

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION

## BY-LAWS

**Initially adopted: July 29, 1954 - Adopted as Amended: May 18, 2011**

The North Dakota Amateur Hockey Association is a North Dakota nonprofit corporation whose initial incorporators and first Board of Directors were:

Homer Abbot	Grand Forks, North Dakota
Lloyd Armstrong	Fargo, North Dakota
Milford Graham	Devils Lake, North Dakota
Bill Jerome	Devils Lake, North Dakota
Prince Johnson	Grand Forks, North Dakota
Leon Potter	Grand Forks, North Dakota
Charles Stone	Williston, North Dakota

### ARTICLE I JURISDICTION

The North Dakota Amateur Hockey Association in affiliation with USA Hockey, Inc., the National Governing Body for the sport of amateur ice hockey, is authorized to regulate the sport of amateur ice hockey within the State of North Dakota as follows:

- A. To assess and charge a reasonable Affiliated Organization, Local Association, team, and/or individual fee for members within its jurisdiction in addition to the regular USA Hockey, Inc. fee; which fee(s) for the previous season shall be reported in writing to the Executive Director of USA Hockey, Inc. on or before May 1 of each year.
- B. To operated fund-raising programs to support its functions as an Affiliate Association of USA Hockey, Inc., including a special charge on paid gate tournaments, games, or events sponsored by Affiliate, so long as such fund-raising programs do not conflict with USA Hockey, Inc.'s sponsorship or licensing programs of which Affiliate is notified from time to time.
- C. To establish and collect a reasonable "travel permit" fee from members as a condition of certification that the member is eligible to compete outside the jurisdiction of Affiliate, which fee for the previous season shall be reported in writing to the Executive Director of USA Hockey, Inc. on or before May 1 of each year.
- D. To establish and adopt, subject to the prior written approval of the appropriate Council of USA Hockey, Inc. reasonable regulations governing eligibility of members for playoff competition leading to national tournaments of USA Hockey, Inc. including the establishment and collection of reasonable fees for such playoffs; such fees to be submitted for review at or before USA Hockey, Inc.'s Annual Meeting and such regulations to be submitted within 30 days thereafter.

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- E. To perform an/or provide certain other authorized services or functions to promote and regulate the play of the sport of amateur ice hockey as an Affiliate Association of USA Hockey, Inc.

## ARTICLE II USA HOCKEY PREEMINENCE

The North Dakota Amateur Hockey Association, (NDAHA), an affiliate of USA Hockey, Inc., shall abide by and act in accordance with the Articles of Incorporation, By-Laws, Rules and Regulations, Playing Rules, Decisions of the Board of Directors of USA Hockey, Inc. and such documents and decisions shall take precedence over and supersede all similar governing documents and/or decisions of the Board of Directors of USA Hockey, Inc. within and upon its members and/or within its jurisdiction and agrees to be guided by the following core values of USA Hockey, Inc.:

**SPORTSMANSHIP** – Foremost of all values is to learn a sense of fair play. Become humble in victory, gracious in defeat. We will foster friendship with teammates and opponents alike.

**RESPECT** – For the individual, treating 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.

**EXCELLENCE** – 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 the participant.

**LOYALTY** – We aspire to teach loyalty to the ideals and fellow members of the sport of hockey.

**TEAM WORK** – We value the strength of learning to work together. The use of teamwork is reinforced and rewarded by success in the hockey experience.

## ARTICLE III INDEMNITY

The North Dakota Hockey Association, and Affiliate Association of USA Hockey, Inc., shall indemnify and hold harmless USA Hockey, Inc., the Board of Directors of USA Hockey, Inc. and each member thereof, the Executive Committee of USA Hockey, Inc. and each member thereof, Councils and Committees of USA Hockey, Inc. and each member thereof, and all other elected, appointed, employed, or volunteer representatives of USA Hockey, Inc. from any and

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all claims, liability, judgments, costs, attorney's fees, charges and expenses whatsoever arising from the acts and omissions of North Dakota Amateur Hockey Association, except to the extent (i) that USA Hockey, Inc. or its afore described representatives cause such claims, liability, judgments, costs, attorney's fees, charges or expenses by their own intentional neglect or default of and/or (ii) that such acts or omissions were a direct result of compliance with the Articles of Incorporation, By-Laws, Rules and Regulations, Playing Rules, or Decisions of the Board of Directors of USA Hockey, Inc. Further, the North Dakota Amateur Hockey Association understands and acknowledges that USA Hockey, Inc. and its afore described representatives have assumed such assignment, function, office or capacity upon the express understanding, agreement, and condition that they be so indemnified and held harmless to the extent described in this By-Law.

