

**By Laws of the Decatur Youth Hockey Association, Inc.**

**Article 1: Name, Status and Affiliation**

1.1 The name of this organization is the Decatur Youth Hockey Association, Inc. and may be referred to as DYHA. DYHA shall be associated with USA Hockey, Inc. and AHAI, the American Hockey Association of Illinois.

**Article 2: Membership**

2.1 There will be one class of members. Upon payment of enrollment fees each biological or adoptive parent of a participating player shall be deemed a member. If a player does not have any parents but instead has a legal guardian that legal guardian shall be the member.

2.2 Each member as defined above shall be entitled to vote at any election in which the membership is called upon to cast a vote if they are in good standing. Good standing is defined as being current in their dues and not subject to any disciplinary ruling. The Treasurer shall announce before the annual meeting begins who is not entitled to vote for failure to pay dues. Each member as defined above will be entitled to one vote regardless of the number of children in their family participating as players.

2.3 In addition to the voting members in paragraph 2.2 the board may each year in its September meeting authorize the admission as members individuals who apply, have demonstrated an interest in hockey, have no felony convictions, and agree to submit to a background check similar to coaches. If admitted these special members shall have all of the privileges and duties of other members.

2.4 Membership is on an annual basis from the day of USA Hockey registration in one calendar year to the day before the registration in the next calendar year.

2.5 Membership in DYHA is not transferrable or assignable.

### **Article 3: Membership Meetings**

3.1 There shall be an annual meeting of the membership during the month of May for the purposes of electing directors and transacting such other business as may be properly placed before the membership at that meeting. 10 days' notice of the meeting time, date, and place shall be given to the membership.

3.2 Special meetings may be called after reasonable attempt to notify the members by the President or majority of the Board of Directors. Notice may be electronic.

3.3 The Board of Directors shall designate the date and time for any meeting for the members. The Board of Directors shall designate any place in Decatur or within a reasonable radius of Decatur, Illinois for any annual or special meeting of the members. Notice of the meeting shall be by electronic means.

3.4 There is no quorum required for the annual meeting and no member shall vote by proxy at any meeting. Roberts Rules of Order shall act as guidelines for the conducting of these meetings but the final determination of any procedure shall be made by the president.

3.5 Voting for any election shall be by written ballot. A majority of the votes cast is required to elect a board member.

### **Article 4: Board of Directors**

4.1 The business and affairs of DYHA shall be managed by the Board of Directors. The Board specifically reserves to itself the final selection of coaches for each year's play and the leagues in which the teams shall play. Only the Board of Directors may amend the General Operating Procedures.

4.2 The members of the Board of Directors shall be elected to office by a vote of the voting members of DYHA and shall serve for a term of three years or until replaced. Members of the Board of Directors may succeed themselves in office. There shall be a final number of 9 members, effective the election of 2017. For the election in May 2015, 3 seats currently filled on the board shall be up for election. The 2 seats currently vacant will be eliminated. This will result in 13 members for the 2015-16 year. At the election in May 2016, 3 of the 5 seats up for election will be filled and 2 seats will be eliminated. This will result in 11 board members for the 2016-17 year. For the election in May 2017, 3 of the 5

seats up for election will be filled and 2 seats eliminated. This will result in 9 Board Members. For every election beginning in 2018 and thereafter, 3 of the 9 seats shall be up for election. The secretary shall be responsible for recording which Board members terms expire each year. Any person seeking election to a vacant DYHA board seat, must complete the DYHA Board Application and return to DYHA President 1 week prior to May Annual Election. No nominations will be accepted from the floor.

4.3 Each member of the Board of Directors shall be permitted one vote and such vote shall be by voice vote recorded by the secretary. Voting by proxy shall not be permitted.

4.4 Regular meetings of the Board of Directors shall be held at least once each calendar quarter, but may be set more frequently as the request of the President or a majority of the Board of Directors.

