



# **Member Handbook**

**Revised September 2024**

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## **APPENDICES:**

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- B: Disciplinary Policy
- C: Code(s) of Conduct
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This handbook is intended as a general guide to understanding the rules and policies of HAYHA. While the handbook is intended to cover most organizational issues, it is not intended to be all-inclusive and situations may occur that are not covered in this document. There may also be certain extraordinary conditions where it is in the best interest of HAYHA to suspend or amend these policies. The HAYHA Board of Directors has the authority to rule on any situation not covered by these guidelines as well as to suspend or amend existing policies.

## **1.0 HAYHA GUIDING PRINCIPLES**

### **HAYHA Vision**

To develop character, sportsmanship and physical fitness among young athletes in the Helena Area.

### **HAYHA Mission Statement**

The Helena Area Youth Hockey Association (HAYHA) is committed to providing young athletes with the opportunity to develop skills, knowledge and love for the game of hockey in a fun and safe environment. HAYHA is committed to affirming the importance of hockey as a team sport, and instilling a life-long appreciation for the game and the values of commitment, self-discipline, teamwork, respect and sportsmanship it embodies.

### **HAYHA Core Values**

- **Sportsmanship** -- Foremost of all values is to learn a sense of fair play. Be humble in victory, gracious in defeat. We will foster friendship with teammates and opponents alike.
- **Respect for the individual** -- Treat all others as you expect to be treated.
- **Integrity** -- We seek to foster honesty and fair play beyond mere strict interpretation of the rules and regulations of the game.
- **Pursuit of excellence at the individual, team and organizational levels** -- Each member of the organization, whether player, volunteer or staff, should seek to perform each aspect of the game to the highest level of his or her ability.
- **Enjoyment** -- It is important for the hockey experience to be fun, satisfying and rewarding for all participants.
- **Loyalty** -- We aspire to teach loyalty to the ideals and fellow members of the sport of hockey.
- **Teamwork** -- We value the strength of learning to work together. The use of teamwork is reinforced and rewarded by success in the hockey experience.

## **2.0 YOUTH HOCKEY ORGANIZATIONAL STRUCTURE**

### **2.1 USA Hockey**

USA Hockey is the national governing body of amateur hockey in the United States and establishes all minimum rules of play and on- and off-ice conduct for its members. As a member organization, the Montana Amateur Hockey Association (MAHA) requires that all referees, coaches, players and volunteers register with USA Hockey which in turn provides them with medical insurance should they become injured during the course of the season while playing hockey. Players, coaches and on-ice volunteers are NOT allowed to participate in USA Hockey sanctioned events (i.e., games, practices, tournaments) without being registered. **All HAYHA players, coaches, team managers and volunteers must be registered with USA Hockey.**

### **2.2 Montana Amateur Hockey Association (MAHA)**

Montana Amateur Hockey Association (MAHA) is the governing body of amateur hockey and the Treasure State League (TSL) in the state of Montana. Per USA Hockey, MAHA requires background

checks on all Coaches, Team Managers and any other volunteers who have direct contact with the players. HAYHA is a member of MAHA and has an active seat on the MAHA Board of Directors through a representative elected by the HAYHA membership.

## **2.3 HAYHA Board of Directors**

The affairs of the Helena Area Youth Hockey Association (HAYHA) are governed by a Board of Directors. The Board is elected each spring/summer through mail-in or electronic ballot to the membership. Each player represents one vote for the Board of Directors. The Board meets a minimum of once a month and an annual meeting is held each spring. Notice of regular meetings will be posted on the website. Minutes of the meetings will be available on the HAYHA website or by request from a Board Member. Additionally, the Board may communicate with the membership through periodic emails and/or social media updates.

The purpose of the board meetings is to manage the direction and progress of the Association on a continual basis. Policies and procedures are implemented at these meetings for the overall benefit of the Association and regular meetings are open to the general membership. Issues pertaining to the selection of coaches and/or teams, disciplinary actions, or particular instances where personal and/or private information may be disclosed, may be discussed in a closed meeting. Otherwise, the regular meetings are open to all who wish to attend.

The primary purpose of the board meetings is to conduct the business of the Association. Another purpose is to provide an opportunity for all members to express ideas for improving the Association, voice concerns they may have over the operation of the Association and to be updated on all new information regarding Association policies and activities.

Each age division is represented on the Board of Directors by a Division Representative. Division Representatives shall be liaisons between the players/parents or guardians of his/her division and the Board of Directors. He/She shall hold a seat on the board and shall represent the players and their parents or guardians as a group with his/her vote. In the event of a dispute that requires intervention by the Board, he/she shall be the official representative of the player in the matter. Each Division Representative shall carry one vote at any and all HAYHA Board meetings. In addition to Division Representatives there are also five additional At-Large Board member positions. The Board Members then elect officers to run the day-to-day operations of the organization in accordance with the Bylaws. Those officers include President, Vice President/MAHA Representative, Secretary and Disciplinary Director (who also addresses SafeSport issues).

For more information on the Board of Directors please refer to the HAYHA Bylaws. The Bylaws may be found in Appendix A of this Handbook, and a list of Board Members can be found in Appendix F.

## **3.0 GENERAL MEMBER INFORMATION**

### **3.1 Registration**

All participants must be registered to play hockey with HAYHA. Registration consists of the following:

- Completed USA Hockey Registration including on-line registration confirmation number.

- Completed HAYHA registration, and signed Code(s) of Conduct.
- Payment of registration fees according to the fee structure.

When registering with HAYHA, players and parents are committing to place a priority on practices and games and will do their best to handle other obligations, manage their time around the team and strive for 100% attendance. Additionally, players/parents acknowledge that absence from practices and games affect both individual and team performance and accept that if absences occur, there may be consequences to his/her playing time during games.

During the regular season, a HAYHA-registered player may only be rostered on **ONE** HAYHA rostered team unless otherwise approved by the HAYHA Board of Directors.

## 3.2 Fee Structure

Below is the fee structure for the specified age divisions. The fees for 6U, 8U and House cover the cost of ice required for practices, rental jerseys, scheduled weekend games in Helena, as well as general Association overhead costs. The Fees for 10U, 12U, 14U and High School travel teams cover practice ice, Treasure State League (TSL) home games, three travel tournaments, state tournament fees, jersey rental and sock purchase, as well as general Association overhead costs. Fees are subject to change based on future increases in ice rental or other budgeted items. USA Hockey and MAHA fees are not included in the fee schedule below and must be paid by the individual. Additional fees may be necessary for optional team tournaments and other non-TSL game opportunities beyond those covered as noted above. An additional \$100.00 fee for members trying out for a travel team will also be added to the registration.

### Fee Schedule 2024-2025

<i><b>Program</b></i>	<i><b>Birth Year</b></i>	<i><b>Total Fees<sup>1</sup></b></i>
8U Session 1	2016-2020	\$ 175.00
8U Session 2	2016-2020	\$ 175.00
House League Session 1	2012-2015	\$ 275.00
House League Session 2	2012-2015	\$ 275.00
10U - Travel	2014-2015	\$ 925.00
12U - Travel	2012-2013	\$ 1,000.00
14U - Travel	2010-2011	\$ 1,200.00
14U/19U Girls Travel	2010-High School	\$ 700.00
High School <sup>2</sup>	Registered high school students	\$ 1,600.00

HAYHA requires fees to be paid according to the schedule and online registration information. The Association reserves a set amount of ice based on the registration numbers and is responsible for it regardless of whether or not an individual finishes out the season. Anyone who has an outstanding balance must bring their account current before participation begins. If the terms of any participant's payment agreement are not met, that participant shall have all ice privileges suspended until the account is made current and the responsible party may be turned over to a collection agency for further action. All fees must be paid through online registration (credit or

<sup>1</sup> For those registering for Session 1 for 8U or House, credit card payment must be authorized for the full year and participant must opt out by December 1<sup>st</sup> to avoid credit card being charged for second session.

<sup>2</sup> A player that is enrolled in High School may qualify to be rostered in either the 14U Division or High School Division. In such cases, the player may try out for both Divisions and make their final selection based on tryout results.

debit card) and payment must be authorized in full at the time of registration. If a member so chooses, payments may be deducted in four monthly payments occurring at the time of registration, October, November, and December. For those only participating in the second session of 8U or House League, online payment must be paid in full at the time of registration.

### 3.3 Protective Equipment Requirements

Hockey is a physically demanding sport which requires protective equipment. Players are required to wear full gear at practices and games. This gear includes hockey helmet, elbow pads, shoulder pads, knee pads, hockey pants or breezers, athletic cup, hockey gloves, hockey socks, skates and ice hockey sticks.

12U and above age divisions must wear a mouth guard at all times. For 8U and 10U age divisions, mouth guards are recommended but not required. As of August 2024, neck guards are also required by USA Hockey for all age divisions.

HAYHA has entered an agreement with Play-it-Again Sports in Helena to provide rental equipment to any HAYHA members under a tiered system, as follows:

Tier 1 is for beginner skaters (6U/8U and House 1) and will cost \$80 for the season. This rental package will include: helmet, shoulder pads, elbow pads, gloves, breezers, shin guards, skates and stick.

Neck guard, jock and protective cup, and socks will need to be purchased by the player/family.

Tier 2 is for older and more advanced players, and will have the following options (or “levels”):

	Level 1	Level 2	Level 3
<u><b>Gear</b></u>	<u><i>Youth size</i></u>	<u><i>Intermediate size</i></u>	<u><i>Adult size</i></u>
Helmet	\$30	\$40	\$50
Shoulder pads	\$25	\$35	\$45
Elbow pads	\$10	\$20	\$30
Gloves	\$15	\$25	\$35
Breezers	\$20	\$30	\$40
Shin guards	\$10	\$20	\$30
Skates	\$40	\$50	\$60
<b><i>Rental Estimate</i></b>	<b><i>\$150</i></b>	<b><i>\$220</i></b>	<b><i>\$290</i></b>
<i>(Retail comparison</i>	<i>\$300-\$350</i>	<i>\$425-\$475</i>	<i>\$550-\$600</i>

Stick, neck guard, jock and protective cup, and socks will need to be purchased separately by the player/family.

### 3.4 Game Jersey Requirements

Players are encouraged to wear a practice jersey and socks for regular practices, and reserve their game jerseys for league and tournament games. Families are responsible for obtaining jerseys and socks in accordance with the policy outlined in Section 7.13 of this Handbook. Game jerseys are required as outlined below:

**6U and 8U players** may purchase a set of blue & white practice jerseys from team managers at the beginning of the season. Families may then opt to have numbers and/or names imprinted on those jerseys, but are not required to do so. Any numbers chosen by families at this age level are not guaranteed in future years.

**House League players, and 10U through 14U travel team players** will be provided with a reversible game jersey (light on one side, dark on the other) for home and away games for an annual rental fee (a fine will be assessed for any jerseys not returned at the end of the season).

**High School players** will continue to use the traditional ProJoy jerseys and number assignments for the 2024-2025 season. Families should anticipate a shift to a new jersey format for the 2025-2026 season.

### **3.5 Jersey Assignment and Payment Policy**

In an effort to reduce cost and eliminate confusion and conflict over player-preferred jersey numbering, HAYHA elected to move from the individually-purchased game jerseys to a rental jersey program with randomly-assigned numbers. This rollout began with the 10U travel division in 2021, and the rental jerseys are being introduced into the upper levels in each subsequent year.

Our previous game jerseys cost roughly \$120 for a pair of blue and white jerseys. The new format costs roughly \$75 for a reversible jersey. Similar to other youth hockey programs around the state, HAYHA will purchase the jerseys and ask members to “rent” a jersey each season. That means your HAYHA tenure cost would go from roughly \$500 for game jerseys from 10U through High School, to just \$200 for an annual rental all the way through the program.

As this jersey program rolls through our age divisions, our older players have the option of grandfathering their numbers. For 2012 birth year players and younger, HAYHA will no longer assign or guarantee a specific number for any skater from year to year under the new format.

Format and fees are as follows:

**10U, 12U and 14U travel team players** will be provided with a randomly-numbered reversible game jersey (light on one side, dark on the other) for home and away games. An annual rental fee of \$20.00 per jersey will be assessed, and an additional fee of \$75.00 will be assessed for any jerseys not returned at the end of the season.

Under no circumstances are 10U through 14U travel team families permitted to place (through imprint, decal, pinning, or otherwise) a player name on the jersey. The most important identifier on our HAYHA jersey is on the front, and it’s the recognition of membership on their team!

The “new” jersey format will gradually roll through the program into higher age divisions in subsequent seasons.

**High School travel team players** will continue to purchase their own jerseys. Printing of names and numbers assigned for a player’s high school tenure will be permitted as coordinated by the Board.

## **4.0 GAME PLAY**

All age divisions other than 8U and House require a travel commitment from its players and families.

### **4.1 8U Division**



The 8U program was designed to provide a recreational hockey experience with limited cost and no travel requirements.

“Mite” teams are generally comprised of 7 and 8 year-olds and more experienced players, while “Termite” teams are usually comprised of 5 and 6 year-olds and less experienced players, including all brand new skaters. Coaches will communicate with team managers and families regarding player movement between “Termite” and “Mite” levels during the course of the hockey season. Newer players may be placed within a younger age group in practices and games until their skating and overall hockey ability improves, and then moved up mid-season as coaches deem appropriate. There are generally two practices per week and a Saturday game for the 8U level. While attendance at practices is strongly encouraged, Saturday games are optional.

If 8U participants would like to travel, occasional travel tournament opportunities are offered throughout the season. While there are more tournament and travel opportunities for “Mite” level players, some “Termite” level tournaments are scheduled each year and HAYHA will travel to such tournaments if sufficient interest and coaches are available. There is an extra fee for travel-related tournaments and games. Signups for optional travel tournaments will be available on the HAYHA website and communication of such tournaments will be provided by 8U Board Representatives or Team Managers.

In addition to HAYHA’s regular Saturday games throughout the season and potential tournaments, MAHA sponsors an 8U (“Mite”) State Jamboree each season. HAYHA will also strive to host an annual Jamboree for the 8U age division (unless we are already hosting the MAHA 8U State Jamboree).

## **4.2 House Division**

HAYHA contains a House League for 10U through High School age levels. This is a development program intended to feed into the travel programs or cater to players with limited hockey experience or limited interest in the travel requirements associated with TSL participation.

“House 1” teams are usually comprised of younger and less experienced players, including all brand new skaters, and “House 2” teams are generally comprised of older and more experienced players. Coaches will communicate with Team Managers and player families regarding player movement between “House 1” and “House 2” levels during the course of the hockey season. Newer players may be placed within a younger age group in practices and games until their skating and overall hockey ability improves, and then moved up mid-season as coaches deem appropriate.

These House 1 and House 2 teams have regular weekly practice sessions and play an exhibition and tournament schedule as determined by coaches and team managers. While attendance at practices is strongly encouraged, weekend games are optional.

House teams may also participate in tournaments at an additional cost beyond their HAYHA registration fees.

## **4.3 Treasure State League (TSL) Divisions**

The TSL is a statewide league providing a season-long game schedule that culminates in a State Tournament in each division for 10U through High School.

The TSL organizes all MAHA-sponsored league games, the pairing and scheduling of which is set in a MAHA scheduling meeting which occurs in the early Fall of each season. Each HAYHA travel

team receives a given number of home games (as set by TSL) as part of their registration fees, as set by the Board each season.

Aside from the TSL games, all teams are allowed to play an exhibition game/tournament schedule. Team coaches and managers may schedule games and tournaments with other teams to increase the amount of games and/or variety of competition played over the course of the season. These games do not apply to the standings in the TSL. The cost of these games are not part of the HAYHA budget but are paid for by the individuals on the teams or through individual team fundraisers.

## **5.0 TEAM SELECTION**

### **5.1 Age Classifications**

The Helena Area Youth Hockey Association is a registered affiliate of USA Hockey and abides by all of its rules and regulations governing amateur hockey. A player is placed in one of five (5) age divisions based on their birth year.

**8U (ages 4-8)** - Year of Birth 2016-2020

**10U (ages 9-10)** - Year of Birth 2014 & 2015

**12U (ages 11-12)** - Year of Birth 2012 & 2013

**14U (ages 13-14)** - Year of Birth 2010 & 2011

**High School** - Registered high school students<sup>3</sup>

USA Hockey does not allow players to play in a division below their age appropriate classification, except in very exceptional circumstances. In order to play on the High School Team, players must be enrolled in High School and must be in good standing. A letter, to be obtained by the HAYHA High School Board Representative, is required by MAHA verifying such prior to the beginning of the season. For more information on playing up or playing down in age divisions, please see the ***Play-Up/Play-Down Policy*** in Section 7.12 of this Handbook.

### **5.2 Tryout Process and Player Evaluation**

#### ***Objective***

HAYHA emphasizes that each player should enjoy the experience of playing youth hockey and that our programs should promote the players' health, security, happiness and sense of self worth. With that in mind, the general principles of player selection shall be centered upon conducting a fair and open process in order to select teams that provide each player the chance to compete at the most appropriate level according to their current ability relative to others within their age group. The procedures shall be designed to evaluate players' skating and hockey skills as well as a player's maturity to participate at a particular level of youth hockey.

#### ***Teams within a Division***

The number of teams within a Division will be based on the number of registered players within that Division. The evaluation and team selection process for those Divisions with more than one HAYHA sponsored team is generally covered in the ***Tryout Policy*** in Section 7.11 of this Handbook.

If numbers allow, there will generally be an "A" team and a "B" team at the 10U, 12U and 14U Age

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<sup>3</sup> See Page 5, footnote 2.

Divisions. However, this is not the case for the 8U or the House Divisions. The number of teams at the High School Age Division may vary from year to year based on roster numbers and the best interests of the organization.

### **5.3 Player Movement Between Age Divisions**

All HAYHA players must play in their age division (8U, 10U, etc.) as defined by the regulations of USA Hockey (see age classifications above) during a playing season, unless special permission is granted by the Board of Directors according to the adopted ***Play-Up/Play-Down Policy***. The goal of HAYHA is to keep players of the same age and maturity levels together, in accordance with USA Hockey guidance. In most circumstances, this means that a player will remain within his or her USA Hockey specified age division. Please refer to the ***Play-Up/Play-Down Policy*** in Section 7.12 of this Handbook for more information.

## **6.0 COACHING**

All HAYHA coaches are volunteers and must be registered with and certified through USA Hockey. USA Hockey's Coaching Education Program (CEP) is administered through affiliate state associations (MAHA or other online versions) in the form of clinics. These clinics are specifically designed to supply each coach with the knowledge of his/her responsibilities and skills of the game that will equip him/her to do the best possible job at whatever level of hockey he/she is involved with. Clinics typically are held in the fall and all coaches, as well as any on-ice assistants are required to obtain their appropriate coaching credentials by December 31 of the season in which they are coaching.

Individuals interested in coaching must submit a coaching application on the HAYHA website. Criteria for becoming a coach increases as the age division and level of competition of the players increase. As players develop, it becomes increasingly important that coaches are sufficiently skilled so as to be able to enhance the skill development of the most advanced player on a team. Head Coaches for each age division are selected prior to the season starting and may choose their assistant coaches from a Board-approved list of potential Assistant Coaches who have completed the application process.

