

Bylaws

Colorado State University Men's D2 ACHA Hockey Club

By-Laws

Original Dated: February 18, 2020

ARTICLE I: Title and Purpose

A. Title

Section 1. The name of this organization shall be Colorado State University Men's D2 ACHA Hockey Club

B. Purpose

Section 1. It is the intent of the CSU D2 Men's Hockey Club to foster and support local, national and international amateur sports competition by encouraging and assisting college hockey. The emphasis of this club shall be to educate, encourage and improve the standards and conduct of amateur ice hockey at the college level.

Section 2. To develop, encourage and regulate the game of ice hockey as a college sport for the benefit of, and exclusively for, students of CSU, so that the sport is made available to more students at the lowest possible cost.

Section 3. To develop and encourage sportsmanship and playing proficiency by all college member players involved in the sport of ice hockey at the ACHA level.

Section 4. To encourage academic and athletic excellence in all college hockey players.

C. Basic Policies

Section 1. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislations, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Section 2. The Club is organized exclusively for the charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code (the "Code") [36 U.S.C. 501] as now in effect or hereinafter amended, including, but not limited to, carrying on an instructional, educational and recreational hockey program for its eligible players, receiving charitable contributions where allowed by applicable state and federal law, and doing any act necessary and proper to further the foregoing purposes. The Club is an organization structured under the rules and regulations of the American Collegiate Hockey Association, (ACHA).

Section 3. The Club shall not carry on any activities that are not permitted to be carried on: (A) by corporations exempt from federal income tax under Section 501(c)(3) of the Code; (B) by corporations, contributions to which are deductible under Section 170(c)(2) of the Code (or the corresponding provision of any future United States Internal Revenue Service laws).

Section 4. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more non-profit organizations to be recommended by the Board of Directors and approved by 2/3 of the members at the time of the dissolution.

ARTICLE II: MEMBERSHIP

A. Eligibility:

Section 1: Membership in the Club shall be open to persons attending in good standing Colorado State University and who qualify as a Player.

B. Player Members

Section 1. Player Members must:

- a. Be rostered players who are currently enrolled and are in good standing at Colorado State University; and
- b. Read, accept, sign and abide by the Colorado State University Club Code of Conduct, as approved by the Board, and be supportive of the objectives of the Club, as determined within the sole discretion of the Board.

C. Voting Rights

Section 1. Player Members are non-voting members of the Club.

D. Termination of Membership

Section 1. Any member who is no longer eligible (Article II.A.) or is notified by the Board to be in default for nonpayment and fails to cure the default by the terms set forth by the Board, shall cease to be a member of the Club.

ARTICLE III: BOARD OF DIRECTORS ("the Board")

A. Board Membership

Section 1: The Board will consist of no fewer members than 5 and no more than 9 voting members.

Section 2: Election to the Board shall be made by nomination from existing Board members.

Section 3: A nominee for election to the Board, must receive a majority of votes from voting Board members in order to be elected.

Section 4: Once elected to the Board, the member shall hold his/her position until:

- a. The member resigns
- b. April 1st, next seasons officers are elected
- c. The member is removed by unanimous recall vote of other Board members:
 - i. At least one of the members must sign a petition requesting recall of a Board member. A copy of that petition must be submitted to the member whose recall is being requested.
 - ii. Board recall voting shall be by secret ballot within 30 days of the petition filing.
 - iii. A removed member shall immediately be divested of Board authority.

Section 6: To be nominated and elected to an Officer position, the team member must have been rostered to the Club the prior season (Both semesters).

Section 7: Board compensation is \$0.00. No Board member shall accept compensation or a form of compensation, such as reduced fees, for his/her Board participation. The Board of the Club is comprised of volunteers.

Section 8: An Executive Board shall consist of the President, Vice President, Treasurer, Registrar and Risk Manager.

