



Discipline

1 Preamble

- 1.1 Membership and participation in the activities of Youth Science Canada offer many benefits and privileges. At the same time members and participants are expected to fulfil certain responsibilities and obligations, including complying with the Code of Conduct, which identifies the standard of behaviour expected of members and participants. Those who fail to meet this standard may be subject to the procedures set out in this policy.

2 Definitions

- 2.1 The following terms have these meanings in this Policy:
- a) "YSC" will mean "Youth Science Canada".
 - b) "Individual(s)" will mean all categories of membership defined in the YSC Bylaws and all people employed by YSC or engaged in programs and events with YSC. This includes, but is not limited to, youth and adult program participants and guests, national and CWSF volunteers, judges, staff, contractors, and members of YSC.
 - c) "Complainant" will mean the party alleging an infraction.
 - d) "Respondent" will mean the alleged infracting party.
 - e) "Days" will mean total number of days, irrespective of weekends or holidays.
 - f) "CWSF" will mean "Canada-Wide Science Fair".
 - g) "EUCYS" will mean "European Union Contest for Young Scientists"
 - h) "ISEF" will mean "International Science and Engineering Fair".
 - i) "MILSET ESI" will mean "MILSET Expo Sciences International".

3 Application of this Policy

- 3.1 This policy applies to Individuals with respect to all discipline matters that may arise during the course of YSC's business, activities and events except for issues of academic integrity, which are addressed in the Academic Integrity policy. These include, but are not limited to the business environment; CWSF; YSC participation in EUCYS, ISEF, and MILSET ESI; travel associated with YSC activities; and any meetings of staff, committees or the Board of Directors.
- 3.2 Discipline matters and complaints arising from other business, activities, or events shall normally be addressed pursuant to the policies of the relevant organization. At YSC's sole discretion, an exception may be granted if YSC explicitly accepts responsibility or the discipline matters and complaints are deemed likely to adversely affect relationships within YSC or be detrimental to YSC's image and reputation.

4 Reporting an Infraction

- 4.1 Any Individual may report a Code of Conduct infraction to YSC's Executive Director or their designate using the Incident Report form. Complaints must be made in writing,

signed, and filed within fourteen (14) days of knowledge of the alleged incident. Anonymous complaints may be accepted at YSC's sole discretion.

- 4.2 A Complainant wishing to file a complaint beyond the fourteen (14) days must provide a written statement giving reasons for requesting an exemption to this limitation. The decision to accept the notice of complaint outside the fourteen (14) day period shall be at YSC's sole discretion. This decision may not be appealed.
- 4.3 If the incident involves a Code of Conduct infraction allegedly carried out by or involving the Executive Director, the Incident Report shall be submitted to and managed by the Chair of the YSC Board of Directors.
- 4.4 When an incident report is received during the CWSF, the delegate(s) and regional coordinator(s) of the region(s) involved shall be informed of the incident details and the resulting consequences.

5 Case Manager

- 5.1 The Executive Director or designate will act as the Case Manager and will oversee the management and administration of complaints submitted in accordance with this Policy. The Case Manager has an overall responsibility to ensure procedural fairness is respected and to implement this policy in a timely manner. More specifically, the Case Manager has a responsibility to:
 - a) Determine whether the complaint is frivolous or vexatious and within the jurisdiction of this Policy. If the Case Manager determines the complaint is frivolous or vexatious or outside the jurisdiction of this Policy, the complaint will be dismissed immediately. The Case Manager's decision to accept or dismiss the complaint may not be appealed.
 - b) Determine if the complaint is a minor or major infraction;
 - c) Appoint the Panel, if necessary, in accordance with this Policy;
 - d) Determine the format of the hearing;
 - e) Coordinate all administrative aspects of the complaint;
 - f) Provide administrative assistance and logistical support to the Panel as required; and
 - g) Provide any other service or support that may be necessary to ensure a fair and timely proceeding.
- 5.2 Upon acceptance of the complaint, the Case Manager will inform the Parties whether the incident will be addressed as a minor or major infraction.
- 5.3 This policy does not prevent a person with appropriate authority from taking immediate informal or corrective action in response to behaviour that constitutes either a minor or major infraction. Further sanctions may be applied in accordance with the procedures set out in this policy.

