

# **EFFECTIVE ATHLETE LEADERSHIP**

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*“It should be borne in mind that there is nothing more difficult to arrange, more doubtful of success and more dangerous to carry through than instigating changes ... The innovator makes enemies of all those who prospered under the old order and only lukewarm support is forthcoming from those who would prosper under him. Their support is lukewarm partly for fear of their adversaries, who have the existing laws on their side, and partly men are incredulous, never really trusting new things unless they have tested them by experience.”*

Machiavelli *The Prince*

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**INTRODUCTION  
TO THE  
CANADIAN  
SPORT SYSTEM**

## RECAPTURING OUR HISTORY

1961 -- Fitness and Amateur Sport Act

1964 -- government grants to national sport bodies

1965 -- athletes organized Canadian representation to University Games

1968 -- Mexico City Olympics -- "Black Power salute"

1969 -- Report of the Task Force on Sport for Canadians

1970 -- National Sport and Recreation Centre created

1973 -- Game Plan 1976 -- identified national coaches, training camps, etc.

(NOTE: the office building precedes the training program)

1976 -- Montreal Olympics (athletes had threatened to boycott without an assistance program -- AAP type program created)

1976 -- first federal Minister of Sport -- Iona Campagnolo

1980 -- Canadian Olympic Association creates Athletes Advisory Council

(NOTE: AAC created in response to athlete reaction to boycott of Moscow Olympics)

1981 -- Calgary awarded 1988 Olympic Winter Games - Best Ever Winter program (\$25 million)

1984 -- Los Angeles Olympics and Best Ever Summer program (\$37 million)

1985 -- AAP increased to \$650 A, \$550 B, \$450 C

1988 -- Ben Johnson tests positive

1990 -- Dubin Inquiry -- ended general public acclaim for athletes -- the ethics and commercialism and credibility of sport system questioned

1992 -- Canadian Athletes Association created

1993 -- CAA hosts first Athletes Forum

-- Fitness and Amateur Sport disbanded -- sport enters Canadian Heritage

- 1995 -- Athlete Assistance Program stipends increased 25% and tuition credit deferral program initiated (largely because of lobbying by CAA)
- 1996 -- CAA becomes Athletes CAN
- The Sport Solution created to provide athletes with legal information and assistance
  - COA commits to create an Athlete Fund following a proposal from Athletes CAN
- 1997 -- IMG becomes the marketing representative of Athletes CAN
- Athletes CAN Connect Program launched, sponsored by Bell Mobility and Mobility Canada partners
  - COA Athlete Fund gives 199 grants worth \$648,000 to athletes in Olympic and Pan American sports
  - 5th annual Athletes CAN Forum held in Saint-Sauveur-des-Monts, Québec
- 1998 -- Federal government to invest \$10 million a year for five years, in areas of training and competition opportunities for athletes, coaching support and direct assistance for athletes
- The 20% solution materializes - a system-wide goal for 2001 means that all key NSO committees where program and policy decisions related to high performance sport are made will contain 20% athlete representation, according to Sport Canada's Minimum Expectations for athlete-centredness
  - Network of National Sport Centres includes Calgary, Victoria, Montreal, Winnipeg, Toronto, Vancouver and the Maritimes
  - Funding cuts lead to closure of Sport Medicine and Science Council of Canada
  - 1<sup>st</sup> annual Athletes CAN Omnilogic Golf Classic held at Red Tail Golf Course near London, Ontario
  - Athletes CAN and Commonwealth Games Association of Canada partner up to create new process to select flagbearer for Team Canada
- 1999
- Development and support of the Mills Report for Amateur Sport
  - Athletes CAN outreach at the Canada Games, NFLD, and the Pan American Games, Winnipeg
  - Appointment of Denis Corderre: New Secretary of State for Amateur Sport
- Creation of the Homophobia in Sport working group and Harassment and Abuse in Sport Coalition
  - Emergence of IOC Scandals involving Bid Bribery, Site Selection, Business practices

- Creation of the IOC 2000 and IOC Ethics commissions as a result of the call for reform
- Launch of the Athletes CAN Web Site
- Creation of OATH: the advocacy based International organization

**STRUCTURE  
OF THE  
SPORT  
SYSTEM**

**THE  
BIG  
PICTURE**

Diagram with high performance athlete, etc.

**WHO**

**does**

**WHAT ....**

**and how does that relate  
to me?**

# Athletes CAN

The Mission of Athletes CAN is to work with others in leadership, advocacy and education to ensure a fair, responsive and supportive sport system for athletes.

In fulfilling this mission, Athletes CAN is committed to:

accountability  
equity  
inclusiveness  
mutual respect

## Strategic Goals for Areas of Emphasis

### Membership Programs and Services:

- 1.1 To improve awareness of Athletes CAN and the programs and services available to athletes
- 1.2 To enhance the well-being of athletes
- 1.3 To develop and promote athlete leadership
- 1.4 To facilitate communication amongst Canadian athletes and to act as their independent voice.

### Foundation for Growth:

- 2.1 To achieve financial independence
- 2.2 To develop and implement the systems and structures necessary for the effective governance of Athletes CAN.

## Major Programs of Athletes CAN:

**A. Athletes Forum** -- hosted annually by Athletes CAN, the Athletes Forum is the only gathering of Canada's national team reps outside competition organized to meet the needs of athletes by providing education about the sport system and workshops on life skills. The Annual Meeting of Athletes CAN is held at the Forum and the Board of Directors is elected by delegates.

The programs of the Forum are supported by regional Leadership Workshops hosted by Athletes CAN in centres across Canada.

**B. The Sport Solution** -- The Sport Solution offers athletes access to free legal information and assistance on sport issues, such as selection, carding and discipline. Athletes

may phone toll free at 1-888-434-8883 to receive confidential advice. This program is a joint offering of Athletes CAN, the Dispute Resolution Centre and the Faculty of Law of the University of Western Ontario. The program is also supported by Osler, Hoskin & Harcourt, Barristers & Solicitors who will act for athletes on a *pro bono* basis on referral from The Sport Solution pursuant to certain criteria.

**C. Speakers Bureau** --Athletes CAN, together with Dale Carnegie & Associates, offers scholarships to enable athletes to enroll in the Dale Carnegie program in the major centre nearest you. The scholarships have a value of \$1,100. Athletes are selected from applicants and then placed in the course. Please contact the Athletes CAN office for an application.

Athletes CAN supports the network of National Sport Centres and will provide additional Speaker Training to National Team Athletes through the NSC network.

**D. Communications** -- Athletes CAN publishes a quarterly newsletter, Fast Forward, which is distributed to all national team athletes and others on the database. We have also produced other publications, such as Effective Athlete Leadership and work with others to support and distribute their publications which are of importance to athletes, such as the titles of the Centre for Sport and Law -- Administrative Appeals Handbook and Rights & Obligations.

**E. Bruce Kidd Award** -- Together with the Spirit of Sport Foundation, and other partners in the Canadian Sport Awards Dinner, Athletes CAN offers the Bruce Kidd Award to an active athlete who has shown leadership in the sport community. The recipient of the award in 1995 was Charmaine Crooks, in 1996 was Curt Harnett, and in 1997 was Jean Pierre Cantin.

**F. Community Support** -- Athletes CAN offers support to sport organizations to enhance an athlete-centred sport system. Over the past year, this support included working with the Canadian Centre for Ethics in Sport, Canada Games Council, Spirit of Sport Foundation, and the Commonwealth Games Association of Canada (Spirit of Sport Partners) on various initiatives; Sport Canada, the Coaching Association of Canada and the Canadian Olympic Association on National Sport Centres; the Canadian Professional Coaches Association on an Athlete-Coach Covenant; and membership in the Harassment in Sport Collective.

**For information on any of the programs of Athletes CAN, please contact us at our toll free number: 1-888-832-4222.**

## NATIONAL SPORT ORGANIZATIONS

National Sport Organizations hold the mandate to develop and regulate a particular sport at the national level. Consequently, their policies and programs have a powerful impact on your life. Make sure they work for you.

Every national team athlete is a member of an NSO, sometimes through a provincial affiliate or branch. Since you are a member, you have a right to see the constitution and by-laws, to attend and vote at the annual meeting and to ask questions. Check your NSO's constitution to determine how to exercise your vote since some NSOs only permit representatives to vote at the annual meeting (your first suggested by-law change may be to ensure that every athlete member has a vote at the annual meeting -- see section C(3) of this document.).

NSOs are incorporated as non-profit organizations, usually under legislation called the Canada Corporations Act (CCA). The internal rules of an NSO are found in its constitution, which includes the by-laws. By-laws deal with operational matters, such as how the Board of Directors is elected, they define membership as well as establishing voting rights and financial reporting procedures.

The CCA requires NSOs to be governed by a Board of Directors. The Board is elected at the Annual Meeting and most NSOs have representational Boards, that is, there will be representatives from Canada's regions, there may be coach representation, and there may be athlete representation. Most NSO Boards are volunteer and their task is to set the general policy of the organization. The Board also plays an important role in examining the budget of an NSO.

The day to day functioning of an NSO is usually run by staff -- an Executive Director, a Technical Director, a National Team Director, etc. NSOs vary greatly in the number of staff they employ. The staff is accountable to the Board. Staff play a critical role in ensuring that an NSO works effectively.

To work effectively, NSOs must perform many functions. They must develop young athletes, organize national championships, provide for the national team (training camps, international competitions, etc.). They are also charged by their International Federation (IF) with ensuring the eligibility of national team athletes -- amateur status, compliance with anti-doping programs, etc.

It is very important for every athlete to learn what your NSO does and how. Get to know the staff and members of the Board. Ask questions. Get involved.

Many NSOs have a direct way for athletes to get involved. Elected athlete representative may sit and vote on your NSO's Board of Directors (if they don't, they should -- see the section on changing by-laws), your NSO may have an Athletes Council, there may be athlete representatives on some of the key committees, such as National Team Selection, Coaching, Finance.

## **SPORT CANADA**

Sport Canada is the branch, within Canadian Heritage, responsible for policies and programs

“To support the achievement of high performance athletic excellence as a means of stimulating pride in Canada and promoting Canadian identity at home and abroad; and to work with key partners to sustain the development of the Canadian Sport System.”

The policy priorities for sport include:

- Canada’s high performance athletes and the programs that directly support them;
- coaches and the coaching system;
- delivery of high performance services to athletes through NSOs and other delivery mechanisms;
- increased access to sport for under-represented groups, particularly women, athletes with disabilities and Aboriginal people; and
- initiatives contributing to the achievement of the government of Canada’s broad social and economic policy objectives.

Sport Canada’s programs have a direct impact on athletes in a number of ways, such as:

1. Sport Canada administers the Sport Funding and Accountability Framework (SFAF) and the Funding and Accountability Framework for Athletes with a Disability (FAFAD), which determines how much funding the NSO will receive from Sport Canada based on an assessment of the NSO’s performance related to Government priorities;
2. the Athlete Assistance Program (AAP) through which qualifies athletes receive direct, tax-free financial assistance (see attached);
3. Sport Canada, with the Canadian Olympic Association and the Coaching Association of Canada and other partners, are developing a network of National Training Centres across the country for the benefit of current and future national team athletes; and
4. Sport Canada also provides support for Canada’s participation in major Games such as the 1999 Pan-American Games to be hosted in Winnipeg.

### **Athlete Assistance Program (AAP) Overview:**

The Athlete Assistance Program (AAP) assists Canada’s top international calibre athletes with their training and competition needs, through the provision of financial assistance in the form of a living and training allowance and, where applicable, tuition expenses. The AAP is also intended to assist carded athletes in dealing with the increasing demands of high performance sport and to enhance their personal and career development (both during and following their athletic careers), through the provision of tuition support and Deferred Tuition Support. The program is not intended to meet all the needs of high performance athletes. The funding provided by Sport Canada to National Sport Organizations (NSOs) for National Team training and competition, Coaching, Sport Science Support, etc. are intended to complement AAP support.

