

SANTA CLARA VALLEY HOCKEY ASSOCIATION

BY-LAWS

ARTICLE I – TITLE AND AFFILIATION

1. The organization shall be called the Santa Clara Valley Hockey Association (herein designated as the Club).
2. The Club shall operate as a non-profit organization whose officers shall serve without compensation.
3. The Club, upon a majority vote of its Associate and Sustaining Members present at a General Meeting, may join or affiliate with any amateur hockey league or association whose qualifications it meets.

ARTICLE II – PURPOSES

1. The purpose of the Club is to: To promote the sport of amateur hockey in its area; to provide safe, supervised and sportsmanlike training, utilizing the most contemporary techniques, competent coaching and competitive games for the Members of the Club; and to build the character, sportsmanship and citizenship of the members of the Club.

ARTICLE III – MEMBERSHIP

1. All players registered with and fulfilling their financial obligations to the Club are Regular Members of the Club.
2. All parents or legal guardians of Regular members under the age of majority, and all Regular Members of majority age are Associate Members of the Club.
3. Persons who are not Regular or Associate members of the Club, but have an active interest in the Club, may become Sustaining Members of the Club only by application to and acceptance by the Executive Board.
4. Coaches and Assistant Coaches will become, upon appointment by the Executive Board, Sustaining Members.

ARTICLE IV – ORGANIZATION

1. Pursuant to Article VI of the Articles of Incorporation, the number of Directors of the Corporation shall be seven. The elected officers shall serve as the Directors of the Club.
2. The elected officers of the Club are the President, First Vice President, Second Vice President, Treasurer, Assistant Treasurer, Secretary, Registrar, and Member At Large. The minimum requirement for eligibility to serve as an elected officer shall be one year, (to consist of one full playing season) of affiliation with the Club as an Associate member.
3. The elected officers of the Club shall be designated as the Executive Board.
4. The appointed officers of the Club shall be the Director of Coaches, Director of Hockey Operations, , and Club Historian, all of whom shall be appointed by a majority vote of the Executive Board.

5. The General Board shall consist of the Executive Board, all appointed officers and the designated representative from each team. Each Team Coach shall advise the Club Secretary of the names of his two designated representatives prior to the beginning of the season. Each member of the General Board shall have one vote. Proxy voting is prohibited for General Board purposes
6. The General Board shall perform their duties in good faith and in such manner as the officer feels is in the best interest of the Club and as an ordinary and prudent person, in a like position, would strive to do under similar circumstances.

ARTICLE V – ELECTIONS AND TERMS OF OFFICE

1. All Associate and Sustaining members of the Club are eligible to become Officers of the Club. No elected Officer may be a Head Coach during his term of office. Only one Member of any family may hold elective office at one time. No Member may hold more than one elective office at one time.
2. Associated and Sustaining members of the Club are eligible to vote at Regular Club meetings provided they have completely fulfilled their obligations to the Club at the time of the meeting.
3. The President shall appoint a Nominating Committee, chaired by a Vice President, which will submit to the Executive Board, two weeks prior to annual elections, a list of persons who advised the Committee of their intention to run for elective office. The Committee will consist of three Associate or Sustaining Members and may include Regular Members who have reached the age of majority. Additional nominations may be recommended to the Committee from the General Membership, provided said nominations are in writing, delivered to the Committee Chairman two weeks prior to the election and are accompanied by a statement of the person nominated that he would accept the office if elected.

Upon clarification of the nominees eligibility by the Executive Board, the Committee will prepare ballots for use in voting in the subsequent election. The ballots shall indicate the vacant office along with the names of the candidates determined to be eligible for that office.

The Officers of the Club shall be elected by a secret ballot. Notification of the time and the place of this meeting or vote via email shall be mailed or emailed to all members at least two weeks prior to the voting.

NOMINEES FOR EACH ELECTIVE OFFICE

The nominee receiving the majority of the votes cast shall be declared the winner. If no nominee receives the majority of votes cast, a run off shall be needed between the nominees receiving the largest vote totals. The run off shall be by secret ballot. All of the election totals are to be announced and entered in the minutes of the meeting.

