



## **KMHA MINOR HOCKEY ASSOCIATION CONSTITUTION**

### **OBJECTIVE:**

Whereas the Killarney Minor Hockey Association, hereinafter referred to as the KMHA, is a voluntary association of members and individuals, designed to promote hockey in the Killarney-Turtle Mountain Municipality.

To operate a minor hockey system for any and all children (male or female) who reside in the Rural Municipality of Killarney-Turtle Mountain and whom are registered within the KMHA.

The main interest of the KMHA is in the players within our association and not their ability. Sportsmanship, good citizenship, friendly competition, enjoyment and full participation should be encouraged by the executive, coaches, team volunteers, managers, parents and players.

The KMHA encourages that all members of the KMHA abide by all rules set out by the KMHA, Hockey Manitoba (hereinafter referred to as HM) and Hockey Canada (hereinafter referred to as HC).

The KMHA encourages and promotes the development of Referees for KMHA use.

The KMHA will abide by and implement the Initiation Program as set out by Hockey Manitoba and Hockey Canada as well as any other programs initiated by both organizations for any division of hockey within our association.

And whereas members and individuals participating in the activities and games sponsored by the KMHA have confidence in the judgment of the KMHA executive.

Now therefore to be it enacted that:

## **ARTICLE ONE**

1. This organization shall be known as the Killarney Minor Hockey Association (KMHA);
2. That the objectives of the KMHA are to promote, govern and improve organized minor hockey in Killarney, Manitoba, the governing body of Hockey Manitoba by authority of Hockey Canada and:
  - to foster among its members, supporters and teams a general community spirit;
  - to maintain and increase the interest in the game of hockey;
  - to have and increase a general care, supervision and direction over the playing interests of its teams, players, coaches and team volunteers in a safe, sportsman-like environment;

## **ARTICLE TWO**

Amendments and alterations to this constitution can be made at the Annual General Meeting of the KMHA and by a vote of two-thirds (2/3) majority of the members voting.

Notice in writing of proposed changes to the constitution will be made available on the KMHA website as well as the Annual General meeting. It is the responsibility of the membership to review the proposed changes prior to the Annual General Meeting and be ready to vote on the constitution as a whole. Any concerns that you have with articles or by-laws of the constitution must be addressed 1 month prior to the AGM so that any amendments that you have can be clarified prior to the AGM.

## **ARTICLE THREE**

The governing body of the KMHA shall be carried out under the discretion of the President with the executive in accordance with the constitution and by-laws.

That where the provision of the constitution, by-laws or regulations are inconsistent with the Constitution of Hockey Canada and Hockey Manitoba, the Hockey Canada and Hockey Manitoba constitution, by-laws and regulations shall apply.

## **ARTICLE FOUR**

The KMHA shall consist of:

1. All hockey clubs who operate under the jurisdiction of the KMHA and who comply with the requirements of its constitution, by-laws and regulations.
2. executive members;
3. Other elected and appointed officials as determined by the President and Executive of the association;
4. A quorum for all executive meetings shall consist of a minimum of at least half of its current members;
5. The President shall call regular meetings of the executive during the season;
6. Any executive position still vacant after the AGM will be filled at the discretion of the President and/or the executive;
7. No member of the executive shall receive remuneration except for the expenses incurred while conducting KMHA business including meals, mileage, accommodations and any miscellaneous incidentals.

#### **ARTICLE FIVE**

The KMHA shall be a member of the Southwest Region Hockey Association (hereinafter referred to as the SWRHL), Hockey Manitoba and Hockey Canada.

#### **ARTICLE SIX**

The KMHA shall be open to membership from the following:

- a) all girls and boys residing in the Rural Municipality of Killarney-Turtle Mountain;
- b) all girls and boys residing in eligible out-lying areas whose centres do not provide a program for them in their category of play;
- c) All boys and girls residing outside of the RM of Killarney-Turtle Mountain whose jurisdiction does not have enough children within to create a team nor has too many children. This will allow for all children to play and all associations to run teams effectively. This is at the discretion of the current executive;
- d) The decision to transfer a player in or out of the association is done by the discretion of the current executive.

#### **ARTICLE SEVEN**

A copy of this constitution, by-laws and regulations shall be accessible to each player, parent, coach, team volunteer and referee prior to the registration for the upcoming season. A copy of the above will be posted on the KMHA website.

#### **By-law One**

- a. The executive officers shall consist of a Past-President, President, Vice-President, Secretary, Treasurer; Registrar, Equipment Manager, Ice

Scheduler, Fundraising Co-Ordinator, Booster Co-Ordinator and Player Representative. In the event that any position cannot be filled, the board will run with a vacancy until the position could be filled and voted on by the current executive;

- b. The executive shall be elected prior to the AGM within the executive. Election of new members shall be presented at the Annual General Meeting;
- c. executive members are permitted to serve within their position for as long as they would like and pending no disciplinary action is taken against them;
- d. The President of the KMHA is required to serve at least two years as President and can stay in the position longer if no one is interested or able to act in his capacity. A new President must have served within the KMHA executive for a least one year and must have played an active role in the planning and organization of association matters;
- e. Shared positions will be accepted within the KMHA. If both are present at a voting meeting, only one vote will count;

### **By-law Two**

- a. The executive members shall, at their discretion, appoint all honorary members;
- b. The executive shall have control of the affairs of the KMHA and shall have the power to fill any vacancy which may occur;
- c. The executive shall amend or alter the regulations of the association and of any team within their association;
- d. The executive shall have the power to suspend or discipline any coach, team volunteer, manager, player, parent or referee or any other individual who is represented by the KMHA;
- e. Any clause within in the by-laws may be clarified or denied at any time by majority vote of quorum at any meeting of the executive;
- f. At any annual, special or board meeting of the KMHA, the executive may adopt, amend, review or repeal by-laws or regulations for the governance of the KMHA upon affirmative majority vote of the members present. No decision shall be made which shall constitute a breach of any by-law or regulation.

### **By-law Three**

All meetings of the executive shall be at the call of the President, except in the event that the request is made by three or more executive members, then President shall call a special meeting. No subject shall be discussed or considered at said special meeting except that specified in the notice.

#### **By-law Four**

The following shall be eligible to vote at the Annual General Meeting:

- a. Any one parent or guardian of a child registered within the association. In the event that the family is separated/divorced, then it is up to the parents to decide which one individual will vote on behalf of the child and/or family;
- b. The parent and/or spouse of an executive member may vote if in attendance at the AGM and/or team meetings;

#### **By-law Five**

##### **PRESIDENT**

The President, within the jurisdiction of KMHA shall have all powers of the President of the association and without limiting the generality of the foregoing, shall have the power to:

- a. Sign as a principal signing officer of the association;
- b. Preside all meetings within the association but also for the SWRHL, HM and HC;
- c. At the discretion of the President, he may ask that a representative be present at his request and on his behalf at meetings held by HM, SWRHL and HC;
- d. The President shall report back to the executive the information obtained while at attendance at said meetings;
- e. The President shall exercise the powers of the executive in case of emergency;
- f. The President shall moderate and settle any and all disputes between teams and individuals within the association. Any decision made with respect to disputes by President is final and binding;
- g. Suspend teams, coaches, players, team volunteers, parents and members affiliated with the association, subject to ratification at the following meeting of the executive; and
- h. Sit on all committees as an ex-officio voting member.

The Vice-President in the absence of the President or in the event of his or her inability to act shall have and exercise all of the powers of the President and shall at times be an ex-officio voting member of all committees.

The Past-President will act on behalf of the President/Vice-President in the instance where both are unable to act. The Past-President will provide guidance for the incoming President and Vice-President.

## **SECRETARY**

The Secretary shall:

- a. Keep an accurate record of the proceedings of the association;
- b. Notify the officers and directors of the executive of the time and place of meetings;
- c. Publish the notice of the Annual General Meetings at least two weeks before the meeting;
- d. Perform such duties as shall be necessary for the good and welfare of the association.

## **TREASURER**

The Treasurer shall:

- a. Keep record of all monies received and disbursed by the association;
- b. Present to the association a report of year to date statements of the association upon request;
- c. Be one of two signing officers of the association.