### **ARTICLE IV MEMBERSHIP**

**DEFINITION** – The membership in the North Dakota Amateur Hockey Association is defined as any USA Hockey, Inc. registered participant that is also a member of an Affiliated Organization that is registered and in good standing with the NDAHA and USA Hockey, Inc.

**FORFEITURE AND SUSPENSION** – Members shall be subject to forfeiture and/or suspension of membership in the event of a failure to comply with any of the requirements of the By-Laws, and Rules and Regulations of the NDAHA and USA Hockey, Inc. or the Decisions of the Board of Directors of the NDAHA or USA Hockey, Inc. as proscribed by the current Affiliate Agreement of the NDAHA or USA Hockey, Inc.

**CONFLICT OF INTEREST** – Members of the Board of Directors may not represent a local affiliate at state meetings.

### **ARTICLE V VOTING**

Each USA Hockey registered participant (coach and player), as of December 31<sup>st</sup>, of a NDAHA Affiliate Organization shall be entitled to one vote per paid participant at annual or special meetings of the NDAHA. The NDAHA Affiliate Representative is defined as that individual designated to the Secretary of the NDAHA by the Affiliate Organization to represent issues and to cast votes equal to the number of USA Hockey/ NDAHA registered participants in that Affiliate Organization. The NDAHA Affiliate Representative of each registered participant shall designated on their official NDAHA Affiliate web page. There shall be no proxy voting allowed at NDAHA meetings at the level of the NDAHA Affiliate Representative. Affiliate Organizations may designate in writing another person from their organization to attend and vote at any NDAHA meeting, if the previously designated Affiliate Representative is unavailable or unable to attend said meeting.

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**ARTICLE VI**  
**DIRECTORS**

**A. BOARD OF DIRECTORS** – The affairs of the NDAHA shall be governed by a Board of Directors. The Board of Directors shall number fifteen (15) voting members, plus additional non-voting members as authorized and shall be constituted as follows:

**1. DISTRICT DIRECTORS** – Directors selected under this paragraph are referred to as “District Directors”. They are to be elected within the four (4) geographic districts known as Northeast, Northwest, Southeast, and Southwest, and whose boundaries shall be determined by the Board of Directors. There shall be two (2) District Director elected in each district, and the District Directors shall be voting members of the Board of Directors.

**a. ELECTION** – The District Directors shall be elected through an election by the representative teams in that District. The elections shall be held before the NDAHA Annual Spring Meeting.

**b. TERM OF OFFICE** – The term of office of each District Director shall be for three (3) years and shall commence on September 1.

**c. VACANCY** – Any vacancy of a District Director shall be filled by appointment of the President of the NDAHA, with such replacement term extending to the remainder of the term of the vacancy.

**d. DUTIES** – It shall be the duty of the District Directors to organize, supervise, and enforce the rules and regulations of the NDAHA in his/her district, including tournament play, and to perform such other duties as shall be assigned by the President of the NDAHA. The District Directors are to be declared the “Proper Authority” or the “Proper Disciplinary Authority” within their district for all the purposes contemplated by the Official Rules of the NDAHA or USA Hockey, Inc.

**2. SECTION DIRECTORS** – Sections are programs that represent specific areas of operation and development within the NDAHA. The Directors representing these areas shall be known as “Section Directors”. Sections shall be determined by the NDAHA, and shall be Girls/Women Section, High School Section, and Youth Leagues Section. Each Section shall have one (1) Director on the Board of Directors, and they shall be voting members of the Board.