4. The resignation of an officer shall be submitted to the President, in writing. When the President has determined that a vacancy in an office exists for any reason, he shall immediately nominate and present to the General Board for their approval, an interim officer to hold the office for the balance of that term.

The First Vice President shall make the nomination herein should the President resign. If the vacant office is not filled within 30 days of the vacancy, then a Special Meeting of the General

Membership shall be called, within 40 days of the vacancy, for the purpose of holding elections to fill the vacant office.

5. If any elected officer, in the opinion of a three-fourths majority of the General Board, becomes remiss in his duties through failure to perform his assigned functions, or through malfeasance of office, a Special Club meeting must be called to institute recall proceedings. Notification of the time and the place of such a meeting shall be mailed to all Members at least three weeks prior to the meeting date. All members, who at the time of this meeting would be eligible to vote for Club Officers, shall be eligible to vote on the issue of recall. An officer shall be removed from office upon the concurrence by a three-fourths majority of the eligible voters present at the meeting.

TERMS OF OFFICE

6. All elected officers shall assume office and voting rights on May 1st, following the election. All Club officers voting rights shall expire on April 30th, however to facilitate transition, the past Executive Board shall assist the incoming Executive Board during a transitional period. The President shall remain Ex-Officio until October 1st. All other elected officials shall remain for a one-month transition until June 1st.

ARTICLE VI – DUTIES OF CLUB OFFICERS

1. **The President** is responsible for all Club business and shall function as the Club's Chief Administrative Officer and shall:
 - Call all meetings of the Club.
 - Appoint standing committees and special committees as he/she deems necessary.
 - Sign all contracts and agreements on behalf of the Club.
 - Oversee the performance of the duties of all elected and appointed officers of the Club.
 - Prepare the Club budget with the assistance of the First Vice President and the Treasurer for presentation to the Executive Board prior to July 1 of each year.
 - On or before February 1st of each year, prepare a comprehensive report on the state of the Club to include program(s) status, fiscal condition and the performance records of elected and appointed officers; said report to be printed in the Club newsletter.
 - Oversees administration of scholarship funds with the Scholarship Director and Assistant Treasurer.
2. **The First Vice President** is responsible for the business management of the Club and shall:
 - Evaluate all Club fund raising proposals and present them to the Executive Board for approval.
 - In the absence of the President, or in the event of his inability to act, discharge the duties of the President with the approval of one other member of the Executive Board.
 - By September 1st of each year, submit to the Executive Board a comprehensive schedule detailing the official fund raising plan for the year. Upon approval of this plan, the First Vice President shall be responsible for implementing all details.
 - Prepare inventory of merchandise on hand or on order as of April 30th and submit to the Executive Board.

- Oversee merchandise allocation and distribution.
3. **The Second Vice President** is responsible for the management of the Club's hockey operations and shall:
- With the assistance of the Director of Coaches, assign all ice times and ice activities and select Club playing equipment. Prepare and negotiate ice contracts.
 - Take charge of and be responsible for all Club playing equipment and prepare a written inventory thereof for presentation to the Executive Board prior to May 1st of each year.
 - Issue equipment as required in an equitable manner to all teams with the assistance of the Team Managers.
 - Take all orders for Club equipment
 - Ensure that all rink facilities and equipment are of the best possible quality and meet reasonable safety standards and, by July 1st, submit a report of facility conditions to the Executive Board with a schedule of repair and/or maintenance.
 - Direct the equipment and facilities maintenance responsibilities of the Team Managers.
 - Assume additional responsibilities deemed appropriate by the President.
4. **The Treasurer** is responsible for the collection and disbursement of all Club funds and shall:
- Issue a written report on the financial conditions of the Club prior to June 1st, and at monthly intervals thereafter for presentation to the General Board.
 - Deposit all Club funds in the name of the Club in a financial institution approved by the Executive Board.
 - Make all disbursements by check.
 - Keep proper books of accounts and make them available to any Club Member for review within ten days after receipt of a written request.
 - Submit all books of accounts for an annual audit by an Auditing Committee of non-Club officers prior to the expiration of his/ her current term. Said Committee shall consist of not less than three members, none of whom shall be related to the current Treasurer.
 - Assist the President in the preparation of the annual budget.
 - Maintain all necessary state and federal tax returns of the Club, prepared by non-member Certified Public Accountant.
 - Assume additional duties deemed appropriate by the President.
5. **The Secretary** is responsible for all Club records and correspondence and shall:
- Keep minutes of all Executive, General Board, and General Membership meetings of the Club and present them, in writing, for approval at the next meeting.
 - Be responsible for the care and custody of all reports and documents connected with the business of the Club.
 - Maintain the Club inventory of stationery, supplies, emblems and other articles other than playing equipment.
 - Prepare and issue all notices of all meetings of the Club called by the President.
 - Furnish a copy of the By-Laws and Rules of the Club to all members.