## **LEAGUE REPRESENTATIVE**

The League Representative shall:

- a. Attend all league meetings when available and at the request of the President;
- b. Enter KMHA teams into the appropriate divisions of play;
- c. Be responsible for scheduling all KMHA ice times including games, practices and division tournaments and does same in conjunction with the facility manager as well as the league scheduler for the SWRHL;
- d. Will provide the team coaches and managers with league schedules upon receipt of same.

## **REFEREE-IN-CHIEF**

The Referee-in-Chief shall:

- a. Shall provide the association with a list of officials with current National Referee Certification program status at the commencement of each season;
- b. Shall schedule referees for all league games for every division within the association at the time he or she is provided with the league schedules;
- c. Shall contact team managers and coaches as soon as there is a conflict with a scheduled league game.

## **EQUIPMENT MANAGER**

The Equipment Manager shall:

- a. Be responsible for all jerseys and player equipment belonging to the KMHA;
- b. Will distribute all jerseys, equipment and first aid kits to each team volunteer at the beginning of the current season and collect same at the end of the season;
- c. Will report to the President, at their discretion, when equipment or jerseys need to be replaced or purchased;
- d. Responsible for purchasing equipment after approval from the President and the current executive;
- e. Provide each team with a first aid kit;
- f. Order and ensure that the KMHA has game sheets available for games. They may order same and must provide the invoice to the Treasurer;
- g. Ensure that there is an adequate supply of pucks for the association for the current season. The individual will ensure that there is enough pucks on the ice for practice and in the referee room freezer for games;
- h. Responsible for any pylons or training equipment purchased by the association.

## **PLAYER REPRESENTATIVE**

The Player Representative shall:

- a. Act as a go between the parents, coaches and the association;
- b. Report any and all complaints directly to the President;
- c. Act as a liaison between the complainant, Respondent and association to the best of their ability;
- d. Use their discretion as to when the KMHA shall be involved in any team issues.

## **24 HOUR CLAUSE**

### **By-law Six**

If you have a complaint against a player, coach, team volunteer, parent or executive officer or director you must follow the 24 hour cool down period before discussing the matter with either the coach or manager or any other individual. You must approach the individual in which you have a complaint against and attempt to rectify the situation. You must involve the team coach or manager to ask as a liaison. If you still feel a further complaint is viable then you must provide a letter to an executive or member of the KMHA. You must be prepared

to meet with the KMHA executive to go over the nature of the complaint. The executive will then meet alone to discuss the next steps to be taken and will recommend a course of action to rectify the situation. The decision of the KMHA board is final. If the situation cannot be remedied the KMHA will have final say on how the situation will be remedied.

## **TEAM FORMAT**

### **By-law Seven**

Killarney Minor Hockey Association division categories as of December 31st of the current year as registration numbers permit will be as follows:

- a. Initiation – players 4, 5 and 6 years of age;
- b. Novice – players 7 and 8 years old;
- c. Atom – players 9 and 10 years old;
- d. Peewee – players 11 and 12 years old;
- e. Bantam – players 13 and 14 years old; and
- f. Midget – players 15, 16 and 17 years old.

## **OVER-AGED AND ADVANCED AGE APPLICATIONS**

### **By-law Eight**

Only girls within the association will be considered for overage play. Application must be made to Hockey Manitoba. Parents wishing to apply for an overage application must speak to the child's current coach. Once an agreement has been made between them it is up to the coach to contact the Player Representative and/or the President for consideration.

All players requesting to move up a category must first begin with their proper age group. A letter of consideration must be written to the President of the KMHA. Once the player has been evaluated a decision will be made and individual will be notified. Players will only be considered where it is determined by the President and the executive that the child has an ability to play at a higher level and in the event that the addition of the child to the team will not affect the current registration number of the team they would play on.

## **THIRD ROSTER AND SPLIT TEAMS**

### **By-law Nine**

- a. Third roster and split team rosters will be chosen by the President and consist of a minimum of 3 board members and one citizen, if so



- chosen by the executive to involve a third-party, who meets KMHA approval;
- b. Teams who have large numbers will only be split after a vote by the parents at the team meeting wherein they will decide if they want the team to be split evenly, major or minor or by any other means they believe is fair and is agreed and voted upon;
  - c. The selection criteria will be developed by utilizing Hockey Manitoba Guidelines along with criteria approved by the KMHA;
  - d. The selection committee along with the team current year team coaches will make a recommendation to the KMHA board for approval;
  - e. All selection decisions are final once approved by the KMHA.

## **REGISTRATION FEES**

### **By-law Ten**

The annual fee structure for annual registration fees is to be set out by the current executive and will be approved at the AGM prior to the start of the season. Fee structure can and may be changed annually to reflect the financial situation of the KMHA.

All registration fees must be paid at the AGM either in full or in two payments. The first cheque dated for the day of the individual team meeting and the second cheque dated for December 1st of the current year.

Any player whose registration is not paid in full by December 1st of the current year will not be able to attend practice or league play until registration is paid in full. At that time the KMHA may charge a late fee to cover interest and Hockey Manitoba Insurance costs incurred to the association for registering the player. Any charges incurred by the KMHA for NSF cheques must be paid back to the association as well.

## **REFUNDS**

### **By-law Eleven**

The KMHA will refund registration fees upon application to the KMHA under the following considerations:

- a. Withdrawal for medical reasons with a doctor's certificate;
- b. Transfer to another community outside of the KMHA jurisdiction;
- c. Withdrawal for any other reason will be considered by the Executive on a case by case basis of the current hockey season;
- d. No refunds will be considered after December 15th of the current hockey season;

- e. A \$35.00 handling fee may be charged when requesting a refund of registration fees.

## **KIDSPORT**

### **By-law Twelve**

Any child who wishes to play hockey but cannot as a result of personal financial hardship is encouraged to apply to Kid Sport. Application for same can be found on the KMHA webpage.

All applications submitted to the KMHA will be held in the strictest confidence.

## **HOUSE LEAGUE RULES**

### **By-law Thirteen**

- a. no rostered KMHA player can play outside of the boundaries of the Association; other carded or rostered clubs without board approval;
- b. no registered player can be on the ice without being fully dressed in CHA approved equipment;
- c. KMHA league game length shall be allotted the time recommended by Hockey Manitoba, HC and the SWRHL;
- d. In the event that there are two teams in a division, goaltenders shall be allowed to borrow laterally when in consultation with coaches from the opposing team and permission by the SWRHL. This will only apply due to illness, injury or absence;
- e. Players (also known as AP'ing) may be brought up from the division below at the discretion of the coaches;
- f. A copy of all game sheets must be given to the KMHA Equipment Manager within 5 days of the game being played.

## **TOURNAMENTS**

### **By-law Fourteen**

Each division is required to host at least one tournament at the Shamrock Centre, date of which will be provided to each division at the start of each season.

At this time tournament proceeds shall remain with the team. It is the responsibility of each team to ensure that they can cover the cost for their ice, referees and any other expenses incurred at hosting a tournament. KMHA will not assist teams for paying these costs.

All KMHA teams shall be permitted to travel out of town. Trips/tournaments shall not conflict with scheduled league games. All teams are responsible to obtaining Travel Permits from Hockey Manitoba where permitted. The cost of tournaments attended to by teams is at the cost and responsibility of the team and parents. Coaches, players and parents are to be mindful of their conduct. Any incidents are to be reported to the Executive immediately upon the teams return to the association jurisdiction.

At the completion of your tournament, the KMHA asks that you complete the Tournament Reporting Sheet found on the KMHA website. Same must be handed into the association Treasurer prior to the commencement of the season or by the date set out by the association Treasurer, whichever is sooner.

## **FUNDRAISING**

### **By-law Fifteen**

All major fundraising efforts for the association will be determined by the Executive. It is recommended that all members make their best effort to assist the association with same to ensure that their fees remain as affordable as possible. Remember, these fundraising events are done in an attempt to keep our registration fees low. If we cannot depend on the membership to assist us in these efforts, registration fees will be raised annually to reflect the fundraising shortfall.

### **GATE FEES:**

### **By-law Sixteen**

Gate fees shall be determined by the association prior to the commencement of the season for league, exhibition games and playoff games.

All teams will received a float from the association Treasurer and is responsible for collecting gate fees at all home games 1 hour prior to the commencement of the game and during the flooding in the 2<sup>nd</sup> and 3<sup>rd</sup> period.

All gate fees and 50/50 are to be turned over to the association Treasurer as determined within the Gate & 50/50 package delivered to the volunteer for the team at the commencement of the current season.

