

CONSTITUTION & BYLAWS



A By-Law relating generally to the conduct of the affairs of the Ottawa & District Hockey Association, a Branch of Hockey Canada.

BE ENACTED AND IT IS HEREBY ENACTED as a By-Law of the Ottawa and District Hockey Association (Hereinafter called the "ODHA" as follows:

SECTION 1

ARTICLE I

This organization shall be known as the :
« Ottawa and District Hockey Association »
(Amended June 2003)

ARTICLE 2

- (a) The ODHA is the governing body of Amateur Hockey within its defined boundaries. It shall be composed of amateur hockey teams, of amateur hockey leagues, and of amateur hockey associations which are within the geographical jurisdiction of the ODHA and which are willing to comply with the By-Laws, with the Rules and with the Regulations of the ODHA.
- (b) The Ottawa and District Hockey Association shall have jurisdiction over that part of Ontario lying east of and including the Counties of Lanark, Renfrew, and all of Leeds except the town of Gananoque and the portion west of Highway No. 32, and south of Highway No. 15 in the Provinces of Ontario.

(c) MEMBERS :

The Ottawa and District Hockey Association may be composed of the following :

1. Amateur Hockey Teams;
2. Amateur Hockey Clubs;
3. Amateur Hockey Associations;
4. Amateur Hockey Leagues;
5. College Hockey Leagues;
6. University Hockey Leagues;
7. Scholastic Hockey Leagues;
8. Military Hockey Leagues;
9. Adult/Recreational Leagues and Teams operating within the jurisdiction of the Ottawa and District Hockey Association and which are willing to comply with, and abide by all Rules and Regulations of the ODHA;
10. Womens Hockey Associations
11. Amateur Inline Hockey Association, Leagues.

Note

- a) In all By-Laws of the ODHA, the singular shall include the plural and the plural shall include the singular; the word person shall include firms, corporations, associations and the masculine shall include the feminine. Whenever reference is made in a By-Law to any statute or section thereof, such reference shall be deemed to extend and apply to any amendment to/or re-enactment of the said statute or section as the case may be.
- b) The meaning of the word « amateur » in as far as it applies to the ODHA shall be the definition as set forth in the current Hockey Canada Handbook.
- c) Minor Hockey as would apply under (1), (2), (3) and (4) shall be recognized as members of the ODHA only through their affiliation with the Ottawa & District Minor Hockey Association.

- d) The term « Board of Directors » shall mean ODHA Board of Directors unless otherwise specified.
- e) No Chairman of any Council or Committee may vote, unless there is a tie.

ARTICLE 3

DEFINITION OF AN AMATEUR

The ODHA adopts the definition of an Amateur as set forth in the Hockey Canada Handbook. (Hockey Canada Article 4A)

ARTICLE 4

OBJECTIVES

The objectives of the Association are to :

- ◆ Promote and improve the sport of Amateur Hockey within the territory under its control;
- ◆ To secure the enforcement of the rules of the game as adopted by the ODHA;
- ◆ To conduct elimination competition for the different Association Champions as well as Challengers for InterBranch and Canadian Championships;
- ◆ To adjudicate on all questions arising from and pertaining to Amateur Hockey within this Branch of Hockey Canada.

ARTICLE 5

The Ottawa and District Hockey Association shall be governed in accordance with the By-Laws of the ODHA.

ARTICLE 6

The By-Laws may be altered only at the Annual General Meeting of the ODHA, and then only by a two-thirds majority of the delegates voting. A quorum for the Annual General Meeting shall be in place when delegates with a collective voting strength of 50%+ one of the total possible votes, are present and ready to conduct business. No amendments or alterations to the By-Laws shall be considered at the Annual Meeting unless such proposed amendments or alterations shall have been submitted to the Executive Director of the of the Ottawa and District Hockey Association at least thirty (30) days prior to the date of the Annual Meeting, and it shall be the duty of the Executive Director to submit a copy of any proposed amendments or alterations to each member of the Board of Directors, and to each Club, Team, Association, or League, in good standing at least ten (10) working days prior to the date of the Annual Meeting. The Board of Directors of the ODHA, with a two-thirds majority of its members in favour, may change the By-Laws; however, any change must be ratified at the next Annual Meeting or Special Meeting. Notice of intent to change the By-Laws must be given to members of all Committees and Councils within thirty (30) days. Should the Annual Meeting not approve any amendment or alteration made by the Board of Directors under the interim amendment, it shall not become invalidated for the period of time that it was in effect. Any amendments or alteration in the By-Laws, Regulation, or the Playing rules of Hockey Canada shall automatically amend or alther the By-Laws, Regulations, or Playing Rules of the ODHA. Motion of amendments to the By-Laws which are adopted by the members at an Annual Meeting shall be effective and enforced immediately upon adoption.

ARTICLE 7

The provisions of the Constitution, the By-Laws, the Playing Rules and the Directives of Hockey Canada shall apply in all matters except where modified by the Constitution and By-Laws of the ODHA which have any overriding effect by virtue of having authorization under the terms of the Hockey Canada's Constitution, By-Laws and Directives.

SECTION 2

BY-LAW ONE-MEMBERSHIP :

- (a) A team shall become a member of the ODHA by making an application in writing to the Board of Directors through the Executive Director. The letter must express a willingness to adhere to the By-Laws of the ODHA and be accompanied by a non-refundable requisite entry fee as established by the Board of Directors. Such application must be received by the Executive Director on or before **April 30th** in the year in that the applicant team wishes to commence its first playing season. The Board of Directors shall then render a binding decision to accept or reject the application. If accepted, and provided franchise fees are paid, the applicant team will be considered « in good standing » for the ODHA Annual Meeting for that year. Any team on a leave of absence for more than one season, which wishes to be reinstated must reapply through a League and then by letter to the Board of Directors through the Executive Director.
- (b) Annual renewal of membership shall be accompanied by the payment of any dues and performance bonds that are specified by the team's league and/or by the Board of Directors.
- (c) Following consultation with the affected league, such membership shall be subject to suspension or forfeiture in the event of failure to comply with a decree of the Board of Directors, and it is expressly stipulated that any decree of suspension or forfeiture, when affirmed by a majority of the Board of Directors, shall be final and binding, but subject to appeal to Hockey Canada.
- (d) The Board of Directors, after consultation with the affected league(s), shall have sole discretion in classifying the teams under its jurisdiction for each hockey season.

- (e) All games played by such member teams and the qualifications of all persons competing at such games as members of their teams, shall be in conformity with the By-Laws of the ODHA, and with the rules and conditions of competition adopted and prescribed by the Board of Directors of their Association.

BY-LAW TWO

BE IT ENACTED as a By-Law of the Ottawa and District Hockey Association as follows :

FINANCIAL

- (a) Each team accepted for membership into the ODHA shall pay an annual entry fee before receiving Hockey Canada Certificates for players. The entry fee structure shall be presented for approval at each Annual General Meeting (ODMHAC not included).

The Registration Fee for the Hockey Canada Player Certificates shall be determined by the Board of Directors by September 1st. If a team wishes to apply to engage in a National title, but has no League to compete in, but has the sanction of the ODHA and Hockey Canada, then that team must post the necessary « bond of compliance » no later than the monthly meeting of the ODHA Board of Directors in October of that playing year.

- (b) If so required, a team must post with its entry fee, a bond in an amount as prescribed by the Board of Directors. The bond shall be in cash or a surety bond from prescribed by and satisfactory to the ODHA. The bond shall be returned on request, to each team, two weeks after its final schedule or playoff game, provided no claim has been filed with the ODHA by registered mail prior to the expiry of the two week period. The bond ensures that the team shall fulfill its schedule commitments and its financial commitments to the ODHA (fines, levies, playoff fee, etc.). Should a team not fulfill its obligation in any manner, as above, then the

full bond shall be forfeited to the ODHA for disposition.

- (c) No team shall be entitled to compete for the championships or be represented at any meeting, or to have any privileges of the Association until its affiliation fee, or performance bond, as set by the ODHA Board of Directors, has been posted and fines, if any, have been paid.
- (d) The Board of Directors through the Vice-President (Rules and Officials), shall appoint the referees and linesmen for Junior, and Senior games. Referees and linesmen shall be paid in accordance with a fee schedule that has been approved by the Board of Directors before the beginning of each playing season.
- (e) No Committee Chairperson may authorize the spending of any amount that exceeds five hundred dollars (\$500.00) without the approval of the Finance and Administration Committee.

