



# WEST FARGO HOCKEY ASSOCIATION COMPLIANCE/SAFEsport POLICIES AND PROCEDURES

## Table of Contents

1) OJBECTIVE .....	2
2) COMPLIANCE STRUCTURE.....	2
A. Director of Compliance and SafeSport .....	2
B. Compliance Committee.....	2
C. Hearings Committee.....	2
3) USA HOCKEY RULE 10 .....	2-17
4) CODE OF CONDUCT .....	17-20
A. Code of Conduct: COACHES .....	17
B. Code of Conduct: PARENTS.....	18
C. Code of Conduct: PLAYERS .....	19
D. Code of Conduct: BOARD OF DIRECTORS .....	20
5) DISCIPLINE GUIDELINES.....	21-23
A. Discipline Guidelines: PARENTS .....	21-22
B. Discipline Guidelines: PLAYERS.....	23
6) GRIEVANCE REPORTING PROCEDURES.....	23-26

## **1. OBJECTIVE:**

The chief objectives of the West Fargo Hockey Association are to promote, develop and administer a competitive hockey program in a safe and fun manner.

## **2. COMPLIANCE STRUCTURE:**

### **A. Director of Compliance and SafeSport:**

The Director of Compliance and SafeSport is established under the By-laws of West Fargo Hockey Association. Oversight of the Director of the Compliance and SafeSport is provided by the Director of Hockey Operations and the WFHA Board of Directors. Under the direction of The Director of Compliance and SafeSport, two separate committees will be developed: the Compliance Committee and the Hearings Committee. All compliance issues will follow the rules and guidelines as provided by the North Dakota Amateur Hockey Association and USA Hockey.

### **B. Compliance Committee:**

The compliance committee will consist of up to five members including the Director of Compliance and SafeSport, and others such as the hockey director, board members, and/or Association members. The main purpose of the Compliance Committee within the West Fargo Hockey Association is to investigate, review, and document reported infractions of the codes of conduct and other rules violations. The Compliance Committee will conduct impartial investigations concerning the conduct of any player, coach, parent or other party and may thereafter impose discipline, education, and/or other sanctions as outlined in the West Fargo Hockey Association discipline policies and guidelines listed below.

### **C. Hearings Committee:**

The hearings committee will consist of at least three impartial and reasonably disinterested members for the purposes of conducting hearings (non-board members). The main purpose of the Hearings Committee is to conduct an appeals hearing if an appeal of any Compliance Committee action is filed by the player/parent. The Hearings Committee, upon due notice, shall hear appeals of disciplinary actions through an impartial hearing where evidence may be presented as such to determine a further outcome. Decisions of the hearings committee are final unless further appeal is brought before the North Dakota Amateur Hockey Association or USA Hockey. The right to appeal any sanction imposed by West Fargo Hockey Association Hearings Committee will follow USA Hockey guidelines Rule 10 which is outlined below.

## **3. USA HOCKEY RULE 10**

### **10. DISPUTE RESOLUTION, DISCIPLINE, ARBITRATION**

#### ***A. Dispute Resolution***

##### **(1) General**

All claims, demands, discipline or disputes (“Disputes”) arising by and between Parties, as defined in Section 10. B below, shall be subject to the provisions of this Bylaw 10 and this Bylaw shall constitute the sole and exclusive remedy for dispute resolution.

**(2) Purpose**

It is the specific purpose of this Bylaw 10 to provide a uniform method of resolving Disputes that is a full and complete substitute for any court proceedings and that utilizes the specific skills, expertise and background of individuals experienced in the sport of hockey and sports administration. The procedures herein are referred to collectively as the “Dispute Resolution Procedure.”

**(3) Failure to Follow Procedure**

All Parties agree to abide by this Dispute Resolution Procedure. Failure to abide by the Dispute Resolution Procedure shall, in addition to any other sanctions allowed by these Bylaws:

(a) Make a Party and any person or entity representing, participating with or aiding such Party liable for any and all costs and expenses, direct or indirect, including reasonable court costs and attorneys’ fees and the value of volunteer time incurred by USA Hockey, its Affiliate Associations, directors, officers and/or agents; and

(b) Subject such Party to Summary Suspension and/or disqualification from membership and any right to participate in USA Hockey or its Affiliate Associations’ sanctioned events in the sole discretion of USA Hockey or its Affiliate Associations.

***B. Definitions***

**(1) For the purposes of this Bylaw, the words, terms and phrases used in this Bylaw 10 shall have the following definitions:**

“Administrative Action” shall mean any action or decision by USA Hockey, an Affiliate Association or a local league, association or program (other than “Discipline” as defined below) that affects any Parties’ eligibility to participate in domestic competition and/or their membership in any organization within the jurisdiction of these Bylaws.

“Affiliate Association” shall be an Affiliate Association as described in Bylaw 3 which is subject to an Affiliate Agreement with USA Hockey.

“Appeal Authority” shall mean the body or organization having jurisdiction to decide any applicable appeal according to relevant governing documents and structures.

“Applicable Rules,” as defined in Bylaw 1.A., means the bylaws, rules and regulations, playing rules, core values and decisions of the Board of Directors of USA Hockey, and comparable bylaws, rules, documents and decisions of USA Hockey’s applicable region, District, Affiliate Association or special jurisdictional ice hockey association.

“Disciplinary Authority” shall mean USA Hockey, including each operating council of USA Hockey (Youth, Junior, Adult and International), any certified Junior league, any Affiliate Association, or a local league, association or program having jurisdiction to issue Discipline to any Party within the jurisdiction of USA Hockey.

“Discipline” shall mean a suspension, probation, censure or other discipline of a Party.

“Domestic Competition” shall mean any ice hockey event, including, but not limited to, games, tryouts, competitions and the like, other than “Protected Competition.”

“Registered Participant Member” and “Allied Member” shall have the meaning as defined in Bylaw 1.A.

“Party” shall mean Registered Participant Member, Allied Member or Affiliate Association and other members within the jurisdiction of USA Hockey, USA Hockey itself or its Affiliate Associations, including, but not limited to, each parent, guardian, agent or other person, and each league, club, sponsor, facility or other group or organization, that is engaged in domestic competition or participating in a USA Hockey sanctioned event of any kind.

“Playing Rules” shall mean playing rules of the game adopted from time to time by USA Hockey and published as USA Hockey Playing Rules.

“Playing Rules Suspension” shall mean suspensions expressly permitted or mandated by the USA

## Hockey Playing Rules.

“Protected Competition” shall have the meaning ascribed to it in the current governing documents of the United States Olympic Committee, including its Bylaws and the provisions of the Ted Stevens Amateur Sports Act (36 USC Sec. 371 et seq.). Without limiting the foregoing, such term shall include (i) competition by Registered Participant Members or Allied Members in the following international ice hockey competitions: the Olympic Games, Pan American Games, Operation Gold, World Championship or international championships recognized by the International Ice Hockey Federation (“IIHF”), the Paralympic Games, or an International Paralympic Committee recognized World Championship in events on the Paralympic Games program, and (ii) any event, including but not limited to, games, tryouts, and competitions organized and conducted by USA Hockey in its selection proceedings and publicly announced in advance as a competition or event directly qualifying each successful competitor therein as an athlete representing the United States in events listed under the preceding subsection (i). For purposes of the foregoing definition of Protected Competition, actual tryouts for the team which will participate in competition set forth in (i) shall be included.

“Protected Competition Participant” shall mean a Party participating in Protected Competition.

“Summary Suspension” shall mean a suspension issued by a Disciplinary Authority prior to a hearing being conducted.

“Unified Procedure” shall mean the hearing and other procedures for issuing Discipline and for a Party’s contesting an Administrative Action, as described in Bylaw 10.C. below.

“United States Olympic Committee” or “USOC” is the national sports organization with authority granted by the provisions of the Ted Stevens Olympic and Amateur Act, 36 USC Sec. 371 et seq., to appoint the National Governing Body for various amateur sports in the United States.

The “USOC National Anti-Doping Policies” include the required agreement by Participants to be bound by the USOC National Anti-Doping Policies and the current United States Anti-Doping Agency Protocol for Olympic Movement and Testing.

“United States Anti-Doping Agency” or “USADA” is the doping regulatory agency that is charged with the responsibility of monitoring and enforcing doping violations for the USOC, and pursuant to USOC anti-doping policies and the current World Anti-Doping Agency Code.\*

The “World Anti-Doping Agency” or “WADA” is the international anti-doping agency with authority based upon the signatories of the World Anti-Doping Code.