B. The Board of Directors shall consist of a:

- a. President

- b. Vice President
- b. Treasurer
- c. Registrar
- d. Risk Manager
- e. Members At-Large

Members of the Board may be added by majority approval of the Board, if necessary, in order to achieve the objectives of the Club.

C. Board Member Responsibilities and Duties

Section 1. President

- a. Call all Board meetings, and act as presiding officer.
- b. Attend league meetings or designate someone on his behalf
- c. Ensure matters requiring Board vote are addressed accordingly
- d. Generally fulfill tasks assigned on Board approved tasks list for this role.

Section 2. Vice President

- a. Attend Board meetings.
- b. Act on behalf of the President in his/her absence
- c. Conduct the annual election process for Board elections.
- d. Generally fulfill tasks assigned on Board approved task list for this role.

Section 3. Treasurer

- a. Attend Board meetings
- b. Collect all player dues
- c. Pay all Club expenses
- d. Prepare budgets and monthly reports for full Board.

e. Keep an accurate record of all receipts and disbursements which is a permanent record of the Club. All financial records must be retained for six years, including the current year.

f. Possession of the team card for team expenses only (taking money out of atm to tip bus driver; pay for team meals, pucks, water bottles, and other team equipment). Only person allowed to make purchases with this card.

g. Generally fulfill tasks assigned on Board approved task list for this role.

Section 4. Registrar

a. Attend Board meetings.

b. Determine the eligibility of all players.

c. Administratively coordinate the tryout process with the Rink scheduler.

d. Oversee the registration process for all participants, including but not limited to, all completed applications and waivers.

e. Register team members with ACHA.

Section 5. Risk Manager

a. Coordinate meetings with guest speakers to talk about risk management

b. Communicate with Student Leadership, Involvement and Community Engagement (SLICE) if deemed necessary

Section 6. Members at Large

a. Attend Board meetings.

b. Perform support duties as assigned by Board

c. Support Team Manager efforts.

d. Generally fulfill tasks assigned on Board approved task list for this role.

D. Executive Board

Section 1: Subject to the authority of the Board, the Executive Board shall have all the powers of the Board of Directors when the Board is not in session and may take action in the same manner as the Board may take action.

Section 2: Any action taken by the Executive Board may be subject to review and approval of the Board and the minutes of the Executive Board shall be presented to the Board at the next scheduled meeting of the Board.

Section 3: The Executive Board shall not have the authority of the Board to:

- a. amends, alter or repeal the Club By-laws;
- b. appoints or removes any Board member or officer;
- c. authorizes the sale, lease, exchange or mortgage of part or all of the assets of the Club;
- d. authorizes the voluntary dissolution of the Club or to revoke proceedings therefore;
- e. amends, alter or repeal any resolution of the Board which by its terms provides that it shall not be amended, altered or repealed by said Executive Committee.

E. Meetings of the Board

Section 1. The Board shall endeavor to meet monthly when school is in session.

Section 2. Notice of meeting shall be posted to the Board Members.

Section 3. The President may call for special/unscheduled Board meetings or votes.

Section 4. Board meetings are closed to General Members.

Section 5. A simple majority of the Board represents a quorum.

F. Decisions of the Board

Section 1. No party other than the Board and its duly assigned Members may cast votes or otherwise enter into binding decisions on behalf of the Club, including but not limited to, those issues relating to ACHA, BMHC, ice usage agreements, or coaching contracts.

Section 2. In the event of a tie for matters that require a vote, the Board President's vote shall be the deciding vote.

Section 3. The Board shall maintain exclusive rights to hire/fire coaching staff, determine coaching compensation, and otherwise name those individuals who have access to players in a coaching or leadership capacity on behalf of the Club.

G. Risk Management

1. It is the officers' responsibility to inform all of the club members of the bylaws that the club is built on.
2. All club members must agree to the bylaws before joining the club. If a member sees an issue with the bylaws, contact the president to discuss the situation.
3. In the event of an injury, dependent on the severity, it is the members choice of whether or not they would like to continue playing.
4. If a member shows any signs of a concussion, they will be given medical attention and be restricted from participating in practice and games.
5. Each member is responsible for their own source of travel to any practices or conference games. Travel outside of the state/conference all members are required to take the transportation provided by the team, unless other arrangements are made prior to the trip and are approved by the board.