**a. ELECTION** – The Girls/Women Section and Boys High School Section shall be directly elected by a caucus of their representative teams. The elections shall be held before the NDAHA Annual Spring Meeting. The Youth League Director shall be elected by a vote of the membership voting representatives, using their respective number of registered participant votes, at the spring Annual Meeting of the NDAHA.

**b. TERM OF OFFICE** – The term of office for each Section Director shall be for three (3) years and shall commence on September 1.

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- c. **VACANCY** – Any vacancy of a Section Director shall be filled by an elective process of the members of that section or by virtue of an appointment by the President of the NDAHA, with such replacement term extending to the remainder of the term of the vacancy.
  - d. **DUTIES** – It shall be the duty of each Section Director to organize, supervise, and enforce the rules and regulations of the NDAHA within his/her section, and to perform such other duties as shall be assigned by the President of the NDAHA.
- 3. OFFICER DIRECTORS** – The elected officers of the NDAHA shall be known as “Officer Directors”, and shall have voting rights on the Board of Directors by their election to these offices. They shall be designated as President, Vice-President, Secretary, and Treasurer.
- a. **ELECTION** – Officers may be elected from the membership or any adult resident of North Dakota. The President, Vice President, Secretary and Treasurer shall be elected to three year terms by a vote of the membership voting representatives, using their respective number of registered participant votes, at the spring Annual Meeting of the NDAHA.
  - b. **TERM OF OFFICE** – The term of office of each Officer shall be for three (3) years and shall commence on September 1.
  - c. **VACANCY** – In the event of a vacancy of an officer by death, resignation, or removal, the unexpired term shall be filled by appointment by the President of the NDAHA for the remainder of the original term. An officer of the NDAHA may be removed from office by a two-thirds (2/3) vote of the full Board of Directors, whenever the best interest of the NDAHA would be served thereby.
  - d. **DUTIES**
    - 1. **President** – The President shall be the chief executive officer of the NDAHA and shall in general supervise and control all the business and affairs of the Association. He/she shall preside at all meetings of the member teams and at all meetings of the Board of Directors. He shall serve as an ex-officio member of all committees. He may sign, with the Secretary or any other proper Officer of the NDAHA thereunto authorized by the Board of Directors, any bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these By-Laws to some other agent or officer of the NDAHA, or shall be required by law to be otherwise signed or executed, and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time. In addition, the President or his/her designee shall represent NDAHA and its member teams in meetings with other ice hockey associations and USA Hockey, Inc.
    - 2. **Vice-President** – In the absence of the President, or, in the event of his inability or refusal to act, the Vice-President shall perform the duties of

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the President and when so acting, shall have all the powers of and subject to all the restrictions placed upon the President.

**3. Secretary** – The Secretary shall keep minutes of the meetings of the membership and the Board of Directors, see that all notices are duly given in accordance with the provisions of these By-Laws or as required by Law, be custodian of the corporate records and the seal of the NDAHA, and see that the seal of corporation is affixed to all documents, the execution of which on behalf of the corporation under its seal is duly authorized in accordance with provisions of these By-Laws, and keep a register of the post office address of each member, and perform any other duties relevant and assigned by the President or Board of Directors.

**4. Treasurer** – The Treasurer shall have charge and custody of, and be responsible for, funds and securities of the NDAHA, receive and give receipts for monies due and payable to the NDAHA from any source whatsoever, and deposit all such monies in the name of the NDAHA in such banks, trust companies, and other insured depositories as shall be selected in accordance with these By-Laws, and in general perform all duties incident to the office and such other duties as time to time may be assigned to him by the President and Board of Directors. The Treasurer shall submit a written report regarding the financial affairs of the NDAHA to the annual meetings of both the Membership and Directors, including all financial activities since the previous annual meetings, and a proposed budget for the following fiscal year.

**4. EX-OFFICIO DIRECTORS** – Program volunteer appointees and elected National Directors of USA Hockey, Inc., as well as the Director of Player Development approved by the NDAHA Board, shall hold positions known as “Ex-Officio Directors”. There shall be up to six (6) Directors in this category, and they shall be non-voting members of the NDAHA Board of Directors.