The “World Anti-Doping Code” requires that each signatory establish rules and procedures to ensure that all Participants are informed of and agree to be bound by anti-doping rules in force by the relevant anti-doping organizations.

*\*To implement this WADA policy the USOC requires that each NGB shall be responsible for informing Participants in its sport of the USOC National Anti-Doping Policies and the USADA Protocol for Olympic movement and testing which is incorporated into the agreement between the USOC and USADA. By virtue of their membership in an NGB or participation in a competition organized or sanctioned by an NGB, Participants agree to be bound by the USOC National Anti-Doping Policies and the USADA Protocol.*

### **C. Unified Procedure**

#### **(1) General**

Except as may be permitted in Bylaw 10.D. and 10.F. below, no Party may be suspended from participation or otherwise disciplined for any alleged violation of these Bylaws, USA Hockey Rules and Regulations, Policies, Codes of Conduct and Ethics or any such Bylaw, Rules and Regulations, Policies, Codes of Conduct and Ethics of an Affiliate Association, league, club, sponsor, facility or other group or organization, unless a hearing has been held prior to the action being taken according to the provisions of this Unified Procedure. A Registered Participant

Member, Allied Member or other person within the jurisdiction of USA Hockey may be subject to Discipline in accordance with this Unified Procedure for violation of the Applicable Rules or for conduct unsuitable for the sport of ice hockey.

**(2) Purpose** It is the purpose of this Unified Procedure to provide Parties a fair hearing (a) prior to being subject to Discipline, which shall include reasonable notice of the grounds for the proposed Discipline, and (b) to contest an Administrative Action, which hearing shall include reasonable opportunity to prepare and present their case and argument in accordance with these rules, including the opportunity to call witnesses and present evidence, the opportunity to see all evidence intended to be used at the hearing and cross examine witnesses and to be assisted by counsel at the hearing.

**(3) Hearing Procedure**

**(a) Hearing Panel**

The Disciplinary Authority considering issuing any Discipline, or upon demand by a Party contesting a suspension or other disciplinary action where no hearing was held, or desires to contest an Administrative Action, shall appoint a hearing panel of a minimum of three reasonably disinterested and impartial persons to conduct the hearing. In cases involving coaches and referees the District or Affiliate Association Referee-in-Chief or Coach-in-Chief, as appropriate, or his/her designee, shall serve on the hearing committee.

**(b) Hearing Timing**

The hearing panel shall hold the hearing no later than thirty (30) days after its appointment unless a later date is agreed upon by the Parties and approved by the hearing panel.

**(c) Hearing Notice**

Not later than seven (7) days before the hearing date, the hearing panel shall provide written notice to all interested Parties of the time and place of the hearing, the manner in which the hearing will be conducted, the grounds for any proposed suspension, discipline or Administrative Action, the possible consequences of an adverse finding, and the issues to be resolved by the panel.

**(d) Hearing Location**

Subject to the provisions of the following subsection (e), the hearing panel shall make every reasonable effort to convene the hearing in a location accessible to all the Parties.

**(e) Conduct of Hearing** The hearing panel may in its discretion hold a formal or informal hearing, in person or by telephonic conference call or video conference, hear any evidence it believes is relevant to the issue(s) before it, place limits on time, evidence and documentation, have witnesses or written statements and establish other hearing rules so long as the Parties are informed of the established procedures, each Party has a reasonable opportunity to present its case and argument in accordance with the hearing panel's rules, and each Party is treated in a substantially equal manner. The Rules of Evidence in judicial proceedings shall not apply in the hearing. The Parties may be represented by counsel of their choosing at their own expense, provided that the hearing panel may set rules for the involvement of counsel in the hearing. If the hearing panel has not made arrangements for a record of the proceedings, a Party may at its own expense create a stenographic or other record of the proceedings and must inform the hearing panel prior to the hearing of any arrangements so made. A copy of any such record created by or for a Party shall be provided at such Party's cost to the hearing panel. Other Parties will be permitted to secure a copy of the record in the normal course at their own expense.

**(f) Burden of Proof** In order to impose a suspension or discipline, the hearing panel must make a finding supported by a preponderance of the evidence (i.e., more likely true than not true) that the Party violated an Applicable Rule. The Disciplinary Authority proposing the Discipline shall have the burden of proof and shall present evidence to support the suspension or discipline by a preponderance of the evidence. In the case of an Administrative Action, the burden of proof shall be on the Party challenging the Administrative Action to prove by a preponderance of the evidence that the Administrative Action was made in an arbitrary or capricious manner or was not supported by the facts. In a contest of an Administrative Action, only the evidence presented to or

considered by the Party taking the Administrative Action shall be presented and considered by the hearing panel.

**(g) Decision** The hearing panel shall use reasonable efforts to (i) render its decision within five (5) business days of the completion of the hearing or the closing of the record whichever is later, and (ii) prepare and deliver a written decision to the Parties within fifteen (15) business days of the completion of the hearing or the close of the record whichever is later. The written decision shall contain findings of material facts, conclusions, the order of the hearing panel and a statement of any right of appeal a Party may have as a result of the decision. Delivery of the decision to the Parties may be made by first class mail or other delivery service or electronic mail in the discretion of the hearing panel.

**(h) Scope of Hearing Panel Decision**

Unless explicitly excepted by another provision of these Bylaws, the decision of the hearing panel shall be (i) in effect only for the program governed by the Disciplinary Authority and (ii) subject to appeal as set out in Bylaw 10.E. and any further review provided for in the governing documents of USA Hockey or the appropriate Affiliate Association. If the Disciplinary Authority wishes to extend any suspension or discipline it ordered beyond its program, it must notify, as applicable, the state or Affiliate Association. If the suspension or discipline is imposed by a state or Affiliate Association, or if a local Disciplinary Authority's decision is affirmed by a state or Affiliate Association, and the state or Affiliate Association wishes to extend the scope of the hearing panel's decision beyond the state's or Affiliate's jurisdictional geographic area, it may only do so by submitting a written request to do so and a copy of the written Disciplinary Authority's and/or Appeal Authority's decision to the Executive Director of USA Hockey, who shall advise all other Affiliate Associations of the suspension or Discipline and upon such notice the suspension or Discipline shall be in effect for all Affiliate Associations.

***D. Exclusions from Unified Procedure***

**(1) General**

As a matter of policy, law and practicality, there are matters that at least initially do not or should not be subject to the Unified Procedure. Any matter not specifically excluded from the Unified Procedure shall be covered by the Unified Procedure.

**(2) Purpose**

It is the purpose of this Bylaw 10.D. to distinguish those disputes and actions that do not require a hearing prior to imposing a suspension or discipline or that require different procedural handling and safeguards, and to set them out separately in order to highlight any uniqueness such disputes and actions may possess.

**(3) Exclusions**

**(a) Summary Suspensions**

A Summary Suspension may be imposed by any Disciplinary Authority only in those cases where a Party has been arrested for a crime alleged to have been committed, a Party has assaulted another or violated the USA Hockey SafeSport Policy, including such abuse between adults, or other violations of USA Hockey Policies set forth in the Annual Guide or comparable Policies of Affiliate Associations that are in writing and have been approved by USA Hockey.

Any such Summary Suspension must be in writing and given to the suspended Party and the writing shall inform the Party of his or her right to request a hearing. The suspended Party must submit a request for a hearing of a Summary Suspension within seven (7) days of the Party being notified of the suspension. Any hearing following a Summary Suspension shall be conducted according to the provisions of the Unified Procedure.

**(b) Playing Rules Suspensions** Any Playing Rules Suspension does not require a hearing except that, in the event of the imposition of a match penalty as defined in the Playing Rules, a hearing must be offered to be held as set forth in the Playing Rules, and the terms and length of the Party's suspension shall be as set forth in the Playing Rules unless modified or revoked by the hearing panel. Any hearing for a match penalty shall be conducted according to the Unified Procedure; provided that, in the case of a match penalty being imposed in a district or national

championship tournament, the hearing will be conducted immediately after the game in question by the on-site USA Hockey personnel. All applicable game scoresheets and referee reports must be presented to the hearing panel and made available to the Party subject to suspension. Any Playing Rule Suspension shall remain in force and effect and be final unless modified or revoked at a hearing, except that if the hearing is not held within 30 days of the incident together with a decision in accordance with the Unified Procedure, the suspended Party shall be automatically reinstated after the 30-day period. The failure to offer the hearing shall not prohibit the hearing body from conducting the hearing after the 30-day period and thereafter imposing further disciplinary action.

