

NIAGARA FALLS SKATING ACADEMY CONSTITUTION

1. NAME: Niagara Falls Skating Academy

The organization shall be known as Niagara Falls Skating Academy (hereinafter referred to as “the Club”).

2. HEADQUARTERES:

The Club shall have its Headquarters in the City of Niagara Falls, in the Regional Municipality of Niagara.

3. PURPOSE:

The purposes of the Club shall be:

- a) to encourage the instruction, practice, enjoyment and advancement of its members in all aspects of skating in accordance with the Rules and policies of Skate Canada;
- b) to encourage and cultivate a community of ice skaters and associate members interested in the advancement of the sport;
- c) to sponsor, produce or cooperate in the production of galas and shows; and to carry out such other aims and objectives that are not inconsistent with the above stated purposes.

4. SKATE CANADA & SKATE CANADA WESTERN ONTARIO:

The Club shall be a Member of Skate Canada and Skate Canada Western Ontario.

The Club shall pay such fees and such other charges as required of such clubs by Skate Canada and Skate Canada Western Ontario.

5. BY-LAWS:

The By-Laws, as appended to this Constitution, shall describe the organization and functions of the Club and means by which the Club may elect the Club Executive and control the property and activities of the Club.

Any By-Law contrary to the Rules and Regulations of Skate Canada and those of the Section shall be made invalid, provided that provincial statute shall take precedence to such rules and regulations, where applicable.

NIAGARA FALLS SKATING ACADEMY BY-LAWS

1. MEMBERSHIP:

- a) *Membership Open to Anyone*

Membership in the Club shall be open to all individuals resident in Niagara Falls and surrounding communities. Any selection process of members must be in accordance to the provisions of the Human Rights Code (Ontario).

- b) *Requirements of Members:*

All members shall uphold, observe and conform to the Rules of Skate Canada, the Constitution and By-Laws of the Club, and any other such regulations passed from time to time by the Board of Directors (herein after referred to as the “Board”).

2. **DUES & FEES:**

- a) *Dues and Fees Set by Board:* The Board shall set any dues or fees payable by members, as it deems to be appropriate from time to time. Club memberships shall commence on September 1st of each year, or the date upon which dues are paid (whichever is later) and terminate on August 31st of the following year. The Board retains the discretion to waive all or part of any dues or fees payable by any member, although such member may still be liable for Skate Canada fees.
- b) *Fees must be paid to Stay Member in Good Standing:* Unless waived by the Board, all members must pay all dues, fees or other charges required of them in part 2 (a) to remain in good standing. Such fees must be paid within the time frame set out in any notice or request for payment or arrangement of payment. If a member is in arrears for any dues, fees or other charges required of them, they will not be permitted to participate in any Club activity without a Board resolution. If such fees, dues or other charges are not paid within thirty (30) days of the date set in any notice or request, such members shall have their memberships terminated unless alternate arrangements have been approved by the Board and the arrangement remains in good standing.

3. **CATEGORIES OF MEMBERSHIP:**

- a) *Skating Membership:* This class of membership is extended to eligible skaters who paid the fees as set forth in paragraph 2, and are associate members of Skate Canada. Each member who is at least eighteen years of age shall have one vote at each meeting of members. Members who have not reached the age of eighteen cannot vote, but can be represented by Special Members, as set out in part 3 (c)
- b) *Non-Skating Membership:* This category of membership is extended to non-skating members who wish to establish or maintain association with the Club, who have paid the fees as set forth in paragraph 2 and are associate members of Skate Canada. All individual non-skating members who are at least eighteen years of age are entitled to one vote at each Annual or Special meeting of the members.
- c) *Special Membership:* This category of membership is extended to one parent or guardian of any skating member who has not yet reached the age of eighteen, provided that the skating member is a member in good standing and is an associate member of Skate Canada. The parent or guardian will exercise one vote on behalf of the skating member at any Annual or Special meeting of members, subject to a limit of one vote per skating family.
- d) *Honorary Membership:* This category of membership is extended to any person elected as an honorary member of the Club at any Annual meeting of members. An Honorary member is entitled to remain as a member for his or her lifetime without paying Club fees. They are entitled to one vote at any Annual or Special meeting of members. As the Honorary member is required to be an associate member of Skate Canada, the club shall pay this fee, unless this member is also an Honorary member of the Section or Skate Canada itself, in which case the higher granting body is responsible for the Skate Canada associate fee.
- e) *Guest Membership:* This category of membership is extended to all eligible skaters who are associate members of Skate Canada and have paid the fees, as set forth in paragraph 2. These members have no vote on Club matters and do not qualify as a candidate for the Board. Skating privileges for such members have no vote on Club matters and do not qualify as a candidate for the Board. Skating privileges for such members shall be determined by the Board.
- f) *Professional Coaching Membership:* This category of membership is extended to all coaches who have been certified by Skate Canada to be qualified to teach or coach skating. Such persons must be registered with Skate Canada as a restricted member.

