



COWICHAN VALLEY THUNDER LACROSSE

Constitution and Bylaws

Cowichan Valley Lacrosse Association – CVLA is governed by Canada Lacrosse, BC Lacrosse, and Vancouver Island Minor Lacrosse Commission (VIMLC) and will always, abide by the Rules and Regulations of Minor Lacrosse set forth by these governing bodies.

Society Act of British Columbia – CVLA is incorporated under the Societies Act of the Province of British Columbia (Society# S0039706).

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CONSTITUTION

1. The name of the Society is the "Cowichan Valley Lacrosse Association".
2. The purpose of the Association is to:
 - a) Foster and promote minor lacrosse throughout the Cowichan Valley;
 - b) Coordinate the development of players through coaching and mentorship; and
 - c) To endorse fair play and sportsmanship and ensure the game of lacrosse is played in compliance with the playing and registration rules as mandated by the pertinent governing bodies of minor lacrosse.

BYLAWS

1.0 Definitions and Interpretation

1.1 In these Bylaws, unless the context otherwise requires:

- a) “Society Act” means the Society Act of the Province of British Columbia from time to time in force and all amendments to it;
- b) “Directors” mean the Directors for the Association for the time being;
- c) “Board of Directors” means the group of current Directors of the Association;
- d) “Association” means the Cowichan Valley Lacrosse Association;
- e) “Ordinary Resolution” means a resolution passed by the membership by a simple majority of the voting members;
- f) “Special Resolution” means a resolution passed by at least 2/3 of the votes cast by the voting members; and
- g) “Policies and Procedures” means the parameters, instructions, and steps by which the Association conducts its business and altered from time to time at the discretion of the Board of Directors.

1.2 The definitions in the Society Act, on the date these Bylaws become effective, apply to these Bylaws.

1.3 If there is a conflict between these Bylaws and the Society Act or the regulations under the Society Act, the Society Act, and its regulations, as the case may be, prevail.

2.0 Organization and Structure

2.1 The Association shall not have a Corporate Seal.

2.2 The uniform colours of the Association shall be a combination of black, white, and blue.

2.3 The By-laws of the Association shall not be altered except by special resolution. “Special” resolution shall mean a resolution passed by a three-quarters (3/4) majority of such members entitled to vote who are present at an Annual or General Meeting of which notice specifying the intention of proposing the resolution as a special resolution has been duly given 30 days prior.

3.0 Membership and Cessation

3.1 The following shall be eligible to be members of the Society:

- a. Any person who is interested in the general work of the Association;
- b. To become a member, an individual shall be the parent of a registered player of the Association or sign a register of members and pay the annual membership fee to be established by the Board from time to time; and
- c. Every member shall be obliged to support the Constitution of the Society.

3.2 A person shall cease to be a member of this Society:

- a. By delivering his written resignation to the Secretary of the Society or by mailing or delivering it to the address of the Society; or
- b. On his death or in the case of a corporation, on dissolution; or
- c. By being expelled pursuant to By-Law 3.4; or
- d. If fees or dues are payable, on failure to pay those fees or dues for Six consecutive months.

3.3 All members are in good standing except a member who has failed to pay his current annual membership fee, if any, or other subscription or debt due and owing by him to the Society.

3.4 If a time comes that a member in good standing must be expelled from CVLA, the following shall apply:

- a. A member may be expelled by a special resolution of a majority (50% + 1) of the members present at a general meeting.
- b. The notice of special resolution for expulsion shall be accompanied by a brief statement of the reason or reasons for the proposed expulsion.
- c. The person who is the subject of the proposed resolution for expulsion shall be given an opportunity to be heard at the general meeting before the special resolution is put to a vote.

4.0 Meetings

4.1 The Annual Meeting of the Society shall be held within 90 days of the Year End of the Society, with at least fourteen (14) days notice in writing given to all members.

4.2 General Meetings and Special Meetings of the Society may be called the President at any time during the year, or by a majority vote of the Board Members with at least fourteen (14) days notice in writing given.