**(c) Officiating Suspensions** The applicable state association or league or local supervisor of officials shall have the authority to suspend a referee up to ten (10) days without a prior hearing. The state association or Affiliate Association shall have the authority to suspend a referee after a hearing (held in accordance with the Unified Procedure) or in accordance with the Summary Suspension procedures.

Any official(s) who boycotts any game(s) due to any disciplinary action taken or not taken by a Disciplinary Authority shall subject said official(s) to Discipline in accordance with the Unified Procedure conducted by the organization subjected to said boycott.

USA Hockey does not recognize officials organizations. However, if any registered USA Hockey official is restricted or denied assignment eligibility for any USA Hockey game by an officials' organization or group of officials ("Officials' Organization"), except for good cause shown in accordance with the Officials' Organization written rules and then only for a very limited duration without a hearing as provided herein, then said Officials' Organization shall be subject to suspension or expulsion in accordance with the rules and regulations herein and that restriction or denied assignment shall have no effect.





discipline. Upon referral of the matter to USA Hockey no further action shall be taken by any Party.

The Executive Director of USA Hockey shall, within twenty-four (24) hours of being notified by a Party relative to a Protected Competition Participant, initiate a preliminary review of the matter to determine whether there exists probable cause (i.e. evidence more likely than not) to believe that the Protected Competition Participant has engaged in conduct or committed acts, if proved to be true, that may warrant disciplinary action which would prevent the Protected Competition Participant from participating in Protected Competition.

The preliminary review shall be conducted by an impartial hearing officer appointed by the Executive Director in consultation with USA Hockey Legal Counsel within five (5) days of his/her appointment. He/she shall conduct a review informally in his/her sole discretion in a manner, time and place accessible to the Protected Competition Participant. The review may be in person or by telephonic conference call or video conference. The Rules of Evidence shall not apply but the Protected Competition Participant shall be given reasonable notice of the grounds of the proposed discipline, the opportunity to prepare and defend his/her case and to have assistance of counsel if so desired.

It is the purpose of this preliminary review to expedite the resolution of the matter. Any Party refusing to participate or who unreasonably delays the review shall waive any rights in the hearing or review process and shall not be entitled to appeal any adverse finding.

The hearing officer shall make his/her decision within five (5) days of completing the review. Upon a finding of probable cause by the hearing officer that the Protected Competition Participant has engaged in conduct that warrants disqualification from Protected Competition, he/she shall verbally inform the Executive Director of USA Hockey and the Participant within twenty four (24) hours and reduce such findings to writing no later than five (5) days thereafter and such written decision shall specify the facts upon which the hearing officer has based the decision and inform the Protected Competition Participant of his/her right to request a full hearing on the matter.

In order to request a full hearing, the Protected Competition Participant must make a demand for a hearing to the Executive Director of USA Hockey within five (5) days of receiving the written decision. Notwithstanding the foregoing, the Protected Competition Participant shall also be entitled to exercise his/her rights under the current appropriate governing documents of the USOC, which shall include at least the USOC Bylaws. Failure by the Protected Competition Participant to demand a full hearing or to exercise rights under the appropriate governing documents of the USOC shall entitle the Executive Director of USA Hockey in his/her discretion to exclude the Protected Competition Participant from Protected Competition or to end USA Hockey's supervision of the matter and allow any Party to proceed with imposition of discipline.

A full hearing demanded by a Protected Competition Participant after a finding of probable cause shall be conducted in accordance with the provisions of the Unified Procedure except that the Unified Procedure will be supervised by the Executive Director of USA Hockey and the hearing panel shall include, at a minimum, a member of the Legal Council of USA Hockey, a member of the International Council of USA Hockey, an Athlete Director if an athlete is involved, a coach if a coach is involved, an official if an official is involved, and two disinterested and impartial individuals chosen by the Executive Director. The Protected Competition Participant or any other Party in interest may request an expedited hearing process and the hearing panel must attempt to comply with any such request.

**(g) Doping, Protected Competition Participants**

All Protected Competition Participants and USA Hockey, Inc. shall be subject to the applicable provisions of the USOC National Anti-Doping Policies, and the USOC agreement with the USADA, and its enforcement of the USADA Protocol for Olympic Movement Testing, which

procedures and policies have incorporated the provisions of the World Anti-Doping Code. Such Participants shall be further subject to doping guidelines as may be promulgated from time to time by the International Ice Hockey Federation (IIHF), and the International Olympic Committee (IOC) and any agreements between USA Hockey and these entities relative to doping.

No athlete or athlete support personnel shall be denied eligibility within the meaning of this subparagraph (g) without first being afforded the opportunity for a hearing pursuant to the USADA Protocol for Olympic Movement Testing (“USADA Protocol”), or the hearing provisions of this Unified Procedure.

**(h) Unified Procedures Not Applicable to Financial Disputes**

Disputes concerning liability or damages arising from personal injury claims and disputes concerning dues and fees between Parties are not subject to the Unified Procedure, provided that the existence of a debt to an Affiliate Association or local organization may be grounds for the issuance of Discipline in connection with such matter.

***E. Appeals***

**(1) Right to Appeal**

Any Party that is suspended, otherwise disciplined or subject to an Administrative Action may, after a hearing or failure to have a hearing in accordance with the Unified Procedure, appeal such action as follows:

**(a) Suspensions** Playing Rule Suspensions or suspensions for violations of bylaw and/or rules of local, league or District organizations, or by a committee of a state association or an Affiliate Association shall be appealable to the Board of Directors of the state association or where no state organization exists to the Affiliate Association's Board of Directors or the designated committee of such Board of Directors (the “Appeal Authority”). Upon the written appeal of any Party whose suspension has been upheld by a state or Affiliate Association, the Executive Committee of USA Hockey shall allow an appeal of such suspension to be determined by it pursuant to the provisions of this appeal procedure, provided that the appealing party shall have the burden of production and of proving that the Appeal Authority committed a gross abuse of discretion. The Executive Committee may delegate or assign the matter to a subcommittee for a review and recommendation in the matter. The Executive Committee shall decide any appeal before it at its next regularly scheduled meeting and shall render its decision within a reasonable period thereafter.

**(b) Appeals Not Involving Suspensions**

Appeals of Administrative Actions or other disciplinary action which do not involve suspension shall be appealed to the Board of Directors of the state association or where no state organization exists to the Affiliate Association's Board of Directors or the designated committee of such Board of Directors. There shall be no further appeals of Administrative Actions or other disciplinary actions not involving a suspension.

**(c) Officials** Officials may appeal a suspension, other disciplinary action or an adverse Administrative Action if by a state association, USA Hockey District Referee in Chief or local supervisor of officials to the applicable Affiliate Association. If the official has been disciplined by the Affiliate Association or if the Affiliate Association has affirmed the discipline previously imposed, the official may appeal the discipline to a committee consisting of the National Referee in Chief, a District Director from the District to which the Affiliate belongs and a third impartial individual selected by those two. There shall be no further appeal of any decision by the said committee and the Discipline shall be final.

**(d) District/National Championship Rules Appeals** District or national championship rules or special jurisdictional hockey association rules shall be appealable to the USA Hockey council or its designee having jurisdiction over the program. There shall be no further appeal of any decision by the said council and the decision shall be final.

**(e) Council Decisions**

Except as otherwise provided, any decision of a USA Hockey council shall be appealable to the USA Hockey Executive Committee whose decision shall be final.

**(f) Junior Appeals**

Any Junior participant, team or league that is suspended otherwise disciplined or subject to an Administrative Action after hearing or a failure to have a hearing may appeal the discipline to the Junior Council. In the case of appeals of Playing Rule Suspensions, Referee Suspensions or other Discipline, and Player Eligibility issues, the decision of the Junior Council shall be final. In the case of any other appeals under this subsection (f), the decision of the Junior Council shall be subject to appeal to the USA Hockey Executive Committee.

