

**June 25, 2003 CIS Board of Directors Conference Call Minutes
1:30 PM**

Attendance: Drew Love, President; Judy McCrae, Past-President; Diane St-Denis, Vice President Programs; Murray Hall, Vice President Research and Development; Dick White, Vice President Marketing; Barb Mullaly, Chair, Finance Committee; Sandy Slavin, Canada West; Liz Hoffman, OUA; Bob Dubeau, QSSF; Jean-Guy Ouellette, International Programs; Danielle Gardner, Equity and Equality Committee

CIS Staff: Marg McGregor, CEO; Tanja Mackin, Director Finance & Administration; Tom Huisman, Director, Operations and Development; Peter Metuzals, Marketing Director; Sheila-Ann Newton, Manager, Programs and Events

Regrets: Clint Hamilton, Atlantic University Sport

1. WELCOME NEW BOARD MEMBERS

D. Love welcomed D. White and D. Gardner to their first Board of Directors meeting.

2. REQUEST FROM MCGILL UNIVERSITY

M. McGregor referred to a request from McGill University on behalf of Kim St-Pierre, a women's ice hockey goalie, to play for the Redmen (men's team) in 2003-04 (Annex 1) and noted that current CIS policy would prevent this student-athlete from playing on the men's team. Feedback on the issue from CAAWS, CCES and McGill University was also reviewed.

The pros and cons were considered, and it was suggested that an the current CIS policy be amended to allow for special circumstances to be considered by the CIS Board of Directors.

03-06-01 Hoffman/St-Denis

Carried

To add to the CIS Policy on Men Playing on Women's Teams, and Women playing on Men's team the following:

In recognition of the ever-changing environment within which it operates and the often unique nature and circumstances of both its member institutions and participants, the CIS will consider any requests to waive the above Policy on a case by case basis. Each request must be submitted to the CIS Board of Directors, through the President, and detail the rationale for the request.

03-06-02 Mullaly/St-Denis

Carried

To allow Kim St-Pierre to play on the McGill Men's Ice hockey team.

It was agreed that the number of games played by the student-athlete on either or both teams (Martlets and Redmen) be left to the discretion of the university.

3. POST-MCGARRIGLE REVIEW

M. McGregor reviewed the proposed process for a post-mortem of the McGarrigle case outcome.

03-06-03 McCrae/Mullaly

Carried

To approve the terms of reference for a post mortem of McGarrigle situation, as presented (Annex 2), and that results of the post mortem be presented to the CIS Board of Directors no later than the November 2003 meeting of the Board.

4. CORPORATE IDENTIFICATION ON UNIFORMS

P. Metzals referred to the Corporate Sponsor Logo on Team Uniforms Proposal (Annex 3). It was clarified that this proposal applies to all Championships, not just televised championships.

Point 10 of the Policy which deals with ethical issues such as alcohol and gaming, etc. was debated and it was agreed that the clause should be rewritten.

ACTION: P. Metzals and D. White to review "ethical exclusions" clause for corporate identification on uniforms at Championships, and present the revision for approval by the Board of Directors at the next conference call.

03-06-04 White/Hoffman

Carried

To approve the policy on Corporate Sponsor Logos on Team Uniforms at CIS Championships, as presented (Annex 3), excluding Point 10, and subject to adding a new clause on "ethical" exclusions.

5. NATIONAL CHAMPIONSHIP BIDDING POLICY

P. Metzals reported that the Marketing Committee has made the following recommendations to enhance the Championship bid process:

1. Letters of Intent are due March 1 (no change)
2. All Letters of intent will be made public to the CIS membership no later than March 15.
3. That all completed Bid Packages are due August 1 (changed from May 1) to the National Office.
4. That all bid presentations will be made around the time of the Members Roundtable sessions around the Vanier Cup in late November.

Rationale:

The basic rationale of all of the above items is to enhance the competitive bid process. It was felt by the Marketing Committee that National Championship bids could be significantly more competitive in nature if the membership (or the bidders) were more aware of who was bidding for what. By releasing the names of bidding member institutions who have submitted a Letter of Intent, a potential bidder will be more aware that enhancements in all areas might be necessary to either be competitive or to win the bid.

The risk is if only one Letter of intent has been received; we must then be prepared to accept the minimum requirements as we have initially requested. In addition, we must ensure that the bidder has met all minimal requirements.

In addition, the Marketing Committee recommends changing the date of bid submissions from May 1 to August 1, for the following reasons.

1. It will allow members significantly more time to work on their bids.
2. It is not as busy, as the April time period is usually one of the more busy times of the year for our Member institutions.
3. It will enhance the competitive nature of the process, as the bidder will be able to research the potential requirements a little more, meaning they now have a little more time to prepare a bid.

Whether these recommendations would enhance or hinder the competitive process was debated. It was agreed that allowing more time to prepare bids would hopefully lead to more bids, and more bids would encourage a greater competitive process.

03-06-05 White/Hoffman

Carried

To change CIS Policy 20.30.2.3 to read: Letters of intent to bid will ~~not~~ be disclosed to the media and/or Canadian Interuniversity Sport members. and to change the CIS National Championship bid process timelines as follows:

All Letters of intent will be made public no later than March 15.

