

BERKSHIRE YOUTH HOCKEY, INC.

Bylaws, 2018-19 Season

Last Revised June 20, 2018

1. Name and purpose

a. Name

The name of this Organization shall be Berkshire Youth Hockey, Inc. The organization may also be commonly referred to by the team nickname Berkshire Rattlers or BYH.

b. Purpose

The sole purpose of the Organization shall be to administer the Berkshire Youth Hockey program, a recreational program of ice hockey as sanctioned by the Amateur Hockey Association of the United States, open to all boys and girls aged four to eighteen years and residing in the Tri-State (Massachusetts, Connecticut, and New York), Southern Berkshire area. The Berkshire Youth Hockey organization serves children and families of the southern Berkshires and surrounding locales through instructional and competitive youth ice hockey. We promote a fun, safe, friendly environment that fosters increased participation, improved skills, teamwork, and long-term personal and athletic development. The Corporation shall be empowered to conduct any and all business that is necessary for the successful operation of the program. This shall include publicizing, fundraising, recruiting players and coaches, scheduling practices, games and tournaments, and organizing the Annual Meeting and awards banquet. The Corporation shall not involve itself in any way in business that is inconsistent with its non-profit, tax exempt status, and to otherwise attempt to influence legislation, or to become involved in any political campaign, or for any other activity not allowed under U.S. Internal Revenue Code 501 (C) (3).

2. Affiliation

The Organization shall be a member of USA Hockey and Massachusetts Hockey, and shall abide by its rules, regulations, policies and procedures. This includes, but is not limited to: secure and submit Individual Membership Registration forms for all members and prepare team rosters for all teams; payment of required fees as established by USA Hockey and Massachusetts Hockey and as set out in the Fee Section of the Massachusetts Hockey Rules and Regulations; adhere to rules regarding the prevention of physical and sexual abuse; make copies of these Bylaws and Organization Guidelines available to all members, coaches and players, including methods of becoming an Officer or Director, method of selecting coaches, definition of membership and voting rights, and a list of current Officers and Directors.

3. Rules and Regulations

It is required that each parent, player and coach and board member complete sign any required documents which include the Berkshire Youth Hockey Code of Conduct and Parent Emergency Contact Form.

a. Code of Conduct

i. Board of Directors Code of Conduct:

- Support programs that train and educate players, coaches, parents and volunteers.
- Promote and publicize the Rattlers' programs; seek out financial support when possible.
- Communicate with parents by holding parent/player orientation meetings as well as by being available to answer questions and address problems throughout the season.
- Work to provide programs that encompass fairness to the participants and promote fair play and sportsmanship.
- Recruit volunteers, including coaches, who demonstrate qualities conducive to being role models to the youth in our sport.
- Encourage coaches and officials to attend USA Hockey clinics and advise your board members of the necessity for their training sessions.
- Make every possible attempt to provide everyone, at all skill levels, with a place to play.
- Read and be familiar with the contents of the USA Hockey Annual Guide and USA Hockey's official playing rules.
- Treat other board members, players, coaches and parents as well as the mission of the program with respect and dignity.
- Use of any electronic media device and/or any website or other similar forum to make disparaging comments towards the Rattlers Organization, or other teams, players, parents, or members of any organization will not be tolerated. This is inclusive of, but not limited, to Facebook, Twitter, internet blogs, email, and texting.

ii. Coaches Code of Conduct:

- Winning is a consideration, but not the only one, nor the most important one. Care more about the child than winning the game. Remember, players are involved in hockey for fun and enjoyment.
- Be a positive role model to your players. Display emotional maturity and be alert to the physical safety of players.
- Be generous with your praise when it is deserved; be consistent and honest; be fair and just; do not criticize players publicly; learn to be a more effective communicator and coach; don't yell at players.