4.3 Board Meetings shall be held at least once a month in January through July and bi-monthly during the remaining months with all Board Members given at least two days notice by telephone or e-mail:

4.4 Quorums at an Annual, General or Special Meeting of the Society Shall be fifteen (15) members.

4.5 Quorums at a Board Meeting shall be one-third of the Board Members of the Society

4.6 Every member, in good standing, present at an Annual, General, or Special Meeting of The Society shall be entitled to one vote on each resolution.

5.0 The Board of Directors of the Society

5.1 The Society shall be governed and represented by its Board of Directors (herein referred to as the "Board") and shall consist of the Executive Committee and of General Directors.

Executive Committee	General Directors
President	Registrar
Past President	Facility Coordinator
1 st Vice President	Equipment Manager
2 nd Vice President	Booster Club
Secretary	Head manager
Treasurer	Referee Coordinator
Head Coach	Website Coordinator
Head Referee	

5.2 A vacancy on the Executive Committee shall be filled by an appointment by the Executive (Board vote) and shall serve until the next AGM.

5.3 A vacancy within the General Directors shall be completed by an appointment by the President and shall serve until the next AGM.

5.4 The Board shall have the right to conduct a criminal record check of any Board Member, or volunteer of the Association and any such person is obligated to cooperate with such a criminal record check. Failure to cooperate will result in an automatic suspension of the subject until such time as the Board is satisfied with the conduct of the subject person.

6.0 Nominations and Elections

6.1 All potential candidates must be nominated by a Member in good standing, and be a Member in good standing themselves.

6.2 At least one (1) month prior to the Annual Meeting, the President shall appoint a Nominating Chairperson to prepare a list of nominations for each Executive Committee office. Further nominations may be made from the floor at the Annual General Meeting, but such nominee must be present or must have previously signified in writing his intention to stand for the office he has been nominated for.

6.3 An election for Executive Members shall be held at the annual general meeting. The President shall manage and control the elections, with the exception of the election for President, which will be managed and controlled by the 1st Vice President.

6.4 All elected terms shall be two (2) years. The division of elections shall be divided as follows:

Even numbered years	Odd numbered years
President	Past President
2 nd Vice President	1 st Vice President
Treasurer	Secretary
Head Referee	Head Coach

6.5 In the event that an executive position was appointed, as per Bylaw 5.2, the appointed executive position will stand for election at the next AGM for the remainder of the term.

6.6 Elections shall be conducted by secret ballot and the nominee polling the highest number of votes, being elected. In case of a tie, a new ballot shall be taken between the nominees that are tied.

6.7 The duties of the Executive shall commence upon completion of the AGM.

7.0 Descriptions of the Executive Committee

7.1 The President is the chief executive officer and oversees the affairs of the Association and provides supervision and direction to the Board of Directors, including standards of performance, sphere of control, and disciplinary action. The President can also participate in any committee “ex officio” as they so choose.

7.2 The Past President, the Immediate Past President (non-elected), shall perform the duties and carry out the responsibilities allocated or set by the President, if required by the President, and in an advisory capacity when requested by the President.

7.3 The 1st Vice President, in the absence of the President, shall have and exercise all the powers of the President. The 1st Vice President is responsible for lacrosse operations and is responsible for chairing the Discipline Committee.

7.4 The 2nd Vice President, in the absence of the President and the 1st Vice President, shall perform the duties of the President and 1st Vice President. This position will be responsible for the Association’s administration and the general financial affairs of the Association in compliance with the Society Act.

7.5 The Secretary shall attend all meetings and to keep an accurate record of the minutes of all meetings of the association, conduct and record all correspondence of the association and notify all members of the date, time and place of the Annual Meeting and shall keep the Register of all members of the Association.

7.6 The Treasurer is responsible for maintaining an accurate and proper set of accounting records of the financial affairs of the Association, complete with the supporting documents. The Treasurer shall ensure that financial statements are presented to the Executive Committee at all meetings of the Executive Committee and at the Annual Meeting.