4. **BOARD OF DIRECTORS:**

- a) *Board Elected/Appointed from the Membership:* The voting members of the Club shall elect a Board of Directors from among their number at the Club's Annual Meeting, which shall be held no later than the last day of the fifteenth month past the date of the previous annual meeting.
- b) *Number of Directors on the Board and Quorum:* The Board of Directors of the Club shall be comprised of (8) persons, all of whom must meet the qualifications for being a director as set out in part 5. A quorum of directors for the purposes of transacting Board business shall be no less than fifty percent plus one of the sitting directors in the office at the time.
- c) *Length of Term and Rotation of Directors:* At each Annual Meeting, the members shall elect a minimum of four (4) directors to the Board, and at each and every subsequent Annual Meeting, another four (4) directors shall be elected, in rotation so that each director that is elected shall be appointed to a maximum term of three years. If the number of directors whose term is expired at such a meeting is less than four (4) persons, then that number shall be the number of new directors to be elected at that meeting.
- d) *Vacancies:* in the event a director resigns or is otherwise unable to complete their term, any voting member in good standing can be appointed in his stead by the President, provided that such a member meets the qualifications set out in part 5. Any director appointed under this part shall be deemed to have replaced the vacating member as such, shall service as a director in his stead for the balance of the con-completed term. After their resignation, they shall not again be considered a candidate for the Board until at least a period of twelve months has past and, provided they still meet the qualifications set out under part 5, they can once again present themselves as a candidate for the Board.
- e) *Number of Consecutive Terms Served by a Director:* No Director shall serve for more than three consecutive Terms. After the completion of such a director's third term, they shall not again be considered a candidate for the Board until at least a period of twelve (12) months has past and, provided they still meet the qualifications set out under part 5, they can once again present themselves as a candidate for the Board.

The members, by resolution, at its Annual Meeting, reserve the discretion to waive this requirement in the event that the candidate in question has served as an Officer during the term immediately prior to the election.

5. **QUALIFICATIONS OF DIRECTORS:**

Candidates for the position of director of the Club Board must:

- be a member in good standing
- have reached the age of eighteen years or more
- be an associate member of Skate Canada
- meet the requirements as set out below

A majority of the Board shall be Canadian citizens, as defined by the Canadian Citizenship Act.

Nobody can be paid by the Club as an employee, agent, independent contractor or similar capacity, at the same time as he serves as a director on the Board. All directors must comply with conflict of interest rules, as prescribed by law, in the Skate Canada Rules and Regulations, as well as Club By-Laws and policies, as determined by the Board from time to time.

