



# Screening Policy

Policy Adopted on: 02/06/2020

## Definitions

1. The following terms have these meanings in this Policy:
  - a) “*Cheer Canada*” - Cheerleading Canada Inc. (CCI);
  - b) “*Police Information Check*” – A search of the RCMP criminal records database to determine whether the individual has a criminal record (PIC);
  - c) “*Vulnerable Sector Verification*” – A secondary part of the Police Information Check, for individuals who are volunteering in a vulnerable sector (such as with minor athletes or persons with a disability), which also searches for the existence of any pardoned sex offences and/or charges (VSV) for individuals born before February 28, 1986.
  - d) “Vulnerable Person” - One who, because of their age (under the age of 18 or over the age of 65), a disability (mental or physical disability or mental illness): is in a position of dependence on others or; is otherwise at greater risk than the general population of being harmed by a person in a position of trust or authority towards them.

## Purpose

2. Cheer Canada understands that screening personnel and volunteers is a vital part of providing a safe sporting environment. Cheer Canada is responsible, by law, to do everything reasonable to provide a safe and secure environment for participants in its programs, activities and events. The purpose of screening is to identify individuals who may pose a risk to Cheer Canada and its participants through the individual’s involvement with Cheer Canada activities.

## Application of this Policy

3. This Policy applies to all individuals whose position with Cheer Canada is one of trust or authority which may relate to, at a minimum, finances, supervision, young people, athletes, or people with a disability.
4. Not all individuals associated with Cheer Canada will be required to undergo screening through a PIC- VSV and a Screening Disclosure Form, as not all positions pose a risk of harm to Cheer Canada or to its participants. Cheer Canada will determine which individuals will be subject to screening using the following as a guideline (any variation from the guidelines are at the sole discretion of CCI):

*Level 1 – Low Risk to Cheer Canada* - Individuals involved in low risk assignments that are not in supervisory roles, directing others, financial/cash management, or those individuals with limited and supervised access to minors or people with a disability.

*Level 2 – Medium Risk to Cheer Canada* – Individuals involved in medium risk assignments that may be in a supervisory role, directing others, financial/cash management; individuals who work independently at a third-party location, acting on behalf of the Association – i.e. individuals with limited access to minors or people with a disability or direct contact with adults.

*Level 3 – High Risk to Cheer Canada* – Individuals involved in high risk assignments that may occupy positions of trust and/or authority, be in a supervisory role, direct others, financial/cash management, or have direct and unfettered access to adults, minors or people with a disability.

## Policy

5. It is Cheer Canada’s policy that:
  - a) **Level 1** individuals will:

- i. Complete a Screening Disclosure Form;
    - ii. Complete an Application Form;
    - iii. Provide one letter of reference related to the position sought;
    - iv. Participate in orientation as determined by Cheer Canada.
  - b) **Level 2** individuals will:
    - i. Complete and provide to Cheer Canada a PIC;
    - ii. Complete a Screening Disclosure Form;
    - iii. Complete an Application Form;
    - iv. Provide one letter of reference related to the position sought;
    - v. Participate in orientation as determined by Cheer Canada;
    - vi. Provide a driver's abstract, if requested.
  - c) **Level 3** individuals will:
    - i. Complete and provide to Cheer Canada a PIC and VSV;
    - ii. Complete a Screening Disclosure Form;
    - iii. Complete an Application Form;
    - iv. Provide one letter of reference related to the position sought;
    - v. Participate in orientation as determined by Cheer Canada;
    - vi. Provide a driver's abstract, if requested.
  - d) Failure to participate in the screening process as outlined in this policy will result in ineligibility of the individual.
  - e) Where the Screening Committee is of the opinion that, notwithstanding a conviction, a person can occupy a position within Cheer Canada without adversely affecting the safety of Cheer Canada, any individual, athlete or member of Cheer Canada, through the imposition of such terms and conditions as are deemed appropriate, the Screening Committee may approve an individual's participation.
  - f) If an individual subsequently receives a conviction for, or is found guilty of an offence, they will report this circumstance immediately to Cheer Canada and would be removed from their position.
  - g) If an individual provides falsified or misleading information, that individual will immediately be removed from their Cheer Canada position(s).
6. The following positions are required to undergo Level 3 screening in accordance with this policy:
  - a. Directors/Board Members;
  - b. Staff Members;
  - c. Individuals working with vulnerable persons;
  - d. Other individuals as may be determined by the Screening Committee.