**(2) Appeal Procedure** The appeal procedure for all appeals as described in Section E(1) above shall be as follows.

**(a) Statement of Appeal**

The appealing Party must submit a Statement of Appeal in writing to the appropriate Appeal Authority, with a copy to the Disciplinary Authority and the hearing panel, of the decision appealed from within fourteen (14) days of receipt of the decision appealed or of the date of the failure to hold a hearing, whichever is applicable. The Statement of Appeal shall include a statement of why the Discipline should be overturned or reversed, and should attach the record of the hearing panel, if any, and a copy of the decision. The Disciplinary Authority and any responding Party shall have fourteen (14) days from the receipt of the Statement of Appeal to file a reply and any reply must be served upon the Appeal Authority and the appealing Party. The Statement of Appeal and reply should be a complete and comprehensive document and include all materials the Party wishes to be considered. Letters and other documents not submitted by the Party him/herself as part of the Statement of Appeal need not be considered by the Appeal Authority. If a Statement of Appeal is not received by the appropriate Appeal Authority within the fourteen

(14) day period, the discipline shall be final. The failure to respond by any Party will exclude that Party from further participation in the appeal proceedings. The Statement of Appeal and any reply shall be no longer than ten

(10) typed double spaced pages with a font size no smaller than twelve (12) point. Exhibits to support the Statement of Appeal and/or reply may also be attached, including any relevant governing documents the Party is relying upon to support its argument. Exhibits shall not be included in the ten (10) page limitation.

**(b) Conduct of Appeal Hearing**

The Appeal Authority may in its discretion hold a hearing or consider the appeal on the written submissions of the Parties and establish other hearing rules so long as each Party is treated substantially equal. Notice of a hearing, if any, shall be given to all Parties, and any hearing may, in the discretion of the Appeal Authority, be held in person, telephonically or by video conference. Only the evidence and theories presented to the Disciplinary Authority or party taking the Administrative Action prior to rendering its decision shall be presented or considered on appeal.

**(c) Appeal Decision**

The Appeal Authority shall make every reasonable effort to issue a written decision that shall include statement finding of the facts that were proven at the hearing and the conclusions of the Appeal Authority within fourteen (14) days of the hearing. The Appeal Authority may affirm, reverse or modify (including increase or decrease the term of a suspension) any decision in its sole discretion and as it deems proper under the circumstances.

**(d) Suspension or Discipline Remains in Effect**

Any suspension, discipline or Administrative Action appealed from shall remain in force and effect until it expires, is reversed or is modified by the Appeal Authority.

**(3) No Further Appeals**

There shall be no further appeal of any decision by the Executive Committee of USA Hockey in matters concerning Discipline and its decision shall be final as it is the final Appeal Authority in

this appeal process.

## ***F. National Suspensions and Expulsions; Affiliate Disputes and Challenges to Affiliates***

### **(1) Scope**

The procedures authorized by this Bylaw 10.F. shall be the exclusive mechanism for the resolution of the following matters:

- (a) National suspensions and expulsions of an Affiliate Association, or state or local association;
- (b) Disputes between USA Hockey and an Affiliate Association, including alleged breaches of the Affiliate Agreement between USA Hockey and an Affiliate Association; and
- (c) Challenges by a third party, other than USA Hockey, to an Affiliate Association's status with USA Hockey.

Any suspension, expulsion or other discipline of an individual member of USA Hockey does not fall under this Bylaw 10.F. and shall be governed by the other applicable provisions of this Bylaw 10.

### **(2) National Suspensions and Expulsions**

Violation of these Bylaws or the Applicable Rules, or conduct unsuitable for the sport of ice hockey, by any Affiliate Association or state or local association of USA Hockey, or breaches of the Affiliate Agreement between USA Hockey and an Affiliate Association, may subject such organization to suspension or expulsion from USA Hockey by the Executive Committee of USA Hockey.

#### **(a) Appointment and Recommendations of the Special Committee; Hearing by Executive**

**Committee** Upon receipt of written notice describing such violations, the Executive Committee shall appoint a special committee to investigate such matters and report to it in writing its findings of material facts, conclusions and recommendations to remedy the violations. If the recommendation of the special committee is suspension or expulsion of the offending party, the Executive Committee shall hold a hearing to allow the offending party to present such evidence as the offending party deems pertinent to the issues before the Executive Committee. If the recommendation of the special committee is not suspension or expulsion of an Affiliate Association (if an Affiliate Association is the offending party), then the dispute process shall be governed by Bylaw 10.F.(3) and the written recommendation of the special committee shall constitute the written notice of dispute required by Bylaw 10.F.(3)(a).

#### **(b) Action by Executive Committee**

Following the hearing, in closed session, the Executive Committee may take action to suspend or expel the organization from USA Hockey, or any of its activities, by a two-thirds majority vote. Any such suspended or expelled party shall have the right to appeal such decision to the Board of Directors of USA Hockey at its next regularly scheduled meeting. If the Executive Committee does not vote to suspend or expel the offending party, but instead, by majority vote, takes other action with respect to the offending party, such party shall have the right to appeal such decision to the Board of Directors of USA Hockey pursuant to Bylaw 10.F.(3)(d)-(f). The decision of the Executive Committee shall be in writing and contain findings of material facts, conclusions and the order of the Executive Committee.

#### **(c) Appeal to Board of Directors**

Pending the decision of the Board of Directors on such appeal, the suspension or expulsion shall be held in abeyance. To sustain the action of the Executive Committee or to take any other action to suspend or expel the offending party, a two-thirds majority vote of the Board of Directors shall be required. If the Board does not vote to suspend or expel the offending party, the Board may take such other action against the offending party as the Board determines by a majority vote of the Board of Directors.

#### **(d) Appointment of Trustee**

If the appealing party is an Affiliate Association, the Board shall have the authority, upon suspension, to appoint a trustee to administer and oversee the operations and affairs of the Affiliate until such suspension is terminated or the Affiliate Association is in good standing.

**(3) USA Hockey and Affiliate Association Disputes** Disputes between Affiliate Associations and USA Hockey, including, without limitation, disputes regarding the construction, interpretation and/or application of these Bylaws; the Applicable Rules or the Affiliate Agreement between USA Hockey and the Affiliate Association; directives USA Hockey requires an Affiliate Association to observe; or any recommended remedies proposed by the special committee pursuant to Bylaw 10.F.(2)(a) that do not involve suspension or expulsion of an Affiliate, shall be resolved as follows:

**(a) Appointment of Special Committee**

Upon written notice of a dispute to the Executive Committee, which may be given only by the President of USA Hockey and/or the president of the disputing Affiliate Association (or their respective acting substitutes) and which notice shall reasonably describe the dispute, the Executive Committee shall promptly appoint a special committee to resolve such dispute. The special committee shall be comprised of five (5) persons: one (1) member of the Legal Council appointed by the chair of the Legal Council (who shall not be the chair of the Legal Council), who shall serve as chair of the special committee; one (1) member of the of the USA Hockey Council with primary interest with respect to the issue(s) in question appointed by the chair of such council (who shall not be the chair of such council) (provided that in the event there are multiple interested councils, the Executive Committee shall determine the council with primary interest); one (1) member of the Executive Committee appointed by the chair of the Executive Committee; and two (2) Affiliate Association Presidents appointed by the President of USA Hockey (or his or her acting substitute).

**(b) Special Committee Consideration and Order**

1 The special committee shall consider the dispute based on such procedures, rules and timing as it determines in its sole discretion, which procedures may include written submissions by the disputing parties, or in person or telephonic hearings. The special committee may determine such procedures, rules and timing itself or, in its discretion, in consultation with the disputing parties. In determining such procedures, rules and timing, each party shall be treated equally. The special committee shall notify the parties in writing of the applicable procedures, rules and timing in order to commence the special committee's consideration of the dispute. The special committee shall act with reasonable promptness.

2 The special committee shall render a written decision which shall contain findings of material facts, conclusions and the order of the special committee. If the order of the special committee recommends the suspension or expulsion of the Affiliate Association, such recommendation shall be considered by the Executive Committee pursuant to Bylaw 10.F.(2) as if the special committee had made such

recommendation to the Executive Committee under Bylaw 10.F.(2)(a). In such event, the member of the Executive Committee that served on the special committee may participate but shall not have a vote in the Executive Committee's determination under Bylaw 10.F.(2)(a), unless such member's vote is necessary to break a tie or other deadlock in voting.