While individual coaches all have their own style and philosophies, they must adhere to HAYHA's mission, goals, philosophies and code of conduct, including following the American Development Model (ADM) model developed by USA Hockey to optimize youth player skill development. Coaches are required to hold a parent's meeting at the beginning of the season in order to open the lines of communication between coaches and parents, convey their coaching philosophies and goals, and explain their team's code of conduct and the consequences for violating said code.

### **6.1 Coaching Guidelines**

HAYHA recognizes that young athletes have the same desire to win, to develop their individual and team skills, and to have fun, regardless of the level of competition. HAYHA also recognizes that individual player needs and coaching requirements are different for each team. HAYHA encourages coaches to assess each player's individual needs to determine the best approach towards coaching the team.

HAYHA provides the following guidelines to coaches to establish the range of accepted behaviors regardless of the level of competition.

1. Coaches will conduct themselves consistent with these guidelines, the bylaws of HAYHA, the rules and regulations of the leagues and tournaments where we play, of MAHA Hockey, and of USA Hockey. The HAYHA Board will make all of this information readily available.
2. Coaches will strive to develop the skills and game knowledge expected of their age group.
3. Teamwork is essential. Player attendance at practices and games is mandatory. Parents and players must place a priority on practices and games to do their best to juggle other obligations and manage their time around team commitments. Players and parents will be informed that poor attendance may impact playing time. Obviously there will be occasions where there are valid reasons for missing practices/games, and this will be accommodated. Coaches must be notified in advance of all absences.
4. All players are encouraged to pursue additional opportunities outside of HAYHA to develop skills and conditioning, both through additional hockey activities and other sports. HAYHA also encourages players to be involved in other activities in school, their community, and other areas of interest. This will make stronger athletes, more well-rounded kids, healthier competitors and better hockey players.
5. It is inevitable that points 3 and 4 will lead to conflicts. Examples include the player missing a hockey practice to play in a different sporting event or participate in a school function. Coaches need to accept that HAYHA encourages kids pursue activities outside of hockey. At the same time, players must acknowledge that absence from practices and games hurt both individual and team performance and accept that it may affect their playing time if conflicts cannot be managed effectively.
6. Coaches conduct high intensity, purposeful practices. Conditioning is improved and maintained. "Stand around" time is minimized for players. Practices are kept fun and fresh for kids. A balance is maintained between drills that reinforce skills through repetition, and repetitive drills that bore kids and discourage them from attending practice.
7. Any coach can decide to sit a player down for poor attitude, disrupting the team, a lack of commitment, or for poor attendance to an extent that it impacts the effectiveness of his/her teammates. This step should not be taken unless the coach has first discussed the player's shortcomings with the player and his parent or guardian. This can be done without notice if the player has committed an egregious act during a game or practice.
8. If there are problems with players or parents that a coach is not able to resolve to his/her satisfaction, the coach will communicate the issue to the Coach in Chief who will then report the issue to the Board. The HAYHA Board of Directors will resolve the issue in collaboration with the Coach. Remedies can include suspension or termination from participation in practices and games.
9. The desire to win does not lessen the importance of the coach serving as a good role model to 100% of the players, 100% of the time. This includes the following: taking a positive approach to player mistakes, demonstrating respect for referees regardless of a call, respect for the competition, and respect for each player in front of fans, teammates, and opposing players. Coaches will teach players to be class acts, win or lose. Coaches will promote a strong work ethic to help HAYHA players develop a high level of determination and competitiveness.

10. Coaches of teams with players of widely varying skills need to be adept at organizing practices to find a way to focus on kids with specific needs (e.g. basic skating skills) without holding back those kids that are developing more quickly. This way all kids can move forward vs. falling victim to the lowest common denominator.
11. Head coaches are expected to have command of basic hockey skills – more the better, combined with a proven ability to motivate players and to teach all aspects of the game. Coaches on more competitive teams have demonstrated past success coaching at a competitive level measured not by wins/losses, but in terms of player and team development and accelerating accomplishment throughout the season.
12. Division Representatives, Team Managers, and/or Coaches are required to conduct a team meeting with players and parents before the first game of the season. This meeting should clearly set expectations of all involved and is the basis for addressing individual issues with players or parents throughout the year. If the coach decides to alter his approach as the season progresses, there will be a follow-up meeting to reset expectations.

To remain in compliance with MAHA rules, coaches must follow USA Hockey Coaching Certification Guidelines and obtain the appropriate coaching credentials for the age/team they are coaching. Additionally, every coach or team manager must have in his possession a copy of the USA Hockey Team Roster certified by the State Registrar along with verification of USA Hockey number, and signed copies of the HAYHA Player Codes of Conduct.

## **6.2 Coaching Certification Requirements**

- HAYHA Coaching Application (available online on the HAYHA website)
- Current (prior to first ice session) USA Hockey Coaches Registration (available at [usahockey.com](http://usahockey.com))
- Current (prior to first ice session) MAHA Background screening (available at [mthockey.com](http://mthockey.com))
- Current (prior to first ice session) USA Hockey SafeSport Training certification. Available at [usahockey.com/safesporttraining](http://usahockey.com/safesporttraining))
- Current (prior to first ice session) CDC Concussion training (available at [cdc.gov/headsup/youthsports/training](http://cdc.gov/headsup/youthsports/training))
- Age Specific module for age level they are coaching (prior to first ice session). (Available at [usahockey.com/coaches](http://usahockey.com/coaches))
- Current CEP level 1 or higher (before Jan. 1<sup>st</sup> of season). To inquire about available coaching clinics please visit MAHA or USAH website
- Review & Sign the “HAYHA Coaches Code of Conduct”

**Note:** Any coach who has completed a Level 1 CEP certification through USA Hockey is allowed to coach within the 8U division, even after that certification has expired. This provision applies to the 8U division only. All other divisions require progressive movement through CEP certification levels.

## **7.0 HAYHA POLICIES**

### **7.1 USA Hockey Safe Sport Reporting Policy**

USA Hockey's Reporting Policy is a key part of its Safe Sport Program, and an effective reporting policy is crucial to preventing abuse. Section IV of the Safe Sport Handbook contains specifics on the Reporting Policy.

The Policy requires that every employee or volunteer of any USA Hockey Member Program must report:

- Actual or *perceived* violations of the USA Hockey Safe Sport Program Handbook;
- Any violations of the Policy prohibiting sexual abuse, physical abuse, emotional abuse, bullying, threats/harassment, hazing, and;
- *Suspicions or allegations* of child physical or sexual abuse to the appropriate USA Hockey Representatives.

In all cases involving *suspicions* or *allegations* of child physical or sexual abuse, every employee or volunteer of a USA Hockey Member Programs must also report to the appropriate Law Enforcement Authorities.

To make a report to USA Hockey, you do so by:

- Completing the linked [reporting form](#);
- Emailing [safesport@usahockey.org](mailto:safesport@usahockey.org); or
- Calling 800-888-4656

Reports may also be made to the MAHA Safe Sport Coordinator or HAYHA Safe Sport Representative.

- MAHA Safe Sport Coordinator [contact information](#) or [mahasafesport@yahoo.com](mailto:mahasafesport@yahoo.com)
- HAYHA Safe Sport Coordinator (also serves as HAYHA Disciplinary Director): [safesport@hayha.org](mailto:safesport@hayha.org)

ALL reports involving sexual abuse and misconduct must be reported to the U.S. Center for Safe Sport.

Reports to the U.S. Center for Safe Sport may be made by:

- Completing and [online report](#); or
- Calling 833-587-7233

### **7.2 HAYHA Safe Sport Policy**

Only USA SafeSport Trained and Certified volunteers may enter locker rooms with any HAYHA players above the 8U level. All coaches, team managers, locker room monitors, parents, guardians, or anyone in the locker room must maintain USA SafeSport Training certification, available at <http://usahockey.com/safesporttraining>.

In addition to SafeSport Training, all coaches, team managers, locker room monitors, players, parents, and guardians must follow the HAYHA ***Locker Room Policy*** in Section 7.7 of this Handbook.

At the 8U Level, parents are asked to remain in the locker room with their child. All 8U Coaches, Locker Room Monitors, Board Members and Team Managers are required to maintain USA SafeSport Training Certification.

Only SafeSport certified coaches, managers and locker room monitors designated for the team occupying the locker room are permitted in locker rooms at the 10U and above levels.

### 7.3 Grievance Protocol

If a member has an issue with regard to coaching, parent behavior, practices, games or Association policy, the issue should be brought first to the attention of the Team Manager and/or Age Division Representative **in an appropriate and respectful manner**. In the case of a parent having an issue with a coach, the Manager would talk the issue over with the Coach and then either take the results back to the parent, or if the coach wishes, schedule a conference with the parent, coach and manager. If the issue is not resolved to either party's satisfaction, the manager will take the issue to the Division Representative to try and resolve. If necessary, the Disciplinary Committee may also be consulted. If the parent is still not satisfied, they may request a meeting with the Board of Directors. If the issue has to do with Association policy, the Team Manager will first go to the Division Representative and the chain of command will continue from there. **At no time should a parent confront a coach or player that is not their child.**

### 7.4 Disciplinary Policy and Reporting

Please review HAYHA's *Disciplinary Policy* in Appendix B of this Handbook which includes protocols on reporting.

### 7.5 Zero Tolerance

All HAYHA hockey players, parents, guardians, family members, referees, coaches, and team managers are strongly encouraged to read and understand the USA Hockey *Zero Tolerance Policy*. A copy of this policy may be found on the USA Hockey website at:

<http://www.usahockeyrulebook.com/page/show/1015130-zero-tolerance-policy>.

### 7.6 Social Media, Mobile and Electronic Communications Policy

Effective communication concerning travel, practice or game schedules, and administrative issues among coaches, the Board, players and their families is critical. However, the use of mobile devices, web-based applications, social media, and other forms of electronic communication increases the possibility for improprieties and misunderstandings and also provides potential offenders with unsupervised and potentially inappropriate access to participants. The improper use of mobile and electronic communications can result in misconduct. To protect our players, the following policies are in effect:

- All electronic communication between coach and player must be for the purpose of communicating information about team activities. Coaches, players and all team personnel must follow common sense guidelines regarding the volume and time of day of any allowed electronic communication.
- All content between coaches and players must be readily available to share with the public or families of the player or coach. If the player is under the age of 18, any email, text, social media, or similar communication must also copy or include the player's parents.
- Social media and other means of electronic communication can be used to commit abuse and misconduct (e.g., emotional, sexual, bullying, harassment, and hazing). Such communications by any volunteer, independent contractor, parent, guardian, or participant of HAYHA will not be tolerated and are considered violations of HAYHA policies and the USA Hockey's SafeSport Program.
- A HAYHA participant or parent/guardian of a participant who violates this Social Media, Mobile and Electronic Communications Policy is subject to appropriate disciplinary action including but not limited to suspension, permanent suspension and/or referral to law enforcement authorities.

## **7.7 Locker Room Policy**

### ***Players – All Divisions***

- No cell phones or other devices with recording capabilities may be used in the Locker Rooms.
- All teams are responsible for the cleaning of trash or debris from each Locker Room after each HAYHA sponsored game or practice.
- Players shall be responsible for any damage to the Locker Room facilities. Any player who damages any facility shall be responsible for the costs of replacement or repair of the facility and may be subject to disciplinary action including suspension or expulsion from participation in HAYHA sponsored activities.
- Players shall dress for practices promptly and exit the Locker Rooms without delay prior to practices. After practice or games, unless coaches are meeting with the players, or for another team related matter, players shall promptly undress and exit the Locker Rooms.
- When locker rooms are occupied by another age division, players must wait to enter until it is their age divisions turn and their SafeSport monitor/coach is present. Each age division will be responsible for monitoring their own age divisions teams.
- Inappropriate conduct or behavior in the Locker Room shall not be tolerated. Such conduct may subject any player or coach to disciplinary action by the HAYHA Board including suspension or expulsion from participation in HAYHA sponsored activities.
- Playing with sticks or horseplay in the locker rooms is not permitted.

### ***Parents:***

#### **8U Division**

At 8U level, parents are required to remain at all practices/games with your child, including in the locker room. Children at this age are not to be left unattended at the facility. Locker rooms are co-ed at 8U level (with the exception of the girl's locker room which only female players, parents and locker room monitors may access); therefore, parents are asked to ensure that their children are dressed appropriately as both girls and boys are present in these locker rooms at this age.

#### **10U through High School (House and Travel)**

Permission for parents to enter any Locker Room must be obtained from the Locker Room Monitor, and then only to assist a player with equipment or to attend a player who may be sick, disabled, or injured. At no time may a parent of a 10U through High School level player enter the Locker Room without approval by the Locker Room Monitor.

### ***Locker Room Monitors:***

Locker Room Monitors are required at the 8U through High School level, and approved individuals will be required to be in attendance for each team practice and game throughout the season.

All Locker Room Monitors shall complete and be cleared through the MAHA Background Screening.



All Locker Room Monitors shall complete and pass the SafeSport Training program and be current on certification.

No HAYHA team may participate in HAYHA-sponsored activities without a qualified and compliant Locker Room Monitor being assigned to that team. All Locker Room Monitors are subject to approval by the HAYHA Board.

When two or more players are in a locker room, the Locker Room Monitor shall be present in the locker room to ensure that only players, coaches and approved team personnel are present in the locker room and to supervise the conduct of participants in the locker room. In the event that only one player is present in a locker room, the Locker Room Monitor must remain outside the locker room unless or until another player or other approved team personnel enters the locker room. In accordance with Safe Sport requirements, no adult should be in a locker room with only one minor player.

Locker Room Monitors should arrive no less than 30 minutes prior to regular practices and no less than one hour prior to games to permit access to and reside within their respective team locker room(s). In the home arena, Locker Room Monitors will obtain a key from arena personnel by signing in for a designated locker room as assigned by the arena. The Locker Room Monitors will be responsible for control of the key and the locker room for the duration of the practice/game. Locker rooms must be secured once players have exited during and after practice. Once the locker room is cleared and trash put in appropriate receptacles, the Locker Room Monitor will sign the key back in with arena personnel.

Only Locker Room Monitors on a Board-approved list will be permitted to obtain a locker room key from arena staff.

Players will not be permitted to enter a locker room and keys will not be provided to any player or parent until an approved Locker Room Monitor or Board Member signs out a key and assumes the full responsibilities of the Locker Room Monitor.

In the event of a shared locker room, or back-to-back occupancy of a locker room, there can be no “passing of the baton” without recording the transfer of Locker Room Monitoring responsibilities on the log maintained by arena staff.

When HAYHA is hosting games in our home facility, the HAYHA Locker Room Monitor is also responsible for signing out a key for a visiting team for each game. The HAYHA Locker Room Monitor is not responsible for the conduct of visiting team players or the condition of the visiting team locker room.

When the locker room in the far corner under the bleachers is in use, a Hallway Monitor who is also cleared as a Locker Room Monitor must also be provided to ensure player safety in the unobservable corridor under the bleachers.

***Head Coach:***

In accordance with MAHA policy, “Failure by a coach or [Board Member] to take appropriate steps to ensure adherence to the Locker Room Policy, or violation thereof by any participant or parent of a participant is subject to appropriate disciplinary action. Associations found in violations of this policy may be sanctioned in the following manner:

- 1st offense: \$200.00 fine to the team and one game suspension to the Head Coach.

- 2nd offense: \$400.00 fine to the club and two game suspension to the Head Coach.
- 3rd offense: the Head Coach and [the Division Representative] shall attend a MAHA disciplinary hearing which may result in further sanctions up to and including fines, suspensions and/or post season sanctions.”

## 7.8 Travel Policy

Travel to games and tournaments is a significant part of youth hockey participation, and it is also an event that places our players in potential situations for abuse and misconduct – particularly during overnight stays. USA Hockey requires that all local programs have a travel policy applicable to youth teams that is published and provided to all players, parents, coaches, and other adults traveling with the team. As such, this policy applies to both local travel as well as out-of-town events as follows:

### **Local:**

1. Parents are responsible for local travel arrangements.
2. Non-parent drivers shall not drive alone with an unrelated minor.
3. Non-parent drivers shall not be alone at any time with an unrelated minor. Drop offs and pick-ups should be coordinated in groups.

### **Out of Town:**

1. Regardless of gender, a coach shall not share a room with a single player unless the coach is a parent or guardian.
2. Anyone providing team travel assistance must be screened and verified, and possess a valid driver’s license and insurance.
3. Adequate adult chaperone supervision should be provided at all times (recommend one adult for five to eight players).
4. Room monitoring and curfew checks should be made by at least two screened and verified adults.
5. No individual meetings shall take place in players’ rooms.
6. Players shall be allowed to make “check in” calls to their parents.
7. Travel itineraries including a list of all adult personnel and contact information shall be provided to parents.
8. Parents will be contacted first, prior to any disciplinary action being taken against any player.
9. All coaches and chaperones shall adhere to the HAYHA ***Alcohol, Tobacco, Smoking Products and Drug Abuse Policy*** at games, practices and HAYHA functions. (See Section 7.9 in this Handbook). No coach or chaperone shall be under the influence of drugs or alcohol while performing their chaperone/coaching duties.
10. In all cases, parents have the right to transport their child and stay with them in their hotel room.
11. Players under the age of 18 years old cannot travel to out-of-town games/tournaments without adult supervision.

The above provides a common sense basis for HAYHA’s travel policy but is not limited to these statements. By being aware of, and enforcing these simple travel rules, HAYHA seeks to limit the potential for any occurrences of abuse during a time when our youth players face potential risks.

## 7.9 Alcohol, Tobacco, Smoking Products and Drug Abuse Policy

It is the considered judgment of the Board of Directors of USA Hockey and HAYHA that consumption/use/abuse of mood altering substances is detrimental to a healthy state of mind, body, and

spirit in an athletic participant. This is especially true for those participants aspiring to develop their talents in the furtherance of their playing, or coaching, or officiating careers in the sport of ice hockey. Therefore, with the best interests of its participants in mind, USA Hockey and HAYHA prohibit use by any participant of alcohol, tobacco, smoking products or drugs, as these terms are defined below, during participation in its programs as follows:

1. Zero tolerance for possession or use of drugs by any participant unless participant is currently under a doctor's care and the medication is required for treatment of an illness or injury;
2. Zero tolerance for providing or condoning the use of alcohol, tobacco, smoking products or drugs to or by a minor athlete by a coach, assistant coach, manager, official or any other person who is in a position of authority over that athlete;
3. Zero tolerance for being under the influence of alcohol, tobacco, smoking products or drugs while supervising minor athletes or while participating in a USA Hockey/HAYHA practice, game or event; and
4. Abuse of alcohol, tobacco, smoking products or drugs by a participant while participating at a USA Hockey/HAYHA event other than that prohibited by #3 above.

Violation of this policy shall subject the participant to disciplinary action up to and including suspension or disqualification from membership.

For purposes of this policy, the word "alcohol" shall include the following:

1. Intoxicating beverages.

For purposes of this policy, the words "drug" shall include the following:

1. Any controlled substances.
2. Prescription or prescribed controlled substances when used to an excess in violation of doctors orders, or to produce the state of intoxication in the participant.
3. Any mood altering or psychoactive substance that produces a state of intoxication in the participant.

