

SCHUMACHER DAY MINOR HOCKEY ASSOCIATION CONSTITUTION

ARTICLE I – NAME

This Association shall be known as the SCHUMACHER DAY MINOR HOCKEY ASSOCIATION (Schumacher Day Inc.), hereinafter referred to as S.D.M.H.A.

ARTICLE II – PURPOSE

It is the mission of Schumacher Day Minor Hockey to provide a safe and positive environment for children to have as much fun as is possible, playing Canada's national game. It is also our goal to help each child develop self esteem, self-confidence and life skills such as team work, patience, humility, fairness and honesty.

ARTICLE III – MEMBERSHIP

Membership in S.D.M.H.A. shall be limited to the following:

- (1) All parents (one mother and one father) of players who participated through registration in S.D.M.H.A. teams during the current year;
- (2) All directors of S.D.M.H.A. who have been directors during the current year;
- (3) All coaches, managers, and trainers officially recognized as part of a S.D.M.H.A. participating team during the current year;

ARTICLE IV – VOTING ELIGIBILITY

Voting privileges at the annual or any general meetings of the association shall be extended to the following:

- Members of the Executive Committee shall each have one (1) vote;
- Two (2) team management votes from each team staff members. These votes may not be transferred.

All votes must be made in person by a team representative or parent representative, who shall identify himself or herself prior to the commencement of the meeting.

No member will be able to cast any more than one vote for each called for vote regardless of the number of active positions held during the current year.

Only those eligible members in attendance at the Annual or any General meetings called shall be allowed to vote. Votes by proxy are not allowed.

SCHUMACHER DAY MINOR HOCKEY ASSOCIATION CONSTITUTION

ARTICLE V – MEETINGS

- 1) S.D.M.H.A. shall hold an Annual Meeting at the conclusion of the hockey season, at a time and place designated by the board of directors.
 - 2) The board of directors shall call a General Meeting upon receipt in writing, signed by at least six (6) members of S.D.M.H.A.
 - 3) BUSINESS – The order of business for the Annual Meeting shall be:
 - a. Reading of minutes of last meeting and adoption thereof;
 - b. Business arising from the minutes;
 - c. President's report;
 - d. Treasurer's report
 - e. Amendments to the Constitution;
 - f. Unfinished business;
 - g. Correspondence;
 - h. Election of Senior Executive and directors;
 - i. General items and new business;
 - j. Adjournment
- (1) NOTICE OF ANNUAL MEETING – Notice shall be published by the Vice President or the Secretary in all local media at least fourteen (14) days before the date of the Annual Meeting. The notice of meeting must advise that all proposed amendments to the Constitution must be in writing and received by the Vice President of S.D.M.H.A. at least seven (7) days before the date of the Annual Meeting.
- (2) CHAIRPERSON – The President or in his/her absence the Vice President of the board of directors shall act as Chairperson of all meetings of S.D.M.H.A. In the absence of both the President and the Vice President, the members present shall choose another director as Chairperson and if no other director present, or if all the directors present decline to act as Chairperson, the members present shall choose one of their members to be Chairperson.

ARTICLE VI – POLICING AND ENFORCEMENT OF CONSTITUTION

The board of directors of S.D.M.H.A. shall enforce the Constitution.

ARTICLE VII – AMENDMENTS TO THE CONSTITUTION

Amendments to the Constitution may only be made by a two – thirds majority vote of eligible members present at the Annual Meeting of S.D.M.H.A. and shall only be considered if they have been delivered to the Vice President of S.D.M.H.A. at least seven (7) days prior to the date of the Annual Meeting.

ARTICLE VIII – S.D.M.H.A. RULES

- (1) Schedule "A" attached known as "S.D.M.H.A. BYLAWS" are hereby officially recognized.
- (2) S.D.M.H.A. RULES may be amended by a simple majority vote of the members of the board of directors of S.D.M.H.A.