6. POWERS AND RESPONSIBILITIES OF THE BOARD:

The Club Board shall have the following powers and responsibilities vested in it for the purposes of the overall management of the Club:

- To pass any rules, regulations or policies as it deems necessary in the management of the Club, provided such rules, regulations or policies are not inconsistent with the overall philosophy or direction of those issued by law, Skate Canada and the By-Laws.
- To admit into membership any individual that meets the qualifications set out in part 3, and provide overall direction, support and leadership to such members
- To remove any director from among their numbers for reasons outlined in paragraph 5, or for conduct that is determined by the Board to be deleterious to the operations of the Club;
- To maintain custody and management of the Club's accounts and direct how such funds will be expended, provided such expenditures are consistent with the advancement of the Club's purposes and do not contravene any Skate Canada Rules and Regulations;
- To employ or engage the services of such employees, agents or subcontractors, as the Board deems fit to advance the Club's overall aims and objectives;
- To plan club events and competitions, in accordance to Skate Canada guidelines and Club objectives;
- To liaise with similar Clubs in the Western Ontario Section and Skate Canada, to advance the interests of the sport;
- To appoint chairs from among its number to head any Standing Committees required by By-Law; and
- Any other powers prescribed to the Board by law, or by Skate Canada Rules and Regulations.

7. SIGNING AUTHORITY AND EXECUTION OF DOCUMENTS:

Deeds, transfers, licenses, contracts and engagements on behalf of the Club shall be signed by at least two of the following: the President, or in his absence, the Vice-President; the Secretary and /or the Treasurer. The Secretary shall affix the Seal of the Club to such instruments that require the same.

Contracts in the ordinary course of the Club operations may be entered into on behalf of the Club by any two of the following: the President, Vice-President, Secretary, Treasurer, or any other person so authorized by resolution of the Board.

The Board retains the right to direct such manner as to how and under what terms such contracts are to be signed.

8. BANKING AND FINANCIAL ARRANGEMENTS:

The Club's bank accounts shall be kept in such chartered banks or trust companies as the Board may, by resolution from time to time, determine. Cheques drawn on the Club's bank account, drafts drawn or accepted by the Club and promissory notes given by it, may be signed, drawn or accepted as the case may be, by at least two of the following: the President, the Treasurer, or any other director authorized by resolution.

Signing authority can only be changed by resolution of the Board and all such persons authorized to sign under this part must be identified by name in the minutes in which such a resolution was passed. A resolution to this effect must always be made at the inaugural meeting of the Board, following each Annual General Meeting

9. **ELECTION/APPOINTMENT OF EXECUTIVE COMMITTEE:**

The Executive committee of the Club shall be comprised of the President, Vice-President, Secretary, Treasurer and Skate Canada/Western Ontario Section Representative. The offices of Secretary and Treasurer may be combined into one position. A quorum for the purposes of transacting business at a meeting of the Executive Committee shall be the greater of three (3) officers or fifty one percent of the number of sitting members of the Executive Committee. Only one member of any skating family can serve on the executive committee at any given time.

The election of officers shall take place at the first or inaugural meeting of the Board following each Annual Meeting, provided that a quorum of directors is in place.

10. **DUTIES OF OFFICERS:**

a) President:

It shall be the duty of the President to:

- Chair all meetings of the Board and membership
- Set the Agenda for all meetings
- Act as the spokesperson for the Club to the media and other public venues
- Club's chief executive officer with respect to the management and supervision of the day to day business of the Club
- Appoint directors from among the membership to fill vacancies left by retiring or absent directors
- Serve as an ex-officio member on all Standing and Program Committees of the Board
- Retain signing authority for all cheques and legal documents of the Club;
- Serve as the Skate Canada/Skate Canada Western Ontario Representative on behalf of the Club; and
- Any such other duties prescribed by the Board

The duties of the President when acting as the Skate Canada or Skate Canada Western Ontario representative are as follows:

- To receive information brochures and proposals from Skate Canada Western Ontario and Skate Canada on behalf of the Club
- To report to the Board and membership on activities and events sponsored or proposed by Skate Canada Western Ontario or Skate Canada
- To provide representation from the Club to the executive of Skate Canada Western Ontario and Skate Canada on all policy and procedural issues
- To liaise with other Clubs in the Western Ontario Section and to act as a delegate to the Skate Canada Annual Meeting; and
- Such as other duties as prescribed by the Board.

b) Vice-President:

It shall be the duty of the Vice-President to assist the President in the discharge of his duties and, in his absence, to assume his duties and officiate in his stead.