For purposes of this policy, the words "tobacco and smoking products" shall include the following:

1. Electronic Smoking Devices are devices that heat a chemical solution into a vapor that is inhaled into the lungs (e-cigarettes, e-cigars, e-pipes, vape pens or other similar devices).
2. Smokeless Tobacco are tobacco products chewed or snuffed rather than smoked by the user, including dipping tobacco, chewing tobacco, snuff, snus or similar tobacco products not used for smoking.
3. Tobacco smoking is the use of regular tobacco in cigarettes, cigars, pipes, hookahs, water pipes or other similar tobacco smoking products.

Further, the word "participant" shall include players, coaches, managers, referees, and all persons involved in the conduct of an ice hockey contest.

## **7.10 Member Comment Policy**

In order to promote an open, transparent and member-involved Board process, the Board has allowed and encouraged public/member comments at its meetings. Pursuant to the Bylaws, the conduct of meetings is left to the President, or presiding officer.

In the past, public comment has assisted the Board in addressing issues and concerns of the members. In fact, when presented in a constructive manner, member comment has assisted the Board in updating,

modifying and implementing policies.

Unfortunately, the Board has also experienced situations where member participation in Board meetings has become disruptive to the Board's main duty – namely to conduct the business of the organization. As such, in order to continue to allow member comment at Board meetings, the following rules of order will be implemented:

- During the designated period for member comment, the presiding officer may elicit member comment.
- Prior to providing any comment, the individual must be recognized by the presiding officer. Each individual will be allowed three (3) minutes to provide comment. At the discretion of the presiding officer, additional time may be allowed to conclude comment.
- Remarks and comment will not be allowed during the member comment section of the Board meeting on any topic which involves allegations of a violation of SafeSport policies. The investigation or handling of any SafeSport complaint, disciplinary matters, matters of personal privacy, or as a substitute for the Grievance Protocol process included in this Handbook.
- Members will not be allowed to present complaints or grievances concerning any individual member of HAYHA, Team Manager, parent, coach, player, or Board member. Any such complaints or grievances must follow the Grievance Protocol Process. If the complaint or grievance is not covered by that process, it should be made in writing and delivered to a member of the Executive Committee. Upon receipt of the written complaint, the matter will be addressed by the HAYHA Board as deemed appropriate by the Board.
- All member comments will be required to be made in an appropriate, constructive and respectful manner. Slandorous, disrespectful, disruptive, or other inappropriate comments or allegations will not be tolerated and may result in issuance of a Disciplinary Policy violation. The presiding officer may ask the individual to end their comments at any time at the discretion of the presiding officer. If the person continues to speak or is in any way disruptive of the meeting, the presiding officer may ask the person to leave the meeting.

## **7.11 Tryout Policy**

*(Modified at September 19, 2024 Board Meeting)*

To foster enhanced player development opportunities, the Helena Area Youth Hockey Association Board (Board) adopted a tryout policy during the 2014-2015 season. This policy has been updated periodically, and most recently modified as noted above.

As determined by the Board, tryouts may be held for 10U through High School age divisions where the number of registered players exceeds the roster limit for one team. In such cases, fair and impartial tryouts will be held to determine placement of players on an A, B or House team in their appropriate age division.

All players interested in participating on a travel team are required to attend tryouts to be placed on a team where selections are being made. Any exceptions must be pre-approved by Board. Exceptions may be approved for illness, injury with a doctor's note, or absences for scheduling conflicts at the discretion of the Board, but may affect team placement. Any potential effect on team placement will be at the consensus recommendation of the division coaches, and approved by the Board, then communicated to the player/family prior to tryouts.

Players are encouraged to give a 100 % effort during tryouts. A parent or guardian may choose to have their player rostered for a lower team than he/she is placed during the tryout process; however, the potential for this decision needs to be communicated to the Board prior to tryouts, and a final decision made prior to rosters being finalized.

### **Evaluation Coordinator**

No later than two (2) weeks prior to tryouts, the Board will appoint an Evaluation Coordinator to lead the tryout process. Any Board member may serve as the Evaluation Coordinator as long as they do not have a player or relative involved in tryouts.

The Evaluation Coordinator will work closely with the Board to ensure administration of a fair and impartial evaluation process in accordance with this policy.

The Evaluation Coordinator can appoint *Assistants* to hand out jerseys and oversee locker rooms. *Assistants* may not have a player involved in a specific age division to which they are providing help.

### **Board Preparation Responsibilities**

The Board will complete the following by the September Board meeting:

1. Recruit 3 to 5 evaluators for each age division (according to qualifications outlined below)
2. Develop the Evaluation Sheet to include scoring criteria, numbering system and a summary. The sheet should remain consistent from year to year unless improvements are deemed necessary by the Board.
3. Appoint an equal number of Coach Representatives for each of the prospective A and B teams to observe tryout sessions and participate in the team selection process. The Board may identify up to three (3), but no less than two (2) Coach Representatives per team. The Board should strive to have Coach Representatives from all birth years involved in the age division in question.
4. In consultation with Division Head Coaches, create a tryout plan and schedule for each division.
5. Identify volunteers to fill locker room monitor, timeclock and referee positions, and any other positions requested by the Evaluation Coordinator or coaches, and deemed necessary or beneficial by the Board.

### **Tryout Plan and Schedule**

A Tryout Plan and Schedule will be established by the Board each season. The plan will include time allocated for skills drills as well as game play to be evaluated and scored, and will identify the number of on-ice assistants that will be required for each age division. Coaches for the age division involved in the tryouts are not to serve as on-ice assistants for that age group.

### **Anonymity of Players**

To foster a fair and impartial process, the following protocols will be followed:

- Each player will be assigned a random numbered jersey to wear during the tryout sessions; however, Division coaches will split registered players into even “blue” and “white” teams for the purposes of game play, taking into account preferred player positions for balanced team composition.

- The Evaluation Coordinator will keep a confidential sheet with player numbers and names and ensure that players receive the same jersey number for each tryout session.
- The sheet with numbers and names is not to be shared with any parent, player or evaluator.
- The Evaluation Coordinator and/or Assistant(s) will pass out assigned jerseys prior to the players going on the ice.
- Evaluators may not have access to player identities during the evaluation scoring process.
- Evaluators will sit separately from the parents, and separately from each other.

## **Evaluators**

Evaluators must meet the following criteria:

- Must be 25 years or older
- Must have sound hockey knowledge
- Must be impartial, unbiased and have no family connection to a player trying out in the session they are evaluating.

The following persons may not serve as evaluators:

- Any Board Member
- Any coach who has served, within the past two years, as a HAYHA coach for the players trying out.

The list of potential evaluators may be developed collaboratively with coaches. Evaluator names and qualifications shall be reviewed and approved by the full Board prior to tryouts.

## **Evaluation Criteria**

HAYHA Tryout Evaluators are USA Hockey registered coaches who have completed age-appropriate Coaching Education Program requirements and are directed to apply the player knowledge and skill level expectations for their respective age division as outlined in the *ADM Skill Progressions in Youth Hockey* as they assign scores during Fall tryouts. Exceptions to these requirements may be approved by the Board on a case-by-case basis.

The evaluation sheet used for HAYHA tryouts includes scoring for technical skills including: skating, stickhandling, shooting and passing; and for gameplay skills including defensive play, offensive play, hockey IQ and competitiveness.

Individual scores are assigned on the following scale:

- 1- Deficient
- 2- Below Average
- 3- Average
- 4- Above Average
- 5- Exceptional

Goalies are also evaluated separately, and scored on the same scale on skating, playing the puck, positioning, rebound control, recovery, and movement in the crease.

Evaluators complete their scoring sheets and turn them in to the Evaluation Coordinator for tallying and presentation to the Coaching Representatives.

## **Evaluation Process and Team Selection**

Team selection will be made by the Coach Representatives subject to approval by the Board in accordance with the following process.

The approved Evaluation Sheet will be used by the Evaluators. At the conclusion of the evaluations as determined by the approved Tryout Plan and Schedule, the Evaluation Sheets will be collected and tallied by the Evaluation Coordinator (or their Assistant). Evaluators will remain available to answer questions or provide input via phone or in person, but will not participate directly in team selection discussions.

As soon as practicable following the final tryout session for the respective age division, the Evaluation Coordinator will convene a meeting of the two to three Coaching Representatives for each of the A and B teams, and a member of the Board's Executive Committee (as assigned by the President) to review and discuss the scores and rankings for each respective age division. No other Division Representatives, parents or players may attend the team selection meeting.

The Evaluation Coordinator will provide the Coaching Representatives and Executive Committee member with the evaluation scores and rankings of each player who participated in tryouts for the respective age division. Upon completion of review of the initial scores and rankings, the Coaching Representatives will discuss the need for any further refinement of the rankings. Many factors may go into the recommendation for team selection, including the Coaching Representative's assessment of each player's:

- Age and maturity.
- Coachability and prior interactions with coaches and teammates. If the Coach Representatives are unfamiliar with a player, they are encouraged to speak with a player's past coach(es) prior to making a final decision.
- Previous end-of-season evaluations.
- Commitment to team and commitment to travel.
- Attitude and work ethic.
- Physical and skill level relative to the age division (ie: any safety concerns).
- Interest and ability in playing goalie.

Upon completion of review of the initial scores and rankings, as well as consideration of any additional factors deemed appropriate by the Coaching Representatives, the Coaching Representatives may consider the movement of players between A and B, or from B to House. These movements should in most circumstances be limited to those players who are closely ranked by the evaluators along the split between A and B team rosters, or from the lower end of the B roster to the House program. Any other player movement must be explicitly justified and agreed to by all Coaching Representatives for that age division.

The Coaching Representatives are solely responsible for preparation of the team selection recommendations in accordance with the evaluator scores and rankings, and the factors outlined above. The Evaluation Coordinator ensures the accuracy of the evaluation scores and rankings and that discussions and final rankings are conducted in compliance with this policy. The Executive Committee member is also present to ensure compliance with this policy and to present the final recommendation of the Coaching Representatives to the Board for final approval. The Board will approve the recommendations of the Coaching Representatives if they are based on the evaluator scores and rankings, or on modifications in those initial rankings based on explicitly expressed rationale for the movement of any player(s). Player movement without detailed explanation by the Coaching Representatives may not be approved by the Board. In such cases, the rosters will be returned to the Coaching Representatives for clarification. The lack of consensus from either the Coaching Representatives or the Board results in

adoption of rosters based solely on the final evaluation scores and rankings. The Board must approve final team selection by a majority vote.

The Division Representative will make themselves available so they can assist with any necessary calls about siblings (see below), and parent notification of team selections, but will not participate directly in team selection discussions.

### **Siblings**

If there are siblings within the same age division, and they are selected for different teams, the parents will be contacted and given the opportunity for both players to be rostered on the lower skill level team. The Division Representative is encouraged to discuss these potential options with parents prior to tryouts and should the players be selected for different teams; the Division Representative will make a phone call to obtain a decision from parents after tryouts have concluded. If parents choose to have both players rostered on the lower skill level team, the Division Representative will then meet with Evaluation Coordinator and Coach Representatives to make any necessary roster adjustments.

Note: This must be done *prior* to the rosters being posted.

### **Notification of Team Selection**

Once team selection is finalized – ideally within 48 hours of the final tryout session for that Division – the Division Representatives will notify all participating families of team selections via emails provided during registration. Within seven (7) days of the notification of team selections, Coach Representatives will set aside two (2) hours to talk to players and/or parents about their individual rankings. The Division Representative will notify parents of available meeting times.

### **Complaints and Feedback**

Rosters are final once posted. Any complaints must be addressed to the Division Representative and may then be addressed by the full HAYHA Board.

## **7.12 Play-Up / Play-Down Policy**

### **Preamble**

According to USA Hockey, “a select group of athletes are good enough to play with older players, their talents well beyond what most of their peers possess, but for most, the impact of playing up can have a negative effect in the long run.” The director of player personnel for USA Hockey’s National Team Development Program, Ryan Hardy, states that, “Sports are about long-term development. There is no reason to rush the process. There is a lot of value in taking your time rather than rushing to play up a level.”

Hardy prefers players to stay within their age group, “because it not only helps them develop better from a skill standpoint, but it benefits them socially and emotionally. Sometimes being around older kids they hear or learn things they don’t need to at their age. If parents are going to play their child up a level, they need to make sure the situation is right for the child.” He also noted that playing up isn’t a common occurrence in hockey, and that there aren’t a large number of players that benefit from playing up a level.



Stephen Norris, a specialist in long-term athletic development and vice president of the Canadian Winter Sport Institute, agrees and states, “I have nothing against children playing up a level, but the decision can’t be about the competitive outcome, which is what so many parents are focused on. We tend to throw out the rulebook when it comes to common sense in sports.”

Bob Mancini has been involved in player development for more than 25 years, and cautions parents and players not to rush through the process. He notes that there is no one-size-fits-all approach to deciding when it’s right for a child to move up a competitive level. He says, “If they have a chance to be one of the top-three forwards or top-two defensemen, maybe that is the right decision to make. It has to be done for the right reason.” Mancini also notes that the most important thing is keeping young athletes within their training window, so for example, a 7-year-old moving up to play with 8-year-olds likely won’t have the same negative impact as an 8-year-old moving up to play with 9 and 10-year-olds.

As HAYHA approaches play-up requests, the Board must be mindful of these considerations, particularly at the younger age divisions. Heather Mannix, the manager of female hockey for USA Hockey’s American Development Model, says, “Keep in mind that this is all about long-term athlete development – and that it doesn’t happen in a straight line. The best kids at 10U aren’t going to be the same at 14U. It’s full of peaks and valleys.”

It is the goal of HAYHA to provide appropriate skill and sportsmanship development opportunities for every player, at every age level – including our House program. Research indicates that players get better through puck touches and if a younger player is amongst other kids who are bigger and better, they are more likely to end up chasing other players around and aren’t going to become a better player. Their role won’t be as important on the team, and they’re more likely to lose their passion for the game and look back on the experience with regret.

As HAYHA considers play-up requests, the organization should consider:

- Development opportunities and risks,
- Increased risk of injury due to differences in size and ability,
- Negative impact on passion for the game due to lack of success at the higher age level,
- Potential for burnout when the focus on “fun” is removed or replaced with a focus on competitiveness, and
- Loss of attention to social and emotional growth of athletes at a formative age.

Stephen Norris says, “you want a kid to look back on his or her experience playing sports and think about the great time they had and feel like they learned a lot from the experience.”

With this understanding, HAYHA has adopted the following Play Up and Play Down Policies.

#### **A. Play-Up Policy**

Consistent with USA Hockey guidance, the goal of HAYHA is to keep players of the same age and maturity levels together. In most circumstances, this means that a player will remain within his or her USA Hockey specified age division.

This policy outlines the extraordinary conditions under which a Helena Area Youth Hockey Association (HAYHA) player may advance to an age division one year above their USA Hockey specified age division.

HAYHA recognizes that in rare circumstances it may be in the best interest of a player's development to allow a player to "play-up" to the next age division. A balance must be struck, however, to avoid placing the desire of a player or parent above the legitimate opportunity for that participant to be successful in an older age division. It is also a concern that whenever a player is moved up, in effect a spot on a travel team may be taken from a player of age. Only when an underage player clearly has the potential to be an impact player on the team of the higher age division, or a significant roster need is otherwise demonstrated, should the player be considered for playing up. In addition, the HAYHA Board will be responsible for assessing whether a play up is in the best interest of the Association and the teams affected by the request.

Even assuming a player seeking to play up can meet the initial eligibility requirements of advanced skill and preparedness, as determined by the affected coaches, movement will not be approved where such movement would result in:

- a) Too few players being left in the age-appropriate division; or
- b) Too many players in the upper age division to the extent that age-appropriate players may be cut from a travel team. (Note: An age-appropriate player being shifted from an A team to a B team does not equate to being "cut.")

In assessing whether movement of a player would result in too few or too many players, HAYHA will utilize USA Hockey's recommended team sizes as follows:

8U: 9-13 players per team, no full-time goalies;  
10U: 10-12 skaters and 1 goalie per team;  
12U: 15 skaters and 2 goalies per team;  
14U: 16 skaters and 2 goalies per team; and  
High School: 18 skaters and 2 goalies per team.

#### A.1 Conditions for Approval

- A player will not be permitted to move up more than one year in age. For example, a first year 10U player cannot be moved to the 12U age division; however, a second year 10U player may advance to the 12U age division if they satisfy the remaining criteria and policy requirements. This stipulation applies to 8U players applying to play up to 10U, 10U players applying to play up to 12U, and 12U players applying to play up to 14U.

*(Note: There is no provision for a 14U player to play up to the High School level. However, a 14-year-old player who is registered and attending High School is eligible to try out for and participate on a High School team or a 14U team.)*

- Allowing players to move up from a non-body checking age division into a body checking age division represents the greatest risk and should only be approved under extremely rare circumstances.
- Approval to play up in a specific season does not authorize the player to continue to play up in future seasons. The player requesting to play up and the player's parents must request the player to play up and meet the criteria to do so for each year of eligibility. It may be necessary to play three years in one age division if the player's past youth hockey participation did not align with USA Hockey specified age divisions.

## A.2 Timeline for Approval

In most cases, the final HAYHA Board decision will not be made until final roster numbers are declared at the beginning of the season. A player seeking to play up must first register at his or her USA Hockey specified age division before a final decision to play up will be made by the Board. Should a request be granted, the player must then agree to pay any increased fees associated with the upper age division.

## A.3 Board Authority

The HAYHA Board specifically reserves the right to reverse any decision allowing a player to play-up at any time. If a player that has moved up is experiencing difficulty, as determined by the HAYHA Board and/or the player's coach(es), the Board may reverse the decision at any time, but no later than December 15<sup>th</sup> to avoid impacts to USA Hockey certified team rosters.

## **B. Application Process**

The play-up request process is initiated with two main steps:

### Step 1:

Parents/Guardians must complete a *Request to Try Out for Play-Up & Acknowledgement of Risk and Liability Form* for all players seeking to play up. (Please see Appendix E for a copy of this form). This form must be submitted to the HAYHA Board no later than August 15th and approved by the Board prior to tryouts for the upcoming hockey season.

At this stage, the Board is only considering whether the request is appropriate based on the age of the player and the division in which they wish to participate; and whether there are appropriate player numbers (as outlined in Section 1 of this policy) to permit the play-up request. If those conditions are met, the Board will approve the player for tryouts at the upper age division.

### Step 2:

A Coaches Committee, established by the Board, will be responsible for conducting the tryout evaluation of the player requesting to play-up. With input from the age-appropriate Head Coach, and the play-up division Head Coach, the Coaches Committee must assess whether the play-up request is in the best interest of the player's development in the following areas:

- the player's skating and puck-handling skills, general hockey sense, and leadership potential;
- the player's ability to participate as a positive teammate; and
- the player's coachability.

Finally, the player must rank among the top 25% of the highest-ranking team of players of the next age division. (This would typically equate to the top four players on a 10U team, or the top 5 players of a 12U or 14U team). If the player is not ranked in that top tier, then he/she must remain as a participant at the age-appropriate level.

If the Coaches Committee determines that the player satisfies the above criteria, they will complete the *Play Up Evaluation and Recommendation Form* and submit to the Board for final consideration.

Only those players meeting the criteria and requirements in this policy will be considered eligible to play up. All others will be ineligible for further consideration and the play up request will be denied.

The parent/guardian of the player carries the burden of moving the request forward, adhering to appropriate deadlines, and asking the affected coaches to complete the tryout evaluation form.