6 Minor Infractions

- 6.1 Minor infractions are single incidents of misconduct that violate the YSC Code of Conduct but generally do not result in harm to others. All disciplinary situations involving minor infractions will be dealt with by the appropriate person having authority over the Individual involved. This person may include, but is not limited to, the Executive Director, Chair of a YSC committee, National Judge-in Chief, Chief Judge, and the relevant CWSF regional delegate. Examples are attached to this policy.

- 6.2 Procedures for dealing with minor infractions shall be informal and at the discretion of the person having authority, provided the Individual being disciplined is informed of the infraction and has an opportunity to provide information concerning the incident.
- 6.3 Disciplinary sanctions for minor infractions may include the following:
- Oral or written reprimand;
 - Oral or written apology;
 - Service or other voluntary contribution to YSC;
 - Suspension from the current activity;
 - Any other similar sanction considered appropriate for the offence.
- 6.4 Minor infractions that result in discipline will be recorded and maintained by YSC. Repeated minor infractions may result in such incidents being considered a major infraction.

7 Major Infractions

- 7.1 Major infractions are instances of misconduct that violate the YSC Code of Conduct and that result, or have the potential to result in harm to other persons, the Respondent, YSC, or a YSC event including, but not limited to CWSF, EUCYS, ISEF, or MILSET ESI. Examples are attached to this policy.
- 7.2 If the Case Manager is satisfied the complaint is a major infraction, the Case Manager will:
- Notify the Complainant and Respondent and provide each a copy of the complaint, the Incident Report, a copy of the Code of Conduct and a copy of this policy;
 - When the Complainant and/or Respondent are minors, inform the relevant parents/guardians of the incident and provide a copy of the Code of Conduct and this policy;
 - Request the Complainant to submit all evidence and documents supporting their position;
 - Provide the Respondent an opportunity to file a written response to the complaint and any related evidence, which will be disclosed to the Complainant.
 - Request a rebuttal submission from the Complainant based on any new evidence submitted by the Respondent.
- 7.3 Major infractions occurring within YSC or at a YSC event may be dealt with immediately, if necessary, by a person having appropriate authority. The Individual being disciplined will be informed of the infraction and will have an opportunity to provide information concerning the incident. Disciplinary sanctions shall only apply for the duration of the event. Further sanctions may be applied, but only after review of the matter in accordance with the procedures in this policy for major infractions. This review does not replace the appeal provisions of this policy.

8 Discipline Panel

- 8.1 If the Case Manager determines a complaint to be a major infraction, they will appoint any three Individuals to serve as a Discipline Panel. The members of the Panel will select a Chair from among themselves.
- 8.2 Members of the Discipline Panel must have had no involvement with the alleged infraction; and shall be free from any other bias or conflict of interest.
- 8.3 The Discipline Panel will hold a hearing as soon as possible.

- 8.4 Notwithstanding the above, if the incident occurs at a YSC event, the Discipline Panel will meet as soon as possible after the incident occurs.

9 Preliminary Meeting

- 9.1 The Discipline Panel may determine that the circumstances of the infraction warrant a preliminary meeting or hearing. The Panel may delegate to one of its members the authority to deal with these matters, which may include, but are not limited to:
- a) Date and location of the hearing;
 - b) Clarification of issues in the infraction;
 - c) Order and procedure of the hearing;
 - d) Evidence to be brought before the hearing;
 - e) Identification of any witnesses;
 - f) Any other procedural matter that may assist in expediting the hearing.