Completed Bid Packages are due at the CIS office on August 1.

All bid presentations will be made at the roundtable sessions around the Vanier Cup in late November.

6. REVISIONS TO NATIONAL CHAMPIONSHIP AWARDS POLICY 60

D. St-Denis presented two recommendations for changes/additions to the National Championship Awards Policy approved by the Board in April 2003.

03-06-06 St-Denis/McCrae Carried

To remove "... and/or Division" from Policy 60.30.2.3 All Rookie Team:

60.30.2.3 All-Rookie Team

- **Selection based on season performance.**
- **Must have been a Rookie of the Year nominee from their respective Sport Conference ~~and or Division~~ and final voting must adhere to the conferences rank order.**

Rational:

To remain consistent that all nominations must come from the Sport Conference.

03-06-07 St-Denis/McCrae Carried

To add the following Policy:

60.30.2.5 Defensive/Offensive Player of the Year

- **Nominees must be members' of the CIS All-Canadian 1st Team.**
- **To win a national award the athlete must have won the award in their Sport Conference, if such an award exists.**
- **Final selection process is at the discretion of the Coaches Association.**

Note: This section would also include other sport specific positional awards such as goalie, linemen, etc.

Rational:

We refer to being able to offer awards in the following areas:

- Tournament MVP
- Tournament All-Stars
- All-Rookie Team
- Coaching Service Awards
- Defensive/Offensive Player of the Year

However, we didn't define the Defensive/Offensive Player of the Year section.

7. APPOINTMENT OF CHAIRS AND COMMITTEE MEMBERS

By-law 3.5.3.3

Committee members shall be appointed by the Board of Directors on an annual basis, based on the recommendations of the Vice-President of the Committee's

Portfolio and/or the Committee Chair, and the applicable Regional Association appointments.

By-law 3.5.3.4

The Committee Chairs, unless otherwise stated, shall be appointed on an annual basis by the Board of Directors, based on the recommendation of the Vice-President responsible for that committee, if applicable.

03-06-08 St-Denis/Dubeau

Carried

To appoint the members and Chairs of each of the CIS Standing Committees as follows:

Executive Committee

**Drew Love, Carleton
Judy McCrae, Waterloo
Dick White, Regina
Diane St-Denis, Simon Fraser
Murray Hall, Trinity Western
Barb Mullaly, UPEI**

Constitution

**Aubrey Ferris (Chair)
Wendy Bedingfield, Acadia**

Discipline

**Pat Murray (Chair) York
Aubrey Ferris
TBD
Clint Hamilton, UNB
Bob Dubeau, McGill
Liz Hoffman, Toronto
Sandy Slavin, Lethbridge**

Doping Control Review

**Drew Love, Carleton
Marg McGregor, CIS/SIC
Tom Huisman, CIS/SIC
CIS Legal Counsel**

Eligibility

**Gail Blake (Chair)
Tom Kendall, StFX
Joey Sabo, Bishops
Janean Sergeant, Queen's
Bill Wedlake, Winnipeg**

Finance

Barb Mullaly (Chair), UPEI

TBD

Jean-Guy Ouellette, Sherbrooke

Sandy Slavin, Lethbridge

Human Resource

Drew Love, Carleton

Judy McCrae, Waterloo

Barb Mullaly, UPEI

Marketing

Dick White (Chair), Regina

Adrian Bradbury, Chair COMSID

Deryll Smith, St. Thomas

Tony Adonna, Bishops

Ward Dilse, OUA

Kim Gordon, Alberta

Liz Hoffman, Toronto

COMSID

Adrian Bradbury (Chair), Toronto

Dick White, Regina

René Roy, Sherbrooke

David Kent, Carleton

Krista Hynes, Dalhousie

Marc Weber, UBC

Shawn Whitely, Brock

Lori Forbes, Saint Mary's

Program

Diane St-Denis (Chair) Simon Fraser

Al Scott, Dalhousie

Jill Jeffrey, Saint Mary's

Ken Schildroth, York

Janean Sergeant, Queen's

Lisen Moore, McGill

Tony Adonna, Bishops

Trix Baker, Alberta

Don Wilson, Calgary

Research and Development

Murray Hall (Chair), Trinity Western

Dan McNally, Acadia

Paul Krivicky, Montréal

Dan Smith, Western

TBD, Canada West

International

Jean-Guy Ouellette (Chair), Sherbrooke
John Ryan, UCCB
Claude Desy, Laval
Liz Hoffman, Toronto
Coleen Dufresne, Manitoba
Rob Paradis, Sport Canada
Lise Marie Acton, Student-Athlete Rep
Sandra Murray-MacDonell, CCAA Rep
TBD – FISU Committee member (Was Ed Zemrau)

Equity and Equality

Danielle Gardner (Chair), Trinity Western
Regina Bruce, Memorial
Joane Thibault, RMC
John McFarlane, Queen's
TBD, Canada West (was TBD last year)
TBD, QSSF (Was Manon Vaillancourt)

It was noted that any positions to be determined (TBD) would be circulated to the Board for approval as soon as possible.

