



Amateur Hockey Association Illinois, Inc.

## BY-LAWS



### ARTICLE I NAME AND AFFILIATION

The name of this corporation shall be Amateur Hockey Association Illinois, Inc. (*referred to hereinafter as "AHA"*). AHA shall be affiliated with USA Hockey.

### ARTICLE II OFFICES

The principal office of AHA shall be in the State of Illinois. AHA may have such other offices, either within or without the State of Illinois, as the business of the corporation may require from time to time.

The registered office of AHA required by the General Not-For-Profit Corporation Act to be maintained in the State of Illinois may be, but need not be, identical with the principal office in the State of Illinois, and the address of the registered office may be changed from time to time by the Board of Directors.

### ARTICLE III PURPOSES

**SECTION 1.** - To encourage and improve the standards and conduct of hockey in the State of Illinois. To encourage, assist and administer hockey in the development and growth of community and regional leagues, associations, programs and teams so that the sport is made available to more people in all levels of competition at the lowest possible cost.

**SECTION 2.** - To develop and encourage sportsmanship and playing proficiency by all players and persons involved in the sport of hockey in the State of Illinois.

**SECTION 3.** - To affiliate with USA Hockey and encourage registration of all teams at all levels of play with USA Hockey.

**SECTION 4.** - To conduct hockey tournaments and to sanction teams to enter and participate in said tournaments.

**SECTION 5.** - To communicate and cooperate with the USA Hockey Central District Association, other State and Officials Associations so as to improve and promote the sport of hockey both within and without the State of Illinois.

**SECTION 6.** - To do any and all acts necessary or desirable in the furtherance of the foregoing purposes and the sport of hockey.

## **ARTICLE IV MEMBERS**

**SECTION 1. ANNUAL MEETING** - The Annual Meeting of the member teams shall be held each year, beginning with the year 1976, and if possible, prior to the USA Hockey Meeting, but in no event later than June 30th, for the purpose of electing directors and for the transaction of such other business as may come before the meeting.

**SECTION 2. MEMBERSHIP** - The members of AHAI shall comprise all the amateur hockey players, as defined in the AHAI Rules and Regulations, being headquartered in the State of Illinois and such other players as may be designated to be under the jurisdiction of AHAI as the sanctioned Affiliate of USA Hockey and duly registered with AHAI.

**SECTION 3. SPECIAL MEETINGS** - Special meetings of the member teams may be called by the President, or a majority of the Board of Directors.

**SECTION 4. PLACE OF MEETING** - The President or Board of Directors may designate any place within the State of Illinois as the place of meeting for any Annual Meeting or for any Special Meeting.

**SECTION 5. NOTICE OF MEETINGS** - Written or printed notice stating the place, day and hour of the meeting, and in the case of a special meeting, the purpose for which the meeting is called, shall be delivered not less than ten nor more than forty days before the date of the meeting to each member team entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the member team at its address as it appears on the records of AHAI, with postage thereon prepaid.

**SECTION 6. QUORUM** - Forty percent of the member teams eligible to vote shall constitute a quorum at any meeting of member teams, provided, that if less than 40 percent of the voting member teams are represented at said meeting, a majority of the member teams so represented may adjourn the meeting from time to time without further notice. If a quorum is present, the affirmative vote of the majority of the voting member teams represented at the meeting shall be the act of the members.

**SECTION 7. VOTING RIGHTS** - Each member team shall be entitled to one vote upon each matter submitted to vote at a meeting of the member teams. The member teams vote shall be cast by the representative of the member team listed on the Official AHAI Registration Form (*which representative shall be (i) associated or affiliated with the same member association as the member team or (ii) the league president or his/her designee in which the member team is a properly registered team*), unless another representative has been designated, in writing, by the member teams association, provided, how-

ever, such designee must be associated or affiliated with the same association as the member team. Except as set forth above, no proxy voting shall be permitted.

**SECTION 8. VOTING DISPUTES** - At any meeting of the member teams, any question or dispute relating to the validity or result of any vote shall be submitted to the incumbent Board of Directors for a determination and the decision of the majority of the Board present, provided a quorum of the Board is present, shall be binding on all parties.

**SECTION 9. VOTING** - Voting on any question or in any election shall be via voice. All votes shall be a matter of public record.

**SECTION 10. JURISDICTION** - AHAI shall have complete jurisdiction over all amateur hockey in the State of Illinois and as such shall sanction all league and tournament play in the State. The Board of Directors of AHAI shall promulgate general policies under a set of Rules and Regulations to designate how corporate policies shall be followed.

The term "amateur hockey" as referred to in these By-Laws shall hereinafter be understood to mean any and all phases of the game of hockey, including but not restricted to games, tournaments and those groups and individuals who compose the membership of the AHAI.