### **Screening Committee**

7. The implementation of this policy is the responsibility of the Cheer Canada Screening Committee which is a committee of three (3) to five (5) members appointed by, and at the sole discretion of Cheer Canada. Cheer Canada will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately assess PIC-VSV and the Screening Disclosure Form and render decisions under this Policy. Quorum for the Screening Committee will be three members.
8. Cheer Canada may, in its sole discretion, remove any member of the Screening Committee. Where a position on the Screening Committee becomes vacant, either because a member has been removed or because a member has resigned, Cheer Canada, at its sole discretion, will appoint a replacement member.
9. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board of Directors.

10. The Screening Committee is responsible for reviewing all positive PIC-VSV and Screening Disclosure Forms and, based on such reviews, making decisions regarding the appropriateness of individuals filling positions within Cheer Canada. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists or any other person.

### **How to obtain a Police Information Check with Vulnerable Sector Verification (PIC-VSV)**

11. Individuals may obtain a PIC-VSV by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork.
12. Fingerprinting may be required if there is a match with the individual's gender and birthdate.

### **Procedure**

13. The Screening requirements defined in this Policy will be submitted to the Cheer Canada Executive Director
14. If required, Cheer Canada will provide a letter confirming the potential position within Cheer Canada.
15. Individuals who do not undertake the Screening requirements required by this Policy will receive a notice to that effect and will be informed that their application and/or position will not proceed until such time as the Screening requirements are received. Cheer Canada is under no obligation to hold a position for an individual who did not meet the time deadline for the receipt of the Screening information.
16. The Screening Committee will follow the procedure outlined below as information is received and will file submitted applications according to the procedure.

### **Procedure for the Determination of Action by the Screening Committee**

17. Pending the returned results identified by the CPIC or international equivalent reporting organization, an applicant's submitted CRC's will be categorized in one of three categories by the Screening Committee:
  - A) Cheer Canada Criminal Record Check: High Risk
    - a) Cheer Canada will not knowingly offer the opportunity for new or continued involvement to any person with a record of criminal convictions for the following offenses:
      - i) Under the Criminal Code of Canada, any criminal offense committed against a person under 18 years old;
      - ii) Under the Criminal Code of Canada, trafficking or importing for the purpose of trafficking any narcotic listed in the Narcotic Control Act or any restricted drug listed in the Food and Drug Act;
      - iii) Under the Criminal Code of Canada, any offense which may pose a risk to the well-being of the association's vulnerable sector, volunteers and/or staff;
      - iv) Under the Criminal Code of Canada, any criminal offense which results in a violation of trust, including theft, fraud, trafficking.
    - b) Level 3 applicants may appeal a decision related to involvement by following Cheer Canada's Appeals Process.
  - B) Cheer Canada Record Check: Potential Risk
    - a) Indicates a criminal record check that has been returned with results for the named applicant other than those listed in the High-Risk section. A criminal record with the CPIC or international equivalent reporting organization does not necessarily prohibit membership with Cheer Canada. Should an applicant submit a CRC indicating any offense other than those included in the High-Risk section, the Cheer Canada Screening Committee is required to review all information to make an informed decision. At the discretion of the Cheer Canada Screening Committee, the application will result in one of three outcomes:

- i) Applicant approved for involvement and membership;
  - ii) Applicant approved for involvement with conditions for membership;
  - iii) Applicant denied involvement and membership.
- b) Potential Risk applicants may appeal a decision related to involvement by following the Cheer Canada Appeals Process.
- C) Cheer Canada Record Check: No Risk
- a) Indicates a criminal record check that has been returned with no results for the named applicant. Applicants in this category are automatically approved for membership, provided all other requirements have been met and no other restrictions for membership are applicable.
18. PICs are valid for a period of four years and Screening Disclosure Forms must be completed on an annual basis. Notwithstanding this, the Screening Committee may request that an individual provide a PIC-VSVs or the Screening Disclosure Form to the Screening Committee or review and consideration at any time. Such request will be in writing and will include the reasons for such a request.

