

Section:	Administration (AD)
Subject:	Institute and Non-Institute Services
Legislation:	<i>Fairness and Safety in Sport Act</i> , SA 2024, cF-2.5; <i>Fairness and Safety in Sport Regulation</i> , Alta. Reg. 124/2025; <i>Vital Statistics Act</i> , c.V-4.1, SA 2007.
Effective:	September 1, 2025
Revision:	

APPROVED: _____
President and CEO

POLICY

The policy of the Board of Governors is to promote fairness and safety in sport by addressing matters of eligibility to participate in a relevant sport, in compliance with the Government of Alberta's *Fairness and Safety in Sport Act* and accompanying *Regulation*.

PROCEDURE

DEFINITIONS

Amateur competitive	<p>A sport or sport discipline where:</p> <ul style="list-style-type: none"> a) An athlete's primary focus for participation is on development, such as providing competitive experience, skill improvement and opportunities for active participation; and b) An athlete seeks personal or team excellence, measures performance against others and/or seeks opportunities for advancement.
Applicant	<p>A current athlete, a parent or guardian of a current minor athlete or a current coach or team official who submits a confidential challenge regarding the eligibility of an athlete from that same team to participate in the relevant sport.</p>

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Athlete	A participant who is registered in and represents SAIT in a relevant sport.
Birth registration document	<p>A birth registration document as defined in Alberta's <i>Vital Statistics Act</i> or a similar document issued outside of Alberta that contains the following information respecting an athlete:</p> <ul style="list-style-type: none">a) The athlete's full name;b) The athlete's place and date of birth; andc) The athlete's sex.
Business days	Monday through Friday, excluding statutory holidays and other days when SAIT may be closed.
Co-ed sports	Any sport activity involving participants of all gender identities, irrespective of biological sex assigned at birth. Also referred to as mixed-gender or gender-inclusive sports.
Confidential challenge	A formal challenge regarding an athlete's eligibility to participate in a female-only designated league within a relevant sport.
Female-only league	A sport league, class or division intended to consist entirely of individuals whose sex at birth is assigned as female.
Intramural sports	A recreational participatory sport activity facilitated by SAIT, where participants compete exclusively against other registered intramural teams within SAIT.
Minor	A person under the age of eighteen years.
Personal Information	Recorded information about an identifiable individual and includes, but is not limited to, name, residential address and phone number, personal email address, sex (sex assigned at birth), gender identity, title, pronouns, sexual orientation, religious affiliation, Indigeneity, ethnicity, disability status, languages spoken, immigration status, identification number, education and employment history, health information including documentation of approved accommodations for

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physical or mental disability, an individual's personal views or opinions and information about an individual's financial matters.

Relevant sport

An amateur competitive sport or sport discipline governed, regulated, coordinated, promoted or sponsored by SAIT.

Sex at birth

The sex of an individual that appears on the athlete's birth registration document.

GOVERNING PRINCIPLES

1. The purpose of this procedure is to establish the guidelines and processes to be followed when addressing eligibility criteria for participation in a relevant sport, in compliance with the Government of Alberta's *Fairness and Safety in Sport Act* and its associated *Regulation*.
2. This procedure applies to athletes who are 12 years or older and who are participating in a female-only league, class or division of a relevant SAIT sport as listed in Schedule A, an Associated Document to this procedure.
3. This procedure does not apply to participation in any co-ed or intramural sports activities or leagues at SAIT.
4. To participate in a female-only league, class or division of a relevant SAIT sport, an athlete must be of the female sex at birth.
5. An athlete whose eligibility has been challenged remains eligible to participate and/or compete on their team or within their league throughout the challenge and verification process under this procedure.
6. SAIT recognizes its legal obligation to adhere to the *Fairness and Safety in Sport Act*, which limits participation to biologically female individuals in female-only sports leagues. In complying with this requirement, SAIT is also committed to maintaining an inclusive and respectful environment for all members of the SAIT community. This includes continued efforts to develop inclusive sports programming and opportunities for individuals of all gender identities.