Treasurer

It shall be the duty of the Treasurer to:

- Maintain charge of the funds of the Club and maintain a record of account for all receipts and disbursements of the Club funds
- Arrange, or cause to be arranged, all bank deposits and daily cash transactions (and post the same to the Club's journal)
- Provide written reports and financial statements to the Board and memberships. Prepare all records of account and make them available for the Club auditor every year.
- Any other duties prescribed by the Board.

c) *Recording Secretary*

It shall be the duty of the Secretary to:

- Maintain, or cause to be maintained, any minutes of meetings of the Board or the membership
- Maintaining a binder or record of the archives of the Club's minutes and reports, as approved by the Board, over the past five (5) years;
- Maintain, or cause to be maintained, a register of members and their respective membership category and status in the Club
- Supervise the production, presentation and filing of reports and documents connected with the business of the Club; and
- Any other duties prescribed by the Board.

d) *Correspondence Secretary*

- To draft, under the direction of the Board, any correspondence in connection to Club business;
- to receive service of any Notices that are permitted to be given under this By-Law;
- To issue, or cause to be issued, any notices to the directors or the Club members, with respect to meetings of the Board or of the membership, respectively, that have been called by the President, or by any other means permitted under the By-Laws; and
- Any such other duties prescribed by the Board.

The duties of the Secretary can be divided into two positions: Recording Secretary and Correspondence Secretary, or served by one person.

11. **STANDING COMMITTEES:**

The President may strike Standing Committees and appoint a chair for each such committee from among their numbers as the Board deem necessary from time to time. The Chair of each Standing Committee shall be appointed annually by the Board at their regular meeting after the annual election.

12. **ROLE OF BOARD RESPECTING STANDING COMMITTEES:**

Reporting Relationship

Each of the Committee Chairs shall report to the Board on the Activities of their respective Standing Committees at each Board meeting, where appropriate, and the Annual Meeting.

13. **COMPETITION, EXIBITIONS AND SANCTIONS:**

No member or members of the Club shall make entry in the name of the Club in any competition or exhibition, except with the approval of the Board, or someone given this authority by them. The Board shall approve all sanctions with respect to requests from other Clubs.

14. **PROCEDURE FOR ELECTING DIRECTORS:**

Eligible candidates for the Board shall be solicited and/or nominated by a Nominating Committee, which shall be chaired by a director and include at least two (2) members who do not intend to present themselves as candidates for the Board for the particular Annual election for which candidates are sought.

At the Annual Meeting, the Nominating Committee shall submit a slate of candidates to the members present. The Chair of the Nominating Committee must ask for further nominations from the floor, provided that such nominees are eligible for candidacy under the By-Laws. After the Chair has asked for further nominations three times, and it is clear that no further nominations are forthcoming, he shall then declare nominations closed.

Each candidate nominated either by the Nomination Committee or from the floor is called in reverse order in which they were nominated. Each is asked if they wish their name to stand for election to the Board, and the nominee must respond by affirming or declining their nomination. After all candidates have been called, the list of members seeking election is read out and candidates may be given a brief opportunity to address the members on why they should be elected to the Board.

If the number of candidates exceeds the number of positions on the Board available, an election shall be called. Each voting member is given a secret ballot, upon which they must vote for the same number of candidates as the number of seats available. Any number of names on the ballot other than the number of seats available, or repetition of a candidate's name shall spoil the ballot. After the members cast their ballots, two or three volunteers who have not put forth their name for election, nor members who are related to candidates by blood or marriage, shall serve as scrutinizers. The scrutinizers shall collect all completed ballots and count votes on unspoiled ballots as cast for each candidate on a separate sheet of paper and tally them. The candidates with the largest number of votes in descending order in accordance to the number of positions vacant shall be declared elected. In the event of a tie, a new ballot is cast where members would cast their vote again until the tie is broken, with the candidate receiving the highest tally declared elected.

The ballots shall then be placed in a sealed envelope and kept at head office for a maximum period of forty-eight (48) hours, after which they are destroyed, provided nobody petitions a recount.