BY-LAW THREE

BE IT ENACTED as a By-Law of the Ottawa and District Hockey Association as follows :

OFFICERS, DIRECTORS, and their DUTIES :

- (a) The Executive Committee of the ODHA will be the Officers of the ODHA who shall be :
 - ◆ President;
 - ◆ President (Past);
 - ◆ Vice-President (First);
 - ◆ Vice-President (Minor)***
 - ◆ Vice-President (Junior);
 - ◆ Vice-President (Senior/Adult Recreational)*,
 - ◆ Vice-President (Development);
 - ◆ Vice-President (Rules and Officials)

- ◆ Vice-President (Finance and Administration);

The Directors shall be :

- ◆ Minor (Three);
- ◆ Junior A (One)
- ◆ Junior B (One)
- ◆ Junior C (One)
- ◆ Adult Recreational (One); ****
- ◆ Rules and Officials (One)*****
- ◆ Women (One)**
- ◆ Marketing and Public Relations (One)
- ◆ At Large (Four)
- ◆ Risk and Safety Management (One)

The election of the Officers***Director (Marketing and Public Relations), Director (Risk and Safety Management) and of the four Directors (at-Large), shall take place at the Annual General Meeting. The names of the remaining members of the Board of Directors shall be announced at the Annual General Meeting. Voting for election to any position that is being contested at the Annual General Meeting of the ODHA shall be by the ballot.

* the Vice-President (Senior/Adult Recreational) shall hold office only in those seasons when a senior league composed of fully registered teams conducts a regular league schedule.

** the Director for women shall be selected by those women's teams that receive their playing certificates from the ODHA.

***except Vice-President (Minor)

****the Director (Adult/Recreational) shall be appointed by the representatives of those teams and/or players who are fully covered by the Hockey Canada insurance plan.

- (b) All Officers and Directors to be elected shall be nominated in writing, by any individual who is eligible to vote at the Annual General Meeting. For publication purposes, the written nominations must be received by the Executive Director at least thirty (30) days before the Annual General Meeting. At least (10) working days before the Annual General Meeting, all eligible voters shall receive a list of those people who have been nominated. Nominations will be received at the Annual General Meeting.
- (c) The Executive Director shall be appointed, under contract, by the Board of Directors.
- (d) The President shall preside at Annual, Special, and Executive Meetings of the ODHA, and at these meetings he shall have a vote only if necessary to cast a deciding vote. He shall generally perform the duties usual to the office of President, and may at his discretion, order the calling of meetings of the ODHA or its Committees, and must call a meeting at the request of seven members of the Board of Directors. The President shall be a non-voting ex-officio member of all Committees and Councils.
- (e) The President shall have the power to fine, and/or suspend, summarily the card of any player, coach, on-ice game official, trainer or manager for inappropriate conduct on or off the ice, for abusive language to any of the officials, or for alleged infraction of the amateur definition. The President shall have the power to impose such suspensions in respect to any incident which may occur in exhibition games as well as regularly scheduled games. Such suspensions to remain in effect until dealt with by the Board of Directors at their next regular meeting or special meeting.
- (f) At their discretion, a majority of the Officers, as members of the Executive Committee, may exercise all the duties and powers of the Board of Directors. It is understood that such actions taken by the Executive Committee must be referred to

the next meeting of the Board of Directors for approval, amendment, or rejection. Any decision of the Executive Committee that is amended or rejected by the Board of Directors shall not affect the interim period while the decision of the Executive Committee was in effect.

- (g) The President shall represent the ODHA as a member of the Hockey Canada Board of Directors in accordance with By-Law Five of the Hockey Canada Constitution. Delegates to the Hockey Canada Annual General Meeting shall include :

- ◆ The President;
- ◆ The Vice-President (First);
- ◆ The Vice-President (Minor);
- ◆ The Vice-President (Junior);
- ◆ The Vice-President (Development);
- ◆ **The Vice-President (Rules and Officials);**
- ◆ **The Vice-President (Finance and Administration);**
- ◆ The Executive Director
- ◆ **The Technical Coordinator**

And may include other delegates approved by the Board of Directors.

The Board of Directors of the ODHA reserves the right to make appropriate substitutions for delegate representation at the Hockey Canada Annual General Meeting.

- (h) The President may remain in office for not more than five (5) consecutive years, but if required for any reason to assume this office after the Annual Meeting, such period of office shall not be included as part of the five (5) year term.
- (i) The Vice-President shall in the absence of the President, have all powers and perform all the duties of the President, shall make monthly written reports at the regular meeting of the Board of

Directors, attend Hockey Canada meetings as required, convene and chair ODHA Appeal Committee hearings, review and maintain up to date the Constitution and Bylaws of member Leagues and Associations, attend as required functions and activities representing the ODHA members, standing member of Abuse and Harassment appeals committee, prepare or revise procedures for hearing of appeals and present it to the Board of Directors for ratification before each playing season, set the fee structure for appeals, have it approved by the Board of Directors and advise the membership by September of each year, and other duties as directed by the President.

- (j) The Executive Director shall perform all duties as prescribed by the terms of his contract.

- (k) The Vice-President (Senior/Adult Recreational) shall act as Chairman of the Senior/Adult Recreational Council, and shall make written reports at the regular monthly meetings of the Board of Directors. He shall act as Supervisor of all Senior/Adult/Recreational Hockey within the ODHA and of Hockey Canada Playdowns. The Senior/Adult/Recreational Council shall consist of :
 - ◆ Vice-President (Senior/Adult Hockey Recreational)
 - ◆ ODHA Director (Senior/Adult Recreational);
 - ◆ President (s) or Alternate (s) of Senior Adult Recreational League (s) in the ODHA.

- (l) The Vice-President (Junior) shall act as Chairman of the Junior Council, and shall make written reports at the regularly monthly meetings of the Board of Directors. He shall act as Supervisor of all Junior Hockey within the ODHA, and for Hockey Canada Playdowns.

The Junior Council shall consist of :

- ◆ Vice-President (Junior)

- ◆ ODHA (Junior Director (s));
- ◆ President or alternate of each Junior « A » League;
- ◆ Commissioner or alternate of each Junior « B » League;
- ◆ President or alternate of each Junior « C » League;
- ◆ One representative from Major « A ».

With respect to Junior Council a quorum shall consist of the Chairman (Vice-President(Junior) or designate, plus any 4 of the above note representatives.

(m) Areas of Responsibility for Junior Council

1. Ensure that junior hockey issues and concerns are presented to :
 - A. ODHA Board of Directors each month
 - B. ODHA Development Committee
 - C. ODHA Rules and Officials Committee
 - D. ODHA Finance & Administration Committee
 - E. ODHA Risk & Safety Management Committee
 - F. Hockey Canada's Junior Council
2. Receive and consider regular reports from those persons who represent junior hockey on ODHA Councils and Committees and on Hockey Canada's Councils and Committees.
3. Promote junior hockey by maintaining a formal liaison with the ODHA Director, Marketing and Public Relations.
4. Serve as the Discipline and Appeals Committee for any appeal of a Junior League decision (s). Any hearing coming before this Committee must be heard under the ODHA Appeal Procedures or the ODHA Hearing Procedure. **Any appeal of a**

Junior Council decision would be directed to the ODHA Discipline and Appeals Committee.

5. Maintain a formal liaison with the ODMHA Council through a person appointed by the Junior Council.
6. In accordance with Hockey Canada's critical path and procedures, bring to the attention of the Board of Directors of the ODHA items of business from the Junior Leagues that concern Rules and Regulations.
- (n) The ODHA Vice-President (Minor) shall be appointed in accordance with the Constitution of the Ottawa and District Minor Hockey Association Council. The Vice-President shall make written reports for the regular meetings of the ODHA Board of Directors.
- (o) The Vice-President (Development), shall chair the Development Committee. Areas of responsibility will include the following :
 1. The Vice-President (Development) shall be a non-voting ex-officio member of all Development Sub-Committees.
 2. Shall represent the ODHA Board of Directors as the delegate to the Hockey Canada's Hockey Development Council.
 3. Shall provide a written report for the regular meetings for the ODHA Board of Directors.
 4. Shall be one of the signing officers for the ODHA Development Account in conjunction with Vice-President Finance ODHA and/or President ODHA.
 5. Shall approve and review all the Financial Reports, Revenues and Expenditures as it pertains to the ODHA Development Program.

6. Shall be responsible for monitoring the day to day activities of the Technical Coordinator on behalf of the ODHA Board of Directors.
7. Shall be responsible to form a Committee to select the recipient of the ODHA Development Award.
8. Responsibilities for the Development Committee will include :
 - (a) Implementation of all Hockey Canada development policies within the Branch.
 - (b) Implementation of all development policies established by the Board of Directors of this Branch.
 - (c) Budgeting for the ODHA Development Programs.
 - (d) Monitor the development and financial activities of the HDCO.