## **MAJOR GAMES ORGANIZATIONS**

### **CANADIAN OLYMPIC ASSOCIATION**

As Canada's National Olympic Committee, the Canadian Olympic Association is responsible for all aspects of Canada's participation in the Olympic Movement, including taking Canadian teams to the Olympic and Pan American Games. The COA is a PRIVATE, NOT-FOR-PROFIT CORPORATION which conducts a wide range of programs and services in support of Canadian Olympic sport and Canadian athletes. Some of the COA activities offered directly to athletes are:

- COA Athlete Fund (approximately \$750,000 awarded annually)
- Olympic Torch Scholarship Fund (approximately \$450,000 awarded annually for athletes and coaches)
- Athlete Services offering counselling, lifeskills development and career assistance through regional centres
- Athlete Services at Games including an individual responsible for athlete advocacy

The COA is committed to being athlete focused and established their Athletes' Council in 1980. The Council includes an athlete rep from each sport represented on the Olympic and Pan Am Games programs. The International Olympic Committee Athletes' Commission members (Charmaine Crooks and Ken Read) are also members of the Council and up to three additional athletes can be added as members at large. Representatives must be elected by their peers. The Council meets annually and participates at the COA Annual Congress. The Council elects an executive of six who are all voting members of the COA Board of Directors. The chairperson of the Council is also a voting member of the COA Executive Committee.

### **COMMONWEALTH GAMES ASSOCIATION OF CANADA**

The Commonwealth Games Association of Canada (CGAC) is responsible for fielding the Canadian Team to the Commonwealth Games. The CGAC also plays an active role in sport development in countries of the Commonwealth through its Commonwealth Sport Development Program, which is partly funded by CIDA. The CGAC is a member of the Commonwealth Games Federation (CGF) which owns the Commonwealth Games.

The CGAC has two athlete representatives on the Board and an Athlete Involvement Committee which has input into the Games Mission Staff selection and other issues of importance to athletes.

## **CANADIAN PARALYMPIC COMMITTEE**

The Canadian Paralympic Committee (CPC) is a member of the International Paralympic Committee (IPC) which owns the Paralympic Games and is recognized as the National Paralympic Committee of Canada.

Competitors are elite athletes with physical, visual and intellectual disabilities. They include athletes who are blind and partially sighted, athletes who are paraplegics and quadriplegics, athletes with cerebral palsy and amputees. The 1998 Winter Paralympic Games in Nagano, Japan included for the first time, athletes with intellectual disabilities in cross country events.

## **ABORIGINAL SPORT CIRCLE**

The Aboriginal Sport Circle, established in 1996, provides a national voice for Aboriginal sport and recreation. The Circle includes all Aboriginal groups (i.e., Treaty and Status Indians, Metis and Inuit, and involves Aboriginal people from all geographic regions of Canada, including urban and reserve). As a result of the Circle's work, there is increased participation at all levels of sport and recreation, resulting in more positive and healthier lifestyles for Canada's Aboriginal peoples.

Within its mandate, the Aboriginal Sport Circle promotes development of Aboriginal athletes to reach personal excellence through sport. The approaches used are traditional and holistic, balancing physical, mental, spiritual, and cultural aspects. A strong support and communication system assists Aboriginal athletes to take advantage of opportunities within mainstream sport and when these are unavailable, the Circle works to ensure alternative activities are available.

In order to accomplish the above, the Aboriginal Sport Circle has strong partnerships and alliances with Sport Canada, Athletes CAN, mainstream sport, Aboriginal organizations; and public and private sector funding sources.

## **NORTH AMERICAN INDIGENOUS GAMES**

The Aboriginal Sport Circle and its provincial / territorial affiliates organize Canada's participation in the bi-annual North American Indigenous Games. The 1997 NAIG were hosted by Victoria, B.C. and the 1999 NAIG will be held in Fargo, North Dakota. Canada's indigenous athletes are eligible to compete.

## **WORLD UNIVERSITY GAMES**

Canada's participation in the World University Games is one of the mandates of the Canadian Interuniversity Athletic Union (CIAU).

Participants in the World University Games must satisfy several criteria to be eligible to compete, including Canadian citizenship, between 17 and 28 years old, have amateur status, and be a full-time student at a post-secondary institution (or graduated within the past year).

## **CANADA GAMES**

The Canada Games Council holds the mandate to organize the Canada Games. Participation is organized around provincial / territorial teams. The Games are held every two years, alternating winter and summer.

The Canada Games are intended to provide high level competition for athletes below the national team level. The average age of competitors is 16 - 18 years old.

## **OTHER ORGANIZATIONS**

### **CANADIAN CENTRE FOR ETHICS IN SPORT**

Born of a merger between the Canadian Centre for Drug-free Sport and Fair Play Canada, the Canadian Centre for Ethics in Sport's (CCES) purpose is to promote ethical conduct in all aspects of sport.

The CCES is a not-for-profit organization independent of other sport organizations and government. It is responsible for a range of issues important to sport and society. They strive for a just, fair and ethical sport system, including the achievements of fair play, drug-free sport, equity, safety and non-violence. As part of their comprehensive approach, they provide services and resources to a broad range of clients, including athletes, coaches, sport organizations, the media and the general public.

The CCES is responsible for the leadership, coordination and implementation of all aspects of Canada's drug-free sport testing program. Their partnership with the INRS-Santé laboratory in Montréal ensures that they meet the highest of testing standards, thus enabling Canadian athletes to participate in a drug-free sport environment.

### **SPIRIT OF SPORT FOUNDATION**

Spirit of Sport Foundation is a national, multi-year campaign designed to celebrate excellence in sport. The CCES, along with the Spirit of Sport Foundation, plays a lead role in providing national coordination, tools and programming ideas for the sport community. Spirit of Sport encourages the development of new skills, the achievement of personal bests and respect for the game. It is about doing the right thing in sport. Most of all, it promotes a sport environment where winning and excellence are valued equally.

## **COACHING ASSOCIATION OF CANADA**

The mission of the Coaching Association of Canada is to enhance the experiences of all Canadian athletes through quality coaching. The CAC's flagship, the 3M National Coaching Certification Program, is recognized as the national standard for coaching qualifications. The five levels of the 3M NCCP were designed to meet the needs of a wide range of coached, from those who introduce youngsters to sport to those who coach high performance athletes. More than 650,000 coaches have received 3M NCCP training.

## **CANADIAN PROFESSIONAL COACHES ASSOCIATION**

The Canadian Professional Coaches Association is the professional arm of the Coaching Association of Canada. CPCA's goals are to enhance the status of the profession of coaching and the professionalism of its members, strengthen the voice of coaches in the sport system, provide conscientious self-regulation of the community, and provide services to coaches in a variety of areas identified by the membership.

## **NATIONAL SPORT CENTRES**

Canadian Olympic Association, Coaching Association of Canada,  
Sport Canada

The Coaching Association of Canada (CAC), the Canadian Olympic Association (COA) and Sport Canada have joined in a partnership committed to creating a network of National Sport Centres (Centres) across Canada in order to enhance the training environment for high performance stream athletes. The partners view Centres as a major vehicle to achieve the objective of enhancing the level and increasing the efficiency of delivery of services for high performance athletes and coaches. With a focus on coordinating access and delivery of essential support services for athletes and coaches, Centre activity is intended to complement National Sport Federation (NSF) programming in the pursuit of high performance excellence.

The commitment to establish a network of Centres has resulted from various demands by the sport community. The first was the enthusiastic endorsement of the National Sport Centre - Calgary during the first two years of its operation by high performance athletes, coaches and NSFs and the desire, expressed in various consultations, for the creation of additional Centres. This prompted a commitment by Sport Canada to the creation of additional Centres. The second was the endorsement by the COA Board of Directors, comprised of NSF representatives, of National Sport Centres at its Annual Congress in April 1996, and its commitment of \$4 million over the 1997-2000 quadrennium to the creation of a network of Centres.

The Centres initiative represents a commitment by these three national organizations to addressing current issues in Canadian sport in partnership. The Coaching Association of Canada contributes to Centres recognizing their benefit for coach education and employment and as an optimal training environment for the coach-athlete duo's pursuit of excellence. The Canadian Olympic Association's original focus on the athlete service component of Centre programming remains and has expanded to include a concern for the broader aspects of Centre activity. Sport Canada's interest in Centres reflects the federal government's continued interest in supporting high performance athletes and the development of the Canadian sport system.

The current objective is to create a coordinated network of Centres in major Canadian cities to service the majority of national team athletes training in Vancouver, Victoria, Calgary, Toronto, Montreal, Winnipeg and the Atlantic region. This network might include additional Centres, with a smaller scope of activity, that are developed in conjunction with the hosting of future Major Games and Canada Games sites. There is also the potential for the provinces to develop provincial or regional Centre programs which could be linked with the national network.

The participation of the respective provincial government and other relevant local sport organizations, institutions, etc. and, in the longer term, the corporate / private sector, is a key success for each Centre. This will enable Centres to provide a comprehensive high performance athlete development model that spans both national and provincial jurisdictions.

The National Sport Centre - Calgary has been operational since September 1994 and has since been complemented by Centres in Montreal, Winnipeg, Toronto and more recently, in

Vancouver. The location of these Centres has been determined by current concentrations of athletes and Centre programming is based on an intensive needs assessment conducted with high performance athletes and coaches at each site.

The national partners are also involved in the establishment of a Centre to service the specific high performance development needs of the Atlantic provinces. This Centre has been developed in collaboration with the respective four provincial governments.

**THE VISION**

**. . . ATHLETE-CENTRED  
SPORT**

**WHAT  
IS  
ATHLETE-CENTRED?**

# WHAT IS ATHLETE-CENTRED?

ACCOUNTABILITY

DUAL RESPECT

EMPOWERMENT

EQUITY and FAIRNESS

EXCELLENCE

EXTENDED and MUTUAL RESPONSIBILITY

HEALTH

INFORMED PARTICIPATION

MUTUAL SUPPORT

ATHLETE RIGHTS

**HOW DO WE  
EVALUATE  
ATHLETE-CENTRED?**

# HOW DO WE EVALUATE ATHLETE-CENTRED?

1. Is the sport experience positive for athletes?
2. So most athletes stay involved after retirement?
3. Does the system enable athletes to achieve their potential?
4. Do athletes receive quality coaching and technical support?
5. Do athletes have access to appropriate training and competitive opportunities?
6. Do athletes compete with the spirit of sport and fair play?
7. Does the system have a positive impact on developing the following characteristics in athletes:
  - technical skills
  - self-knowledge and self-esteem
  - moral integrity
  - leadership skills
  - teamwork
  - respect for others

*(from "Athlete Centred Sport Discussion Paper" – see attached)*

# MINIMUM EXPECTATIONS - Athlete-Centredness

Sport Canada, working with Athletes CAN, has set minimum standards of "athlete-centred management" for NSOs in the Accountability Agreement of the Sport Funding Accountability Framework.

## **The system-wide goal for 2001**

Sport Canada has identified the following goal for its client NSOs on a collective basis:

*All key NSO committees, where program and policy decisions related to high performance sport are made, contain 20% athlete representation. This may include committees such as high performance committees, working groups, task forces and Boards of Directors.*

## **The 1996-97 Minimum Expectations were:**

1. a policy, where the equivalent does not already exist, of athlete-centred management;
2. a commitment from the NSO to work with its athlete reps and Athletes Council to create an athlete centred "work plan"; and
3. an annual athlete survey by each NSO to evaluate NSO programs and services.

The development of annual athletes' surveys will be supported by the Athletes CAN NSO/Athlete Representative Project (the Tool is currently in draft form, described later).

## **By March 31, 1999:**

- Using an annual athlete survey as a tool, the NSO and athlete representative(s) assess the services and opportunities provided to athletes at the national level. This will provide a benchmark for assessing future progress and should focus on national team athletes including senior, junior and espoir.
- NSOs proactively facilitate the peer election and participation of athlete representation on key NSO committees making decisions on matters that affect high performance athletes.
- Athlete representatives are directly involved in developing / updating policies and procedures which directly affect them. For example, athlete agreements, codes of conduct, discipline, grievance / appeals, harassment, team selection, health and safety, budget for national team programming, and any other pertinent issues that affect national team athletes.
- The NSO includes provision for independent arbitration as an element of its grievance procedures, for use by athletes and other members, for the settlement of disputes which have already exhausted the NSO's internal appeals process. (The mechanism for independent arbitration must be lodged independent of any sport organization).
- Athlete input is solicited for the:
  - Hiring / selection of national team coaches, and
  - Performance evaluation of national coaches.

**By March 31, 2001**

- The opportunity for a minimum of one peer elected athlete representative to be a member of key NSO committees making decisions on matters that affect high performance athletes.
  
- The NSO annually collects data on athlete membership on NSO committees that make decisions affecting high performance athletes.