## **ARTICLE V DIRECTORS**

**SECTION 1. GENERAL POWERS** - The business and affairs of AHAI shall be managed by the Board of Directors.

**SECTION 2. SPECIFIC POWERS** - The Board of Directors shall determine what is in the best interest of amateur hockey and shall have the authority to develop, implement and enforce rules, policies, procedures, incentives and penalties that advance those interests. Furthermore, the AHAI Board of Directors shall have the authority to name, at its discretion, one or more **President Emeritus or Director Emeriti** in recognition of outstanding service to this Association. Emeriti shall continue to be non-voting members of this Board of Directors and eligible for all committee appointments by the President.

**SECTION 3. NUMBER, TENURE AND QUALIFICATIONS** - The number of Directors of AHAI shall be fifteen (15) as elected by the voting member teams. Five (5) Directors shall be elected annually. Each such elected Director shall hold office for three (3) years or until his/her successor shall be duly elected or otherwise provided. To be qualified, each candidate must be legally competent and has or will successfully pass the AHAI screening as soon as possible.

- (a) In the event of a vacancy by death, resignation, or removal, the President of AHAI shall appoint a Director to fill such unexpired term.
- (b) In addition to the 15 elected Directors, the Board shall include the immediate past president of AHAI, the AHAI Supervisor of Officials and all Affiliate District Representatives to USA Hockey who are in all ways equal and fully qualified Directors.

**SECTION 4. REGULAR MEETINGS** - A regular meeting of the Board of Directors shall be held without other notice than this By-Law, immediately after, and at the same place as, the Annual Meeting of the member teams. The President or a majority of the Board of Directors may provide, by resolution, the time and place, for the holding of additional regular meetings without other notice than such resolution.

**SECTION 5. SPECIAL MEETINGS** - Special meetings of the Board of Directors may be called by or at the request of the President or the majority of the Board of Directors. The person or persons authorized to call special meetings of the Board of Directors may fix the time and place for holding any special meeting of the Board of Directors called by them.

**SECTION 6. NOTICE** - Notice of any special meeting shall be given by written notice delivered personally or mailed to each director at his/her business or home address, by telegram or by telephone. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting.

**SECTION 7. QUORUM** - A majority of the number of sitting elected Directors fixed by these By-Laws constitutes a quorum for transaction of business at any meeting of the Board of Directors, provided, that if less than a majority of such number of directors are present at said meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

**SECTION 8. MANNER OF ACTING** - The act of the majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

**SECTION 9. PARTICIPATION BY TELEPHONE** - Members of the Board may participate in a meeting of the Board or any Board committee meeting, by means of a conference telephone or similar communication equipment whereby all persons participating in the meeting can hear each other, and participation in a meeting in this manner shall constitute presence in person at the meeting.

**SECTION 10. ELECTRONIC VOTING** - The President or a majority of the elected Directors, from time to time, may poll, conduct a recommendation, or call for a vote on any issue properly submitted in writing to the Board of Directors between regular meetings: provided neither any elected Director nor the President objects to the

subject matter submitted in this format, limitation of oral debate commensurate with this electronic communication process or the e-mail or electronic voting procedure on the submitted issue.

**SECTION 11. OTHER DUTIES** - The Board of Directors shall hear and rule on appeals from any of the corporation committees, and shall resolve any and all disputes within the corporation.

## **ARTICLE VI OFFICERS**

**SECTION 1. NUMBER** - The officers of AHAI shall be a President, a Vice-President(s), a Treasurer, a Secretary and a Registrar and such other officers as may be elected or appointed by the Board of Directors.

**SECTION 2. ELECTION AND TERM OF OFFICE** - The officers of AHAI shall be elected annually by the Board of Directors at the first meeting of the Board of Directors held after each Annual Meeting of the member teams. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be possible. Vacancies may be filled or new offices filled at any meeting of the Board of Directors. Each officer shall hold office until his/her successor shall have been duly elected and shall have qualified or until his/her death or until he/she shall resign or shall have been removed in the manner hereinafter provided.

**SECTION 3. REMOVAL** - Any officer, director, or agent elected or appointed by the Board of Directors may be removed by a two-thirds vote of the entire Board of Directors whenever in its best judgement, the best interests of AHAI would be served thereby.

**SECTION 4. PRESIDENT** - The President shall be the chief executive officer of AHAI and shall in general supervise and control all of the business and affairs of AHAI. He/she shall preside at all meetings of the member teams and of the Board of Directors. He/she shall serve as ex-officio member on all committees. He/she may sign, with the Secretary or any other proper officer of AHAI 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 officer or agent of AHAI, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of the 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(s) shall represent AHAI and its member teams in meetings with other hockey associations and USA Hockey.

**SECTION 5. THE VICE-PRESIDENT(S)** - In the absence of the President or in the event of his/her inability or refusal to act, the Vice-President (or in the event there is more than one Vice-President,

the Vice-Presidents in the order designated, or in the absence of any designation, then in the order of their election) shall perform the duties of the President and when so acting, shall have all the powers of and be subject to all the restrictions upon the President and in general perform all the duties incident to the Office(s) of the Vice-President and such other duties as from time to time may be assigned to him/her by the President or the Board of Directors.

