Newburyport Youth Hockey League ("NYHL") Inc. By-laws

Article I: Name

The legal name of the organization is Newburyport Youth Hockey League, Inc. (hereinafter referred to as "NYHL").

Article II: Non-Profit Statement

NYHL is a not for profit, tax exempt Massachusetts corporation established pursuant to the provisions of M.G.L.A. chapter 180 and Section 501(c)(3) of the Internal Revenue Code. Our fiscal year ends March 31st of each year and, shortly thereafter, required annual filings are made with the Internal Revenue Service, Massachusetts Secretary of State's Office, and the Attorney General's Division of Public Charities.

Article III: Purpose

NYHL has been established to teach the sport of ice hockey to children ages 16 (as of December 31st) and under.

- **Vision**
  Newburyport Youth Hockey strives to be a community enhancing youth program, providing a challenging and supportive platform from which children can develop invaluable life skills.

- **Mission**
  To deliver a competitive and sustainable hockey program, from Learn to Skate through high school, by developing coaches and players, socially, athletically and academically.

- **Values**
  By embracing the following core values, parents, players and coaches are encouraged to support our mission:
  - **C**ourage: *The ability to confront intimidation, uncertainty, and fear*. (The courage to go into the corner, to play a new position, to get up when knocked down, to come back when down a goal)
  - **L**eadership: *Inspiring and convincing those around you that they are necessary to achieve a desired result for the good of the organization*. (On the ice, in the locker room and in the community; ability to learn how to lead and follow)
  - **I**ntegrity: *Consistency of actions, values, principles.* (in the game, on the bench, in the community)
  - **P**ride - *Clipper Pride: Proud of one's own achievement and the achievement of those associated with; when you are a part of something that is bigger than*

yourself. (family, team, program, community; pride in the Clipper community, uniform and what it stands for)
- **Passion**: *Strong emotion.* (eat, breath, sleep hockey)
- **Excellence:** *A process by which players and coaches are motivated to learn.* (every practice, shift; always strive to improve and be the best; a desire to take the harder road and move up in the league and play the best vs. the easier way)
- **Respect**: *Regard for one's own standing or position*. (The game, coaches, refs, rinks, resources)
- **Sincerity**: Straightforwardness, honesty. (Minimize the politics and favoritism, play the game)

Article IV: USA Hockey, Inc.

NYHL is an affiliate of USA Hockey, Inc. and Massachusetts Hockey, Inc. (District 2). USA Hockey's primary emphasis is on the support and development of grassroots hockey programs and is recognized as this country's national governing body for ice hockey under the Amateur Sports Act of 1978. As an affiliated organization, the NYHL is required to comply with the rules and regulations of USA Hockey. This includes the American Development Model (ADM).

The USA Hockey Annual Guide and Massachusetts Hockey Annual Guide are available by visiting

USA Hockey: http://www.usahockey.com/page/show/836946-annual-guide.

Mass Hockey: http://www.mahockey.org/page/show/925871-annual-guide-2013-14

Article V: Government

The NYHL is governed by a nine member Board of Directors. Each member is elected by the membership for a two-year term. Elections for the Board of Directors are conducted at the NYHL's Annual meeting in April. The Board of Directors meets at least once a month throughout the year and conducts open membership meetings in October and February. The Board of Directors elects annually the officers of the organization, which consists of a President and a Treasurer, and assigns designated roles and responsibilities for each Director.

To be eligible to become a Director, a member must be a resident of Newburyport and, if they have a child who plays hockey, participate in the NYHL. Exceptions will be voted by the Board of Directors.

Article VI: Membership

The NYHL is a small recreational hockey program with membership ranging between 175 and 250 in any given year. NYHL draws from the City of Newburyport (geographic location) The NYHL does not recruit from other towns, but will allow participation based on the rules set forth by MA Hockey regarding Out of Town Players rostered on NYHL teams. NYHL teams compete primarily in the Valley League and other affiliated leagues in Massachusetts and Southern New

Hampshire.

The Board of Directors shall have the authority to suspend or revoke the membership of any member, whose conduct is considered detrimental to the objectives and values of the NYHL. Such dismissal shall be by a two-thirds vote of the Board of Directors, at a duly constituted meeting. Members may appeal the decision of the Board of Directors to a general membership meeting who, on a two-thirds vote, may order reinstatement.