All players and their immediate families registered within the KMHA shall be admitted without charge to any and all KMHA league and exhibition games of any KMHA team.

Season passes for the current year for league games only, are available for purchase and can be obtained by the association Treasurer.

## **EQUIPMENT**

### **By-law Seventeen**

All players registered with the KMHA are required to wear a full set of approved equipment including neck guard, including a helmet dangler for goaltenders and mouth guard.

KMHA will assist with providing goaltending equipment on a first come first serve basis, to players up to and including Atom division.

Game jerseys shall be provided by the KMHA and must be worn only during game play unless otherwise approved by the association Equipment Manager.

Any and all damage to jerseys are the responsibility of the parents and players and full cost for replacement will be recovered if parents and players fail to follow the Jersey Care checklist signed at the commencement of every season.

## **INDIVIDUAL TEAM VOLUNTEER POSITIONS**

### **COACHES DUTIES**

#### **By-law Eighteen**

- a. All KMHA coaches must be duly certified according to Hockey Manitoba and HC guidelines. It is the responsibility of the coach to register for any required certification and complete same before the roster deadline. Any fines for not completing certification will be forwarded to the individual.
- b. Familiarize themselves with all rules as set out in the current Hockey Manitoba Rules and Regulations Handbook which will be provided to you at the commencement of the season;
- c. Provide quality instruction to the team on and off the ice;
- d. All KMHA bench personnel may be asked to undergo RCMP Criminal Record Checks and Child and Family Services Abuse Registry Checks before being certified to volunteer within the Association and at the discretion of the current executive. These forms are available to print off and completed on the KMHA website;
- e. All rostered coaches who are members in good standing of KMHA will be reimbursed 100% for clinic registration fees upon successful complete of certification. This is dependent on the financial stability of the KMHA. Receipts must be submitted;
- f. Coaches shall be responsible for the conduct of their players in the dressing room prior to and following games and practices, on the ice and in the players box during games;

- g. Coaches at all times shall conduct themselves professionally when dealing with opposing teams, officials and parents;
- h. Coaches shall, as soon as possible, report any team player problems with officials or parents to their Team Manager who shall report same to the KMHA;
- i. Coaches should report to their team manager the names of any players who consistently misbehave or miss scheduled games or practices. Coaches considering disciplinary action should discuss same with their Team Manager and if there are further concerns and a resolution cannot be reached with the player and/or their parent or guardian, they must consult with a member of the KMHA Executive;
- j. Coaches shall not cancel or postpone games or practices without consulting with their Team Manager. If a coach needs to miss a scheduled game or practice it is their responsibility to find a registered alternative and report same to the Team Manager;
- k. Teams are allowed a maximum of 3 team officials in the players' box at all times.

## **GATE & 50/50 TEAM VOLUNTEER**

### **By-law Nineteen**

- a. At the yearly team meeting the team shall designate a gate & 50/50 Co-Ordinator who shall carry out team funding and accounting for the current season with respect to funds made for gate admission and 50/50. This individual shall be responsible for reporting these funds to the KMHA Treasurer and must report same monthly to the association;
- b. This person shall be someone else other than the team manager. In the instance when more than one person is interested in filling this position for a team, the parents of the team will vote. KMHA reserves the right to refuse individuals whom they do not deem suitable for this position;
- c. A written income and expense statement, same of which will be provide to this individual at the beginning of the current season, must be filed by the 15th day of the following month. If the statement is not handed in it is up to the discretion of the Treasurer to suspend the team from ALL play (including practice) until this obligation is met;

The final statement and any remaining money shall be due 30 days after the end of the season.

## **TEAM MANAGER VOLUNTEER**

### **By-law Twenty**

- a. At the yearly team meeting the team shall designate a Team Manager who shall carry out, in conjunction with the coaches, the attendance at tournaments for the team, payment of fees for same and be responsible for making sure the team roster is provided to the tournament organizers;
- b. The Team Manager shall be responsible for collecting all funds for tournaments from the parents and ensuring same is paid in full. The Team Manager may choose to keep a full accounting of these funds themselves or work together with the gate & 50/50 Co-Ordinator for the same team;
- c. Is responsible for preparing the game sheet at games and must provide the game sheet to the SWRHL as set out during the current year in a timely fashion;
- d. The Team Manager is responsible for applying for their own team Tournament Sanction within the time frame as set out in the Hockey Manitoba Rules and Regulations Handbook and collecting funds from the team to pay for same. This can be online and full instructions are provided on the HM website;
- e. The Team Manager with the assistance of the team parents will organize the teams home tournament;
- f. The Team Manager will be responsible for rescheduling games when necessary for regular league play where necessary and must familiarize themselves with the by-lays of the Southwest Region League to ensure that no fines are incurred by the team;
- g. It is the responsibility of the Team Manager to provide the KMHA League Scheduler with a list of no play dates upon request (approximately the 2nd week of October) to allow the SWRHL to prepare the league schedule;
- h. Assist on the bench as required;
- i. The Team Manager will at the start of each season provide a list to the KMHA Equipment Manager of socks and name bars required by each team. This is to be done in a timely fashion. A date of this list will be provided to each Team Manager at the start of each season;
- j. Ensures that all parents on the team are apprised of KMHA related news;
- k. Must provide a copy of any and all game sheets designated KMHA individual as set out in the current year at the AGM.

## **TEAM EQUIPMENT MANAGERS**

### **By-law Twenty-One**

- a. Team Equipment managers will be responsible for distributing the jerseys with the assistance of the coach to the players. The equipment manager

- shall record the number of each jersey and have the parent sign the Jersey Care and Handling Form each year and ensure that they are away of the responsibilities and fines that may be incurred. This form is to be returned to the KMHA Equipment Manager once completed;
- b. The Team equipment Manager is responsible for the care of the jerseys throughout the season and should report any damage to jerseys to the KMHA Equipment Manager as soon as it is seen. A decision will be made on how to deal with necessary repairs. No attempt to repair the jersey should be made without consulting with the KMHA Equipment Manager;
  - c. The Team Equipment Manager is to ensure that the jerseys are returned to the KMHA at the close of the season washed and free of stains.

## **OFFICIALS DUTIES**

### **By-law Twenty-Two**

- a. Officials shall conduct themselves in a manner that is laid out in the National Referee Certification program. Officials' duties are outlined in the Hockey Manitoba Handbook;
- b. At least two (2) on ice officials shall work each game with the exception of Novice games which may be played with one (1) on ice official;
- c. At the conclusion of each game, all officials will sign the game sheet. Any instances requiring a written report to the discipline committee shall report all relevant occurrences leading up to the report;
- d. All match penalties shall be immediately reported to the President of the association and the Referee-in-Chief;
- e. Referees shall shake hands with coaches prior to the commencement of each game;
- f. Officials shall have the power and responsibility to expel from the rink an unruly coach, parent or spectator. Should the expelled person fail to leave the arena upon request, said official is empowered to call the game and order all players off the ice.

## **DISCIPLINE POLICY**

### **By-law Twenty-Three**

- a. All coaches, players and parents shall be responsible for their conduct from the time they enter until the time they leave an arena while representing KMHA;
- b. Suspensions or penalties will be given for the abusive conduct as covered below or deemed necessary by the KMHA Executive;
- c. The KMHA executive, after meeting to discuss the details of the situation can make the decision to remove any child, parent or team volunteer at their discretion;

- d. Any coach, player, team representative or parent ejected from a game shall report same to the President. The individual will be subject to an immediate and/or definite suspension until a decision regarding disciplinary action can be made by the executive;
- e. Suspensions will be given under Section 1 of Hockey Manitoba's Minimum Suspension Guidelines;
- f. Any suspended player cannot be in the player's box at any time;
- g. Recourse of appeal to the KMHA in writing within 48 hours. Coach, player and parents must appear before the discipline committee in the incident of a player;
- h. Any suspension that cannot be served before the expiration of the season must be served at the beginning of the next season;
- i. Registration fees are not refundable to any player receiving a suspension.

#### **By-law Twenty-Four**

The discipline committee shall consist of the following members;

- President;
- Vice-President;
- Referee-in-Chief;
- Senior Board Member;
- Past Board Member;

Any combination of three or more of the above shall be allowed to hold an appeal when directed to do so by the President of the KMHA.