H. New Officer Preparation

1. If a current officer does not plan to continue in their position, they must find another member to fill their position.
2. The current officer must make their decision at least one semester prior to their departure and train them sufficiently.
3. The current officer must ensure that their replacement is sufficiently prepared to take over their role in the club. To do this, the officer must educate the future officer on the duties of their role.
4. Once the officer feels their preparation is finished, they must review the new officer's knowledge and capability to fill the position with the current president of the club.

ARTICLE IV: CONFLICT OF INTEREST

No Board Member shall participate in the discussion or vote on any matter in which the Member has a material or financial interest in the outcome of an issue. Additionally, no Member of the Board shall participate in the discussion or vote on any matter in which the Member has a conflict of interest. Members shall declare any known potential conflicts, which shall be resolved by the Board.

ARTICLE V: STANDING COMMITTEES

A. Rules & Ethics

- a. Board Member to chair with 2 appointed Members.
- b. If a designated committee is not or cannot be formed, the full Board shall act as the Rules & Ethics Committee.
- c. Committee shall make recommendations to the full Board regarding infractions of By-Laws and Colorado State University Club Code of Conduct of any Members.
- d. Board enforces By-Laws and Policies prior to next scheduled game.
- e. Player has a right to be heard by the full Board prior to the decision of the Board.

B. Rules for Hazing

It is the policy of the Club to ensure that all members feel included and safe in any and all circumstances. The Club will carry out no activities that ostracize any of the new or current members of the Club. Any new member or student showing interest in the club will be treated with the utmost respect and not be pushed or forced to do anything that they do not want to do. Once a member has joined the club, they will be treated the same as any other member of the Club. Because hazing is taken very seriously as a club the first offence will lead to that club member being kicked out of the club with no ability of joining back.

C. Rules for Alcohol Use

It is the policy of the Club to ensure that there is no alcohol consumption at any club gathering. This applies to members of the Club that are above the legal drinking age as well. This applies to any and all trips that the team takes together.

First Offence: A warning from the president and coach

Second Offence: A two-week suspension from any and all club activities

Third Offence: The club member will be kicked off the team immediately

For extra information about Colorado State Universities hazing and alcohol policies please visit the following websites:

- <https://resolutioncenter.colostate.edu/wp-content/uploads/sites/32/2018/08/Student-Conduct-Code-v2018.pdf>
- <https://endhazing.colostate.edu/>
- <https://endhazing.colostate.edu/resources/>

ARTICLE VI: OPERATING POLICIES AND PROCEDURES

A. Fees

- a. The Board shall determine appropriate fees and payments schedules as necessary or the activities of the Club. Fees include player fees, tournament fees, sponsor contributions, and other necessary fees. Try-out fees are fixed and non-refundable, regardless of how many try-outs the player attends.
- b. Any player not attending try-outs shall not be eligible for that season's play without majority approval by the Board.
- c. The Treasurer shall collect and deposit fees into the team's bank account for future team expenses.
- d. Fees are payable when due and non-refundable. If payment is not received within 30 days of the due date the player shall immediately be suspended until paid in full or a hardship request is approved by a majority vote of the board. Hardship requests must be submitted and signed by the player (must be of legal age). It must include the reason for the hardship request and a payment plan that does not extend beyond the date of the last game of that season. If payments are not received as outlined in the board approved hardship request the player will be suspended until payments are brought up to date. Hardship requests will be kept confidential by both parties. Players may be reported to Colorado State University for non-payment by majority vote of the Board if payment in full is not received.
- e. The Board may consider requests for fee adjustments or refunds on a case-by-case basis. The decision shall be determined by a majority vote of the Board.
- f. No player shall be allowed to register with fees past due.
- g. The Club shall proceed with collection activity to follow its own rules.