**SECTION 6. THE TREASURER** - If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his/her duties in such sum and with such surety or sureties as the Board of Directors shall determine. He/she shall: (a) have charge and custody of and be responsible for funds and securities of AHAI; receive and give receipts for moneys due and payable to AHAI from any source whatsoever, and deposit all such moneys in the name of AHAI in such banks, trust companies and other insured depositories as shall be selected in accordance with these By-Laws; (b) in general perform all the duties incident to the Office of the Treasurer and such other duties as from time to time may be assigned to him/her by the President or the Board of Directors.

**SECTION 7. THE SECRETARY** - The Secretary shall: (a) keep the minutes of the members' and the Board of Directors' meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; (c) be custodian of the corporate records and of the seal of AHAI and see that the seal of the corporation is affixed to all documents, the execution of which on behalf of the corporation under its seal is duly authorized in accordance with the provisions of these By-Laws; (d) keep a register of the post-office address of each member; (e) in general perform all duties incident to the Office of the Secretary and such other duties as from time to time may be assigned him/her by the President or the Board of Directors.

**SECTION 8. THE REGISTRAR** - The Registrar shall be Chairperson of the Registration Committee and shall: (a) be responsible for the registration of teams, players, coaches, managers, tournament/travel permits as directed by these By-Laws and the AHAI Rules and Regulations, (b) keep records of all registrations and memberships, (c) "certify" eligible voting member teams, (d) "certify" those registered member teams eligible for State Tournaments, (e) implement procedures to coordinate registration activities with USA Hockey, (f) in general perform all duties incident to the Office of the Registrar and such other duties as from time to time may be assigned him/her by the President or the Board of Directors. Nothing in this By-Law shall relieve any member or its agent, association, team, player, parent or guardian of their responsibility to submit a roster that is true and correct and complies with all of the AHAI By-Laws and the Rules and Regulations.

**SECTION 9. AHAI SUPERVISOR OF OFFICIALS** - The AHAI Supervisor of Officials shall be appointed by the Board of Directors of AHAI. The AHAI Supervisor of Officials shall:

1. Be responsible for implementing those policies established by the Board of Directors to register, control, evaluate and establish standards of conduct for all on-ice officials within the jurisdiction of AHAI.
2. Act as liaison between AHAI and the USA Hockey Central District Referee-In-Chief.
3. Act as liaison between AHAI and its designated officials association.
4. Act as liaison between AHAI and member amateur hockey programs and/or organizations in matters of officials and/or rule interpretations.
5. Disseminate all rule interpretations received from USA Hockey and AHAI.
6. Coordinate with the Tournament Committee and be responsible to assign qualified officials to all AHAI sponsored games.
7. Perform such other duties as may from time to time be assigned by the President or the Board of Directors.

## **ARTICLE VII COMMITTEES**

**SECTION 1. STANDING COMMITTEES** - The President shall designate and appoint the membership to the Tournaments, Suspension, Nominating, High School and Tier II Committees and such other committees deemed necessary or appropriate to the efficient conduct of AHAI's affairs, provided, however, the Chairperson of the five standing committees named above must be members of the Board of Directors of AHAI.

- A. TOURNAMENT COMMITTEE(S)** - The Board of Directors and the AHAI State Tournament Committees shall have the sole authority to conduct all State Tournaments.
- B. SUSPENSION COMMITTEE** - The Suspension Committee shall have original jurisdiction for hearings and ruling on complaints (*or incidents that come to the attention of the committee*) for infractions of the AHAI By-Laws and Rules and Regulations or conduct not in the best interest of amateur hockey which arise out of competitive play whether on or off the ice and suspending any member organizations, teams or individuals for such infraction in accordance with procedures established by the Board of Directors. Duration of suspension will be determined by this Committee. During regular season play, a majority of the members of the Committee shall constitute a quorum for the purpose of making a determination and a vote of the majority of the members of the Committee

present in accordance with the procedures established by the Board of Directors shall be required for a suspension. Decisions of the Committee shall be final unless a notice of appeal therefrom is filed as herein provided. Any person, team, or organization affected by the decision of the committee may appeal such decision in accordance with the By-Laws, Rules and Regulations of AHAI by filing a written notice of appeal to the President of AHAI within ten (10) days after the date that the decision appealed from has been rendered, which appeal shall be acted upon by the Board of Directors whose decision shall be final.