Upon receipt of substantial evidence of the misconduct of any youth, the Board of Directors shall, at the earliest opportunity, notify the coach of the team of which the youth is a member of. The coach, assistant coach(es), legal guardian(s) or parents acting as witnesses, shall appear before the Board of Directors, which shall have the authority to take appropriate actions.

Article VII: Meetings

All meetings of the members shall be held at a location in Newburyport, MA. The Annual Meeting of the members shall be held in April at a time and place to be designated by the Board. Members shall be notified of a meeting by mail or by other available means (website, email, team representatives, or coaches). Notice to the members shall precede the meeting by no less than two (2) weeks. The order of business at the Annual Meeting will include, but not be limited to, roll call and proof of notice, the Treasurer's report (a written financial report for the most recent year ending shall be presented to the members at the Annual Meeting), reports on the year's business, unfinished business and the election and seating of new Directors. Such meetings will be conducted in accordance with generally accepted Robert's Rules of Order.

Regular meetings of the Directors will be held every month at a time designated as suitable for the entire BOD. Such meetings will be conducted in accordance with generally accepted Robert's Rules of Order. One half of all Directors shall constitute a quorum. A Quorum is required for all Board of Directors meetings. When a quorum is present at any meeting, a majority shall decide any matter to be voted on by the Directors.

The Board of Directors will hold open meetings for all members occurring in October and February and hold a minimum of three coaches meetings throughout the year.

Special meetings of the members may be called by the President or by the Board of Directors or upon written application of one or more members. Notice of special meetings shall be provided to members by the Clerk, or in the case of the death, absence, incapacity or refusal of the Clerk, by any other officer. Written notice of special meetings shall be provided to the members at least two (2) weeks prior. Such meetings will be conducted in accordance with generally accepted Robert's Rules of Order.

Article VIII: Board of Directors

The Board of Directors shall manage the affairs of the NYHL. The Board shall have all the powers necessary or desirable to manage the business and affairs of the NYHL and the Board will conduct its business and affairs in accordance with generally accepted Robert's Rules of Order. The powers and duties of the Board shall include, but not be limited to, the power to promulgate rules and regulations, adopt policies and procedures, and establish fees, dues and assessments necessary for the management of the affairs of the NYHL. Accordingly, the Board will make copies of the Bylaws, Rules and Regulations, including methods of becoming an Officer or Director, the method of selecting coaches, the definition of membership and voting rights and a list of current Officers and Directors available to all parents, coaches, players and other members of the association.

The Board will also be responsible for the program's compliance with the rules and regulations of USA Hockey, Inc. and Massachusetts Hockey, Inc., and where appropriate, Independent Hockey affiliations.

The Board shall have the final decision regarding player placements and coaching assignments.

In the event of a vacancy or departure from the Board, the remaining Directors, except as otherwise provided by law, may exercise the powers of the full Board of Directors until the vacancy is filled.

The number of Directors that shall constitute the whole Board of the Directors shall be determined by the vote of the eligible members at a meeting of the members. Each eligible member will have the right to one vote. The Board of Directors shall consist of not less than seven and not more than eleven members. The Board of Directors shall be elected at the Annual Meeting of the members. Only eligible members may be elected as Directors.

It is the responsibility of the Board to provide the right for parents, adult guardians, coaches and other volunteers to vote and become eligible for nomination and election to the Board of Directors.

Directors shall be elected for a two-year term. There will be a staggered process wherein half of the directors' terms will expire each calendar year. Each even year five (5) Directors shall be elected and each odd year four (4) Directors will be elected. The Board of Directors will take nominations from the general membership for open seats on the Board at the appropriate time during the Annual meeting. The election procedure will be posted by the Board before the vote is taken, and the Clerk will expedite the process, with the assistance of other Board Members not listed on the ballot. The members receiving the most votes will become part of the Board. In the event of a tie, a run off election will be performed.

Each Director shall hold office until the annual meeting of the members two years following the election to the Board and until his/her successor is elected and qualified, or until his/her death, resignation or removal.