4.5 Notice of meetings shall be given by mail, telephone or e-mail to each board member. Any board member may waive notice of any meeting. The attendance of a board member at any meeting shall constitute waiver of such notice of such meeting.

4.6 A simple majority of elected board members shall constitute a quorum for the transaction of business at any meeting of the Board of Directors.

4.7 The Board of Directors shall hear and rule on appeals from any of the members and shall resolve any and all disputes within the organization.

4.8 Roberts Rules of Order shall act as guidelines for the conducting of these meetings but the final determination of any procedure shall be made by the president.

4.9 The President shall submit to the Board a draft of the Fee Structure Schedule to the Board by July 1 of each year. During the month of July, the Board shall approve the fee schedule. Should the Board fail to approve a fee schedule for the upcoming season, then the last one in effect shall control until a new one is approved.

4.10 Any board member may be removed by a 2/3 majority vote of all sitting board members for any reason. Any board member who fails to attend 3 or more consecutive board meetings shall automatically be considered for removal at the next board meeting.

## **Article 5: Officers**

5.1 The officers of DYHA shall consist of a president, vice president, secretary, treasurer, registrar and hockey director. All officers must be members of the board of directors unless by a majority vote of the total number of elected board members a non-board member is authorized to fill a position other than president or vice president.

5.2 The Board of Directors shall elect as one of its members the President of DYHA who shall also serve as the Chairman of the Board of Directors. The only qualification to be President is that the Board member must have served one (1) year on the Board of Directors within the previous five (5) years before standing for election for President. The term of office for the President shall be one (1) year which shall expire immediately following the election of the Board of Directors at the annual meeting. A president may only serve 2 consecutive terms unless no other candidate is nominated.

5.3 The Vice-President, Treasurer, Secretary and Director of Hockey shall be nominated by the President and confirmed by the Board of Directors at the first Board of Director's Meeting following the annual meeting in May of each year. The Board of Directors shall approve these nominations by majority vote. The term of office for each of these officers shall be one (1) year.

5.4 Any officer elected or appointed may be removed from the office by either a majority vote of the Board of Directors, or a three-fourth majority vote of the voting members of DYHA.

5.5 A vacancy in any elected or appointed office because of death, resignation, removal, disqualification or otherwise may be filled in same manner as 5.3.

## **Article 6 – Duties and Powers of Officers**

6.1 The President shall be the chief executive officer of DYHA and shall, in general, supervise and control all of the business and affairs of DYHA subject to the specific delegation of authority in these bylaws. He shall preside at all the meetings of the Board of Directors and the voting members. He may sign, with the Secretary or any other proper officers of DYHA authorized by the Board of Directors, any deeds, mortgages, bonds, contracts or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and executing thereof shall

be expressly delegated by the Board of Directors or by these By-Laws or by statutes to some other officer or agent of DYHA; and in general shall perform all duties instant to the office of President and such other duties that may be prescribed by the Board of Directors from time-to-time. The President shall represent DYHA in any local, state or national meetings, as well as any meetings with affiliated organizations where his presence is desirable, as well as the authorized spokesman to the media for DYHA. The President shall at the first meeting following the election of the officers, appoint a chairman for all the permanent committees named in these By-Laws, and shall serve as an ex-official member on all committees. The President shall be entitled to make motions and vote on all matters that come before the Board of Directors.

6.2 The Vice President shall perform the duties of the President. In the absence of the President or in the event of his inability or refusal to act, and when so acting, shall have all the powers of and be subject to the same restrictions of the office of President.

6.3 The Treasurer shall the following duties: charge and custody of and shall be responsible for all funds and securities of DYHA; receive and give receipts for all monies due and payable to DYHA from any source whatsoever; deposit such monies in the name of DYHA in the bank selected by the Board; provide to the Board of Directors a monthly report giving a full and complete financial report of DYHA. The Treasurer shall be bonded at the expense of the Board. The treasurer shall notify the Hockey Director on the day after each installment payment is due for membership fees of those players who are not current in their payments.