10 Hearing

- 10.1 Having regard to the nature of the discipline matter and the potential consequences of any resulting sanctions, the Panel will choose to conduct the hearing by review of documentary evidence, in-person, via teleconference, or a combination of these methods.
- 10.2 Where the Panel has determined that the hearing will be held by review of documentary evidence, the Panel will govern the hearing fairly and as it sees fit, provided that:
- a) All parties are given a reasonable opportunity to provide written submissions, to review written submissions of the other parties, and to provide written rebuttal and argument.
 - b) The principles and timelines established by the Panel or Case Manager are respected.
- 10.3 Where the Panel has determined that the appeal will be held by way of oral hearing, the Panel will govern the hearing fairly and as it sees fit, provided that:
- a) The Respondent, Complainant and any other participants will be given reasonable written notice of the day, time and place of the hearing, except for incidents that occur at YSC events. In these instances, the hearing will be held as soon as is possible and notice may be given orally.
 - b) Quorum will be all three Panel members and decisions will be by majority vote where the Chair carries a vote.
 - c) The Respondent may be accompanied by an advisor.
 - d) The Respondent will have the right to present evidence and argument.
 - e) The parties will be provided copies of all evidence.
 - f) Panel members will refrain from communicating with the parties except in the presence of, or in copy to the other parties.
 - g) Any party potentially affected by the matter may be invited to the hearing by the Panel;
 - h) The Panel may request that any witness be present at the hearing or submit written evidence in advance of the hearing.
 - i) If the Respondent chooses not to participate in the hearing, the hearing will proceed regardless.
 - j) The hearing will be held in private.
 - k) Each party will bear their own costs;

- l) Once appointed, the Panel will have the authority to reduce or extend timelines associated with any aspect of the hearing.
- 10.4 After hearing the matter, the Panel will determine whether the Respondent has breached the Code of Conduct and if so, will determine the appropriate penalty and any measures to mitigate the harm suffered by others. The Panel's written decision, with reasons, will be submitted to the Case Manager who will distribute a notice of decision to all parties within seven (7) days of the conclusion of the hearing.
- 10.5 At YSC events, the Panel's decision will be given orally at the end of the hearing and will be followed by a written decision, as soon as possible.
- 10.6 Where the Respondent acknowledges the facts of the incident, they may waive the hearing, in which case the Panel will determine the appropriate disciplinary sanction. The Panel may hold a hearing for the purpose of determining an appropriate sanction.

11 Sanctions

- 11.1 The Panel may apply the following disciplinary sanctions, singly or in combination, for major infractions:
 - a) Written reprimand.
 - b) Removal of certain privileges of membership or employment.
 - c) Suspension from certain events, which may include suspension from the current event.
 - d) Suspension from acting as a delegate or judge for a designated period of time at YSC activities or events.
 - e) Suspension from employment with or without pay.
 - f) Suspension from all YSC activities for a designated period of time.
 - g) Expulsion from membership.
 - h) Publication of the decision.
 - i) For Respondents who are youth participants at YSC activities or events:
 - 1) Suspension from the event and immediate transport home at the parent's/guardian's expense.
 - 2) Disqualification from the event and if appropriate, cancellation of awards and/or medals that may have been awarded at the event.
 - j) Other sanctions as may be considered appropriate for the offence.

12 Disciplinary Measures

- 12.1 The Discipline Panel may impose the following disciplinary measures, either individually or in combination, depending on the severity of the abuse or harassment:
 - a) Employees
 - 1) Oral apology.
 - 2) Written apology.
 - 3) Letter of reprimand from YSC.
 - 4) Referral to a counsellor.
 - 5) Withdrawal of responsibilities.
 - 6) Demotion.
 - 7) Temporary suspension with or without pay.
 - 8) Dismissal.