Any vacancy on the Board, however occurring, may be filled by vote of a majority of the remaining Directors. Each such successor shall hold office for the unexpired term and until his successor is chosen and qualified.

Any Director may resign by delivering a written resignation to the President or Clerk. Such resignation shall be effective upon receipt unless said letter specifies otherwise.

A Director may be removed from office for cause by either a vote of a majority of the members entitled to vote in the election of Directors or a majority of Directors then in office. For the purposes of this provision, cause may be deemed to be the material non- compliance with the rules and regulations of USA Hockey, Inc. or Massachusetts Hockey, Inc. Material non-compliance may include, but not be limited to, failure to perform the duties of an elected or appointed office by a Director, failure to attend the number of meetings required to maintain eligibility as a Director, failure to comply with or act in a manner consistent with the NYHL's Bylaws or any other conduct or misfeasance deemed inappropriate in the discharge of that member's duties as a Director. A Director may be removed for cause only after reasonable notice and opportunity to be heard before the body proposing to remove him/her. A Director that continuously misses consecutive Board of Directors meetings and fails to participate in the execution of the duties required to administer NYHL can be removed from the Board by a vote, unless a valid reason for the absences has been previously provided to the President.

Directors as such shall not be entitled to or receive any form of compensation for their services as a Director.

Article IX: Officers

The officers of the NYHL shall be a President and a Treasurer. The officers of the NYHL shall be Directors and shall be elected annually by the Board of Directors at their first meeting following the annual meeting of the members. Vacancies may be filled or new offices created and filled at any meeting of the Board of Directors. Each officer shall hold office until his/her successor shall have been duly elected and qualified, or until he sooner dies, resigns or is removed. The procedure for election of the two officers will follow normal and/or agreed upon Robert's Rules of Order.

Any officer may resign by delivering his/her written resignation to the President or Treasurer. Such resignation shall be effective upon receipt unless the letter specifies otherwise. Any officer may be removed at any time, with or without cause, by vote of a majority of the entire number of directors then in office. An officer may be removed for cause only after reasonable notice and opportunity to be heard by

the Board of Directors prior to action thereon.

The President shall be the chief executive officer of the NYHL and shall have general charge and supervision of the affairs of the NYHL. The President shall preside at all meetings of the members and the President shall serve Ex Officio as Program Director and shall preside at all meetings of the Directors. It shall be his/her function, among others, to recommend to the Directors appointment of all coaches, to coordinate the player placement process as determined by the Directors, and to notify coaches as to player placement, and shall be responsible to coordinate and arrange all hockey league and related matters. The President will be empowered to rule on questions and issues not provided for in the Bylaws until the next meeting of the Board of Directors. In the event that a member disagrees with a decision of the President, the member may appeal the decision to the Board of Directors. The President will be a co-signer on NYHL bank accounts. It is recommended that the President serve a maximum of two consecutive terms.

The Treasurer shall be the Chief Financial Officer of the NYHL. The Treasurer shall be in charge of its financial affairs, funds, securities, and valuable papers and shall keep full and accurate records thereof. He/she shall have such other duties and powers as designated by the Directors or the President. He/she shall be in charge of its accounting policies, procedures and internal controls. The Treasurer shall prepare and submit to the Board members a financial update report for presentation at each Board of Directors meeting. The report shall itemize all revenues and disbursements and provide a review of the NYHL budget at the time of the meeting. Upon end of season, the Treasurer will lead the budget and fee development for the upcoming season. The Treasurer will also develop and file Taxes with the Commonwealth of Massachusetts at the end of each fiscal year. The Treasurer will be a co-signer on NYHL bank accounts. It is recommended that the Treasurer serve a maximum of two consecutive terms.

In coordination with the Clerk, the Treasurer and Assistant Treasurer shall maintain records of all proceedings of the members and Directors in a book or books kept for that purpose, which book or books shall be kept within the Commonwealth of Massachusetts at the principal office of the NYHL or at the office of the Treasurer or of its resident agent and shall be open at all reasonable times to the inspection of any member. Such book or books shall also contain minutes of all meetings of incorporators and the original or attested copies; of the articles of organization and bylaws and names of all members and Directors and the address of each. The Treasurer will verify the eligibility of voting members present at any meeting and whether a quorum is present. It is recommended that the Treasurer serve a maximum of two consecutive terms.