8. UPDATE ON STATISTICS PACKAGE

P. Metzals reported that the new national statistics and score reporting system was discussed at the Marketing and COMSID meetings, and that the firm providing this service and the budget would be confirmed at the next Board conference call.

It was noted that the new system would be easy, reliable, and that the goal is to make it a “national” system which would reduce the workload of Regional Associations and increase the credibility of CIS.

9. SWIMMING CHAMPIONSHIP DATE CHANGE REQUEST

A motion from the Swimming Coaches Association requesting that for the next 4 years the CIS Swimming Championships begin on the First Friday in March and the rationale for the request was reviewed (Annex 4).

B. Dubeau noted that the short swimming season which currently the result of having the Championship on the third weekend in February created difficulty for the sport in Quebec.

It was confirmed that the host of the 2004 Swimming Championship would be able to accommodate the date change.

VP Programs Diane St Denis briefed the Board on the terms of reference for an ad-hoc committee that is working on a review of the date schedules for all National Championships. The implementation of the sub-committee's recommendations will apply beginning in the 2004-05 season. Regional Association representatives on the Board of Directors felt there was a compelling argument to alter the dates of the Swimming Championship for this upcoming (03-04) season. The Board therefore agreed that on an interim basis, the dates of the Swimming Championship be changed to March 5 - 7, 2004, and that the dates of subsequent Swimming Championships be part of the mix of the sub-committee's recommendations.

03-06-09 Dubeau/Hoffman

Carried

That the date for the 2004 swimming championship at University of Toronto be moved to March 5-7.

10. NATIONAL CHAMPIONSHIP DATES POLICY

D. St-Denis reported that the Program Committee approved at its June 2003 meeting the appointment of an ad-hoc committee to review the National Championship Schedule.

Background:

1. The CIS Policy 20.30.3.1.1 states that “ The Board of Directors of Canadian Interuniversity Sport determines the National Championship schedule based upon consultation and input from various committees of the Board and Coaches Associations, as per Canadian Interuniversity Sport Policies and Procedures.”
2. The National Championships Task Force Report, Background, Principles and Recommendations identified the need for the Program Committee, in consultation with the Marketing Committee and CIS Office staff, to develop a schedule for National Championships that best addresses the concerns and requests from the various Coaches Associations.
3. A policy regarding the CIS National Championship Dates, was put forth by the Program Committee and requires approval.
4. Several Coaches Association (Swimming, Men & Women's Volleyball, and Rugby) have asked for consideration of a date change for their respective national championships.

Terms of Reference for an Ad Hoc Committee to review the CIS Championship schedule.

1. Objective of the Ad Hoc Committee

To develop a schedule that will address the recommendations received from the various coaches associations while adhering to the Policy regarding the CIS National Championship Dates.

2. Responsibilities

The committee is tasked with:

- a) Securing from the coaches associations in question the rationale for the dates change requests. Consult with other coaches associations as to the need for possible consideration of a date change.
- b) Securing from the applicable NSO's their competition schedule and their feedback as to the impact of a date change.
- c) Securing the Marketing Committee's feedback on possible opportunities for changing the CIS broadcast schedule.
- d) Securing from currently appointed national championship hosts, their feedback as to their ability to change the dates of the championships (i.e.: facility availability).
- e) Drafting a proposed championship schedule based on the National Championship Dates Policy (to be approved)
- f) Submitting a report with recommendations to the Program Committee.

3. Membership in the Ad Hoc Committee

- a. 4 council members (Janean Sergeant, Al Scott, Don Wilson, and Tony Addona)
- b. Marketing Committee representative (TBD)
- c. Staff resources as required
- d. The term of office will be from June 2003 to November 2003.

4. Time Frame

- a) CIS board approves the terms of reference for the ad hoc committee (June 25, 2003).
- b) Coaches Associations submit request for date including rationale (September 30, 2003).
- c) Staff sport liaisons to secure feedback from NSO as to impact of date change (October 30, 2003).
- d) Marketing Committee to provide ad hoc committee with possible opportunities in changing broadcast schedule. (September 30, 2003).
- e) Championship Manager to secure from current appointed host feedback as to ability to change dates of championships (i.e.: facility availability, etc.) (October 30, 2003).
- f) Ad hoc committee meets by conference call or at Round Table (November) to develop proposal. (November, December 2003)
- g) Ad hoc committee prepares proposal and circulate to Board for approval (January 2004)
- h) New schedule approved at the 2004 Annual General Meeting.

ACTION: D. St-Denis to circulate and request feedback on the following proposed policy:

POLICY REGARDING CIS NATIONAL CHAMPIONSHIP DATES

OBJECTIVE:

1. Provide information as to which dates can be used for CIS Championships.
2. Provide rationale, as to which sports use, which dates.
3. Assist CIS Committees/Associations in making recommendations regarding Championship dates.
4. Develop policy to assist with decisions regarding additions or changes to Championship dates.

INFORMATION:

There are 19 CIS National Championships (10 female and 9 male) held annually at 6 fall and 9 winter sport locations. The Championship dates currently in use have developed over time and reflect a combination of the following: academic exam periods, traditional length of seasons, the realities of weather, long standing host locations, working relationships with NSO's and the number of members competing in a sport.