Members of the Development Committee shall include :

- ◆ ODHA Vice-President (Development);
- ◆ ODHA Vice-President (Rules & Officials);
- ◆ ODHA Director (Officials);
- ◆ ODHA Vice-President (Junior);
- ◆ ODHA Director (at Large);
- ◆ **ODHA Vice-President (Minor or his delegate)**
- ◆ ODMHA Council Representative (2);
- ◆ ODMHA Referee-In-Chief;
- ◆ ODHA Coaching Coordinator;
- ◆ ODHA Initiation Coordinator;
- ◆ ODHA Referee Coordinator;
- ◆ ODHA Trainer Coordinator;
- ◆ ODHA Director (Risk & Safety Management);

- ◆ ODHA Technical Coordinator;
- ◆ ODHA Master Coach Mentor;

With respect to the meetings of the Development Committee a quorum shall consist of the chairperson (Vice-President (Development) or her designate) plus 7 voting members of the committee.

NOTE : Non voting members, ODHA Technical Coordinator and Master Coach Mentor.

- (p) The Vice-President (Rules and Officials), shall chair the Rules and Officials Committee.

Members of the Rules and Officials Committee shall include :

- ◆ One ODHA Referees' Representative
- ◆ ODHA Director (Officials)
- ◆ ODMHA Referee-in-Chief
- ◆ One representative from each Junior « A », Junior « B », and Junior « C » League.
- ◆ One representative appointed by the Senior/Adult Recreational Council;
- ◆ One representative appointed by the ODMHA Council;
- ◆ One Director (at-Large);

With respect to the meetings of the Rules and Officials Committee a quorum shall consist of the chairman (Vice-President) Rules and Officials or his designate) plus three members of the committee :

Areas of responsibility will include the following :

1. An Annual review of Hockey Canada and ODHA Rules and Regulations.
2. Policies and strategies for supervising the performances of Game Officials. All policies and strategies relating to supervision of on-ice officials established by the Rules and Officials

Committee must follow the policies established by Hockey Canada's Officiating Program (HCOP). The Vice-President of Rules and Officials is responsible for ensuring that Hockey Canada policies relating to the supervision of on-ice officials are followed.

3. The Vice-President (Rules and Officials) shall annually appoint a Director (Supervision) who under the leadership of the Vice-President shall ensure that a supervision program is maintained within the ODHA. The Director (Supervision) shall be responsible for the recruitment, training and assignment of supervisors. She may delegate this authority as required. All training will be conducted following the guidelines established by Hockey Canada.
4. The Vice-President (Rules and Officials) is authorized to issue HCOP certification to Level 3, 4 and 5 on-ice officials. This authority shall be delegated to the Director.
5. (Supervision). The Referee-in-Chief of the ODMHA shall be delegated the authority to issue HCOP certification to those on-ice officials working only minor hockey. The on-ice evaluation portion of the Level 3, 4 and 5 on-ice officials certification, shall be completed only by the HCOP qualified supervisors. Only supervisors approved by the Vice-President (Rules and Officials), the Director (Supervision) or the ODMHA Referee-in-Chief shall be permitted to complete the on-ice evaluation of on-ice officials while they are working games sanctioned by the ODHA/ODMHA.
6. Policies and procedures for the Annual registration of Game Officials.
7. An Annual review each January of the Game Officials fees and expense schedules; As per the ODHA Handbook and Directory, Financial Section, paragraph (d), it is mandated that the

Baord of Driectors through the Vice-President (Rules and Officials), shall appoint the referees and linesmen for Junior and Senior games. Referees and linesmen shall be paid in accordance with a fee schedule that has been approved by the Board of Directors before the beginning of each plyaing season.

8. Procedures for the assigning of Game Officials; The Vice-President (Rules and Officials), will delegate her authority for the appointment of on-ice officials, to the respective Junior A, B, and C leagues, if the respective leagues (s) serve official notice, in writing to do so.
9. Communicating changes in Hockey Canada or ODHA Rules and Regulations to Teams' Officials, and to Game Officials;
10. Codes of Discipline for each league that plays under the jurisdiction of the ODHA;
11. ***Conduct hearings in accordance with Hockey Canada, the ODHA Rules and Regulations and the guidelines set out by the ODHA Hearing Procedure.***

The Vice-President (Rules and Officials), shall make written reports for the regular meeting of the Baord of Directors.

- (q) The ODHA Discipline and Appeals Committee, which is vested the authority to be the Branch's final decision making group for appeals, shall be under the chairmanship of the Vice-President (First). The total membership of this Committee shall not be less than three, nor more than five, the majority of whom shall be selected from the present or former members of the ODHA Board of Directors. The Vice-President (First) shall make arrangements for each Committee's hearing, including appointing a suitable alternate Chairperson should a conflict of interest present itself.

Areas of responsibility will include the following;

1. Through knowledge of Hockey Canada Rules and Regulations, of the ODHA Rules and Regulations, and of the Code of Discipline.
 2. An annual review of the guidelines and regulations for the conducting of hearing and appeals within the Branch.
 3. With firm adherence to due process, the Committee shall endeavour to avoid any appearance of conflict of interest;
 4. Copies must go to all persons who had officials standing at the appeal hearing and also to the ODHA files.
- (r) The Finance and Administration Committee shall be under the chairmanship of the Vice-President (Finance and Administration)

Members of the Committee shall include :

- ◆ President (Past);
- ◆ ODHA Vice-President (First);
- ◆ **Vice President (Minor) or his delegate;**
- ◆ ODHA Vice-President (Development) **or his delegate;**
- ◆ One representative appointed by the Junior Council;
- ◆ One representative appointed by the Senior/Adult Recreational Council;
- ◆ Director (Risk and Safety Management);
- ◆ Director (at-Large)
- ◆ Executive Director (non-voting)

Areas of responsibility will include the following :

1. The preparation and presentation of a budget for each Annual General Meeting of the ODHA.

2. An annual review of the ODHA's financial and administrative procedures.
 3. Conduct an annual review of the Insurance Program.
 4. The Vice-President (Finance and Administration) shall present written reports at each regular meeting of the Board of Directors;
 5. Conducting monthly meeting, making recommendations and presenting a written financial statement at all monthly meetings of the Board of Directors.
 6. The Vice-President (Finance and Administration) shall prepare the Annual Financial Statement in sufficient time to provide an audited copy to be mailed to each club at least fifteen (15) days prior to the ODHA Annual Meeting.
- (s) The Directors (Risk and Safety Management) shall chair the Risk and Safety Management Committee. Members of the Committee shall consist of the following eight (8) people :
- ◆ Director (Risk and Safety Management)
 - ◆ Three (3) people appointed by the ODMHA Council;
 - ◆ One (1) person appointed by the ODHA Junior Council;
 - ◆ One (1) person appointed by the Development Committee;
 - ◆ One (1) person appointed by the Rules & Officials Committee;
 - ◆ Director (at-Large)

Areas of responsibility will include the following :

1. To co-ordinate the Risk and Safety Management Committee's activity within the Branch.
2. To hold monthly committee meetings (September to May) to review Risk and Safety Management activities.
3. To co-ordinate meetings within local District, Associations or Leagues
4. To recommend policy and give direction to the Board of Directors regarding Risk and Safety matters.
5. Promote throughout the Branch and the Risk and Safety Management policies of Hockey Canada.
6. Ensure that the program priorities of this Committee are reflected in the budget of the ODHA.
7. Ensure that Branch concerns and initiative are communicated to Hockey Canada Risk and Safety Management Committee.

With respect to the ODHA Risk and Safety Management Committee, a quorum shall consist of the Chairperson (Director) Risk and Safety Management or his designate) plus 4 of the above noted representatives.