- Maintain a permanent mailing address for the Club.
 - Assume additional duties deemed appropriate by the President.
6. **The Registrar** is responsible to maintain an accurate roll of membership and shall:
- Keep birth certificates of all Regular Members.
 - Keep a record of all eligible and suspended Members.
 - Receive all applications for membership.
 - Insure that the Club adheres to all USA Hockey, CAHA, and NORCAL registration rules and regulations.
7. **The Assistant Treasurer** is responsible for the collection of dues from the members and shall:
- Report the names of those members in arrears in their financial obligations to the Executive Board, each Team Coach, and each Team Director, monthly.
 - Authorize alternate payment schedules and methods
 - Oversees scholarship funds allocation with the Scholarship Director and Club President.
 - In the absence of the Treasurer, make disbursements by check with appropriate approval.
8. **The Member At Large/Tier Commissioner**, in addition to being part of the Executive Board, shall:
- Oversee all aspects of the administration of tier-level teams. This shall include overseeing tryouts, assisting the Assistant Treasurer with the collection of dues and assisting the Registrar with registration.
9. **The Director of Coaches** shall be appointed by the Executive Board before May 10th, and shall be responsible for: the following:
- The appointment and supervision of all Team Coaches, subject to the approval of the Executive Board.
 - Evaluation of the coaching staff throughout the season and providing a mid-year and year-end written evaluation of all head coaches
 - He/she shall assist the Second Vice President in scheduling ice time.
10. **The Director of Hockey Operations** shall be appointed by the Executive Board before May 10th, and shall be responsible for the following:
- Work with Director of Coaches and coaching staff on training fundamentals
 - Lead efforts for fair player evaluations
 - Lead efforts for team creation after evaluations
 - Along with the President and Director of Coaches is included in decisions pertaining to final player placement
 - Along with the President and Director of Coaches is included in decisions pertaining to nomination of coaches
 - Participates in the resolution of team/coach issues throughout the season

- Oversees and works with Ace Coordinator with player development and player movement
- Participates in player and/or coach disciplinary process at SCVHA Board, NORCAL, CAHA and USA Hockey levels as deemed appropriate
- Work with Director of Coaches on tryout procedures and format
- Oversees affiliated summer programs
- Participates in development and coordination of hockey clinics
- Assume additional responsibilities deemed appropriate by the President
- Evaluate and communicate hockey rule changes made by USA Hockey, CAHA or Norcal

11. A Rules Administrator shall be appointed by the Executive Board before May 10th and shall serve a one year term. The primary goal of the Rules administrator is to advise the board on application of club by-laws, rules and other applicable rules and by-laws. The Rules Administrator is a non-voting position and their opinions serve only as a non-binding recommendation to the SCVHA Executive Board. Any decision of the board after review the recommendations of the Rules administrator shall be final. The Rules administrator shall:

- Convene and chair a meeting of the executive board for grievance or disciplinary action in a timely manner
- Review all grievances made to the board and ensure that the relevant club by-laws, rules, and hockey association by-laws and rules are evaluated and interpreted
- Recommend to the board any action to be taken as a result of grievance or disciplinary action based applicable by-laws and rules
- Maintain and update the SCVHA by-laws as necessary, and prepare amendments for board approval

12. **The Team Coach** shall be nominated by the Director of Coaches and approved by the Executive Board. He shall be responsible for the management of his team. He shall direct the activities of players of his team during practice and games. It shall be the policy of the Team Coach to promote sportsmanship and fair play by example as well as by direction. He shall endeavor to develop the hockey skills of all players and to permit them to play in games as much as reasonably possible.