**C. NOMINATING COMMITTEE** - The Nominating Committee shall include at least two (2) members of the Board of Directors whose seats are not up for reelection. The duties of the Committee shall consist of:

- (a) The Nominating Committee shall be responsible for soliciting and collecting the names and qualifications of individuals who wish to be considered on an individual basis for election to the AHAI Board of Directors.
- (b) Within 60 days of the Annual Meeting, the Nominating Committee shall inform the voting members by mail of the requirements and deadlines for becoming a candidate for election. At least 42 days in advance (*or six weeks*) of the Annual Meeting, any adult individual who wishes to run for election to the AHAI Board of Directors shall submit his or her name as well as a written biography, to the AHAI Nominating Committee. No later than 21 days (*three weeks*) before the Annual Meeting, the AHAI Nominating Committee shall disseminate to all voting members of AHAI, by mail and by publication on AHAI's web site, a list of all names submitted and copies of the biographies. The AHAI Board of Directors or any AHAI member may issue an endorsement of or opposition to any candidate so long as said endorsement or opposition does not disparage or demean any candidate. The AHAI Board of Directors may issue a position paper on any candidate or group of candidates in the mailing to the voting members. If an individual AHAI member wishes to submit an endorsement of or opposition to any candidate(s) AHAI agrees to include said position statement with the AHAI mailing. The individual member who submits a position paper agrees to pay his or her proportionate share for the expenses of creating and mailing the position paper. Any position paper submitted by the AHAI Board or any AHAI individual member shall be limited to one 8 1/2 x 11 sheet of paper for any candidate(s) but may be two-sided.

(c) At the AHAI annual meeting, present voting members shall vote for five (5) individuals from the list of nominations. The votes shall be counted by members of the Nominating Committee and overseen by an AHAI officer. The top five (5) individuals garnering the most votes shall be elected as Directors of the AHAI Board.

**D. HIGH SCHOOL COMMITTEE** - The committee shall be responsible to, (a) encourage and improve the standards and conduct of High School hockey in the State of Illinois, (b) provide coaching clinics for AHAI High School coaches, (c) provide member teams and players with information vital to college hockey programs and entrance requirements, (d) coordinate the AHAI High School Division state championship tournaments, (e) establish a code of ethics for AHAI High School coaches, and to (f) establish an AHAI High School Board of Governors (*Committee*) composed of at least ten (10) members.

**E. TIER II COMMITTEE** - The Tier II Committee shall: refer matters regarding the status or conduct of Tier II Member Associations to the Rules & Ethics Committee; review and make recommendations to AHAI regarding the status of a Tier II Member Association under the terms established by the By Laws and the Rules and Regulations of AHAI pursuant to Article VIII of these By Laws; review, approve, postpone, condition or disapprove any application by a hockey association to become a Tier II Member Association; to approve any eligible hockey association as a Tier II Member Association upon that hockey association showing that it meets the terms established by the By Laws and the Rules and Regulations of AHAI pursuant to Article VIII of these By Laws; hear and review questions regarding player movement from one Tier II Member Association to another, or other issues that may arise concerning player movement; and take such other actions as may be directed by AHAI in regards to Article VIII of these By Laws and the Rules and Regulations of AHAI.

**SECTION 2. GENERAL COMMITTEES** - The President shall designate and appoint such other committees deemed necessary or appropriate to the efficient conduct of AHAI's affairs, provided, however, the Chairperson of these committees need not be a member of the Board of Directors of AHAI.

**A. YOUTH COMMITTEE** - The committee shall be responsible to, (a) develop hockey programs in the AHAI youth division (*pre-mite through midgets*), (b) provide coaching clinics for house leagues and travel teams, and maintain a list of

approved coaches, (c) provide program consultation to all Member Associations, (d) develop a code of ethics to be followed by all AHAI youth division coaches, (e) coordinate any and all activity designed to develop amateur hockey at the youth level.

**B. JUNIOR/ADULT DEVELOPMENT COMMITTEES** - These committees shall be responsible to: (a) develop hockey programs for Junior and Adult age players at the house league and all-star level, (b) act as the interface between USA Hockey and AHAI Junior "A" and "B" hockey teams and all Junior hockey leagues, (c) coordinate all activities relating to USA Hockey or U.S. Olympic activities, (d) to coordinate and provide AHAI Junior and Adult Championship tournaments.

**C. RULES AND ETHICS COMMITTEE** - The Committee shall have original jurisdiction over the administration and enforcement of the By-Laws and Rules and Regulations of AHAI in respect to all matters other than infractions of the By-Laws and Rules and Regulations which arise out of competitive play over which the Suspension Committee shall have original jurisdiction. In accordance with procedures established by the Board of Directors, the Rules and Ethics Committee shall have authority to suspend, place on probation, or impose other disciplinary sanctions against any person, team or organization determined to have violated the By-Laws or Rules and Regulations of AHAI or for conduct deemed by the Committee to not be in the best interests of amateur hockey, the purpose and intent of the By-Laws or Rules and Regulations of AHAI. Decisions of the Rules and Ethics Committee shall be final, unless a notice of appeal there from is filed as herein provided. Any person, team, or organization affected by a decision of the Rules and Ethics Committee may appeal such decision in accordance with these By-Laws and the Rules and Regulations of AHAI, by filling a written notice of appeal, with the President of AHAI within ten (10) days after the date that the decision appealed from has been rendered, which appeal shall be acted upon by the Board of Directors whose decision shall be final.