POLICY:

1. All CIS National Championship dates are ratified by the CIS Board of Directors.
Rationale: Decisions involve coaches associations, hosts, program and marketing committees.
2. Fall sport championships are to be concluded by the weekend of the 12th Saturday after Labour Day Monday. Winter sport championships are to be concluded by the weekend of the 12th Saturday after New Year's Day. In exceptional circumstances, the 13th Saturday in each term may be used.
3. Championship dates should minimize the loss of academic time.
4. A maximum of three championships should take place on any one weekend.
Rationale: To reduce potential television, membership and national office staff conflicts.
5. A maximum of two nationally televised championship sports should take place on any one weekend.
6. The number of teams participating in the sport should impact the timing of the championship.
7. Championships of sports with both genders should occur on the same weekend or within one weekend of each other.
Rationale: To assist institutions whose teams travel together, to assist Regional Associations in playing their league and playoff schedules and to minimize the down time of any particular sport waiting for a championship to occur.
8. Depending on the sport, championships should require between one and four competition days.

11. AD HOC COMMITTEE – CIS FINANCIAL AWARDS

M. McGregor indicated that Terms of Reference for an Awards Ad Hoc committee would be developed and circulated to the Board prior to the next Board conference call.

12. COACHING IMPLEMENTATION GROUP

With respect to the presentation of a draft report from the Coaching Implementation Group (CIG) made by Mike Mahon at the 2003 CIS AGM, it was agreed that CIS send a letter to Mike Mahon to express the Board's support for the process, and that CIS will assign a representative to sit on the governing body of the CIG.

13. NEXT MEETING

The next conference call of the CIS Board of Directors is scheduled for Wednesday August 13th at 1:30 pm EST.

ANNEX 1

Request from McGill University for Kim St Pierre to play with the Redmen in 2003-04

Background

- a. CIS has received a request from McGill University on behalf of women's hockey goalie to play for the Redmen in 2003-04.
- b. Kim just completed her fourth year of Education (Kinesiology) at McGill University. Kim has one year of CIS eligibility remaining. Kim St. Pierre could be the best women's hockey goaltender in the world. She is a five-year member of the Canadian National Women's team and helped lead them to three world gold medals. She capped it with a spectacular puck-stopping show against the Americans to win Olympic Gold and was named the best goalie in the Olympics. Kim set a record this season that may never be broken. She recorded a CIS record of six consecutive shutouts, or 436 minutes and 11 seconds. Kim would like to play for the McGill men's team during her final year of CIS eligibility in the 2003-04 season. McGill supports this request.
- c. The current CIS policy would prevent Kim from playing for the Redmen. (see appendix 1)
- d. The Canadian Centre for Ethics in Sport has an Ethical Review Panel in their organization which considers issues brought before it from time to time, and provides feedback to help the sport community develop policy. To inform the CIS decision making process Marg requested the CCES's feedback on our existing policy their commentary on the question of should Kim be allowed to play for the Redmen. (See appendix 2 for CCES response).
- e. Marg also requested commentary from CAAWS on the question. (See appendix 3 for the response from the chair of CAAWS).
- f. See appendix 4 for McGill's input into this discussion.

Appendix 1 - CIAU POSITION FOR MALE AND FEMALE PARTICIPATION IN CANADIAN UNIVERSITY SPORT

Preamble:

The CIAU conducts interuniversity competition in various sports. Unlike intramural competition, which is primarily for entertainment, recreation and exercise, CIAU sport builds individual and team skills to an elite level and provides high performance competition.

The CIAU encourages interuniversity competition in as many sports as are consistent with the resources available to the various member institutions and to the CIAU, ever mindful of the principle that academics must always take precedence over athletics.

There are physical differences between males and females where, generally, males who compete in sport at the interuniversity level are stronger, taller, heavier and faster than their female counterparts. Although there are notable exceptions, this observation is generally correct.

Canadian Interuniversity sport is designed to encourage participation by as many males and females as can be accommodated.

Generally there are more participation opportunities for males than females, in particular at the higher or elite competitive level. As well, there are a lack of opportunities for women to become more actively engaged in coaching, officiating, administrative or other paid or volunteer leadership opportunities.

All institutions should have a policy that allocates resources in a given sport on a relatively equal basis between all-male and all-female programs.

POLICY STATEMENT:

That if a **varsity** sport activity is available at a member institution to both males and females, the males are provided an opportunity to compete for a position on the men's team only and the females are provided an opportunity to compete for a position on the female team only.

That if a **varsity** sport activity is not available for a female student-athlete, she is provided an opportunity to compete for a position on the men's team, however, it is preferred that the female be provided with an opportunity to compete for a position on a female team.

That if a **varsity** sport activity is not available for a male student-athlete, he is not provided an opportunity to compete for a position on the female team.

Appendix 2 – CCES Response

Hi Marg. I am able to provide you with the main outcomes from the Ethical Issues Review Panel discussion last Friday in this message. The formal summary of the Panel's discussion that includes the various issues and dimensions considered in the discussion is being prepared and will be sent to you once completed.

