

Rules Committee Report 2013 Spring Meeting

rev. 1 04/01/2013



The Mn Hockey Rules Committee met on Tuesday, March 12, 2013. Modifications to the Bylaws, Youth Rules, Affiliate Agreement and Screening Policy are proposed, as shown below.

Bylaws Changes

B1. Add verbiage indicating who has authority to sign Affiliate Agreements.

ARTICLE 4 – MEMBERSHIP

[B1] | **AFFILIATE MEMBERS:** Any hockey community, association or group whose teams wish to participate in MH must sign a MH Affiliate Agreement and pay annual fees in an amount established by the Board of Directors to become an affiliate member. **The District Director or Director responsible for the group (Juniors, Adults, Women, Disabled, etc.) has the authority to sign the Agreements. In special cases, the President may appoint someone to sign an Affiliate Agreement(s).** Affiliate members shall have the right to vote for a director from the district in which the member has been assigned by the Board of Directors. Each affiliate member shall be entitled to select one representative who shall thereupon be a member of this corporation and shall be entitled to cast votes in the District Caucus for the purpose of electing the District Director, according to the affiliate's number of registered participants. Affiliate members may advertise or make known their affiliation with MH.

B2. Add verbiage indicating where to find committee charters, and add Disabled to the list of committees not requiring two District Directors as members.

ARTICLE 7 – BOARD OF DIRECTORS

[B2] | **Committees:** The President shall have the right to require the formation of committees to handle various aspects of MH activities and operations. For each committee, the President shall appoint (or consent to the committee's appointment of) a chairperson(s). **Committee Charters will be listed in the handbook or posted on-line.** Each committee shall have at least one Maroon and one Gold District Director as members, with the exception of the Adult, Audit, **Disabled**, Juniors, Screening and Women's committees. Committees shall meet and discuss matters under their purview on an as-needed basis. In general, committees are responsible to ferret through details, make reports to the Board on their activities, and make requests for official Board action as required. The President may assign certain items to the entire Board of Directors, in which case the Board acts as a Committee of the Whole.

B3. Current Bylaws allow submitted changes to the Governing Documents to be amended by the Rules Committee at the Saturday meeting so that we don't have to work the amendment(s) out on Sunday. However, the current Bylaws do not allow the committee to withdraw a submitted proposal. Propose to add ability to withdraw submitted changes.

B4. Need a simple statement about understanding that Handbook mistakes can happen. The Rules Committee proposes that the group closest to the problem be empowered to resolve it, with concurrence of the President (Board approval not needed).

ARTICLE 11 – AMENDING/ADOPTING GOVERNING DOCUMENTS

[B3]

4. Amendments

- a. Proposals to adopt or amend Governing Documents that ~~have been submitted and distributed~~ **the Board is slated to consider** may be **amended or withdrawn by the** ~~changed in either of the following circumstances:~~
- ~~a.~~ The Rules Committee, or other Committee proposing the change, ~~may amend the language~~ with a 2/3 majority vote of the Committee ~~members present.~~
- b. Once the proposal is on the floor, the language may be amended by a 2/3 majority vote as described in the Article entitled "Meetings" hereinbefore.

[B4]

7. Care is taken to ensure that the Handbook is accurate and in agreement with the various content owners' direction. In the event that errors are made or changes are needed to material printed in the Handbook, excluding Governing Documents, corrections or modifications can be made by the group closest to the issue. Such changes would typically be determined at the Committee or Vice President level, and submitted to the President for concurrence (Board approval not required).

Youth Rules Changes

R1. Our Youth Rules currently allow membership for "any Native American who has a Certificate of Indian Status" without requiring that they must also live within the physical boundaries of the State of Minnesota. The below proposed change would clarify this.

III. CITIZENSHIP AND AGE REQUIREMENTS

[R1]

- C. EXCEPTION: A player who is a non-United States citizen but is a legal resident of the United States as evidenced by such documentation as; a non-expired Resident Alien card or a non-expired Visa of the Type/Class that allows for residency, or who is a resident student from outside the United States, is eligible to compete. Any Native American who **is a Minnesota resident and** has a Certificate of Indian Status is also eligible.

R2. Our current rules do not allow players switching programs during the first year they attend a new school to play at higher than the B level. In associations that have both "AA" and "A" level teams, this forces them to their "third" team. It is proposed to modify the rule to say that players switching programs during the first year they attend a new school cannot play at highest level the association offers.