## **ARTICLE VIII TIER II**

### **SECTION 1. CHOICES**

*Commencing with the 1997-1998 hockey playing season:*

Every hockey player in the State of Illinois may choose between two (2) Tier II Member Associations as to where to play amateur Tier II travel hockey. Each player playing Tier II travel hockey is restricted to two (2) Tier II Member Associations

through the player's last year in youth hockey (*e.g.*, 17 & under). Every player rostered on a Tier II team of a Tier II Member Association during the 1996-1997 season shall have a choice to remain with the association or move to a Tier II team of another Tier II Member Association of their choice. For purposes of determining the player's first choice, any player rostered on a team other than a Tier II team of a Tier II Member Association during the 1996-1997 season shall be considered to be a member of the Tier II Member Association for which the player last played at the Tier II level.

**SECTION 2. - COUNSELING** - Every player and the family of that player first entering into an amateur Tier II travel hockey program offered by a Tier II Member Association shall be counseled as to their opportunities, special considerations and choices of amateur Tier II travel hockey, but it remains the responsibility of the player and his/her guardian(s) to obtain information and be fully informed as to all regulations and obligations that may apply. The Board of Directors of AHA shall promulgate rules, regulations and guidelines for Tier II Member Associations to assure that all players and families are fully apprised of these opportunities, special considerations and choices.

### **SECTION 3. - PLAYER EXEMPTIONS**

- A. A player playing at the Tier II level may not substitute a choice of a Tier II Member Association with another Tier II Member Association, except in cases where there are practical difficulties or particular hardships in carrying out the strict application of Section 1 above. These exceptions shall apply only at each age appropriate level. An "age appropriate level" is the age level of the youngest age level that the player is permitted to play.
- B. The Board of Directors is empowered to grant a player a substitution with a choice of a Tier II Member Association with another Tier II Member Association, and may delegate that responsibility to the Tier II Committee with a limited right of appeal to the Board of Directors under such terms as set out in advance by the Board. Each player requesting the granting of a substitution shall clearly present the facts supporting the following:
  - 1. That the predicament of the player is due to unique circumstances that were not created by the player;
  - 2. that the purpose in requesting the substitution is not based exclusively upon a desire to be rostered on a team that is perceived to be better;
  - 3. that the granting of the substitution furthers the goals, objectives and policies of USA Hockey and the Amateur Hockey Association Illinois, Inc.;

4. that the granting of the substitution is not detrimental to amateur Tier II travel hockey;
5. if a player requests a substitution the player must give up a past choice;
6. if a player is legitimately cut from a program or the program fails to offer a team at his/her appropriate USA Hockey age level that player may petition the Committee for a permanent substitution. The Board of Directors is empowered to grant a player a substitution of a choice of a Tier II Member Association with another Tier II Member Association, and may delegate that responsibility to the Tier II Committee with a limited right of appeal to the Board of Directors under such terms as set in advance by the Board. Each player requesting the granting of a substitution shall clearly present facts supporting the following:
  - C. The Board of Directors of AHAI shall promulgate procedures establishing the means and methods that a player shall use in requesting a substitution and such rules and regulations as it deems necessary to further define and clarify circumstances that may qualify for a substitution of choice.
  - D. At the discretion of the Board of Directors, the substitute choice granted by the Board of Directors may be permanent or for a specific playing season.

**SECTION 4 - TIER II MEMBERSHIP** - A. Beginning with the 1997-1998 season, any association that was a Districted Association during the 1996-1997 playing season will be accepted as a Tier II Member Association, provided that the association properly registers its teams with USA Hockey and complies with the By Laws and Rules and Regulations of AHAI.

- B. A Tier II Member Association must field no less than one team in at least three of the following youth age divisions:

8 and under (*Mite*) 10 and under (*Squirt*) 12 and under (*Pee Wee*) 14 and under (*Bantam*) 17 and under (*Midget*)
- C. The first team established in any age division shall be deemed as the AA team. Any subsequent team in any age division may be deemed by the association as either AA or A. The Tier II Committee may establish the maximum number of teams that any Tier II Member Association may field in a youth age division. It is the obligation of every Tier II Member Association to place its best players on its AA (*first*) team.
- D. The Board of Directors of AHAI shall establish the terms than an association must achieve to become a Tier II Member Association.