**(c) Appeal to Executive Committee** If the order of the special committee does not recommend the suspension or expulsion of the Affiliate Association, then within ten (10) business days of the special committee's delivery of its written decision, a disputing party may appeal the order of the special committee to the Executive Committee, who may sustain, modify or overturn the order of the special committee by a majority vote. The member of the Executive Committee that served on the special committee may participate but shall not have a vote in the Executive Committee's determination of the appeal, unless such member's vote is necessary to break a tie or other deadlock in voting. The Executive Committee's decision shall be in writing and shall contain findings of material facts, conclusions and the order of the Executive Committee.

**(d) Appeal to Board of Directors** A disputing party may appeal the decision of the Executive Committee to the Board of Directors of USA Hockey at its next regularly scheduled or special meeting, which may sustain, modify or overturn the order of the Executive Committee by a majority vote of the Board of Directors. The President of USA Hockey or his/her designee shall determine whether to call a special meeting of the Board of Directors and, if a special meeting is determined to

be held, the means by which the meeting shall be held (e.g., written submissions, telephonic or other electronic means, etc.). A disputing party shall deliver notice of its appeal to the President of USA Hockey for inclusion on the Board of Directors' agenda by the earlier of ten (10) business days after the Executive Committee's delivery of its written decision or the start of the next Board of Directors' meeting.

**(e) Appeal Rules**

1. The appealing party shall submit, at a minimum, a written statement of why the order of the special committee or Executive Committee, as applicable, should be modified or overturned (the "Statement of Appeal"). The Statement of Appeal shall also include the written order(s) of the special committee and Executive Committee, as applicable, and any other information as may be requested by the appeal authority. A copy of the Statement of Appeal shall be delivered to the special committee and Executive Committee, as applicable.

2. In any appeal, the appeal authority shall consider only (i) the evidence and theories presented to the special committee for its consideration prior to the rendering of its decision, and (ii) the written decisions by the special committee and Executive Committee, as applicable.

**(f) Effectiveness of Order**

The order of the special committee shall be in effect unless and until it is modified or overturned by an appeal to the Executive Committee, and the order of the Executive Committee shall be in effect unless and until it is modified or overturned by an appeal to the Board of Directors, as applicable.

**(4) Challenges to Affiliate Status**

Challenges to an Affiliate Association's status with USA Hockey by a third party other than USA Hockey shall be referred to the Legal Council for investigation and recommendation to the Board of Directors for action at the next regularly scheduled meeting of the Board. The Board of Directors shall allow the challenging party to submit to it such matters as it deems appropriate to decide the challenge and shall allow any challenged Affiliate Association to submit such material and evidence it deems appropriate to rebut any such challenge.

**(5) Affiliate Status**

An Affiliate Association's status with USA Hockey shall be defined by the Bylaws and Rules and Regulations of USA Hockey, the Affiliate Agreement between USA Hockey and the Affiliate Association, and such other actions of the USA Hockey Board of Directors as shall be determined from time to time.

***G. Arbitration***

**(1) Purpose**

It is the specific purpose of Bylaw 10.G to provide for a uniform method of resolving all disputes which utilizes the specific skills, expertise and background of people experienced in hockey and sports administration matters ("Arbitration Procedure").

**(2) Scope**

Any party aggrieved by a final decision of a governing body as defined herein shall be entitled to demand that the dispute be subject to arbitration pursuant to the procedure set out in this Section 10.G.

This arbitration procedure may also be used to challenge the construction, interpretation and application of a governing body's Bylaws, Rules and Regulations and the authority, relationship and arrangements by or among any governing body(ies) if a governing body has rendered a final decision relative to same.

A "final decision" shall mean the party requesting arbitration shall have exhausted all administrative remedies available to it, including without limitation shall have taken all steps, had hearings locally, and have received a final decision from the USA Hockey Affiliate organization. Failure to take all administrative steps necessary in order to demand arbitration is a jurisdictional requirement and shall be a bar to claiming arbitration.

The term "governing body" shall mean any board of directors, director, officer, employee, agent or

other duly authorized representative or committee of USA Hockey, its registered team members, allied members, Affiliate associations, state associations and their local associations or leagues.

**(3) Exceptions** The provisions of this Section 10.G. shall not apply to any decisions involving:

- (a) playing rules;
- (b) officiating;
- (c) doping and/or use of illegal substances;
- (d) national suspension or expulsion, disputes between USA Hockey and an Affiliate Association, and challenges to an Affiliate Association's status, performance or function, which are governed by Bylaw 10.F. above;
- (e) any matter which may be or has been appealed to the Executive Committee of USA Hockey under the provisions of this Bylaw 10;
- (f) those decisions specifically excepted by any other provisions of these Bylaws;
- (g) monetary claims or disputes between parties; and
- (h) a challenge to any Discipline imposed under Bylaw 10.

**(4) Commencement of Arbitration** The last decision of a state association or an Affiliate Association which exhausts that state association's or Affiliate Association's dispute process shall be final and binding on the parties unless arbitration is timely commenced in accordance with this Bylaw 10.G.(4).

The party initiating arbitration shall file a written Petition for Arbitration that contains the following information:

- (a) identifying the name of the petitioning party and the governing body and the decision being appealed;
- (b) the date of the said decision;
- (c) a description of all administrative steps taken and the exhaustion of all appeals processes;
- (d) a concise and specific statement of the issues to be arbitrated;
- (e) a statement of reasons as to why the decision should be reversed or modified;
- (f) the relief sought; and
- (g) the required bond.

The Petition shall be no longer than ten (10) typed double-spaced pages with a font size no smaller than twelve (12) point. Exhibits to support the Petition may be attached and shall include a copy of the decision appealed from and any relevant governing documents.

The Petition shall be filed with USA Hockey's Vice President, Chair of the Legal Council ("Chair, Legal Council") and USA Hockey's business office in Colorado Springs, Colorado, and shall be served on all named parties, no later than fourteen (14) days from the date of the decision that is the subject of the Petition. Filing shall be deemed to have occurred upon receipt of the Petition by USA Hockey's business office in Colorado Springs, Colorado. Filing, and responses, may be accomplished by surface mail, courier, electronic mail, or facsimile to the proper persons.

**(5) Response** Any responding party to the Petition shall file its response in the same manner and which shall meet the same requirements set out in Paragraph (4) above upon all other parties within fourteen (14) days of receipt of the Petition. Any named party not responding within the time period above shall continue to be a party to the arbitration, but shall have no further right to assert any rights, defenses or claims in the arbitration.

**(6) Selection of Arbitrators** An arbitration panel ("panel") shall consist of three (3) arbitrators unless it is determined by the Arbitration Supervisor (defined below) that the number of parties and/or interests requires a different number of arbitrators as set out in Paragraph (8)(b)(5) below.

Within seven (7) days of the petitioning party and the responding party(ies) receiving notice from

Chair, Legal Council that the responding party(ies) responses have been received, each party shall identify its choice of arbitrator to the other parties. Neither the Petitioner(s) nor any other named parties may serve as an arbitrator(s). The arbitrators so chosen will between them identify the neutral arbitrator(s) from names submitted to each other no later than seven (7) days from the date of the submission of the neutral arbitrators' names. In the event that the arbitrators selected by the parties are unable or unwilling to name the neutral arbitrator(s), the Arbitration Supervisor may choose the neutral arbitrator(s) from among the list of neutral arbitrators, or if no neutral arbitrators are proposed by the arbitrators appointed by the parties, then as such neutral arbitrator(s) may be selected by the Arbitration Supervisor.

Upon appointment of all arbitrators, the arbitrators shall inform the Arbitration Supervisor when the panel is formed. Prior to the forming of the panel, no party to the arbitration may file any temporary or preliminary motions or requests to the panel requesting interim relief.

A party's refusal or failure to nominate or select any arbitrator within the time limits provided shall cause it to forfeit its right to such selection and the arbitration shall proceed with those arbitrators so chosen, except that in the case of the Petitioner's refusal or failure to so nominate or select the Petition for Arbitration shall be dismissed by the Arbitration Supervisor.

**(7) Qualification of Arbitrators** All arbitrators shall have experience and knowledge about the organization and administration of amateur ice hockey in the United States and the sport of ice hockey itself, specifically including present or former athletes who played the sport of ice hockey and those who have demonstrated experience and involvement with national, Affiliate, state, or local ice hockey organizations. All neutral arbitrators shall be independent and objective. Officers, directors or employees of USA Hockey may not serve as neutral arbitrators.