6.3 The Secretary shall have the following duties: keep the minutes of the Board of Directors meetings and any membership meetings; see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; and generally, be the official custodian of DYHA records;

6.4 The Registrar shall have the following duties: be responsible for the registration of all teams, players, coaches and administrators as required by these By-Laws, USA Hockey or any other organization with which DYHA is affiliated; keep records of all registrations and memberships; certify birthdates of all registered members by verification to birth certificates; and, maintain a list of the postal and e-mail addresses of each member and each Director.

6.4 The Hockey Director shall be responsible for supervision of all coaches, the scheduling of all ice time, have the final decision on which level each player shall participate, have the final decision on the level of play for each team, insure that coaches do not allow players who are not in good standing (see 2.2 above) to participate in practice or games, shall be the person to whom all possible disciplinary matters shall first be referred, shall make a recommendation to the board for the selection of coaches, and shall make a recommendation each year as to which leagues the teams shall play.

6.5 The DYHA hereby consents and declares that each officer, member of the Board of Directors, chairmen and members of all committees and all elected or appointed officials in any capacity shall be deemed to have assumed office or assignment on the expressed understanding, agreement and condition that each one of them and his/her heirs, executors and administrators, estates and effects, respectively, shall from time-to-time and at all times be indemnified and saved harmless out of the funds of the DYHA from and against all liabilities, judgments, costs, charges and expenses whatsoever which member sustains or incurs in or about any prosecuted against him/her in or about the execution of the duties of his/her office and also from and against all other costs, charges and expenses which he/she sustains or incurs in or about in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his/her own willful neglect or default.

#### **Article 7: Finances**

7.1 The fiscal year of DYHA shall begin the first day of May in each year and end the last day of April in the following year.

7.2 The president shall sign all contracts. The Board of Directors may authorize any other officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of or on behalf of DYHA and such authority may be general or confined to specific instances. The PRESIDENT shall sign all checks but any check greater than \$500 must be signed by the PRESIDENT and another board member, as assigned by the President. Both parties must be properly bonded and can make withdrawals. The Treasurer is not authorized to sign checks or withdrawal funds.

7.3 No loan shall be contracted on behalf of DYHA and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors by a 2/3 vote. Such authority may be general or confined to specific instances.

7.4 The Board of Directors may accept on behalf of DYHA any contribution, gift, bequest, or device for the tax exempt purposes and objectives of DYHA, or for any specific purpose of DYHA. Such funds so received shall be distributed or spent by DYHA in a manner which is in the best opinion of the Board of Directors for the benefit of the overall good of the sport of ice hockey in the Decatur area.

7.5 DYHA shall keep proper and complete books and records of account. All books and records of DYHA, including minutes and financial records, may be inspected by any member of the Board of Directors or any member of DYHA upon reasonable notice but not less the 3 days nor more than 10.

#### **Article 8: Committees**

8.1 There shall be standing committees as those set forth in this Article 8 and such other committees as may be designated from time-to-time by the President or the Board of Directors as deemed necessary and appropriate to the efficient conduct of DYHA.

8.2 There shall be a standing committee call the Discipline Committee. The immediate past President shall serve as Chairman of the Discipline Committee and two other members shall be appointed by the President. In the case that the immediate past President cannot serve for any reason, the President shall appoint a replacement chairman who will immediately, upon a majority approval of the Board of Directors, become Chairman of the Discipline Committee.

It shall also be the duty and responsibility of this committee to conduct all hearings or appeals from decisions of the Hockey Director or other officers relating to violations of Rules and Regulations committed by players, coaches, other team or organization, officials or spectators, or other disciplinary matters as may come before the committee in accord with the Rules and Regulations of DYHA. If any member of the committee has a family member on the same team as a player or coach who is the subject of disciplinary hearing at which the committee is required to exercise its judgment, then that member shall recuse himself and ask the President to appoint for this hearing only a substitute member.