#### **By-law Twenty-Five**

- a. The KMHA Executive reserves the right to relieve any team volunteer including a coach, assistant coach, team manager, safety, gate & 50/50 Co-Ordinator, Time keeper Co-Ordinator and Fundraising Co-Ordinator from any level from which they are a representative of the association, should they deem necessary. Such person will be duly informed prior to their release from the association and informed of the reason(s) this step has been taken;
- b. Discipline of any team official will require a quorum of executive members present;
- c. Recourse of appeal to the KMHA in writing within 48 hours.



## **CRIMINAL RECORD AND CHILD ABUSE REGISTRY CHECKS**

### **By-law Twenty-Six**

The KMHA shall, at the discretion of the current executive, request that team volunteers attend the local RCMP Detachment to complete a Criminal Record Check and Child Abuse Registry Check. Any parent volunteer who refuses to complete same at the request of the KMHA will not be permitted to participate as a KMHA volunteer.

## **PLAYER AND PARENT BULLYING AND HARASSMENT**

### **By-law Twenty-Seven**

Any bullying or harassment must be reported directly to the team coach or manager immediately in order for same to be dealt with appropriately and in compliance with KMHA rules, regulations and by-laws.

## **DEFINITION OF BULLYING**

Bullying describes behaviours that are similar to harassment, but occur between children under the age of fourteen, or behaviours between youth or between adults that are not addressed under Human Rights laws. Bullying is intentionally hurting someone in order to insult, humiliate, degrade or exclude him or her. Bullying can be broken down into four categories: physical, verbal, relational (eg. trying to cut off victims from social connection by convincing peers to exclude or reject a certain person) and reactive (for example engaging in bullying as well as provoking bullying to attack by taunting them).

## **DEFINITION OF HARASSMENT**

### **DISCIPLINARY ACTION TO BE TAKEN**

1<sup>st</sup> Offence – Meeting with the parents and an apology to the individual as well as the team and team staff;

2<sup>nd</sup> Offence – The individual will miss two games or in the case of a team volunteer or parent alleged of bullying or harassment will be suspended from any Killarney Minor Hockey event.

3<sup>rd</sup> Offence – Expulsion with no refund of the registration. The association may also refuse to accept any further registrations from the individual in the future.

## **VERBAL ABUSE OR PHYSICAL ABUSE OF OFFICIALS**

### **By-law Twenty-Eight**

Any parent, spectator, observer or coach who enters the sanctity of the officials or referees dressing room or further approaches said referees or officials while he/she is arriving or leaving the arena verbally/physically accosts said official or referee shall immediately suspended from entering the area during a KMHA sanctioned event for the balance of the season. Further, said party shall be requested to attend a special meeting with the KMHA executive called at the discretion of KMHA. Further any member of the KMHA shall monitor games at the arenas and anyone verbally abusing officials may be asked to vacate the arena immediately.

## **REPRESENTATIVE TEAM REGULATIONS**

### **By-law Twenty-Nine**

- a. All team personnel must be authorized by KMHA executive prior to going on the ice;
- b. No unregistered personnel shall be allowed on the ice;
- c. At all times the teams shall be responsible to the association for all their action and shall be run by the selected coaches;
- d. Coaches shall at all times be responsible for the safety and conduct of their clubs and players both on and off the ice. Same applies to assistant coaches and manager;
- e. Teams may only compete in sanctioned tournaments or exhibition games against carded or rostered teams under the jurisdiction of CHA;
- f. Team encouraged to compete in Hockey Manitoba Provincials, unless board approval has been obtained;
- g. All teams shall be required to obtain proper travel permits prior to leaving for exhibition and tournament play. All travel permits must be obtained by the team through Hockey Manitoba.

## **KILLARNEY MINOR HOCKEY RESPECTFUL HOCKEY POLICY**

### **By-law Thirty**

KMHA adopts the Hockey Canada Principles and Practices. With appropriate modifications to address legislative and related requirements in this province, the Killarney Minor Hockey Association (hereafter referred to as "KMHA") has committed to adopting and implementing a policy to address the unacceptable behaviors of discrimination, harassment, bullying and abuse.

That reflects the principles and practices established by Hockey Canada's Bullying, Harassment and Abuse Prevention Policy.

KMHA's commitment as promoter and operator of minor hockey within its jurisdiction, KMHA recognizes:

- a. A duty to act in a manner consistent with existing legislation, in particular, the Manitoba Human Rights Code, the Workplace, Safety and Health Regulation and The Child and Family Services Act;
- b. The importance of establishing fair play and sportsmanship, including ensuring the maintenance of a climate of respect for all participants in its programs, including all KMHA's players, team officials, game officials, and executive;
- c. The importance of providing hockey opportunities for all people regardless of background;
- d. That all KMHA players, members and personnel have a right to participate, learn, work and play in an environment that promotes equal opportunities and prohibits discriminatory, harassing, bullying and abusive practice.

## **SCOPE AND APPLICATION OF THE POLICY**

This Policy operates independently of, but in conjunction with, KMHA's Rink Behavior Policy.

This Policy applies to all individuals participating in the activities, program events or business of KMHA, but not limited to, players, coaches, team managers, trainers, game officials, persons elected or appointed as officers or officials under the bylaws and/or constitution of KMHA or its Area Associations, KMHA's employees and volunteers. This Policy also applies to the parents and/or guardians of KMHA players insofar as they are expected to make every reasonable effort to uphold a respectful hockey environment for those players and the individuals participating in KMHA activities, programs, events or business with them.

This Policy applies to discrimination, harassment, bullying and abuse that occurs during the course of all KMHA Hockey business, programs, activities and events, including, but not limited to, the administration of the game competition, team practices, training camps, exhibitions, meetings and travel associated with these activities.

Unacceptable conduct arising during the business, activities, programs and/or events of other organizations not affiliated with KMHA shall be dealt with using the policies and procedures of those organizations.

## **RIGHTS AND RESPONSIBILITIES OF INDIVIDUALS**

The Rights and Responsibilities of all persons participating in the activities, programs or business of the KMHA Hockey and are participating in activities, programs, events or business of the KMHA are:

- a. entitled to participate, learn, work and play in a respectful environment free of discrimination, harassment, bullying and abuse;
- b. Have the responsibility to treat each other with respect and to refrain from any form of unacceptable conduct, and to speak up if they, or others to whom this policy applies are being subjected to unacceptable conduct, as defined by this policy;
- c. Have the responsibility to take all reasonable steps to safeguard the welfare and well-being of KMHA's participants and members and protect them from any form of unacceptable conduct, as defined by this policy;
- d. Are responsible for reporting to KMHA any complaint of unacceptable conduct;
- e. Have a responsibility to cooperate in the investigation of a complaint made pursuant to this policy.

Anyone who gives evidence in an investigation or who is otherwise involved in the complaint process must keep this information confidential, except when it is necessary to deal effectively with the complaint or if disclosure is otherwise required by law.

## **KILLARNEY MINOR HOCKEYS RESPONSIBILITIES**

Killarney Minor Hockey is responsible for:

- a. Ensuring, as much as is reasonable practical, that no individual or group participating in the activities, programs, events or business of KMHA is subjected to unacceptable conduct, as defined by this Policy;
- b. Making every reasonable effort to act promptly and effectively to deal with complaints or conduct, as defined by this Policy;
- c. Taking corrective action against anyone under their direction who subjects an individual or group participating in the activities, programs, events or business of KMHA to unacceptable conduct;
- d. Keeping confidential information regarding the identity of persons involved in a complaint or disclosure of unacceptable conduct as well as the circumstances of such complaint or disclosure, unless release of such information is required to investigate a complaint, take corrective actions as a result of a complaint or otherwise by law. This shall not preclude publication of the final outcome of any matter, where a sanction imposed under this Policy includes publication.

## **DEFINITIONS**

### **UNACCEPTABLE CONDUCT**

Unacceptable conduct is defined under this Policy to include:

Abuse - Abuse means any form of physical, emotional and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a child. For the purposes of this definition, "child" is defined as a person under the age of 18 years who is a KMHA member/participant.

Physical Abuse - when a person in a position of power or trust purposefully injures or threatens to injure a child. This may take the form of slapping, hitting, shaking, kicking, pulling hair, or ears, throwing, and shoving, grabbing, hazing or Excessive exercise as a form of punishment.

