

# **CONSTITUTION OF THE MOUNT PEARL-PARADISE SKATING CLUB**

## ARTICLE 1 - NAME

The name of the organization shall be the 'Mount Pearl-Paradise Skating Club', hereinafter referred to as the 'Club'.

## ARTICLE - 2 AFFILIATIONS

The Club shall be affiliated with Skate Canada and Skate Newfoundland and Labrador and shall be subject to the rules and regulations adopted by those bodies.

## ARTICLE 3 - AIMS

The aim of the club is to promote the advancement of skating in the Mount Pearl-Paradise area. The Club shall encourage the instruction, practice and enjoyment of skating for all its members in the spirit of competition, fair play and good sports ethics.

## ARTICLE 4 - MEMBERSHIP

### **4.1 General Membership Guidelines**

**4.1.1** Any person with an interest in the Aims of the Club and the advancement of skating in the Mount Pearl and Paradise areas shall be deemed a member in good standing, providing all applicable fees are paid.

**4.1.2** Members must uphold, observe and conform to all rules of the Club and organizations to which it is affiliated.

**4.1.3** All members will be provided with a copy of the Constitution of the Mount Pearl-Paradise Skating Club upon request.

### **4.2 Voting Members**

**4.2.1** Voting members will be all those who have reached the age of majority and are in good standing.

**4.2.2** Each voting member in good standing shall be afforded a single vote in person at any duly called meeting of the Club.

**4.2.3** Members skating with the Mount Pearl-Paradise Skating Club must also be considered to be in good standing with any other skating club they are or have been affiliated with.

### **4.3 Members in Good Standing**

For a member of the Club to be in good standing with the Club, the member must pay Club fees in accordance with the payment scheduled and dates that are stipulated by the Club Board of Directors, for the current membership year. Members will be considered in arrears if payment arrangements or any other outstanding fees, become incomplete and not rectified within 14 days of original payment date. Members in arrears shall not be permitted to either enter the ice surface or be allowed to participate in competitions, test days, ice shows, or other club activities, until outstanding fees have been paid. Appropriate payment arrangements are at the discretion of the Board of Directors. Termination of club membership may result if no arrangements for and collection of outstanding fees is accomplished.

### **4.4 Notice of Misconduct**

A letter will be sent to the member indicating the reason they have been found to be 'not in good standing'. The letter will include the Article from the Constitution outlining the Appeal process.

### **4.5 Appeal**

Any member deemed to be 'not in good standing' by the required vote of the full Board of Directors of the Club shall have the opportunity to appeal the decision. The 'notice of appeal' shall be submitted in writing, within fourteen (14) days of the date on the Notice of Misconduct, to the President of the Club and must outline the grounds for the appeal. If an appeal is sought an Appeal Panel of three (3) members in good standing, outside of the Board of Directors, will be struck.

The Appeal Panel members shall be agreed upon by the aggrieved party and the President. The Appeal Panel shall hear argument on the issue and then rule on the matter in a manner of the Panel's choosing. The Panel will be struck, hear argument and render a decision within fourteen (14) days of the application of appeal being received by the President. The decision of the Appeal Panel shall be final. The Appeal Panel can decide if it wishes to give reasons for its decision.

## ARTICLE 5 – CLUB FINANCES

### **5.1 Budget Planning**

The Treasurer shall be responsible for preparing the Club's annual budget with input from the Board at the annual planning meeting. At that time, all proposed expenditures and investments will be presented and approved by the Board for the upcoming skating season.

### **5.2 Fiscal Year**

The club's fiscal year shall run from September 1 to August 31<sup>st</sup> to align with Skate Canada fiscal year.

### **5.3 Deposit of Club Funds**

The Treasurer shall deposit all funds of the Club in such banks or other institutions as may be designated by the Board of Directors.

### **5.4 Disbursements of Club Funds**

All disbursements of club funds shall be by cheque or other auditable document after approval/signing authority by the Treasurer and President. No club funds shall be disbursed by cash.

### **5.5 Independent Financial Review**

An independent financial review is required every two years at the end of the Treasurer's Term. Interim statements will be presented at the AGM and Final Financial statements will be presented to the Board by the end of the fiscal year. Upon completion of the review and/or acceptance of the Final Financial Statements, the Club's financial statements, as well as the external party's review report, will be posted to the Club website and made available to the Club members.