**ATHLETE-CENTRED  
SPORT  
DISCUSSION  
PAPER**

# **ATHLETE-CENTRED SPORT**

## **Discussion Paper**

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This paper has been written as an annex to the National Planning Framework for Sport, and has been undertaken by Heather Clarke, Dan Smith and Guy Thibault on the behalf of the Federal / Provincial / Territorial Sport Policy Steering Committee. We gratefully acknowledge the contributions made in this emerging field by Bruce Kidd, Ann Peel, Dorothy Strachan and Paul Tomlinson upon whose work we have built.

September 1994

# I DESCRIPTION OF AREA

## i) Operational Definition

For the purposes of this paper, athlete is defined as any individual who engages in sport, at any level, within the context of amateur sport.

Athletes are the "raison d'être" of the sport system. Therefore, in order to maintain the integrity and value of sport, it is critical that the sport experience be positive for athletes.

The primary focus of sport should be to contribute to the all-around development of athletes as whole, healthy people through sport. Sport provides athletes with opportunities for physical expression and mastery of technical skills. Through athletic performance, athletes pursue and demonstrate excellence and experience the joy of achievement. Along with these opportunities come certain responsibilities for athletes to play fair and compete in the spirit of sport. Athlete-centered sport should help to develop in athletes the qualities of citizenship, ethical conduct and sportsmanship.

The term athlete-centered refers to both a concept and a process, rather than a single action or event. In a athlete-centered sport system, the values, programs, policies, resource allocation and priorities of sport organizations and agencies place primary emphasis on consideration of athletes' needs in a holistic sense and performance goals within that context. Those responsible for leadership and decision-making in sport must include the athlete in both defining the needs and goals and in determining how to meet them; i.e. the athlete should be the active subject in, not the object of, sporting programs.

Throughout the full range of the sport continuum, coaches play a critical role in fostering and supporting the development of athletes. Coaches provide leadership and expertise in the areas of technical, tactical, physical and mental preparation of the athlete. In a coach-led, athlete-centered system, coaches strive to help athletes achieve their goals of self-development and winning, and coaching decisions are based on the long-term, holistic development needs of athletes. Coaches facilitate the empowerment of athletes by working with them, enabling them to become more independent and self-reliant as they mature as athletes and as individuals.

At advanced levels of competition and particularly at the high performance level, athletes make a choice to focus to a greater degree on sport performance. Hence, the overall needs of the athlete become shaped by that focus. However, it is the athlete him / herself who determines the degree of focus on sport.

*( Note: In this paper, holistic refers to the " whole " or " healthy ", in terms of emotional, psychological and physical development. It does not necessarily mean that the overall demands on the life of the athlete outside of sport will be in balance with the athletic demands. )*

ii) **Broader Sport Context**

Given the level of public investment in the sport system in Canada, it is important to view the impact of sport in a broader context in addition to its effect on the personal development of individual athletes through their pursuit of athletic excellence. When the humanity of athletes is respected, the investment in athletes will be maximized, making them more likely to be contributors for net societal gain.

Sport has several significant social, cultural and economic consequences: generating spending, developing human resources through voluntarism and training for youth, employing people, teaching healthy lifestyles, developing pride in Canadian accomplishment, etc.

iii) **Signature Characteristics of an Athlete-Centered System**

- **Accountability:** The sport system is accountable to its consumers - the athletes and to the membership of sport organizations. To the extent that public funds are used, all who participate and engage in sport are accountable to the public to uphold the values that Canadians hold, such as fair play and ethical behavior, within the spirit of sport.
- **Dual Respect:** The term is derived from child development theory on fostering self-respect. Athletes learn to value and respect themselves when they are treated with respect and are given the opportunity to exercise control over their own actions and lives. As they mature, athletes respect others (in diverse roles and for their different contributions ) who have treated them with respect.
- **Empowerment:** Leadership and decision-making skills are developed among athletes and they are encouraged to develop and exercise their full range of abilities.
  - **Equity / Fairness:** Training and competitive opportunities are accessible, inclusive and equitable.
  - **Excellence:** Athletes are able to pursue and demonstrate athletic excellence because adequate facilities, qualified coaching, development opportunities and support networks exist.
  - **Extended Responsibility:** The system recognizes the long-term impact it has on the athlete's life. Leaders make decisions considering the long-term consequences for athletes. Transitions from a focused role of athlete to other roles are facilitated. As a result, the athlete is motivated to participate in sport lifelong.
  - **Health:** The health of athletes is safeguarded and sport contributes to overall health and well-being.
  - **Informed Participation:** The athlete is given choices and kept aware of potential consequences and trade-offs.
  - **Mutual Support:** The interdependence of athletes and others within the sport system in meeting objectives and solving problems is recognized. Both the accomplishments and the efforts are celebrated.

- Rights: The athlete's rights are clearly defined and outlined, mutually agreed upon, and safeguarded.

( Note: This section has been adapted from Strachan and Tomlinson, CPCA Coaching Code of Ethics, 1993 )

iv ) **Key Issues**

a ) **What would be the performance objectives for such a system?**

The system would be evaluated in terms of its contribution to both the athletic performance and the holistic development of athletes. Key questions should include the following:

- Is the sport experience positive for athletes?
- What proportion of athletes continue to participate in the sport system and for how long?
- Does the system enable athletes to achieve their potential and meet their competitive goals or do athletes leave sport prematurely due to dissatisfaction with their own sport experience?
- Do athletes receive quality coaching and technical support?
- Do athletes have access to appropriate training and competitive opportunities?
- Do athletes compete within the principles of fair play and the spirit of sport?

The system should also be assessed on the basis of its impact on developing the following characteristics in athletes:

- technical skills and abilities
- self-knowledge and self-esteem
- moral integrity
- leadership skills
- teamwork
- respect for other competitors

(b) **Upon which criteria will athletes be judged and rewarded?**

**OR**

**To what extent should subjective criteria, including personal characteristics of athletes, be taken into consideration in team selection decisions?**

The sport system has moved in recent years to an increased weighting on objective performance measures in the interest of ensuring fairness in selection decisions. The inclusion of certain subjective, qualitative criteria, assessed by qualified individuals, can also be justified. It is essential that clear selection criteria are published and communicated to athletes well in advance of the team selection process.

c) **What special considerations should be made in addressing athlete-centered sport for athletes of varying ages and experience?**

Much of this paper addresses the issue of athlete-centered sport from the perspective of more experienced athletes in competitive sport, particularly high performance athletes. The needs of athletes at younger age levels will be somewhat different and the system must be flexible to accommodate these unique needs. Parents will also play a more significant role in

determining the scope and implementation of athlete-centered principles for young and less-experienced athletes.

**d) How do we reconcile the pursuit of competitive goals with the potential health and injury risks for high performance athletes?**

In an athlete-centered system, every effort is made to ensure protection of the health and well-being of the athlete, including the following steps:

- Well planned and monitored training programs
- Regular medical monitoring of athletes
- Preventive medical care
- Nutritional counseling and monitoring
- Safety and risk management procedures for competitions

**II BEST PRACTICES: Positive Models for Implementation**

*Note: This is not meant to be an exhaustive list, nor does it in any way imply that the programs, services, policies, etc. listed here could not be improved upon. However, the intent here is to find areas to build upon. A critique could be provided elsewhere.*

- Arctic Winter and Dene Games: The goal was to come together, share an experience and learn. Mutual support is addressed in the sense that competitors become mentors and coaches to each other.
- Athlete Association: Supported by the sport system
- Athlete Assistance Program: Funding goes directly to the athlete
- AAP Extended Athletes' Assistance: Extended responsibility to athletes beyond high performance sport career
- AAP Tuition Waiver: The importance of post-secondary education is underlined
- Athlete Advocate presence at Commonwealth Games: Athlete rights and extended responsibility were addressed
- Athlete Services component of the National Multi-Sport Development Centre in Calgary: One of the major programs to be offered through the NMSDC is the provision of an array of services to athletes, including personal, educational and career counselling; liaison with schools; and housing assistance
- Canadian Athletes Association (CAA) Leadership Award, Community Service Award: These awards set up both extended responsibility concept, of athletes to their community, and give support for efforts
- CAA Athlete Leadership Forum: Athlete representatives are empowered and informed
- Canadian Olympic Association (COA) Olympic Athletes' Career Centre: Addresses the extended responsibility issue
- Canadian Volleyball Association (CVA) Mentor Program: Important in terms of mutual support, empowerment and extended responsibility issues
- Canadian Professional Coaches Association (CPCA) Coaches' Code of Ethics: This is an important step, particularly if the community standard is raised by peers (addresses dual respect and accountability)
- Commonwealth Games (Victoria): The Athletes' Declaration
- Community Youth Sports Service of Atikokan: The goal of this group is to provide constructive lifestyle alternatives for Atikokan youth through sport
- Disabled Athletes with Able-Bodied Athletes at Commonwealth Games in Victoria: This was an opportunity to be inclusive and to value diversity

- Olympic Academy: The academy has served an important role in helping people understand Olympism, and to understand the role sport plays in our society
- Role Model Programs: Ontario's F.A.M.E. program (Female Athletes Motivating Excellence) promotes self-esteem for young people (empowerment, mutual support).

### III TOOLS / INDICATORS

#### i) A checklist for sport organizations ( clubs, PSOs, NSOs, etc. ) to asses their progress in becoming athlete-centered

- i) Mission, objects and goals statements place athletes as the central focus of planning, administration, program design and implementation, and include the following values:
  - a) the athlete is recognized as a whole person and encouraged to flourish, with competitive athletics as an important but only one part of their life experience;
  - b) the athlete's physical and psychological health and safety are protected;
  - c) athletes' rights and obligations are understood and respected; and
  - d) the athlete-coach relationship and the infrastructure required to support the development of the athlete are central.
- ii) Elected Athletes Council are supported by the sport organization and are a criterion for continued sport activity, such that:
  - a) they receive funding to meet regularly and to communicate with the athletes;
  - b) they are integrated into policy and program development; and
  - c) the councils designate appropriate athletes for key committees and boards of directors.
- iii) Elected athlete representatives are fully funded to attend:
  - a) board meetings;
  - b) key committee meetings;
  - c) Canadian Athlete Association Athlete Leadership Forum;
  - d) Canadian Sport Council General Assembly; and
  - e) Other important fora.
- iv) Elected athlete representatives are directly involved in developing policies and procedures for:
  - a) codes of conduct;
  - b) selection;
  - c) discipline;
  - d) harassment;
  - e) grievance;
  - f) appeal; and
  - g) health and safety;
  - h) other issues of importance as they arise.
- v) Athletes are educated about the sport system (both domestic and international), policies and procedures within their organizations and external affecting them and any changes.

- vi) Athletes are equal partners in determining the content of Athlete-Sport Organization Agreements. Training regimes and competition schedules are mutually agreed upon. Accountability measures are agreed upon for both partners.
- vii) Performance goals are mutually agreed upon. Coaches and other sport leaders avoid placing athletes in situations where they are confronted with externally imposed moral dilemmas, such as the setting of performance goals which can not be achieved using fair and ethical means. Athletes share this responsibility for striving for excellence within an ethical framework.
- viii) Athlete environments are assessed to ensure holistic development
- ix) Injury / accident incidence is monitored, analyzed and steps / measures are taken to ensure prevention. Extended health benefits and living allowances are available to injured athletes.
- x) Harassment is prevented by educational programs and monitoring. Policies and procedures are in place to deal with harassment, should it occur. Support systems are in place to assist athletes who have been harassed.
- xi) Quality of coaching is high (level of certification, ratio of athletes to coaches).
- xii) Decisions and reallocation of resources are based on stated priority and values related to the holistic development of athletes.
- xiii) Developmental and competitive opportunities exist to help athletes reach their athletic potential.

**ii) Checklist for system-wide policy and plan development**

- a) Mechanisms are in place to facilitate direct athlete involvement in decision making which impacts on athletes in sport organizations at all levels (community to national).
- b) Athlete rights are standardized and not sport-dependant. Internal appeal procedures honor the principles of natural justice, fairness, and no apprehension of bias by having, for instance, notice of hearing and of the case to be met, written decisions, the right to representation, third party decision makers, and the right to appeal to an arbitration board.
- c) An Alternative Resolution Mechanism is established that operates independently of the sport organizations.
- d) An Athlete Ombudsperson office is established and an Athlete Advocate is included in all Games mission complements.
- e) The Canadian Athletes Association receives support and funding to address directly issues of common concern to athletes.
- f) The National Coaching Certification Plan educates coaches to nurture and facilitate empowerment of their athletes, thereby redressing the existing coach / athlete power-imbalance.

