



LAHC Board Meeting Minutes  
August 29, 2022  
5:30 PM

Members Present: Liz Hamilton, Lindsey Moniz, Carlos Borjas, Bre Thompson, Kim Messersmith, RJ Ferguson, Scott Miller, Chelsea Janzen.

Minutes were approved from 8/9/22.

### **Josh DeBerard - Report from Northern Plains District Meeting**

- 3 new directors
- Voting percentage is based on USA Hockey registration numbers - Wyoming has 15%.
- Want to add goalies to Learn to Play with quick-change gear
- In the 4 state region numbers topped 20,000
- Team Wyoming will change play-offs to the end of October to be national-bound. Will have to get 14 games in by that time.
- Level 5 coaching clinic will be in Massachusetts May 20-23, 2023
- Updates made to Bylaw 10 - Disciplinary Hearings (information at the end of these meeting minutes)

### **Presentation by Dru with Dru & Lindsay Photography**

- Following presentation, board approved to accept their proposal for this year's photos
  - Lindsey will need to put together a Google form to gather email addresses for those interested in purchasing individual photos.
  - Copy of proposal available [here](#)

### **Old Business**

- Jersey refund check has not been received.
- New helmets have been picked up and are at the rink.
- 10U team won't play WAHL games and will play in Colorado.
  - 2 teams - Advanced & Developmental

### **Scholarships**

Scholarship applications were reviewed and approved by the board.

### **Cutthroat Registration**

RJ agreed to work with Chad Forsman to roster the Cutthroats Teams for this season.

### **WAHL Game Scheduling**

WAHL has asked clubs about centralizing the scheduling process through their board. They're going to try it this year using a form that will be emailed to each club to gather information. If that doesn't work, they will have a scheduling meeting at the end of September/first of October

as they have in the past. Chelsea expressed concerns about this process as she's not sure it can account for nuances at each rink (example: we don't schedule home games during UW home football games that effect availability at hotels and restaurants). She will provide an update at the next board meeting.

### **September 27 Meeting**

- Need to finalize the budget and a few other financial pieces for the 2022-23 season. Kim emailed and asked everyone to review that information ahead of the September board meeting.

### **Next Meeting**

September 27 at 5:30 p.m.

## USA Hockey Frequently Asked Questions - Hearings

It should be noted that when in doubt the USA Hockey Annual Guide and / or the USA Hockey Rule book should be referenced for the administration of hearings, suspensions, discipline, rules and regulations. The USA Hockey Annual Guide Bylaw 10 specifically addresses hearings. Additionally, the governing Affiliate or District should be consulted for clarification.

### HEARINGS

1. **When does discipline require a hearing?** – *There are exceptions, but before someone is to be disciplined or suspended, an opportunity for a hearing is generally required. A common example of an exception is where the USAH Rulebook identifies the suspension length for various Match Penalties if the member doesn't request a hearing. Another less common exception is a Summary Suspension. Refer to the USA Hockey Annual Guide regarding the appropriate situations and process for a Summary Suspension.*
2. **Do all Member Programs have authority to conduct hearings?** – *Unless USAH or the applicable Affiliate rules restrict the Member Program's authority or jurisdiction for a hearing, then Member Programs that are recognized and in good standing with their respective Affiliate have authority to conduct hearings for discipline within their program.*
3. **Do all hearings need to follow Bylaw 10?** – *Yes*
4. **Who investigates alleged violations in advance of a potential hearing?** – *The applicable governing body may assign an investigator that is reasonably disinterested and impartial and has no interest in the outcome of the hearing. The responsibilities are to gather the facts, present the facts to the governing body and provide a recommendation for action if requested to do so. The investigator may also appear at the hearing to present the facts discovered in the investigation. The investigator shall not be part of a hearing panel on a matter he or she investigated.*
5. **What is the difference between a meeting and a hearing?** – *A meeting might take place to discuss a situation, including whether to proceed to a hearing, and may or may not include the parties. A right to a hearing is required if there is a potential for disciplinary action or suspension to arise as a result.*
6. **Is there such a thing as an informal hearing versus a formal hearing?** – *No, a governing body may have a meeting to discuss a situation. However, if discipline such as a suspension or probation is a possible consequence, then a person must be given a right to a hearing and the Bylaw 10 requirements for a hearing must be followed.*
7. **Can a USAH member waive their right to a hearing?** – *Yes. A person may decide not to attend a hearing, in which case the Hearing Panel may go on with the hearing in the person's absence, and may determine facts and conclusions and issue a decision based on the determinations made at the hearing.*
8. **Can an Affiliate enter into a "stipulation" with a USAH member to impose discipline?** – *Yes, following an investigation, an Affiliate may determine that it intends to hold a hearing and seek certain discipline (e.g., a suspension for a certain period of time or number of games plus probation, etc.); the Affiliate may advise the person of the suspension it intends to seek, and the Affiliate and person may agree to forego the hearing if the person accepts the recommended discipline. Any such stipulation on discipline must be documented in writing and should include that the party has waived their right to a hearing, accepts the discipline imposed, and that the person cannot appeal. If no agreement is reached, then any Affiliate personnel involved in such discussions cannot be part of any hearing or appeal panel.*
9. **Can a Lawyer represent a USAH Member during a hearing?** – *A USAH Member 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 at the hearing.*