- b) Volunteers
 - 1) Oral apology.
 - 2) Written apology.
 - 3) Letter of reprimand from YSC.
 - 4) Withdrawal of privileges.
 - 5) Loss of volunteer status.
 - 6) Loss of membership status and expulsion.
- c) Event/Activity Participants
 - 1) Oral apology.
 - 2) Written apology.
 - 3) Letter of reprimand from YSC.
 - 4) Withdrawal of privileges.
 - 5) Disqualification and or expulsion from the event/activity.

- 12.2 In the event a complaint leads to a criminal investigation, the Panel may recommend to the Board of Directors to suspend the Respondent from his/her duties or participation for the duration of the criminal investigation.
- 12.3 Following a criminal investigation and/or trial, if the Respondent pleads guilty or is found guilty, he/she shall be dismissed or expelled from YSC.
- 12.4 Unless the Panel decides otherwise, any disciplinary sanctions will commence immediately. Failure to comply with a sanction as determined by the Panel will result in automatic suspension of membership or participation in YSC events until such time as the sanction is complied with.
- 12.5 In applying sanctions, the Panel may give regard to the following aggravating or mitigating circumstances:
- a) The nature and severity of the infraction.
 - b) The extent to which others have been harmed by the infraction.
 - c) The cooperation of the Respondent being disciplined in the proceedings under this policy.
 - d) Whether the incident is a first offence or has occurred repeatedly.
 - e) The Respondent's acknowledgment of responsibility.
 - f) The Respondent's remorse and post-infraction conduct.
 - g) The age, maturity or experience of the Respondent.
 - h) Whether the Respondent retaliated, where the incident involves harassment.
 - i) The Respondent's prospects for rehabilitation.
- 12.6 If a participant is expelled from a YSC event, the case manager will contact the Regional Coordinator of the participant's region to inform him/her of the expulsion.

13 Serious Infractions

- 13.1 The Executive Director or the Case Manager may determine that the alleged infraction is of such severity as to warrant suspension of the Individual pending the hearing and decision of the Panel.

14 Confidentiality

- 14.1 The Executive Director and Case Manager will keep all proceedings under this policy confidential, except where disclosure is directed by the Panel as part of a sanction, is required by law or is deemed to be in the best interests of the YSC community or the general public by the Executive Director.
- 14.2 Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

15 Timelines

- 15.1 If the circumstances of the complaint are such that this policy will not allow a timely conclusion, or if the complaint cannot be concluded within the timelines dictated by this Policy, the Panel may revise the timelines.

16 Appeals

- 16.1 The decision of the Panel may be appealed in accordance with the YSC Appeals Policy.

17 Examples

17.1 Minor Infractions:

- a) A single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including, but not limited to, peers, delegates, judges, guests, sponsors and the public.
- b) Conduct contrary to the ideals of fair play such as angry outbursts or arguing.
- c) A single incident of being late for or absent from YSC events and activities at which attendance is expected or required.
- d) Non-compliance with the rules and regulations under which YSC events are conducted.

17.2 Major Infractions:

- a) Repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including, but not limited to, peers, delegates, judges, guests, sponsors and the public.
- b) Repeated conduct contrary to the ideals of fair play such as angry outbursts or arguing.
- c) Repeated incidents of being late for or absent from YSC events and activities at which attendance is expected or required.
- d) Activities or behaviour that interfere with the organization of a YSC event.
- e) Pranks, jokes or other activities that endanger the safety of others.
- f) Deliberate disregard for the rules and regulations under which YSC events are conducted, whether at the local, provincial, national or international level.
- g) Any conduct that results in harm to the image, credibility or reputation of YSC and/or its sponsors.
- h) Defacing or destruction of private or public property.
- i) Illegal use of drugs and narcotics.
- j) Use of alcohol by youth participants at YSC events.
- k) Abuse of alcohol by adults at a YSC activity where abuse means a level of consumption that impairs the Individual's ability to speak, walk or drive; causes the

Individual to behave in a disruptive manner; or interferes with the Individual's ability to perform effectively and safely.

- l) Failure to meet the expectations for youth participants as specified by a supervising adult or YSC.