the applicant will be notified by STEM Innovation Academy and may be subject to sanctions under sections 16 and 17 of this administrative procedure. STEM Innovation Academy will notify the Minister of Tourism and Sport of the dismissal, without personal identifying information, within 30 days of the challenge.

10. If STEM Innovation Academy does not dismiss the challenge under section 9 of this administrative procedure:
    a) The applicant and the student athlete whose eligibility is the subject of the challenge will be notified that the challenge is moving forward; and
    b) The student athlete whose eligibility is the subject of the challenge (or their parent/guardian if the student athlete is under the age of 18) will be required to provide STEM Innovation Academy with a copy of the student athlete's birth registration document.

11. Failure to provide the birth registration document as defined in the *Vital Statistics Act* or similar document issued outside of Alberta to the STEM Innovation Academy will render the student athlete ineligible to participate in a relevant sport.

Resolution

12. Once the birth registration document is received, STEM Innovation Academy will verify the student athlete's eligibility under section 2 of this administrative procedure.

13. If the challenge is upheld and the student athlete is determined to be ineligible, STEM Innovation Academy will notify the applicant and student athlete whose eligibility has been challenged. The student athlete will be permanently ineligible for participation in a female-only league, class or division of a relevant sport.

14. If the challenge is dismissed and the student athlete is determined to be eligible, STEM Innovation Academy will notify the applicant and the student athlete who eligibility has been challenged. The student athlete will be permanently eligible for participation in a female-only league, class or division of a relevant sport.

15. Upon a determination under section 13 or 14 of this administrative procedure, STEM Innovation Academy will notify the Minister of Tourism and Sport of the decision, without personal identifying information, within 30 business days of the challenge.

Invalid Challenge

16. Pursuant to section 9 of this administrative procedure, STEM Innovation Academy may determine that reasonable grounds do not exist for a challenge, including but not limited to where:
    a) STEM Innovation Academy has previously resolved a challenge for the same student athlete;
    b) Not enough information has been provided to proceed as a valid challenge; or
    c) The challenge has been made in bad faith.

17. Factors relevant to determining whether a challenge, dismissed under section 9 of this administrative procedure, was made in bad faith and merits appropriate sanctions for the applicant include, without limitation:
    a) The applicant's prior history;
    b) A pattern of inappropriate behaviour or numerous unfounded challenges under this administrative procedure; and
    c) The ages of the student athletes involved.

18. Sanctions for an applicant may include, without limitation:
    a. A written warning; and
    b. A determination that the applicant has violated the STEM Innovation Academy's Code of Conduct, where applicable.

Appeals

19. The applicant may appeal to the STEM Innovation Academy Board a dismissal of a challenge under section 9 of this administrative procedure.

Protection of Personal Information

20. All information and data relating to the student 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 student athlete eligibility.

Assistance With This Administrative Procedure

21. STEM Innovation Academy is committed to the participation of all student athletes in accordance with the student athlete eligibility requirements set out in this administrative procedure.

22. 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.

Approved: September 2025