Emotional Abuse - is a chronic attack on a child's self-esteem. It is psychologically destructive behavior by a person in a position of power, authority or trust. It can take the form of name-calling, threats, ridiculing, berating or intimidating comments, isolation, hazing or ignoring a child's needs.

Sexual Abuse - when a child is used by an older child, adolescent or adult for his or her own sexual stimulation or gratification with or without the child's consent. Sexual Abuse may involve physical contact (such as fondling or forced intercourse) or may involve no physical contact at all (such as being shown Pornography or being subjected to sexually intrusive questions or comments).

Neglect - chronic inattention to the basic necessities of life such as clothing, shelter, proper supervision, medical and dental care, etc. Neglect may occur in the hockey setting where there is chronic inattention to the needs of players such as when a player is made to play with injuries, equipment is inadequate or unsafe, or road trips are not properly supervised.

Discrimination means, except where bona fide and reasonable cause exists, or where it is based upon bona fide and reasonable requirements or qualifications, the differential treatment, whether intended or not, of an individual or group of individuals based on:

- An individual's actual or presumed membership in or association with some class or group of persons, rather than on the basis of personal merit; or

Any of the following categories:

- a. Ancestry or place of origin;
- b. Race;
- c. Color,
- d. Nationality or national origin;
- e. Ethnic background;
- f. Religion or religious belief, creed, association or activity;
- g. Age;

- h. Sex;
- i. Gender-determined characteristics;
- j. Gender identity;
- k. Sexual orientation;
- l. Marital or family status;
- m. Source of income;
- n. Political belief, political association or activity;
- o. Physical size or weight;
- p. Physical or mental disability or related characteristics or circumstances

Examples of discrimination may include, but are not limited to:

- a. Behavior stating or implying actual or perceived abilities or inabilities based on any characteristic above;
- b. Applying stereotypes or generalizations based on any characteristic, referred to above;
- c. Unreasonable refusal to work with, play with or share facilities with a person or persons based on any characteristic referred to above.

### **HARASSMENT (HUMAN-RIGHTS BASED)**

Harassment is a form of discrimination. It is any objectionable or inappropriate conduct, comment, display, action or gesture by a person and made on the basis of any of the characteristics set out above.

Examples of harassment may include, but are not limited to:

- a. Unwelcome jokes, innuendos, or teasing about a person's body, appearance, race, sexual orientation, etc.;
- b. Racial or ethnic slurs;
- c. Displaying or circulating pictures, cartoons, or other offensive material;
- d. Unwanted or unnecessary physical contact including touching, patting or pinching;
- e. Any form of hazing (a humiliating and degrading initiation rite);
- f. Unwanted conduct comments, gestures or invitations of a sexual nature which are likely to cause offence or humiliation or which might on reasonable grounds be opportunity for participation, training or advancement;
- g. A reprisal or threat of reprisal for rejecting a sexual solicitation or advance;
- h. Leering, ogling or other suggestive or obscene gestures;
- i. Physical or sexual assault.

### **PERSONAL HARASSMENT (BULLYING)**

Personal harassment or what is sometimes referred to as "bullying" is offensive behavior that is not connected to any human rights-based characteristic. It is any

conduct, comment, display, action or gesture that adversely affects a person's psychological or physical well-being and:

- a. As a result of the behavior being repeated, could reasonably cause the person to be intimidated or humiliated: or
- b. If only a single incidence, could reasonable have a lasting, harmful effect on the person.

Examples of bullying may include, but are not limited to;

- a. Personal ridicule (put-downs, teasing) or malicious gossip;
- b. Repeated or continuous incidents of inappropriate yelling, screaming or name-calling;
- c. Malicious or uncalled-for interference with another person's work or role;
- d. Interfering with or vandalizing/damaging a person's personal property;
- e. Physical or verbal abuse/violence, threats or intimidation;
- f. Insulting or derogatory comments, jokes or gestures;
- g. Repeated, unjustified threats to remove or restrict opportunities or privileges;
- h. Shunning or ostracizing a person;
- i. Any form of hazing.
- j.

What Constitutes Harassment and/or Bullying – additional factors for consideration:

Harassment or bullying may involve individuals or groups and either peer or power relationships. Harassment can be physical or psychological in nature, it can occur between males and females and members of the same sex.

If behavior has the effect of creating a negative, hostile or uncomfortable environment, even if not directed at anyone in particular, the behaviour may still be considered harassment or bullying.

In extreme forms, harassment or bullying may be an offense under Canada's Criminal Code and may require a report be made to the Police. Depending on the nature of the behavior, it may also constitute abuse resulting in a triggering of the Duty to Report Abuse provisions set out below.

Reasonable conduct of a person to whom this Policy applies in respect of the management and direction of KMHA employees or the management, direction and guidance of players and/or members is not harassment or bullying.

## RESPONSE AND REMEDIES

KMHA recognizes that not all incidents or unacceptable conduct are equally serious in their consequences. Unacceptable conduct, as defined by this Policy, covers a wide spectrum of behaviors and the response to such conduct must be equally broad in range, appropriate to the behavior in question as well as the persons involved and capable of providing a constructive remedy. There must be no summary justice or hasty punishment. The process of investigating and/or resolving any complaint or unacceptable conduct must be fair to and respectful of the rights of all parties.

Minor incidents of unacceptable conduct (e.g. inappropriate jokes) should be corrected promptly and informally, taking a constructive approach with the aim of bringing about a change in the negative attitudes and behavior.

More serious incidents of unacceptable conduct (e.g. a course of repeated taunting, any form of physical or sexual assault) or minor incidents of unacceptable conduct that are not corrected through informal action as set out above should be dealt with pursuant to the Procedures that apply to this Policy.

Persons to whom this Policy applies who are found to have violated the Policy may be subject to one or more of the following forms of discipline:

- a. Requirements of verbal or written apology;
- b. Letter of reprimand;
- c. Referral to counselling or appropriate educational training;
- d. Loss of certain privileges of membership or employment;
- e. Suspension;
- f. Demotion;
- g. Fine or levy;
- h. Dismissal or expulsion;
- i. Publication of the details of the sanction;
- j. Any other sanction or disciplinary action which may be deemed appropriate.

In making a determination regarding appropriate discipline, consideration will be given to:

- a. The nature of the relationship between the persons involved in the incident(s);
- b. The age of the complainant;
- c. The nature and severity of the behaviour committed;
- d. Whether the behavior was an isolated incident or part of an ongoing pattern;
- e. Whether the offender had been involved in and/or disciplined for previous incidents of unacceptable conduct;



- f. Whether the offender admitted responsibility and expressed a willingness to change;
- g. Whether the offender retaliated against the complainant for filing a formal complaint;
- h. Whether any other form of penalty has been awarded against the offender for the incident(s) under KMHA's Rules and Regulations. A player who has received a penalty for conduct during a game that may also violate the Policy may still be subject to additional discipline under the Policy;
- i. A determination will need to be made as to whether the prior penalty is sufficient to also address the underlying purpose of this Policy and, in particular, sections 4 and 5;
- j. Whether any specific form of penalty for the behavior in question has been established by Hockey Canada;
- k. Any other factor which may be deemed relevant in the circumstances.

Any person who makes a complaint which is determined to be clearly false, malicious or frivolous will be subject to discipline.

Anyone who retaliates or threatens to retaliate in any way against a person who has complained of unacceptable conduct, reported unacceptable conduct, participated in the investigation of a complaint of unacceptable conduct, or determined to have committed unacceptable conduct will be considered to have Committed unacceptable conduct and be dealt with accordingly.

Interference with the conduct of an investigation into a complaint of unacceptable conduct by any person to whom this Policy applies may result in appropriate action being taken against that person by KMHA Hockey pursuant to this section.

Intentional or unnecessary breaches of confidentiality by any person to whom this Policy applies may be subject to appropriate action being taken by KMHA.

## **DUTY TO REPORT ABUSE**

Where any KMHA member (including team officials, game officials, Hockey Brandon officers or Directors), any KMHA employees or volunteers and/or any parent/guardian of a participant has information that leads him or her reasonably to believe that in the course of KMHA business, activities, programs or events a child is or may be suffering of may have suffered abuse, that person shall immediately report the information to the proper authorities and/or the RCMP.