B. Contracts, Checks, Deposits and Funds

Section 1. Checks, Drafts, etc. - All checks, drafts or other orders for the payment of money, notes, or other evidences on indebtedness issued in the name of the Club, shall be signed but such officer or officers in such a manner shall from time to time be determined by resolution of the Board.

Section 2. Deposits – All funds for the Club shall be deposited from time to time to the credit of the Club in such banks or other depositories as the Treasurer, with the approval of the Board, may select.

Section 3. Gifts – The Board may accept on behalf of the Club any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Club.

Section 4. Fiscal Year. The fiscal year of the Club shall be a twelve-month period beginning on September 1 and ending on the last day of August 31 of the following year.

Section 5. Reimbursements – Funds shall be provided to pay for out-of-pocket or other necessary expenses incurred on behalf of the Club. The Treasurer may reimburse all expenses less than \$250 without Board approval. The Board must approve all expenditures for \$250 or above that have not been previously budgeted and approved by the Board. All reimbursement requests must be accompanied with proper receipts or documentation.

Section 6. Loans – No loans shall be contracted on behalf of the Club, and no evidences of indebtedness shall be issued in its name unless authorized by Board resolution.

Section 7. Contracts – The Board must approve all contracts entered into on behalf of the Club.

C. Books and Records

Section 1. General – The Club shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board and committees having any of the authority of the Board, and shall keep the registered or principal office of a record giving the names and addresses of the members entitled to vote. All books and records of the Club may be inspected by any Board member for any proper purpose(s) at any reasonable time.

ARTICLE VIII: SEXUAL AND PHYSICAL ASSAULT

It is the policy of the Club that there shall be no sexual and/or physical abuse of any participant involved in or associated with any and all activities organized and sponsored by the Colorado State University Club, by its officers, directors, employees, members or independent contractors. Sexual abuse of a participant shall be deemed to occur when an officer, director, employee, member or independent contractor touches a participant for purpose of causing the sexual arousal or gratification of either the participant or the officer, director, employee, member or independent contractor. Sexual abuse of a participant also occurs when a player touches an officer, director, employee, member or independent contractor, for the sexual gratification of either the participant or the officer, director, employee, member or independent contractor, if the touching occurs at the direction, request or with the consent of the officer, director, employee, member or independent contractor. Physical abuse shall be deemed to occur when an officer, director, employee, member or independent contractor has physical contact with a participant that intentionally causes or intentionally creates a threat of immediate bodily harm or personal injury. Physical abuse shall not include physical contact that is reasonably designated to coach, teach or demonstrate a hockey skill or technique. Conduct may include, but is not necessarily limited to, shooting pucks at a goaltender,

demonstrating checking and other hockey skills and communicating with or directing participants during the course of a game or practice, by touching him in a non-threatening, non-sexual manner. It shall be the policy of the Club to refer all complaints of such sexual and/or abuse to the appropriate governmental authorities. The Club may, in its discretion, initiate administrative action against the individual complained of, and may permanently ban or suspend said individual from the Colorado State University Men's D2 Hockey Club if the allegation is proven to be true.

ARTICLE IX: Hazing

It is the policy of the Club to ensure that all members feel included and safe in any and all circumstances. The Club will carry out no activities that ostracize any of the new or current members of the Club. Any new member or student showing interest in the club will be treated with the utmost respect and not be pushed or forced to do anything that they do not want to do. Once a member has joined the club they will be treated the same as any other member of the Club.

ARTICLE X: Alcohol Use

It is the policy of the Club to ensure that there is no alcohol consumption at any club gathering. This is a zero-tolerance policy for the Club. This applies to members of the Club that are above the legal drinking age as well.

ARTICLE XI:

These By-Laws may be altered or amended by an affirmative vote of not less than 60% of the Board of Directors.