The committee has the authority to bar any spectator from one or more games or practices.

8.3 The officials committee shall be responsible for selecting, training, scheduling and supervising officials for all home games.

8.4 The equipment committee shall maintain a current inventory of DYHA equipment; Coordinate the distribution and return of equipment to the team managers; Administer any DYHA equipment rental program; Purchase new equipment as needed following Board of Director's approval. The Board of Directors shall approve a budget each year for use by this committee. Expenditures within this budgeted amount shall not require further Board approval.

### **Article 9: Discipline**

9.1 Disciplinary matters involving players, coaches, officials, administrators or spectators shall be handled as set forth in the General Operating Policies of DYHA. When a disciplinary matter has been decided by the disciplinary committee, the decision shall be given in writing along with a notice of the right to appeal the Board of Directors as outlined below in Section 9.3.

9.2 In the event that the conduct of any player, coach, official, administrator or spectator shall be such that the interest of DYHA, its members and sport of ice hockey in general shall give rise to a need by DYHA to conduct an investigation on its own initiative, the Board of Directors shall have the right to initiate its own investigation and conduct a hearing including issuing a mandatory request for attendance to the necessary parties at such hearing and render a decision immediately suspending and/or disqualifying such person from membership in DYHA.

9.3 APPEAL ON DISCIPLINE MATTER:

#### **Procedures, Process and Rules**

1. The hearing is an appeal.
2. It is not a rehearing of the facts and we will not have a rehearing of the facts.
3. It is only an appeal to determine whether or not the initial decision should be modified or reversed.
4. The appeal hearing body may modify the action taken by the initial hearing body, including decreasing, leaving it the same or increasing the action taken.



5. Only the evidence and theories explicitly presented at the initial hearing shall be presented or considered for the appeal, unless there is new evidence that was not available at the initial hearing. In the event of new evidence, it shall have been presented to this committee by the appealing party at least five (5) business days prior to the hearing. It is very possible that the new evidence may require that the matter be referred back to the initial hearing body.
  6. The burden of proof is on the party attempting to have the decision modified or reversed.
  7. The bases for modification or reversal are:
    - A. An act contrary to the constitution or laws of the US or State of Illinois.
    - B. A gross abuse of discretion of the initial hearing body.
    - C. Failure to follow AHAI or USAH's by-laws or rules and regulations that substantially and adversely impact the decision.
    - D. Findings not based on the hearing, investigations or experience or expertise of the hearing body that substantially and adversely impacts the decision.
    - E. Decision is not supported by findings.
  8. Disagreement with the findings of the hearing body is not a ground for modification or reversal.
  9. If any rational basis for a decision or finding exists, the decision or finding will be upheld.
  10. The fact that another reasonable decision or finding or inference can be made will not be grounds for modification or reversal.
  11. The committees of DYHA are presumed to have experience and expertise in the areas of responsibility and that experience and expertise will be deferred to on appeal.
  12. Each party appealing shall generally have 15 minutes, all inclusive. During that time each appealing party is free to present their views to the committee, ask questions and make statements relative to the appeal.
  13. The committee will generally ask questions, discuss issues and make statements.
  14. A member of the initial hearing body whose decision is appealed will be present to represent that hearing body and may participate in the appeal, *but not as a voting member unless that person is a DYHA board member.*
  15. The committee will discuss the appeal in a closed session after the hearing, make a decision and generally get you a decision within 7 days of the appeal hearing.
- If you have an attorney present, the attorney may provide you advice during the hearing, but, may not address the committee other than to make a summary at the end or beginning of the appeal hearing

## **Article 10: Amendments**

10.1 The power to alter, amend or repeal the bylaws shall be vested solely with the membership. Amendment of these Bylaws may only take place at the annual meeting and any changes must be approved by 2/3 of the members in good standing then present. No special meeting may be called to amend these bylaws.