The Panel was comprised of Dr. Margaret Somerville, Founding Director, McGill University Centre for Medicine, Ethics and Law, and Dr. Bruce Kidd, Professor and Dean, Faculty of Physical Education and Health, University of Toronto. The Panel was also to have included Dr. Angela Schneider, but she had a family emergency and she was not able to join the teleconference meeting. Paul Melia and I facilitated the discussion and provided input from a CCES perspective.

The main outcomes of the Panel's deliberations were the recommendations that the current CIS/CIAU Position for Male and Female Participation in Canadian University Sport be revised to include:

(1) the provision to allow female athletes the opportunity to compete for a position on a men's team, whether or not a female team is available, when the female athlete wishes to do so and has clearly demonstrated athletic ability beyond the level of performance available in the women's teams for the sport in question.

(2) for sports where, overall, women athletes have a clear genetic advantage over male athletes, the provision to allow male athletes the opportunity to compete for a position on a women's team, whether or not a male team is available, if the male athlete wishes to do so and

has clearly demonstrated athletic ability beyond the level of performance available in the men's teams for the sport in question.

(3) the provision that (1) above would not be a reason to restrict a female athlete from competing for a position on the female teams of the sport in question, and (2) above would not be a reason to restrict a male athlete from competing for a position on the male teams of the sport in question.

These recommendations are based on the following considerations:

Sport is about the pursuit of sporting excellence and human excellence. Competition is a fundamental element of sport and true competition happens when competitors are most closely matched in levels of ability. If an athlete's skills clearly outstrip her or his competitors, the sporting experience is lessened for the athlete and also the athlete's competitors. As well, athletes should have the opportunity to reach and experience their full athletic potential when possible. In the case of women athletes playing on men's teams, providing this opportunity should be on the basis of skill. While such opportunities could be perceived as weakening women's sport, they are more likely to have a strengthening effect as women are allowed to attain their highest level of achievement and attention is focused on these accomplishments.

I hope this is helpful. Please let me know if you have any questions.
Best wishes, Brenda Wagman, CCES

Appendix 3 - Input from Phyllis Berck, Chair of CAAWS

I think your policy is solid, especially about recognizing physical differences and why males and females should play on gender specific teams, exceptions as noted in your policy. However, it would seem that being a goalie is different. While size and weight matter, this does seem to be a position that females can play without being disadvantaged because of their physical stature.

The tough thing for me in this instance is changing a policy that benefits most, in order to benefit the unique. On the other hand, this request is a reflection of how very far women have come in ice hockey, proving what we have always said. Give women the opportunity to play sport in legitimate environments with great skill development, coaching, training, etc, and "our kind" will excel.

It's a tricky balance between benefit to the many, and to the unique individual that Kim clearly is. I am also mindful of your comment regarding "unintended consequences" that occurs when the best of intentions go awry.

My thought is that the CIS policy could be adapted to be 1) sport specific (ie, ice hockey), 2) respond only to future requests on an as requested basis (don't make it for goalies in all sports), 3) allow females interested to try out and compete for certain positions only, ie where size, weight etc. are not considered barriers, & 4) not change the policy around men only/female only teams, in general.

It might not be very popular but 5) I would not allow men to be goalies on the women's team. I say this because men still have more opportunities in sport than women, and male physical size is an advantage in a female team, although female size is not a disadvantage on a male team.

If the policy does change to accommodate Kim, then there should be something included about providing her with her own quality change/shower facilities.

Hope this helps. I'd be interested to know what the outcome is. Phyllis Berck

Appendix 4 – McGill's Perspective

Marg : I still am uncertain as to being available for the Boards Conf. Call on June 25th. If I can get to a phone I will participate. On the Kim St Pierre matter, McGill supports her request to participate in Men's CIS Hockey next year. She is an extraordinary talent and for her to continue to develop as an International athlete she needs the competition. Kim may be good enough to be our 2nd or 3rd Goalie on the men's team which may not give her a whole lot of playing time unless there are injuries. If the Board decides to permit her to play, she should remain eligible to play Women's Hockey as these may be the majority of the Games in which she gets to play. Annika Sorenstam was not barred from the LPGA for participating on the Men's Tour, ibid Kim. In this fashion everyone is a winner. Kim is allowed to participate with the best and prepare for the National Teams schedule; The CIS wins as we will get a ton of good publicity; Women's CIS Hockey wins as Kim will play some games and play in the CIS Women's Championships that are being hosted at McGill in 2004. Not to let her participate will result in her playing in Europe or most likely in the Women's Semi Pro league for B.C., a loss to the CIS and the development of women's Hockey. This is a win-win situation for us-lets take advantage of it.

Bob D

ANNEX 2

Approval of proposed terms of reference for post mortem of McGarrigle situation (Marg)

Desired Outcome:

For the board to approve the review process and time frame.