SCHUMACHER DAY MINOR HOCKEY ASSOCIATION CONSTITUTION

ARTICLE IX – BOARD OF DIRECTORS

- 1) The affairs of S.D.M.H.A. shall be managed by a board of directors consisting of the following elected positions: President; Vice President; Secretary; Treasurer; Ice Convenor; and up to seven (7) directors, for a maximum total membership of twelve (12).
- 2) One of the seven (7) directors will be the Manager of the Schumacher Cubs Midget team
- 3) SENIOR EXECUTIVE – The Senior Executive shall consist of the President, Vice President, Secretary and Treasurer (if applicable)
- 4) QUALIFICATIONS OF DIRECTORS – Any member of S.D.M.H.A. as defined in ARTICLE III shall be eligible for membership to the board of directors of S.D.M.H.A.
- 5) QUALIFICATIONS OF SENIOR EXECUTIVE (Other than President) – In order for an individual to serve a term as Vice President, Secretary, or Treasurer (if applicable), they should have served on the board of directors of S.D.M.H.A. for at least one (1) year in the preceding five (5) years.
- 6) QUALIFICATION OF PRESIDENT – In order for an individual to serve a term as President of S.D.M.H.A. they should have served on the board of directors of S.D.M.H.A. for at least three (3) years in the preceding five (5) years.
- 7) TERM OF OFFICE – All elected members of the board of directors shall be elected for a term of one (1) year at the Annual Meeting of S.D.M.H.A.
- 8) ELECTIONS – Directors shall be elected by the eligible voters at the Annual Meeting of S.D.M.H.A. by a show of hands, unless a written ballot is demanded. In such case, the election shall be by ballot.
- 9) RE-ELECTION – Retiring directors shall be eligible for re-election to the board of directors.
- 10) ORDER OF ELECTIONS – The order of elections shall be as follows:
 - i) President;
 - ii) Vice President;
 - iii) Ice Convenor;
 - iv) Secretary;
 - v) Directors (6 to be elected)
 - vi) Treasurer
- 11) VACANCIES
 - i) Any vacancies within the board of directors may, as long as there is a quorum of directors then in office, be filled by the directors from among the qualified members of S.D.M.H.A. if they see fit to do so, otherwise, such vacancies shall be filled at the next Annual Meeting of S.D.M.H.A.
 - ii) In the event a vacancy occurs within the senior executive, (President, Vice President, Secretary or Treasurer (if applicable)) the board shall appoint a director to complete the term of office.
- 12) REMOVAL / SUSPENSION OF DIRECTORS –

SCHUMACHER DAY MINOR HOCKEY ASSOCIATION CONSTITUTION

- a) The members of S.D.M.H.A., by a special resolution, may remove by a two – thirds majority of votes cast at any such meeting of S.D.M.H.A., any director before the expiration of his/her term of office and may elect any eligible person in his/her stead for the remainder of his/her term.
 - b) S.D.M.H.A. may, upon a two – thirds majority vote of the eligible members present at an Annual Meeting, or any meeting of S.D.M.H.A. suspend any member of the board of directors whose acts or conduct are considered unfit to be associated with S.D.M.H.A. in youth activities. Such suspension may be for such period as a two-thirds majority of the eligible membership by vote prescribes. In consideration of a motion to suspend any member of the board of directors, the member who is under consideration shall be given the opportunity to answer any charges made against him/her. The vote on the question shall be by secret ballot.
 - c) In the event a director shall without good cause, fail to attend three (3) consecutive meetings (executive, general, and/or annual) he/she shall be deemed to have retired from office.
- 13) REMUNERATION OF DIRECTORS – The directors of S.D.M.H.A. shall serve without remuneration, and no director shall directly or indirectly receive any profit from his/her position as such. A director may be paid pre-authorized reasonable expenses incurred by him/her in the performance of his/her duties.
- 14) MEETINGS – Meetings of the board of directors of S.D.M.H.A. shall be held monthly, or, at such time and frequency as the board may determine. The President, or Vice President, or any two (2) directors, provided the prescribed notice of meeting has been delivered may convene a meeting of the board of directors of S.D.M.H.A. at any time.
- 15) NOTICE OF MEETINGS – Notice of any meeting of the board of directors shall be delivered, mailed or telephoned to each director not less than two (2) days before the meeting is to take place, provided always that a meeting of the board of directors may be held at any time without formal notice if all the directors and officers are present, or those absent have waived notice or have signified their consent in writing to the meeting being held in their absence.
- 16) QUORUM – A quorum at any meeting of the board of directors of S.D.M.H.A. shall be fifty percent (50%) of the sitting members of the board.
- 17) VOTING OF THE DIRECTORS – Questions arising at any time during a meeting of the board of directors shall be decided by a simple majority of votes cast by those present. Only in the event of a tie shall the President vote.
- 18) COMMITTEES and CONVENORS – The board of directors, from its ranks, may appoint the following committees and convenors (if applicable):
- i) Tournaments Committee
 - ii) Sponsorship Committee
 - iii) Discipline Committee
 - iv) League convenors (Initiation; Atom; Pee Wee; Bantam; Midget)
- The directors may appoint from the membership of S.D.M.H.A. such other committees as they deem desirable to perform duties not herein specifically charged to some other individual or committee.
- 18) DUTIES OF DIRECTORS – The directors shall be responsible for:
- i) Registration of players;
 - ii) Upholding the S.D.M.H.A constitution