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- Adjust to personal needs and problems of players; be a good listener; never verbally or physically abuse a player or official; give all players the opportunity to improve their skills, gain confidence and develop self-esteem; teach players the basics.
 - Organize practices that are fun and challenging for your players. Familiarize yourself with the rules, techniques and strategies of hockey; encourage all your players to be team players.
 - Maintain an open line of communication with your players' parents. Explain the goals and objectives of your organization.
 - Be concerned with the overall development of your players. Stress good health habits and clean living.
 - Use of any electronic media device and/or any website or other similar forum to make disparaging comments towards the Rattlers Organization, or other teams, players, parents, or members of any organization will not be tolerated. This is inclusive of, but not limited, to Facebook, Twitter, internet blogs, email, and texting.
- iii. Parent's Code of Conduct:**
- Do not force your children to participate in sports, but support their desires to play their chosen sports. Children are involved in organized sports for their enjoyment. Make it fun.
 - Encourage your child to play by the rules. Remember, children learn best by example, so applaud the good plays of both teams.
 - Do not embarrass your child by yelling at, using foul language toward or otherwise abusing players, coaches, officials, or other parents; these actions will not be tolerated. By showing a positive attitude toward the game and all of its participants, your child will benefit.
 - Applaud a good effort in both victory and defeat, and enforce the positive points of the game. Never yell or physically abuse your child after a game or practice – it is destructive. Work toward removing the physical and verbal abuse in youth sports.
 - Recognize the importance of volunteer coaches (or any other program volunteer – team parent, board member). They are important to the development of your child and the program, as well as the environment that your child is involved in.
 - Communicate with and support your child(ren), other players, coaches, volunteers.
 - Learn all you can about hockey and volunteer.
 - Use of any electronic media device and/or any website or other similar forum to make disparaging comments towards the Rattlers Organization, or other teams, players, parents, or members of any organization will not be tolerated. This is inclusive of, but not limited, to Facebook, Twitter, internet blogs, email, and texting.
- iv. Player's Code of Conduct:**
- Play for fun and work hard to improve your skills.
 - Be a team player – get along with your teammates. Any malicious acts (pushing, shoving, grabbing, verbal abuse (not limited to foul language) will not be tolerated.
 - Learn teamwork, sportsmanship and discipline.
 - Be on time.
 - Learn the rules and play by them and always be a good sport.
 - Respect your coach, your teammates, your parents, opponents, officials and program volunteers.
 - Respect all decisions of the officials and never argue with them.
 - Use of any electronic media device and/or any website or other similar forum to make disparaging comments towards the Rattlers Organization, or other teams, players, parents, or members of any organization will not be tolerated. This is inclusive of, but not limited, to Facebook, Twitter, internet blogs, email, and texting.
- v. Penalty for players:**
- 1st offense:** Warning or an immediate suspension for a set duration of the season's games or practices depending on the severity of the action and the board's decision. Multiple warnings in a month's time frame may lead to an immediate suspension.
- 2nd offense:** Dismissal from the Rattlers program for one calendar year.
- 3rd offense:** Permanent dismissal from the Rattlers program.

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To clarify, in the case of a suspension; the player will not be allowed to participate in the next game(s), whether it is a league game, practice game or tournament game, and the player will not be able to participate in practices during that period.

1. The Organization reserves the right, at its sole discretion, to adjust the length of any penalty assessed to the player; or to assess a different disciplinary action based on the severity of the misconduct under this Code of Conduct and one of which is in the best interests of the player(s) and the Berkshire Rattlers.
2. Players and parents will receive written notice of any Code of Conduct penalty assessed by the Berkshire Rattlers Board of Directors, which may include a permanent ban on attending games and practices or suspension of the child for the participants' failure to adhere to the Code and/or comply with the sanctions.

vi. Penalty for Parents, Coaches, and Board Members:

For the initial violation of the participant Code, the parent or participating adult may not be allowed to attend any games or practices for a period of up to 15 days, except in those circumstances where the Board of Directors deems the violation to be of such a nature that a more severe penalty is appropriate. For any additional violation, the participant is subject to further disciplinary action by the Board of Directors, which may include a permanent ban on attending games and practices or suspension for the participants' failure to adhere to the Code and/or comply with the sanctions.

b. Player Movement

It is determined by the board of directors that movement between teams will be limited only to times of need within the organization.

4. Membership

a. Member in good standing

Any adult parent or guardian of a child currently participating in the Berkshire Youth Hockey program is considered to be a 'Member in Good Standing' and shall be entitled to one vote at all meetings of members and considered a full voting member of the Corporation. The term of membership shall begin at the time of the child's first year player registration and end on the registration day after the last season that the child participates in the program. Any other person who wishes to become a full voting member may petition the Board of Directors who may or may not then grant membership.

b. Registration Fees

Registration fee (amount to be determined at some point between the conclusion of the season and prior to registration the following year) must be paid at the time a child signs up unless there was prior agreement to participate in the payment plan. Registration Form(s) must be completed through the website before any child is listed on a team roster. A family shall be assessed one full registration fee for the first and second child, and a reduced amount of \$100 will be assessed for the third, fourth and each subsequent skater (not to include Mite or Learn to Skate).

c. Tuition/Payment Policy

i. Payment policy

Berkshire Youth Hockey, Inc. has developed and grown the program through the dedication of many quality families, coaches and players. As BYH is a non-profit organization, it must fully recover the costs associated with the program. To this end, this Tuition/Payment Policy has been developed to reduce BYH's risk associated with the non-payment and/or delinquent payment of tuition fees, and assist to alleviate the administrative cost/burden related to the collection of tuition fees.