- (t) The following shall be required to appoint a person who would co-ordinate Risk and Safety Management activities;
- ◆ Each Junior League
 - ◆ ODHA Game Officials
 - ◆ ODMHA Game Officials

- ◆ Each ODMHA District
- ◆ Each Minor Hockey Association
- ◆ Each BLCC League
- ◆ ODHA Trainer's Committee

- (u) At the August meeting of the Board of Directors, each Committee or Council Chairperson shall present for approval a proposed set of operating procedures and a schedule of meeting dates. Each Chairperson shall indicate how the Council or Committee will address each of its listed responsibilities.
- (v) ***The Director, Marketing and Public Relations shall chair both the Marketing and Communications Committees whose members and responsibilities shall include :***

Marketing Committee :

- ◆ ***The Vice President, Finance and Administration***
- ◆ ***The Executive Director ODHA (non-voting)***
- ◆ ***One representative from Senior Hockey***
- ◆ ***One representative from Junior Hockey***
- ◆ ***One representative from Minor Hockey***
- ◆ ***One representative from Development***
- ◆ ***One representative from Rules & Officials***
- ◆ ***One or two representative from the business sector with expertise in the marketing field (non-voting)***

Areas of responsibility of the Marketing Committee will include the following :

1. ***The Marketing Committee is responsible for developing and obtaining the Board of Director's approval for all Branch marketing ventures.***

- 2. The use of the Branch name, logo or any other Branch real or intellectual property for any commercial venture shall require the approval of the Marketing Committee.**
- 3. The Marketing Committee is responsible for recommending to the Board of Directors its approval or disapproval of Branch sponsors and proposals emanating from prospective clients but may not present any Branch wide venture to the Board without the concurrence of the Junior, Minor and Development members of the Marketing Committee.**
- 4. The Marketing Committee is responsible for establishing Branch sponsorship categories, pricing structures, entitlements and guidelines.**
- 5. The Marketing Committee is responsible for negotiating and preparing the contract for all Branch Sponsorship, Official Suppliers, Mail Out, Trademark and Merchandising agreement.**
- 6. The Marketing Committee is responsible for ensuring that Branch clients received the product entitlements specified in their contract and that clients respect the terms of their contract.**
- 7. The Marketing Committee shall have the authority to negotiate a compensation agreement having a total worth not exceeding 20% of the value of the deal with any individual or firm, who secures a revenue generating contract on the Branch's behalf.**

Communications Committee :

- ◆ ***The Executive Director ODHA (non-voting)***
- ◆ ***One representative from Senior Hockey***
- ◆ ***One representative from Junior Hockey***
- ◆ ***One representative from Minor Hockey***
- ◆ ***One representative from Development***
- ◆ ***One representative from Officials***
- ◆ ***One representative from Risk & Safety***

Areas of responsibility of the Communications Committee will include the following :

- 1. The Committee is responsible for formatting, developing and obtaining Executive Committee approval for the content of all Branch information prepared for member, sponsor, media and public consumption.***
- 2. The Committee is responsible for establishing a network of communication channels through which information will be disseminated to members, sponsors, the media and the public.***
- 3. The Committee is responsible for preparing and disseminating all Branch « News Releases » to members, sponsors, the media and the public.***

BY-LAW FOUR

BE IT ENACTED as a By-Law of the Ottawa and District Hockey Association as follows :

THE BOARD OF DIRECTORS

- 1. The affairs of the Association shall be managed by the Board of Directors which is composed of Officers,**

Directors and the Executive Director. The powers and duties of the Board shall included the following :

- (a) To conduct the business of the ODHA, including the authorization of all Branch expenditures. To make or cause to be made for the ODHA, its name, any kind of contract which the ODHA may lawfully enter into and, save as herein after provided, generally, may exercise all such other powers and do all such other acts and things as the ODHA is by its character or otherwise authorized to exercise and do. Without in any way derogating from the foregoing, the directors are expressly empowered, from time to time, to purchase, lease or otherwise dispose of shares, stocks, rights, warrants, options and other securities, lands, buildings and any other property, movable or immovable, real or personal, or any right or interest therein owned by the ODHA, for such consideration and upon such terms and conditions as they may deem advisable;
- (b) To fill any vacancy which may occur on the Board of Directors;
- (c) No person shall sit on the ODHA Board of Directors in a dual or multiple capacity :
- (d) Subject to Article 7, to amend or alter the By-Laws, the Regulations, and Rules deemed necessary and when approved by a two-thirds majority of the Board of Directors.
- (e) When approved by a two-thirds majority of the Board of Directors, to suspend or expel a team or an association;
- (f) Any member of the Board, who, without prior excuse, misses a total of four regular Board of Directors meetings, shall automatically lose her place as an ODHA Director or Officer. Board of Directors member, being absent from two (2) consecutive regularly scheduled meeting,

without prior excuse, may be subject to replacement.

- (g) By a two-thirds majority, to remove from office any member of the Board of Directors, who, by being remiss or neglectful of duty or by conduct has tended to impair his usefulness as a member of the board, shall be deemed to have forfeited his position.
- (h) After 30 days publication and after consideration of any written objections received in that time period, to accept or reject any application for a new franchise or the establishment of a new Minor Hockey Association to operate within the Branch;
- (i)
 - i) To place terms in series of groups;
 - ii) When necessary, to appoint a convener for each group or series.
- (j) To arrange competition which shall continue until a Branch Champion is declared in each group or series.
- (k) To respond to all questions arising from emergencies that are not covered elsewhere in By-Laws or Regulations. Twenty-four hours notice of the hours and place appointed for the consideration of such questions shall be given by the Executive Director to each individual, team or group concerned;
- (l) To ensure that each member of the Board conducts himself in a manner that clearly avoids any conflict of interest;
- (m) At all meetings of the Board of Directors, a quorum shall be ten plus the chairperson.
- (n) All minutes of the Board shall be sent to League Presidents (Junior, Senior/Adults Recreational), and to the ODMHA Council;

- (o) To meet at least monthly during the period from September to June :
- (p) The Board of Directors may from time to time
 - a) borrow money on the credit of the ODHA; or
 - b) issue, sell or pledge securities of the ODHA; or
 - c) charge, mortgage, hypothecate or pledge all or any of the real or personal property of the ODHA, including book debts, rights, powers, franchises and undertakings, to secure any securities or any money borrowed, or other debt, or any other obligation or liability of the ODHA. From time to time the Directors may authorize any Director, Officer, or employee of the ODHA or any other person to make arrangements with reference to the money borrowed as aforesaid and as to the securities to be given therefore, with power to vary or modify such arrangements, terms and conditions and to give such additional securities for any moneys borrowed or remaining due by the ODHA, as the Directors may authorize, and generally to manage, transact and settle the borrowing of money by the ODHA.
- (q) All other questions arising at any meeting of the Board of Directors shall be decided by a majority of votes.
- (r) The Executive Director is to ensure that all persons who would be attending a Board of Directors meeting, or a Council meeting, or a Committee meeting are reminded at least 24 hours prior to the « call to order ». If a lack of quorum becomes evident, then the appropriate Chairperson is to be notified as soon as possible.

- (s) Any member of an ODHA Council or Committee who, without prior excuse, misses a total of four committee meetings during the ODHA's year (AGM to AGM) shall automatically lose his place on the Council or Committee.

2. Indemnification of Board of Directors

- (a) Subject to limitation contained in the By-Laws and except in respect of an action by or on behalf of the Board to procure a judgment in its favour, the Board shall indemnify as per section 2, By-Law 1 of the ODHA (The Board of Directors) and each former member (of the Board of Directors), or person who acts at the Board's request as a member of the Board of Directors, as per Section 2, By-Law 4 of the ODHA (The Board of Directors), and his heirs and legal representatives, against all costs, charges and expenses, including any amount paid to settle an action or satisfy a judgment reasonably incurred by her in respect of any civil, criminal or administrative action or proceeding to which he is made a party by reason of any civil, criminal or administrative action or proceeding to which he is made a party by reason of being or having been a Member of the Board, as per Section 2, By-Law 4 of the ODHA, if :
 - (b) He acted honestly and in good faith with a view to the best interests of the Board : if
 - (c) In case of a criminal or administrative action that is enforced by a monetary penalty, he had reasonable grounds for believing his conduct was lawful.

3. Financial year

Unless otherwise ordered by the Board of Directors, the fiscal year of the Association shall terminate on the 30th day of April , in each year.

4. Auditors

The members shall, at each Annual General Meeting, appoint an auditor to audit the accounts of the ODHA to hold office until the next Annual General Meeting, provided that their directors may fill any casual vacancy in the office of the auditor. The remuneration of the auditor shall be fixed by the Board of Directors.

BY-LAW FIVE

BE IT ENACTED as a By-Law of the Ottawa and District Hockey Association as follows :

MEETINGS OF THE ASSOCIATION

- (a) There shall be an Annual General Meeting of the ODHA held on the third (3rd) Saturday in June commencing at a time decided by the Board of Directors. At each meeting, the location for the next Annual General Meeting will be set by the Board of Directors.
- (b) Fifteen (15) days notice of the Meeting shall be given to all clubs in good standing, and to the members of the Board of Directors.
- (c) The newly elected Officers and Directors will take office seven (7) days following the Annual General Meeting.
- (d) At the Annual General Meeting the order of business shall be as follows :
 - 1. President's Address
 - 2. Presentation of Credentials
 - 3. Roll call of Delegates
 - 4. Reading of Minutes
 - 5. Business arising out of the minutes
 - 6. Committee and Council reports
 - 7. Consideration of other reports
 - 8. Motions of which notice has been given
 - 9. General or New Business

10. Election of Officers

11. Adjournment

For the Annual General Meeting, for meetings of the Board of Directors, for meetings of the Executive Committee, and for meetings of Councils and Committee, « ROBERT'S RULES OF ORDER » shall be the official reference. The Executive Director shall ensure that the members have access to a current Edition of « ROBERTS RULES OF ORDER »

The following are the regulations for the government of the ODHA during the time of business at the Annual General Meeting and Special Meetings :

1. No motion shall be received unless submitted in writing with the name of the mover and seconder thereon, and said motion shall not be opened for discussion until so stated by the presiding officer.
2. Only persons entitled to vote shall move or second motions or amendments
3. Except where an enriched majority is specified, all motions shall be decided by a simple majority. Only in the case of a tie shall the presiding officer have a deciding vote
4. No delegate shall speak twice on the same subject without the permission of the chairman, unless in explanation or the mover in reply;
5. A delegate desiring to speak or submit a motion shall rise and remain standing and respectfully address the chair and shall confine their remarks to the questions and shall not be interrupted unless upon a point of order
6. Upon a point of order being raised while the delegate is speaking, or when called to order by the presiding officer, he shall at once take his seat when the point of order shall be stated by the delegate objecting. The presiding officer shall

decide thereupon without debate and the delegate may then proceed.