*Such terms may include, but are not limited to the following:*

1. The association shall demonstrate an ability to field and sustain teams in at least three age divisions;
  2. The association shall have a viable Board of Directors;
  3. The association operates pursuant to by laws, rules and regulations, policies, or procedures consistent with the By-Laws, Rules and Regulations, and policies of USA Hockey and the AHAI.
  4. The association is financially solvent and stable;
  5. The association is able to procure sufficient ice to support an appropriate number of home games and practices consistent with the size of its program.
  6. The association is able to identify a viable feeder system, such as an affiliation with a house league or learn to skate program.
- E. Applications by an association to become a Tier II Member Association shall be submitted to the Tier II Committee on or before January 15 for the next succeeding playing year. The Tier II Committee may deny the request, postpone consideration of the request, grant probationary status as a Tier II Member Association, grant full status as a Tier II Member Association, or take any other action that it determines to be in the best interest of hockey in Illinois. The Board of Directors annually shall establish a deadline for action on all pending applications before the Tier II Committee.
- F. Tier II Member Association Try-outs. Try-outs and team selections may not begin prior to September 1 of the current playing season. It shall be the responsibility of the Tier II Member Association to verify and maintain records of all players who are playing or have played for the Tier II Member Association.
- G. Decisions of the Committee shall be final unless a notice of appeal therefrom is filed as herein provided. Any person, team, or organization affected by the decision of the Committee may appeal such decision in accordance with the By Laws, Rules and Regulations of AHAI by filing a written notice of appeal to the President of AHAI within ten (10) days after the date that the decision appealed from has been rendered, which appeal shall be acted upon by the Board of Directors whose decision shall be final.
- H. The Board of Directors of AHAI shall promulgate such rules and regulations as necessary to implement the provisions of this By Law. Such rules and regulations shall be in keeping with the missions and purposes of USA Hockey and the Amateur Hockey Association Illinois, Inc.

## **ARTICLE IX TIER I**

**SECTION 1. OPEN AND "AAA" TEAMS** - Any youth association or organization wishing to form "Open" or "AAA" teams for any AHAI season must comply with the AHAI Rules and Regulations herein and inform the Open Committee of its intention prior to taking any overt action to form a team or teams and do so on or before the date of the playing year set out in the AHAI Rules and Regulations. Upon approval by AHAI, such players and teams of the association or organizations may take overt action to form a team or teams and shall be considered as "Open" or "AAA" and shall be ineligible to play in any Tier II Tournament until such succeeding playing year that, the player as to players and organizations as to teams, notifies the Open Committee of its intention to play on or as a Tier II Team, requests and receives a Tier II Member Association status from the Tier II Committee, and meets all other requirements for Tier II Tournament play.

## **ARTICLE X CONTRACTS, LOANS, CHECKS AND DEPOSITS**

**SECTION 1. CONTRACTS** - The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of AHAI, and such authority may be general or confined to specific instances.

**SECTION 2. LOANS** - No loans shall be contracted on behalf of AHAI and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

**SECTION 3. CHECKS, DRAFTS, ETC.** - All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of AHAI, shall be signed by such officer or officers, agent or agents of AHAI and in such manner as shall from time be determined by resolution of the Board of Directors.

**SECTION 4. DEPOSITS** - All funds of AHAI not otherwise employed shall be deposited from time to time to the credit of AHAI in such banks, trust companies or other insured depositories as the Board of Directors may select.

**SECTION 5. FINANCIAL OBLIGATION SATISFACTION** - No Player or members of their immediate family shall be permitted to change their team or association affiliation, and may be subject to suspension, until they have satisfied any outstanding financial obligations to their "old" team or association including all Youth, Girls, High Schools, Juniors, and Adults."

AHAI is not and will not act as a collection agency for outstanding financial obligations. Collection of outstanding financial obligations for the Affiliate Members lies with the Affiliate Member. However, AHAI will enforce its By-Law and impose a suspension for failure to satisfy any financial obligations based upon the following guidelines:

1. There must be written correspondence to the obligor.
2. Collection must be for the past current season.
3. The club must have taken steps to collect the fees during the season such as taking the Obligor off the ice after a hearing. AHAI will not be involved if the club allowed the Obligor to play the entire season and only attempted to collect fees after the season was completed or allows the Obligor to register and play for the next registration.

It is recommended that the Affiliate send a minimum of 3 letters by Certified Mail Return Receipt as follows:

- a. First letter stating that there is a balance due and requesting payment.
- b. Second letter stating the balance due with a request for payment and stating that if the amount is not paid within a certain time period (30) days that it will be forwarded to AHAI Rules & Ethics.
- c. Third letter stating the balance due and that the matter is being sent to AHAI R&E.

After following the guidelines, submit copies of these items to the AHAI Rules & Ethics Chairperson for further action. AHAI will send a letter to the Obligor. If the Obligor fails to respond, AHAI may suspend the entire family pursuant to its By-law. If the Obligor requests a hearing within the appropriate time frame, he/she will be afforded an opportunity to be heard. A hearing will be scheduled and if necessary, all parties may be requested to attend that hearing. The Rules & Ethics Committee will provide a written decision within 10 days. The decision can be appealed in accordance with the AHAI By-Laws, Article X of Rules and Regulations.