### **C. Participation in Tryouts**

Players having completed the required form and received Board approval will be allowed to participate in tryouts for the age division they are wishing to move up to, and are strongly encouraged to participate in the tryouts for their appropriate age division as well. A place will not be guaranteed on the lower age division team if they do not participate in those tryouts.

### **D. Special Considerations – Inadequate Numbers**

In the event HAYHA does not have adequate numbers to fill out a team, HAYHA may use players and/or goalies from a lower age division without the player(s) from the lower age division losing his/her eligibility to continue in league and state tournament play at the lower age division provided those play up players fill out and submit a *Play-Up Request & Acknowledgement of Risk and Liability Form*. In such circumstances, this form will be required to demonstrate the intent of the player to play up and to acknowledge the risk of playing with older players. In an inadequate numbers/dual roster scenario, the player must attend tryouts, but the ranking requirement will be waived.

### **E. Final Decision**

The final decision to authorize a player to play up or to authorize a player to participate in an older age division's tryout will be made by the HAYHA Board. The decision of the HAYHA Board is final, and no appeals will be allowed.

**If the HAYHA Board determines that older team player development or team/player ratio at either the lower or higher age division will be adversely affected by granting the play up request, the request must be denied.**

### **F. Play Down Policy**

The goal of HAYHA is to keep players of the same age and maturity levels together. In most circumstances, this means that a player will remain within his or her USA Hockey specified age division. HAYHA recognizes, however, that in rare circumstances involving a player's medical condition, it may be appropriate to allow a player to play down. Typically, only players with a severe medical condition will be allowed to play down. See MAHA/USA Hockey policies for further information.

## **7.13 Delinquent Payment Policy**

A player who remains delinquent in dues or fees from any previous year will not be allowed to register or participate in any HAYHA activities until any such delinquency is paid in full.

### **Procedures Applicable to Player Ineligibility Determinations Based on Financial Disputes**

The Helena Area Youth Hockey Association (HAYHA) may, pursuant to the notice and hearing procedures set forth herein, determine that a registered player or member family is delinquent in dues or

fees owed to HAYHA and therefore the player is not eligible to participate in HAYHA-related events during the period of such delinquency. A determination to suspend for delinquency in dues or fees shall only apply to eligibility within HAYHA and HAYHA-related activities.

#### A. Notice and Procedures Required

The HAYHA Board must deliver a written notice to the player (if player has reached the age of 18), member family, or other person(s) responsible for payment that: (i) describes the nature of the delinquent fees (e.g., membership dues, tournament fees, equipment/uniform fees, etc.), (ii) states the amount due, (iii) advises that the member family or player must notify HAYHA in writing within thirty (30) days if it disputes the financial obligation, and (iv) advises that, if the full amount is not paid within thirty (30) days of the member family's or player's receipt of the notice, that HAYHA may seek to enforce the liability for the financial obligation and have the player deemed ineligible for participation in HAYHA-related activities, including practices, games, or tournament play. Notice is sufficient if delivered to the last known email address for the player or member family provided to HAYHA during player registration.

#### B. 30-Day Dispute Period

During the thirty (30) day dispute period, the player will continue to be allowed to participate in all HAYHA-related activities and the delinquent party may discuss the matter with the HAYHA Board or its representative and seek to amicably resolve any disputed amounts and establish provisions for payment. If at any time during the thirty (30) day dispute period HAYHA and the delinquent party enter into a written agreement to resolve the debt and make provisions for payment, then the delinquent party will continue to be eligible to participate in all HAYHA-related activities.

#### C. Financial Obligation Not Disputed

Upon expiration of the thirty (30) day dispute period described above, if (i) HAYHA and the delinquent party have not otherwise resolved the matter, (ii) the amount claimed in HAYHA's notice has not been paid, and (iii) HAYHA has not received written request for a hearing or notice from the delinquent party that it disputes the financial obligation, then HAYHA may immediately seek to enforce the liability for the financial obligation and immediately suspend the player as ineligible to participate in any HAYHA-related activities for failure to pay financial obligations.

Notice of any decision is sufficient if such decision is delivered to the last known email address of the player or member family provided to HAYHA during player registration.

#### D. Financial Obligation Disputed

If the amount of the financial obligation has not been paid or otherwise resolved, and HAYHA has received written notice and a request for hearing from the player or member family that it disputes the financial obligation, then HAYHA will hear the matter in closed session at a scheduled meeting of the HAYHA Board of Directors. Failure of the player or member family to appear at the hearing may be considered an admission that the financial obligation is owed and HAYHA may determine the player is ineligible to participate in any HAYHA-related activities.

The HAYHA Board will issue a final decision on all disputed financial obligations within five (5) days of the hearing. The decision of the HAYHA Board is final, be effective immediately, and HAYHA may determine that a player or member family is delinquent in dues or fees owed to HAYHA and that the player is suspended from participating in any HAYHA-related activities during such delinquency.

Notice of any decision is sufficient if such decision is delivered to the last known email address of the player or member family provided to HAYHA during player registration.

#### E. Financial Obligation Met

Once the delinquent party has paid all debts, the suspended player is eligible to participate in HAYHA-related activities.

### **7.14 Volunteer Policy**

Volunteers are an essential part of our Association that help keep our hockey registration costs low, and also sets an example for our players. As we continue to grow our youth hockey program, more and more volunteers are needed.

There is a volunteer requirement for our membership of four (4) volunteer hours for each registered player. All members will have an opportunity to volunteer for the specific age division of their registered player(s), or secondarily, other HAYHA sponsored activities and events.

#### **Volunteer Opportunities**

##### 12U through High School level

Locker Room Monitor(s) and Off-Ice Officials including scorekeeper, timekeeper, and penalty box

- High School and 14U games - 2 hours per game
- 12U games - 1.5 hours per game

##### House and Girls 14U

Locker Room Monitor(s) and Off-Ice Officials including scorekeeper, timekeeper, and penalty box

- House - 1 hour per game
- Girls 14U - 1.5 hours per game

##### 8U and 10U

Locker Room Monitor(s) and Off-Ice Officials including scorekeeper, timekeeper, and penalty box

- 1 hour per game

Set-up and tear down of cross ice dividers

- 30 minutes per game

Additional 8U volunteer opportunities will also be available during 8U Jamboree weekend. Details to follow.

##### Hosted Tournaments

Hosted tournaments at any age level will also require an additional four (4) hours of volunteer participation, and these hours are separate from TSL/regular season volunteer hours.

#### **Exemptions**

The following positions are exempt from completing the four (4) hour volunteer requirement for one player:

- 6U/8U Equipment Manager(s)
- Team Managers

- Certified Coaches
- Board Members
- Other Board-Appointed Positions such as Fundraising, Tournament, or Communications directors.

**Additional Information:**

- Volunteer hours are not transferable from one HAYHA family to another.
- Team Managers, or designated individuals, will track volunteer hours for his/her division. Managers will provide a report to the Board on a bi-monthly basis. Documentation will be reviewed and this policy enforced by the HAYHA Board.
- If you do not believe you will be able to fulfill the four (4) hour requirement, there is an opt-out option. The opt-out/penalty fee is \$300, or \$100 per 6U/8U session. There will be no pro-rated amounts. Membership will be billed the opt-out fee at the end of the calendar year. All opt-out fees must be paid prior to the next regular season games in January of the current season.

Thank you for all your efforts as volunteers for Helena Area Youth Hockey Association!

## **APPENDIX A:**

### **Bylaws of the Helena Area Youth Hockey Association**



# **BYLAWS**

## **HELENA AREA YOUTH HOCKEY ASSOCIATION**

### **ARTICLE 1: ORGANIZATION**

**Section 1. Name.** The name of the corporation governed by these Bylaws is the “Helena Area Youth Hockey Association,” or “HAYHA.”

**Section 2. Tax Exempt Status.** HAYHA is a Montana nonprofit public benefit corporation established under 35-2-126 and 35-2-213, MCA, and recognized as tax exempt under Section 501(c)(3) of the United States Internal Revenue Code (“Code”).

**Section 3. Purpose.**

The purpose of this nonprofit corporation is exclusively for charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; and more specifically,

- To serve as an affiliate member of the Montana Amateur Hockey Association or similar organization, as may be determined by the board; and
- To operate as a “qualified amateur sports organization” within the meaning of IRC §501(c)(3) for the purpose of supporting and developing amateur athletes for national and international competition in the sport of hockey.

*[Reference 35-2-117, MCA]*

**Section 4. Responsibilities.**

This nonprofit corporation is responsible for serving Helena area youth through the sport of hockey in order to educate and develop:

- Positive social behavior through good sportsmanship and team play among peers;
- Life fitness skills for maintaining good health; and
- Skills in playing the game of hockey as a means of furthering the above purposes.

Additional responsibilities include the communication of pertinent information to its members; and to provide opportunities to its members to conduct open, respectful discussion of that information and any resulting policies or procedures adopted by the corporation. In fulfilling these responsibilities, this nonprofit corporation will take such further steps authorized by its members in accordance with these Bylaws, which may include contracting for outside services.

**Section 5. Prohibited Purposes.**

Notwithstanding any other provision in these bylaws, this nonprofit corporation:

**5.1 No Personal Inurement**

May not allow any part of its net earnings to inure more than incidentally for the benefit of any director, officer, or nonvoting member, except that the corporation may pay reasonable compensation for service rendered and may make payments and distributions in furtherance of the purposes set forth in this section.

## **5.2 No Lobbying Activities**

May not allow any substantial part of its activities to carry on any propaganda, or otherwise attempt to influence legislation [except as permitted by IRC §501(h)].

## **5.3 No Political Activities**

May not participate or intervene in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office.

## **5.4 No Activities Prohibited by 501(c)(3) or 170(c)(2)**

May not engage in any activities which would fail to satisfy the requirements of IRC §501(c)(3) (including all corresponding provisions of any future federal tax code) for permitting its tax exempt status, and of the IRC §170(c)(2) (including all corresponding provisions of any future federal tax code) for allowing the deductibility of its donor's charitable contributions.

## **5.5 No activities Creating a private Foundation**

May not be operated in any manner to cause it to be treated as a private foundation under IRC §509 (a)(1), (a)(2), or (a)(3) or an organization.

**Section 6. Fiscal Year.** The fiscal and business year for the corporation shall be July 1 through June 30.

**Section 7. Books and Records.** The corporation shall keep correct and complete books and records of account and shall keep minutes of all meetings where actions are taken. All records must be kept in accordance with any records retention policy adopted by the Board.

**Section 8. Electronic Transmissions.** Unless otherwise provided in these Bylaws, and subject to any guidelines and procedures that the Board of Directors may adopt from time to time, the terms "written" and "in writing" as used in these Bylaws include any form of recorded message in the English language capable of comprehension by ordinary visual means, and may include electronic transmissions, such as facsimile or email, provided (i) for electronic transmissions from the corporation, the corporation has obtained an unrevoked written consent from the recipient to the use of such means of communication; (ii) for electronic transmissions to the corporation, the corporation has in effect reasonable measures to verify that the sender is the individual purporting to have sent such transmission; and (iii) the transmission creates a record that can be retained, retrieved, reviewed, and rendered into clearly legible tangible form.

# **ARTICLE 2: MEMBERSHIP**

**Section 1. Membership Types and Voting Rights.** There are two types of membership: voting and non-voting (associate).

- A. **Voting Member:** Must be a dues-paying adult with a youth registered and paid as a current participant in a hockey program sponsored by this corporation. More than one adult person may be a voting member, but such vote shall be limited to one vote per registered youth. If there is more than one registered youth in a family, the family shall be entitled to a vote for each youth. If there is more than one person at a meeting entitled to vote on behalf of the same youth, such persons are obligated to vote only once and if necessary, declare the name of the person voting on behalf of the registered youth.
- B. **Non-voting Associate:** May participate in the corporation through payment of an initial associate membership fee and annual dues as established annually by the Board of Directors. Associate

membership entitles a qualified payor or its representative to participate as a non-voting member of the corporation, as provided herein.

## **Section 2. Rights and Duties of Members.**

- A. All members are entitled to attend every meeting of the Board of Directors, with the exception of Executive Sessions conducted in accordance with these Bylaws. Members may attend personally, or may participate in a meeting of the members or Board by means of remote communication. Remote communication means communication made by conference telephone call, internet, electronic, remote technology, or similar communication by which persons participating in the meeting may hear or read each other's comments, questions, or votes simultaneously during the meeting.
- B. Members may request a copy, electronically if feasible, of information gathered, studies conducted, and analyses completed by the corporation or any subcommittee. Work products of the Board or any subcommittee that contain information regarding complaints or disciplinary actions may not be disclosed beyond the affected parties.
- C. In keeping with the purpose of this non-profit corporation, each member is encouraged to work within the corporation's policies and processes to obtain results they can support.
- D. The members shall elect the directors for each term by written or electronic ballot. On a date specified by the Board during the off season, the ballots shall be tallied and a majority vote shall designate the Board of Directors.
- E. All members shall act in a manner favoring inclusion of views in the management and execution of the work of the corporation.
- F. Except as otherwise provided in these Bylaws, each voting member shall be entitled to one vote per registered athlete on each matter upon which members have voting rights. Vote or voting includes the giving of consent in the form of a record without a meeting by written ballot and written consent. The Record Date for all meetings of members shall be ten (10) days prior to the date of such meeting or action without meeting as identified in the notice (Record Date). Only voting members in good standing as of the Record Date for any meeting or action without meeting shall have voting rights during such meeting.
- G. This non-profit corporation is a volunteer organization and dependent upon members assisting with the delivery of our program. The Board may adopt policies to encourage or require a minimum level of volunteer hours to support the corporation.

## **Section 3. Term of Membership**

Membership exists from September 1 through August 31 of each calendar year.

## **Section 4. Memberships Not Transferrable**

Members may not assign or transfer their membership rights to any other person.

# **ARTICLE 3: BOARD OF DIRECTORS**

**Section 1. Powers.** The Board of Directors (Board) shall be the governing body of this non-profit corporation, and all corporate powers shall be exercised by or under the authority of the Board. The business and affairs of the nonprofit corporation shall be managed under the direction of the Board, including the promulgation of rules and regulations for governing the corporation and election of its officers, subject to any limitations in Montana state statute and these bylaws. Each elected director shall have one vote on any matter that comes before the Board.

**Section 2. General Standards for Directors.** A director shall discharge the duties as a director, including the director's duties as a member of a committee:

- (a) in good faith;
- (b) with the care an ordinarily prudent person in a similar position would exercise under similar circumstances;
- (c) in a manner the director reasonably believes to be in the best interests of the corporation;
- (d) in accordance with adopted Code(s) of Conduct; and
- (e) in a manner that supports the spirit and intent of the Vision, Mission Statement and Core Values adopted by the organization.

**Section 3. Number and Qualifications.**

- A. The Board shall consist of up to eleven (11) elected directors.
  - (i) Four (4) directors will be elected by and represent the following age groups:
    - 6U/8U
    - 10U/12U
    - 14U/High School
    - House/Girls
  - (ii) Up to seven (7) but no less than five (5) directors will be elected by the full membership to fill at-large seats during the regular election.
  - (iii) The Board shall decide on the number of additional directors to appoint to the Board prior to the beginning of the season based on a review of qualified applicants and the needs of the corporation. Appointed directors will serve as non-voting, advisory members of the Board for a one-year term. Up to two (2) of the appointed board positions may have voting powers as determined by an affirmative vote of three-quarters (3/4) of the elected members of the Board.
  - (iv) All candidates for board positions shall complete an application expressing their interest and qualifications for serving on the board, and what role they are seeking.
- B. A board member may be a voting or associate member of the corporation, and need not have a youth enrolled in the program.

**Section 4. Election and Term of Office for Directors.**

- A. The members shall elect the directors for each term by written or electronic ballot. There shall be no term limits for members of the Board.
- B. Candidates for age-group representative will be elected by a majority vote of the ballots cast by members in the candidate's respective age-group. At-large seats will be filled by the candidates receiving the most votes until all available seats are filled.
- C. The term for age-group representatives shall be one year. The term for at-large positions shall be two years, with three seats elected in odd numbered years and two seats elected in even numbered years.
- D. Each director shall hold office for the designated term for the position held or until removed. If a director's term expires, the director shall continue to serve until replaced.

**Section 5. Removal.**

A director may be removed from the Board for any reason in accordance with 35-2-421, MCA, or as state statute may be amended. In general:

- A. A director elected by the membership may be removed from the Board by a majority vote of the membership for any reason.
- B. A director elected by a class, chapter, unit or grouping of members may be removed by a majority vote of that electorate for any reason.

- C. A director appointed by the Board may be removed by a majority vote of the Board for any reason.
- D. The board may remove a director for failing to attend twenty-five (25) percent of scheduled board meetings. The director may be removed only if a majority of the directors then in office vote for the removal.

#### **Section 6. Vacancy.**

If a vacancy occurs on the Board, including a vacancy resulting from an increase in the number of directors, the directors may fill the vacancy. If the directors remaining in office constitute fewer than a quorum of the board, they may fill the vacancy by the affirmative vote of a majority of all the directors remaining in office. When the directors elect a director to fill a vacancy, the director's term shall remain the unexpired term of the director being replaced, and may be removed only in accordance with the above section.

#### **Section 7. Duties and Responsibilities.**

- A. The Board shall direct the operations of the Corporation. Through the Board's oversight of the Executive Committee, and through approval or disapproval of recommendations brought by the Executive Committee, the Board shall direct the affairs of the corporation.
- B. Unless explicitly retained by the Board, the Executive Committee shall approve all formal communications of the corporation (including social media postings) before release, and such approval shall be based on an assessment of whether such communication comports with the purposes of the corporation and the adopted policies and positions of the corporation.
- C. The Board shall annually adopt a dues policy for voting and associate memberships.
- D. The Board, with input from voting members, shall establish and periodically review and update a Vision, Mission Statement, and Core Values to further the purposes and responsibilities of the corporation contained in these Bylaws.
- E. The Board shall have oversight of all corporation subcommittees, and undertake the development of proposed policies and positions in accordance with the corporation's purposes and responsibilities, as well as the Vision, Mission Statement and Core Values developed by membership and adopted by the Board.
- F. The Board shall take steps to actively implement the policies and positions of the corporation consistent with the purposes and responsibilities, and the Vision, Mission Statement, and Core Values adopted for the corporation.
- G. In accordance with its purposes and responsibilities, and the Vision, Mission Statement, and Core Values, the Board shall direct and serve the full membership in a manner favoring inclusion of disparate views in the implementation of corporation policies.
- H. The past president shall be invited to serve as ex-officio on the board without voting rights.

#### **Section 8. Disciplinary Authority.**

- A. The board of directors may administer and conduct disciplinary proceedings and may adopt related policies for the purposes of imposing discipline upon its members or player participants. Discipline may include, but is not limited to, expulsion, suspension, termination, or other forms of verbal or written censure.
- B. The administration of discipline must include fair and reasonable procedures.
- C. For purposes of any expulsion, suspension, or termination, any procedures must meet the minimum requirements of 35-2-520, MCA.
- D. Immediate summary suspension may also be imposed prior to hearing if circumstances so warrant.
- E. Any disciplinary proceedings must also be consistent with any applicable requirements of Montana Amateur Hockey Association (MAHA) or USA Hockey, Inc. (USAH).