**(8) Supervision of Arbitration**

(a) The arbitration shall be supervised by the Chair, Legal Council, or his/her designee (the "Arbitration Supervisor"), who shall be an individual identified in Section 8(d). The Arbitration Supervisor shall supervise, but not take part in the arbitration. The Arbitration Supervisor shall promptly review the parties' submissions and determine if the matter is properly arbitratable under this Bylaw and may make any decision or ruling, or take any action that the Arbitration Supervisor determines in his/her sole discretion is necessary for the prompt and proper conduct of the arbitration. Any decision of the Arbitration Supervisor, that the matter is not arbitratable, or in any other way terminates the entire proceeding, shall be immediately appealable to the Executive Committee as provided in Section 10.E.(1)(a) of this Bylaw 10.

(b) Except as noted above, all of the decisions and actions of the Arbitration Supervisor shall otherwise be final and non-appealable. Such decisions and actions shall include without limitation:

- confirming the correct parties to the arbitration and adding, removing or realigning parties as appropriate and necessary within the exercise of his/her sole discretion;

- determining that the issues as set out by the parties are appropriately subject to this arbitration procedure and that the initial submissions of the parties are complete and filed in a timely fashion;

- informing the parties in writing that the arbitration has been initiated and that they should chose their arbitrators;

- in the event the parties cannot agree on a neutral arbitrator, appoint a neutral arbitrator;

- if there are more than two parties to the arbitration, determine the appropriate number of arbitrators for the panel, including the number of neutral arbitrators to ensure that no

party, or combination of parties, to the dispute can control the decision in the absence of the vote of the neutral arbitrators;

- 1 confirm, restate, modify, delete or otherwise frame the issues to be arbitrated; and

- 2 inform the parties that the arbitration is ready to proceed.

(c) Failure to timely comply with the Chair, Legal Council's or the Arbitration Supervisor's directions



and/or to file an appeal with the Executive Committee shall terminate the arbitration procedure and the immediately preceding administrative decision shall be final and binding on all parties.

(d) When USA Hockey is named in the arbitration and is a real party in interest to the arbitration, the Chair, Legal Council shall not serve as the Arbitration Supervisor and shall appoint as his/her designee to be the Arbitration Supervisor an independent and objective person with at least five (5) years experience in supervising or arbitrating commercial arbitrations. The appointed Arbitration Supervisor shall have the authority as set out in this section 8.

- (9) Hearing** Once the panel has been formed and Arbitration Supervisor has been informed of that fact and confirmed that the arbitration is ready to begin, the arbitrators should conference in a manner of their choosing and determine how the panel will conduct the hearing on the arbitration. The panel will determine whether it will proceed upon the submission of documents, take testimony in person, place limits on time for submission of evidence, the rules of evidence to be applied and establish a procedural order for the hearing to be completed. The panel shall not conduct a de novo investigation or hearing but shall be limited to the record of the matter before it. The panel shall not entertain any theories or evidence that have not been decided or submitted to the body that decided the issue being arbitrated.

The panel shall render a written decision within twenty (20) days from the date of the completion of the hearing unless a majority of the panel determines this time frame should be extended. The decision shall be in writing and shall set forth findings of fact along with the reasoning and conclusion of the panel.

- (10) Burden of Proof** The party that has filed the Petition for Arbitration shall have the burden of proof to present sufficient evidence and to persuade the panel by clear and convincing evidence to uphold its appeal. The panel may make inferences and presumptions from the evidence presented to it or from the failure to produce available evidence, materials or witnesses.

- (11) Standard for Determination** In making its determination and deciding the matter before it, the panel shall be limited to deciding whether in the decision being appealed that:

- (a) there was an abuse of discretion by the governing body; and
- (b) the governing body acted in an arbitrary and capricious manner; and
- (c) but for such actions, a different result would have resulted.

**(12) No Appeal**

The decision of the panel, and where called for in this Section 10(I), decisions of the Chair, Legal Council and/or Arbitration Supervisor, shall be final and not subject to further appeal.

**(13) Bond/Expenses**

A bond in the form of a certified check in the amount of \$1,000 (or such higher amount as may be determined by the Chair, Legal Council), and in a form determined by Chair, Legal Council, and made payable to USA Hockey, Inc., shall accompany the Petition for Arbitration. The Chair, Legal Council or the Arbitration Supervisor may set any other bond requirements for the Petitioner and other parties in his/her sole discretion.

The panel may determine in its discretion to assess costs or attorney fees against the party that does not prevail. The prevailing party may petition the panel for such assessment of costs after the panel's decision is rendered. Any costs so assessed may be deducted from the posted bond(s) by USA Hockey, Inc. and distributed according to the instructions of the panel.

***H. Exception to Internal Arbitration – AAA Arbitration – United States Olympic Committee and Protected Competition*** Notwithstanding anything to the contrary contained in Bylaw 10.I or in USA Hockey's Rules and Regulations:

- (1) Upon demand of the USOC, USA Hockey agrees to submit to binding arbitration conducted in accordance with the commercial rules of the American Arbitration Association, any controversy involving its recognition as a national governing body, or involving the opportunity of any amateur

athlete, coach, trainer, manager, administrator or official to participate in amateur athletic competition, as provided in the USOC Constitution and the USOC's Bylaws, and

(2) No action on behalf of USA Hockey shall be made, or shall be deemed to have been made, which denies or threatens to deny, in violation of approved selection criteria, any amateur athlete the opportunity to compete in Protected Competition.

***I. Recourse to Courts, Rules*** In the event of recourse to the courts of any jurisdiction on any matter and for any reason without adhering to this Bylaw 10 and without altering the prohibition against that recourse stated in these Bylaw, the following principles shall prevail:

**(1) Laws of Colorado Apply**

The laws of the State of Colorado (except for any conflict of laws provision that may apply another state's law) shall govern;

**(2) Deference to Governing Body Expertise**

The constructions, interpretations, rulings, procedures, decision and opinions of the Governing Bodies, their directors, officers and other duly authorized personnel, and local sub-affiliates shall be deferred to as being the product of its experience and judgmental expertise in hockey and in the administration of that hockey. In the event of a conflict in construction, interpretations, rulings, decisions and opinions between Governing Bodies and/or sub-affiliates, they shall be given precedence in the following order: USA Hockey, Affiliate Association, regional, state sub-affiliates and then local, sub-affiliates, with USA Hockey being considered the highest authority;

**(3) Other Reasonable Inferences Not Controlling**

The fact that another reasonable inference or interpretation could be made will not be grounds for overruling or modifying a decision of a Governing Body (including its duly authorized personnel);

**(4) Limitation on Evidence and Theories to Original Hearing**

Only the evidence and theories explicitly presented to the original Governing Body or sub-affiliate for its consideration prior to the rendering of the initial decision by that Governing Body or sub-affiliate shall be presented or considered in court;

**(5) Burden of Proof**

The burden of proof shall be on the party attempting to have any decision or action of a Governing Body (including its duly authorized personnel) and/or sub-affiliate reversed, modified or changed in any way, and that burden shall be the equivalent of the highest degree of proof required in any civil proceeding;

**(6) Governing Bodies/Volunteers/Costs**

Given the fact that the Governing Bodies and sub-affiliates are not-forprofit organizations administered by volunteer effort, each party that is not successful in overturning in its entirety a procedure, ruling or other decision of a Governing Body, shall pay for any and all fees, expenses and other costs of the Governing Body (including its sub-affiliates) with respect to that matter (including, but not limited to: attorney's fees, court, court reporter, transcript, document and exhibit costs; fees and expenses of consultants, experts, investigators and witnesses, and in obtaining or producing materials or evidence, transportation and other per diem and 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).