**SECTION 6. ANNUAL AUDIT** - An audit will be conducted at the conclusion of each fiscal year, and will be available for inspection upon request by member organizations.

## **ARTICLE XI FISCAL YEAR**

The fiscal year of AHAI shall begin on the first day of June in each year and end on the last day of May in each year.

## **ARTICLE XII SEAL**

The Board of Directors shall provide a corporate seal that shall be in the form of a circle and shall have inscribed thereon the name of the corporation and the words "Corporate Seal, Illinois."

## **ARTICLE XIII WAIVER OF NOTICE**

Whenever any notice whatever is required to be given under the provisions of the Articles of Incorporation or under the provisions of The General Not-For-Profit Corporation Act of the State of Illinois, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

## **ARTICLE XIV DISPUTES**

### **A. Resolution of Disputes, Exclusive Remedy.**

- 1. Scope of Procedure and Purpose.** Because AHAI is a not-for-profit organization whose vital services are provided by volunteer efforts, AHAI has established a Dispute Resolution Procedure to provide an efficient, orderly and uniform method of resolving every controversy, question or dispute regarding or having any impact on amateur hockey, amateur hockey players, AHAI or any of AHAI'S Board Members, (*collectively referred to as a "Dispute"*) which utilizes the special skills, expertise and background of people experienced in hockey and sports administration matters. It is the further purpose of this By-Law to provide an administrative procedure that is a full, complete and exclusive remedy and substitute for any and all court or legal proceedings regarding any Dispute.
- 2. Submission to Dispute Resolution Procedure.** Every person and entity within the jurisdiction of AHAI (*including, but not limited to, every member, player, coach, official, referee, parent, guardian, agent or any other person, and every affiliate member, league, team, club, sponsor, facility or any other group or organization*), (*collectively referred to as "Person and Entity"*) by virtue of their membership, affiliation or participation, at any time, in an AHAI, program or sponsored event, agrees to submit exclusively to the Dispute Resolution Procedure

established by the By-Laws and/or Rules, Regulations and Procedures of AHAI and/or USA Hockey (*Dispute Resolution Procedure*) as the sole and exclusive remedy of all Disputes and to completely forego any remedy in any court of law or equity or initiate any legal proceedings regarding the matters expressly or implicitly covered by the Dispute Resolution Procedure, except for those matters pertaining to playing rules which are specifically provided elsewhere within AHAI or USA Hockey By-Laws or Rules and Regulations.

- 3. Exhaustion of Administrative Remedies Required.** Moreover, every Person or Entity further agrees to fully exhaust all administrative remedies available through the Dispute Resolution Procedure.
- 4. No Circumvention of Dispute Resolution Procedures.** No Person or Entity shall attempt to circumvent the Dispute Resolution Procedure. Any attempt to circumvent the Dispute Resolution Procedure shall not diminish or alter the requirements or authority for the exclusive use of the Dispute Resolution Procedure concerning all Disputes as a full, complete and exclusive substitute for any and all court or legal proceedings. In addition, failure to participate to the fullest extent possible in the Disputes Resolution Procedure concerning any Dispute shall be a failure to exhaust the administrative remedies available, and AHAI, (*including any of its duly authorized committees*) shall have the power to assess costs, impose fines, disciplinary action (*including suspension*) and seek other sanctions, in accordance with all By-Laws and Rules, Regulations and Procedures established by the AHAI Board of Directors. "Costs" shall also include the time of AHAI personnel; for these purposes, a volunteer's time shall be measured by that individual's customary work position.
- 5. Failure to Follow Process.** In addition to any other sanctions applicable hereunder, the failure to follow and abide by the Dispute Resolution Procedure may subject every Person and Entity and any Person and Entity representing, participating with or aiding such Person and Entity, to the following:

  - a.** Liability for any and all expenses and costs, direct and indirect, including all reasonable court costs and attorneys' fees and the value of volunteer time, incurred by AHAI, its member organizations, or any of its directors, officers, or agents; and
  - b.** Immediate suspension and/or disqualification from membership and forfeiture of the right to participate in AHAI and/or USA Hockey or any of their Affiliate Associations or sanctioned events.