- g) The Canadian Professional Coaches Association is empowered to regulate and delicense coaches.
- h) All sport system partners commit to collaborate in the design and delivery of a more effective system which is free of barriers and is better integrated to meet the needs of all athletes from entry level through to the highest levels of international performance.
- i) Existing government, NSO, PSO and MSO programs and services are comprehensively and regularly reviewed and evaluated against the athlete-centered standard.

**iii) Outcomes**

- a) Athletes view their sport experience as positive and worth repeating (cf. Peter Donnelly's study).
- b) Athletes have the opportunity to reach their competitive goals and athletic potential.
- c) Conflicts and disputes are resolved fairly.
- d) Athletes' incomes rise substantially above poverty level (independent of family support).
- e) Athletes have a real opportunity to pursue secondary and post-secondary education both during and after athletic careers.
- f) Use of banned substances is reduced / eliminated.
- g) Athletes play fair in the "spirit of sport".
- h) Athletes remain as participants in the sport system in some capacity after their competitive careers.
- i) The number of Canadians who actively engage in sport, thereby deriving benefit from sport, increases.

**ASSESSING YOUR  
SPORT  
ENVIRONMENT**

## NSO / ATHLETE REP PROJECT

Historically, high performance athletes have not always had a lot of input into the programs, policies and procedures of their respective National Sport Organizations (NSOs) or the Canadian sport system. However, in recent years, there has been a dramatic shift towards athlete-centredness. According to the definition accepted by Athletes CAN, Sport Canada and others:

*Those responsible for leadership and decision-making in sport must include the athlete both in defining the needs and goals and in determining how to meet them; i.e., the athlete should be the active subject in, not the object of, sporting programs (Athlete-Centred Sport, November, 1994).*

Athletes have begun to work together toward athlete-centred management. One of our projects, the NSO / Athlete Rep Project has evolved dramatically over the past two years. At Forum 1996, Athletes CAN piloted an independent athlete evaluation of NSO programs (athlete survey) and introduced a workplan strategy. These activities were part of a research project undertaken by Athletes CAN, involving Board members, volunteers, and students from the University of Toronto and Concordia University, Montreal. Our goals were to more clearly identify what constitutes "athlete-centred" for athletes and to provide a tool to facilitate the evaluation of NSOs (their programs, services and policies in terms of being athlete-centred) by athlete representatives. One of our main objectives was to promote and encourage dialogue between athletes and their NSOs (mutual accountability).

Based on a number of factors including feedback from athletes and members of an NSO working group, the project was revised so that the tool's emphasis is on education more so than evaluation. Now, the primary goal of this project is to develop an effective and fair way for athletes and their NSOs (professionals / volunteers) to evaluate their sport environment and to work towards a more mutually beneficial and accountable sport system. The result is an interactive education tool for athlete representatives and NSOs. This project provides a vehicle for athletes' voices to be heard, for their opinions to be sought and for their experiences to be shared. The tool is an integral part of the education process for both athlete representatives and the NSOs. It is an important step in learning what athlete-centred sport actually means in the real world.

We are proposing that the athlete representative(s) and the NSO representative(s) use the tool to assess their own sport and develop a survey for their athletes (in order to fulfill the SFAF Accountability Agreement Minimum Expectations). Eventually, we would like to compile a short summary of each NSO's existing programs, policies and services. Successful organizations could be used as models for others. Organizations that require assistance would have the opportunity to work with their athlete representatives (and Athletes CAN, if necessary) to plan and implement a more athlete-centred model.

Athletes CAN could offer individualized assistance (i.e., consultation on action plans, education workshops) to support particular sports as they work to become more athlete-centred.

Consultation with all stakeholders was and continues to be an important part of this project. We intend to continue with an open consultation process with athletes and NSOs before finalizing the tool. We hope to have the final draft by December 1998 so that the tool may be distributed at the beginning of January 1999.

Athletes CAN believes that the Canadian sport system must become more accountable to the athletes. By working with athletes and NSOs towards an athlete-centred workplan, we are establishing the standard of an athlete-centred sport system. When taken as a whole, quantitative statistics and summary reports will have some influence, but it is the improved communication between athletes, their coaches, and NSOs that will provide the materials to build more athlete-centred sport environments. Further to this purpose, we support the thrust of Sport Canada's SFAF Accountability Agreements and its Minimum Expectations as they relate to athlete-centredness.

This is a very practical and relevant project, especially for the evolving sport system in Canada. Athletes CAN, the Board of Directors, and the general membership support this project as does Sport Canada and many NSOs. We have a strong network and well-established relationships within the sport community. It is our sincere hope that these efforts will make a difference in the lives of Canada's current and future high performance athletes.

## **THE FACTS ABOUT ATHLETES CAN'S NSO / Athlete Representative Education Tool**

- WHAT:** - generic, interactive education tool, presently in draft form (should be available in January 1999)
- WHY:** - to more clearly identify what constitutes "athlete-centred" for athletes and to provide a tool to facilitate the evaluation of NSOs (their programs, services and policies in terms of being athlete-centred) by athlete reps and their NSOs (professionals / volunteers). Another goal is to promote and encourage dialogue between athletes and their NSOs (mutual accountability).
- WHEN:** - to be used in conjunction with the timeline for the SFAF Accountability Agreement, availability of athletes (i.e., competitive schedules, work, school, etc.) and NSO representatives; preferably not at a major competition or training camp unless agreed by athlete(s).
- WHERE:** - meetings can take place in person or by conference call, supported by correspondence via e-mail, traditional mail or fax, depending on what works best for everyone involved.
- HOW:** - each person involved has a copy of tool; set meeting times; at least 5 phases:
- Phase 1:** Begin by discussing norms for how the process will unfold, expectations, timelines, etc. - Action Plan
- Phase 2:** Discuss what athlete-centred means to the athletes and NSO representatives, clarify terms, etc. Determine an operational definition.
- Phase 3:** Initially identify areas of effectiveness and areas where improvements are desirable, based on personal experiences. An important step that complements this activity is to complete the NSO Profile Section - this ensures that everyone has access to the same information. It is generally an orientation process for the athlete representative. Afterwards, review strengths and weaknesses previously identified and proceed to discuss your sport environment.
- Phase 4:** After identifying areas for evaluation, select appropriate questions from the tool (or devise your own) and prepare a draft survey. After checking that the survey will yield the information you desire, finalize the survey and distribute to team mates. Follow basic guidelines for surveys and data compilation and analysis - and try to keep it short and simple.
- Phase 5:** Action Plan: Discuss results of survey, address problem areas, identify and write down possible solutions, decide on specific steps to be taken and by whom; agree on specific follow-up dates to review progress and deal with outstanding issues.

## **Excerpts from draft Tool: HOW ATHLETE-CENTRED IS OUR SPORT?**

### **PHASE 1 Norms**

- Mutual respect and accountability
- A reciprocal, learning process
- Working together for the common good, (i.e., belief in the positive impact sport can have in one's life)

### **PHASE 2 Reflecting upon athlete-centred sport**

#### **Signature characteristics:**

- Accountability
- Dual Respect
- Empowerment
- Equity and Fairness
- Excellence
- Extended and Mutual Responsibility
- Health
- Informed Participation
- Mutual Support
- Rights

#### **Key issues:**

The system should be evaluated in terms of its contribution to both the athletic performance and the holistic development of athletes. Key questions should include the following:

- Is the sport experience positive for athletes?
- What proportion of athletes continue to participate in the sport system and for how long?
- Does the system enable athletes to achieve their athletic potential and meet their competitive goals or do athletes leave sport prematurely due to dissatisfaction with their sport experience?
- Do athletes receive quality coaching and technical support?
- Do athletes have access to appropriate training and competitive opportunities?
- Do athletes compete within the principles of fair play and the spirit of sport?

The system should also be assessed on the basis of its impact on developing the following characteristics in athletes:

- technical skills and abilities
- self-knowledge and self-esteem
- moral integrity
- leadership skills
- teamwork
- respect for other competitors

*(from Athlete-centred sport discussion paper, 1994)*

**Possible Group Activity:**

What does the term *athlete-centred* mean to NSO representatives? What does the term mean to athlete representatives? Discuss key areas of importance and any discrepancies in understanding of the concept (to determine an operational definition).

**PHASE 3 Discussing our athlete-centred sport environment**

Identify areas of effectiveness and areas where improvement would be desirable (i.e., athlete services, health and safety, coaching, training and competitions, national multi-sport training centres, athlete representation, funding, sport experience, evaluation measures). Keep in mind that it is important to manage expectations and if there are areas of disagreement, seek additional facts and agree on some objective measures.

If there are areas of disagreement, strive to discuss the problem in a mutually respectful manner. Offer and ask for each other's involvement in addressing the problem(s). Discuss potential causes of problems. Identify and write down possible solutions. Decide on specific steps to be taken and by whom. Agree on a specific follow-up date to review progress and outstanding issues.

**REMINDER :**  
**SMART goals are simple, measurable, achievable, realistic & timely.**

# SAMPLE QUESTIONS

We have developed this generic tool to assist NSOs and their athlete representatives assess, plan and guide action related to an athlete-centred sport environment. We would recommend using as many areas of the generic tool as possible. The key is to manage expectations and use action plans. One plan would be to choose a few areas that are most important and work on them in the short term and to use other information for longer term collaborative planning (i.e., to establish baseline measures).

## NSO PROFILE

NSO representative(s) / position(s): \_\_\_\_\_

National team athlete representative(s): \_\_\_\_\_

Outline the structure of national association, major committees, etc.

Outline the structure of national team program (i.e., A team, B team, Senior / Developmental; team pool)

Number of National Team athletes: \_\_\_\_\_

Gender breakdown of athletes: Males: \_\_\_\_\_ Females: \_\_\_\_\_

Number of carded athletes and their levels: \_\_\_\_\_

Number of National Team coaches: \_\_\_\_\_

Gender breakdown of coaches: Males: \_\_\_\_\_ Females: \_\_\_\_\_

Number of athletes whose preferred language of communication is:

English: \_\_\_\_\_ French: \_\_\_\_\_

Number of coaches whose preferred language of communication is:

English: \_\_\_\_\_ French: \_\_\_\_\_

Location of national head office (city and province): \_\_\_\_\_

**WHAT IF  
THE SYSTEM ISN'T  
WORKING FOR ME?**

**... HOW TO EFFECT  
CHANGE**

**MOVING  
THE  
PYRAMID OF POWER**

# THE PYRAMID OF POWER

Final decision-making authority usually rests at the top of the pyramid. The key to effecting change is to tilt the pyramid so that the momentum from the membership changes the location of decision-making. One can influence decision-making not only by influencing decision-makers at the top, but also by building a grassroots momentum for change.

**SO**

**NOW WHAT**

**DO I DO?**

# HOW TO CREATE CHANGE (THE POWER OF THE SMALL)

1. KNOW YOUR TERRITORY
2. UNDERSTAND WHAT TO DO -- WHAT IS THE PROCESS OF DECISION MAKING? HOW CAN IT BE INFLUENCED?
3. UNDERSTAND THE OPPOSITION
4. CLEARLY IDENTIFY THE PROBLEM AND THE PATHS TO SOLUTIONS
5. STRENGTH IN NUMBERS (TO MOVE THE PYRAMID)  
-- MAKE THE CIRCLE BIGGER BY LINKING UP WITH OTHERS
6. USE THE TOOLS AVAILABLE -- BOTH INTERNAL PROCESSES AND EXTERNAL LEVERS (LAW, MEDIA)
7. BE OPEN, DEMOCRATIC AND INCLUSIVE
8. RECAPTURE YOUR HISTORY

# **ORGANIZATIONAL CHANGE**

# AMENDING AN ORGANIZATION'S BY-LAWS

## What is the issue?

Decision making processes are not adequate and you would like to change them.

## How?

One way to change, quite fundamentally, the way an organization makes decisions is to change the by-laws.

## What's in the by-laws?

An organization's by-laws are its set of internal rules.

By-laws govern the composition of the Board of Directors, who is a voting member of the organization, how officers are elected, the rights of members and other regulatory matters.