**Section 9. Conflicts of Interest.** The Board of Directors shall adopt a Conflict of Interest Policy in accordance with 35-2-418, MCA, and each individual Director shall acknowledge and accept the terms of a Conflict of Interest Policy to address both real and apparent conflicts of interest or dualities of interest that may adversely affect the tax-exempt status of the Corporation or cause there to arise any sanction or penalty by a government authority.

Each member of the Board must sign an annual statement affirming that the Director has received a copy of the corporation's conflict of interest policy, has read and understands the policy, has agreed to comply with the policy, and understands that the corporation is recognized as tax-exempt under Section 501(c)(3) of the Code, and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**Section 10. Officer's Salaries, Loans, Loan Guarantees**

No officer or director may receive remuneration as an officer. Other than for actual expenses, an officer or director may receive reasonable compensation for services on behalf of the corporation other than for services as an officer. Under no circumstance may this corporation lend money to an officer or director, or guarantee the obligation of an officer or director. No officer may vote to approve the remuneration to be received for any compensable services and in all events, such remuneration must be reasonable.

**Section 11. Subcommittees.**

- A. The Board may designate any subcommittees to carry out the purposes of the corporation.
- B. With the exception of some actions delegated to the Disciplinary Committee established under Section 7 of these Bylaws, the corporation's subcommittees are advisory, and may make recommendations to the Board on any subject matter related to the purposes and responsibilities of the corporation. Subcommittees shall report to the Board at regular and special meetings.
- C. The membership of subcommittees is voluntary and may be limited or expanded on the recommendation of the subcommittee by approval of a majority of the Board. Subcommittee members may include community members outside the corporation's membership. All subcommittee appointments shall be made by the Executive Committee.

## **ARTICLE 4: OFFICERS AND EXECUTIVE COMMITTEE**

**Section 1. Officers.**

- A. The officers of the Board shall be a President, Vice President, a Secretary and a Safety/Disciplinary Director.
- B. At the first meeting of the newly-installed board following the certification of the vote by the sitting executive committee, the newly-elected directors shall elect officers and assign duties as provided in these bylaws and as the Board determines necessary.

**Section 2. Appointment and Term of Office**

- A. The board of directors shall elect each of the above officers in the manner prescribed in these bylaws.
- B. Unless the board of directors determine otherwise, the officers of the nonprofit corporation shall hold office for one year or until they resign, die or are removed, whichever is earlier. A designation of a specified term does not grant the officer any contract rights, and the board can remove any officer at any time prior to the termination of the designated term.
- C. There shall be no term limits for officers.

### **Section 3. Removal of Officers**

- A. For good cause, the board of directors may remove any officer at any time by a two-thirds (2/3) vote of the Board. Removal shall be without prejudice to any contract rights, if any, of the person removed. The board's appointment of an officer or agent may not itself create contract rights.
- B. If an officer is removed, the Board shall appoint an existing Director to fill the position until the next election.

### **Section 4. Vacancy.**

On an interim basis, the board may fill vacant positions. The same person may simultaneously serve on an interim basis for more than one office, but not for all offices. When the directors elect an officer to fill a vacancy, the officer's term shall remain the unexpired term of the officer being replaced.

### **Section 5. Duties and Responsibilities of the Officers.**

#### **A. President:**

The president shall be a director and in good faith shall lead the Board in performing its duties and responsibilities, including:

- i) Act as the principal executive officer of the nonprofit corporation, providing the general supervision and control of all business of the corporation, but subject to the control and limitation of the board of directors;
- ii) Serve as chairman of the board and preside at all meetings of the full membership, the Board, the Executive Committee and other subcommittees (when present);
- iii) Have authority to sign, with the secretary or any other proper officer of the nonprofit corporation that the board has authorized, corporation deeds, mortgages, bonds, contracts, or other board authorized instruments;
- iv) Have authority to appoint advisory committees for recommendations as to planned activities of the corporation, so long as each advisory committee has no authority to act;
- v) Represent the corporation in public and speak on behalf of the corporation; and
- vi) Perform other duties incident to the office or assigned by the Board.

#### **B. Vice-President:**

The vice-president shall be a director and in good faith shall consult with, counsel, and assist the President at his or her request to:

- i) Perform the president's duties if the president is absent, dies, is unable or refuses to act;
- ii) Act with all presidential powers and be subject to all the restrictions upon the president, when acting in the absence of the president; and,
- iii) Perform any other duties that the president or board may assign to the vice-president.
- iv) Serve as the corporation's Representative on the Montana Amateur Hockey Association (MAHA) Board.

#### **C. Secretary:**

The secretary shall be a director and shall be responsible for keeping and reporting adequate records, and in good faith shall:

- i) Create and maintain one or more books for the minutes of the proceedings of the members' and directors' meetings;
- ii) Provide that all notices are served in accordance with these bylaws or as required by law;
- iii) Maintain an annual schedule of critical dates and deadlines requiring Board action;
- iv) Be custodian of the corporate records;
- v) When requested or required, authenticate any records of the nonprofit corporation;

- vi) Keep a current register of the contact information for each member;
- vii) Assume the duties of president, when the president and vice-president are unable to act; and,
- viii) Perform all duties incident to the office of secretary and any other duties that the president or the board may assign to the secretary.

***D. Safety/Disciplinary Director:***

The safety/disciplinary director is responsible for ensuring HAYHA compliance with all USA Hockey Safe Sport requirements and processing infractions of the HAYHA Disciplinary Policy.

With regard to safety compliance:

- i) Work with the Board to maintain current Safe Sport policy, including a Locker Room Policy, Travel Policy, and Electronic Communication Policy.
- ii) Ensure that all board members, coaches, volunteers, players, and parents have received necessary individual training and certifications.
- iii) Provide training completion certificates to the MAHA Safe Sport Director to verify that HAYHA is compliant with the current year certification requirements.
- iv) Provide monthly updates to the board on the status of the association Safe Sport program and any updates that MAHA or USA Hockey may distribute.
- v) Provide monthly updates to MAHA Safe Sport Director, as needed.
- vi) Look for opportunities throughout the season to discuss and keep Safe Sport on the forefront of the hockey season.
- vii) Promptly notify the MAHA Safe Sport Directors of all reports for an investigation, hearing or other proceeding within HAYHA that involves a violation of the USA Hockey Safe Sport policies or the Safe Sport Handbook.

With regard to the HAYHA Disciplinary Policy:

- i) Review complaints filed under the Discipline Policy, and gather information necessary for informed Disciplinary Committee discussion.
- ii) Issue disciplinary recommendations to the Board commensurate with the severity of the infraction(s).
- iii) Maintain records of complaints, incident reports, disciplinary hearings, committee findings, and progressive disciplinary actions.
- iv) Ensure HAYHA compliance with USA Hockey Bylaw 10 regarding disciplinary procedures.
- v) Report Disciplinary Committee actions and recommendations the Board.

**Section 6. Additional Positions**

The board may appoint additional positions and determine the qualifications and requirements of such positions. Positions may include: Treasurer, Registrar, Referee-in-Chief, Coach-in-Chief, Equipment Manager, Marketing/Communications Director, Fundraising Director, Tournament Director, Division Managers, or others as deemed appropriate.

**Section 7. Executive Committee.**

- A. The Officers of the Board shall constitute the Executive Committee.
- B. The Executive Committee shall have the direct responsibility for the daily supervision, management, and control of the business and property of the corporation subject to these Bylaws and oversight by the Board.
- C. In addition to regular Board Meetings, the Executive Committee shall meet as needed to discuss business operations of the corporation.
- D. At the Board's request, the Executive Committee shall bring recommendations to the Board for



specific action or decisions needed related to the supervision, management, and control of the corporation.

- E. The Executive Committee shall supervise, evaluate, and direct the work of any other contractor, staff or appointed position retained or hired by the corporation, or work performed by members.
- F. The Executive Committee may act only under the authority of these Bylaws and the policies adopted by the Board. Any changes in policy derived by the Executive Committee must be approved by the Board.
- G. Non-elected, Board-appointed positions may not serve on the Executive Committee.

## **ARTICLE 5: MEMBER MEETINGS**

### **Section 1. General.**

- A. All meetings of the corporation's members, the Board, or any subcommittee shall be conducted in an open, fair, and inclusive manner so as to accomplish the corporation's purposes.
- B. Written notice of any meeting of the corporation, the Board, or any subcommittee may be provided electronically.
- C. The Board may conduct a meeting through the use of remote communication by which persons participating in the meeting may hear or read each other's comments, questions, or votes simultaneously during the meeting. Personal attendance at all meetings by members of the corporation is encouraged, but participation by remote communication shall constitute presence in person at a meeting. The President may establish reasonable rules as to conducting or attending a meeting by remote communication.
- D. At any meeting of the Members, a Member entitled to vote may do so by proxy in accordance with these Bylaws and as allowed by Montana law. The corporation may recognize a Member's board officers as representing the Member at any in-person Membership meeting for the purposes of voting and establishing a quorum in accordance with these Bylaws.

### **Section 2. Annual Meeting.**

- A. The annual meeting of the corporation shall occur at a time, date, and location decided by the Board.
- B. The Secretary shall provide no less than thirty (30) calendar days' notice with the draft agenda of the annual meeting to the full membership of the corporation.
- C. The purpose of the annual meeting is to review the purposes and responsibilities of the corporation, elect officers, review the annual financial report, draft the next fiscal year budget, and conduct any other business identified in the meeting notice.
- D. A quorum for the transaction of business at the annual meeting shall consist of five (5) percent of the members of the nonprofit corporation present at the annual meeting in person or represented by proxy, and representation from at least a majority of the Board of Directors. However, unless 1/3 or more of the voting power is present, the only matters that may be voted on at the meeting are those described in the meeting notice.
- E. Unless otherwise provided for in these Bylaws, decisions at the annual meeting require a majority vote of the voting membership in attendance.

### **Section 3. Regular Members' Meetings**

There shall be no other regular meetings of members other than the annual meeting.

### **Section 4. Special Members' Meetings**

- A. Special meetings of members, for any purpose or purposes whatsoever, may be called at any time by

the president or by a majority of a quorum of the board of directors, or by the written request of five (5) percent or more of the voting power of the members.

- B. Written notice of a special members' meeting shall be given in the manner required by 35-2-527 and 35-2-530, MCA.
- C. For a special meeting of the full membership, five (5) percent of the full membership of the corporation constitutes a quorum for the conduct of business. Unless otherwise provided for in these Bylaws, decisions at a special meeting of the full membership requires a majority vote of the voting membership in attendance.

### **Section 5. Proxy for Members' Meetings**

Each member entitled to vote or execute consents shall have the right to do so either in person or by an agent or agents authorized by a written proxy executed by such person or the member's duly authorized agent and filed with the secretary of the nonprofit corporation; provided that no such proxy shall be valid after the expiration of eleven (11) months from the date of its execution. Any such form of proxy or written ballot shall afford the opportunity to be acted upon, except that a candidate for election to the board of directors need not be named in a proxy or written ballot. The proxy or written ballot shall provide that, where the member specifies a choice, the vote shall be cast in accordance with that choice. The proxy shall also identify the person or personas authorized to exercise the proxy and the length of time it will be valid.

### **Section 6. Presumption of Notice**

A recitation in the minutes of any membership meeting that notice of such meeting had been properly given shall be prima facie evidence that such notice was given.

### **Section 7. Parliamentary Procedure**

Members' meetings shall be conducted in accordance with a recognized system of parliamentary procedure or such parliamentary procedures as the nonprofit corporation may adopt.

## **ARTICLE 6: BOARD MEETINGS**

### **Section 1. Board Meetings.**

- A. The Board shall regularly meet monthly. The time and date of regular meetings of the Board shall be set by the President, and are subject to change with ten (10) days' notice, or a date agreed upon by a majority of the Board. Regular meetings shall be held in Helena, unless a different location is chosen by majority vote of the Board.
- B. Posting of the regular meeting schedule and any changes to that schedule on the organizational website shall constitute notice to membership.
- C. Regular Board meetings may be held by electronic teleconference or other electronically-aided means (teleconference), if convened in accordance with these bylaws.
- D. The Board may conduct any vote of the Board or the full voting membership by written ballot without a meeting in accordance with Montana law. A written ballot must set forth each proposed action, and provide an opportunity to vote for or against each proposed action. The corporation may deliver a written ballot by electronic communication as long as a member gives consent. Consent by a member to receive notice by electronic communication in a certain manner constitutes consent to receive a ballot by electronic communication in the same manner.
- E. Upon a two-thirds (2/3) vote, a meeting of the Board or the Executive Committee may be closed for executive session with or without staff and other members during any meeting to discuss topics of a sensitive or private nature, including threatened or pending litigation, grievances from members, or

disciplinary issues or proceedings. Upon closing an executive session, the President shall provide a summary of any action taken.

## **Section 2. Telephonic Board Meetings**

If authorized by the board of directors, the board of directors or any designated committee of the nonprofit corporation may participate in a board or committee meeting by means of a teleconference, provided all persons entitled to participate in the meeting have received proper notice of the meeting and are able to hear each other at the same time. A director participating in a teleconference meeting is deemed present in person at the meeting. The chairperson of the meeting may establish reasonable rules as to conducting the teleconference meeting. The secretary must provide instructions for participating in all teleconference meetings (whether regular or special).

## **Section 3. Quorum for Board Meetings**

A majority of the number of the voting directors shall constitute a quorum for the transaction of business at any board of director meeting.

## **Section 4. Presence and Majority Rule at Board Meetings**

The act of a majority of the directors present at a meeting at which a quorum is present (when the vote is taken) shall be the act of the board of directors. If no quorum is present at a meeting of directors, the directors may not take action on any board matter other than to adjourn the meeting to a later date.

## **Section 5. Conduct of Board Meetings**

The president, or in the president's absence, the vice-president, or in their absence, the secretary shall call the meeting of the directors to order and shall act as the chairperson of the meeting. The chairperson, or the chairperson's designee, shall establish rules of the meeting that will freely facilitate debate and decision-making. The chairperson will indicate who may speak when and when a vote will be taken. The secretary of the nonprofit corporation shall act as the secretary of all meetings of the directors, but in the secretary's absence, the presiding officer may appoint any other person to act as the secretary of the meeting.

## **Section 6. Unanimous Action Without a Meeting**

The directors may act on any matter generally required or permitted at a board meeting, without actually meeting, if: all the directors approve the action, each one signs a written consent describing the action taken, and the directors file all the consents with the records of the nonprofit corporation. Action taken by consents is effective when the last director signs the consent, unless the consent specifies a different effective date. A signed consent has the effect of a meeting vote and may be referred to as a meeting vote in any document. *[Reference 35-2-428, MCA]*

## **Section 7. Special Meetings.**

- A. Special meetings of the Board may be called by the President or a majority of the Executive Committee.
- B. Special meetings may be held via remote communication / teleconference, if convened in accordance with these bylaws.
- C. For a special meeting of the Board, a majority of the Board constitutes a quorum for the conduct of business. Unless otherwise provided for in these Bylaws, decisions at a special Board meeting require a majority vote of the Board.

## **Section 8. Notice for Special Board Meetings**

The nonprofit corporation's secretary shall give either verbal or written notice of any special director

meeting at least two (2) days before the meeting. The notice shall include the meeting place, day and hour. If teleconference, the secretary shall satisfy the special requirements for holding such meetings. If mailed, notice of any director meeting shall be deemed to be effective at the earlier of the following:

- Five days after deposited in regular US mail, addressed to the director's business office, with postage prepaid;
- The date shown on the return receipt (if sent by registered or certified mail, return receipt requested, and the receipt is signed by or on behalf of the director); or,
- The date when received via email.

### **Section 9. Waiver of Notice for Special Board Meetings**

Any director may waive notice of any meeting in writing (if signed and filed with the minutes or corporate records) or by attendance (unless the director, at the beginning of the meeting or promptly upon arrival objects to holding the meeting or transacting business at the meeting and does not vote for or assent to action taken at the meeting).

### **Section 10. Subcommittee Meetings.**

- A. The board of directors may create one or more committees.
- B. Subcommittee meetings shall be held at times and places decided by the majority of each subcommittee with at least three (3) days' notice to the subcommittee members.
- C. Subcommittee meetings may be held electronically.
- D. The President or his or her designee shall keep minutes of each subcommittee meeting and provide such minutes to the Board.
- E. Each subcommittee shall report to the Board as needed.
- F. A majority of the subcommittee constitutes a quorum for the conduct of business at any subcommittee meeting. Subcommittees may make recommendations to the Board by majority vote of the subcommittee.

## **ARTICLE 7: DISSOLUTION, INDEMNIFICATION AND MERGER**

The corporation may be dissolved in accordance with Title 35, Chapter 2, Part 7, of the Montana Code Annotated. Upon the dissolution of the organization any payment of liabilities, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. Any assets not disposed of shall be disposed of by the District Court of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

The secretary of the nonprofit corporation may notify the attorney general of the State of Montana when dissolution, indemnification, merger, and the sale of assets (as defined in the Montana Nonprofit Corporation Act) occur. The secretary shall deliver notice in the manner required by each event and cooperate with the Attorney General in providing necessary information.

### **Section 1. Dissolution**

In the event of dissolution, the secretary shall give the Attorney General written notice that the nonprofit corporation intends to dissolve at or before the time the secretary delivers articles of dissolution to the secretary of state. The notice must include a copy or summary of the plan of dissolution. The nonprofit corporation may not transfer or convey assets as part of the dissolution process until 20 days after the secretary has given the written notice to the Attorney General or until the Attorney General has

consented in writing to the dissolution or indicated that the Attorney General will not take action in respect to transfer or conveyance, whichever is earlier. When the nonprofit corporation has transferred or conveyed all or substantially all of its assets following approval of dissolution the board shall deliver to the Attorney General a list showing those, other than creditors, to whom the nonprofit corporation transferred or conveyed assets. The list must indicate the address of each person, other than creditors, who received assets and an indication of what assets each received.

### **Section 2. Indemnification**

The secretary of the nonprofit corporation must give the Attorney General written notice of its proposed indemnification of a director. The nonprofit corporation may not indemnify a director until 20 days after the effective date of the written notice.

### **Section 3. Merger**

The secretary of the nonprofit corporation must give the Attorney General written notice of a proposed merger of the nonprofit corporation, and include with the notice a copy of the proposed plan of merger, at least 20 days before consummation of any merger.

## **ARTICLE 8: INDEMNIFICATION AND INSURANCE**

To the full extent permitted by Title 35, Chapter 2 of the Montana Code Annotated, the Corporation shall indemnify all persons whom a corporation may indemnify.

### **Section 1. Directors Acting in Good Faith and Payment is Authorized**

If a person is sued in his capacity as a director, he shall be indemnified against liability, but only if a determination has been made in accordance with procedures set forth in the Montana Nonprofit Corporation Act that the director acted in good faith and reasonably believed:

“while acting in an official capacity with the nonprofit corporation, that his conduct was in the nonprofit corporation’s best interests; in all other cases, that his conduct was at least not opposed to the nonprofit corporation’s best interests; and in the case of any criminal proceeding, that he had no reasonable cause to believe that the conduct was unlawful, and, payment has been authorized in accordance with procedures listed in the Montana Nonprofit Corporation Act based on a conclusion that the expenses are reasonable, the nonprofit corporation has the financial ability to make the payment, and the financial resources of the nonprofit corporation should be devoted to this use rather than some other use by the nonprofit corporation.”