**SCHUMACHER DAY MINOR HOCKEY ASSOCIATION
CONSTITUTION**

- iii) Appointing coaches, and;
- iv) All other matters as may be required,

- 19) Any two (2) of three (3) namely the President, Vice President and the Treasurer shall be signing authorities for all bank accounts in the name of S.D.M.H.A.
- 20) The President of S.D.M.H.A. shall hold no other position within S.D.M.H.A. so that in all cases he may remain impartial.

ARTICLE X LIABILITY OF DIRECTORS

Be it enacted and it is hereby enacted as an article of the Constitution of Schumacher Day Minor Hockey Association (Schumacher Day Inc.) (hereinafter called the "Corporation") as follows:

- 1) Every director or officer of the Corporation or other person who has undertaken or is about to undertake any liability on behalf of the Corporation and their heirs, executors and administrators, and estate and effects, respectively, shall from time to time and all times, be indemnified and saved harmless, out of the funds of the Corporation, from and against:
- a) All costs, charges and expenses whatsoever which such director, officer or other person sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against him for or in respect of any act, deed, matter or thing whatsoever made done or permitted by him in or about the execution of the duties of his office or in respect of any such liability; and
 - b) All other costs, charges, and expenses which he sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges, or expenses as occasioned by own willful neglect or default.
- 2) No director or officer for the time being of the Corporation shall be liable for the acts, receipts, neglects, or defaults of any other director or officer or employee or for joining in any receipt of act of conformity or for any loss, damage or expense happening to the Corporation through the insufficiency or deficiency of title to any property acquired by order of the Board of Directors for or on behalf of the Corporation or for the insufficiency or deficiency of any security in or upon which any of the moneys of or belonging to the Corporation shall be placed out or invested or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, firm or corporation with who or which any moneys, securities or effects shall be lodged or deposited or for any other loss damage or misfortune whatever may happen in the execution or supposed execution of the duties of his respective office or trustor in relations thereto unless the same shall happen by or through his own willful act or his own willful default.

ARTICLE XI -APPOINTMENT OF COACHES

- (1) The Secretary of S.D.M.H.A. is to make all the necessary arrangements for advertising for coaching positions in S.D.M.H.A.

SCHUMACHER DAY MINOR HOCKEY ASSOCIATION CONSTITUTION

(a) HOUSE LEAGUE -S.D.M.H.A. is to advertise for the coaches that are needed. Prospective coaches must apply to the Vice President of S.D.M.H.A.

(b) NOHA TEAMS -S.D.M.H.A. is to advertise each year for NOHA coaches. Prospective coaches must apply to the Vice President of S.D.M.H.A. for their respective teams. Applications must include all training qualifications as well as experience. The selection of respective team coaches and the announcement of these coaches will be made by the incoming board of directors of S.D.M.H.A.