A change in by-laws might be desired to:

1. create a voting position(s) for athlete representatives on the Board of Directors; or
2. create an Athletes Council; or
3. create positions for athlete representatives on important committees of the organization.

## How can by-laws be changed?

By-laws are the internal rules, or law, of an organization.

Sport organizations are incorporated as non-profits -- under incorporating legislation, all members have a right to see the by-laws.

The by-laws will provide a mechanism for change --

Usually notice of a proposed change to a by-law must be given in writing well in advance (often 120 days) before the annual meeting -- sometimes other voting members are needed to give their support of a proposed change.

## The mechanics

If you want to change the by-laws to create an athlete position on the Board ...

1. Obtain a copy of the by-laws;
2. Read how to amend the by-laws;
3. Comply with these requirements, such as, notice provisions;
4. Attend the annual meeting of your organization (as a member you must receive notice of the meeting);
5. Vote on the amendment when it is put before the membership - obviously, to obtain a majority in favour of your proposed amendment, you will have to do some groundwork :
  - collect support before the date of the meeting,
  - get as many supporters to the meeting as possible,
  - if voting members can't attend the meeting, get their proxies - a proxy allows you to vote on behalf of a member. Read your organization's rules governing proxies!
  - speak in favour of the amendment at the meeting, and ask others to support you publicly,
  - get the support of those who are influential in your organization.
6. If the amendment is rejected, try to find out why;
7. Create a new solution and try again next year!

# CHANGING POLICY

Policy changes, such as changes to Codes of Conduct, selection criteria, NSO programs and the resources allocated to them are usually determined at the committee level.

Committees may be "standing", such as National Team, and be charged with a specific area of responsibility. Other committees may be "ad hoc", that is, created to deal with a specific issue at a point in time.

Committees will study an issue and propose an approach which must normally be ratified by the Board. The Board may accept the proposal, send it back for more work, or reject it. Usually, however, Boards respect committee recommendations.

It is, therefore, critical for athletes to become involved in committee work.

## **Athletes must learn:**

1. the roles of various committees;
2. which committees make which decisions;
3. who sits on these committees;
4. ensure that there is athlete membership (preferably two athletes so you can support each other);
5. to formulate positions backed by good argument and to take to committees proposals for constructive approaches to problems;
6. speak to members of the committee to get their support;
7. speak to Board members so they will support your proposal when it goes forward.

**CHANGE**

**STARTS**

**WITH**

**YOU !**

**CREATING  
AN  
ATHLETES  
COUNCIL**

# THE HOWS AND WHYS OF CREATING AN ATHLETES COUNCIL

Sometimes your performances don't speak for themselves. For whatever reason, you've been left off the team, you've been forced to compete under conditions you think are unsafe, you lost your carding and you think it's unfair. Some of these events need never have happened that way if you'd been part of the decision-making process.

But unless you, or someone representing you, is at the table you won't be heard and decisions that are made probably won't take your interests into account. They'll just consider what other people think your interests probably are. And they may very well be wrong.

**So...what can you do?**

## CREATE AN ATHLETES COUNCIL (IN NINE EASY STEPS):

1. Get a group of interested athletes together and figure out the issues facing you in your sport, i.e. selection, safety etc.;
2. Approach the Board of Directors and ask that the Board approve the creation of an Athletes Council and agree to recognize it as the voice of athletes in your sport;
3. Ask the Board to give you enough funding to meet at least once a year and to send out a Newsletter so you can communicate with athletes;
4. Use the attached Terms of Reference (adapted from Diving and Track and Field) to establish how the Council will work;
5. Make sure that all athletes are well-represented, i.e. national team, juniors, developmental, women, men, and that the different disciplines and events in your sport are represented;
6. Meet informally at events and talk over the phone so you are well-informed about how the athletes in your sport feel about the issues;

**7. DEVELOP SOLUTIONS!**

**8. Figure out how to get your point across!**

- ask the board to expand to allow for two athlete reps. (male and female) - you need two because it's very hard to speak up on your own.
- ask the board to support these athlete reps. by making sure they understand how the board makes decisions.
- ask for athlete reps. on the committees of the board, i.e. national team committee, high performance, finance, personnel, coaching, selection etc. - this is usually where the real decisions are made.

**9. Call us at Athletes CAN for help! We'll be glad to give you advice on how to get started and how to be effective.**

**GOOD LUCK! GO FOR IT!**

# BEING AN EFFECTIVE ATHLETE REP

1. Determine your mandate -- who do you represent? What do those people want you to do?
2. Establish strong and continuous lines of communication between you and those you represent - meetings at competitions, regular memos, telephone calls.
3. Learn and understand how your organization works -- which are the committees where decisions are made, how do athletes become a part of the decision-making?
4. Identify the key people and get to know them - show them that you will contribute in a constructive way to the future of the organization.
5. Attend meetings !!!
6. Be prepared !! Read pre-meeting materials, talk to other committee members - you cannot contribute if you do not attend prepared to discuss the issues.
7. Follow - up !! Do what you have been asked to do promptly and well.
8. Report on meetings to those you represent. Let them know what is happening **BEFORE** it happens!
9. Have a plan - if you see something that you and those you represent think is not right, be prepared with a plan to change it. Clearly identify the problem and offer paths to solutions.
10. Don't be afraid to speak up or ask questions when you do not understand. You may feel stupid, but you cannot be effective without understanding (chances are someone else has the same question, anyway).
11. Where you are knowledgeable, be sure of yourself. Athletes live the sport system - we understand how it really works (not just how it is supposed to work).
12. Remember - a stronger sport system starts with you!!

## **BENEFITS OF BEING AN ATHLETE REP**

1. Effect positive change.
2. Learn about your NSO and the Canadian high performance sport system.
3. Educate people in the NSO about the current needs / status of national team.
4. Develop communication and presentation skills.
5. Put it on your resume.
6. Meet other athlete reps through conferences, workshops, etc. - exchange ideas, network.
7. Earn respect for your abilities outside sport.
8. Educate your team mates about your NSO, the high performance sport system.
9. Realize opportunities for you and your team that you learned about by getting involved.

## **WHY MOST ATHLETES DON'T WANT TO BE AN ATHLETE REP**

1. I don't have time.
2. I don't like the politics.
3. I'm not interested.
4. It's too stressful.
5. I don't feel as though I have the skills to do it.
6. I just want to focus on my sport.
7. I don't want to be controversial or I don't want to piss any one off.
8. I don't want the responsibility.
9. It's too much work.

**ATHLETE COUNCIL MODEL  
TERMS OF REFERENCE**

# ATHLETES COUNCIL TERMS OF REFERENCE

[NOTE: THIS IS A SUGGESTED FORM FOR YOUR TERMS OF REFERENCE. IT SHOULD BE MODIFIED TO MEET THE NEEDS AND STRUCTURE OF YOUR SPORT.]

## A. PURPOSE

The purpose of the Canadian Divers' Association shall be to represent and promote divers' views and interests to the CADA on all issues which, directly or indirectly, affect national team divers, high performance divers and/or any national caliber diver.

## B. OBJECTIVES

1. To ensure athletes are able to participate in a constructive manner in the decision-making process of the CADA.
2. To ensure that, to the greatest extent possible, CADA policies and programs meet athletes' needs by means which include:
  - (i) utilizing the CADA staff as resource people for such background or other information as may be needed by the CADA;
  - (ii) effective athlete representation on the CADA Technical committee;
  - (iii) the presentation of the athletes' views and position to the relevant decision-making body on all issues identified by the CDA as affecting athletes, directly or indirectly;
  - (iv) monitoring programs;
  - (v) negotiating the contract between the CADA and athletes participating in the Athletes Assistance Program of Sport Canada;
  - (vi) providing meetings for discussions and information exchange among athletes;
  - (vii) developing annual and quadrennial plans for athletes as a group.
3. To keep athletes informed of policies and programs and their development through the mechanism of a regular newsletter or by other means of communication.
4. To ensure that athlete team leaders are elected on travelling teams:
  - (i) through the team leader, distribute and collect team reports;
  - (ii) summarize and relay information to responsible bodies.

## C. ELIGIBILITY FOR MEMBERSHIP

1. CDA membership is open to any registered Senior National caliber diver, and Age Group National Team diver.

## D. EXECUTIVE

1. A total of five athletes' reps will be elected by divers during the Summer Nationals. These five reps will form the Executive of the CDA:
  - (i) one position will be elected only by National Team (carded) Divers;
  - (ii) one position will be elected by the Age Group National Team Divers;
  - (iii) the remainder of the positions will be elected by the CDA members who are present during the electoral process.
2. The Executive should count no less than 3 Active divers.
3. The Executive shall meet right after the general assembly in order to distribute their positions and roles within the CDA. These positions are as follows: President, Vice-President, Secretary, Director, Director (Age Group Rep.)
  - (i) the Age Group director will always be elected from the Group A divers during Age Group Nationals;
  - (ii) the Executive will communicate amongst themselves as much as possible during the year in order to discuss relevant athlete issues.

#### **E. ELECTION OF REPS**

1. Election process:
  - (i) Elections of representatives will take place every year during Summer Senior National championships. Elections for the age group rep will occur during the Age Group National championships;
  - (ii) terms of office are for one year.

#### **F. RESPONSIBILITIES OF EXECUTIVE AND REPS**

1. Duties for the President:
  - (i) chairperson of the CDA;
  - (ii) prepare agenda for meetings;
  - (iii) represent membership on the CADA technical committee;
  - (iv) represent membership at the CADA AGM;
  - (v) report to executive following meetings;
  - (vi) organize meetings for the CDA;
  - (vii) communicate with the board of directors, CADA staff, coaches and officials;
  - (viii) direct athletes concerns and views to responsible bodies.
2. Duties for the Vice-President:
  - (i) replace the President when he/she can't attend meetings;
  - (ii) distribute, collect, summarize and revise meet reports;
  - (iii) promote team unity through positive actions.
3. Duties for the Secretary:
  - (i) prepare the agenda for meetings with the President;
  - (ii) write the minutes for meetings.

4. Carded athletes rep and the Age Group rep will be responsible for their respective special interest portfolios.
5. Other portfolios:
  - (i) planning - annual, quadrennial;
  - (ii) awards - athlete achievement and recognition ...;
  - (iii) diving rules;
  - (iv) drugs, doping.
6. Delegates attending the AGM:
  - (i) President;
  - (ii) one delegate from the remaining four positions to be elected by the Executive.
7. CADA Technical Committee:
  - (i) the President of the CDA will be the rep;
  - (ii) should it be impossible for the President to attend such a meeting, the Vice-President shall replace the President;
  - (iii) should it be impossible for the Vice-President to attend such a meeting, another executive member will be appointed by the President.

**G. REMOVAL FROM THE EXECUTIVE COMMITTEE**

1. Athletes representatives can be removed from the executive committee by one of four ways:
  - (i) **Athletes representative elections;**
  - (ii) **Executive impeachment** - An athlete representative would be impeachable through the actions of the executive, via a vote of no confidence; at least 4 out of 5 reps must support the motion.
  - (iii) **Carded athlete rep and Age Group National team rep. impeachment** - The carded athlete rep would be impeachable by his/her electors, via a vote of no confidence; at least 2/3 of the carded athletes must support the motion.

## **1. PURPOSE**

The purpose of the Athletes Council of Athletics Canada is to provide a recognized forum in which National Team athletes may identify issues, recommend solutions, and express the interests, needs and concerns of National Team athletes to the Athletics Canada staff and Board of Directors.

## **2. OBJECTIVES**

1. To serve as a source of athletes' opinion and advice to the Association.
2. To actively represent the interests and concerns of National Team athletes.
3. To provide a forum in which athletes may share and develop information or ideas as they relate to athletics.
4. To identify issues of concern to the athletes and develop ways and means to address these issues.
5. To make policy recommendations relative to the Athlete Reserve Fund.
6. To ensure athlete input into the evaluation of National Team programs and the Multi-Year plans.
7. To ensure effective athlete representation on the Board of Directors and other Committees where required.
8. <sup>DRAFT</sup>To monitor the selection process and implementation of the Athletes Assistance Program of Sport Canada (carding) with respect to the track and field athletes involved.
9. To monitor and review the association's Athlete Agreement.