KMHA's President must be advised of the intent to report or that the matter has been reported. KMHA will take no further action until such time as the Agency and/or Policy have concluded their investigation(s), unless there is cause for taking action to protect the child from further harm, such as ensuring the alleged perpetrator is prevented from having contact with the child until the completion of the investigation.

If available, the report(s) of the investigation(s) carried out by the Agency and/or Police may be utilized as required by KMHA in order to appropriately administer the provisions of this policy.

## **AWARNESS AND EDUCATION**

KMHA will make every reasonable effort to promote awareness and understanding of what constitutes unacceptable conduct pursuant to this Policy and provide education on how to prevent such conduct, including:

- a. Training related to understanding discrimination, harassment, abuse and bullying and appropriate responses to same for persons charged with responsibilities under this Policy;
- b. Providing educational materials and/or programs to members, participants, parents/guardians, volunteers, team officials, game officials and employees.

## **DEVELOPMENT OF PROCEDRUES**

KMHA Hockey will develop procedures to give effect to this Policy, including:

- a. The appointment of appropriate personnel for receiving, investigating and resolving complaints made pursuant to the Policy;
- b. Provisions to enable the informal resolution of complaints;
- c. Provisions to address the investigation and disposal of formal complaints and any appeals relating to the kind are cool disposal of such complaints.

## **MONITORING**

KMHA Hockey will periodically monitor this Policy and all matters relating to it and make adjustments when they are determined to be needed. Any suggestions or concerns about this Policy should be brought to the attention of KMHA's President or delegate.

## **OTHER OPTIONS AVAILABLE**

Whether or not a complaint is made under this Policy, any individual participating in the activities, programs, events or business of the KMHA retains all other legal rights available to them, including but not limited to, the ability to make a complaint to the Manitoba Human Rights Commission, or to Manitoba Workplace, Safety and Health or the Police.

## **SUSPENSION GUIDELINES**

Suspensions will be determined at the discretion of the executive.

# **KILLARNEY MINOR HOCKEY ASSOCIATION RESPECTFUL HOCKEY PROCEDURES**

## **APPLICATION**

This Procedure applies to all matters falling under the provisions of KMHA's Respectful Hockey Policy. These procedures have been adopted by KMHA in order to establish mechanisms that will enable individuals participating in the activities, programs, events or business of KMHA to participate, learn, work and play in the respectful environment free of discrimination, harassment, bullying and abuse.

## **DEFINITIONS**

For the purpose of this Procedure:

- a. A Complainant is a person who discusses a concern or makes a complaint (an allegation, whether verbal or written) or unacceptable conduct, as that conduct is defined by the Policy;
- b. A Respondent is a person against whom a concern is raised about or a complaint has been made;
- c. An Official is an individual occupying a position of authority with the KMHA, including but not limited to KMHA's Executive, team officials and game officials.
- d. The President is the President of KMHA or his/her designate;
- e. Minor Instances of unacceptable conduct.

Nothing in this procedure prevents an Official or Local Organization or other appropriate person having authority from taking immediate informal and corrective disciplinary action in response to behavior that, in their view, constitutes a minor incident of unacceptable conduct, as defined in the policy.

## **INSTANCES WHERE IMMEDIATE RESPONSE MAY BE REQUIRED**

Complaints of unacceptable conduct arises during game competitions may be dealt with immediately, if deemed necessary, by an Official, provided the individual being disciplined is advised of the nature of the infraction and has an opportunity to provide information concerning the incident. In such situations, sanctions shall be for the duration of the competition only. Further sanctions may be applied but only after review of the matter in accordance with the KMHA Respectful Policy and this Procedure.

In the event that an alleged offense is so serious as to possibly jeopardize the safety of others, an Official may immediately remove the alleged offender for a

KMHA activity, program or event pending an investigation of the complaint in accordance with this Procedure.

## **REPORTING UNACCEPTABLE CONDUCT**

A person who experiences, witnesses, or has reason to believe that unacceptable conduct has occurred is encouraged to make it known to the alleged offender as soon as is practicable that the behavior is unwelcome, offensive and contrary to KMHA's Respectful Hockey Policy.

If confronting the alleged offender is not possible, or if after confronting the alleged offender the unacceptable conduct continues, the matter should be reported to the President of the KMHA immediately.

## **INFORMAL RESOLUTION**

Once contacted by a Complainant, the President of the KMHA or delegate will serve in a neutral, unbiased capacity to receive information regarding the incident(s) and, where appropriate, assist in the informal resolution of the matter. If the President of the KMHA or delegate considers that he or she is unable to act in this capacity, the Complainant will be referred to a suitable Member of the KMHA Executive.

If an informal resolution acceptable to the Complainant and Respondent is reached, then the President of the KMHA or delegate will:

- a. Send a written communication to both parties, setting out the understandings and/or agreement.
- b. Receipt of the written communication must be acknowledged by both the Complainant and Respondent;
- c. Assist in bringing about whatever administrative or other action is needed to implement the resolution;
- d. Ensure that an appropriate record of the Informal resolution is documented in the KMHA's general files;

## **FORMAL COMPLAINT**

If the matter is not resolved informally or if the unacceptable conduct continues or reoccurs, or if the Complainant chooses not to attempt to resolve the matter informally, the Complainant has the option to file a formal complaint.

The formal complaint shall:

- a. Be in writing in a form acceptable to or which may be prescribed by the KMHA;

- b. Set out the particulars of the allegations, including, where possible, the dates, times and nature of the allegations, the person involved, and the names of any witnesses to the behavior;
- c. Be signed and dated by the Complainant; and
- d. Be submitted to the President of the KMHA or delegate;

To be considered under the Policy, all formal complaints must be filed within one month from the date of the most recent allegation violation of the Policy unless, at the discretion of the President of the KMHA or delegate, extenuating circumstances would warrant an extension of time.

### **APPLICABILITY OF THE COMPLAINT**

Upon receipt of the formal complaint the President of the KMHA or delegate with the advice from appropriate persons or professionals as needed, will review the allegation(s) to determine;

- a. whether the alleged conduct falls within the definitions of unacceptable conduct established by the Policy;
- b. the nature of the complaint, including an initial assessment as to the seriousness of the alleged conduct;
- c. who the complaint involves;

If it is determined that the allegation(s) does not fall under the definitions set out in the Policy or that the complaint does not involve any person to whom the Policy applies then the Complainant shall be advised accordingly and no further action will be taken on the formal complaint. The President of the KMHA or delegate may recommend that other avenues be pursued by the Complainant in order to resolve the matter at issue.

If it is determined that the complaint does not involve any individual participating in the activities, programs, events or business of the KMHA but may involve a member/participant of Hockey Manitoba or if the complaint raises issues within the exclusive jurisdiction of Hockey Manitoba, the President of the KMHA or delegate shall refer the complaint to Hockey Manitoba.

If it is determined that the complaint involves a person or persons to whom the Policy applies and the complaint is initially assessed as minor in nature, and if agreed upon by the parties, resolution may be attempted through mediation for such period of time that the President of the KMHA or delegate considers reasonable. Any such resolution by unsuccessful or if at any time one or both of the parties decline to participate further with the resolution process, the President of the KMHA or delegate shall proceed to handle the matter.

If it is determined that the complaint involves a person or persons to whom the Policy applies and the complaint is initially assessed as serious in nature, or if the

President of the KMHA or delegate otherwise decides to proceed to handle a complaint pursuant to this section, President of the KMHA or delegate shall advise the President. The President shall then appoint an individual with the necessary training, skills and experience to conduct an investigation of the complaint.

This may be an individual external to the KMHA.

### **KILLARNEY MINOR HOCKEY – INSTITUED INVESTIGATION**

The President of the KMHA or delegate, in consultation with appropriate Professionals and/or the KMHA executive may request that an investigation is to be conducted in the absence of a formal complaint and in circumstances where she/he deems it appropriate to do so. The procedures applicable to the investigation of a formal complaint and post-investigative response Will apply, adapted as necessary to meet the particular circumstances.

Where the President of the KMHA or delegate believes there is sufficient evidence to warrant the Complainant making a formal complaint but the Complainant does not wish to do so, the President of the association or delegate, in consultation with the KMHA executive, may make formal complaint on behalf of the KMHA and proceed in accordance with these Procedures.