7. No amendment to a motion shall be in order after an amendment to an amendment.
8. When a motion is under debate, no motion shall be entertained except to lay on the table, or amend; these motions shall take precedence in the order named.
9. An amendment which entirely changes the subject of the original motion shall not be entertained as an amendment or substituted for the motion under debate
10. No delegate, except one who has voted with the majority shall be allowed to move for reconsideration and in this connection the word majority shall apply to a vote by which the question was first decided
11. After the motion has been stated by the presiding officer, it becomes the property of the Association but may be withdrawn at any time previous to amendment unless objected by a delegate.
12. There shall be no debate upon any question after it has been put by the presiding officer.

Note : The contents of the above list does not override the contents of the current edition of « ROBERTS RULES OF ORDER » which is used by the Branch.

BY-LAW SIX

BE IT ENACTED as a By-Law of the Ottawa and District Hockey Association.

VOTING

1. There shall be no voting by proxy.

2. a) Persons will qualify as voting delegates through one of the following channels :

- Each life member 1-vote
- The President of each ODHA League in the Junior and Senior/Adult Recreational division; 1 vote
- The Commissioner of Junior B;- 1 vote
- Each member of the Board of Directors, except the Executive Director, - 1 vote

-ODMHA Council-36 votes distributed as follows;

b) Each registered Minor Hockey Association that is in good standing with the ODMHA shall be entitled to one vote. The vote (s) may be cast only by an active official of the Minor Hockey Association which is entitled to the voting privilege.

With the exception of the Nepean Minor Hockey Association, each registered Minor Hockey Association that is in good standing with the ODMHA shall be entitled to one vote. The Nepean Minor Hockey Association shall be entitled to 5 votes. The vote (s) may cast only by an active official of the Minor Hockey Association which is entitled to the voting privilege.

That the Presidents of the Minor Hockey League that are encompassed in the ODMHA shall each be entitled to one vote. The vote (s) may cast only by an active official of the Minor Hockey League which is entitled to the voting privilege. (The Leagues are the ODMHL « AA », ODMHL « A », ODMHL « B », Upper Canada MHL, Paul Guy Lalonde MHL, Lanark Carleton MHL, Upper Ottawa Valley MHL.

- c) -Each Senior « AA » team-2 votes
- Each Major Junior A team-5 votes

- Each Junior A team- 5 votes
- Each Senior team-1 vote
- Each Junior B team – 2 votes
- Each Junior C team- 2 votes
- Each Women's team registered in the Branch-1 vote

3. A status of « Good Standing » is prerequisite for eligibility as a voting delegate.
4. The ODHA Vice-President for each Council or Committee shall forward to the Executive Director the names of those persons who are eligible to be voting delegates. The list of names should be sent fifteen days prior to the Annual General Meeting or to any Special Meetings.
5. Only persons whose names appear on one of the submitted lists and whose presence is registered at the Annual General Meeting or a Special Meeting shall be entitle to voting privileges.
6. Voting for Officers and for Directors at the Annual General Meeting shall be by secret ballot
7. Only eligbile delegates from the Junior divisions shall be allowed to cast ballots during the election fo the Vice-President (Junior)
8. Only eligible delegates from the Senior/Adult Recreational divisions shall be allowed to cast ballots during the elelction of the Vice-President (Senior/Adults Recreational)
9. The Director (Rules and Officials), who will not be an active Hockey Canada game official while holding office, shall be selected prior to the Board of Directors' regular September meeting by those Game Officials of this Branch who were registered during the most recent playing season.
10. With the exception of the Vice-President (Finance and Administration), no person shall be nominated

as an Officer of the Association until such time as he/she has served as a Director for one fully year.

11. Following the report of the Nomination Committee, the following order of election shall be announced :
 - ◆ President;
 - ◆ Vice-President (First);
 - ◆ Vice-President (Senior/Adult Recreational);
 - ◆ Vice-President (Junior);
 - ◆ Vice-President (Development);
 - ◆ Vice-President (Rules & Officials);
 - ◆ Vice-President (Finance & Administration);
 - ◆ Director (at-Large) (Four)
 - ◆ Director (Marketing and Public Relations)
 - ◆ Director (Risk & Safety Management)

Prior to the commencement of actual voting, candidates shall have the opportunity to address the assembled delegates for a period of time not to exceed two minutes.

12. All results of the voting for Officers and Directors during the Annual General Meeting shall be made known to the delegates. The announcement shall include the number of votes that each candidate has received.
13. With the exception of voting during elections, the President, as presiding officer, may vote only in the event of a tie.
14. Candidates may be nominated for more than one position on the Board of Directors, but may only be elected to one position. Nominations may be received at the Annual General Meeting.
15. During the election of the four Directors (at-Large) the delegate may mark up to four names on the ballot. Candidates in the top four positions after the counting of the ballots will become Directors (at-Large). If two or more candidates are tied for the

fourth position, then voting will continue until the tie is broken for the fourth Director (at-Large) position.

BY-LAW SEVEN

BE IT ENACTED as a By-Law of the Ottawa and District Hockey Association.

APPEALS

- a) Procedures for the hearing of appeals shall be prepared and or revised by the Vice-President and presented to the Board of Directors, for ratification, prior to the commencement of each playing season.

- b) The fee structure for appeals shall be approved by the Board of Directors and shall be made known to the leagues by September of each year.

BY-LAW EIGHT

BE IT ENACTED as a By-Law of the Ottawa and District Hockey Association

MINOR HOCKEY

All minor hockey activities in the ODHA, shall be managed and administered on behalf of and in cooperation with the ODHA Board of Directors by the Ottawa and District Minor Hockey Association (ODMHA) in accordance with the ODMHAC Constitution and By-Laws as approved by the ODHA Board of Directors.

BY-LAW NINE

BE IT ENACTED as a By-Law of the Ottawa and District Hockey Association as follows :

LIFE MEMBERSHIP

Life Membership is the highest honour that can be bestowed by the ODHA. Life Membership nominations must be forwarded in writing to the Executive Director at least 30 days prior to the Annual General Meeting. A successful nomination requires the support of at least 80% of the voting members of the Board of Directors. Presentation of a Life Membership will take place at the Annual General Meeting.

BY-LAW TEN

BE IT ENACTED as By-Law of the Ottawa and District Hockey Association as follows :

COURT ACTION

1. Any recourse to the Courts of any jurisdiction by any member or individual, before all the rights of appeal and all the rights and remedies of the Constitution and By-Laws of the ODHA shall have been exhausted, shall be deemed to be a violation and breach of the decisions of the Board of Directors and shall result in automatic indefinite suspension of such member or individual from all ODHA, and Association sponsored, or organized activities, and games described in this Constitution.
2. Anyone taking court action against the ODHA or its Officers before exhausting all rights of appeal must pay all expenses incurred by the ODHA and/or its Officers to defend such action, before any application for reinstatement will be considered.



BY-LAW ELEVEN

BE IT ENACTED as By-Law of the Ottawa and District Hockey Association as follows :

Abuse and Harassment Policies and Procedures

Copy of Abuse and Harassment Policies and Procedures on file and on the ODHA Website.

ODHA Abuse & Harassment Policy Table of Contents



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ABUSES & HARASSMENT POLICIES & PROCEDURES

1. POLICY DIRECTION

1.1 As the governing body of amateur hockey within our community, the Ottawa and District Hockey Association (ODHA), is obligated to provide an environment whereby all individuals are treated with respect. The Ottawa and District Hockey Association's (ODHA), membership consists of all members and participants of the Ottawa District Minor Hockey Association (ODMHA), the three Junior Leagues; CJHL « A », EOJBHL « B » and EOJCHL « C », and Senior teams within our jurisdiction, along with both the ODHA and ODMHA Referee's Associations. For the remainder of this policy, the aforementioned will be referred to as the « Branch ».