15. **MEETINGS:**

a) *Procedure for Calling of Meetings and by Whom*

The President can call any meeting of the Board or membership and set the date and specific purpose of the meeting. In the absence or inability to act on the part of President, the Vice-President can resume these duties.

Meetings of the Board can also be called at the request of three (3) directors, and such would have the same effect as though such meeting were called by the President.

Meetings of the Membership can also be called at the request of no less than Fifty (50) members or ten (10) percent of the total number of members in good standing at the Club, whichever is less. Such members can requisition a meeting by filing with the Secretary, a petition signed by those members requesting the meeting and a general description of the nature of business to be transacted at such a meeting. If such a requisition is received by the Secretary, the President must call a meeting within ten (10) days of receiving this notice, and such a meeting must take place within forty-five (45) days of the date notice was received.

b) *Notice- Board Meetings*

When a meeting is called, at least three business days of notice to each director is required. No formal notice of any such meeting is necessary if all the Directors are present.

c) *Absences – Board Meetings*

If a director is absent, without the excuse of the Board, for three (3) or more duly called consecutive Board meetings, or is absent for such a significant number of meetings that the balance of the Board feels the director's absence has created enough of a void to prevent that director from participating effectively, the Board may choose to remove that director and replace that director with any other member, as set out in paragraph 4 (d).

d) *Errors and Omissions in Giving Notice – Board*

No error or omission in giving notice of any meeting of the Board, or any such meeting that has been adjourned, shall invalid such a meeting or make void any proceedings taken thereat and any director may at any time waive notice of any such meeting and ratify, approve and confirm any or all

proceedings taken or had thereat. For the purpose of sending notice to any director, the address to which such notice is sent shall be his last address recorded on the books of the Club.

e) *Frequency of Meetings*

The Board of the Club must meet at least eight (8) times during any given skating year. The Board may wish to schedule a regular time and place for such meetings for the purposes of convenience.

f) *Notice – Membership Meetings*

Notice of the time and place of every meeting shall be given to each member by website, posting on arena bulletin boards, notification in a club newsletter and/or mail at least fourteen (14) business days from the date fixed for the holding of such a meeting, provided that such a meeting can be held at any time and place without notice if all the members of the Club are present at the time.

g). *Quorum for Transaction of Business*

A quorum for the Board shall be fifty percent plus one of the numbers of sitting directors of the Board. If a member that is present but has declared a conflict of interest on an item of business on the agenda, that members shall be considered present for the purposes of quorum.

h) *Frequency of Membership Meetings*

A meeting of the membership shall be called at least one time each year.

i) *Errors and Omissions in Giving Notice – Membership*

No error or omission in giving notice of any meeting of members, or any such meeting that has been adjourned, shall invalidate such a meeting or make void any proceedings taken thereat and any member may at any time waive notice of such meeting and ratify, approve and confirm any or all proceedings taken or had thereat.

16. **AUDITOR**

The Auditor is appointed at each Annual Meeting by resolution of the membership. Remuneration for the Auditor shall be fixed by the Board upon this appointment.

17. **ADMISSION, REVIEW AND APPEAL OF MEMBERSHIPS:**

a) *Admission of Members*

All membership applications must be received by the Chair of the Membership Committee and then reviewed by that Committee. The Membership Committee could only reject applications for membership based on objective criteria, such as grounds cited in Skate Canada Rules and Regulations, Club By-Laws or policies.

If an applicant is rejected and wishes to appeal, he or she must submit this request, together with any grounds and related documentation, to the President. The President must then appoint an Appeals Committee, consisting of at least three (3) directors, none of whom shall sit on the Membership Committee, or had any prior involvement with the applicant, to meet with the appellant to review the decision. The Committee then recommends to the Board to uphold, reverse or amend the original decision. The decision of the Board is final.

b) Any notice of any decision taken or made under this part must be communicated to the member in writing at the last known address of the individual.

c) *Powers of the Board*

The Board retains the power to suspend or expel members, or to set restrictions or conditions it deems fit on any member, for the violations of any term of the Club's Constitution and By-Laws, or for other conduct which the Board deems improper.

d) *Appeal Procedure for Suspension/Restrictions*

If a member is suspended or has had restrictions imposed on his or her membership, he or she can request a hearing to review the matter. The member must submit a request for such hearing within twenty (20) days upon being issued notice of the suspension or restriction, and such a hearing shall be set by the Board no later than twenty (20) days after the request for a hearing is filed. The member may appear in person before the Board or submit a written presentation. They also have the right to be represented by counsel or other representative, and be informed of that right.