## **4. CODES OF CONDUCT**

### **A. Code of Conduct: PLAYERS**

## **Player Code of Conduct**

**As a participant in the West Fargo Hockey Association, I agree to follow the below stated rules:**

1. I will abide by the rules and regulations of USA Hockey, North Dakota Amateur Hockey, and the West Fargo Hockey Association.
2. I will do my very best to make hockey a fun sport for myself, my teammates, my coaches, and my family.
3. I will work my hardest to improve my skills and follow the rules and instructions of my coach(es).
4. I will not swear or use abusive language in the bench, in the locker room, in the arena, in hotels, or in any other place where I am representing the WF Hockey Association.
5. I will not drink alcohol, smoke, chew tobacco, vape, or use any other illegal substances.
6. I will treat my teammates, coaches, parents, opponents, facilities, fans, and referees with respect. I will not bully, intimidate, or make fun of my teammates. I will agree to encourage them even when they make mistakes.
7. I will respect my teammates, coaches, and facility's equipment and property. I will not steal or damage anyone else's property if it is not mine.
8. I agree to not use my cell phone in the locker room (no calls, texts, pictures, games and/or social media).
9. I will respect the ruling of any official or referee. I will not swear at, or argue with, the referee and will accept the ruling or penalty that is made against me or the team.
10. I will treat my opponents with respect whether we win or lose. I will play hard, but not cheap. I will refrain from fighting on and off the ice.
11. I will put my team first and learn to play as a team.
12. I will be on-time for all practices (including dryland) and games, or will contact a coach ahead of time if there is a legitimate reason I may be late.

**I understand that any violation of this code of conduct may result in consequences received from my parent, coach, coordinator, hockey director, and/or Compliance Committee which could include one or more of the following: verbal warning, conditioning/push-ups, loss of playing time, team consequences, removal from the locker room/rink, or suspension from the WF Hockey Association program.**

## **B. Code of Conduct: PARENTS**

### **Parent Code of Conduct**

**As a parent/guardian of a child in the West Fargo Hockey Association, I agree to abide by the following rules and expectations:**

1. I will abide by the rules and regulations of USA Hockey, North Dakota Amateur Hockey, and the West Fargo Hockey Association.

2. I will remember that youth are involved in organized sports for their enjoyment, not mine.
3. I will encourage and support my child's desire to play his/her chosen sport but will not pressure him/her into participating.
4. I will support and promote fair play by encouraging my child to play by the rules. I will display good sportsmanship by applauding a good effort by both teams in victory and defeat and by respecting players, coaches, and officials.
5. I understand that it is my role to teach my child sportsmanship, how to deal with success and failure, and to support my child's development in the game.
6. I will ensure my player is at practices and games on time or will contact the coach ahead of time if my child will be late or absent.
7. I understand that when my child is on the ice, the coaches do the coaching. I will not yell instructions to my child from the sidelines or give my child instructions that counter those of the coach.
8. I will not taunt or disturb other fans or embarrass my child by yelling at players, coaches, or officials.
9. I will allow my player to make mistakes and encourage him/her to improve his/her skills.
10. I will ensure that my child's equipment is complete, safe, and in good condition.
11. I will respect locker rooms as private areas for players, coaches, and officials and will follow all locker room policies set up by West Fargo Hockey Association.
12. I will follow the 24-hour rule when making a formal complaint about a coach, official, or board member.

**I have read and understood the principles stated above that were put forth by the West Fargo Hockey Association. I agree to abide by those principles with the understanding that if I do not follow them I may be asked to leave any practice, game, or event, or could face other sanctions by the Compliance Committee of the West Fargo Hockey Association.**

## **D. Code of Conduct: Coach/Coordinator/Hockey Director**

### **Coach/Coordinator/Hockey Director Code of Conduct**

**As a hockey director/coordinator/coach in the West Fargo Hockey Association, I agree to follow the below stated rules:**

1. I will abide by the rules and regulations of USA Hockey, North Dakota Amateur Hockey and the West Fargo Hockey Association.
2. I will conduct myself in a respectful, professional manner both on and off the ice.
3. I will focus on overall player development and not place winning at all costs above the culture of the Association.
4. I will understand the rules of the game, the importance of teamwork, and promote team unity.
5. I will wear appropriate attire to practice, games, and while representing WFHA in the community.
6. I will be on-time for all games and practices.
7. I will be well prepared for practice sessions with organized practices that are fun and challenging, and properly utilize time and the ice.
8. I will maintain a professional relationship with all players and parents devoid of favoritism or the perception of favoritism.
9. I will promote equal playing time for all players to ensure the development of each individual.
10. I will maintain an open line of communication with players' parents and clearly explain primary goals, the goals and objectives of the association, and the responsibilities coaches and players have in helping the team run smoothly.
11. I will not use offensive language toward, or physically/verbally abuse, the players, officials, coaches, or parents.
12. I will not use tobacco, drugs, or alcohol while supervising players or in the presence of players.
13. I will follow the USA hockey and WFHA hockey policies for locker room supervision and SafeSport compliance. I will monitor players closely and hold them accountable if they are violating the WHFA player code of conduct. I will do my very best to be a positive mentor for my players and teach them not only be quality hockey players, but quality individuals on and off the ice.

**Non-compliance with this code of conduct will result in a review of the coach by the coaching committee to determine disciplinary action up to, and including, verbal warning, suspension, loss of pay (or non-completion of volunteer DIBS hours), and/or termination of contract.**

## **E. Code of Conduct: BOARD OF DIRECTORS**

### **Board of Directors Code of Conduct**

**As a member of the West Fargo Hockey Association board of directors, I agree to follow the below stated rules:**

1. I will abide by the rules and regulations of USA Hockey, North Dakota Amateur Hockey, and the West Fargo Hockey Association.
2. I will know the by-laws and policies and procedures of WFHA.
3. I will attend scheduled meetings to the best of my ability and notify the proper individual(s) when I cannot be present.
4. I will encourage a hockey program that focuses on the development of competitive and respectful players.
5. I will carry out their responsibilities as set out by the WFHA in a consistent manner and to the best of their abilities.
6. I will provide members with truthful and appropriate feedback and follow up in a timely manner.
7. I will act as good stewards and in the best interest of the association through ethical conduct.
8. I will be respectful of concerns of association members and work to negate any misconceptions or misinformation.
9. I will avoid conflicts of interest and disclose situations where a conflict could be perceived.
10. I will treat our members and employees fairly with dignity and respect.

**As a member of the West Fargo Hockey Association board of directors, I agree that I WILL NOT:**

11. Make improper use of position and/or improper use of information.
12. Tolerate unprofessional or malicious behavior among board or association members.
13. Use their position on the board of directors for personal gain.

**I understand that non-compliance with this code of conduct could lead to review by the Compliance Committee and/or board of directors. I also understand that failure to follow this code could lead to my removal on the board within the bylaws of the Association.**

## **5. DISCIPLINE GUIDELINES**

### **A. Discipline Guidelines: PLAYERS**

#### ***West Fargo Hockey Association Player Discipline Policies and Procedures:***

The West Fargo Hockey Association has adopted a player code of conduct to ensure the safety of all participants, develop a positive culture within the WFHA, and ensure behavioral control to encourage a positive experience for all involved. Players are expected to follow the code of conduct. Violations of the code of conduct may result in discipline. Discipline guidelines will follow all USA Hockey and ND Amateur Hockey Association policies and procedures.

The following will be used as a basic guide by each team for handling discipline problems that may occur during the year. The discipline guidelines are intended to be minimum guidelines that outline expectations, methods of acceptable discipline, and escalation procedures if needed. Each coach may put additional rules in place, but will follow these basic guidelines. Coaches will enforce such rules consistently and fairly with all participants. Below is a list of sample behaviors and discipline techniques that may be used for violations of the code of conduct:

- **Not listening to coach, disruptive at practice, late for practice, foul language, horseplay, dirty locker room, etc.**
  - First occurrence: Verbal warning, sit on bench, push- ups/crushers, removal from locker room, clean the locker room, written assignment, sit a shift/(s) during game, or similar.
  - Second occurrence: removal from practice, sit out multiple shifts during game, or similar. (Notify Parent)
  - Third occurrence: sit one period or more (up to one full game) at the coach's discretion.
  - Compliance meeting, possible suspension (Notify Parent)
- **Badmouthing teammates, harmful teasing or bullying, poor locker room behavior, disrespect to coach(es), referees, or other team.**
  - First occurrence: Verbal warning, sit on bench, push- ups/extra laps/crushers, removal from locker room, clean the locker room, written assignment, sit a shift(s) during game, etc.
  - Second occurrence: Sit one period of next game.
  - Third occurrence: 1 game suspension
  - Compliance meeting, possible suspension
- **Missing practice/dry land/game (unexcused).**
  - Players/parents must contact one of the coaches or team manager prior to practice to say they will not be able to attend and why. Wednesdays are traditionally faith nights. Assuming you inform your coach(es) in advance of your faith-related

commitments, Wednesday faith activities are an excused absence from practice and no reduction in playing time or other penalties will be assessed. Other school-related events, such as band and choir performances, family functions, illness (a note from a parent or physician may be required if someone misses an inordinate number of practices or games) will also be considered excused absences.