### 3. MEMBERSHIP

#### ELIGIBILITY

1. All Council members must be or have been athletes and competing members of a major Canadian National Team within four (4) years preceding election to Council. Major team competitions are identified as any one of the following:

- World Outdoor Championships
- Olympic Games
- Commonwealth Games
- World Junior Championships

OR

have been an A, B, or C carded athlete in track and field in the past four years.

2. All council members must reside in Canada.
3. The National Team members that will make up the voting body will consist of all eligible member athletes identified in point 1 above and including all athletes currently carded through Athletes Canada. (Approx. 200)

#### COMPOSITION

1. There shall be one Council member for each of the following event groups:
  - Sprints
  - Hurdles
  - Distance
  - Off-Track \*this is new\*
  - Jumps
  - Throws
  - Multi-events
  - Walks
2. Event group representatives to the Council shall be elected by the National team members of their respective event groups to a two year term. Nominations will be received by the National Office in writing only at least forty-five (45) days prior to the election mail out date. Ballots will be generated and distributed to the National Team members by the Athletics Canada staff member liaison to the Council. Only the members of an event group may vote for that group's representative.

DRAFT

#### EXECUTIVE

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DRAFT

1. A President shall be elected from the Council members for a two year position. Duties of the President shall include:
  - (i) Chair the Council meetings;
  - (ii) Prepare the agenda for Council meetings in consultation with members of Council and ensure that it is distributed to Council
  - (iii) Represent the National Team and Council on the Athletics Canada Board of Directors; and
  - (iv) Report to Council following each meeting of the Board of Directors.
2. A Vice President shall be elected from the Council members for a two year position. The Vice President will replace the President at meetings as required when the President is unavailable.

#### **4. RESPONSIBILITIES OF COUNCIL MEMBERS**

##### **JOB DESCRIPTION**

To serve as a source of athletes' opinion and advice to the Council and to assist the organization in program and policy development for the benefit of track and field in Canada.

##### **WHAT IS EXPECTED OF COUNCIL MEMBERS?**

1. To attend Council meetings and be prepared to contribute to the discussions.
2. Communicate the activities and concerns of the Council to the athletes in your event group through direct contact or written information.
3. Actively solicit the opinions and ideas of athletes in your event group on issues that are before the Council or are of importance to the team.
4. Represent the Council's views on other committees that require an athlete member, when requested, and communicate the activities of that committee to the Council.

DRAFT

## WANTED

### NATIONAL TEAM LONG TRACK SKATER to sit as SKATERS' REP on the CALGARY TRAINING CENTRE COMMITTEE

**Background:** The Calgary Training Centre is a new partnership between the Olympic Oval, CASSA and the National Sport Centre established to ensure that the best possible environment is created for high performance skaters training in the Calgary area. The Committee has representatives from the Oval, CASSA and the National Sport Centre in addition to two coaching reps (one short track, one long track) and two skaters' reps (one short track and one long track).

#### **Duties:**

- to attend four meetings per year (these could be full day meetings and you would be expected to attend them for the full day ... the Committee will attempt to schedule meetings around training and competition as much as possible - but don't count on that for every meeting).
- to report back to national team and Oval skaters on what is going on (a brief written summary circulated shortly after each meeting would be appropriate).
- to consult with national team (and Oval skaters where necessary) on issues that affect them and to communicate those findings to the Training Centre Committee.
- to represent the national team (and Oval team skaters when necessary) fairly, equitably and professionally.

#### **Benefits:**

- find out what's going on, how it affects the team, and how you can get involved
- learn about planning and decision-making for a high performance training centre
- free lunch & snacks when there's a full day meeting
- get to know the people who are responsible for our training environment and what their jobs entail
- you may put this position on your resume to show that you have experience in carrying out a responsible volunteer position
- help ensure that the interests of the national long track skaters are effectively addressed

#### **IF YOU ARE INTERESTED:**

Please let Ingrid Liepa or Gregg Planert know by April 4th that you are interested in the job. If more than one person is interested, we will have an election at a national team meeting on the evening of April 4th. The first Training Centre Committee meeting is on April 6th (all day). If no one is interested, the position will remain unfilled and the long track skaters will not have a voice on this Committee.



## **CANADIAN OLYMPIC ASSOCIATION ATHLETES' COUNCIL**

### **JOB DESCRIPTION**

#### **WHAT IS YOUR ROLE?**

To serve as a source of athletes' opinion and advice to the Canadian Olympic Association and to assist the organization in program and policy development.

#### **WHAT IS EXPECTED OF A COUNCIL MEMBER?**

Attend the COA Annual Congress and be prepared to contribute to the discussions and activities of the Congress.

Communicate the activities and concerns of the council to your team members through direct contact or written information.

Actively solicit the opinions and ideas of your fellow team members on issues that are before the council or are of importance to your team.

Represent the Athletes' Council views on other committees that have an Athletes' Council position for example; Olympic Affairs, Finance and Admin. etc. and communicate the activities of that committee to the Council.

Discuss and develop methods of ensuring the protection of athletes' rights.

#### **WHO IS ELIGIBLE?**

You must be or have been a member of a Canadian National Team and competed in the Olympic or Pan Am Games or other major international competition within three years preceding your appointment to the Council.

You must keep current with your national team and the issues that affect them.

You must be elected by your peers to this position and be prepared to serve for a four year term.



January 9, 1998

**CANADIAN OLYMPIC ASSOCIATION  
ATHLETES' COUNCIL**

**TERMS OF REFERENCE**

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**Purpose**

The purpose of the Athletes' Council is to provide a recognized forum and voice for Canadian Olympic and Pan American athletes to the COA.

**Objectives**

1. To serve as a source of athletes' opinion and advice to the Canadian Olympic Association Executive Committee and Board of Directors with regard to current or contemplated policies and programs.
2. To actively represent the interests and concerns of Olympic and Pan American athletes.
3. To review issues of interest to athletes which are raised at the council or presented for consideration.
4. To provide a forum in which athletes may share and develop information or ideas as they relate to Olympic or Pan American athletes.
5. To ensure the adequate communication of issues of concern to the community of active and aspiring Olympic and Pan American athletes
6. To pursue the development and maintenance of systems which will define and secure athletes' rights.

**Council Membership**

1. There shall be one Council member for each sport represented on the current programs of the Olympic and Pan American Games in each Olympiad. Each Council member is a class F member of the COA.
2. All Council members must be or have been athletes and competing members of a Canadian national team in the Olympic or Pan American Games or other major international competition within three (3) years preceding appointment to the Council. Participation on the Council shall be restricted such that any athletes who do not maintain reasonable currency with national team members or who have not competed in major international competition within the previous seven (7) years shall not represent their respective sports on Council.

3. Council members must be chosen through election by their teammates. An alternate representative should also be named at this time.
4. Unless reasonable in the circumstances, members of the Council shall preferably be elected for a four (4) year term by their fellow athletes.
5. Council members shall make best efforts to communicate at least once annually about the activities of the Council to their respective athletes' group.

### **Executive Council**

1. The Council Executive shall be elected from the Council members at the first annual general meeting following the Summer Olympics and shall be comprised of the Chairperson, who shall be elected for a term of four (4) years, the Vice Chairperson and Second Vice Chairperson who shall be elected for a term of four (4) years and three (3) additional executive members who shall be elected for a term of two (2) years at the first annual meeting following the Summer Olympics and the third annual meeting following the Summer Olympics or until properly replaced by their respective NSOs.
2. The above stated three (3) additional executive members shall be elected in such a manner that, to the extent reasonably possible and accepted by a majority of the Council members present at the time of election, the Executive Council shall have representatives from both genders, Eastern Canada, Western Canada, winter sports, summer sports, team sports and individual sports.
3. The Executive shall normally meet three (3) times a year in addition to the annual general meeting to discuss the ongoing business of the Council and shall report back to the Council members. Two of these meetings will be held in conjunction with the COA Executive Committee meetings during which there will be a joint meeting of both executives.
4. The AC Executive Committee are automatically members of the COA Board of Directors. The Board meets twice a year.
5. Members of the Executive will be expected to attend 75% of their meetings (including the Congress) or be asked to resign.
6. All Executive expenses, together with Executive member expenses associated therewith, shall be born by the COA in keeping with Association guidelines for that purpose.
7. The past Chairperson shall be available at the request of the new Executive for a period of one year, as an ex-officio, non-voting member of the Executive, to attend the Executive meetings and the next annual general meeting of members.

### **Council Meetings**

1. The Council, though not necessarily so limited, shall hold at least one meeting annually to coincide with the Annual General Meeting of the COA, with full approval of the Executive Committee.

2. At the first such meeting of the Quadrennial the Council shall elect a Chairperson, Vice-Chairperson and Second Vice Chairperson.

The duties of the Chairperson, or, in his or her absence, the Vice-Chairperson, shall include the preparation, in consultation with the COA, of meeting agendas, the chairing of meetings, the communication of Council opinions and recommendations to the COA, requesting assistance from COA staff with stenographic, translation, duplicating, mailing and other needs.

3. Substitution of Council members shall be permitted at meetings which regular members are unable to attend, provided such substitutes meet the same eligibility requirements stipulated for members. Alternative representatives must be approved by the appropriate NSOs, and confirmation of their appointment as alternates must be made in writing to the COA, preferably no later than one month before the Council meeting in question.
4. All Council meeting expenses, together with Council member expenses associated therewith, shall be borne by the COA in keeping with Association guidelines established for that purpose.
5. At the request of the Council, the COA shall provide the services of a facilitator to assist with the planning and organization of Council meetings and to serve as a resource person for such background or other information as may be required for Council deliberations. Such facilitator will attend or participate in Council meetings only at the discretion of the Chairperson.
6. In the event that a Canadian is a member of the IOC Athletes' Commission, that person shall be an ex-officio, non-voting member of the Council.
7. Athletes who are COA members in other categories may attend a meeting of the Athletes' Council, at their cost, with the approval of the "F" members present at the meeting.

Aussi disponible en français.

**ADDRESSING  
THE  
ISSUES**

# **ATHLETE AGREEMENTS**

# ATHLETE AGREEMENTS

Almost all NSO's require athletes to enter into an Athlete Agreement.

The Athlete Agreement sets out the obligations of each party (athlete and NSO) and the procedure to be followed if those obligations are not met.

In return for doing such things as attending mandatory camps and competitions, such as the National Championships, wearing the team uniform, following a Code of Conduct, etc. the athlete will receive notification of selection criteria, be entitled to participate in an appeals process, etc.

Athlete Agreements have traditionally been very one-sided, essentially setting out the "rules of the game". Athletes have had limited rights to negotiate the agreements and are in a position of unequal bargaining power when doing so. Why? Simply because if you did not sign, you could not participate. Athletes have, therefore, usually just signed the agreement (often unread) just to be able to play.

That is not a particularly wise approach.

You must read any agreement you sign and understand your obligations.

Athlete agreements often provide that you cannot have conflicting sponsors (for instance the NSO sponsor is the TD Bank, you cannot sign on with the CIBC). This limits your opportunity to earn revenue.

Agreements will often set out selection criteria to the national team (in fact, they should do this). You must understand these criteria!

As well, agreements may obligate you to give notice of injuries to your NSO. If you don't comply, you may jeopardize your status.

Note that the Athlete Agreement normally will govern your access to the Athlete Assistance Program of Sport Canada. Sport Canada's rules require that each NSO have an internal appeal procedure for athletes to appeal a carding decision. What is the procedure in your sport? Is it timely? Is it fair?

## **What if you don't like your athlete agreement?**

First, the agreement is generally understood as simply stating the rules of the game. Athletes do not have much bargaining power. This may mean that the agreement wouldn't hold up in court if the NSO tried to enforce it.

But, a more constructive approach to this issue is to acquire some bargaining power! Request of your NSO that the athlete agreement be negotiated by the athlete representatives. Prior to the negotiations, hold an athlete meeting and decide what you would like to see in the agreement. (Remember that some things can't be changed since they are required by the International Federation)

### **Some possible negotiation areas ...**

#### **1. Selection Criteria:**

Selection criteria should be an explicit part of the Athlete Agreement. Then, if they are not followed this is a breach of contract. What is the process for changing selection criteria? If they are part of your athlete agreement, selection criteria cannot be changed without your consent.

Read the selection criteria carefully and try out a few situations to see how they would work. Are they clear? Are they objective? Or is too much discretion in the hands of coaches and/or officials? Is that discretion limited by clear indicators of performance? Are coaches of athletes up for selection involved? (they shouldn't be and if they are, criteria need to be particularly clear)

Do you have a right to a hearing if you are not selected and think you should be?