2. CONDUCT MANAGEMENT

2.1 Members shall conduct themselves in a fair and responsible manner and are to refrain from comments or behaviours which are disrespectful, offensive, abusive, racist or sexist. Protecting participants from all forms of abuse and harassment, whether emotional, physical, neglectful, sexual or of the bullying type is an important element of safety. This Branch considers any form of abuse to be unacceptable and will do all it can to prevent this intolerable social problem. Being committed to the highest possible standards of care, this Branch will not tolerate any form of abuse or harassment towards any participant within its jurisdiction. The Branch expects every executive member, team or game official, volunteer, parent and player/participant to take all reasonable steps to safeguard the welfare of its participants and protect them from any form of maltreatment.

2.2 Any member whose conduct established; violent or harassing behaviour against children, youth or adults; violations of positions of trust; abuse of a physical, sexual or emotional nature; substance or chemical abuse; or other violations, may be suspended, dismissed and/or not accepted as a volunteer or executive member. This may include any parent, guardian, adult or spectator whose conduct, during any sanctioned event/activity, is legitimately

deemed to be disruptive, unsafe or not conducive to the well being of the game of hockey.

3. INSTRUCTION TO MEMBERSHIP

3.1 This policy identifies the standard of behaviour, which is expected of all Branch members, including, but not limited to players, officers, board of directors, conveners, committee members, coaches, assistant coaches, trainers, managers and other team officials, on or off-ice game officials, executive directors, administrators, employees/staff, (paid or unpaid), and any other recognized volunteers. It also applies to any individual who although not directly employed by, nor a registered member of a team within, nor a volunteer for any association of this Branch, is considered to have a vested interest in amateur hockey, and/or a strong influence on any of its members; for example, parents/guardians, family members or spectators.

3.2 Although this policy is not intended to replace any specific Association's, District's and/or League's existing Code of Conduct, it should be utilized as a « guiding » resource in the decision making process. This Policy however, will be the deciding resource when dealing with any incident reported to and subsequently dealt with at the ODHA level; including any investigation, hearing and/or appeal.

3.3 In keeping with the objective of providing a wholesome hockey experience for players, team officials and their communities, the following outlines issues of conduct and behavioural practices. Failure to comply with these standards may result in disciplinary action. Such action may constitute a loss of one's privileges, participation or membership.

3.4 Notwithstanding anything contained herein, the appropriate level of hockey, ie., ODMHA, Junior or Officiating, with justification shall reserve the right, at all times, to have any matter pertaining to abuse and harassment, transferred to it for resolution.

3.5 Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from their provincial, territorial or state human

rights commission, even when steps are being taken under policy.

4. APPLICATION OF SCOPE

4.1 Members, shall at all times adhere to their level of hockey's operational policies and procedures, to rules governing all sanctioned events and activities, and to rules governing any competition in which a member participates on behalf of this Branch. This policy applies to unacceptable conduct and behaviour, which may occur during the course of Branch business, activities and events, including, but not limited to the administration of the game competitions, team practices, training camps, exhibitors, meetings and any travel associated with these activities. This Branch has adopted these procedures for dealing with unacceptable conduct within its jurisdiction, and will apply these policies specifically to the volunteers, staff and participants of the program directly controlled by it.

4.2 This policy also applies to incidents that, although having not occurred during Branch business, may have an impact on one of our members. For example, a person who is charged for an offence that took place outside of ODHA business, may be suspended on an interim basis from all Branch related business/activity pending the outcome of these charges.

5. CORE PRINCIPLES

5.1 **Values**—This Branch is committed to providing a comfortable, sports and working environment based on the fundamental values of equality, trust and mutual respect that will ultimately lead to the positive social and physical development of all our participants.

5.2 **Conduct**—This Branch is committed to ensuring and emphasizing respectful behaviour and conduct, towards one-another, both on and off the ice, which emulates these values. It will work to completely eliminate any disrespectful conduct and discriminatory practices including abuse, neglect and harassment from all elements of our game.

5.3 **Awareness, Education and Procedures**—This Branch will promote awareness and understanding of unacceptable

conduct. It will engage educational mechanisms to include training and clinics for its members on matters of conduct and behaviour particularly relating to Canadian Hockey's « Speak Out » Program. It will put in place procedures for receiving complaints and acting upon incidents of unacceptable conduct.

6. STANDARD OF BEHAVIOUR

6.1 This policy, in conjunction with Hockey Canada's guidelines on Abuse and Harassment, shall be used in governing matters of abuse and harassment within this Branch, including any member's behaviour deemed to be detrimental to the proper conduct of hockey. It is expected that every member will take action to prevent any type of harassment or abuse within the confines of this organization. During the course of all activities and events, members shall avoid behaviour, which brings this Branch or the sport of hockey into disrepute, including but not limited to the abusive use of alcohol and/or non-medical use of drugs.

6.2 Child/youth maltreatment is « any act of omission or commission-emotional, physical and sexual »-by individuals which prevents the needs of children/youth from being met and interferes with their optimal development, thereby preventing them from becoming productive humans with respect for themselves and others. In Ontario a child is defined as someone under the age of sixteen(16) years old.

6.3 This Branch takes the view that sexual relationships between coaches and players, whether or not against the law, can have harmful effects on the individual player involved, on the other players and coaches, and on our public image. If a sexual relationship develops between a coach and a player, the authorized official at the appropriate level of hockey, ie., ODMHA, Junior or Officiating will investigate and take action that may include reassignment, request for resignation or dismissal from employment.

7. ABUSE & NEGLECT

7.1 Abuse is defined as any form of physical, emotional and/or sexual mistreatment or lack of care, which causes

physical injury or emotional damage to a child or youth. A common characteristic of all forms of abuse against children and youth is an abuse of power of authority and/or a breach of trust.

7.1.1 Emotional Abuse

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

7.1.2 Physical Abuse

Physical abuse is when a person in a position of power or trust purposefully uses, or threatens to use physical force or action that results in or could result in any injury, impairment, intense or prolonged pain to a child or a child's death. This may take the form of slapping, hitting, shaking, kicking, pulling hair or ears, throwing, shoving, grabbing, assaulting, burning, poisoning, hazing or using excessive exercise as a form of punishment.

7.1.3 Sexual Abuse

Sexual Abuse is when a young person is used by an older child, adolescent or adult, for his/her own sexual stimulation or gratification. There are two categories :

Contact	Non-Contact
<ul style="list-style-type: none">- touched or fondled in sexual areas- forced to touch another person's sexual area-kissed or held in a sexual manner-forced to perform oral sex-vaginal or anal intercourse-vaginal or anal penetration with an object or finger-sexually oriented hazing	<ul style="list-style-type: none">-obscene remarks on phone/computer or in notes/letters-voyeurism-shown pornography-forced to watch sexual acts-sexually intrusive questions or comments-forced to pose for sexual photographs or videos-forced to self-masturbate or forced to watch others masturbate

7.1.4 Neglect

It is the inability or unwillingness of those responsible for the care of a child to meet the physical, medical and/or developmental needs of the child, including inattention to the

basic necessities of life such as clothing, shelter, nutritious diet, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air. This may occur in hockey when injuries are not adequately treated or players are made to play with injuries, equipment is inadequate or unsafe, no one intervenes when team members are persistently harassing another player, or road trips are not properly supervised. Not always intentional, neglect may be a result of insufficient resources or other circumstances beyond a person's control.

8. HARASSMENT

8.1 Harassment is defined as conduct/behaviour, by one person towards another, which is insulting, intimidating, humiliating, malicious, degrading or offensive. It creates negative and uncomfortable feelings for the person, or group of persons, to whom it is directed. Any of the different forms of harassment may be based on grounds prohibited by human rights legislation, such as race, ethnicity, sex, sexual orientation or religion. It may be between peers (e.g. player to player of the same age group, parent to official, coach to coach), or between someone in a position of power or authority and an adult in a subordinate position (eg. Coach to player, sports administrator to employee). Harassment covers a wide spectrum of behaviours; subsequently the response must be an appropriate and fair one, allowing adequate opportunity for all involved parties to collect all relevant information.

Examples of behaviour which constitute harassment include, but are not limited to :
-unwelcome jokes, innuendo or teasing about a person's looks, body, attire, age, race, religion, sex or sexual orientation. -condescending, patronizing, threatening or punishing actions which undermine self-esteem or diminish performance. -practical jokes that cause awkwardness or embarrassment, endangering a person's safety or negatively affecting performance. -unwanted or unnecessary physical contact including touching, patting or pinching. -behaviours such as those described above which are not directed towards individuals or groups, but which have the effect of creating a negative, hostile or uncomfortable

environment.
-any form of hazing

9. BULLYING

9.1 Bullying is a unique phenomenon. It describes behaviours between children under the age of twelve which are reflective of harassment, intimidation and discrimination. It can also describe behaviours between youth and between adults which are cruel, demeaning and hostile but are not addressed under human rights legislation or criminal codes. Note: On-ice issues should be dealt with within the confines of the game, while off-ice issues, i.e. Spectator/parental concerns are to be dealt with by the appropriate level of hockey i.e. ODMHA, Junior or Officiating.