### **Records**

19. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal or disciplinary proceedings.

### **Suspension Pending a Hearing**

20. Cheer Canada may determine that an alleged incident or complaint is of such seriousness as to warrant suspension of an individual pending an internal hearing, an internal hearing decision, completion of a police investigation, and/or completion of a criminal process. Suspension during an investigation is not an assumption or confirmation of guilt, but for the protection and privacy of all involved parties.

### **Criminal Convictions**

21. An individual's conviction for any of the following *Criminal Code* offenses may result in expulsion from Cheer Canada and/or removal from Cheer Canada designated position(s), competitions, programs, activities and events upon the sole discretion of Cheer Canada:
- a. Any offence of physical or psychological violence
  - b. Any crime of violence including but not limited to, all forms of assault
  - c. Any offence involving trafficking of illegal drugs
  - d. Any offence involving the possession, distribution, or sale of any child-related pornography
  - e. Any sexual offence
  - f. Any offence involving theft, fraud, trafficking

### **Modification of Criteria**

22. Cheer Canada may revise this policy at any time as circumstances require.

### **Collection and Storage of Data**

23. Cheer Canada will store all collected data in accordance with current Canadian guidelines.

### **Submission and Renewal Guidelines**

24. Board Member/Committee Chair/Cheer Canada Staff must submit a valid police check within 60 days of their appointment of position; the police check must have been obtained within 90 days of acceptance of the position. A police check will be considered valid for two years for Board Members and Committee Chairs.
25. Team Canada personnel (Coaches, Managers, Medical Staff, etc.) police checks will be considered valid for one year from the date the check was issued.
26. If an individual fills more than one role with Cheer Canada; they must fulfill the requirement of highest renewal.