Disciplinary actions for unexcused absences include:

- First occurrence: sit one or two shifts in next game.
  - Second occurrence: sit one or two periods
  - Third occurrence: 1 game suspension
- **Damage to locker rooms (home and away), provoking trouble in motels, stealing, or disrespect of other players' property.**
    - First occurrence: immediate 1 game suspension and payment for damages
    - Second occurrence: Compliance meeting, possible suspension
  - **Violence toward a player or coach with intent to injure (on or off ice).**
    - Any offense: report to compliance committee, mandatory meeting with compliance committee, coaching coordinator, coach and parents. Minimum two game suspension up to a maximum of the entire season.

***\*Note: coaches, coordinators, and hockey director will be documenting behavioral problems. This documentation will be kept by the Director of Compliance and SafeSport.***

- When a player is required to sit out a full game, they will be required to be in uniform on the bench. The exception to this would be a suspension for a game misconduct.
- The above listed behaviors and discipline are simply a guide. Players are also subject to calls by the coach. If the referee misses a call, but the coach sees it, the coach may assess that player a penalty and make him/her sit on the bench to serve time for the penalty. If this becomes a problem, the player will sit as long as the coach deems necessary.
- Communication with parents during any offense should be considered to help the player, parent, and coach stay on the “same page” in regards to behavioral expectations.

***\*\*Important Note: The Compliance Committee reserves the right at any time to bypass the steps as set by the discipline guidelines and enforce different penalties if the behavior or incident warrants such departure.***



## **B. Discipline Guidelines: PARENTS**

### ***West Fargo Hockey Association Parent Discipline Policies and Procedures:***

The West Fargo Hockey Association has adopted a parent code of conduct to ensure the safety of all participants, develop a positive culture within the WFHA and ensure behavioral control to encourage a positive experience for all involved. It is the goal of the Association to be a model in regards to showing both sportsmanship and class. To do that, parents must commit to following the code of conduct. Violations of the code of conduct may result in discipline. Discipline guidelines will follow all USA Hockey and ND Amateur Hockey Association policies and procedures.

If a compliance report is received, an investigation will be completed which could result in various forms of discipline. Parent discipline could include a hearing before the compliance hearing committee if deemed necessary. Discipline examples may include any of the following:

- Written/Verbal warnings
- Completion of an educational assignment
- Extra DIBS hours
- Suspension from game(s) and/or arena
- Expulsion for the current season

Please do your best to show appropriate sportsmanship in all situations.

## **6. GRIEVANCE REPORTING PROCEDURES:**

### **West Fargo Hockey Association Compliance Report Instructions and Guidelines**

***BEFORE submitting a Compliance Report, please review the following guidelines and procedural information.***

#### **WFHA Procedures for Compliance/SafeSport Reporting**

Throughout the season, concerns may arise as to inappropriate behaviors of a coach, coordinator, hockey director, player, parent, and/or board member. If you may feel the need to report such behavior or concerns, please read the following procedures before reporting!!

Before making a compliance report, please do your best consider all of the facts. Rumors are rampant in youth sports. It may even be appropriate to speak with the player's parent directly if you feel an amicable solution can be worked out. **However, DO NOT confront another player directly!!** There may be times where you still feel a compliance report needs to be made to the coach, coordinator, hockey director, and/or Director of SafeSport & Compliance. Prior to

making a report, please familiarize yourself with the WFHA's codes of conduct. If the behavior or concern violates the WFHA's codes of conduct, the following procedures should be followed:

### **Steps for reporting player(s) issues/concerns:**

Throughout the season, numerous concerns may arise in regards to player behavior, playing time, game issues, and other concerns. There's a difference between disagreeing how a coach utilizes your player, conducts practices, or game strategy versus locker room behaviors, immediate safety concerns, bullying, or behavioral issues. Here are the procedures and a few examples of when, what to report, and who to report to:

1. **Hockey related issues:** These are issues related to playing time, position concerns, how a coach is handling in-game issues, and/or how a coach is communicating with your player. **WAIT 24 HOURS!!!** Every effort should be made to work out these issues with the coach directly. A level coordinator may also be contacted if necessary or the issue is an ongoing concern. It is best to contact a coach directly in a calm, respectful manner to address these concerns. Try to work out an amicable resolution.
2. **On-ice behavior, locker room concerns, bullying, etc.:** Use your best judgement to determine if the situation is an immediate safety concern\*. If so, feel free to contact the coach right away. If not, try to wait 24 hours to give yourself time to consider all of the facts. If the coach feels the behavior is more severe than s/he can handle or there have been ongoing issues, the coach will contact the level coordinator, hockey director, or Director of SafeSport and Compliance for assistance.

***\*Immediate Safety Concerns:*** These are concerns where safety is a major concern. If your player feels unsafe, there are direct threats made, there is an immediate threat to a player, coach, or any member of the Association, or the action reported is likely against the law, then call/email the coach, level coordinator, hockey director, or Director of SafeSport and Compliance right away. You may even want to consider reporting it to your local law enforcement if it is an emergency.

### **Reporting coach issues/concerns:**

If you feel you have attempted to work out an issue with the coach directly and do not feel you have been treated fairly, have not received adequate information, there are immediate safety concerns or privacy issues, or the issue is not being properly handled, here are the procedures to follow:

1. Contact the level coordinator and hockey director if you have not done so.
2. If you feel the issue rises to a concern the board needs to be aware of, please contact the Director of SafeSport and Compliance utilizing the attached reporting form.

### **Reporting level coordinator issues/concerns:**

If you feel you have attempted to work out an issue with the level coordinator and do not feel you have been treated fairly, have not received adequate information, there are immediate safety concerns or privacy issues, or the issue is not being properly handled, here are the procedures to follow:

1. Contact the Hockey Director if you have not done so.
2. Contact the Director of SafeSport and Compliance utilizing the attached reporting form.

**Reporting hockey director issues/concerns:**

If you feel you have attempted to work out an issue with the hockey director and do not feel you have been treated fairly, have not received adequate information, there are immediate safety concerns or privacy issues, or the issue is not being properly handled, here are the procedures to follow: Contact the Director of SafeSport and Compliance and/or Vice President of Hockey Operations utilizing the attached reporting form.

**Reporting parent issues/concerns:**

If you have witnessed inappropriate behavior by a parent of the Association and feel the behavior rises to the level of violations of the parent code of conduct, please follow these procedures: Contact the Direct of SafeSport and Compliance utilizing the attached reporting form.

**Reporting board member issues/concerns:**

If you feel a board member has violated the board member code of conduct, your options would be to contact the WFHA board president, be placed on the monthly board agenda to address your concern directly with the entire board, and/or contact North Dakota Amateur Hockey and/or USA Hockey.

\*\*If you do not feel any of your concerns or issues have been addressed properly by a coach, coordinator, hockey director, or board member, you can report the concern to the North Dakota Amateur Hockey Association or USA Hockey.

WFHA Board Contact Information: <https://www.westfargohockey.com/page/show/52969-board-of-directors>

North Dakota Amateur Hockey Contact Information: <https://www.ndaha.org/page/show/459664-board-of-directors>

USA Hockey SafeSport Contact: [safesport@usahockey.org](mailto:safesport@usahockey.org)

## West Fargo Hockey Association Compliance Report

*To be completed by Reporter:*

Name of person(s) involved:	
Team/Level	
Date/Time of Incident:	
Location of incident:	
Description of Incident: (for additional space, please fill out on page 2)	

Witnesses:	
Signature of Reporter(s):	

*By signing the above we realize that our anonymity will be protected. The form should be submitted to the WFHA Director of SafeSport and Compliance for review. If you feel this matter is deemed appropriate, you can bring grievances directly to NDAHA or USA Hockey for review.*

*\*\*\*Questions? Contact: Director of SafeSport and Compliance: [compliance&safesport@stampede hockey.club](mailto:compliance&safesport@stampede hockey.club)*

***To be completed by Compliance Committee/Director:***

Received by/date:		
Action Taken & Notes:	___ Verbal Warning: _____ ___ Face to Face Meeting: _____ ___ Assignment: _____ ___ Game/Practice Consequence: _____ ___ Suspension: _____ ___ Other: _____	
Signature of Participants:		Date:

***Additional***

***Information:*** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_