### **INVESTIGATIONS**

Upon an investigation being launched, the President of the KMHA, executive and/or delegate investigator shall:

- a. Notify the Respondent that a complaint has been received and that an investigation is being commenced. The Respondent shall be provided with a signed copy of the formal complaint and copies of the KMHA's Hockey Respectful Hockey Policy and Procedures;
- b. Provide the Respondent with a reasonable opportunity to consult with a representative if to do so is desired;
- c. Request the Respondent provide a written response to the complaint and/or meet in person with the President of the KMHA or delegate investigator within a reasonable time which shall be at the discretion of the President of the KMHA or delegate investigator;
- d. Should the Respondent acknowledge responsibility and a willingness to be accountable for the complaint during the meeting with the President of the KMHA or delegate investigator, the Respondent has the discretion to forego the formal process of the KMHA Respectful Hockey Policy, in accordance with the remedies prescribed in the Hockey Manitoba Suspension Guidelines for the complaint. I.e.: use of abusive or profane language during a KMHA supported function towards an official, team, coach, player or spectator, results in a 2 game suspension for the first

- offence, and a 3-5 game suspension for a subsequent or additional offence(s);
- e. Investigate the complaint, including interviewing the Complainant and the Respondent, and any other person deemed relevant to the investigation;
  - f. Re-interview the parties to the complaint, as needed, in order to provide them with a full opportunity to respond to all pertinent information gathered during the investigation;
  - g. Carry out the investigation in a timely manner;

Upon completion of the investigation, if the Respondent does not wish to forgo a formal KMHA Suspension Committee hearing, the President of the KMHA or delegate investigator shall prepare a brief written report which set out:

- a. The allegation(s);
- b. All relevant information obtained during the course of the investigation;
- c. An analysis of that information on a balance of probabilities; and
- d. A recommendation that either:
  - e. No further action to be taken because no breach of the Policy has been found to have occurred; or
  - f. The complaint has merit and should be referred to the KMHA Suspension Committee; or
  - g. The complaint has been shown to be clearly false, malicious or frivolous and should be referred to the KMHA Suspension Committee;

Upon completion of the investigation, if the Respondent does wish to forgo a formal KMHA Hockey Suspension Committee hearing, the President of the KMHA will explain the remedies outlined in the KMHA Respectful Hockey Policy, in accordance with the remedies prescribed in the Hockey Manitoba Suspension Guidelines for the complaint. In this case, the President of the KMHA or delegate investigator will prepare a brief written report which sets out the requirements referred to above as well as the remedy administered.

The President of the KMHA or delegate investigator shall provide a copy of any written report to the President.

## **ACTIONS TO BE TAKEN POST INVESTIGATION**

Upon receipt of a report from the investigator recommending that no further action to be taken, the President of the KMHA will advise the Complainant, Respondent, and President accordingly and may choose to provide them with a copy of the investigator's report. The matter shall then be considered concluded.

If the President of the KMHA or delegate investigator recommends that the complaints should be referred to the KMHA's Suspension Committee as it either has merit or has been shown to be clearly false, malicious or frivolous, the President of the KMHA shall advise the Complainant and Respondent of the findings. The President of the KMHA will provide the Complainant and Respondent, the opportunity to respond in writing to the Investigator's findings and administered remedies if an informal process was chosen by the Respondent. The President of the KMHA may establish such time frames for the provision of the written submissions as she/he deems necessary and reasonable.

A Complainant or Respondent who has been provided with a copy of an Investigator's report at the conclusion of the investigation into a complaint under this Procedure must not discuss, circulate and/or direction regarding the report from their representative, advisor or support person.

Upon receipt of a written submission provided by either or both the Complainant or Respondent, or if no submissions are received by the time frames established by the President of the KMHA or delegate for their receipt, the President of the KMHA or delegate shall immediately appoint two impartial Board of Directors members, or individuals to serve with him as the KMHA Suspension Committee ("the Committee") and the President of the KMHA or delegate shall chair the committee.

The President of the KMHA or delegate shall forward a copy of the investigator's Report and any written submissions received from the parties to the Committee which will then be responsible for deciding whether a breach of the Policy has occurred and determined the appropriate remedy in response to the complaint should such a breach be found as set out.

The committee shall meet at such times and at such places as are necessary to come to a determination regarding remedy. In relation to matters involving a breach of the Policy by an executive member employee of the KMHA, the Committee will consult, as appropriate, with the President and Past President in order to determine the proper disposition.

A quorum of the Committee shall be all three Committee members including and appointed by the President of the KMHA. Decisions of the Committee shall be by majority vote.

The Suspension Committee may request any person to appear before it. Any member of the association who fails to appear before the Suspension Committee upon the request of the Committee is subject to disciplinary action, the discipline imposed is at the discretion of the Suspension Committee.



The person who is subject of the suspension hearing must answer reasonable questions from the Committee and failure to do so will result in whatever disciplinary action the Committee deems appropriate.

Suspensions and or disciplinary action involving the KMHA Executive members will not be dealt with by the Suspension Committee, but will be dealt with by a special committee of past executive members chosen by the present executive members.

The Suspension Committee at its discretion may lengthen a suspension set out by Hockey Manitoba.

### **AUTOMATIC SUSPENSIONS**

Any player, team official who falsifies an Official Game Report shall be automatically suspended until a hearing by the Suspension Committee.

Decision of the KMHA Suspension Committee within 10 business days of the receipt of the investigator's report and any written submissions by the parties or As soon as possible thereafter, the Committee will deliver its written decision to the President as well as the Complainant and Respondent.

The written decision shall contain:

- a. A brief summary of the fact, referring as necessary, to the investigator's report;
- b. A conclusion as to whether or not the Policy has been breached;
- c. the disciplinary action, if any, to be taken against the Respondent for any breach of the Policy found to have occurred;
- d. the disciplinary sanctions, if any, to be administered to the Complainant in the event of the finding that the complaint was clearly false, malicious or frivolous;
- e. If determined to be necessary, measures to remedy or mitigate the harm or loss suffered by the Complainant, for any breach of the Policy found;
- f. Any other measures that may be necessary to properly dispose of the complaint;

Unless the Committee decides otherwise, any disciplinary sanctions determined to be taken against either the Complainant or Respondent shall take effect immediately. Failure by a member to comply with a sanction as determined by the KMHA Suspension Committee shall result in an automatic suspension of membership within the KMHA until such time as the sanction is fulfilled.

## **APPEALS**

Both the Complainant and Respondent shall have the right to appeal the decision of the KMHA Suspension Committee. A notice of intention to appeal, along with the grounds for appeal, must be provided to the President within 5 days of the Complainant or Respondent, as applicable, receiving the Committee's written decision. A secured payment of \$150.00 (non-refundable) payable to the KMHA must be received by the association Treasurer before the Appeal proceedings begin. The notice must include the grounds upon which the decision is being appealed.

Appeals may only be made on the following grounds:

- a. Members of the KMA Suspension Committee did not follow the Procedure applicable to administering the Respectful Hockey Policy;
- b. Members of the KMHA Suspension Committee reached a decision that could not be supported by the evidence;
- c. Members of the KMHA Suspension Committee reached a decision on remedy that was grossly unfair or unreasonable in all of the circumstances.

The other party will be notified if a notice of appeal is received. The party will be provided with the grounds of the appeal and the opportunity to submit a response to the notice.

The appeal shall be heard by the KMHA Appeal Committee.

The Chairperson of the Appeal Committee shall, within 7 business days of receipt of a written appeal, arrange a date for the appeal hearing and give notice of the date to the Complainant and Respondent.

Representations are limited at an appeal hearing to those persons requested to, or approved to appear by the Chairperson of the Appeal Committee.

The Appeal Committee has discretion to govern the hearing of the appeal in the manner it deems appropriate.

The decision of the Appeal Committee will be based on a review of the documentation regarding the complaint, parties in response to the investigator's findings, the decision of the KMHA Suspension Committee, the notice of appeal and any representations in response to the appeal permitted by the Appeal Committee.

In deciding the appeal, the Appeal Committee may uphold the decision of the KMHA Suspension Committee, substitute its decision for that of the KMHA

Suspension Committee or it may modify any of the KMHA Suspension Committee's conclusion regarding disciplinary action or remedial measures.

A ruling by the Appeal Committee with respect to an appeal filed pursuant to this section is final and binding on all parties.