7.7 The Head Coach establishes, organizes, and develops a system at all levels within the Association to promote further development of players and coaches through training programs and clinics. The position ensures the selection of properly qualified and capable coaches for all teams and is responsible for the coordination of evaluations for teams. The position oversees the conduct of all coaches ensuring that they are following the rules of the Policies and Procedures, VIMLC, BC Lacrosse and Canada Lacrosse.

7.8 The Head Referee manages the Associations referee program, including development, evaluations, and works with the Referee Allocator to determine *best fit* for games and associated assignments.

7.9 The Board of Directors will maintain job descriptions for the Director positions as part of the Policies and Procedures and amend them from time to time, at their discretion.

8.0 Description of General Directors

8.1 The Registrar is responsible to maintain the register of members, players, and team officials, ensuring all registration requirements are satisfied, as per pertinent hockey governing bodies.

8.2 The Facility Coordinator is responsible for floor coordination for all divisions of the Association in a fair and equitable manner and in alignment with the Policies and Procedures.

8.3 The Equipment manager is responsible for the safeguarding, distribution, maintenance, collection and purchase of all necessary equipment and jerseys for the Association.

8.4 The Booster Club is responsible to source out various CVLA branded items to assist with fundraising and increase the visible banding image within the community.

8.5 The Head Manager shall coordinate the manager's handbook and materials needed for the season to be handed out at the Manager's Meeting prior to the start of the season. They will also work with all managers within the association and be the point of contact to deal with issues as presented.

8.6 The Referee Allocator shall work closely with the Head Referee and Facility Allocator in providing a schedule of referees.

8.6 The Website Coordinator shall maintain the association website with current season information.

8.7 The Board of Directors will maintain job descriptions for the General Director positions as part of the Policies and Procedures and amend them from time to time, at their discretion.

9.0 Association Finances

9.1 The board each year shall set registration fees for all players.

9.2 All Association Funds shall be deposited in a Chartered Bank or credit union as selected by the Executive Committee.

9.3 One account shall be used for the normal operating expenses of the association from which all expenditures shall be approved by the Board. Cash not immediately required for normal operating expenditures may be invested in Bank Savings Deposits, Short Term Deposit Receipts or Government Bonds which are not subject to market fluctuations.

9.4 A second current account shall be used for revenues of the Association Received from the British Columbia Gaming Commission and for expenses Thereby authorized. Expenditures shall be approved by the Board.

9.5 The signing authority for all financial transactions from their accounts shall be any of two of Executive Committee as determined by the Executive Committee from time to time.

9.6 On or before September 1st of each year, the Board shall appoint a qualified Accountant to review the financial accounts of the association, review all accounting procedures, and prepare an annual operational statement and balance sheet for Presentation at the Annual Meeting of the Association.

9.7 The books and the records of the Association may be inspected by a member of Association at the General Meeting.

9.8 The office of the Association shall be at such place in the Province of British Columbia as the Board shall determine. The books of accounts and records shall be kept at the office of the Association unless otherwise determined by a director's resolution which resolution will describe the documents to which it applies and the place they are to be kept and will be effective only from the date of filing with the Registrar of Companies. The Executive shall ensure that all books and records of the Association required by the By-Laws of the Association, or any statute of law are regularly and properly kept and are open to inspection by the Executive at any time.

9.9 The directors may from time to time, at their discretion, authorize the Society to Borrow money for the purpose of constructing a lacrosse box(es) within the Boundaries of the society's playing area.

9.10 The Fiscal Year of the Association shall be October 1st of every year to September 30th of the next year.

10.0 Harassment Prevention and Resolution Standard

10.1 The application of this standard applies to players, parents, officials, and volunteers associated with the CVLA. Harassment in any form, including in the use of social media, constitutes unacceptable conduct and will not be tolerated in the CVLA. It is unacceptable for anyone associated with the CVLA to subject any person in the association to harassment.

10.2 Harassment means any behaviour by a person engaged in any paid or volunteer capacity, role, or function with the CVLA that is offensive to any person or group of people and which the individual knew or ought to have known would be unwelcome. Harassment may be intentional or unintentional and can take many forms, but generally involves conduct, comment, or display which is insulting, intimidating, humiliating, hurtful, demeaning, belittling, malicious, degrading, or otherwise causes offence, discomfort, or personal humiliation or embarrassment to a person or group of people. This definition includes all elements within bullying, cyber or sexual situations.