**10. Can a USAH Member have witnesses during a Hearing?** – Yes, or a written statement may be submitted directly to the Hearing Chairperson. The Hearing Chairperson should set rules in the hearing notice related to the appearance of witnesses to appear and documents to be submitted to the hearing panel.

**11. Can a party to the hearing question the witnesses during a hearing?** – Only if allowed by the Hearing Panel. Usually, a witness is questioned by the Hearing Panel after they have presented their statement. The party to the hearing may request that the chairperson ask particular questions.

**12. Is an adult required to be with a youth member at all times during a hearing?** – Although it is not addressed in Bylaw 10, it is good practice to have the parents' permission when a youth member is being interviewed or participates in a hearing.

**13. Do all Affiliates have the same policies or procedures regarding hearings?** – No, Affiliates are permitted to have additional or complimentary rules that do not conflict with Bylaw 10, but all Affiliates must follow USAH Bylaw 10.

**14. Can a party to the hearing question the person that investigated a situation during a hearing?** – Generally, yes. The Hearing Panel can make that determination unless specifically addressed by the respective Affiliate rules.

**15. What rules of confidentiality apply to a hearing?** – All matters pertaining to a hearing should be kept confidential, except the outcome of the hearing must be provided to all parties to the hearing. The Chairperson may forward information to a governing body as needed. It varies depending on the situation and immediate governing body. The rules pertaining to hearings involving Safe Sport matters may also apply.

**16. Is there a maximum length of a suspension that a hearing committee can award?** – No, unless specified by Affiliate or USAH rules.

**17. What happens if a party subject to discipline won't attend a hearing?** – The Hearing Panel can proceed with the hearing without the person that may be disciplined, providing reasonable attempts have been made to accommodate the Member.

**18. Can an Affiliate give the authority to conduct hearings to a Panel that does not include any members of the Affiliate Board of Directors or USAH?** – Yes, this is the course of action recommended when it is difficult to find persons in the Affiliate that do not have a conflict of interest. In any case, members of Hearing Panels should be individuals that have experience with USAH and its rules.

**19. If a USAH Member misses the deadline for requesting a hearing, can the governing body still allow for a hearing? As a follow up to that question, does the USAH Member have any recourse if they miss the deadline?** – The applicable governing body is not required to extend the deadline but may do so in its discretion if the circumstances are beyond the control of the individual.

**20. If a Member Program Board decides to conduct a hearing for the purpose of suspending someone on their respective board, can members of that board be reasonably disinterested and impartial?** – Maybe, depending on the circumstances. However, any potential Conflict of Interest should be documented, and if anyone believes they cannot be totally impartial they should recuse themselves. Any questions about whether a Board Member has a conflict of interest should be decided according to the principles of USA Hockey's Conflict of Interest Policy. If the party subject to suspension objects that someone on the hearing panel has a conflict of interest prior to the commencement of the proceeding,

*whether a conflict exists should be decided and a replacement named if necessary. This lessens / removes the issue of conflict of interest going forward.*

**21. Is there a set procedure regarding the handling of 411 Suspensions?** – *When hearings are required, they shall be conducted following Bylaw 10; the respective Affiliate can provide the specifics regarding their procedure.*

**22. How much notice is required for a hearing?** - *Bylaw 10 requires the hearing authority to provide notice at least 7 days in advance of the hearing. The party that is subject of the hearing may waive the 7-day notice requirement and request a hearing sooner; any waiver should be received in writing.*

**23. Must a hearing be held in-person only?** – *No, video conference is acceptable and encouraged as the hearing can be record.*

**24. How soon is there a notice of decision?** – *The Hearing Panel shall use reasonable efforts to render a decision within 5 business days and deliver a written decision within 15 business days of the hearing or close of the record, whichever is later.*

**25. What documentation should the Hearing Panel maintain?** – *It's recommended that the Hearing Panel make a record of all documents and witnesses that participate as well as any individuals at the hearing. It is also a good practice to record the hearing.*

**26. Is there a discipline guideline for various offenses?** *The USAH Rulebook outlines discipline for some rule violations. Other discipline should be reasonable and proportionate to the offense, consistent with other discipline the authority has imposed in similar matters. The panel should also consider if the offense is a first offense in making its decision.*