## **RECORD KEEPING AND CONFIDENTIALITY OF RECORDS**

Once a formal complaint has been disposed of pursuant to these Procedures, the KMHA Secretary shall keep a secure record of all relevant documents including, but not limited to:

- a. The formal written complaint;
- b. Any written reply to the complaint received by the Respondent;
- c. Any informal or mediated resolutions (set out in writing and agreed to by the parties);
- d. Investigator's report;
- e. Any responses received by the parties to the investigator's report;
- f. Decision of the KMHA Suspension Committee;
- g. Notice of appeal (if any) and related documentation;
- h. Decision of the Appeal Committee;
- i. Any other related correspondence;

## **RECORDS RETENTION POLICY**

### **ADMINISTRATION FILE RETENTION**

- a. All administrative records, including Board Meeting minutes, Annual General Meeting minutes, Killarney Minor Hockey Bylaws, correspondence, shall be retained in either a hard copy file folder or electronic storage format for an indefinite/undetermined amount of time;
- b. Team Rosters shall be retained in either a hard copy file folder or electronic storage format for indefinite/undetermined amount of time.

### **FINANCIAL FILE RETENTION**

All Financial records shall be retained for a minimum period of 7 years, and/or in accordance to Canada Revenue Agency requirements.

## **OPERATIONAL FILE RETENTION**

- a. All Player records shall be retained in either a hard copy file format and/or electronic copy file format until the player's 19th birthday, or indefinitely in an electronic format;
- b. All suspension/sanction records shall be retained in either a hard copy file format and/or electronic file format for 7 years.
- c. Player/Parent suspensions/sanctions shall be retained on the player file, as well as in the Suspension file folder.
- d. Team official suspensions/sanctions (Coach, Assistant Coach, Manager, Safety, Trainer) shall be retained in accordance to:
  - In the case of a Coach/Assistant Coach, the suspension will be retained in the coach file as well as in the suspension folder.
  - In the case of a Manager, Safety or Trainer, the suspension shall be retained in the possession of the KMHA.

All Game Sheets shall be retained by hard copy file format and/or electronic copy file format for a period of one (1) year after the conclusion of the season.

## **KILLARNEY MINOR HOCKEY RINK BEHAVIOUR POLICY**

### **By-law Thirty-One**

The intent of the "Rink Behaviour Policy" is to ensure that the environment in which minor hockey activities take place is as positive as possible for all participants. The "Rink Behaviour Policy" follows the Hockey Canada Philosophy that "it is a privilege to play minor hockey, not a right."

### **OBJECTIVES:**

The basic objective of the program is:

- a. To foster and enhance mutual respect, understanding and the principles of good sportsmanship and Fair Play amongst all participants during minor hockey events.
- b. To promote safety and respect, ensure fun, enjoyment and good competition at any minor hockey event.
- c. The elimination of behaviours and actions which detract from a positive environment in which minor hockey games should take place.
- d. Zero tolerance of any forms of abuse and/or harassment during minor hockey events from any participants.

## **EXPECTATIONS:**

### **Spectators:**

- Remember that players are not participating in the game to entertain the parents;
- Spectators should not judge players by professional standards;
- Spectators should maintain their self-control at all times;
- Spectators should demonstrate respect for all officials and their decisions;
- Spectators should demonstrate respect for all participants of the game;
- Spectators should encourage sportsmanship, effort and positive attitudes of all participants.

## **SOCIAL MEDIA AND NETWORKING POLICY**

### **By-law Thirty-two**

#### **1. INTRODUCTION**

For the purpose of this Social Media and Networking Policy, the policy will encompass public communications through such internet mediums and websites as Twitter, Facebook, Instagram, LinkedIn, Foursquare, Snapchat and any other social media network that allows users to communicate online.

The policy will be applicable to all members of the KMHA and the Hockey Manitoba Community, including directors, teams, KMHA and Hockey Manitoba members and staff, on-ice and off-ice officials, billets, players, players' family members and supporters.

Hockey Manitoba recognizes and appreciates the value of social media and the importance of social networking to all of its stakeholders. KMHA and Hockey Manitoba also respects the right of all teams and association personnel to express their views publicly. At the same time we must be aware of the dangers social media and networking can present.

The purpose of this policy is to educate the KMHA and Hockey Manitoba Community on the risks of social media and to ensure all teams and association personnel are aware that conduct deemed to be inappropriate may be subject to disciplinary action by the team, the KMHA, League and/or Hockey Manitoba.

#### **SOCIAL MEDIA GUIDELINES**

- a. It is at the discretion of the coaching staff and/or manager as to whether or not cell phones will be permitted into the dressing room.

- b. KMHA and Hockey Manitoba holds the entire Hockey Manitoba Community who participates in social media and networking to the same standards as it does for all other forms of media including radio, television and print;
- c. Comments or remarks of an inappropriate nature which are detrimental to a team, the association or an individual will not be tolerated and will be subject to disciplinary action.
- d. It should be recognized that social media comments are on the record and instantly published and available to the public and media. Everyone including the KMHA and/or team personnel, players, corporate partners and the media can review social media communications. You should conduct yourself in an appropriate and professional manner at all times.
- e. Refrain from divulging confidential information of a personal or team related nature. Avoid revealing business or game strategy that could provide another team or individual a competitive advantage. Furthermore, do not discuss injury information about any player. Only divulge information that is considered public.
- f. Use your best judgment at all times – pause before posting. Ultimately, you are solely responsible for your comments and they are published for the public record.
- g. If requested to participate in an online network, as a direct result of your affiliation with or participation in KMHA and Hockey Manitoba, Hockey Manitoba recommends that you request approval from the team or the association.
- h. Players or hockey operations staff is not permitted to participate in social media or networking two (2) hours prior to the start of a KMHA or Hockey Manitoba game and at least one (1) hour following the completion of a KMHA or Hockey Manitoba game.

### **3. SOCIAL MEDIA VIOLATIONS**

The following are examples of conduct through social media and networking mediums that are considered violations of the Hockey Manitoba Social Media and Networking Policy and may be subject to disciplinary action by the team, the KMHA, League and/or Hockey Manitoba.

- a. Any statement deemed to be publicly critical of Association officials or detrimental to the welfare of a member team, the KMHA or an individual.
- b. Divulging confidential information that may include, but is not limited to the following:
  - player injuries;
  - trades or other player movement;
  - game strategies; or

- Any other matter of a sensitive nature to a member Team, the Association or an individual.
- c. Negative or derogatory comments about any of the team, KMHA, League and/or Hockey Manitoba, programs, stakeholders, players or any member of a KMHA and Hockey Manitoba team.
- d. Any form of bullying, harassment or threats against players or officials.
- e. Photographs, video or comments promoting negative influences or criminal behavior, including but not limited to:
  - drug use;
  - alcohol abuse;
  - public intoxication;
  - hazing;
  - Sexual exploitation, etc.
- f. Online activity that contradicts the current policies of Hockey Manitoba or any of its member associations;
- g. Inappropriate, derogatory, racist, or sexist comments of any kind, in keeping with the Hockey Manitoba policies and regulations on these matters;
- h. Online activity that is meant to alarm other individuals or to misrepresent fact or truth.

#### **4 DISCIPLINE**

The team, KMHA, League and/or Hockey Manitoba will investigate reported violation(s) of this policy in the manner set out in the Hockey Manitoba Handbook for other types of violations. If the investigation determines that a violation has occurred, the team, KMHA, League and/or Hockey Manitoba will impose an appropriate suspension. Any appeal of the suspension will be dealt with as set out in a KMHA, League and/or Hockey Manitoba Handbook for other types of suspensions.

#### **5. SUMMARY**

When using social media and networking mediums, the Hockey Manitoba community should assume at all times they are representing Hockey Manitoba and/or its member associations or teams. All members of the Hockey Manitoba community should remember to use the same discretion with social media and networking as they do with other traditional forms of media. Should the identity or image of any member of the Hockey Manitoba Community be used in Social Media and networking without the individual, team or association authorization, this is considered to be identity theft. Please notify your Hockey Manitoba Team

Management or the Hockey Manitoba Office immediately. Any use of a player or team member's image or likeness without the written consent of Hockey Manitoba is strictly prohibited.

## **MISCELLANEOUS**

### **By-law Thirty-Three**

The KMHA shall carry an insurance policy, paid annually to a local agency chosen by the KMHA to cover the replacement cost of all equipment owned by the KMHA and held in the Shamrock Centre equipment room.