After receipt of written submissions, or the hearing, the Board shall meet to make a decision based on Skate Canada Rules and Regulations, Club By-Laws or policies, past practices and the interests of fairness. The Board shall notify the member of its decision in writing within forty-eight (48) hours after the meeting in which the decision was made. The decision is final with no further right of appeal.

e) *Resignation by Member*

A member can resign from the Club at any time in writing during off season months. If a member resigns in the middle of a season, they must approach the Board and request that the Board rescind their name from the rolls of the Club and to notify Skate Canada, and upon Skate Canada receiving such notification, such member may then be free to join any other skating club.

18. **RESIGNATION/TERMINATION OF DIRECTORS:**

A director is deemed to have resigned or vacated from office if:

- he submits his resignation in writing to the Secretary (or President), and such resignation is effective upon acceptance by the Board
- he is no longer a member in good standing, or has been deemed by the Board to be in serious breach of a Skate Canada Rule, Regulation or Club By-Law
- he has been in arrears for dues or fees payable by himself to the Club, or in breach of arrangements set out by the board and the member
- he has been convicted of a criminal offense for actions that can directly relate to one's fiduciary responsibility as a director.
- He has missed three or more consecutive meetings, or is frequently absent from Board meetings, and the Board has not excused his absence
- he has moved from the geographical scope of the Club's jurisdiction; or
- any other reason cited in the Club By-Laws, or
- breach of confidentiality/PIPEDA

19. **LIABILITY:**

The Club shall not be responsible for any damages, injury, or loss of property to any member, guest or visitor to the Club regardless of the reason or nature of such damage, loss or injury and further, every member, guest or visitor shall use the Club facilities at their own risk. The Club shall participate in the Skate Canada Club liability insurance program.

20. **INDEMNIFICATION OF DIRECTORS AND OFFICERS:**

Every director or officer of the Club and its heirs, executors and administrators, and estate and effects, respectively, shall at all times, be indemnified and saved harmless, subject to the provisions of any relevant statute, and out of the funds of the Club, from and against:

a) any liability and all costs, charges and expenses that he sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him, for or in respect of the proper execution of the duties of his or her office; and

b) all other costs, charges and expenses that he sustains or incurs in respect of the affairs of the Club, provided that no director or officer of the Club shall be indemnified by it in respect of any liability, costs, charges or expenses he or she sustains or incurs in or about any action, suit or other proceeding as a result of which he or she is adjudged to be in breach of any duty or responsibility imposed upon him under the *Corporations Act* or any other statute unless, in any action brought against him in his capacity as a director or officer, he has achieved complete or substantial success as a defendant.

21. **CONFLICT OF INTEREST:**

A member cannot be a paid employee or agent and a director at the same time. Former direct employees or agents of the Club shall wait a minimum of twelve (12) months after their term of employment expires prior to becoming eligible to serve on the Board. Former directors shall wait a minimum of twelve (12) months after the date of completion of their term in office to become eligible to become an employee or subcontracted agent of the club.

A conflict of interest for the purpose of this By-Law shall be defined as a situation which a director or officer, or a family member, spouse or partner of a director or officer, has a real or apparent financial or pecuniary interest in the outcome of a matter brought before the Board for its consideration.

Further, a conflict of interest can arise as a result of a conflict between the roles of a director or officer in the Club and that director or officer's paid employment or business outside the Board. While serving on the Board in the capacity of a director, the interests of the Club must always take precedence.

When such conflicts arise, whether directly or indirectly, a director or officer with a conflict has a duty to declare the existence and specific nature of the conflict and to abstain from voting or discussion on the question and to have his or her declaration made as such recorded in the minutes together with his or her abstention. Upon learning of the conflict, the balance of directors present must decide how to proceed on the question, while the director with the conflict leaves the room until the issue has been resolved.