Background

- See Appendix 5 for the history of the file and the CIS public response to the Superior Court of Ontario Ruling.
- The financial impact is still outstanding.
- The Finance Committee has considered how best to absorb that impact (Barb, Tanja to comment)
- We are looking to have the board approve a process for conducting a post-mortem into the McGarrigle file.
- Ian Mitroff in his book "Crisis Leadership" offers some insights into how to frame an effective post-mortem: The purpose of the post-mortem is not to assign blame or fault, but rather to examine the key lessons that need to be learned so that future organizational performance can be enhanced. Except in cases of criminal malfeasance or negligence, blame and fault finding are inappropriate. They keep an organization from instilling the proper lessons. The main emphasis should be on "no-fault" learning. Emphasis should be on the key lessons that need to be learned as well as those that were not learned in the past and why. The same emphasis has to be placed on the redesign of systems so that the effects, if not the probabilities of future issues/crises can be lessened. (Mitroff, Ian, 2004, Wiley publishers, page 90)

Suggested Process

It is proposed that the post-mortem take place in the form of a presidential review into the McGarrigle issue. This could take place through the president appointing an individual to act on his behalf.

This review would involve phone or e-mail interviews with some of the principals involved in the file asking for their impressions and observations of where we got de-railed, recommendations, key-learnings and suggestions for improvement.

The objective would be to identify areas that require improvement, so we don't find ourselves in a similar situation. We are not looking to assign blame, but rather to draw learnings and make necessary enhancements as needed.

Potential pool of people to interview include a sampling of:

- the Discipline Committee on this file (Sandy Slavin, Jean Guy, Drew Love).
- the appeal committee on this file (Bob Dubeau, Ross Wilson, and Don Wilson)
- the C and I committee (Pat Murray, Harry Zarins)
- Tom Huisman
- Marg McGregor

This review would also involve reviewing the McGarrigle file, the judges decision, and reading the suggestions from the lawyer CIS retained for the appeal portion of the file (David Lech).

It is proposed that a report on the review be provided to the September or October 2003 CIS Board of Directors meeting.

The summary report of the recommendations and learnings will be made public following the review by the board.

Appendix 5
CIS Response to Tim McGarrigle's action against CIS in the Ontario Superior Court of Justice
May 13, 2003

Background:

1. On January 21, 2002 Dalhousie University Basketball Coach Tim McGarrigle was advised by Mr. Aubourg, a student-athlete on the team, and saw himself, that the student's unofficial transcript rendered him academically ineligible for CIS competition.
2. Mr. McGarrigle was informed by the student that there were errors on his transcript.
3. Mr. McGarrigle immediately told the student to correct the situation.
4. Mr. McGarrigle did not then speak to the athlete or to any official at the University about the transcript.
5. On January 23, 2002 Mr. Aubourg attended the next game, dressed and ready to play. Mr. Aubourg made no comment regarding his academic status, nor did Mr. McGarrigle inquire about Mr. Aubourg's academic status.
6. Mr. McGarrigle played Mr. Aubourg in that game.
7. Mr. Aubourg was, in fact, ineligible to play as a result of his academic status.
8. Mr. Aubourg had been approved for play by the Registrar's office in September 2001 and was on the official team roster up to and including January 23, 2002.
9. Coach McGarrigle had no ability/right to access Mr. Aubourg's, or any other student's, academic record. University privacy policy dictated that departments, faculty members, etc., authorized to access such information were not permitted to share the same with non-authorized persons such as Mr. McGarrigle, the basketball coach.
10. On Feb. 13, 2002, the CIS Discipline Committee suspended Tim McGarrigle from further participation in any capacity on behalf of Dalhousie University in CIS men's basketball interuniversity competition for the remainder of the competitive season, including playoffs.

11. The Discipline Committee imposed the following sanctions on Dalhousie University: a \$5,000 fine, and a requirement to undertake procedural, structural or other changes in order to minimize the chance of future violations.
12. Tim McGarrigle filed an appeal to CIS to have the decision of the Discipline Committee overturned. CIS offered to have the appeal heard through the Alternate Dispute Resolution for Sport organization. This offer was declined by McGarrigle's counsel.
13. Tim McGarrigle appealed the Discipline Committee's decision, to an internal CIS appeal panel. The Appeal Panel considered whether the Discipline Committee had the authority and jurisdiction to sanction a coach in a matter pertaining to eligibility. The panel also considered if the discipline imposed to Coach McGarrigle was justified and appropriate.
14. The May 23, 2002 CIS Appeal Panel decision upheld the ruling of the CIS Discipline Committee.
15. Tim McGarrigle filed an application to the Ontario Court to overturn the May 23, 2002 decision of the CIS internal appeal panel and Discipline Committee. The case was heard in Ottawa on Jan. 30, 2003.
16. The decision was rendered on May 13, 2003 and ruled in favour of Tim McGarrigle's application to quash the decision.

CIS Response to the May 13, 2003 Decision

The Ontario Superior Court of Justice Court judgement went in Tim McGarrigle's favour because the judge ruled that the CIS Discipline Committee and Appeal Panel erred in law, acted in excess of jurisdiction and failed to comply with the principles of natural justice.

The judge ruled that the CIS Discipline Committee did not have the jurisdiction to do what it did. The Complaints and Investigation Committee in preparing its charge in writing setting out all the pertinent information, neglected to make reference to the By-law, principle, policy, rule, regulation or practice that Mr. McGarrigle allegedly breached. According to the judges ruling, this omission prevented McGarrigle from understanding the case he had to meet at the Discipline Committee, and breached the principles of natural justice and robbed the Discipline Committee of its jurisdiction to act.