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PROCEDURE

A. Confirmation of Athlete Eligibility

1. Before an athlete may participate in a relevant sport listed in Schedule A, an Associated Document to this procedure, the athlete (or their parent or guardian if the athlete is a minor) must confirm in writing with SAIT that they have read this procedure and that they understand and meet the eligibility criteria set out in Governing Principle 4 of this procedure.
2. This confirmation of eligibility process is managed by SAIT's Athletics and Recreation Department as part of the athlete's registration process for participation in that relevant sport.
3. The failure of an athlete (or their parent or guardian if the athlete is a minor) to confirm their eligibility in writing with SAIT will make the athlete ineligible to participate in that relevant sport.

B. Confidential Challenge to Athlete Eligibility – Submission and Initial Review for Validity

1. An applicant (as defined above) may submit a confidential challenge if they have reasonable grounds to believe that an athlete is ineligible under Governing Principle 4.
2. A confidential challenge must be submitted in writing to the director, athletics and recreation or designate, at Trojans.Admin@sait.ca, and must include:
 - a) The name of the applicant and their position in relation to the athlete and/or team that makes them eligible to submit the challenge;
 - b) The name of the athlete, their team/league and relevant sport; and
 - c) Sufficient reasonable grounds, including any relevant information or evidence, to support the allegation that the athlete does not meet the eligibility requirements.
3. Within three business days of receiving a confidential challenge regarding an athlete's eligibility, the director, athletics and recreation or designate will notify the Minister of Tourism and Sport of the challenge, omitting any personal information that could be used to identify the athlete.
4. Within 15 business days of receiving the confidential challenge, the director, athletics and recreation or designate will:

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- a) Decide whether or not to dismiss the challenge or to proceed with verifying the athlete's eligibility, as outlined in section B.5 below;
 - b) Notify the applicant if the challenge is dismissed. Note that if the challenge is found to have been made in bad faith, the applicant may be subject to sanctions as per section B.7 of this procedure; and
 - c) Notify the Minister of Tourism and Sport, via SPAR@gov.ab.ca, if the challenge is dismissed, omitting any personal information that could be used to identify the athlete.
5. The director, athletics and recreation or designate may determine that a challenge is invalid and dismiss that challenge where reasonable grounds do not exist for that challenge, including situations where, for instance:
- a) SAIT has previously resolved a challenge for the same athlete.
 - b) Insufficient evidence or information has been provided to support this as a valid challenge.
 - c) The challenge is deemed to have been made in bad faith.
6. Factors relevant to determining whether a dismissed challenge was made in bad faith and merits appropriate sanctions for the applicant may include, for instance:
- a) The applicant's prior history (such as, for instance, the applicant's prior involvement or inactive status with the team).
 - b) A pattern of inappropriate behavior or numerous unfounded challenges under this procedure.
 - c) A determination that the challenge has been made to purposely harass or harm the athlete.
7. If the applicant is found to have submitted a challenge in bad faith, the applicant may be subject to consequences as set out in procedure [HR.4.4.1 Corrective Action](#) (in the case of an employee applicant) or as set out in procedure [AC.3.4.4 Student Non-Academic Conduct](#) (in the case of a student applicant).
8. The applicant may appeal a decision to dismiss their challenge as set out in section D below.

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C. Verification of Athlete Eligibility if the Challenge Proceeds

1. If the director, athletics and recreation or designate does not dismiss the challenge:
 - a) The applicant and the athlete will be notified that the challenge is proceeding;
 - b) The athlete (or their parent or guardian if the athlete is a minor) will be required to provide the director, athletics and recreation or designate with a copy of the athlete's birth registration document. Note that only a Birth Registration document will be accepted for the purpose of verifying eligibility, as the sex indicated on birth certificates and other forms of government-issued identification may be subject to change. An athlete (or their parent/guardian) may request their birth registration document from the jurisdiction in which they were born. For further information on how to request this document within Canada, please refer to the Government of Alberta's [Fairness and Safety in Sport](#) website.
 - c) The cost of retrieving the birth registration document is initially the responsibility of the athlete (or their parent/guardian). SAIT will reimburse the athlete (or their parent/guardian) for that cost and has the discretion to seek final reimbursement for that cost from the Government of Alberta; and
 - d) The athlete must provide the copy of the birth registration document to the director, athletics and recreation or designate within 30 business days of the notice of the challenge.
2. The athlete's failure to provide a birth registration document as defined above will render the athlete ineligible to participate in a relevant SAIT sport.
3. Within 10 business days of receipt of the birth registration document as defined above, the director, athletics and recreation or designate will verify the athlete's eligibility under Governing Principle 4 of this procedure, and will notify the following individuals of the verification outcome:
 - a) The applicant;
 - b) The athlete (or their parent or guardian if the athlete is a minor); and
 - c) The Minister of Tourism and Sport, via SPAR@gov.ab.ca, omitting any personal information that could be used to identify the athlete.
4. If the verification determines that the athlete is ineligible, the athlete will be permanently ineligible for participation in a female-only league, class or division of a relevant SAIT sport.