The Team Coach shall notify his Assistant Coach to act in his stead whenever he cannot be present at a practice or game. He shall enforce the wearing of protective equipment as required by the Club and USA hockey policy at practices and games, and shall prohibit a player from participating in practice or a game when that player is not wearing such equipment. He shall prohibit ineligible players from participating in team activities.

13. **The Assistant Coach** shall be appointed by the Team Coach and shall report to and assist the Team Coach in the direction of team activities and act in his stead during his absence.

14. **The Team Manager** shall be appointed by the Team Coach and shall be responsible for all Club equipment issued to his/her team. The Team Manager shall be responsible for the proper care of all

Club and rink equipment/facilities while his team is engaged in Club authorized games, practices, or training and shall direct his efforts in the capacity as required by the Second Vice President. He/she shall appoint, with the Team Coach's approval, an assistant to act in his/her stead during his/her absence. He/she shall be responsible for maintaining team credentials and carrying them to all team functions.

15. **The Team Representative** shall represent all the Associate Members, Team Coach, and the Club Officers. He/she shall be elected by the Associate Members of his team and shall represent them on all grievance issues. He/she shall coordinate the team management between the Associate Members and the Team Coach. He/she shall attend all General Board and General Membership meetings and report the meeting contents to the team's Associate Members. He/she shall assist the First Vice President in all fund raising and serve on the Fund Raising Committee. He/she shall appoint an assistant to act in his/her stead during his/her absence.
16. **The Team Treasurer** shall be appointed by the Team Coach and shall assist the Coach and other team representatives in activities essential to the team. He/She shall strive to maintain a high level of team morale. He/She will have responsibilities over team funds. He/She should work closely with the Team Representative with regard to fundraising, and the Tournament Director for ensuring funds with regard to Tournament costs and travel costs are collected on a timely basis.
17. **The Team Tournament Director** (If desired) shall be responsible for organizing all tournaments. He/she shall contact tournaments and present information to the team, to decide which tournaments they shall attend. He/she shall collect monies for payment of the tournament, prepare registration paperwork, and arrange hotel and other accommodations for the team.

ARTICLE VII – RIGHTS AND DUTIES OF MEMBERS

1. All members shall support the Club Officers and abide by the By-Laws and Rules of the Club.
2. Members shall pay all fees, dues and assessments established by the Club and levied upon all members. Club Officers may levy assessments in the amount necessary to meet ongoing financial obligations of the Club. Payment of fees shall be due on the first day of each month and shall be considered delinquent on the fifteenth day of the month. Any delinquent member shall be suspended from the Club and shall not participate in any Club activities. Members shall be reinstated upon payment of delinquent fees.
3. All complaints and grievances by Members shall be presented to the Team Director. The Team Director shall represent the Members' interest to the Team Coach. If the grievance is an issue beyond the authority of the Coach to resolve, or does not relate to the team management, the Team Coach shall immediately notify the Team Director of the fact and direct him to present the grievance to the Club President. If the grievance is related to an issue within the control of the Coach, a timely reply must be provided. If, within ten days, the Team Director has not advised the Member of a reply to his grievance, the Member may appeal in writing to the President and Rules Administrator. The President or Rules Administrator, upon receiving a timely appeal, shall call a meeting of the General Board within ten days to consider the grievance. The Member may attend

that meeting and present his grievance to the General Board. The decision of the General Board shall be final.

4. Any Regular Member is subject to suspension by the Team Coach, Director of Coaches, or President for any act hazardous to the safety of any player, official or spectator, or for any act of gross misconduct reflecting unfavorably upon the Club. The suspended player may appeal his suspension by written notice to the President. The President shall call a meeting of the General Board to review the appeal within five days of his receipt of the notice of appeal. The Member, or his designated representative, shall be present at the meeting to present his appeal. The decision of the General Board shall be final.
5. Any Associate or Sustaining Member is subject to loss of membership status, including the right to attend Club activities, by any Executive Board Member for any act hazardous to the safety of any player, official or spectator, or for any action likely, to a reasonable and prudent person, to provoke violence, or for any acts of physical or verbal threats directed toward any Club or league official. The appeal process is identical to that set forth in Article VII, Section 4.
6. The books, records, minutes, correspondence, communications of the Corporation, Executive Board, General Board and Committees relating to all Club business, policies, officers or members shall be open for inspection by, and upon demand of, any Member for a purpose reasonable related to the Member's interest as a Member. The Member shall be permitted to inspect the designated records within six days of receipt of the demand or at such other time thereafter as the Member shall designate.