**a. SELECTION** – The program volunteers appointed by USA Hockey, Inc. to hold these positions shall be the ND Supervisor of Officials, the ND Supervisor of Coaches, the ND Risk Manager, and the ND Sub-Registrar. Their selection is by appointment from USA Hockey, Inc. The USA Director position is appointed to the NDAHA Board by virtue of the Northern Plains District election of a resident ND candidate. The Director of Player Development position is by nomination by the NDAHA President, with ratification by a simple majority of the NDAHA Board.

**b. TERM OF OFFICE** – The term of office for the Ex-Officio Directors shall be for as long as they hold their USA Hockey, Inc. position and the NDAHA Director of Player Development position.

**c. VACANCY** – A vacancy shall be assumed by the successor appointee or the elected USA Hockey, Inc. District Director if applicable.

**d. DUTIES** – It shall be the duty of these non-voting Directors to provide direction and supervision of their program areas, as well as participate in discussion and

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communication with the NDAHA Board of Directors. They may also perform such other duties as directed by the President of NDAHA or the NDAHA Board of Directors.

**5. DIRECTORS EMERITUS** – The Board of Directors of NDAHA shall have the authority to appoint one or more persons to the position of “Director Emeritus” in recognition of distinguished and lengthy service to this Association.

- a. **ELECTION** – The election of these Directors shall be at any properly called and convened meeting of the Board of Directors and requires a majority of the full Board of Directors.
- b. **TERM OF OFFICE** – The term of office for the Directors Emeritus shall be for life or resignation by the Director Emeritus.
- c. **DUTIES** – It shall be the right of the Director Emeritus to attend meetings of the Board of Directors. They shall be a non-voting member of the Board of Directors, but in all respects shall be entitled to all rights, privileges, duties, and responsibilities of the other Board members.

### 6. ELECTION YEARS

President	Vice President	Secretary	Treasurer	Youth Leagues Director	Girls/Womens Section Director	High School Section Director	District Director 1	District Director 2
2011	2012	2012	2011	2011	2011	2011	2011	2012
2014	2015	2015	2014	2014	2014	2014	2014	2015
2017	2018	2018	2017	2017	2017	2017	2017	2018
2020	2021	2021	2020	2020	2020	2020	2020	2021

## ARTICLE VII VOTE OF DIRECTORS

The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors. Prior to acting on any agenda items, the President of the NDAHA shall announce the number of the Directors present, and the number of votes necessary to pass an issue requiring over 50% (simple majority), 66.7% (2/3's majority), and 75% (3/4's majority). Directors shall not be allowed to vote on board actions if they are representing a local affiliate at said meeting. It shall be noted that abstention votes by any Director present will be recorded with the majority vote on that issue. Further, any proposal(s) made at a properly convened NDAHA Community Representative meeting that is passed by a 3/4 (75%) majority vote of the Community votes cast, that is thereafter denied by the Board of Directors, said proposal shall be returned to the agenda of the next NDAHA Community Representative meeting for information and possible reconsideration to the Board of Directors.

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**ARTICLE VIII**  
**EXECUTIVE COMMITTEE**

There shall be an Executive Committee of the NDAHA composed of the President, Vice-President, Secretary, Treasurer, and Youth League Director of the NDAHA. These five (5) individuals shall have such authority to conduct business for the Board of Directors between meetings as needed to pursue the implementation and operation of programs as directed by the Board of Directors, and such other authority as delegated by the Board of Directors. This Committee, however, shall not have the authority to amend, alter, or repeal the By-Laws, and Rules and Regulations, or alter the membership of this Committee.

**ARTICLE IX**  
**MEETINGS**

Meetings shall be duly called and convened by the President of the NDAHA according to these By-Laws.

Agenda items for the Spring Board of Directors meeting must be presented in writing to the Secretary of the NDAHA postmarked no later than the annual Winter Board Meeting date. Items submitted must include the specific wording of the proposal change, addition, or deletion. The Secretary will not accept items submitted without the specific proposal.