NOTE: Pay attention to the selection of coaches. There should also be clear criteria in this area as well.

#### **2. Marketing Rights:**

The NSO needs certain marketing rights in order to attract sponsors to finance the team. But, should the NSO have a monopoly?

Maybe you can negotiate that 25% of corporate revenues be put in an Athlete Fund in exchange for giving up your marketing rights. This would create a balance between your interests and the interests of the NSO and acknowledge that a team doesn't exist without athletes.

### **3. Hearings and Appeals:**

All Athlete Agreements should provide a hearing and appeals procedure. An athlete is entitled to a hearing whenever denied a benefit or a privilege by a sport organization, such as carding or selection.

All decisions of a sport organization must comply with the legal definition of procedural fairness. This includes decisions regarding selection, discipline, eligibility etc.

To ensure a decision complies with procedural fairness, it must first be authorized. In other words, it must have been made by the appropriate person or committee. For instance, if the selection criteria delegate the power to select a team to the selection committee, only they can make this decision.

Once you establish that the decision was authorized, you must then determine whether it was fair.

The first rule of fairness is the right to a hearing, the second is the rule against bias.

#### **Right to a Hearing:**

This rule means that the athlete must:

- a. know the case to be met (the selection criteria, the allegations of wrong doing, etc.);
- b. be given notice of, and the opportunity to present one's case at a hearing (the opportunity to answer the charges, to show how you believe you have met the selection criteria - essentially, you must have the opportunity to give your side of the story);
- c. have an opportunity to respond to the decision made at the hearing.

#### **Rule Against Bias:**

This rule means that the people making decisions must be impartial:

- a. they must not sit in appeal of their own decisions;
- b. they must not have an interest, personal or otherwise, in the outcome of the decision;
- c. they must be free from attitudinal bias.

Appeals processes can be confusing and frustrating, if only because you will be less familiar with the rules, hearings are often held in Ottawa, you don't have the administrative back up to type up your arguments and gather your evidence etc. In addition, it can be very intimidating to try to make your case before people who may hold important positions in your NSO.

Athletes CAN, through The Sport Solution, can help you prepare your argument and familiarize you with the rules. We can also refer you to lawyers if necessary.

To help athletes stay out of court, Athletes CAN and other organizations are implementing an arbitration system for sport which should provide an accessible procedure to hold decision-makers accountable.

You may wish to have included in your athlete agreement a provision that appeals can be referred to arbitration, such as:

The decision of the tribunal [appeals panel] shall be final and binding, and not open to any further appeal or intervention by any court, with the exception of a review by mediation or arbitration as set out in [the Sport Arbitration System].

*(the material in this section borrowed substantially from an excellent resource which is available through Athletes CAN: Rights & Obligations: A Handbook for Athletes and Sport Organizations by Rachel Corbett and Hilary Findlay of the Centre for Sport and Law)*

Sport Canada is now encouraging NSO's to refer disputes to arbitration, rather than to court and the Law Society in many provinces requires lawyers to inform their clients of this option.

#### **4. Discipline**

The Code of Conduct or norms of behaviour expected of athletes should be included in your athlete agreement.

The principles of procedural fairness require that for an athlete discipline policy to be fair:

- a. the rules must be clear and known - this means both the rules of behaviour and the consequences of breaking those rules;
- b. penalties must be appropriate for the severity of the wrong doing, in other words, dismissal from a team should be reserved for repeated offenses or for behaviour which damages persons or property or which seriously disrupts a competition;
- c. before imposing a penalty, the organization must hold a hearing at which the athlete is presented with the allegations and has a full opportunity to respond before unbiased decision-makers (in other words, not before the coach alleging the breach of discipline).

Rules for discipline must be clearly worded and objective to limit the discretion of the coach or manager who must enforce them.

**APPEALING  
A  
DECISION**

# APPEALING A DECISION

An athlete has the right to appeal a decision of a sport organization if that decision was the result of an error in fact or an error in law.

All decisions must conform with the principles of fairness, or natural justice, as described earlier. When you don't believe they have, you can appeal.

Your belief must be based on the failure of the sport organization to act fairly. In other words, you believe a selection decision may have been biased or didn't properly comply with the established criteria. Or you may believe that the sanction you received for breaking a rule is too harsh.

You can also appeal if you believe the NSO has breached the provisions of your athlete agreement, such as the selection criteria, or has not met its obligations under the agreement.

## The mechanics of an appeal

### A. You weren't selected

1. If you don't already have them, request the written reasons for the decision which you are appealing.
2. Request a copy of the selection criteria (you should already have these) and a copy of your NSO's official appeal procedures.
3. Send a written notice of your appeal to your NSO addressed to the person specified in the procedure or to the President. The procedure for doing so will be described in the appeals process and usually means sending a Notice of Appeal to your NSO within a set period of time by FAX and registered mail or courier.
4. The Notice of Appeal must describe the facts and state the grounds for your appeal -- common grounds are:
  - a) there was no hearing
  - b) the hearing was before biased decision-makers
  - c) selection criteria weren't followed (breach of contract)
  - d) selection criteria were changed without proper notice
  - e) the selection process was biased
5. Where time is critical, you may request an urgent appeal, for example, within 24 or 48 hours.
6. Prepare your arguments.

Gather up all the documents, talk to other individuals who might assist you. Organize your materials so people unfamiliar with the case can understand it. Assess the weaknesses of your case and be prepared to address them.

Note that your evidence must be factual - present numbers, data, evidence of bias because of a decision-maker being in a position of authority over another decision-maker (e.g. a coach hearing the decision of a superior). This is the area in which you are at your most vulnerable because you will not have access to as much information. Don't be intimidated. Much of the information is irrelevant and if you can back up your version of events, that's what matters.

Note, as well, that the other side must share their evidence with you - each side must have full knowledge of the other side's case. If you don't think this is happening, point it out to the Appeals Panel. The failure to receive full knowledge of the case against you (or for the other side) can also serve as grounds for a later appeal of the decision.) This is the principle of Full Disclosure.

This is an important point, as well, for athletes who are asked to sit as part of an Appeals Panel. It is critical to remember that an athlete presenting a case must:

- a) have the opportunity to be heard (orally or in writing);
  - b) have the opportunity to respond to ALL the evidence of the respondent, in other words, if a coach submits a report to the Appeals Panel to justify the non-selection of the Appellant, the Appellant **MUST** have the opportunity to respond to that report.
7. Attend at the appeal with an open mind. Be organized, concise and objective. Be respectful and follow the rules of procedure. Make sure you have a copy of all the evidence the Appeals Panel is considering.
  8. Request written reasons for the decision of the Appeals Panel.
  9. If you believe the appeals hearing wasn't conducted fairly, you can appeal that decision to the Sport Arbitration System or to a court.

## **B. Discipline**

The discipline code must comply with the requirements discussed earlier.

If you believe you have been unfairly disciplined, you should follow the steps listed above.

Common grounds for an appeal are:

1. the hearing was before biased decision-makers
2. there was no hearing before the penalty was imposed
3. you knew the rules, but not the penalty
4. the sanction isn't fair, it's too harsh

*(The material in this section borrowed from Administrative Appeals: A Handbook for Sport Organizations by Rachel Corbett and Hilary Findlay of the Centre for Sport and Law.) The handbook is available through Athletes CAN.*

**ADDRESSING  
HARASSMENT IN SPORT:  
CREATING A WELCOMING  
SPORT ENVIRONMENT**

# UNDERSTANDING HARASSMENT

## A. WHAT IS HARASSMENT?

### 1. AN INTRODUCTION

Harassment is unwanted, uninvited remarks, gestures, comments or actions that make you feel unsafe, degraded or uncomfortable.

Harassment creates an intimidating, hostile or offensive environment which interferes with the enjoyable pursuit of sport.

Harassment is NOT:

- a hug between friends
- mutual flirtation
- sincere and personal compliments

Harassment IS full of grey areas, seldom is it clear to everyone that certain behaviour is definitively to be considered harassing (such as cases of sexual assault, which are also contraventions of the Criminal Code of Canada). What each of us must rely on is common sense and sensitivity to others in our behaviour and in assessing the behaviour of those around us -- we must remember that different life experiences create different sensitivities and these should be respected and accommodated as much as possible.

### 2. IMPACT vs. INTENT: they are very different

Harassment is about the impact of the behaviour, not the intent behind it.

In other words, if a person feels harassed by your behaviour, they are harassed, whether you intended to harass or not. This is modified by the standard of the "reasonable person" which means that if a reasonable and objective person thought your behaviour was harassment, then it will be found to be so.

You cannot legitimately respond that your comments or actions were "only a joke" if their impact was to make someone feel humiliated, degraded or unsafe.

This means that all of us must become more sensitive to the perspectives of the people around us, because their perspectives and feelings are legitimate even if we think a person may be "too sensitive" or "uptight".

The onus is on each of us to stop behaviour someone else has told us makes them feel uncomfortable.

### **3. THE "CHILLY CLIMATE"**

A chilly climate or poisoned environment exists when a person or groups of persons is treated differently from others. Usually the different treatment is to reinforce inequality or power differences among the groups, such as a training environment which is hostile to the girls on the team, or one in which athletes with disabilities feel belittled.

The critical element is to determine the impact of the behaviour rather than the number of times it has occurred.

Examples occur frequently:

1. noon hour pick up basketball at a high school which is supposed to be open to anyone, but when the girls join in the boys will not throw them the ball or tease them when they miss a shot; or
2. a track on which wheelchair athletes are told to "stay out of the way" of the runners.

You do not have to be the target of the behaviour to experience a poisoned environment. Hearing comments directed at your peers may make you feel uncomfortable, partly because you identify with your peers and partly because you are aware that these comments are one way of enforcing a group standard on everyone.

A poisoned environment can interfere with participation and must be addressed by all who experience or witness it.

### **4. ENVIRONMENT vs. INCIDENT**

Harassment is seldom about one isolated incident when identifying the harasser, investigating the incident, imposing a sanction and finishing the process.

Harassment arises from an environment and that environment must be changed or harassment will not stop. Changing an environment is an involved process which requires consistent and proactive educational initiatives.

Addressing individual incidents of harassment and changing the environment that permitted them to happen are parallel and ongoing processes in which every organization must engage.

## **B. WHY DOES HARASSMENT MATTER?**

### **1. Harassment interferes with participation**

Harassment has been identified as a barrier to participation in many studies of female athletes. [PRO, Kirby, Holman]

Many young people who experience harassment will quit sport or change their activity to avoid the situation. Those who continue may modify their practices to avoid harassment.

Those who honour sport and recreation must concern themselves with creating safe, harassment-free environments so that everyone can enjoy and fully appreciate physical activity. If we love it ourselves, we must ensure that sport is an enjoyable and positive experience for everyone.

### **2. Liability and Responsibility**

Full and fair access to sport and physical activity is a principle of Ontario government policy and of the Ontario *Human Rights Code*. Harassment is discrimination and discrimination is prohibited by both federal and provincial law.

The *Human Rights Code* has been interpreted by the courts to require that persons with the authority to penalize or prevent discrimination (harassment) may be held liable for failing to exercise their authority to do so.

The standard for both harassing behaviour and for failing to stop it is that a person *ought reasonably to have known* that:

- a) their behaviour -- actions, gestures or remarks -- was unwelcome, humiliating or intimidating; or
- b) the behaviour they should be addressing as persons in authority was harassment.

## **C. STOPPING HARASSMENT**

**Name It**  
**Interrupt It**  
**Report It**  
**Follow Up and Follow Through**

## Strategies for Athletes

### The Athlete Checklist

1. Do you feel safe training at this facility?
2. Do you feel safe as you travel to and from this facility?
3. Do spectators harass you or your teammates?
4. Are the coaches and other officials equipped to deal with harassment?
5. Does your coach make you feel uncomfortable with looks, touching, comments or other behaviours?
6. Does your coach make sexist, racist or other derogatory comments?
7. Does your coach make humiliating comments about your body?
8. Does your coach touch you in inappropriate ways?
9. Does your coach understand the difference between appropriate and not physical contact?
10. Do you feel safe if you find yourself alone with your coach?
11. Have you talked to others in your club, team about this coach's attitudes and behaviours?