Officers will be supported by the Directors consisting of the following primary functions:

- Clerk
- Mite Instructional, Learn to Play, Learn to Skate coordinator
- Scheduling
- Fundraising
- Coaches Representative
- Equipment Manager
- Mass Hockey Representative

One Director will be designated as the Vice President and one as the Assistant Treasurer with the intent they will then transition into the primary role following the departure of the President and Treasurer. This will aid in continuity, in addition to staggered elections.

Article X: Contracts, Checks, Deposits and Funds

The Board of Directors may authorize any officer or officers, agent or agents of NYHL, to enter into any contract or execute and deliver any instrument in the name of and on behalf of NYHL and such authority may be general or confined to specific instances. Any contract that commits the organization to make payments in excess of $150 shall require a formal vote of approval before any officer or officers, agent or agents of the NYHL, enter into such an arrangement.

All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of NYHL, shall be signed by such officers, agent or agents of the NYHL and in such manner as shall from time to time be determined by resolution of the Board of Directors. Disbursements in excess of $1,000 shall require two authorized signatures.

All funds of NYHL shall be deposited to the credit of NYHL in such banks, trust companies or other depositories as the Board of Directors may select.
The Board of Directors may accept on behalf of NYHL any grant, contribution, gift, bequest or devise for the general purposes or any special purpose of NYHL.

Article XI: Books and Records

NYHL shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members and Board of Directors, and shall keep at the registered or principal office a record giving the names and addresses of the members. All books and records of the NYHL may be inspected by any member, or his agent or attorney for any purpose at any reasonable time with advance written notice.

Article XII - Fiscal Year

The fiscal year of NYHL shall end on March 31st of each year.

Article XIII: Communication

The Board of Directors makes every effort to keep its members informed of on-

going activities and issues. The usual ways this is accomplished is through postings on the bulletin board at the Graf Rink, postings on the web site www.nyhl.org, mailings and communication through the coaches.

Once registered with NYHL, members may be solicited with information on various camps, clinics and the like. Members will also receive various communications from the NYHL. The NYHL does not make its members' list available for solicitation purposes, however, registration materials are provided to both USA Hockey and Massachusetts Hockey, which may release information.
Any written communication to the NYHL should be sent to: PMB 157, 25 Storey Avenue, Newburyport MA 01950

Article XIV: Program Fees

Program Fees are payable at least one-half by May with the full amount due in September. For proper credit, the payment must be mailed to the NYHL post office box or paid online via credit card at www.NYHL.org (coaches and Board members are not responsible for collecting Program Fees). Failure to pay the registration and first payment will prohibit the member from obtaining a team assignment.

Members who have outstanding balances from the prior year will not be allowed to register until all prior balances have been paid in full. Further, members who do not comply with the required payment schedule for the current season may be suspended and/or denied the opportunity to participate in the program.

Members who cannot meet the required payment schedule must speak with the Treasurer about other arrangements. However, any plan accepted by the NYHL may be revoked upon the member's failure to comply with the terms of the plan.
Members who would like to make donations to support members who may have difficulty paying the required dues should also contact the Treasurer to discuss such arrangements.

NYHL will not sign USA Hockey or Mass Hockey team or financial release forms if balances remain.

Article XV: Coaching

Coaches are responsible to prepare their teams for competitive play, to maintain order and discipline, to work with the designated member of the Board of Directors ("Coaches Representative") on all relevant issues, and to ensure proper care and availability of equipment provided by the organization.

The Board of Directors, in selecting all coaches, shall formulate their own standards of character and leadership qualities, said standards being in keeping with the mission, values and objectives of the NYHL.

The Board of Directors shall annually select coaches whose conduct in the management of their teams shall be at all times under the direct supervision of the

Directors.

All persons interested in a head coach or assistant coach position for NYHL are required to notify the Board of Directors in writing by completing the application for coaching, regardless if previously coached in the NYHL.