The Secretary will publish a tentative agenda, including all proposal packets, no later than January 31. Affiliates will have the months of February, March, and April to meet with their local associations to discuss the proposals.

The four (4) NDAHA Districts must hold meetings with Affiliates, to vote on said proposals, and submit voting results to the NDAHA Secretary no later than thirty (30) days prior to the Spring Meeting. Affiliates will vote on each proposal using their registered participant votes.

NDAHA Secretary will tabulate all votes from the four (4) Districts, and use the following standards to categorize any proposal for the final agenda:

- 1) If total votes are 65% or over to pass (35% or under to defeat), then said proposal is automatically passed (defeated), and will not be brought to the floor for discussion and voting at the Spring Meeting.
- 2) If total votes fall within 34-64%, then said proposal will be placed on the final agenda for discussion and voting at the Spring Meeting.
- 3) Any proposal(s) which votes are 65% or over to pass (35% or under to defeat), and is asked to be brought to the floor for discussion at the Spring Meeting, may be brought to the floor with a motion, a second, and a simple majority of the affiliates.

\*\* Proposals that are at 65% or over (pass), or at 35% and under (defeat), will be voted on by the Board of Directors as a block of proposals, either to pass or defeat. Any proposal that falls in between 34% and 64% will be discussed, and voted on, by the Affiliates to pass or defeat. After said Affiliate vote is taken, the full Board of Directors will vote on the same proposal.

After thirty (30) days prior to any meeting, any additional items that are to receive consideration by the Board of Directors must receive seventy-five percent (75%) approval of the Directors present at the meeting in order to be placed on the agenda for that meeting.

Roberts Rules of Order shall govern and control the conduct of all meetings of the Board of Directors, unless modified by these By-Laws.

Meeting categories shall be as follows:

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- 1. ANNUAL MEMBERSHIP MEETING** – The annual meeting of the membership of the NDAHA shall be generally held on a Saturday in the months of April or May at a date, time, and location designated by the NDAHA President. The notice and agenda of the annual meeting shall be given to members no later than fifteen (15) days in advance of said meeting. The quorum necessary to conduct business at the annual meeting of the Association shall be fifty-one percent (51%) of the registered membership.
- 2. ANNUAL BOARD OF DIRECTORS MEETING** – The annual meeting of the Board of Directors shall be held in conjunction with the annual membership meeting in the months of April or May at a date, time, and location designated by the NDAHA President. The quorum necessary to conduct business at any meeting of the Board of Directors shall be fifty-one percent (51%) of the Directors authorized by these By-Laws. Notice of the meeting and agenda shall be given to the Directors no later than fifteen (15) days in advance of any properly called meeting of the Board of Directors.
- 3. SPECIAL MEETINGS** – Special meetings of the membership or Board of Directors may be called by the President of the NDAHA or at the request of a majority of the Board of Directors. Notice of any special meeting shall be given by written notice delivered personally, mail, telephone, telegraph, or electronic communications through the use of internet e-mail. Any Director may waive notice of any meeting, and attendance of a Director at any meeting shall constitute a waiver of notice of such meeting.
- 4. ELECTRONIC MEDIA MEETINGS** – The President may elect to use electronic means of convening a meeting if required by emergency or in the interest of time and expense to the Association. Such media may include, but not be limited to, use of the Internet, Inter-Video Network, and telecommunications equipment. Use of such media shall be dependant upon access to the technology by the Board of Directors to be in attendance, and their ability to interact appropriately.

## **ARTICLE X TAX EXEMPT STATUS**

The NDAHA shall at all times maintain its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code of the United States.

## **ARTICLE XI INTERNATIONAL COMPETITION**

U.S. teams desiring to travel to and play in International competition must receive approval as required by USA Hockey, Inc. NDAHA approval will be given if the requesting team is properly registered and the Affiliate Member, whose team submits the request, is in good standing with the NDAHA.