## ARTICLE 6 - BOARD OF DIRECTORS

### 6.1 Composition

**6.1.1** The Board of Directors, hereinafter referred to as the "Board", shall be comprised of Immediate Past President, President, Vice President, Treasurer, Secretary, Director of Coaching and all other Directors/Coordinators deemed necessary for the management of the Club.

**6.1.2** The Board shall consist of at least five (5) members and no more than fourteen (14) members plus Immediate Past President. The Board shall not conduct any business if its composition falls below four (4) except for the business of filling vacancies and meeting financial obligations.

### 6.2 Obligations

**6.2.1** The Board shall be accountable to the members of the Club.

**6.2.2** The Board shall implement and monitor policies and procedures for the Club and exercise good judgment regarding the general affairs of the Club.

**6.2.3** The Board shall manage and regularly review the finances of the Club and insure the financial stability of the Club.

### 6.3 Term

**6.3.1** The President, Vice-President, Treasurer, Secretary and Director of Coaching shall be elected for two (2) year terms. All other Board Members shall be elected for one (1) year term. The terms for the President and Secretary shall begin in years ending in an odd number commencing 2009. The terms for Vice-President and Treasurer shall begin in years ending in an even number commencing in 2010. All elections shall take place at regularly convened Annual General Membership Meetings.

**6.3.2** The Board has the right to appoint individuals to the Board between Annual General Meetings to fill vacancies provided there is less than one (1) year remaining in the term. The appointments must receive a two thirds (2/3) majority vote of the Board. The replacements will be entitled to serve until the next Annual General Meeting. Any position with more than one year remaining in the term will be filled by way of election at a Special Membership Meeting and will serve until the next scheduled election for that position as per 5.3.1.

**6.3.3** The Board may remove any of its members who are absent for three (3) consecutive meetings without just cause. The vote to remove a member of the Board shall require a two thirds (2/3) vote of the Board.

**6.3.4** Any person removed from the Board by way of Article 5.3.3 shall be ineligible for nomination to a Board position at the next scheduled Annual General Meeting that follows the removal from the Board.

**6.3.5** Any person resigning from the Board must do so by way of written notice to any member of the Board. Such resignation shall come into effect at the next regular meeting of the Board.

#### **6.4** Eligibility

Any person deemed to be in good standing and has reached the age of majority may be nominated to hold a position on the Board.

#### **6.5** Duties of the Board of Directors

##### **6.5.1** President

- Shall preside at all meetings of the Club and the Board and shall only vote in the case of a tie.
- Shall be eligible to sit as an ex-officio member on all committees.
- Shall delegate responsibilities to the members of the Board.
- Ensure that meetings are held in accordance with the Constitution.
- Represent the Club in all public matters or appoint a designee to do so.
- Shall be the Club's representative for all matters concerning Skate Newfoundland and Labrador and Skate Canada.
- Shall represent the Club at meetings of the Avalon Region or appoint a designee to do so.
- Shall have financial signing authority along with the Treasurer

##### **6.5.2** Vice-President

- Shall perform all the duties of the President in the President's absence.
- Shall oversee the booking/cancellation and maintenance of all ice time required by the Club.
- Perform all other duties relegated by the President and the Board of Directors.

##### **6.5.3** Treasurer

- Responsible for the financial affairs of the Club.
- Provide financial statements at all duly called meetings of the Board of Directors and the Membership.
  - Present updates at each scheduled monthly board meeting:

- Club income, expenses, and current bank account balances since previous meeting
  - Financial status of outstanding payments, refunds, collections issues
  - Any other financial information as the Treasurer deems necessary or as requested by any Board member
- Maintain all financial records pertinent to the Club.
- Responsible for all financial transactions for the Board and the Club.
  - Shall have financial signing authority along with the President
- Provide all necessary documents as required by the any auditing authority put in place by the Board of Directors.
- Present Interim financial statements (Balance Sheet and Income Statements) at the AGM
- Present Final financial statements for the previous year to Board members for review and acceptance by the end of the fiscal year.
- Perform any other duties as deemed necessary by the Board.

#### **6.5.4 Secretary**

- Record minutes of all Board meetings and Membership Meetings.
- Distribute minutes to all Board members prior to meetings.
- Maintain a file of all minutes from meetings of the Board and the Club
- Shall oversee all correspondence for the Board or the Club and present the Board with all pertinent information received by the Club.
- Perform any other duties deemed necessary by the Board.