Any coach who is accused of violating the standards and objectives of the NYHL, shall be called before the Board of Directors, in a private session, to explain any such accusation and after due consideration of the charges shall be subject to dismissal by a two-thirds vote of the total membership of the Board of Directors as per Article III. Written notice of a meeting for the purpose herein stated shall be presented to the coach seven (7) days prior to the meeting. The coach may appeal the decision of the Board to the general membership at the next regularly scheduled meeting. The decision of the Board may be reversed by a two-thirds vote of the voting membership.

Coaches shall make every effort to skate each and every child equally. Coaches are encouraged to rotate younger players throughout all positions and on special teams and special situations (e.g. pulled goalie). Coaches will incorporate one ADM style 'skill development' practice weekly for all players of all ages.

Coaches must be certified by USA Hockey and Massachusetts Hockey and must agree to have their criminal history checked under the Criminal Offender Record Information ("CORI"). This is both a USA Hockey and Massachusetts Hockey requirement that cannot be waived by the NYHL. Certifications include, but are not limited to, USA Hockey Level 1 – 3 and annual on-line age specific modules. Head Coaches and Assistant Coaches are required to complete the USA Hockey Level class and online-age specific module annually.

The NYHL reimburses individuals for the cost of attending certification programs and online training requirements by USA Hockey. Additional coaching certifications and USA Hockey Level 4 and Level 5 Advanced Coaching Certification Programs must be approved by the NYHL prior to attending and will only be reimbursed for the course in three annual installments if the coach remains with the program each year.

Head coaches, unless otherwise approved by the Board, will be limited to coaching the same group of skaters for two seasons before a mandatory one full season break.

Article XVI: Grievance Procedure

The NHYL does everything in its power to prevent conflicts among members, parents, coaches, and spectators. However, issues arise which must be resolved. Any member aggrieved by the actions or conduct of any officer, Director, coach, assistant coach, fellow member, or player may request, in writing, a hearing before the Board of Directors. The following must be stated in the letter:

- Offender's Name
- Team
- Date of Incident
- Member's Name
- Detail of Complaint
- Parent/Guardian Name

The Board of Directors will take the actions it deems appropriate. The Board of Directors will defer to the judgment of its coaches on issues of suspensions, ice time and the like unless it is clear a coach is acting in an arbitrary and capricious manner. Any member challenging a suspension decision must write the Board of Directors and state clearly in the letter the above information.

All information will be held confidential and the Complainant will be contacted immediately. The Board takes complaints seriously and will take steps to investigate and resolve the situation expeditiously.
(In any instance(s) where NYHL procedure conflicts with the policies and procedures of USA Hockey, USA Hockey rules will prevail.)

Article XVIII: Code of Conduct

In an effort to make ice hockey a more desirable and rewarding experience for all participants, NYHL will maintain a "zero tolerance" policy and not accept any form of verbal or physical abuse by members of the organization. This policy requires all players, parents, coaches and administrators to maintain a sportsmanlike and educational atmosphere consistent with the mission and values before, during and after all NYHL hockey events.

A member found responsible for this type of activity may face a one game suspension handed down from coach, and or board/administrator for the first offense. Members found responsible for continued abuse will face a hearing with the board of directors, penalties will include further suspensions, or even expulsion from the program.

NYHL members will comply with the *Newburyport Public School Anti Bullying* policies (http://www.newburyport.k12.ma.us/middle/PDF/AntiBullyingPolicy.pdf) and USA Hockey code of conduct and zero tolerance policy. (http://assets.ngin.com/attachments/document/0041/6557/USA_Hockey_Participant_Code_of_Conduct_Form.pdf).

Article XIX: Medical

NYHL will adhere to USA Hockey, the State of Massachusetts and Newburyport Public Schools requirements for medical and concussions. If a concussion occurs, a player must provide a note from a medical doctor authorizing clearance to play to the board of directors prior to returning to the ice.

Article XX: Amendments to Bylaws

These bylaws may be altered, amended or repealed and new bylaws may be adopted by a three-fourths vote of the eligible voting members in attendance who are entitled to vote at any Regular, Special or Annual meeting of the members if notice of the substance of the proposed amendment is stated in the notice of such meeting. At least thirty days written notice must be given of any intention to alter, amend or repeal or to adopt new bylaws at such meeting.