The Discipline Committee erred in that it did not restrict its role to the allegation that was set out in the Complaints and Investigation Committee report. Instead the Discipline Committee expanded the charge. CIS policies require the Discipline Committee to hear the charge referred to it by the Complaints and Investigation Committee and not some other or expanded charge.

CIS by-laws and eligibility policies in place at the time of the infraction indicated that the institution is responsible for placing only CIS eligible athletes into competition. The policies in place at the time stated that the Director of Athletics is ultimately responsible for determining eligibility of all athletes at the institution. There was no reference to the policies in place at the time to coaches being ultimately responsible to ensure the academic eligibility of team players. CIS has already taken steps to further clarify in writing in the by-laws and policies, coaches responsibility for eligibility matters. The CIS membership has approved these clarifying statements and they are in force and effect for the 2002-03 season and beyond.

The judge ruled that the Appeal panel has no greater authority than the original decision-maker, which in this case was the Discipline Committee. Therefore the Appeal Panel, just like the Discipline Committee did not have the authority to find McGarrigle “guilty” of a charge, other than the charge which was referred by the Complaints and Investigation Committee.

At the end of the day, both CIS and Tim McGarrigle had their day in court, and CIS accepts the judge’s decision. CIS regrets the inconvenience this matter has caused, and extends its sincerest apologies to Tim McGarrigle.

CIS will conduct a post-mortem on this situation by September 15, 2003 to capture learnings, and to make enhancements to our operations and systems where necessary, and to determine if the McGarrigle ruling impacts any other recent rulings of the Discipline Committee.

Procedural

Errors

The CIS acknowledges, concedes and expresses regret for the various procedural errors which occurred during the conduct of the Discipline Committee's Hearings of the Dalhousie University self-reported eligibility infraction concerning Mr. Aubourg. The existence of procedural errors was raised in the appellant's Notice of Appeal but not argued before the Appeal Panel.

ANNEX 3

Corporate Sponsor Logo on Team Uniforms Proposal

Draft #2, April 28, 2003

Discussion paper still to be reviewed, discussed and approved by the Board

Background Information

This item appeared on the agenda of the Marketing Council meeting in November 2002 as a direct result of an issue that occurred this past year. The CIS has a rule (Rule 20.40.3.3 in the Policy and Procedures Manual), which states:

“No corporate logo identification shall be visible on any playing uniform, warm up suits, sideline attire, shooter shirts or bags at any National Championships or Preliminary Bowl. This does not include the manufacturer’s logo. The size of the manufacturer’s logo is not to exceed 2 ¼ inches square.”

Rationale

The rationale for this particular rule is the need or requirement to protect CIS event sponsors from any conflict with potential team sponsors. It was discussed and agreed to at Marketing Council that member institutions could possibly generate more revenue for themselves and be able to provide more sponsorship opportunities for any and all participating teams. It was also discussed and agreed to that rules should be instituted to allow a cleaner look and to create more regulatory components to team uniforms.

A major concern seems to be one of a conflict with existing CIS sponsors and Host Championships sponsors. This new policy would mean that at CIS events, the potential would exist that conflicting sponsors might appear on the same “playing field”, meaning that CIS category exclusivity would not be protected at events as players on teams would have sponsors logo identification placed on high profile locations

The question is how do we protect CIS major sponsors? In addition, how do we protect major event (host) sponsors? Are we concerned that a competitor of a major event sponsors may appear on Team uniforms of participating Teams? If we are not able to protect both Host and CIS sponsors, team sponsorship could become an inexpensive option for competing sponsors to become involved. Let’s say Mars is a major sponsor of Men’s basketball and has paid a title sponsorship fee, a competitor, let’s say O’henry could go to each competing Team and offer them XX amount of dollars to wear their logo – the price would certainly be less than what the Host has received for presenting sponsor status. Do we want to protect or need to protect our Hosts, is the question.

Should the CIS protect our sponsors, by ensuring category exclusivity? Should we not be concerned and allow member institutions to place corporate logos on Team uniforms? Is there value for members to be given the opportunity to sell space on Team uniforms?

Proposal

The following will form the basis of a recommendation from the Marketing Committee to encourage members to pursue corporate sponsorships for any varsity team. This new rule will allow member institutions to place a sponsored logo on Team uniforms for National Championship events (as that is the jurisdiction of the CIS), with the intent that some level of structure will be associated with this process.

Proposed Motion to be considered by the Board:

CIS member institutions will be permitted to sell a corporate sponsorship logo on Team uniforms at all National Championships events, subject to the adherence of the following guidelines:

1. The member institution is not permitted to secure a sponsor for their Team which may be in direct conflict with a CIS sponsor or Host Championship sponsor. A major CIS sponsorship is defined as a CIS sponsor/ partner who contributes no less than \$100,000 annually in cash/contra/in-kind to the organization. A major sponsor for the Host includes all presenting or title sponsors (or the equivalent).
2. The maximum surface of the logo on the Team uniform shall not exceed 100 cm² – that means either a 10cm x 10cm patch or a 33 cm x 3 cm logo or 2 smaller patches of 10 by 5 each, ensuring that total configuration does not exceed 100cm².
3. Only the manufacturers logo is permitted to appear on any headwear or sweatbands, with a maximum logo size of 12cm² to appear only once.
4. The member institution shall register each corporate name and logo of each Team no later than 10 days prior to start of the sports National Championship. The fee for this is an annual registration of \$200.00 (per team). CIS will send an invoice to each Member institution. The registration document should include a copy of the Team uniform (a drawing is acceptable) with an accurate description of where the sponsored logo will appear. The member will receive a letter of verification. If a Member institution has registered a logo by the due date and the Member institution does not qualify for the Championships, they will not be invoiced the \$200.00 registration fee.
5. If a Member institution attends the National Championships with a corporate marking on their Team uniforms, without following the CIS registration process, they will be charged a registration fee of \$400.00, provided that all of the above rules and regulations are maintained.
6. The manufacturer's logo of team uniforms may appear as well but must be limited in size to 15cm². The member institution will not be required to register this logo.
7. The corporate logo is permitted on warm up clothing, t-shirts and other competitive apparel. The total size on t-shirts shall not exceed 200cm square. The warm ups have the same size regulations as the Team uniform. Other products such as Team bags, towels and other accessories are not permitted to have corporate logo identification.
8. Only one corporate logo may appear on the Team uniform.

9. Any member institution that appears at a National Championships with corporate identifications that does not meet the standards as set out in the policy will be obligated to remove or cover up the identification. CIS does not want duck tape covering up logos at our National Championships as this affects the brand image of the organization, so CIS crests will be produced and if a cover-up is required due to non-compliance CIS crests will be sewn on the uniforms, at the member's expense.
10. The corporate logo identification must be in good taste and must adhere to the values of CIS sport. The following list, while not exhaustive provides some guidance as to what would NOT be acceptable corporate identification: tobacco, hard liquor, casinos, Hooters type of establishments.

CIS should organize a best practice session so that members could exchange ideas about what the appropriate value of sponsor signage is, so that our product is not under-valued.

ANNEX 4

Motion 3 (B. MacDonald/G. Stratton) Carried (30/6/0)

For the next 4 years the CIS Swimming Championships will begin on the First Friday in March. The CIS will approach the Hosts who have committed to a date to change their competition dates.

Rationale: CIS Coaches agreed with concerns raised regarding the short timeframe available after the Fall Exam and Holiday break to the Conference and CIS Championships. Coaches felt that adding two weeks to the season would allow for a better preparatory period following the Exam/Holiday period, and would allow for more successful Conference and Championship performances for athletes. These concerns had been raised in the past, and at the time there were limits to dates available due to conflicts between the CIS Championships and Swimming Canada calendar. The discussion this year was that CIS would take a lead role in setting its calendar and Swimming Canada could fit with our model. Swimming Canada representatives at the CIS Championship were willing to work in this model.

Athletic Director	For - 19	Against - 3	Abstain - 2
Head Coach	For - 21	Against - 3	Abstain - 0

Appendix 6

To: Program Council Committee reviewing Sport championship dates and number of championships per weekend

From: Brian Cartlidge – OUA Swimming convenor

Re: CIS swim coaches motion to have the swimming championships on the “first Friday in March”.

To start with I am writing this document on behalf of the Ontario swim coaches who originally presented the motion at the CIS coaches meeting. As a regional association we have wanted the date for the championships to be later than it has been for the last few years since we believe this better suits the university swimmers participating in the OUA conference. We are also aware that the Quebec regional association has a similar opinion that has been supported by the Athletic Directors of the Quebec institutions. With the strength of the vote coming forward on the vote sheets this year the **support for a later date now exists** throughout the coaching fraternity across the country.

Much of the reason for the strength of this position exists because the sport governing body for swimming (SNC) has made a decision to not have any trials or championships that require debate among the coaches as to the appropriateness of coordinating the CIS championship date with the SNC championship date. This situation has finally allowed for the coaches to agree, no matter what level of athlete they are working with, that the CIS date should return to what, (as seen from the comparison of the historical dates below) is the more traditional date for CIS swimming championships.

With reference to the CIS policy concerning the number of championships being held on any one particular weekend; from a coaches perspective this policy is not very athlete centered. In comparison to the reasons that we have put forth for the swimming

championship date the policy that states that the date should be in cooperation with the sport governing body is much more compelling and athlete centered.

On the weekend that swimming is requesting a move to, Men's volleyball is scheduled at Laval, Women's volleyball at Saskatchewan, and Wrestling (men & women) at Brock. Only the volleyball championships are potential television events unless a dramatic change in approach is taken by TV. The level of involvement of CIS staff in hosting a swimming championships is minimized because so much is done by the volunteer infrastructure of the swimming community. Swimming and wrestling occurring in the same regional association does not present an identifiable conflict since they occur in two different types of facilities. The concern about the CIS staff member attending the events is also minimized since Tom Huisman is responsible for swimming and wrestling which are located a maximum of two hours (driving time Toronto to/from St.Catherines) apart. Both hosting universities for these events are very experienced in conducting the respective sport championships.

In conversation with Bryon MacDonald (coach of UofT) there is no problem with the facility hosting the championship on the date as per the motion from the coaches association (March 5,6,7) or the date which CIS has on the championship schedule for 2003 – 2004 (Feb. 27,28,29)