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**ARTICLE XII**  
**POLICIES**

The policies in this article are subject to any contrary requirements in North Dakota state law or local law applicable to the NDAHA Affiliate. Current policies are:

**ANTI-DISCRIMINATION POLICY** – It is the policy of the NDAHA to provide an equal opportunity to all amateur athletes, coaches, and officials to participate in competition without discrimination on the basis of race, color, religion, sex, handicap, or national origin. The NDAHA will take all the necessary steps to comply with this policy.

**SEXUAL ABUSE POLICY** – It is the policy of the NDAHA that there shall be no sexual abuse of any minor participant involved in any of its sanctioned programs, its training camps, hockey clinics, coach's clinics, invitational or NDAHA playoff tournaments, or other NDAHA events by an employee, volunteer, or independent contractor. Sexual abuse of a minor participant occurs when an employee, volunteer, or independent contractor touches a minor participant for the purpose of causing the sexual arousal or gratification of either the minor participant or the employee, volunteer, or independent contractor. Sexual abuse of a minor participant also occurs when a minor player touches an employee, volunteer, or independent contractor for the sexual arousal or sexual gratification of either the minor participant or the employee, volunteer, or independent contractor, if the touching occurs at the request or with the consent of the employee, volunteer, or independent contractor. Neither consent of the player to the sexual contact, mistake as to the participant's age, nor the fact that the sexual contact did not take place at a hockey function are defenses to a complaint of sexual abuse. Upon proof of violation of this policy, the violator will be permanently banned or suspended from any NDAHA sanctioned programs and/or the programs of its Affiliate Associations.

**SCREENING POLICY** – It is the policy of the NDAHA that it will not authorize nor sanction in programs that it directly controls any volunteer or employee who has routine access to children (anyone under the age of majority) whom refuses to consent to be screened by the NDAHA before he/she is allowed to have routine access to children in the NDAHA programs. Further, it is the policy of the NDAHA that it will require its Affiliate Associations to adopt this policy as a condition of its affiliation with the NDAHA. A person may be disqualified and prohibited from serving as an employee or volunteer of the NDAHA if the person has:

1. Been convicted (including crimes the record of which has been expunged and pleas of no contest) of a crime of child abuse, sexual abuse of a minor, physical abuse, causing a child's death, neglect of a child, murder, manslaughter, felony assault, any assault against a minor, kidnapping, arson, criminal sexual conduct, prostitution related crimes, or controlled substance crimes.
2. Being adjudged liable for civil penalties or damages involving sexual or physical abuse of children.
3. Being subject to any court order involving any sexual abuse or physical abuse of a minor, including, but not limited to, domestic order or protection orders.
4. Had their parental rights terminated.
5. A history with another organization (volunteer, employment, etc.) of complaints of sexual or physical abuse of minors.
6. Resigned, been terminated, or been asked to resign from a position, whether paid or unpaid, due to complaints of sexual or physical abuse of minors.

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7. Has a history of other behavior that indicated they might be a danger to children in the NDAHA.

**PHYSICAL ABUSE POLICY** – It is the policy of the NDAHA that there shall be no physical abuse of any participant involved in any of its sanctioned programs, training camps, hockey clinics, coach’s clinics, referee clinics, invitational or NDAHA playoff tournaments, or other NDAHA events by any employee, volunteer, or independent contractor. Physical abuse means physical contact with a participant that intentionally causes the participant to sustain bodily harm or personal injury. Physical abuse also includes physical contact with a participant that intentionally creates a threat of immediate bodily harm or personal injury. Physical abuse does not include physical contact that is reasonably designed to coach, teach, or demonstrate a hockey skill. Permitted physical conduct may include, but is not necessarily limited to, shooting pucks at a goaltender, demonstrating checking and other hockey skills, and communicating with or directing participants, during the course of a game or practice, by touching them in a non-threatening, non-sexual manner.