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5. If the verification determines that the athlete is eligible, the athlete will be permanently eligible for participation in a female-only league, class or division of a relevant SAIT sport. Note that if an athlete has been determined to be eligible to participate, any future challenges in relation to that athlete will be considered invalid, as per section B.5(a) of this procedure.

D. Appeals for Dismissals of a Confidential Challenge

1. An applicant who wishes to appeal a decision to dismiss their challenge as invalid, in accordance with section B.5, shall submit a formal appeal request via email to SAIT's vice president, people and culture or designate.
2. In order for the appeal request to be considered, the applicant must establish that the applicant has new relevant evidence to present that was not available when the confidential challenge was initially submitted, through no fault of the applicant, and that this new information would have substantially affected the original decision's outcome. The onus is on the applicant to establish this.
3. The applicant must submit their appeal request within 10 business days of having been advised that their challenge was dismissed as invalid. The request must include the following information:
 - a) A copy of the original decision that dismissed their confidential challenge;
 - b) A copy of the documentation they submitted with the initial confidential challenge; and
 - c) The new evidence and any relevant supporting information that they now wish to submit, with an explanation as to why they did not provide this new evidence when they initially submitted their confidential challenge and how this new information would have substantially affected the original decision.
4. Within 10 business days of receiving the appeal request, the vice president, people and culture or designate, will review the request and determine if the appeal will be denied or will proceed.
5. The appeal may be denied for the following reasons:
 - a) The individual who made the request for reconsideration is not the original applicant;

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- b) The new information relied on is not relevant and/or would not have substantially changed the original decision to dismiss the confidential challenge;
 - c) The applicant could have provided this new information at the time of their initial submission; or
 - d) The appeal request is determined to have been submitted in bad faith, in which case the applicant may be subject to sanctions as set out in section B.8 of this procedure.
- 6. If the appeal is permitted to proceed, the challenge and verification of eligibility process will be re-opened with the new information considered as part of any new decision. The vice president, people and culture or designate will make the new decision.
 - 7. The decisions of the vice president, people and culture or designate under this procedure are final and binding.

E. Personal Information and Records

- 1. The privacy and confidentiality of individuals involved in the challenge process under this procedure will be maintained. Any information and data collected to assess eligibility will be disclosed and used solely in accordance with this procedure.
- 2. Records related to the challenge, verification of eligibility and the decision will be maintained in accordance with SAIT's privacy and records management policies and procedures.
- 3. SAIT will not retain copies of the athlete's birth registration document. These documents will be considered transitory records as per SAIT's record management procedures and will be securely destroyed once the verification of eligibility has been completed and documented.
- 4. SAIT will report to the government as required under the *Fairness and Safety in Sport Act* and the *Fairness and Safety in Sport Regulation*.

F. Additional Information

- 1. SAIT is committed to complying with this procedure. For further information regarding athlete eligibility at SAIT, please contact Trojans.Admin@sait.ca.

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2. Individuals seeking information on the application of the Government of Alberta's *Fairness and Safety in Sport Act* and accompanying *Regulation* may contact the Ministry of Tourism and Sport at SPAR@gov.ab.ca.

ASSOCIATED DOCUMENTS

Schedule A [Relevant SAIT Sports](#)

POLICY/PROCEDURE REFERENCE

AD.2.17 [Fairness and Safety in Sport policy](#)

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