If the director does not declare the conflict, other directors that are aware of the conflict or the possibility that a conflict may exist, shall raise the issue prior to further discussion of the matter in which the director in question may be in conflict. The Board shall then determine the existence and extent of such a conflict of interest and require the director in question to conduct themselves accordingly.

If a director is found to be attempting to use his influence or position in an indirect way to influence the outcome of a matter in which he is in conflict, such as through another director that is present during a discussion, then the Board shall deem this as just cause to terminate the director from his position.

The Board shall also exercise its right of discretion to request the resignation of any director whose conflict of interest appears to be materially significant and broadly interconnected with the primary activities of the Club, whereas it would otherwise be difficult for the director in question to participate in the normal duties as a director of the Club without regularly encountering matters in which he must declare such a conflict.

22. COMPLAINTS/DISCIPLINARY PROCEDURE:

Any member or members having a complaint against another member or professional affiliated with the Club, for any infraction of the law or rule outlined in Policies & Procedures shall report their concerns in writing to the President.

Within ten (10) days of receipt of such a complaint, the President shall appoint an Anti-Harassment and Complaints Committee, which shall be comprised of at least three (3) members, none of whom can be familiar with circumstances giving rise to the complaint, or had a previous relationship with the parties involved. Within seven (7) days of the formation of the Committee, the Committee shall invite the complainants to provide any documentation or records evidencing the claim, and shall notify the member or person being complained about, or the respondent. The Complainant shall be given fourteen (14) days to provide this information.

Copies of the written complaint and accompanying records shall be made available to the respondent within seven (7) days of the submission by the complainant. The Respondent shall be given an opportunity to reply, in writing, to the Chair of the Anti-Harassment and Complaints Committee within fourteen (14) days of receiving materials. A copy of the reply shall be given to the Complainant as soon as it is received. By the committee. If the Complainant still wishes to proceed, the Chair of the Committee shall set a date for its Meeting, at which time either party may choose to submit further documentation, or attend with counsel or another representative. If there is a meeting, the hearing must be procedurally fair to all parties.

After reviewing both sides of the story and/or giving each party an opportunity to respond to the other, the Committee can then pose its own questions to the parties, after which the Committee shall meet and deliberate upon the evidence and make a decision concerning the complaint. The Committee must give consideration to factors as outlines in the Policies & Procedures in such deliberations. All decisions must be given to parties in writing within ten (10) days of the Meeting. The Anti-Harassment and Complaints Committee may take disciplinary measures against such a member found to have been responsible for any breaches or other misconduct, but such measures must be based on considerations as set out in the Policies & Procedures.

A decision by the Complaints and/or Discipline Committee can be appealed to the Club Board. If a director is in a conflict of interest in the case, they must declare or be asked to withdraw their participation in the matter while it is heard by the Board. The Board can uphold the original decision, reverse it or amend the original decision and alter any sanctions imposed. The member can request an outside chair that is mutually agreed upon by the Board and the member to chair this meeting.

23. ANTI-HARASSMENT/ANTI-OPPRESSION POLICY:

The Club must abide by Skate Canada's Membership Harassment Policy, as outlined in the Policies & Procedures Manual. The Club can pass additional policies and processes in addition to the minimum provided by Skate Canada in order to reflect its own needs.

Any procedure developed to investigate and deal with any allegations of harassment under such policy must be procedurally fair, and no expulsion can be effective until all chosen avenues of appeal have been exhausted.

24. AMENDMENTS TO BY-LAW:

The Club By-Laws shall only be amended by calling a meeting of the Club membership for that purpose, and such amendments will take effect upon resolution by at least 2/3 of the members present at such a meeting, provided that a quorum of members is present.

Adopted by:

Niagara Falls Skating Academy

(Club Name)

on 5 of April 2013
(day) (month) (year)

Signed

(President)

(Date)

Signed

(Club Board Member)

(Date)