7. SCVHA PLAY UP POLICY

Any player who by birth is in the second year of his/her age classification may petition to play up one age classification, to a higher age level A1 team only, provided the following conditions are met:

- The player must attend and participate in the try-outs for both age groups and will be charged the cost of two try-out sessions.
- The player must be deemed, by the SCVHA try-out evaluators, to be among the top 5 skaters or the top goalie in the higher level A1 age classification, ie: prior PeeWee playing up to Bantam A1.
- The play-up request form must be signed by the head coaches of both of the affected teams, the Director of Coaches, the Director of Hockey Operations and the Club President.

The above does not apply to Squirt-aged player petitioning to play the PeeWee age classification as the club does not allow Squirts to play up to PeeWee.

No player shall be allowed to play up in age classification while in the first year of competition within the proper age classification (e.g., a first year PeeWee cannot play Bantam).

Providing the above conditions have been met, approval of the play up request shall not be unreasonably withheld. USA Hockey recognizes Midgets as one division with two age groups. As such, a second year Bantam player could request to play up to Midget-16, but not Midget-18.

ARTICLE VIII-MEETINGS

1. General Membership meetings of the Club shall be held at the discretion of the President except as otherwise provided but at least twice a year. .
2. The Executive Board shall meet as often as necessary to conduct Club business in a proper and ongoing manner. The President shall set the time and place. At least 4 out of 7 Executive Board members must be present for the purposes of voting.
3. **Special Meeting Call**

1. Executive and General Board:

A special meeting of the Executive or General Board may be called at any time by the President or any two members of the Executive Board. A General Board meeting can be called at any time by the President or any two members of the General Board. Notice of the time and place of a Special Meeting shall be delivered personally, or by email, or by telephone, or by first class mail, postage pre-paid, addressed to each Board Member at that Board Member's address as it is shown on the records of the Club. In the case notice is mailed, it shall be deposited in the United States Mail at least five days before the time of the holding of the meeting. In case notice is personally delivered or by telephone or email, it shall be delivered at least 48 hours before the time of the holding of the meeting. Any oral notice personally or by telephone or by email may be communicated either to the Board Member or to a person at the office or home of the Board Member, who the person giving the notice has reason to believe will promptly communicate it to the Director. The notice need not specify the purpose of the meeting. The notice provided for herein shall be delivered by the Members calling the special meeting.

2. General Membership Meeting

A General Membership meeting may be called at any time by the President or an Associate Member holding 25 percent of the voting power of Associate Members. If a Special Meeting is called by other than the President, the request shall be in writing, specifying the general nature of the business proposed to be transacted, and shall be personally delivered or sent by Registered Mail to the President. The President, upon receipt of the request, shall cause notice to be promptly given to the Members entitled to vote, that a meeting will be held not less than ten days or more than 20 days after receipt of the request. If the notice is not given within 20 days after receipt of the request, the Members requesting the meeting may give notice.

All notices of Special Meetings of the Members shall be given personally or by mail, postage pre-paid, addressed to the Associate Member appearing on the books of the Club, not less than ten days before the date of the meeting, specifying the time, date and place of the meeting and the general nature of the business to be transacted. Notice shall be deemed given when wither personally delivered or deposited in the United States Mail. If any mailed notice is returned marked to indicate that the United States Mail is unable to deliver the notice to the Associate Member at that address, all future notices shall be deemed to

have been given without further mailing until the Member advises the Club's Secretary of a new address for said Member.

A declaration of mailing or other means of giving any notice of any Member's meeting shall be executed by the Secretary or other agent of the Club giving the notice, and shall be filed and maintained in the records of the Club.

1. ARTICLE IX – AMENDMENT OF BY-LAWS

1. The Executive Board shall review the by-laws of the Club annually. The Executive Board must support any proposed amendments to the by-laws. The Executive Board will post amendments to the by-laws within ten days of approval.