10.3 Interpretation:

- a. “harassment” may include the abuse or misuse of authority inherent in the position of an individual;
- b. “harassment” is also any act that involves participation as a result of expressed or implied coercion, and that demeans, belittles or causes personal humiliation or embarrassment at any ceremony or other event, such as an initiation rite;
- c. “abuse of authority” may mean: taking advantage of a position of authority to exploit, compromise or mistreat others; the improper use of power or authority to endanger a person’s opportunities; intimidation, threats, blackmail and coercion. Abuse of Power may include behaviour such as shouting, belittling a person’s work, favouritism/disfavouritism, unjustifiably withholding information that a person needs to perform their work and asking subordinates to take on personal errands. However, if an individual has authority over another individual in a situation by virtue of appointment, the proper exercise of that authority is not harassment. This includes the proper exercise of authority related to the provision of advice, the assignment of work, counselling, playing time, discipline, and other supervisory and leadership functions.

10.4 The CVLA is committed to providing a respectful environment through:

- a. Prevention of harassment by:
 - i. establishing the promotion of a comprehensive harassment prevention and awareness policy;
 - ii. ensuring that everyone within the CVLA has the right to be treated respectfully and with dignity in an environment free of harassment; and
 - iii. ensuring that Board members, Coaches, Parents and Players at all levels take immediate steps, whether or not a complaint has been submitted, to stop any harassment that:
 - a. they witness; or
 - b. is brought to their attention;
- b. Resolution of harassment by:
 - i. Establishing efficient harassment complaint resolution processes, including restoration activities;
 - ii. Offering informal conflict resolution, in a timely fashion, if appropriate;
 - iii. Taking steps in the association when it has been determined that harassment has not occurred but that a conflict exists.

10.5 The CVLA affirm that an environment that fosters teamwork and encourages individuals to contribute their best effort in order to achieve the vision of the association is essential.

Harassment in certain forms is not only against the law, but also erodes mutual confidence and respect for individuals and can lead to a poisoned environment. As a result, effectiveness, productivity, team cohesion and morale are placed at risk.

10.6 The following six criteria, as set out in the definition of harassment, must be met for harassment to have occurred:

- a. improper conduct by an individual;

- b. individual knew or ought reasonably to have known that the conduct would cause offence or harm;
- c. if the harassment does not relate to a prohibited ground of discrimination under the *British Columbia Human Rights Act*, the conduct must have been directed at the complainant;
- d. the conduct must have been offensive to the complainant;
- e. the conduct may consist of a series of incidents, or one severe incident which had a lasting impact on that complainant; and
- f. the conduct must have a link to the association.

10.7 The CVLA must provide association members with:

- a. information about:
 - i. conduct that constitutes harassment;
 - ii. their rights and responsibilities in respect of harassment prevention and resolution;
 - iii. ways of dealing with harassment; and
 - iv. the resources available to them;
- b. ongoing prevention activities to promote a respectful workplace;
- c. knowledge of the various informal resolution mechanisms in the case of harassment; and
- d. access, without fear of reprisal, to effective, timely and confidential harassment complaint resolution processes.

Note 1 – All parties directly involved in the resolution of a complaint of harassment or conflict are expected to limit the discussions pertaining to the complaint to those who need to know.

Note 2 – All decision-makers involved in the resolution of a complaint of harassment must adhere to the principles of procedural fairness and natural justice. This includes:

- a. notice to affected parties that a complaint has been submitted and of the allegations;
- b. disclosure of information to be used in rendering a decision;
- c. an opportunity to make representations;
- d. the right to a fair and unbiased decision; and
- e. written reasons for the decision.

10.8 In addition to a final investigative report, decisions also include the Situational Assessment. Any individual that is in a real or perceived conflict of interest or is biased in any way must recuse themselves from a file, including at the initial stages and prior to conducting a Situational Assessment.

10.9 When harassment, as defined within this policy is considered not to have occurred but a conflict still exists, the association (board member, team manager, or team coach) must take steps to address the conflict.