BYH will be governed by a strict '**No Pay, No Play**' policy. Any player with an outstanding balance will not be allowed on the ice for practices, games or scrimmages until their account is paid. Players will not be able to register for the upcoming season if balance is not paid in full from previous year(s). NO player will be permitted to tryout for the upcoming season unless all tuition and/or fees from previous season(s) have been paid in full. There will be no exceptions made to this policy. All players with outstanding balances will be notified prior to registration opening.

In general, tuition has been established to ensure that BYH covers all of the costs associated with operating the program. A few of the costs associated with operating the program include, but are not limited to, the following:

- Games, Practice ice, skills clinics, league fees, equipment, insurance,

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- Referee fees
- USA Hockey and Massachusetts Hockey team, coach, and player registration fees, USA Hockey Coaching Education Program (CEP) clinics
- Covered tournament fees for each team up to two (2) tournaments

ii. **Special Arrangements:**

The BYH Board of Directors realizes that on occasion, financial difficulties do create issues for families. However, unless prior arrangements have been made for the payment of outstanding tuition balances, BYH expects that payments for outstanding tuition balances be made on time and in full. Any member seeking special arrangements for payment of registration fees should contact the BYH Treasurer (see contact section of website '*Board Members*'). Financial assistance will be evaluated and granted on an individual case-by-case basis.

In the event that any player has not paid their tuition in full, or made arrangements for an alternate payment plan with the BYH Treasurer, by the current tuition payment due date(s), then that player will not be allowed to participate in any BYH activities until such time as the outstanding tuition payment has been made in full.

d. **Fundraising participation**

Members will be required to participate in Organization Fundraisers if deemed necessary by the Organization or will incur a fee equivalent to the work effort requested as decided by the Board of Directors. .

5. **Board of Directors**

The business of the Corporation shall be conducted by the Board of Directors who shall be elected by and from the Membership at the annual meeting. There shall be a minimum of ten (10) Directors to be elected from the membership of the Corporation; in the event a full slate of Directors is not elected by the membership, or in the event vacancies are created by resignation or otherwise, the President may at his discretion nominate, and the Board of Directors may elect from such nominees, additional Directors to fill such vacancies until the next Annual Meeting or Special Meeting of the Corporation. No more than five (5) head coaches are eligible to serve on the Board of Directors at any time. This limitation may be waived by majority vote at any meeting, provided that notice is provided to members at least one (1) week in advance of the meeting, which must be open to all members.

a. **Elected Officers of the Board of Directors**

The Elected Officers of the Organization shall be a President, Vice President, Treasurer, Secretary, and Registrar.

b. **Term limits**

All elected officers shall have a term of office of two (2) years and may be elected for a maximum of two consecutive terms. Elections will be held in alternating years as the intent of this election cycling is to retain at least half of the Officers of the Board of Directors from the previous year. This retention of experienced officers shall be one of the goals of the Organization. Included in the election of the President will be the Registrar; Included in the election of the Vice President will be the Treasurer and Secretary. The exception to the elected term is if the elected officer chooses to vacate that position or by 51% majority vote of the Board of Directors they are removed from office for just cause, in accordance to the By-Laws and Policy Statements. The presiding officer shall not have a voting right unless in the event of a tie.

c. **Removal**

Any director of the board may be removed from office for just cause with a 51% majority vote. The presiding officer shall not have a voting right unless in the event of a tie.

d. **Duties of Officers**

i. **President**

The President shall be the chief executive officer of the corporation and shall, subject to the direction of the Directors, have general supervision and control of its business. Unless otherwise provided by the Directors, he/she shall preside, when present, at all meetings of members and of the Directors.

ii. **Vice President**

The Vice President's primary purpose is to assist the President in every endeavor. He/She must be knowledgeable of the duties and responsibilities of the President. The Vice President will assume the duties and responsibilities of the President in case of an absence or incapacity of the President. This officer may be asked to assume additional responsibilities, as assigned, by the President and/or the Board of Directors.