## D. DEALING WITH INCIDENTS OF HARASSMENT

### 1. Informal Resolution

#### Name It

- pay attention to what is going on
- ask participants if harassment is occurring

#### Interrupt It

- intervene sooner rather than later -- don't let an incident escalate
- keep the victim safe from further harm
- quickly review the steps to take under the relevant harassment policy
- if you feel confident, use your judgment to bring about an informal resolution: apologies, removal of the harassers
- remind the harassers that threats of retaliation will be treated as further incidents of harassment

#### Report It

- report it to your supervisor or sport organization

#### Follow Through

- ask for advice on the next steps
- DOCUMENT the incident, the steps you took and your follow up -- file a copy with the appropriate body, such as your sport organization or club
- maintain confidentiality about situations which are disclosed to you

### 2. Formal Complaint

Formal complaints should be made in accordance with the harassment policy of your organization.

# **ADDRESSING HARASSMENT**

## **RESOURCES AVAILABLE:**

**Kids Help Phone  
1-800-668-6868**

**The Sport Solution  
1-888-434-8883**

**email:**

**[law.sportsolution@julien.uwo.ca](mailto:law.sportsolution@julien.uwo.ca)**

**CAAWS  
613-748-5793**

**Speak Out!...Act Now! website  
[www.harassmentinsport.com](http://www.harassmentinsport.com)**

# **DISCIPLINE ISSUES**

# **ATHLETE RIGHTS AND OBLIGATIONS DISCIPLINE ISSUES**

## **FACTS: (Case study 1)**

**You are a member of the Canadian track team at the Pan Am Games. The team manager has decided to instill some discipline. Accordingly, he develops a number of rules including a curfew. The rules are explained at a team meeting and the manager makes it very clear that he considers them very important. However, no consequences are identified.**

**You understand the rules and intend to abide by them. However, you do really well in your first final and miss curfew without really thinking about it. You return to the Village at 3 a.m. and find the door to the dorm locked. You decide to stay with your friend on another team and try to sneak back to your room in the morning. However, the manager catches you going in. The manager suspends you from the team on the spot and starts to make plans to send you home. You have your semi in another event in two days.**

## **ISSUES:**

1. Identify the issues.
2. To whom can you turn for help?
3. Who needs to be involved?
4. What can you do to try to keep your place on the team?
5. What do you think are the appropriate consequences?
6. What would you do to handle this if you were the team manager?
7. Is there any action your teammates can take?
8. What can be done to prevent this type of incident in the future?

## TEACHING NOTES: (Case study 1)

The larger issue here is the balance to be found between individual freedoms which are important to an athlete's ability to perform at her or his best, and the collective rights of the other members of the team, e.g. not to be disturbed by athletes coming in late, etc. The balance should be openly discussed by the team. Any violation of the balance must be dealt with fairly and with perspective - did the violation interfere with the team? Were there prior warnings?

### DISCUSSION OF ISSUES:

1. No person can lose a benefit or a right (such as a place on a team) without benefit of a hearing.  
Right to a hearing:
  1. understand the charge
  2. unbiased panel of decision-makers
  3. right to present case
  4. reasoned decisionRight to an appeal if an error in process or law.
2. The athlete can turn to coaches, the Chef de Mission, fellow athletes and the Athlete Advocate for help.
3. The athlete and his/her rep. and the team manager must each have the opportunity to present each of their cases fully. The Chef, or some other neutral person, should hear this presentation and make a decision on the appropriate consequence the athlete should face.
- 4, 5. It might be possible to negotiate a solution with the team manager, e.g. a 24 hour report. The athlete must expect to face more severe consequences if the athlete's return (or absence) disturbed other team members. It shouldn't matter by how much an athlete breaks curfew -- late is late, it's not a matter of degree. Losing one's place on the team is not appropriate unless the athlete seriously compromises the well being of other athletes by not respecting the curfew (i.e., injuring people or damaging property). A severe sanction is only appropriate if the consequences are stated explicitly as part of the rules. The general rule is that the consequence must be known prior to and be appropriate for the behaviour in question.
6. Initiate the process to enable a hearing to proceed ASAP.
7. Athletes may wish to make it known to the team manager their support or otherwise for the athlete. The level of disturbance is relevant to the decision regarding an appropriate sanction - address the collective interest.
8. Publish the rules and the sanctions - make sure the sanctions are in proportion to the breach of rules. Ensure athletes are aware of right to a hearing when charged with breach. Ensure process in place to hold hearings and that athlete has an advocate.

# **SELECTION ISSUES**

# **ATHLETE RIGHTS AND OBLIGATIONS SELECTION ISSUES**

## **FACTS: (Case study 2)**

**Nine months prior to the Olympic Games, your sport federation published selection criteria for the Olympic team. You relied on those criteria and geared your training to peak at the required meets (a required meet in Europe and the Olympic Trials) and to achieve the point score necessary to place you under consideration (results from each meet of the season were graded to give you points). Once you had achieved the required point score (which you did early in the season) you decided to save your energy (and money) and focus on the Trials.**

**You have now learned, just one month prior to the Trials, that your NSO will not consider those who don't compete this weekend (that is, in three days).**

## **ISSUES:**

1. Identify the issues.
2. To whom can you turn for help?
3. Who needs to be involved?
4. Must you compete this weekend?
5. What can be done to prevent this type of incident in the future?

## TEACHING NOTES: (Case study 2)

1. The overriding issue, as the court found in *Kelly v. CASSA*, is one of reliance. The athlete is entitled to rely on published selection criteria, and NSO's do not have the right to change the selection criteria, particularly if these have been agreed to in relation to a contract with the athlete (that is, the selection criteria are referred to in the carding contract or incorporated by reference).

The court suggested that any change to the criteria would have to occur according to a process agreed to and made clear in advance in the contract.

However, in a case on the same day (*Patrick v. Badminton Canada*), the court did not use an argument founded in contract. Instead, the court applied administrative law principles and determined that the NSO had not acted with unreasonable discretion to change selection criteria.

The issues are, therefore, difficult to pin down. It is very compelling, however, to argue that an athlete must rely on selection criteria and be able plan one's life accordingly.

2. Selection cases are almost always urgent. One does not usually have the luxury of negotiating. The athlete should immediately request a hearing on the matter and, if necessary, be prepared to consult a lawyer. Once the alternative dispute resolution system is in place we will be better equipped to keep these cases out of court.
3. The athlete and his/her rep., the NSO. The NSO must be prepared to initiate the process for a hearing to hear the athlete's position that he/she has relied on published selection criteria and should not have to compete this weekend.
4. If you can, you should compete, just to be safe.
5. Cases such as these will stop happening when NSO's learn that selection criteria are, essentially, a matter of contract. They are the deal -- if you do these things, you will be named to the team. This will require a tremendous amount of education, but we must start the process. Selection criteria should be published well in advance, be incorporated into carding contracts, and should only amendable by an agreed upon and established process. It is always an unreasonable use of discretion to change them otherwise.

**NOTE:** If selection criteria are published, and you think you have met them but have not been selected, you have the right to require your NSO hold a hearing on your case.

**HOSTING  
AN  
ATHLETE LEADERSHIP  
WORKSHOP**

# HOSTING AN ATHLETE LEADERSHIP WORKSHOP

## CRITICAL PATH

### I Preparation

#### A. Twelve Weeks in Advance

1. Set date – need approximately 6 hours in one day or two evenings
2. Choose location. You will need: (a) somewhere accessible by public transportation and to athletes with disabilities (b) a room to hold 20 to 25 people
3. Find a local partner – an Athletes CAN Board member and local athlete(s)
4. Obtain an advance from Athletes CAN for expenses – advance meetings of organizing committee, printing, food
5. Prepare brochure (see Appendix A)
6. Advertise in Athletes CAN *Fast Forward* newsletter and at local national sport centre (if applicable)

#### B. Eight to Ten Weeks in Advance

1. Solicit registrations: write a letter (and enclose brochure) and phone local athletes (Athletes CAN and Provincial Sport Organization lists, local national sport centre); post brochure at training facilities
2. Determine any special needs – access, food, translation, etc.

#### C. Six to Eight Weeks in Advance

1. Prepare materials:
  - manual – ensure sufficient copies of *Effective Athlete Leadership*
  - ensure sufficient copies of other Athletes CAN literature such as newsletter, Sport Solution brochures, Dale Carnegie applications, Speakers Bureau applications, etc.
  - overheads and projector, flip charts
  - arrange access to 'day of' photocopying
  - copies of small groups discussion notes (from manual)
  - workshop evaluation form (see Appendix B)
2. Train course leaders (i.e., Athletes CAN Board member with experience trains local athlete to teach course)
3. Arrange 'day of' photographer

#### D. Four to Six Weeks in Advance

1. Order food – drinks, snacks, lunch plus cups, napkins, plates, etc.

## II Registration

1. Set price – for instance, \$15 includes materials, lunch, Athletes CAN tshirt or cap
2. Keep accounts and return money to Athletes CAN with all the receipts for expenses
3. Give participants' names and addresses to Athletes CAN office to update database

## III Follow up

1. Within 30 days of workshop, report to Board of Athletes CAN re. number of participants, any ideas generated, evaluation (overview plus any suggestions), financial statement and expense claim
2. Provide short article and photos to *Fast Forward*
3. Write thank you letters to participants
  - include any project work determined - such as a task list
  - include course contact list
  - work on a local chapter

## SAMPLE EVALUATION FORM

1. Overall, I would rate this Leadership Workshop as:

1	2	3	4	5
Poor	Fair	Good	Very Good	Excellent

2. Which topics were most useful to you?

3. Which topics were least useful to you?

4. What did you like most about this workshop?

5. What did you like least about this workshop?

6. What suggestions do you have for improving this workshop?

7. Please provide general comments on the workshop:

8. Please provide suggestions for future topics:

9. Please circle the number that best represents your opinion on the room, lunch:

	Poor	Fair	Good	Very Good	Excellent
Meeting Room					
- size	1	2	3	4	5
- set up of room	1	2	3	4	5
-accessibility	1	2	3	4	5
Lunch (quality):	1	2	3	4	5

10. This experience has contributed to my feeling more knowledgeable about the Canadian Sport system and more confident in my ability to participate in the process of athlete leadership.

Not at all	A little bit	Somewhat	Quite a lot	A great deal
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The reasons are:

**NOTE:** The questions in this evaluation are intended as samples and show a variety of formats that can be used in an evaluation. It is important to give some time and energy to devising an evaluation form that will effectively measure the success of your workshop.

# RESOURCES

# RESOURCES

## A. ORGANIZATIONS

**Athletes CAN:** 2021 Cliff Rd, Mississauga ON L5A 3N7 Toll free: 1-888-832-4222 Tel. 905-272-3642 Fax 905-272-3961 email: athcan@idirect.com

**Canadian Association for the Advancement of Women in Sport & Physical Activity** Tel. 613-748-5793

**Canadian Centre for Ethics in Sport** - Tel. 613-748-5755

**Canadian Olympic Association, Ben Morin** Tel. 613-748-5647 / Fax 613-747-9483

**Centre for Sport and Law:** Tel. 613-798-0550 / Fax 613-798-0735  
email: info@sportlaw.ca

**Athlete Services Resources:** (Montreal, Toronto, Winnipeg, Calgary, Vancouver, Victoria):

Quebec	514-872-1999	Josée Grand'Maître (bilingual)
Ontario	416-426-7238	Molly Killingbeck
Manitoba	204-474-6604	Kjerstin Baldwin
Alberta	403-220-4405	Karen Strong
Vancouver	604-737-3003	Todd Allison
Victoria	250-744-3583	Bruce Wasylik
Atlantic	506-452-1582	Lori Johnstone

## B. LITERATURE

*Athletes' Rights in Canada*, by Bruce Kidd and Mary Eberts (Ontario Ministry of Tourism and Recreation, Toronto, 1982).

*Partners in Sport: The Athlete's Guide to Finding Sponsorship*, by Sheryl Boyle (Canadian Sport and Fitness Administration Centre Publication, 1995).

*Rights & Obligations: A Handbook for Athletes and Sport Organizations*, by Rachel Corbett and Hilary Findlay (Centre for Sport and Law, Edmonton, 1993).

*Sports and the Law in Canada*, 2nd edition by John Barnes (Butterworths Canada Ltd, 1988).

*Winners and Losers: Sport & Physical Activity in the 90s*, by Jill Le Clair (Thompson Educational Publishing Inc., Toronto, 1992).