### **Section 2. Effect of Other Court Proceedings**

The termination of a proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, is not, of itself, a determination that the director did not meet the required standard of conduct.

### **Section 3. Indemnification Prohibited in Certain Circumstances**

The nonprofit corporation may not indemnify a director, if:

“the director was adjudged liable to the nonprofit corporation in a proceeding by or in the right of the nonprofit corporation; of the director was adjudged liable in any other proceeding charging that the director improperly received personal benefit, whether or not the individual acted in an official capacity.”

#### **Section 4. Indemnification Limited**

Indemnification in connection with a proceeding by the nonprofit corporation or in the right of the nonprofit corporation is limited to the reasonable expenses incurred in connection with the proceeding.

#### **Section 5. Advance Expenses for Directors**

The board of directors may cause the nonprofit corporation to pay for or reimburse, in advance of final disposition of the proceeding, the reasonable expenses incurred by a director who is a party to a proceeding, the reasonable expenses incurred by a director who is a party to a proceeding if, by following the procedures of the Montana Nonprofit Corporation Act, the board of directors determined that the director met the following requirements and the board of directors authorized an advance payment to a director.

##### ***A. Good Faith***

The director has furnished the nonprofit corporation with a written affirmation of his own good faith believe; and

##### ***B. Guarantee***

The director has provided the nonprofit corporation with a written undertaking, executed personally or on his behalf, to repay the advance if its is ultimately determined that he did not act reasonably and in good faith; the director's undertaking must be an unlimited general obligation, but need not be secured, and the nonprofit corporation may accept the undertaking without reference to financial ability to make repayment.

##### ***C. Indemnification of Officers, Agents and Employees***

The board of directors may choose to indemnify and advance expenses to any officer, employee, or agent of the nonprofit corporation applying the same standards applicable to corporate directors.

##### ***D. Mandatory Indemnification***

Notwithstanding any other provisions of these bylaws, the nonprofit corporation shall indemnify a director or officer, who was wholly successful, on the merits or otherwise, in the defense of any proceeding to which the director or officer was a party because he or she is or was a director or officer of the nonprofit corporation, against expenses incurred by the director or officer in connection with the proceeding.

**Section 6. Insurance.** The Corporation shall purchase and maintain Directors & Officers (D&O) liability insurance on behalf of any person who is or was a Director, Officer, employee, or agent of the Corporation, or is or was serving at the request of the Corporation as a Director, Officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against the person and incurred by the person in any such capacity, or arising out of the person's status as such, whether or not the Corporation would have the power to indemnify the person against such liability under the provisions of these Bylaws.

## **ARTICLE 9:**

### **LIMITATIONS AND RESTRICTIONS ON CERTAIN TRANSACTIONS**

This part describes special limitations and restriction regarding certain transactions.

#### **Section 1. Authority to Sign Checks & Legal Documents**

Unless otherwise authorized by the board of directors, the President shall sign all contracts, stock certificates, bonds, drafts, notes and other legal instruments on behalf of the corporation, and the Treasurer shall sign all checks of any amount.

#### **Section 2. Loans**

Unless otherwise authorized in writing by the board of directors, the nonprofit corporation may not allow anyone to contract on behalf of the corporation on credit or issue evidence of the nonprofit corporation's indebtedness. The authorization may be general or specific.

#### **Section 3. Deposits**

The treasurer of the nonprofit corporation shall deposit all funds of the nonprofit corporation, that are not being used, in banks and other depositories; the board of directors shall authorize by board resolution the exact location of the banks and depositories.

#### **Section 4. Voting of Securities**

Subject to the specific directions of the board of directors, any shares or other securities issued by another corporation and owned or controlled by this nonprofit corporation may be voted at any meeting of security holders of the other corporation by the president of this nonprofit corporation who may be present. Whenever, in the judgment of the president, or in the president's absence, the vice-president, it is desirable for this nonprofit corporation to execute a proxy or written consent in respect to any shares or other securities issued by any other corporation and owned by this nonprofit corporation, the president or vice-president of this nonprofit corporation, acting in the name of this nonprofit corporation, shall execute the proxy or written consent. The president to vice-president, will not need the authorization of the board to take this action. Nor will the president or vice president need to affix a corporate seal, countersignature or attestation by another officer. Any person or personas designated in this subsection as the proxy or proxies of this nonprofit corporation shall be the full right, power, and authority to vote the shares or other securities issued by the other corporation and owned by this nonprofit corporation the same as the shares or other securities might be voted by this nonprofit corporation.

## **ARTICLE 10: PROHIBITED TRANSACTIONS**

#### **Section 1. No Sharing in Corporation Earnings**

No member, director, officer, employee, committee members, or person connected with the nonprofit corporation shall receive at any time many of the net earnings or pecuniary profit from the operations of the nonprofit corporation; provided that this may not prevent the nonprofit corporation's payment to any person of reasonable compensation for services rendered to or for the nonprofit corporation in effecting any of its purposes as determined by the board of directors.

#### **Section 2. No Self-Serving Distributions**

The nonprofit corporation may not have or issue shares of stock. No dividends shall be paid. No part of the income or assets of the nonprofit corporation shall be distributed to any member of the nonprofit

corporation without full consideration. The nonprofit corporation is prohibited from lending money or guaranteeing any obligation of a member, director or officer of the nonprofit corporation. No member of the nonprofit corporation has any vested right, interest or privilege in or to the assets, property, functions or activities of the nonprofit corporation. The nonprofit corporation may contract in due course, for reasonable consideration, with its members, directors, trustees, and officers without violating this provision.

### **Section 3. No Self-Serving Distributions on Dissolution**

No member, director, or officer of the nonprofit corporation shall be entitled to share in the distribution of any of the nonprofit corporation's assets upon the dissolution, except in the capacity as a creditor. All members and directors are deemed to have expressly agreed that, upon the dissolution or the winding up of the affairs of the nonprofit corporation, whether voluntary or involuntary, the assets of the nonprofit corporation, after all debts have been satisfied, then remaining in the hands of the directors, shall be distributed, transferred, conveyed, delivered, and paid over exclusively to the organization or organizations as the directors may designate, that are qualified as tax exempt under the Internal Revenue Code of 1986 §501(c)(4), and as it may later be amended.

### **Section 4. No Self-Serving Transactions With Related Parties**

Neither the nonprofit corporation, nor its directors, nor its officers have any power to cause the nonprofit corporation to do any of the following with any related parties:

Make any substantial purchase of securities or other property, for more than adequate consideration in money or money's worth;

Sell any substantial part of its securities or other property, for less than an adequate consideration in money or money's worth.

Related parties means any person who has made substantial contribution to the nonprofit corporation, or with a brother, sister, spouse, ancestor, or lineal descendant of the person giving, or with a corporation directly or indirectly controlled by the person giving.

### **Section 5. Transactions Jeopardizing Tax Exempt Status**

Notwithstanding any other provisions of these bylaws, no member, director, officer, employee or representative of this nonprofit corporation shall take any action or carry on any activity by or on behalf of the nonprofit corporation, which would jeopardize or threaten its tax exempt status.

### **Section 6. Purchase of Memberships**

The nonprofit corporation may not purchase any of its memberships or any right arising from membership.

### **Section 7. Corporate Funds Used for Indemnification**

Corporate funds may be used to benefit officers and directors by way of indemnification, but only if such indemnification is authorized in these bylaws.



## ARTICLE 11: EMERGENCY BYLAWS

Emergency Bylaws shall be effective during an emergency, which is when a quorum of the nonprofit corporation's directors cannot be readily assembled because of some catastrophic event.

### **Section 1. How Initiated**

During an emergency, a member of the Executive Committee may call a meeting of the board. Notice of the emergency meeting need be given only to those directors and officers whom it is practicable to reach, and may be given in any practical manner, including by publication and radio. The notice shall be given at least six (6) hours prior to commencement of the meeting.

### **Section 2. Temporary Directors and Quorum**

During an emergency, one or more officers of the nonprofit corporation present at the emergency board meeting shall be considered to be temporary director(s) for the meeting. The number of officers needed shall equal the number of directors necessary to constitute a quorum. The officers shall serve in the order of rank, and within the same rank, in order of seniority. In the event that less than a quorum of the directors is present (including any officers who are to serve as directors for the meeting), those directors present (including the officers serving as directors) shall constitute a quorum.

### **Section 3. Actions Permitted to be Taken**

Subject to the above-described notice and quorum requirements, the board may:

#### ***A. Officer's Powers***

Prescribe emergency powers to any officer of the nonprofit corporation;

#### ***B. Delegation of any Power***

Delegate to any officer or director any of the powers of directors;

#### ***C. Lines of Succession***

Designate lines of succession of officers and agents, in the event that any of them are unable to discharge their duties;

#### ***D. Relocate Principal Place of Business***

Relocate principal place of business or designate successive or simultaneous principal places of business;

#### ***E. All Other Action***

Take any other action, convenient, helpful, or necessary to carry on the business of the nonprofit corporation.

## ARTICLE 12: AMENDMENTS TO BYLAWS

### **Section 1. Modifications and Amendments.**

In accordance with state statute, these bylaws may change or otherwise define:

The number of directors and officers (so long as not less than three)

The terms of the directors and officers

The types of directors and officers

## The qualifications of directors and officers

### **Section 2. Statutory Procedure.**

These Bylaws shall be reviewed at least annually by the Board members. These Bylaws may be amended by the Board or the voting membership in attendance at the annual meeting or a special meeting or electronic vote designated for that purpose with full notice of any revisions or amendments provided, as follows:

#### ***35-2-217. Bylaws.***

- (1) The board of directors of a corporation shall adopt bylaws for the corporation.
- (2) The bylaws may contain any provision for regulating and managing the affairs of the corporation consistent with law.

#### ***35-2-230. Amendment by directors and members.***

- (1) Unless this chapter, the bylaws, the members acting pursuant to subsection (2), or the board of directors acting pursuant to subsection (3) require a greater vote or voting by class to be adopted, an amendment to a corporation's bylaws must be approved:
  - (a) by the board if the corporation is a public benefit corporation or religious corporation and the amendment does not relate to the number of directors, the composition of the board, the term of office of directors, or the method or way in which directors are elected or selected;
  - (b) by the members by two-thirds of the votes cast or a majority of the voting power, whichever is less; or
  - (c) in writing by any person or persons whose approval is required by a provision of the articles, as authorized by 35-2-232, MCA.
- (2) The members may condition the amendment's adoption on its receipt of a higher percentage of affirmative votes or on any other basis.
- (3) If the board initiates an amendment to the bylaws or if board approval is required by subsection (1)(a) to adopt an amendment to the bylaws, the board may condition the amendment's adoption on receipt of a higher percentage of affirmative votes or on any other basis.
- (4) If the board or the members seek to have the amendment approved by the members at a membership meeting, the corporation shall give notice to its members of the proposed membership meeting in writing in accordance with 35-2-530, MCA. The notice must also state that the purpose, or one of the purposes, of the meeting is to consider the proposed amendment and must contain or be accompanied by a copy or summary of the amendment.
- (5) If the board or the members seek to have the amendment approved by the members by written consent or written ballot, the material soliciting the approval must contain or be accompanied by a copy or summary of the amendment.

### **Section 3. Procedure for Amendments at Meetings**

If any amendment to the bylaws is to be approved at any board and members' meeting, the board and members' shall be given proper written notice of the meeting and its purpose, including a copy or summary of the amendment.

### **Section 4. Procedure for Amendments by Consent**

Alternatively, if any amendment to the bylaws is to be approved by written consent or by written ballot, the written solicitation for approval must be included with the amendment.

### CERTIFICATE OF ADOPTION OF BYLAWS

The undersigned hereby certifies that the above Bylaws of the Helena Area Youth Hockey Association (HAYHA) were duly adopted by vote of the members and certified by the Board of Directors on May 26, 2023 and now constitute the full, true and correct amended Bylaws of this nonprofit corporation.

DATED: 5/27/2023.

Miranda Briggs  
Secretary

Initially adopted, January 28, 2009  
Amended November 2018  
Amended July 2019  
Amended May 2023

## **APPENDIX B:**

### **Disciplinary Policy**

## **Disciplinary Policy**

### **for the Helena Area Youth Hockey Association (HAYHA)**

This Disciplinary Policy establishes a HAYHA Disciplinary Committee as well as guidelines and processes to enforce USA Hockey, MAHA and HAYHA rules, policies and codes of conduct. The policy is written with the intent to provide information and instruction for families, players and volunteers to assist with maintaining a fun and positive atmosphere for all HAYHA members.

The Policy provides a process for the fair and impartial review of any reported misconduct by any member, coach, volunteer or player participant occurring during any activities sponsored or participated in by HAYHA and Montana Amateur Hockey Association (MAHA) members including, but not limited to infractions at practices or games, in locker rooms, at board meetings or special events.

Through this Policy, HAYHA strives to treat all similar offenses in a similar manner, while considering the individual facts and circumstances of each alleged violation.

This policy is written to implement the following:

- USA Hockey's Playing Rules (2021-2025)
  - USA Hockey's Safe Sport Program
- USA Hockey's Zero Tolerance Policy
  - HAYHA Bylaws
  - HAYHA Code(s) of Conduct

### **HAYHA Mission Statement**

HAYHA is committed to providing young athletes with the opportunity to develop skills, knowledge, and love for the game of hockey in a fun and safe environment.

HAYHA is committed to affirming the importance of hockey as a team sport, and instilling a life-long appreciation for the game and the values of commitment, self-discipline, teamwork, respect and sportsmanship it embodies.

## **1.0 Disciplinary Committee Structure and Duties**

### **1.1 Committee Appointment**

A standing committee will be appointed by the HAYHA Board each season and will consist of the following:

Voting Members: Consists of elected board members including the Disciplinary Director (Committee Chairperson), Vice President, and two At-Large Directors.

- If any of these members are not able to attend a scheduled meeting, another member of the HAYHA board (as appointed by the Committee Chairperson) may serve as an alternate.
- In the event of a conflict of interest, the board will appoint substitute voting members from the board on a case-by-case basis.
- As a prerequisite for participation on the Committee, all voting members must be objective and impartial.

Non-Voting Members: Consists of two representatives from the respective division where an alleged infraction occurred.

- This may include the Division or Team Head Coach, Team Manager or Division Representative.
- Non-voting members can provide first-hand accounts of alleged incidents, and/or provide additional perspective for consideration by the voting members.
- Non-voting members do not have to be members of the HAYHA Board.
- The Coach-in-Chief may serve as a non-voting member of the Committee when a coach is involved in a complaint, or when the Coach-in-Chief has specific knowledge of an alleged incident.

### **1.2 Committee Authority**

HAYHA's primary goal is to make every reasonable effort to ensure a safe environment for all members, coaches, players, volunteers and spectators.

The Committee will serve at the discretion of the HAYHA Board and will take disciplinary action or issue proposed recommendations to the Board based upon the Action Plans contained in this Policy.

The Committee has the expressed responsibility and authority to:

- Review allegations of policy violations.
- Record allegations of misconduct.
- Investigate complaints/incident reports and follow [USA Hockey Bylaw 10](#) regarding disciplinary procedures.
- Conduct fair hearing processes, without discrimination, and provide all necessary notice and the opportunity to be heard.

- Report the Committee's actions and recommendations to the Board.
- Issue disciplinary decisions or recommendations commensurate with the severity of the infraction/s.
- Send follow up documentation to members involved.
- Record and keep documentation of incident reports, all written documentation generated by the committee, committee findings, and any notes and information provided by other parties, and all final actions taken.

### **1.3 Committee Action**

The Committee may hold meetings, as necessary, to investigate and discuss reported incidents. At least three voting members must be present for each meeting and for a vote of the Committee. The respective Team Head Coach, Team Manager and Division Representative where the alleged incident occurred will be invited to participate but are not required to participate and will not have a vote.

Following receipt of an incident report and providing an informal opportunity for involved parties to provide additional perspective, the Committee will make a determination on the severity and cumulative nature of the infraction, and take the following actions:

- For incidents warranting a Verbal Warning and/or Level 1: Written Warning, the Committee may take appropriate action as outlined in the Action Plans and make a report to the Board at the next regular Board meeting.
- In accordance with the Action Plans for Level 2, 3 and 4 infractions, the Committee will hold a Hearing as soon as possible after an incident report is received and the Committee has solicited additional information from involved parties. Following a formal Hearing, the Committee will make a recommendation to the Board of Directors on what disciplinary action should be taken.

In all cases, three voting members of the Committee must vote in the affirmative to take any disciplinary action or to recommend a disciplinary action to the Board.

Procedural details for Committee and Board action are further outlined in Sections 3.3 and 4.3 of this Policy, and Figure 1 provides a flowchart depicting the above activities.

### **1.4 Communication with the Disciplinary Committee**

Questions regarding the HAYHA disciplinary policies should be directed to the Disciplinary Director; however, complaints and incident reports may be filed with any HAYHA Board Member (via [google form](#) and/or email).

At a minimum, a complaint/incident report must contain the following:

- Person Filing Report
- Name of Player, Coach, Member, etc. report is filed against

- Identification of what HAYHA policies or Code(s) of Conduct were violated. List specific examples.
- Indication on whether there are potential Safe Sport Violations. If so, reference the Safe Sport Handbook and list the specific violation(s).
- Indicate whether the incident violates the USA Hockey Zero Tolerance Policy?
- Describe the incident, including what happened before, during and after the incident.
- Identify who was present during the incident.
- Any additional information that may be helpful to the Committee

Coaches, Team Managers and Division Representatives must work with the Committee to inform them of any improper conduct, and the steps taken by team coaches and/or managers to address the misconduct.

## **1.5 Recordkeeping**

The Committee will keep reasonable and appropriate records of each reported violation and shall document each disciplinary action or proposed recommendation and the reasons for the action.

These items will be kept as HAYHA property and held by the Disciplinary Director, and passed to the subsequent Disciplinary Director in the following season(s).

Records of previous offenses, including offenses from previous years, may be considered to provide cumulative and progressive discipline.

Records of reported allegations, proceedings, and discipline, if any, should be kept confidential, except as may be required for any appeals, or as necessary for review by others with jurisdiction over any matters the subject of any disciplinary action.

## **2.0 Progressive Disciplinary Action Plans**

This Policy contains two Action Plans – one exclusively for players, and one for all other HAYHA members, volunteers, spectators or participants. These Plans are intended as a guide to assist Coaches, Team Managers and the Disciplinary Committee in identifying and addressing disciplinary issues in a consistent manner. Each issue will be addressed in accordance with the unique circumstances of each individual complaint/incident report.

The Plans outline progressive actions that may be taken based on the severity of each individual incident, and the cumulative occurrence of incidents.

It is not necessary to exhaust lower-level remedies if the disciplinary issue warrants higher level action, even as a first offense.

A complaint/incident report may be filed and disciplinary action taken when violations of the following are identified:

- USA Hockey Rules of Play (<https://www.usahockey.com/rulesandresources>)



- USA Hockey Safe Sport Program (<https://www.usahockey.com/safesportprogram>)
- USA Hockey Zero Tolerance Policy (<https://www.usahockeyrulebook.com/page/show/1015130-zero-tolerance-policy>)
- HAYHA Codes of Conduct (See Appendix C of the Handbook)
- HAYHA Bylaws (See Appendix A of the Handbook)
- HAYHA Adopted policies (Review the entire Handbook)

## **2.1 Coach Authority**

The Action Plans are not intended to be a substitute for or to replace a coach's general authority to correct or hold players accountable for improper player behavior.