IV. PARTICIPATION

5. Changing Schools

- [R2]
- a. Players who change schools without a related change of residence shall elect one of the following:
 1. Have full eligibility to compete at any classification in their Association of Residence; or
 2. Have full eligibility to compete at any classification in their Association of School Attendance if they completed the grades offered in the school they were previously attending; or
 3. Be eligible at ~~the "B"~~ **all except the highest** classification ~~or lower~~ in their new Association of School Attendance for one (1) year beginning with the first day of attendance in the new school if they did not complete the grades offered in the school they were previously attending.
 - b. Players who have participated in their Association of School Attendance and desire to return to their Association of Residence without a related change of school shall elect one of the following:
 1. Have full eligibility to compete at any classification with their Association of School Attendance for one (1) year beginning with the first day that they notify in writing both involved associations of their intent to return to their Association of Residence; or
 2. Be eligible at ~~the "B"~~ **all except the highest** classification ~~or lower~~ in their Association of Residence for one (1) year beginning with the first day that they notify in writing both involved associations of their intent to return to their Association of Residence.
 - c. For purposes of this rule, a team that is eligible to participate in "AA" level playoffs at the end of the season will be considered a higher classification than a team within the same association that is eligible to participate in "A" level playoffs.**
 - d.** Submit unusual circumstances to the District Director for determination. The Director's decision is final.

R3. Teams with no similarly classified teams in their vicinity have to travel for games. They can go to tournaments to get games but this becomes expensive, especially due to hotel costs. In some cases they would like to take a trip and play three games in one day (maybe 9:00a, 1:30p and 6:00p) and head home. This is not allowable under our present team rest rule. At the Winter 2013 Meeting, it was proposed to add an exception where three games can be played in one day in cases of limited competition with the approval of the involved District Director(s). Based on Board reaction, this was withdrawn and referred to the District Directors and Safety Committees for review. The DD's were mixed in their feelings about it, and Safety was against it. The proposal is being resubmitted to the Board for final action.

VIII. PLAYING RULES

- [R3]
- L. **Team Rest** - Teams shall not participate in more than two (2) on-ice activities per day, nor shall they participate in more than one tournament at a time (no overlapping days). On-ice activities include games, exhibition games and/or practices. There shall be a minimum of three (3) hours between on-ice activities on the same day and ten (10) hours between on-ice activities on consecutive days. The time is from the end of one on-ice activity to the beginning of the next. Exception **#1** – For Mites, the time between activities can be reduced to 1½ hours. **Exception #2 – in cases of limited competition, three games can be played in one day with the approval of the involved District Director(s).**

R4. The following changes are proposed to bring MH in compliance with the USAH ADM program. A waiver from the standard ADM requirements has been requested and granted. The last segment on Jamborees is presently located in the Invitational Tournament section of the Youth Rules. If approved, it will be deleted from the Invitational Tournament section.

- [R4] F. MITE HOCKEY – MH strongly encourages the skill level development of all players, especially at the entry level. Therefore, the following is effective for the Mite level. **This is particularly critical at the Mite level so that players are provided with the foundation to enjoy and have success in the game.**
1. **In an effort to reduce travel expense and promote development rather than competition,** Mite teams shall participate within their **home association and** district only, ~~except.~~ **On an exception basis,** the District Director(s) may, for convenience or to maintain continuity, permit a team to play outside the district. The District Director's decision is final.
 - ~~2. Cross ice, ½ ice and small area games are recommended for Mites to increase ice time, puck touches and skill development. Using the ADM model as a guideline, Districts and local associations shall establish a maximum number of games, not to exceed 15 full ice games. The above policies will be monitored by each local association and District. Failure to comply will result in sanctions against the respective association as determined by MH.~~
 2. **Mites are generally organized into levels based on age, skill and the number of Mite players in the association. As a guideline, Mites should be divided into two levels: Mini-Mites (6 and Under) - the younger, beginner and less skilled players; and Mites (8 & Under) - the older, experienced, more skilled players.**
 3. **The focus for Mites is to teach and develop the basic skills of skating, puck handling, shooting and passing. Accordingly, cross-ice, ½ ice and small area games (Red, White and Blue) are recommended to maximize ice utilization, increase puck touches and increase the competition and fun. The American Development Model (ADM) provides the overall blueprint for player development.**
 4. **At the Mini-Mite (6 and Under) level – all games shall be played cross or half ice.**
 5. **At the Mite (8 and Under) level – games during the first half of the season (before December 31st.) should be played cross or half- ice. During the second half of the season there shall be no more than 10 full ice games, unless approved by the District Director and the decision of the District Director is final.**
 6. **Local hockey associations are in the best position to design their programs to provide an experience where players can develop and have fun. This should be based on the principles of ADM, Red, White and Blue, the number of players in their program, the skill of their players, the availability of ice and their coaching staff.**
 7. **In recognition of a need for flexibility and differences between associations, the guidelines outlined in #4 and #5 above will be monitored by the District Director. Abuses will result in sanctions against the respective association(s) at the sole discretion of the Director.**
 - ~~8.~~ MH does not permit Mite Tournaments. MH Mite teams cannot participate in out-of-state tournaments.
 9. **Jamborees may be conducted at the Mite level. A jamboree is defined as a low-key full participation event where players have an enjoyable and learning experience in a non-competitive environment. Jamborees need not be registered as tournaments, but must follow the “Team Rest” provisions as provided for under “Playing Rules”. The format for a Jamboree shall be as follows:**
 - a. **Approval to conduct a Jamboree must be obtained from the cognizant District Director at least thirty (30) days in advance.**
 - b. **All teams must be from a single MH District, unless approved in writing by the MH Directors involved.**
 - c. **Information referring to the event must state “Jamboree”, not tournament.**
 - d. **Team fees can cover only the costs for ice time, officials, medical attendants and participant awards.**
 - e. **There can be no gate fee. A free-will donation box will be permitted.**
 - f. **USA Hockey certified officials must be used.**
 - g. **No score may be kept, no winners, no losers, no standings. This will generally require a predetermined round-robin format to be followed.**
 - h. **No statistics may be kept, such as shots, saves, goals, assists, time of possession, etc.**
 - i. **Participation awards, if presented, shall be the same for all participants. No team awards or trophies.**