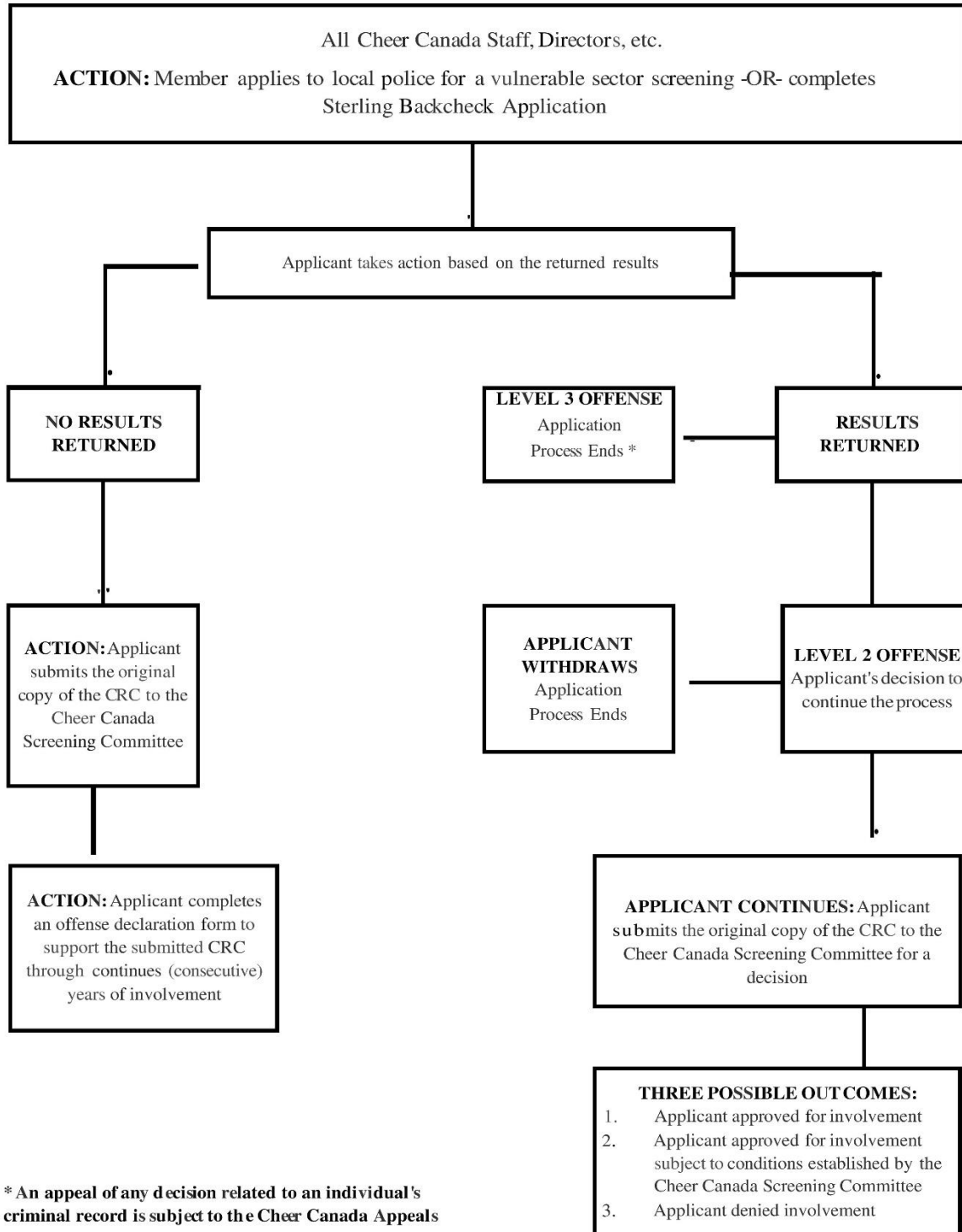


27. Individuals who require a Vulnerable Sector Check (i.e., Team Canada Personnel) must submit a VSV with their initial Criminal Record Check; after which subsequent renewals may be submitted as an enhanced Criminal Record Check.

### **References**

<https://www.sterlingbackcheck.ca/services/vulnerable-sector-checks/>

**CHEER CANADA CRC SUBMISSION PROCESS**



\* An appeal of any decision related to an individual's criminal record is subject to the Cheer Canada Appeals







YES \_\_\_\_\_ NO \_\_\_\_\_ If yes, please explain for each pending charge:

Name or Type of Offense:

\_\_\_\_\_

Name and Jurisdiction of Court/Tribunal:

\_\_\_\_\_

Further Explanation:

\_\_\_\_\_

\_\_\_\_\_

3. Has any civil court made a finding, judgement or ruling against you, or have you entered into an out of court settlement relevant to the profession of coaching, the sport of cheer or any other sport?

YES \_\_\_\_\_ NO \_\_\_\_\_ If yes, please describe each finding, judgment or ruling below:

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

Type of Offense or Finding:

\_\_\_\_\_

Year of Offense or Settlement:

\_\_\_\_\_

Penalty or Punishment Imposed:

\_\_\_\_\_

\_\_\_\_\_

Further Explanation:

\_\_\_\_\_

\_\_\_\_\_

4. Have you ever been dismissed from a position due to allegations of ethical or moral misconduct or been the subject of a decision of a court or tribunal that might reflect adversely on the profession of coaching, the sport of cheer or any other sport?

YES \_\_\_\_\_ NO \_\_\_\_\_ If yes, please describe below:

Name of applicable Organization:

\_\_\_\_\_

Date of Dismissal:

\_\_\_\_\_



Reason for Dismissal:

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For more than one conviction please attach additional page(s) as necessary.

**Certification**

I hereby certify that the information contained in this application is accurate, correct, truthful and complete.

I further certify that I will immediately inform Cheer Canada of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in termination of membership and/or further discipline.

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

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

**PRIVACY STATEMENT**

By completing and submitting this Screening Disclosure Form, you consent and authorize Cheer Canada to collect, use and disclose your personal information, including all information provided on the Screening Disclosure Form, Police Information Check and/or Vulnerable Sector Verification for the purposes of screening, implementation of the Cheer Canada Screening Policy, administering membership services and communicating with other National Sport Organizations, Provincial Sport Organizations, Sport Clubs, and other organizations involved in the governance of the sport of cheer. Cheer Canada does not distribute personal information for commercial purposes.



## Level 2 Report

Date:

Reference Number:

Position/Role:

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Reported Offense:

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Comments/Recommendations from Screening Committee:

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Decision from Screening Committee:

Submit complete form to: [executivedirector@cheerleadingcanadainc.com](mailto:executivedirector@cheerleadingcanadainc.com)