ARTICLE XII -DISCIPLINE

The President or his appointee may temporarily suspend any player, coach, manager, or trainer participating in any division administered by S.D.M.H.A. for acts or conduct deemed by him/her to be detrimental to S.D.M.H.A. The suspension shall immediately be considered at a meeting of the Discipline Committee of the board of directors. This meeting shall take place within seven (7) days of the beginning of said suspension.

**SCHUMACHER DAY MINOR HOCKEY ASSOCIATION
CONSTITUTION**

S.D.M.H.A. CONSTITUTION –Document Control

Article	Change	Who	Date
Entire Constitution	Formalize-Re-write	Brian Getty	June 2008
Article IX	Max. # on board increased to 12	AGM	April 2009
ARTICLE IV – VOTING ELIGIBILITY	Clarification	AGM	April 2009

SCHEDULE A
SCHUMACHER DAY MINOR HOCKEY ASSOCIATION
BYLAWS

- Every child registered with Schumacher Day Minor Hockey Association, and playing within the house league system, is to have equal opportunity during games. Coaches must make every effort to ensure fair play is followed. Fair play does not always mean equal play, but House League coaches must make every effort to play ALL players in a fair manner. This rule is to be strictly enforced by coaches and Board of Directors.
- All coaches and team officials are to behave in a positive manner, portraying good sportsmanship. They are responsible for their actions on and off the ice and may be required to appear before the Discipline committee if their behavior is in question.
- When assembling House League teams, preference will be given to children from Schumacher or from the Schumacher minor hockey system. Schumacher Day Minor Hockey reserves the right to refund any or all moneys paid in the event that the number of players does not warrant a full team in our league. In this event, all efforts will be made in conjunction with Timmins Minor Hockey and Porcupine Minor Hockey to attempt to find a place for your child to play.
- Every member of the S.D.M.H.A. Executive and team officials are to behave in a positive manner, portraying good sportsmanship and is responsible for his/her actions during their mandate, they are to follow, as well as enforce, the S.D.M.H.A rules and adhere to the constitution.
- All refunds requested after October 1st are subject to a \$50.00 administration fee plus the cost of the Hockey Canada insurance.
- Refunds requested because of sickness or accident shall be issued provided a doctor's certificate is submitted to the S.D.M.H.A. Treasurer within one week of the accident or illness.
- Refunds for any other cause shall be decided by the executive of S.D.M.H.A. on an individual basis and upon receipt of a written request.
- No refunds will be granted after January 1st.
- Coaches MUST ensure that all players and on-ice team officials are fully equipped, as per NOHA/OHF rules, during every on-ice session.
- Coaches are responsible for the care of all hockey equipment assigned to their team and shall return the equipment to the Board by the Annual General Meeting each Spring.
- A coach MUST have control of his players at all times on or off the ice.
- Each Coach MUST have one or more registered assistants who can easily take over in his or her absence.
- No team shall be allowed on the ice without at least 1 coach leading the practice. No Coach, No Ice.
- Any Coach has the authority to send a player from the ice at any time for non-cooperation or unsportsmanlike conduct. The coach may be required to submit a written report to the Disciplinary Committee.

SCHEDULE A
SCHUMACHER DAY MINOR HOCKEY ASSOCIATION
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- Only S.D.M.H.A. registered staff and players are allowed on the player bench and on-ice during games or practices.
- Coaches are to bring any problems and concerns to the attention of the S.D.M.H.A. Executive as soon as possible.
- The Schumacher Cubs Midget team will operate under their own management structure and budget, within Schumacher Day Minor Hockey Association; however the Schumacher Day Minor Hockey Association will oversee the Cubs management team & lend support & guidance as necessary. The Manager of the Schumacher Cubs will sit, as a director, on the Board of Directors of Schumacher Day Minor Hockey Association.
- The Board will make every effort to ice at least one NOHA Rep team per age group. Decisions regarding additional teams will be made on a season by season basis by the Board of Directors.
- The executive of S.D.M.H.A. will appoint a committee to select all team coaches prior to each season.