If players are misbehaving, not following the rules, or disregarding a coach's instructions, coaches may, for example, provide appropriate verbal correction and/or limit practice or game ice-time to hold a player accountable.

Limiting a player's ice time in such circumstances is not considered a suspension under this policy. The player's related conduct will not necessarily require a coach to report or refer a player for progressive discipline under the Action Plan, but they may choose to report individual issues to the Disciplinary Director. Incidents not reported are not likely to qualify for progressive disciplinary action.

Coaches are encouraged to evaluate each instance of player misconduct and request that the Committee determine if any progressive action under the Plan is warranted.

If a Head Coach believes that a reduction in playing time is warranted, which would exceed a playing time reduction of more than one practice and/or one game, the Head Coach should file an [incident report](#) under this policy. Any additional proposed reduction in playing time must be processed under the provisions of the respective Action Plan, subject to the notice and hearing procedures described herein.

## **3.0 Player / Participant Action Plan**

### **3.1 Initiation of Disciplinary Actions for Players / Participants**

Complaints/incident reports filed under this Disciplinary Policy may be initiated by any Coach, Team Manager or Division Representative and must be made through the Disciplinary Director or other Board Member through email and/or the [Google Form](#) for Incident Reporting. All complaints/incident reports must be immediately provided to the Disciplinary Committee for review.

### 3.2 Levels of Infraction and Potential Disciplinary Action

Unless a summary suspension is necessary for the reasons set forth in Section 7.0 of this Policy or as further set forth in USA Hockey Bylaw 10, any suspension or expulsion may not be imposed until after the disciplined party has received notice and the opportunity for a hearing.

#### **Verbal Warning**

##### Applicability examples:

- Verbal warnings may be issued for what appear to be unintentional rule or [Code of Conduct](#) violations, offenses for minor infractions, or other issues related to unsportsmanlike conduct, disruptive or disrespectful behavior.

##### Potential Disciplinary Action:

- Clear communication of HAYHA expectations of players, parents and volunteers. ([Codes of Conduct](#))

#### **LEVEL 1: Written Warning**

##### Applicability examples:

- Actions requiring coaches or officials to give a repeated verbal warning to a player;
- Blatant violations of the [Player Code of Conduct](#); or,
- Blatant or intentional actions performed by a player(s) that could result in a game penalty.

##### Potential Disciplinary Action:

- Clear communication of HAYHA expectations of players, parents and volunteers ([Codes of Conduct](#)) including a written warning that further infractions or disciplinary issues may result in progressive discipline.
- The decision of the Disciplinary Committee to issue a written warning is final.

#### **LEVEL 2: Short Term Suspensions**

##### Applicability examples:

- Blatant violations of the [Player Code of Conduct](#);
- Repeated written warning of any action that would require a game misconduct penalty;
- Fighting during any HAYHA activity; or,
- Repeated verbal or written warnings with no behavioral improvement.

##### Potential Disciplinary Action:

- Short-term suspension may include up to a 14-day period of suspension from all HAYHA activities, including practices, regular season games, and/or other non-league games, and off-ice activities.
- A short-term suspension may not include more than four regular season games.

### **LEVEL 3: Long Term Suspension**

#### Applicability examples:

- Blatant violations of the [Player Code of Conduct](#);
- Repeated actions requiring verbal or written warnings, reductions in practice or playing time, or previous suspensions;
- Fighting during any HAYHA activity;
- Any malicious action that results in an injury to another player, coach, official or volunteer; or,
- Any disciplinary issue covered within the [Safe Sport Handbook](#).

#### Potential Disciplinary Action:

- Long-term suspension may include a period of more than 14 days of suspension from all HAYHA activities, and such suspensions may apply to practices, regular season games, and/or other games or off-ice activities.
- Any suspension that includes five or more games is considered a long-term suspension.

### **LEVEL 4: Expulsion**

#### Applicability examples:

- Blatant violations of the [Player Code of Conduct](#);
- Repeated disciplinary issues requiring verbal or written warnings, reductions in practice or playing time, or previous suspensions;
- Repeated fighting during any HAYHA activity;
- Any malicious action that results in an injury to another player, coach, official or volunteer;
- Repeated violations of Safe Sport Guidelines ([Safe Sport Handbook](#));
- Major violations of [USA Hockey Rules of Play](#); or,
- Violations of USA Hockey [Zero Tolerance Policy](#).

#### Potential Disciplinary Action:

- Expulsion from all HAYHA activities to include all practices, regular season games and any other scheduled games or off-ice activities.
- In all cases, an expulsion may not be imposed until the disciplined party has notice and the opportunity for a hearing as set forth in Sections 3.3 and 4.3 of this policy.

## **3.3 Disciplinary Committee Action, Communication and Hearing Process**

Please refer to Figure 1 for a flowchart depicting the following activities.

The Disciplinary Director shall provide a copy of the reported incident to both the Division Representative and the team Head Coach.

For verbal warnings and/or Level 1 – Written Warnings, the Disciplinary Committee will coordinate with the Board Representative, the team level Head Coach, and/or the Team Manager as follows:

- The Board Representative and/or team Head Coach should allow the player and the parent the opportunity to present their perspectives concerning an alleged infraction leading to the verbal warning.
- The verbal or written warning is provided by the Division Representative and/or team level Head Coach to the player and parent, and the matter is considered closed.
- The Disciplinary Director will keep a record of verbal warnings provided by coaches and/or team managers, and provide a report at the next regular Board meeting.

For alleged Level 2, 3 or 4 infractions,

- A recommended short-term suspension, long-term suspension or expulsion must be prepared by the Coach, Division Representative and/or Disciplinary Director for Disciplinary Committee consideration.
- A notice of the complaint/incident report and schedule for a Disciplinary Committee Hearing must be provided to the player and parent.

The Committee shall hold a hearing as contemplated by this policy to consider the merits of issuing a short-term suspension, long-term suspension or expulsion.

The notice of hearing must include:

- the allegation(s) of misconduct,
- the potential disciplinary actions, and
- a notice of the date, time and location where the Committee will hear the matter.

If the player is an adult (18 year of age and older), the notice of hearing must also be provided to the player.

Following the hearing, the Committee's recommendation to the Board regarding any disciplinary actions involving short-term suspension, long-term suspension or expulsion must be provided to the player's parents, in writing. If the player is an adult (18 years or older), the Committee recommendation must also be provided to the player.

The HAYHA Board of Directors must vote to accept, reject, or modify the proposed Committee recommendation.

The final decision of the HAYHA Board of Directors is appealable to MAHA, pursuant to the provisions of [USA Hockey Bylaw 10](#).

There are no refunds because of any person being suspended or otherwise removed from the participation in HAYHA sponsored activities.

## **4.0 All HAYHA Members Action Plan**

This Action Plan applies to all Players, Coaches, Parents/Guardians, Spectators, Locker Room Monitors, Team Managers, etc. Any infractions, whether at practice, game time, or HAYHA

activities at home or during travel at away games or tournaments will be subject to HAYHA disciplinary policies.

#### **4.1 Initiation of the Disciplinary Policy for All HAYHA Members**

Complaints/incident reports may be initiated by any Player, Parent, Coach, Official, Division Representative, or Board Member.

Such requests must be made through the Division Representative, Disciplinary Director, or other Board Member through email and the [Google Form](#) for Incident Reporting. (See Appendix A). All complaints/incident reports must be immediately provided to the Disciplinary Committee for review.

#### **4.2 Levels of Infraction and Response**

Unless a summary suspension is necessary for the reasons set forth in Section 7.0 of this Policy or as further set forth in USA Hockey Bylaw 10, any suspension or expulsion may not be imposed until after the disciplined party has received notice and the opportunity for a hearing.

##### **Verbal Warning:**

###### Applicability examples:

- Verbal warnings are discretionary.
- They may be issued for what appear to be unintentional rule or [Code of Conduct](#) violations, offenses for minor infractions, or other issues related to unsportsmanlike conduct, disruptive or disrespectful behavior.

###### Potential Disciplinary Action:

- Clear communication of HAYHA expectations of players, parents and volunteers. ([Codes of Conduct](#))

##### **LEVEL 1: Written Warning**

###### Applicability examples:

- Actions requiring Coaches, Board Representatives, Team Managers, Volunteers or Officials to give a repeated verbal warning to a HAYHA member, or;
- Any explicit violations of the [Codes of Conduct](#), or;

###### Potential Disciplinary Action:

- Clear communication of the HAYHA expectations of Members, including a written warning that further infractions or disciplinary issues may result in progressive disciplinary action.
- The decision of the Disciplinary Committee to issue a written warning is final.

## **LEVEL 2: Short Term Suspensions**

### Applicability examples:

- Blatant violations of the applicable [Codes of Conduct](#);
- Fighting before/after/during any HAYHA activity; or,
- Repeated verbal or written warnings with no behavioral improvement.

### Potential Disciplinary Action:

- Short-term suspension may include up to a 14-day period of suspension from all HAYHA activities, including practices, regular season games, and/or other games or off-ice activities.
- A short-term suspension may not include more than the duration of four already-scheduled MAHA regular season games.

## **LEVEL 3: Long Term Suspension**

### Applicability examples:

- Blatant violations of the [Codes of Conduct](#);
- Repeated actions requiring verbal or written warnings, reductions in practice or playing time, or previous suspensions;
- Fighting before/after/during any HAYHA activity;
- Any malicious action that results in an injury to another HAYHA member or member of the public in the facility; or,
- Any disciplinary issue covered within the [Safe Sport Handbook](#).

### Potential Disciplinary Action:

- Long-term suspension may include a period of more than 14 days of suspension from all HAYHA activities, and such suspensions may apply to practices, regular season games, and/or other games or off-ice activities.
- Any suspension that includes a duration of five or more regular MAHA games is considered a long-term suspension.

## **LEVEL 4: Expulsion**

### Applicability examples:

- Repeated blatant violations for the applicable Code of Conduct;
- Repeated disciplinary issues requiring verbal or written warnings, reductions in practice or playing time, or previous suspensions;
- Repeated fighting before/after/during any HAYHA activity;
- Any malicious action that results in an injury to another HAYHA member or member of the public in the facility;
- Repeated violations of Safe Sport Guidelines ([Safe Sport Handbook](#)); or,
- Violations of USA Hockey [Zero Tolerance Policy](#).

### Potential Disciplinary Action:

- Expulsion from all HAYHA activities to include all practices, regular season games and any other scheduled games or off-ice activities.
- In all cases, an expulsion may not be imposed until the disciplined party has notice and the opportunity for a hearing as set forth in this policy.
- Termination of HAYHA membership.

- If a parent/guardian is expelled from the program, their child/player is also subject to expulsion from the HAYHA program.

### **4.3 Disciplinary Committee Action and Communication**

Please refer to Figure 1 for a flowchart depicting the following activities.

The Disciplinary Director shall provide a copy of the reported incident to both the Division Representative and the team Head Coach.

A recommended written warning, suspension, long term suspension or expulsion must be prepared by the Division Representative and/or Disciplinary Director for Disciplinary Committee consideration. In the absence of a recommendation from the Division Representative or Head Coach, the Disciplinary Director will prepare the recommendation.

For verbal warnings and/or Level 1 – Written Warnings, the Disciplinary Committee will coordinate with the Board Representative, the team Head Coach, and/or the Team Manager as follows:

- The Board Representative and/or team Head Coach should allow the alleged offender and the parent the opportunity to present their perspectives concerning an alleged infraction leading to the verbal warning.
- The verbal or written warning is provided by the Division Representative and/or team level Head Coach to the player and parent, and the matter is considered closed.
- The Disciplinary Director will keep a record of verbal warnings provided by coaches and/or team managers, and provide a report at the next regular Board meeting.

For alleged Level 2, 3 or 4 infractions,

- A recommended short-term suspension, long-term suspension or expulsion must be prepared by the Division Representative and/or Disciplinary Director for Disciplinary Committee consideration.
- A notice of the complaint/incident report and schedule for a Disciplinary Committee Hearing must be provided to the player and parent.

The Committee shall hold a hearing as contemplated by this policy to consider the merits of issuing a short-term suspension, long-term suspension or expulsion.

The notice of hearing must include:

- the allegation(s) of misconduct,
- the potential disciplinary actions, and
- a notice of the date, time and location where the Committee will hear the matter.

If the player is an adult (18 year of age and older), the notice of hearing must also be provided to the player.

Following the hearing, the Committee's recommendation to the Board regarding any disciplinary actions involving short-term suspension, long-term suspension or expulsion must be provided to

the player's parents, in writing. If the player is an adult (18 years or older), the Committee recommendation must also be provided to the player.

The HAYHA Board of Directors must vote to accept, reject, or modify the proposed Committee recommendation.

The final decision of the HAYHA Board of Directors is appealable to MAHA, pursuant to the provisions of [USA Hockey Bylaw 10](#).

If an adult (Coach, Parent/Guardian, Team Manager, Locker Room Monitor, Spectator, etc.) receives a written warning for their actions, they may be subject to removal from or prohibition from serving in a Team Manager or Coaching assignment for the current or following hockey season/s.

There are no refunds because of any person being suspended or otherwise removed from the participation in HAYHA sponsored activities.

## **5.0 Notice and Hearing Process**

The notice of hearing must include:

- the allegation(s) of misconduct;
- the potential disciplinary actions; and
- notice of the date, time and location where the Disciplinary Committee will hear the matter.

Notice to a parent or guardians' email address on file with the HAYHA shall be considered sufficient notice. If a parent or guardian does not have an email address on file, notice is also sufficient if mailed via U.S. Mail to the parent or guardian's most current address on file with the HAYHA.

Notice of Hearing must be provided at least seven (7) days prior to the time of the hearing, unless a shorter period is agreed to by all parties.

Disciplinary hearings should be held no later than 30 days following the Disciplinary Committee's receipt of a complaint/incident report, unless a later date is agreed upon by the Disciplinary Committee and the alleged offender.

Should an alleged offender be unable to attend a hearing, a written statement prepared by the alleged offender can be submitted and read during the Disciplinary Committee meeting.

Disciplinary Hearings will be held in a closed session.

The Disciplinary Committee must conduct hearings in general conformance with USA Hockey Bylaw 10.



The final decision (Level 1) or recommendation to the Board (Level 2, 3, 4) of the Disciplinary Committee should be issued within 10 days following the closure of the hearing and must contain detailed findings and conclusions.

Upon issuance, any decision of the Disciplinary Committee must be provided to the alleged offender (if 18 years of age or older) and/or the parents of the alleged offender, in writing.

Following due consideration, any proposed decision of the Disciplinary Committee may be adopted, rejected, or modified by the HAYHA Board of Directors.

## **6.0 Appeal Process**

The final decision of the Board of Directors concerning level 2, 3, 4 disciplinary matters is appealable to MAHA pursuant to the provisions of the USA Hockey Bylaw 10.

Rebuttal of the final decision is also allowed under USA Hockey Bylaw 10 of the Safe Sport Manual, as applicable.

Players, parents, and disciplined members must adhere to any applicable time limits for filing an appeal.

## **7.0 Summary Suspension**

A “Summary Suspension” is a suspension issued prior to a hearing being conducted. In almost all circumstances, and as set forth in USA Hockey Bylaw 10, a suspension may not be imposed until the disciplined party has notice and the opportunity for a hearing.

If necessary, a Summary Suspension may be imposed in those cases where a party has been arrested for a crime alleged to have been committed, or other potential serious violations of the policies or rules of USA Hockey, MAHA, or HAYHA are alleged, or as may be necessary to protect the health and safety of a HAYHA player participants or members.

Any such Summary Suspensions must be in writing and given to the suspended party and the notice of suspension shall inform the suspended party of his or her right to request a hearing.

The suspended party must submit a request for a hearing of a Summary Suspension within seven (7) days of the party being notified of the suspension. Any hearing following a Summary Suspension shall be conducted according to the provisions of this Disciplinary Policy and USA Hockey Bylaw 10, as applicable.

## **APPENDIX C:**

### **Code(s) of Conduct**

## HAYHA PLAYER CODE OF CONDUCT

TO BE SIGNED BY ALL HAYHA PLAYERS.  
PARENTS/GUARDIANS ARE RESPONSIBLE FOR READING/REVIEWING WITH THEIR PLAYER.  
HEAD COACHES WILL ALSO REVIEW WITH PLAYERS AT THE BEGINNING OF THE SEASON

### FUN

- I understand that the HAYHA program is designed for all youth hockey participants to have fun, to learn the game of hockey, and grow as players and young people.

### SPORTSMANSHIP

- I will display good sportsmanship and set a positive example at all times while participating in HAYHA events!
- I will encourage my team and/or teammates at all times and put my team first ahead of my personal needs.
- I will not hurt my own team and/or teammates through inappropriate behavior on or off the ice.
- I will not lash out at any official no matter what. The coaching staff will handle all matters pertaining to officiating.
- I will maintain control of my emotions, avoiding the use of hostile & humiliating remarks, gestures, ill temper, or physical assault upon another player at any time.

### RESPECT

- I will recognize the importance of HAYHA volunteers and I will respect members of our HAYHA organization and team including coaches, managers, officials, board reps, refs and other players and parents.
- I will not taunt, harass, make fun of, belittle, or threaten on or off the ice, any player, coach, manager, board rep, team parent, HAYHA volunteer, official, league representative, arena personnel, or spectator.
- I will not use profane language or inappropriate gestures.
- I will respect the building rules, regulations, and property of others, including the Helena Ice Rink, lockers, and opposing team(s) venues.

### SAFETY

- I will not physically assault my teammates, coaches, managers, board reps, refs or other HAYHA participants.
- I will not maliciously strike another person in any way with any part of the body or physical implement. This includes, but is not limited to hitting, slashing, fighting, pushing, punching, or maliciously striking another person in any way.
- I will not engage in violent behavior, such as throwing equipment or other objects.
- I will not smoke and/or use smokeless tobacco and vaporizers at HAYHA functions.
- I will abstain from the possession and drinking of alcoholic beverages and the possession or use of any illegal substance.
- I will observe locker room safety rules as outlined in the HAYHA Locker Room Policy.

### REPORTING

- I will talk to my Coach, Parent, Team Manager, or Board Rep as soon as possible of any concerns I have.

☐

I have read and understand the principles stated above that were put forth by HAYHA. I agree to abide by these principles with the understanding that if I do not follow them, I may be asked to leave any practice, game, or event.

☐

I further understand that if I cannot abide by these principles, I am subject to additional disciplinary actions, up to and including myself being suspended from the program or removed entirely from participating in the HAYHA hockey program.

---

Player's Name

Signature

Date

## HAYHA PARENT/GUARDIAN CODE OF CONDUCT

TO BE SIGNED BY ALL HAYHA PLAYER PARENTS/GUARDIANS. IF PARENT'S ARE DIVORCED, TO BE SIGNED BY ALL PARENT'S/GUARDIANS WHO WILL BE ATTENDING HAYHA EVENTS.  
DIVISION REPS TO REVIEW WITH ALL PARENTS/GUARDIANS AT BEGINNING SEASON TEAM MEETINGS.

### FUN

- I understand that the HAYHA program is designed for all youth hockey participants to have fun, to learn the game of hockey, and grow as players and young people.