Characteristics of behaviour which constitute bullying include:

- offensive, cruel, intimidating, insulting or humiliating behaviour, combined with the misuse of power or position.
- attacks on a person are often sudden, irrational, unpredictable and unfair.
- it can be direct (face to face) or indirect, such as gossip or exclusion.
- it is an assertion of power through aggression
- repeated oppression, physical or psychological, of a less powerful person by a more powerful person or group.
- it is not the same thing as conflict, violence or disagreement-although it may involve all of these.
- there is always a power imbalance which makes the ill treatment of the victim possible.

10. ABUSE AND HARASSMENT –DIFFERENCES AND SIMILARITIES

	ABUSE	HARASSMENT
TYPES	Emotional, physical, sexual, neglect	Emotional, physical, sexual; may be motivated by racial or other forms of prejudice
VICTIM	Any person under age of	Person of any age; may be male

	majority as determined by Ontario Provincial Child Protection Acts; may be male or female	or female
OFFENDER	Any person who has power/authority over victim and/or breaches trust; may be male or female	May be peer or person with power or authority over adult victim; maybe male or female
INVESTIGATION	External to organization; referred to Child Protection Services and/or Police	Internal unless referred to Police in cases of suspected physical or sexual assault or criminal harassment/stalking
FOLLOW-UP	Determined by Provincial Child Protection Act and Criminal Code; civil suits may also occur	Determined by organization's policies, Criminal Code, Civil Action and/or Provincial Human Rights
PHILOSOPHY	The victim is not to blame; offenders are responsible for their behaviour	Victim is not to blame offenders are responsible for their behaviour

11. PROCESS AND PROCEDURES

11.1 Confidentiality and Neutrality

11.1.1 This Branch recognizes the sensitive and serious nature of abuse and harassment, in particular of coming forward with a complaint or of being accused, and will strive to keep all matters related to a complaint confidential. However, if required by law to disclose information, the Branch will do so. This shall not preclude publication of the

final outcome of any matter, where a sanction imposed under this policy includes publication.

11.1.2. It is critical that individuals receiving complaints act with complete neutrality. Just as the complainant has a right to make a complaint, the accused has a right to know that a complaint has been made, and to respond. There are two sides to every story and the first task in sorting out the merits of a complaint is to gather the facts.

11.2 Reporting of Complaint./Disclosure

11.2.1 Any person having reasonable grounds, through the course of Branch business, activities or events, to believe that a child/youth/participant is being abused or neglected or who has reason to believe a major incident has occurred, such as inappropriate touching, fondling, kissing, hiring of escort services, solicitations of a physical nature, physical mistreatment, sexual mistreatment, or repeated inadequate moral guidance or emotional mistreatment, or repeated taunting, must document and report this belief incident to their local Child Protection Agency and/or the Police as well as their level of hockey ie. ODMHA, Junior and Officiating, who in turn will contact the ODHA. The Ottawa and District Hockey Association, after notifying the authorized official at the appropriate level of hockey concerned ie. Minor, junior, senior or officiating, shall take no further action until such time as the Child Protection Agency and/or Police have concluded their investigation, unless there is cause for an immediate suspension on an interim basis to protect the child or parties from further harm, or if instructed to do so by the external authorities competing the investigation. At the completion of the external investigation, the matter will then be dealt with as a disciplinary matter pursuant to this policy and in conjunction with the appropriate level of hockey concerned, ie. Minor, junior, senior or officiating, and the report of the external authorities may be utilized.

11.2.2 Any person who experiences, witnesses or has reason to believe that harassment has occurred is encouraged to make it known that the behaviour is unwelcome, offensive and contrary to the values of this policy. Although the complainant may disclose/report to any official of their level of hockey, ie. ODMHA, Junior or Officiating, it is recommended for suspected minor cases of harassment, ie. Inappropriate jokes or unwelcomed remarks,

that the initial level of intervention be at the complainant's local team, association and/or league for an informal resolution, ie. medication

11.2.3 If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, or if the informal resolution was not successful, the matter should then be reported to an official of the complainant's level of hockey, ie. Minor (team, association, league, district) junior (team, league) or officiating (association, district), for resolution.

11.2.4 Where a third party person believes there is sufficient evidence to warrant laying a formal complaint, but the victim is apprehensive, unsure or unable to independently bring forth his/her complaint, the third party person, on behalf of the victim, may bring for the complaint, verbally or in writing. For example, a young player/victim who discloses to his/her coach may fear reprisals from the offender, and thus will require support through the disclosure and reporting process.

11.2.5 Anonymous complaints may be received and mean that there is a possibility that something is wrong and therefore, a discreet investigation is needed. Although anonymous complaints may be initially received, it is imperative that supporting, written documentation be obtained in order to determine the next step(s).

11.2.6 Should the Branch initially receive either a verbal complaint or a formal written complaint involving a member or members of a local minor/junior hockey association or any other member, the Branch, in consultation with the authorized official from the appropriate level of hockey, ie. ODMHA, Junior or Officiating along with external professionals, shall determine the nature of the complaint. If the complaint is deemed minor in nature, it will be referred to the complainant's level of hockey ie. ODMHA or Junior to be addressed in accordance with their procedures.

11.2.7 In the event that the alleged offense is so serious so as to possibly jeopardize the safety of the complainant or others, the alleged offender may be removed from all Branch related duties/activities by officials of their level of hockey, i.e. ODMHA, Junior or Officiating, pending an investigation and any subsequent hearing, provided there is :

- sufficient grounds to do so based on the original complainant's statement, and any supporting documentation/evidence;

- they have informed, both verbally and in writing, the accused of his/her right to be present and heard during a formal hearing; and

- consultation with the complainant's level of hockey, ie. minor, junior or officiating.

11.2.8 For the purpose of this policy, retaliation against any person for :

- having filed a complaint under this policy; or

- having participated in any procedure under this policy;or

- having been associated with a person who filed a complaint or who participated in any procedure under this policy, will be treated as harassment, and will not be tolerated by this Branch.

11.3 INVESTIGATION AND INTERVENTION PROCESS

11.3.1 A complaint/disclosure can involve a variety of behaviours directed by one or more individuals towards another person or group, such as adult to youth, adult to adult, youth to adult or youth to youth. Should a member bring forth a complaint/disclosure describing an issue of abuse or serious harassment, use the following outline as a guide; however, regardless of the scenario or individual's involved, if the complaint/disclosure is of an abusive or criminal nature, document and report it immediately to your local Child Protection Agency and/or the local Police Detachment, ask for instructions, and then contact your level of hockey, ie.ODMHA or Junior, who in turn will notify the Branch.

11.3.2 The following will is the recommended course of action for each Council, Junior Hockey League and Team, ODMHA, District, Minor Hockey Association and Team as well as any Game Official to follow should any incidents covered under the descriptions of harassment including bullying, occur within the confines of their authority. This

does not however, preclude anyone from contacting the ODHA at any time for support and guidance.

11.3.2.1. Minor Participant/Member including off-ice officials
- see ODMHA Procedures

11.3.2.2 Junior Participant/Member including off-ice officials
- see Junior Procedures

11.3.2.3 Senior Participant/Member including off-ice officials
- see Senior Procedures

11.3.2.4 ODMHA On Ice Official
- see ODHA Officiating Procedures

11.3.2.5 Junior On-Ice Official
- see ODHA Officiating Procedures

11.3.3 Once an incident is reported, the role of the official is to serve in a neutral, unbiased capacity in receiving the report of the incident, advising the parents/guardians of the incident (if the person who has experienced the harassment is a minor), and, where appropriate, assisting through mediation towards an informal resolution of the complaint.

11.3.4 Any minor complaints of harassment, such as inappropriate jokes, should be handled in a timely fashion and should be primarily dealt with informally at the Team, Association or League level, taking a constructive approach with the aim of bringing about a change of negative attitudes and/or behaviour. For these types of complaints, a person in authority, such as a team/league official, game official or association/district executive member may take immediate, informal, corrective and appropriate disciplinary action in response to behaviour that, in his/her view, constitutes a minor instance of harassment.

11.3.5. Harassment complaints arising during competitions may be dealt with immediately, if necessary, by a person in a position of authority, such as a team or game official, provided the individual being disciplined is told 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 this policy.

