

**Canadian Interuniversity Sport  
Membership  
E-Mail Vote results  
February 5, 2007**

**Motion**

**Carried**

**To approve the framework for Relief from CIS Policies as outlined below.**

**Executive Summary:**

CIS currently has processes for relief of regulations/policies in two areas: playing regulations (through the notwithstanding clause), and eligibility policies (through compassionate appeals). At present, there is no mechanism for relief of policies in other areas of CIS business. The CIS Executive tasked CIS staff to create a framework / model relating to relief from other policies for the Board to review and consider at the November 2006 CIS Board Meeting. The proposal was reviewed by the Board and is presented for Membership feedback and approval.

**Background:**

CIS currently has processes for relief of regulations/policies in two areas: playing regulations (through the notwithstanding clause), and eligibility policies (through compassionate appeals).

At present, there is no mechanism for relief of policies in other areas of CIS business.

The Board supported the notion of extending the principle of fairness/openness to compassion when circumstances dictate, to other areas of CIS business beyond playing regulations and eligibility rules.

The principle is one of fairness. While CIS policies/regulations are appropriate in the vast majority of instances, they can also be blunt instruments. Fairness demands that one look carefully at circumstances, take into account the significant variations, and look carefully at the context and local environment.

At times it may be more appropriate to use good judgment, and to focus on learning and improvement, rather than simply rigidly applying a policy and imposing a punishment.

On a practical level, looking at local circumstances and using good judgment has been practiced as illustrated by the examples below, however it is not formally institutionalized. Recent examples where policies have been varied by staff independently or in consultation with volunteers include:

1. The location of 2006 men's soccer media conference was changed at the last minute due to a gas leak. One of the coaches got lost traveling to the new venue. A decision was made not to fine the coach \$250 for missing the press conference.
2. Due to extenuating circumstances two universities were late filing their AFA data. A decision was made to fine them a total of \$500 rather than \$500 per week.
3. Fines for failure to report scores within deadline have been waived when compelling circumstances exist.

4. Championships hosts, who are according to policy required to get CIS approval prior to producing Championship merchandise, have neglected to do so. The CIS logo was not produced correctly. CIS staff reached a compromise with the hosts, rather than having all the goods disposed of and reprinted.

### **Framework to Provide Relief From CIS Policies**

Discussed/Reviewed/Approved by CIS Board – November 2006

To be approved by CIS Membership (Jan/Feb 2007)

Pilot Implementation Feb 2007- June 2008)

#### **The Principle:**

The principle is one of fairness. While CIS policies/regulations are appropriate in the vast majority of instances, they can also be blunt instruments. Fairness demands that one look carefully at circumstances, take into account the significant variations, and look carefully at context and local environment.

At times it may be more appropriate to use good judgment, and to focus on learning and improvement, rather than simply rigidly applying a policy and imposing a punishment.

#### **The Process:**

##### **Standard Model**

###### **Step 1**

The member writes/e-mails/speaks to CIS with a request and rationale to vary a policy.

###### **Step 2**

The CIS staff member who oversees the area related to the policy, reviews the request, and gathers any additional pertinent information, precedents etc.

###### **Step 3**

The CIS staff member, and two non-involved volunteers from a related CIS committee (if one exists), or the CIS board (if no related committee exists), reviews the documentation, and renders a recommendation to the CIS Executive Committee.

###### **Step 4**

The CIS Executive Committee approves / defeats the recommendation.

##### **Fast Track Model (the no-brainer)**

In instances when the outcome to provide relief from the rule is not in doubt because it is simply the right thing to do given the circumstances, and because the nature of the issue is not significant or substantial or controversial in nature, the following step will take place.

CIS staff member makes the recommendation to provide relief from the policy. The recommendation is supported or denied by the President or the CEO (or other non-involved Executive Committee member).

#### **Examples:**

Using example #1 above (coach no-show at CIS press conference due to change of venue resulting from gas leak) – the fast-track model would apply. The CIS delegate at the

Championships would recommend to the CEO or President (or other non-involved Executive Committee member) to provide relief from the fine, and no invoice would be generated.

### **Transparency and Communication**

On a quarterly basis, CIS staff would report to the Board, outlining the requests received and decisions taken. This report would become part of Board minutes and available for review by the members through that vehicle.

If a decision to provide relief from a policy materially impacts any other school, beyond the institution submitting the request, that third party institution should be made aware of the request and the decision taken, in real time, as events unfold.

### **Piloting**

The implementation of the relief from policies process will be piloted for an 18 month period, upon approval from the membership. Statistics would be kept which track number of requests received, and time taken the process them. A decision to continue with or withdraw from this process will be made in June 2008.

### **Notes:**

1. This process would not replace the compassionate appeals or the notwithstanding processes.
2. There may be some initial "acting and learning" as we begin to implement this process in the pilot period. At the conclusion of the pilot it can be refined to capture the key learnings.
3. A short list of which if any CIS policies would not be open to relief will be accumulated and approved by the CIS board (i.e. total value of AFA restrictions)