### SPORTSMANSHIP

- I will display good sportsmanship and set a positive example at all times while participating in HAYHA events!
- I will encourage HAYHA players at all times and put HAYHA player needs ahead of my personal needs.
- I will not hurt HAYHA members or volunteers through inappropriate behavior on or off the ice.
- I will not lash out at any official no matter what. The coaching staff will handle all matters pertaining to officiating.
- I will maintain control of my emotions, avoiding the use of hostile and humiliating remarks, gestures, ill temper, or physical assault upon others at any time at HAYHA practices, games, board meetings, or other HAYHA events.

### RESPECT

- I will recognize the importance of HAYHA volunteers and I will respect members of our HAYHA organization and team including coaches, managers, officials, board reps, refs and other players and parents.
- I will not taunt, harass, make fun of, belittle, or threaten on or off the ice, any player, coach, manager, board rep, team parent, HAYHA volunteer, official, league representative, arena personnel, or spectator.
- I will not use profane language or inappropriate gestures.
- I will respect the building rules, regulations, and property of others, including the Helena Ice Rink, lockers, and opposing team(s) venues.
- If I attend HAYHA Board or Parent/Guardian Meetings, I will follow the Board Meeting Public Comment Rules (can be found at: [www.hbyha.org](http://www.hbyha.org)). I will act with respect towards coaches, managers and Board members at meetings.

### SAFETY

- I will not physically assault players, coaches, managers, board reps, refs or other HAYHA participants or volunteers.
- I will not maliciously strike another person in any way with any part of the body or physical implement.
- I will not engage in violent behavior, such as throwing equipment or other objects.
- I will abstain from the possession and drinking of alcoholic beverages at HAYHA practices or games.
- I will observe and help enforce locker room safety rules as outlined in the HAYHA Locker Room Policy.

### REPORTING

- If I have a complaint, I understand and will follow the reporting guidelines outlined in the HAYHA Disciplinary Policy. I will bring all concerns in a respectful and appropriate manner!
- USA Hockey's Reporting Policy is a key part of its SafeSport Program and an effective reporting policy is crucial to preventing abuse. Section IV of the SafeSport Handbook contains specifics on the Reporting Policy.
  - The Policy requires that every employee or volunteer of any USA Hockey Member Program must report (1) actual or perceived violations of the USA Hockey SafeSport Program Handbook, (2) any violations of the policies prohibiting Sexual Abuse, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, and Hazing, and (3) suspicions or allegations of child physical or sexual abuse to the appropriate USA Hockey representatives.
  - Additionally, in all cases involving suspicions or allegations of child physical or sexual abuse, every employee or volunteer of USA Hockey Member Programs must also report to the appropriate law enforcement authorities.
  - To make a report to USA Hockey, you may do so either by: (1) completing the Reporting Form found at: [www.usahockey.com/makingareport](http://www.usahockey.com/makingareport), (2) emailing to [SafeSport@usahockey.org](mailto:SafeSport@usahockey.org), or (3) calling 800-888-4656.
  - Reports may also be made to the MAHA SafeSport Coordinator or HAYHA SafeSport Rep. To make a report to the MAHA SafeSport Coordinator, please visit: [www.usahockey.com/safesportcoordinator](http://www.usahockey.com/safesportcoordinator).
  - All reports involving sexual abuse and misconduct must be reported to the U.S. Center for SafeSport. Reports to the U.S. Center for SafeSport may be made by (1) completing an online report to the U.S. Center for SafeSport at <https://www.safesport.org/report-a-concern>, or by (2) calling 720-524-5640.



I have read and understand the principles stated above that were put forth by HAYHA. I agree to abide by these principles with the understanding that if I do not follow them, I may be asked to leave any practice, game, or event.



I further understand that if I cannot abide by these principles, I am subject to additional disciplinary actions, up to and including myself and my child being suspended from the program or removed entirely from participating in the HAYHA hockey program.

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Parent's Names

Signatures

Player's Name

Date

## HAYHA COACHES, BOARD MEMBERS, & TEAM MANAGERS

### CODE OF CONDUCT

TO BE SIGNED BY ALL HAYHA COACHES, BOARD MEMBERS & TEAM MANAGERS

#### FUN

- I understand that the HAYHA program is designed for all youth hockey participants to have fun, to learn the game of hockey, and grow as players and young people.

#### SPORTSMANSHIP

- I will display good sportsmanship and set a positive example at all times while participating in HAYHA events!
- I will encourage HAYHA players at all times and put HAYHA player needs ahead of my personal needs.
- I will not hurt HAYHA members or volunteers through inappropriate behavior on or off the ice.
- I will not lash out at any official no matter what.
- I will maintain control of my emotions, avoiding the use of hostile & humiliating remarks, gestures, ill temper, and physical assault upon others at any time at HAYHA practices, games, board meetings, or other HAYHA events.

#### RESPECT

- I will recognize the importance of HAYHA volunteers and I will respect members of our HAYHA organization and team including coaches, managers, officials, board reps, refs and other players and parents.
- I will not taunt, harass, make fun of, belittle, or threaten on or off the ice, any player, coach, manager, board rep, team parent, HAYHA volunteer, official, league representative, arena personnel, or spectator.
- I will not use profane language or inappropriate gestures.
- I will respect the building rules, regulations, and property of others, including the Helena Ice Rink, lockers, and opposing team(s) venues.
- If I attend HAYHA Board or Parent/Guardian Meetings, I will follow the Board Meeting Public Comment Rules (can be found at: [www.hbyha.org](http://www.hbyha.org)). I will act with respect towards coaches, managers and Board members at meetings.

#### SAFETY

- I will not physically assault players, coaches, managers, board reps, refs or other HAYHA participants or volunteers.
- I will not maliciously strike another person in any way with any part of the body or physical implement.
- I will not engage in violent behavior, such as throwing equipment or other objects.
- I will adhere to HAYHA's Alcohol, Tobacco and Drug Abuse Policy.
- I will observe and help enforce locker room safety rules as outlined in the HAYHA Locker Room Policy.

#### REPORTING

- If I have a complaint, I understand and will follow the reporting guidelines outlined in the HAYHA Disciplinary Policy. I will bring all concerns in a respectful and appropriate manner!
- USA Hockey's Reporting Policy is a key part of its SafeSport Program and an effective reporting policy is crucial to preventing abuse. Section IV of the SafeSport Handbook contains specifics on the Reporting Policy.
  - The Policy requires that every employee or volunteer of any USA Hockey Member Program must report (1) actual or perceived violations of the USA Hockey SafeSport Program Handbook, (2) any violations of the policies prohibiting Sexual Abuse, Physical Abuse, Emotional Abuse, Bullying, Threats and Harassment, and Hazing, and (3) suspicions or allegations of child physical or sexual abuse to the appropriate USA Hockey representatives.
  - Additionally, in all cases involving suspicions or allegations of child physical or sexual abuse, every employee or volunteer of USA Hockey Member Programs must also report to the appropriate law enforcement authorities.
  - To make a report to USA Hockey, you may do so either by: (1) completing the Reporting Form found at: [www.usahockey.com/makingareport](http://www.usahockey.com/makingareport), (2) emailing to [SafeSport@usahockey.org](mailto:SafeSport@usahockey.org), or (3) calling 800-888-4656.
  - Reports may also be made to the MAHA SafeSport Coordinator or HAYHA SafeSport Rep. To make a report to the MAHA SafeSport Coordinator, please visit: [www.usahockey.com/safesportcoordinator](http://www.usahockey.com/safesportcoordinator).
  - All reports involving sexual abuse and misconduct must be reported to the U.S. Center for SafeSport. Reports to the U.S. Center for SafeSport may be made by (1) completing an online report to the U.S. Center for SafeSport at <https://www.safesport.org/report-a-concern>, or by (2) calling 720-524-5640.



I have read and understand the principles stated above that were put forth by HAYHA. I agree to abide by these principles with the understanding that if I do not follow them, I may be removed from my current HAYHA Coaching, Manager or Board Rep Position.



I further understand that if I cannot abide by these principles, I am subject to additional disciplinary actions, up to and including myself and my child being suspended from the program or removed entirely from participating in the HAYHA hockey program.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **APPENDIX D:**

### **Conflict of Interest Policy and Agreement**

# **Conflict of Interest Policy**

## **for Directors, Officers and Appointed Staff of HAYHA**

### **Article 1 – Purpose**

It is important for the Helena Area Youth Hockey Association (HAYHA) Directors, officers, and appointed staff to be aware that both real and apparent conflicts of interest or dualities of interest sometimes occur in the course of conducting the affairs of the association and that the appearance of conflict can be troublesome even if there is in fact no conflict whatsoever. Conflicts occur because the many persons associated with the association should be expected to have, and do in fact generally have multiple interests and affiliations and various positions of responsibility within the community. In these situations a person will sometimes owe identical duties of loyalty to two or more organizations. The purpose of the conflict of interest policy is to protect the association's tax-exempt interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the association or might result in a possible excess benefit transaction. The policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit organizations.

Conflicts are undesirable because they potentially or apparently place the interests of others ahead of the association's obligations to its purposes and to the public interest. Conflicts are also undesirable because they often reflect adversely upon the person involved and upon the institutions with which they are affiliated, regardless of the actual facts or motivations of the parties. However, the long-range best interests of the association do not require the termination of all association with persons who may have real or apparent conflicts that are harmless to all individuals or entities involved.

Each member of the Board of Directors and the appointed staff of the association have a duty of loyalty to the association. The duty of loyalty generally requires a Director or staff member to prefer the interests of the association over the Director's/staff's interest or the interests of others. In addition, Directors and staff of the association shall avoid acts of self-dealing which may adversely affect the tax-exempt status of the association or cause there to arise any sanction or penalty by a governmental authority.

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

### **Article 2 - Definitions**

#### **A. Interested Person**

Any Director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

#### **B. Financial Interest**

A person has a financial interest if the person has, directly or indirectly, thorough business, investment, or family:

1. An ownership or investment interest in any entity with which the association has a transaction or arrangement,
2. A compensation arrangement with the association or with any entity or individual with which the association has a transaction or arrangement, or

3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the association is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. Under Article 3, Section B, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

### **Article 3 – Procedures**

Therefore, because the association's Directors and staff may be involved with other organizations that may have business dealings or affiliations with or seek grants from the association, the following general principles have been established:

#### **A. Determining Whether a Conflict of Interest Exists**

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

#### **B. Procedures for Addressing the Conflict of Interest**

1. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
2. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the governing board or committee shall determine whether the association can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
4. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the association's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

#### **C. Violations of the Conflicts of Interest Policy**

1. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
2. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

### **Article 4 – Records of Proceedings**

The minutes of the governing board and all committees with board delegated powers shall contain:



- A. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
- B. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

## **Article 5 - Compensation**

- A. A voting member of the governing board who receives compensation, directly or indirectly, from the association for services is precluded from voting on matters pertaining to that member's compensation.
- B. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the association for services is precluded from voting on matters pertaining to that member's compensation.
- C. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the association, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

## **Article 6 – Annual Statements**

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands the association is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

## **Article 7 – Periodic Reviews**

To ensure the association operates in a manner consistent with its social welfare purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the association's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further association's purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

## **Article 8 – Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VII, the association may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

# **Conflict of Interest Agreement**

## **for the Directors and Officers of the Helena Area Youth Hockey Association**

It is important for Corporation Directors and Staff to be aware that both real and apparent conflicts of interest or dualities of interest sometimes occur in the course of conducting the affairs of the Corporation and that the appearance of conflict can be troublesome even if there is in fact no conflict whatsoever. Conflicts occur because the many persons associated with the Corporation should be expected to have, and do in fact generally have multiple interests and affiliations and various positions of responsibility within the community. In these situations a person will sometimes owe identical duties of loyalty to two or more organizations.

Conflicts are undesirable because they potentially or apparently place the interests of others ahead of the Corporation's obligations to its charitable purposes and to the public interest. Conflicts are also undesirable because they often reflect adversely upon the person involved and upon the institutions with which they are affiliated, regardless of the actual facts or motivations of the parties. However, the long range best interests of the Corporation do not require the termination of all association with persons who may have real or apparent conflicts that are harmless to all individuals or entities involved.

Therefore, because the Corporation's Directors and Staff may be involved with other organizations that may have business dealings or affiliations with the Corporation, the following general principles have been established:

- 1 Each member of the Board of Directors and the Staff of the Corporation has a duty of loyalty to the Corporation. The duty of loyalty generally requires a Director or Staff member to prefer the interests of the Corporation over the private financial interests of the Director/Staff. In addition, Directors and Staff of the Corporation shall avoid acts of self-dealing which may adversely affect the tax-exempt status of the Corporation or cause there to arise any sanction or penalty by a governmental authority.

In the event any Director or a member of his or her family has a personal or business interest in, or is involved in any way with an organization with whom the Board is considering a business contract, such interest or involvement shall be disclosed to the Board. In such event, the interested Director shall neither vote nor participate in the discussion of the matter. The interested Director shall be excused from the actual discussion and presence at that portion of the meeting when the matter giving rise to the apparent conflict is discussed. However, any Director who is excluded from voting or presence pursuant to this policy may answer pertinent questions of other Directors and be present when the interested Director's knowledge regarding the matter will assist the Board.

The minutes of the meeting shall indicate that the interested Director disclosed the interest or involvement in the matter being considered by the Board, recused herself/himself from the discussion, and abstained from voting on the matter.

**I HAVE READ AND UNDERSTAND THE ADOPTED CONFLICT OF INTEREST POLICY AND AGREEMENT, I AGREE TO ITS TERMS, AND MY ACTIONS HAVE BEEN AND WILL CONTINUE TO COMPLY WITH THESE TERMS.**

Date: \_\_\_\_\_

**Helena Area Youth Hockey Association**

\_\_\_\_\_  
Director's Name

\_\_\_\_\_  
Director's Signature

## **APPENDIX E:**

### **Play-Up Request Forms**

Play-Up Request Forms currently under re-development

## **APPENDIX F:**

### **Board Members**

#### **2024-2025 (Current)**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative	Melissa Lewis	2024-2025
10U/12U Representative	Scott Fanning	2024-2025
14U/High School Representative	Kelly Marrinan	2024-2025
House League / Girls Development Rep.	Mike Palcisco	2024-2025
At-Large (President)	Darryl James	2023-2025
At-Large (Vice President)	Chad Senechal	2023-2025
At-Large (Secretary)	Miranda Briggs	2023-2025
At-Large (Disciplinary Director)	Chuck Denowh	2024-2026
At-Large	Joe Baumgart	2024-2026

#### **2023-2024**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative	Tara Wooten	2023-2024
10U/12U Representative	Scott Fanning	2023-2024
14U/High School Representative	Joe Baumgart	2023-2024
House League / Girls Development Rep.	Randy Boysen	2023-2024
At-Large (President)	Darryl James	2023-2025
At-Large (Vice President)	Jon Flynn	2022-2024
At-Large (Secretary & Disciplinary Dir.)	Miranda Briggs	2023-2025
At-Large	Bob Richards	2022-2024
At-Large	Chad Senechal	2023-2025

#### **2022-2023**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative	Scott Fanning	2022-2023
6U/8U Representative	Michelle Edmunds	2022-2023
10U Representative	April Eggers	2022-2023
12U Representative (President)	Darryl James	2022-2023
14U Representative	Darlene Moyer	2022-2023
High School Representative (Treasurer)	Joe Baumgart	2022-2023
House Representative	Beau Downing	2022-2023
SafeSport (Secretary)	Miranda Briggs	2021-2023
MAHA Representative (Vice President)	Jon Flynn	2022-2024
Registrar	Bob Richards	2022-2024
At-Large (Program Development)	Randy Boysen	2021-2023

**2021-2022**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative	Scott Fanning	2021-2022
6U/8U Representative	Michelle Edmunds	2021-2022
10U Representative	Judy Merickel	2021-2022
12U Representative (President)	Darryl James	2021-2022
14U Representative (Treasurer)	Joe Baumgart	2021-2022
High School Representative	Sarah Garcia	2021-2022
House Representative	Jon Flynn	2021-2022
SafeSport (Secretary)	Miranda Briggs	2021-2023
MAHA Representative	Al Swanson	2020-2022
Registrar (Vice President)	Lance Wilson	2020-2022
At-Large (Program Development)	Randy Boysen	2021-2023

**2020-2021**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative (Secretary)	Kendra Fanning	2020-2021
6U/8U Representative	Judy Merickel	2020-2021
10U Representative	Darryl James	2020-2021
12U Representative (President)	Kurt Moser	2020-2021
14U Representative	Rachelle Schneiderhan	2020-2021
High School Representative (Treasurer)	Sarah Garcia	2020-2021
House Representative	Jon Flynn	2020-2021
SafeSport	Scott Peterson	2019-2021
MAHA Representative	Al Swanson	2020-2022
Registrar (Vice President)	Lance Wilson	2020-2022
At-Large (Program Development)	Randy Boysen	2019-2021

**2019-2020**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative (Secretary)	Judy Merickel	2019-2020
6U/8U Representative	Allison Dale-Riddle	2019-2020
10U Representative	Darryl James	2019-2020
12U Representative (President)	Kurt Moser	2019-2020
14U Representative (Vice President)	Ryan Lilletvedt	2019-2020
High School Representative (Treasurer)	Sarah Garcia	2019-2020
House Representative	Jon Flynn	2019-2020
SafeSport	Scott Peterson	2019-2021
MAHA Representative	Mekell Lybbert	2018-2020
Registrar	Lance Wilson	2018-2020
At-Large (Program Development)	Randy Boysen	2019-2021

**2018-2019**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative (Secretary)	Judy Merickel	2018-2019
6U/8U Representative	Justin Steckelberg	2018-2019
10U Representative (President)	Kurt Moser	2018-2019
12U Representative (Vice President)	Ryan Lilletvedt	2018-2019
14U Representative	Robert Whited	2018-2019
High School Representative (Treasurer)	Sarah Garcia	2018-2019
SafeSport	Scott Peterson	2017-2019
MAHA Representative	Mekell Lybbert	2018-2020
Registrar	Lance Wilson	2018-2020

**2017-2018**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative (Secretary)	Mekell Lybbert	2017-2018
6U/8U Representative	Judy Merickel	2017-2018
10U Representative	Kurt Moser	2017-2018
12U Representative (Vice President)	Ryan Lilletvedt	2017-2018
14U Representative	Shawn Schroeder	2017-2018
High School Representative	Erik Burke	2017-2018
SafeSport	Scott Peterson	2017-2019
MAHA Representative (President)	John Bloomquist	2016-2018
Registrar (Treasurer)	Dustin Ryser	2016-2018

**2008-2009 (Original)**

<b>Board Position</b>	<b>Board Member</b>	<b>Term</b>
6U/8U Representative (Secretary)	Amy Sessano	2008-2009
6U/8U Representative	Brian Haw	2008-2009
10U Representative (President)	Steve Bartmess	2008-2009
12U Representative	Kyle Rosling	2008-2009
14U Representative	Amy Kruse	2008-2009
High School Representative (Vice President)	Karen Heil	2008-2009
MaryEtta Sodja	Registrar	2008-2009
MAHA Representative (Treasurer)	JoAnn Mohar	2008-2009
At Large	Scott Cunningham	2008-2009