10.10 The CVLA believes that harassment is a serious offence. It is also a serious offence to falsely accuse someone of harassment. If the results of the investigation find that there has been harassment or that there has been an intentional false accusation of harassment, appropriate disciplinary action will be taken in accordance with the CVLA Discipline bylaw.

11.0 Discipline Contracts

11.1 Each year prior to commencement of the playing season, every person involved as a player, coach, manager or referee and their parents and Board Members shall enter into a Discipline Contract pledging to observe the rules of good conduct as developed by the Association. Such Discipline Contract will empower the Board to implement appropriate suspensions and banishment from practice and playing facilities as deems appropriate.

11.2 The Board will appoint a Discipline Committee of three persons to investigate and recommend discipline action to the Board. The decision of the board shall not have a right of appeal.

11.3 The President of the CVLA shall have the power to suspend any team, player, member, team official or Director for improper conduct on or off the playing surface and which are contrary to the values of the Association, failure to comply with the BC Lacrosse or Lacrosse Canada pending the review of the incident by the Discipline Committee. The President will engage the Disciplinary Committee to review the matters that resulted in the temporary suspension so that the Disciplinary Committee can make its recommendations to the Board of Directors.

11.4 The Discipline Committee shall be chaired by the 1st Vice President. The Discipline Committee will be comprised of the 1st Vice President and three other members. This committee shall be formed by the Board of Directors at the first Directors' meeting subsequent to the Annual General Meeting. In the event there is a vacancy the President may appoint a member for the remainder of the year.

11.5 The Discipline Committee shall recommend to the Board of Directors to suspend any team, player, member, team official or Director of the Association for the conduct considered improper, unbecoming, or likely to endanger the interest and/or reputation of the Association. Furthermore, they shall recommend suspending any team, player, member, or team official who willfully commits a breach of the Constitution, Bylaws, or Policies and Procedures of the Association.

11.6 The Discipline Committee shall ensure that all facts relating to the incident(s) in question are heard, and that all interested or affected parties are allowed to present their case. The 1st Vice President shall relay the results of the Disciplinary Committee review to the Board of Directors within five (5) days of the request of the review or as soon as reasonable.

11.7 The Discipline Committee may be asked to present the case of their findings to the Board of Directors at the following Directors' Meeting. Any team, player, official, or member may appeal any discipline decision made by the Board of Directors within seven (7) days of notification. An appeals committee will be composed of five (5) members (non-Directors) and appointed by the President.

11.8 The Board of Directors has full authority to discipline, dismiss or expel any member of the Association. The offending person will be notified in writing of the action to be taken. This does not apply to the removal of Directors from their position.

11.9 The Discipline process for the CVLA will follow the process used by BC Lacrosse. That process is outlined as follows:

1. Any report alleging a breach shall be submitted in writing to the President of the CVLA within 15 days of the event/occurrence.
2. Upon receiving a report, the President of the CVLA shall immediately notify the 1st Vice President of the CVLA who shall determine the merit of the complaint and determine if action is necessary.
3. If action is necessary, the 1st Vice President of the CVLA shall, with the Discipline Committee, appoint a date, time, and place for which shall not be more than 30 days from the receipt of the report.
4. All interested parties will be notified of the proceedings and will have the opportunity to attend the hearing of the Discipline Committee at their own expense.
5. The Discipline Committee may call witnesses and research any pertinent information which it deems necessary to arrive at a decision.
6. The decision of the Discipline Committee will be announced by the 1st Vice President of the CVLA within 7 days of the hearing and all interested parties will be provided with a copy of the written decision. Interested parties is defined as those parties who are directly involved in the proceedings.
7. Any individual whose rights are directly affected by a decision of the Discipline Committee may appeal that decision to the Appeals Committee.
8. The procedure and timelines for a presentation to the Appeals Committee shall be the same as those set out for the Disciplinary Committee.
9. Disciplinary action taken will be applicable to all members of the CVLA.
10. The Discipline Committee may suspend, terminate membership, or request other remedial action based on a Discipline Hearing.