11.3.6 These steps are for « the purpose of guidance », and are to be used only in cases of suspected harassment. Should any aforementioned level of hockey receive a complaint of, or suspect an incidence of abuse, or require any additional information/support, they are to contact their local Child Protection Agency and/or Police as well as their level of hockey ie. ODMHA, Junior or Officiating and follow their instructions. The ODMHA or Junior may contact the DOHA for support at anytime.

11.3.7 Once a minor incident is reported, or when a major incident is referred back from external authorities, the complainant's level of hockey ie. ODMHA, Junior or Officiating, shall determine whether the incident can be resolved informally, or warrants a more in-depth investigation. There are three possible outcomes to a meeting between complainant and authorized official.

11.3.7.1 It may be determined that the conduct does not constitute harassment as defined in this policy, in which case the matter is closed or can be referred to the proper authority, ie. discipline and appeals;

11.3.7.2 The complainant may decide to pursue an informal resolution of the complaint, in which case a mediator as agreed to by both the complainant and respondent will assist the two parties to negotiate/mediate an acceptable resolution of the complaint; or

11.3.7.3 The complainant, in consultation with the authorized official, may decide to lay a formal complaint. This may be the initial option chosen, or may be the result of an unsuccessful mediation. In either scenario, all statements should be taken in writing and should be signed by the author and/or representing party. At this time, the complainant's level of hockey. ie. ODMHA, Junior, Senior or Officiating, may request guidance from the ODHA.

11.3.8 If the complaint is deemed major in nature, but does not warrant intervention from external authorities the complainant's level of hockey ie. ODMHA, Junior or Officiating shall appoint an individual(s) to conduct an investigation of the complaint or refer the complaint to the complainant's local level of hockey, ie. minor association,

junior league or officiating representative, and notify the appointed ODMHA, Junior or Official's Risk and Safety Representative of the referred matter. For serious matters, the investigator(s) should be experienced in harassment matters and investigation techniques, and may be an external professional

11.3.9 The investigator(s) shall carry out the investigation in a timely manner and at the conclusion of the investigation shall submit a written confidential report to the complainant's level of hockey ie., ODMHA, Junior or Officiating. Upon receipt of the investigator's written report, it shall be determined whether.

11.3.9.1 No further action be taken because the complaint is unfounded, unproven or the conduct cannot reasonably be said to fall within this Branch's definition of harassment; or

11.3.9.2 The complaint cannot reasonably be said to fall within the Branch's definition of harassment, however is considered to be inappropriate behaviour, and will then be referred to the appropriate disciplinary committee; or

11.3.9.3 The complaint has merit and shall proceed to a hearing

11.4 Hearing

11.4.1 If it is determined that the ODMHA, Junior or Officiating opt to refer the matter directly to the ODHA, a hearing is required, a committee will be formed to act as a panel. The A&H Officer shall chair the proceeding, along with 7 appointed individuals; 3 selected by the A&H Officer, and 4 (one each) as appointed by Minor Council, Junior Council, Senior Council and the Referee's Association respectively. All appointed individuals must be well versed in aspects of harassment and abuse, endorsed by the ODHA Board of Directors and declare no conflicts of interest.

11.4.2 Once appointed, the Panel has the authority to abridge or extend timelines associated with all aspects of the hearing and shall then decide which of the following procedures shall be used to review the complaint :

11.4.2.1 The Panel shall review all written statements from the complainant, the respondent, along with all documentation obtained through the investigation and any

other supporting material and may render a decision at that time or alternatively :

11.4.2.2 The Panel shall convene a hearing involving the complainant, respondent and witness. The parties shall have the opportunity to present evidence and cross-examine one another and witness via the panel. At the conclusion of the hearing , the Panel may render its decision or reserve for that purpose.

11.4.2.3 The Panel shall govern the hearing by such procedure as it decides provided :

- a quorum is made up of the chairperson and any three appointed individuals;
- decisions be made by a majority vote where the chairperson, in the case of a tie, carries a vote;
- that panel members sign an acknowledgement of confidentiality :
- the complainant and respondent be given written notice of the day, time and place of the hearing :
- that, upon receipt of a written request, the respondent receive a copy of the complaint and investigator's report;
- both the complainant and respondent be present at the hearing to respond to the investigator's report, give evidence and provide answers to the panel, however the hearing may proceed should either or both complainant and respondent not be present;
- at the request of the panel, the investigator and/or witness to the incident shall attend the hearing in person, or provide written and signed evidence which pertains directly to the matter at hand;
- the hearing be held in private

11.4.3 While this is not a legal proceeding, the complainant and/or respondent may have legal counsel attend provided they notify the chairperson no later than five days prior to the scheduled hearing. Legal counsel may provide guidance to their respective party only and are not permitted to question witnesses, members of the panel or other respective parties. At the conclusion of the hearing, legal counsel may submit written submissions to the panel for its further consideration.

11.5 Disposition, Discipline and Consequences

11.5.1 After reviewing the matter and all relevant information, the Panel shall render its decision and present its finding in a written confidential report to the ODHA President or designate, the ODMHA President or designate, the ODMHA Director of Risk and Safety, and to any other authorized officials at the appropriate level of hockey, and the ODHA's Legal Counsel, with a copy provided to both the Complainant and the Respondent, as well as to the Respondent's association/league should consequences/sanctions be warranted. This report shall contain.

- A summary of the complaint and relevant facts;
- A determination as to whether the acts complained of constitute harassment or abuse as defined in this policy;
- Disciplinary action against the respondent, if the acts constitute harassment or abuse as defined in this policy; and
- Measures to remedy or mitigate the harm or loss suffered by the complainant, if the acts constitute abuse or harassment..

11.5.2 When recommending disciplinary action, the panel should consider :

- evidence presented at the hearing
- the nature of the harassment
- whether the harassment involved any physical contact
- whether the harassment was an isolated incident or part of an ongoing pattern
- the nature of the relationship between the complainant and the respondent
- the respondent's past history
- whether the respondent retaliated against the complainant

11.5.3 When an incidence of abuse or harassment has been identified, the Panel may consider the following consequences/sanctions singly or in combination, depending on the nature and severity of the harassment or abuse:

- verbal apology
- written apology
- letter of reprimand

- removal of certain privileges of membership, including certification(s)
- to complete or recertify in abuse and harassment prevention training, ie. Speak Out
- demotion
- temporary suspension, time and/or game
- termination of position and/or participation
- expulsion from membership
- publication of the details of the sanction (must adhere to Human Rights Legislation)

11.5.4 Unless the panel decides otherwise, any disciplinary sanctions applied shall take effect immediately.

11.6 Appeal Procedures

The **ODHA Abuse and Harassment Appeals Committee** is structured to review and render decision on appeals, submitted by members of the Branch in regards to decisions made by hockey councils, within its jurisdiction. Members appealing such decisions must be aware that the **ODHA Abuse and Harassment Appeals Committee** is not empowered to re-open a matter to view all of the original material presented with the intent of producing a new decision. Rather, the Appeals Committee will only review a decision or hear an appeal under one or more of the following conditions:

- a) new relevant evidence that was not available to those persons who made the decision that is being appealed.
- b) an appeal may be filed on the grounds of irregularities in the original hearing's proceeding that may have caused an unjust decision
- c) an appeal maybe filed on the grounds that the decision of the original hearing was too severe.
- d) an appeal may be filed on the grounds that there is evidence to establish that the decision of the original hearing was reached in an unjust manner.

Each officiallly convened ODHA **Abuse and Harassment Appeals Committee** will, for the purpose of the hearing, have a triad as its official participants. **They will be : the appellant (ie. parent, player) the designated**

spokesperson for the Council or Committee whose decision is being appealed; and the members of the Appeals Committee. All other persons who are present will not be deemed to have official standing and may speak only with the permission of the Chairperson.

At each hearing, the Chairperson will endeavour to have business conducted in the following sequence :

1. Call to order
2. Introduction of Committee Members
3. Introduction of Designated Spokespersons
4. Appellant's presentation
5. Presentation on behalf of the Council or Committee whose decision is being appealed.
6. Committee members questions to the presenters
7. Rebuttal opportunities for the presenters, followed by summary statements.
8. Adjournment, followed by the private discussions required for the Committee members to render a decision.

Within 96 hours of receiving official notification by email/fax/ or certified mail the appeal must be filed to the ODHA accompanied by the appeal fee established annually by the ODHA. In the event that the appeals Committee's decision is to uphold the appeal, then one-half of the appeal fee will be returned.

All parties must be given a minimum 72 hours notice of the date, time and place of the Appeal Hearing unless all parties agree to a different timetable.

For matters related to abuse and harassment, the appealing party agrees that the decision of the ODHA Abuse and Harassment Appeals Committee shall be a final and binding determination of the matter before this Branch.

BY-LAW TWELVE

BE IT ENACTED as By-Law of the Ottawa and District Hockey Association as follows :

Copy of insert on borrowing & pledging document on file