

FAIRNESS AND SAFETY IN SPORT

Background

On September 1, 2025 the *Fairness and Safety in Sport Act* came into effect, creating expectations for all organization to ensure that all “women and girls have the opportunity to compete in biologically female-only divisions, while also ensuring transgender athletes are able to meaningfully participate in the sport of their choice”. School Divisions are required to create and implement procedures relative to athlete eligibility that are in alignment with this Act. (<https://www.alberta.ca/ensuring-fairness-safety-and-inclusivity-in-sport>).

The purpose of this procedure is the promotion of fairness and safety in sport, by addressing matters of eligibility to participate in a relevant sport in accordance with the Government of Alberta’s *Fairness and Safety in Sport Act* (the Act) and *Fairness and Safety in Sport Regulation* (the Regulation).

Definitions

Amateur competitive means a sport or sport discipline where:

- an athlete’s primary focus for participation is on development, such as providing competitive experience, skill improvement, and opportunities for active participation; and
- an athlete seeks personal or team excellence, measures performance against others and/or seeks opportunities for advancement.

Applicant refers to one of the following individuals who submits a confidential challenge to an athlete’s eligibility to participate in a relevant sport:

- athlete;
- parent or guardian of an athlete if the athlete is under 18 years of age;
- team manager of athlete; and
- coach of athlete.

Athlete means a participant registered in a relevant sport.

Birth registration document means a birth registration document as defined in the *Vital Statistics Act* or a similar document issued outside of Alberta that contains the following information respecting an athlete:

- full name of the athlete;
- date and place where the birth of the athlete occurred; and
- the sex of the athlete.

Relevant sport means an amateur competitive sport or sport discipline governed, regulated, coordinated, promoted or sponsored by the Division.

Sex at birth means the sex of an individual that appears on the athlete's birth registration document.

1. Application

This procedure only applies to participation in a relevant sport by athletes who are ages 12 and older.

2. Athlete Eligibility

2.1. To participate in a female-only league, class or division of a relevant sport, an athlete must be of the female sex at birth.

3. Confirmation of Athlete Eligibility

3.1. Before an athlete may participate in a relevant sport, an athlete (or their parent or guardian if the athlete is under 18 years of age) must confirm in writing, by completing [form F-362](#), that they understand and meet the eligibility criteria set out in section 4 of this procedure.

3.2. Failure of an athlete (or their parent or guardian if the athlete is under 18 years of age) to confirm their eligibility in writing with the School Division will render the athlete ineligible to participate.

4. Confidential Challenge to Athlete Eligibility

4.1. A confidential challenge may be submitted by an applicant if there are reasonable grounds to believe that an athlete is ineligible under section 4 of this procedure.

4.2. A confidential challenge must be made in writing and sent to the Assistant Superintendent of Learning Services. A confidential challenge to an athlete's eligibility must include:

- the name of the applicant;
- the name of the athlete, their club/team and sport; and
- information that supports the grounds for the challenge.

5. Verification of Athlete Eligibility

5.1. Upon receipt of a confidential challenge to an athlete's eligibility under section 4 of this procedure, the Assistant Superintendent of Learning Services will confirm receipt and notify the Minister of Tourism and Sport, without personal identifying information, within 3 business days.

5.2. The Assistant Superintendent of Learning Services may dismiss the challenge if, in their opinion of the reasonable grounds do not exist for the challenge. Upon dismissal of the challenge, the applicant will be notified by the Assistant Superintendent of Learning Services and may be subject to sanctions under section 9 of this procedure. The Assistant Superintendent of Learning Services will notify the Minister of Tourism and Sport of the dismissal, without personal identifying information, within 30 business days of the challenge.

5.3. If the Assistant Superintendent of Learning Services does not dismiss the challenge under section 7.2 of this procedure:

- the applicant and the athlete whose eligibility is the subject of the challenge will be notified that the challenge is moving forward; and
- the athlete's whose eligibility is the subject of the challenge (or their parent or guardian if the athlete is under the age of 18) will be required to provide Assistant Superintendent of Learning Services with a copy of the athlete's birth registration document.

5.4. Failure to provide the birth registration document as defined in the Vital Statistics Act or similar document issued outside of Alberta to the Assistant Superintendent of Learning Services will render the athlete ineligible to participate in a relevant sport.

6. Resolution

6.1. Once the birth registration document is received, the Assistant Superintendent of Learning Services will verify the athlete's eligibility under section 4 of this procedure.

6.2. If the challenge is upheld and the athlete is determined to be ineligible, the Assistant Superintendent of Learning Services will notify the applicant and athlete whose eligibility has been challenged. The athlete will be permanently ineligible for participation in a female-only league, class or division of a relevant sport.

6.3. If the challenge is dismissed and the athlete is determined to be eligible, the Assistant Superintendent of Learning Services will notify the applicant and the athlete whose eligibility has been challenged. The athlete will be permanently eligible for participation in a female-only league, class or division of a relevant sport.

6.4. Upon a determination under section 8.2 or 8.3 of this procedure, the Assistant Superintendent of Learning Services will notify the Minister of Tourism and Sport of the decision, without personal identifying information, within 30 business days of the challenge.

7. Invalid Challenge

7.1. Pursuant to section 7.2 of this procedure, the Assistant Superintendent of Learning Services may determine that reasonable grounds do not exist for a challenge, including but not limited to where:

- The Assistant Superintendent of Learning Services has previously resolved a challenge for the same athlete;
- Not enough information has been provided to proceed as a valid challenge; or
- The challenge is deemed to have been made in bad faith.

7.2. Factors relevant to determining whether a challenge, dismissed under section of this procedure, was made in bad faith and merits appropriate sanctions for the applicant include, without limitation:

- The applicant's prior history;

- A pattern of inappropriate behavior or numerous unfounded challenges under this procedure; and
- The ages of the athletes involved.

7.3. Sanctions for an applicant may include, without limitation:

- A written warning;
- Suspension from participation in, or observation of, athletic events; and
- A determination that the applicant has violated the one of the Division's codes of conduct, where applicable.

8. Appeals

The applicant may appeal to the board of the in-scope entity a dismissal of a challenge under section 7.2 of this procedure.

9. Protection of Personal Information

All information and data relating to the athlete will be treated as sensitive personal information and will be processed as such in accordance with applicable data protection and privacy laws. Such information and data will not be used for any purpose other than to determine athlete eligibility.

10. Reporting to the Minister

The Division will report to the Minister as required by the *Fairness and Safety in Sport Regulation*.

11. Assistance with this Administrative Procedure

11.1. The School Division is committed to the participation of all athletes in accordance with the athlete eligibility requirements set out in this procedure. Any individuals seeking information on the application of this procedure should contact the Assistant Superintendent of Learning Services for assistance.

11.2. Any individuals seeking information on the application of the Government of Alberta's Act and Regulation may contact the Ministry of Tourism and Sport at SPAR@gov.ab.ca for assistance.

References: *Fairness and Safety in Sport Act* (Alberta, 2025)
Fairness and Safety in Sport Regulation (Alberta, 2025)