### ARTICLE XIII SUSPENSIONS AND FORFEITURES

**SUSPENSIONS** – Members shall be subject to forfeiture and/or suspension of membership in the event of a failure to comply with any of the requirements of the Bylaws, and Rules and Regulations of the NDAHA and USA Hockey, Inc., or the decisions of the Board of Directors of the NDAHA or USA Hockey, Inc. as proscribed by the current Local **Affiliate** Agreement of the NDAHA or the current Affiliate Agreement of USA Hockey, Inc.. Suspension as used in these Bylaws means that the individual player, coach, team representative or entire team organization will be prohibited from participating in the hockey activities governed by the suspending authority. The exact penalty, length, and extent of the suspension shall be determined by the appropriate suspending authority. Accordingly, any individual or organization that has been suspended shall have the right to appeal the suspension to the next higher authority as outlined in the NDAHA Bylaws Article XIV, Disputes and Appeals. If further appeals are authorized and made to USA Hockey, Inc., the procedure to follow shall be as outlined in Article 10. Resolution of Disputes, Arbitration, and Suspensions of the USA Hockey, Inc. Annual Guide.

### ARTICLE XIV DISPUTES AND APPEALS

**DISPUTES** – Any team, league, or local hockey organization/association may protest a ruling, a decision, or some act causing a disagreement. **They may also** appeal a ruling or decision of a controversy, argument, or dispute. Protests must be presented at the time of the controversy, and not later than five (5) days after the controversy by the protesting team, league, or local organization. A written protest must follow the verbal protest if a decision to the verbal protest is not made. No protest involving league games may be submitted for arbitration after the organization’s state tournament has commenced.

**APPEALS** – An appeal by any hockey team representative or official shall be submitted, in writing, within five (5) days of the alleged complaint, with a written report from individuals involved in the incident, to the reviewing authority of the NDAHA. For officiating appeals, the

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sequence of appeal authority shall be District Referee-in-Chief, then NDAHA Referee-in-Chief, then NDAHA Executive Committee, then the NDAHA Board of Directors. For non-officiating appeals, the sequence of filing for appeals shall be the League Secretary, then the NDAHA Executive Committee, then the NDAHA Board of Directors.

Procedure Time Intervals:

- 1) Protest or appeal must be submitted in writing to the initial reviewing authority within five (5) days from the date of the incident.
- 2) Only two (2) representative of the team/organization making an appeal, in addition to two (2) league officials, shall be permitted to appear and present the appeal to any reviewing authority.
- 3) Written documents of the incident must be itemized and complete. Names, dates, places, etc. must be accurate. Witnesses with verbal testimony may be permitted.
  1. After receipt of the appeal, the reviewing authority has ten (10) days to conduct a hearing and render a decision, in writing, to the author of the appeal.
  2. Appeal to the Executive Committee must be made, in writing, within five (5) days of receipt of the decision from the reviewing authority.
  3. The Executive Committee must conduct a hearing and render a decision, in writing, within fifteen (15) days of receipt of the appeal, and only information presented in the original hearing decision may be accepted for review in this appeal.
  4. An appeal of the Executive Committee decision must be made, in writing, within five (5) days of receipt of the decision to the Board of Directors of the NDAHA through the Secretary of the NDAHA.
  5. The Board of Directors must conduct a hearing and render a decision, in writing, to the author of the appeal within twenty (20) days of receipt of the appeal. This decision of the Board of Directors is final unless the protest/appeal is submitted to the USA Hockey, Inc. level and then the USA Hockey, Inc. decision will be authoritative.

## **ARTICLE XV AMENDMENTS**

The power to alter, amend, repeal the By-Laws, or adopt new By-Laws, and to adopt, amend, or repeal the Rules and Regulations, shall be vested in the Board of Directors. Notice of proposed changes in the By-Laws and proposals to adopt or amend the Rules and Regulations shall be distributed to Directors at least fifteen (15) days prior to the meeting at which they are to be presented to the Board of Directors for consideration. Changes in the By-Laws shall require the approval of two-thirds (66.7%) of all the Directors authorized by these By-Laws. Changes to the Rules and Regulations shall require the approval of a simple majority (over 50%) of the Directors present at that properly convened meeting. Amendments and changes to these By-Laws will become active and enforceable immediately upon their approval by the Board of Directors.