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iii. Treasurer

The primary role of the Treasurer is to have general charge of the financial affairs of the corporation which shall include: Keeping accurate books of account; Maintaining custody of all funds, securities, and valuable documents of the corporation, except as the Directors may otherwise provide; Receiving, posting and depositing collections for players including Learn to Skate, Mite, Squirt, Peewee, Bantam, and Midget; Producing delinquent list of all monies owed for the Board to investigate; Assisting in tax preparation with Board President and/or accountant for yearly return; Performing periodic audit of billing and cash-receipt logs compared to roster of registered players for all accounts; Disbursement of any budgeted funds to each team to help defray the costs of tournament; Performing such additional duties as may be required by Board of Directors.

iv. Secretary

The primary responsibility of the Secretary shall be to record all proceedings of the Directors in a book to be kept therefore, and keep or cause to be kept the records of the corporation in which are contained the names of all members and their addresses. In the absence of the Secretary from any meeting of members or of the Directors, a Temporary Secretary designated by the person presiding at the meeting, shall keep a record of the meetings of the Directors.

v. Registrar

The Registrar shall be responsible for all USA Hockey Registrations, including player, coach and team rosters and will also serve as The USA Hockey Representative. In this role, the Registrar shall be responsible for the following: Coordinate the retrieval and submission of all CORI forms per USA Hockey Guidelines; Confirm and document that all Coaches and Assistant Coaches have achieved the appropriate coaching certification; Plan and announce player registration including coordinating online registration process with web master and Board of Directors; Obtain and Provide Release Waivers when required for any player joining or leaving the Organization; Maintain proper and timely registration of all players with USA Hockey, MASS Hockey, and the Organization; Plan, coordinate, and hold check-ins at defined points throughout season in conjunction with registration dates to ensure all players are properly registered and accounted for; Obtain and file all necessary forms for any team choosing to attend a tournament.

e. Appointed positions

i. SafeSport Coordinator

The SafeSport coordinator shall report to the Board of Directors and will be responsible for monitoring Organization and Team compliance with the USA Hockey SafeSport Program and Mass Hockey SafeSport Program. Duties will include monitoring the training of local program administrators and others within the Organization. He/or she will serve as the Organization's initial contact for persons reporting suspected abuse, misconduct or other violations, compiling information on disciplinary issues within the Organization and, when appropriate, reporting such information to USA Hockey and/or Mass Hockey.

6. Meetings

a. Annual meeting

The annual meeting of the membership will be held once a year at some point between the conclusion of the season and prior to the beginning of the next. Meeting notification will be widely circulated as to ensure every effort has been made to inform the general membership of the time and location of the said meeting. Any regular member in good financial standing is eligible to attend. The annual meeting of the membership cannot transpire without 51% of the current Board of Directors present. Any voting that takes place will be decided by a majority.

b. Elections

i. Officers

The Officers of the Organization will be elected at its annual meeting. In the event of a vacancy, the vacant position will be voted upon at the next scheduled monthly meeting when 51% of the board is in attendance. The position will then be held through the rest of that term. The Officer positions shall be a President, Vice President, Secretary, Treasurer and Registrar as well as any other such officers the Board of Directors may deem necessary. No one person shall hold more than one (1) position as an Officer of the Corporation.

c. Regular board meetings

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Monthly Board of Directors meetings will be held to conduct the business of the Corporation. The date, time and location will be disseminated at the previous monthly meeting. The monthly Board of Directors meeting cannot transpire without 51% of the Board of Directors present. The 51% of the Board of Directors in attendance will represent a quorum.

d. Committees

The President shall appoint, with the approval of the Board of Directors, such committees as he/she deems necessary to implement any organization function or activity.

7. Finances

Board members of the organization must be good stewards of the monies held within the organization, ensuring the resources of our organizations are well protected and used efficiently to accomplish the mission outlined in our *Purpose* and to ensure the long-term sustainability of the organization.

a. Financial Hardship

All issues of financial hardship shall be presented only to the Officers who will make determinations on a case-by-case basis in their sole discretion. (refer to Section 4(c).(ii.))

b. Dissolution

Distribution of property upon dissolution of the Corporation, and after all outstanding debts and claims have been satisfied, the Board shall distribute the property of the Corporation to such other organization or organizations maintaining an objective similar to that set forth herein, which are or may be entitled to exemption under Section 501(c) of the Internal Revenue Code or any future corresponding Section thereof.

c. Reserves

The Organization will maintain a financial reserve sufficient to sustain its operations for a period of time should a significant loss of funding occur until replacement funding can be obtained.

8. Amendments

These Bylaws may be amended, altered, or repealed at any meeting or special meeting by the majority of the Board of Directors. Amendment or changes to these By-Laws require a 2/3-majority vote by a quorum of the Board Members.