- 6. Rules of Construction.** In addition, in the event any Person or Entity seeks an appeal, arbitration or the recourse of any court of any jurisdiction on any Dispute for any reason, the following rules of construction shall control:
- a. the constructions, interpretations, rulings, procedures, decisions and opinions of AHAI and/or USA Hockey *(including their directors, officers and duly authorized personnel)* shall be deferred to as being the product of their experience and judgmental expertise in amateur hockey and in the administration thereof;
  - b. if there is any rational basis for the decision of AHAI and/or USA Hockey, such decision shall be upheld, and the only question shall be, did AHAI and/or USA Hockey act contrary to the Constitution of the United States or the State of Illinois; the fact that another reasonable inference or interpretation could have been made will not be grounds for overruling or modifying a decision of AHAI and/or USA Hockey;
  - c. only the evidence and theories explicitly presented to AHAI and/or USA Hockey for consideration in the initial Dispute and prior to the rendering of its decision may later be presented or considered in court;
  - d. the burden of proof shall be on the party attempting to have any decision or action of AHAI and/or USA Hockey reversed, modified or changed in any way, and said burden shall be the equivalent of the highest degree of proof required in any civil proceedings; and,
  - e. any party not successful in overturning a procedure, ruling or other decision of AHAI and/or USA Hockey in its entirety, shall pay for any and all fees, expenses and other costs of AHAI and USA Hockey with respect to that matter *(including, but not limited to: attorneys' fees; court costs, court reporter, transcript, document and exhibit costs; fees and expenses of consultants, experts, investigators and witnesses, and in obtaining or producing materials or evidence; the transportation and other per diem or incidental expenses of each of the foregoing and of all volunteers; and, the value of each volunteer's time, both in and out of court, as measured by that individual's customary work position).*

#### **ARTICLE XV DISTRIBUTION OF ASSETS**

The assets of AHAI are permanently dedicated to exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 *(or corresponding provisions of future laws)*. AHAI shall not be operated for pecuniary profit and shall have no capital stock and

shall make no distribution of dividends to its members, directors, officers or persons having a private interest in the activities of the corporation.

In the event AHAI is dissolved, the Board of Directors shall pay, satisfy and discharge all liabilities and obligations of AHAI or make adequate provisions therefore and distribute all remaining assets of AHAI to an organization or organizations engaged in activities substantially similar to those of AHAI and organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at that time qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954 (*or corresponding provisions of future laws*).

## **ARTICLE XVI AMENDMENTS**

These By-Laws may be altered, amended or repealed and new By-Laws may be adopted at any meeting of AHAI by a two-thirds vote of the voting member teams represented at the meeting, provided each proposed amendment must first be submitted to the President, who, with the rest of the Board of Directors shall, before presentation for consideration by the membership, decide whether or not to recommend its adoption at the next annual or special meeting. No amendment shall be eligible for presentation at a meeting unless it shall have been submitted by a Member Association to the President at least 30 days prior to such a meeting or published by the Board of Directors at least 14 days prior to such a meeting. Any amendment submitted by a Member Association in accordance with this By-Law shall be published by the Board of Directors at least fourteen (14) days prior to such a meeting.

- A. USA HOCKEY PREEMINENCE** - The Amateur Hockey Association Illinois, Inc., an Affiliate of USA Hockey, shall abide by and act in accord with the Constitution, By-Laws, Rules and Regulations of USA Hockey, and decisions shall take precedence over and supersede all similar governing documents and/or decisions of the Amateur Hockey Association Illinois, Inc. Further, the Amateur Hockey Association Illinois, Inc. shall assist USA Hockey in the administration and enforcement of the provisions of the Constitution, By-Laws, Rules and Regulations, and decisions of the Board of Directors of USA Hockey, within and upon its members and/or within its jurisdiction.
  
- B. INDEMNITY** - The Amateur Hockey Association Illinois, Inc., as an Affiliate of USA Hockey, shall indemnify and hold harmless USA Hockey, the Board of Directors of USA Hockey and each member thereof, the Executive Committee of USA Hockey, and each member thereof, committees of USA Hockey and members thereof, and all other elected,

appointed, or employed representatives of USA Hockey from any and all liability, judgments, costs, charges and expenses whatsoever, which USA Hockey or its representatives sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against USA Hockey, or its representatives, for and in regard to any act, deed, matter, decision, or thing whatsoever made, done or permitted to be done about or in relation to the local affairs of Amateur Hockey Association Illinois, Inc., except such costs, charges, or expenses as are occasioned by USA Hockey, or its representatives by and through willful neglect or default. Further, the Amateur Hockey Association Illinois, Inc., understands and acknowledges that USA Hockey and its representatives, whether elected, appointed or employed, have assumed such assignment, function, office or capacity upon the express understanding, agreement and condition that USA Hockey and each of its representatives, their heirs, executors, administrators, estates, assigns and others, shall from time to time, and at all times, be indemnified and saved harmless out of the funds of the Amateur Hockey Association Illinois, Inc., accumulated or to be accumulated, for the acts or conditions described above. USA Hockey shall cooperate with the Affiliate in any litigation and provide support, including but not limited to, data, research, advice, testimony, etc.

The Affiliate shall insure the obligation set forth herein, name USA Hockey as an additional insured under the terms of the liability insurance policy purchased or provided for this purpose, and provide evidence thereof to USA Hockey, if requested.

Evidence satisfactory to USA Hockey of the adoption by the Affiliate of the foregoing By-Laws, or official policy of Affiliate, shall be required and shall constitute a condition of the granting of affiliation or affiliate status by USA Hockey to the Affiliate.