Affiliate Agreement Changes

AA1. The current in-season Affiliate Agreement requires that our associations be non-profit. This works well for our "Minnesota Model", but this provision would prevent a for-profit organization from affiliating with us. This could be construed as limiting membership in MN Hockey, and presents a potential anti-trust argument. This was referred to Casey Jorgenson for guidance – he made the following recommendations as to how we should craft this language. If passed, these changes should be effective immediately (any new Affiliate Agreements).

IV. AFFILIATE AGREEMENT

This Agreement, made and entered into this ____ day of _____, __, by and between Minnesota Hockey, Inc., a Minnesota non-profit Corporation with its principal place of business located in, St Paul, MN (hereinafter referred to as MH) and the

(Name of Association) _____

(Address) _____

(Town and Zip Code) _____

a ~~non-profit Corporation~~ _____ with its principal place of business located in the city of

(type of legal entity)

_____ in the State of Minnesota, (hereinafter referred to as the Affiliate)

(Name of City)

for and in consideration of the mutual covenants and agreements herein contained.

F. Publication of Constitution and By-Laws

If the Affiliate **is a non-profit corporation, it** shall annually distribute to its members, upon request, copies of its constitution, By-Laws and other governing documents, and all amendments thereto.

J. 501(c)(3) Status

Minnesota Hockey strongly recommends that the Affiliate ~~should at all times during the term of this Agreement~~ maintain its tax exempt status under Section 501(c)(3) of the Internal Revenue Code **during the term of this Agreement.**

Screening Policy Changes

SP1. Section 4(C)(3) currently says that the person may apply for reinstatement if more than TEN years have elapsed. The Screening Committee believes this should be a lesser time frame ... say two or three years. In effect, it is presently no less stringent than what is required for a 4(A) crime. This proposed change would not only be more fair to those DQ'd under 4.B., but it would give the Committee a bit more latitude to render fair decisions on the bubble crimes. As it stands, we've often reinstated someone because we thought 10 years was too severe.

Section 4. Standard for Participation of MH and its associated organizations

- A. A person **shall be** disqualified and prohibited from participating in screened activities, if...
- B. A person **may be** disqualified and prohibited from participating in screened activities if...
- C. Notwithstanding the provisions of Sections 4.A. and 4.B. above:
3. In the event a person has been disqualified under Section 4.B. above, that person may apply, in
- [SP1] writing, to the Committee for reinstatement if more than ~~ten~~ **three** years have elapsed since the conduct on which the disqualification was based occurred. **Further, the Committee may, in its discretion, review any reinstatement requests from disqualifications based on section 4.B.**

SP2. Under Section 7(C), a person who loses their appeal to the Screening Committee has a right to appeal to the "Screening Appeals Committee". What is the point of doing that if the second committee is simply going to rehear the same evidence the Screening Committee heard? In most law related cases, to be granted an appeal, you need to set forth some evidence of a procedural or factual error or misstep by the lower court that could be overturned upon further review. The Screening Committee proposes to add verbiage to the effect that a member whose disqualification appeal was upheld by the Screening Committee, and who believes that said Committee relied on factual or procedural errors in upholding the appeal, may appeal to the Screening Appeals Committee by detailing the factual or procedural errors which occurred. The MH President shall review the allegations of error and in his discretion determine if an appeal of the Screening Committee's actions be warranted. Then, if the president says no appeal, they can appeal to USA - just like a regular suspension of a coach.

Section 7. Appeals

- [SP2] C. A member whose appeal to the Screening Committee results in an adverse ruling **due to factual or procedural errors** may appeal to the Screening Appeals Committee of MH within 10 days of the receipt of the adverse ruling by the Screening Committee. The Screening Appeals Committee shall consist of five members, who shall be the MH President, the Minnesota or MH Risk Manager, and three members appointed by the MH President. No MH District Director shall serve on the MH Screening Appeals Committee. The appeal shall be in writing, addressed to the MH President, **and must detail the factual or procedural error(s) which occurred**. The Screening Appeals Committee shall hear such appeal within 30 days of the receipt of the written appeal. The appeal shall be heard at a place and time determined by the Screening Appeals Committee, and shall be in accordance with the rules and practices of MH, as set forth in Article 6 of the MH By-Laws. A decision on the appeal shall be given in writing, signed by the President of MH, and shall be rendered within 10 days of the hearing.

[End of Rules Committee Report]