#### **6.5.5 CanSkate/Pre CanSkate Director (Appointed by the Club on an Annual basis)**

- Oversee the organization and operation of the program.
- Shall provide notices of scheduling and other pertinent information about the program to all those registered or their guardians.
- Perform any other duties deemed necessary by the Board.

#### **6.5.6 Director of Coaching**

- Shall act as a representative on the Board for all coaches with the Club.
- Shall act with the best interest of all coaches in matters pertaining to policies, procedures and individuals.
- Shall ensure that the coaches with the Club are at the acceptable qualification level for the task they are performing for the Club.
- Perform any other duties deemed necessary by the Board.

### **6.5.7 Ice Show Director**

- Shall oversee all aspects of planning and organization for the Annual Ice Show.
- Perform any other duties deemed necessary by the Board.

### **6.5.8 Synchro Director**

- Shall oversee the organization and operation of the program for all Synchro teams:
  - Development and enforcement of team rules and policies, including a policy for alternates, as defined and established by the coach
  - Point of contact between the Section Synchro and the Club regarding competitions and accommodations
  - Liaison between the team managers and the Board.
  - Provide guidance to team managers regarding their role and expectations
  - Organize and attend tryouts
    - Communicate with skaters/parents on expectations and policies
    - Notify skaters/parents once teams are named by the coach, and coordinate acceptance
  - Collaborate with the coaches on team manager selection
  - Work with team managers to oversee bulk clothing orders
- Ensure that proper arrangements have been made for any travel for competitions.
- Perform any other duties deemed necessary by the Board.

### **6.5.9 Registration Director**

- Shall ensure the proper organization and scheduling of registrations for all programs run by the Club.
- Maintain a database of all members of the Club.
- Ensure that current club membership is updated with Skate Canada through their online registration system.
- Verify that all applicable membership fees are paid in the registration system
- Report any arrears/unpaid members accounts to the Treasurer and/or President for collection purposes
- Perform any other duties deemed necessary by the Board.

#### **6.5.10 Test Director**

- Ensure that testing that is required for skaters is scheduled and carried out. This includes arranging for judges and volunteers, developing test schedule, collecting testing fees and submitting required documentation to Skate Canada.
- Perform any other duties deemed necessary by the Board.

#### **6.5.11 Communications & Skater Development Director**

- Communications:
  - Ensure that public notices regarding the club are distributed to various media as required
  - Update the Club's online media pages (club website/facebook) with public notices
  - Maintain and update the content of the Club's website
  - Recruit volunteers as parent reps for Junior, Intermediate, and Senior sessions.
  - Liaise with parent reps with respect to notices, and any questions and concerns/complaints
- Skater Development:
  - Look for opportunities to promote the club and identify sponsorship opportunities
  - Liaise with coaches and Executive regarding scheduling proposals/planning as it pertains to skater development for special events and/or seminars
  - Work with coaches and Executive to organize club-hosted seminars, simulations, monitoring, or other club-hosted development opportunities for skaters
  - Research and communicate best practices at other clubs, skating schools and training centers to note any resources that may benefit our club
  - Perform other duties deemed necessary by the Board

#### **6.5.12 Fundraising & Awards Director**

- Fundraising:
  - Manage fundraising for the club and skaters including:
    - Lead and organize fundraising committee; help with planning and organization of board-approved fundraising events
    - Develop/maintain/update Fundraising Policy as per Service NL Regulations



- Participate in the distribution and collection of fundraising supplies and revenues
  - Financial management of skater accounts and fundraising revenues including:
    - Provide monthly statements to skaters/parents
    - Signing authority on club fundraising account/issue bank deposits along with another committee member
    - Prepare annual statement for the Club Treasurer and AGM
- Awards:
  - Publicize available awards to club members and encourage nomination from members
  - Coordinate award submissions on behalf of the Club for Mount Pearl and Paradise Municipalities awards; Skate Canada and Skate NL awards; other awards as deemed applicable
    - Review the selection criteria for available awards applicable to members
    - Liaise with coaches regarding skater recognition awards
    - Collect required information for award nomination applications
  - Perform any other duties deemed necessary by the Board

#### **6.5.13 Competition Director**

- Ensure that a Chairperson is in place for all competitions hosted by the Club where the Club is responsible for appointing a Chairperson.
- Perform all duties with the help of volunteers associated with hosting competitions.
- Perform any other duties deemed necessary by the Board.

#### **6.5.14 IntroStar Coordinator (Appointed by the club on an annual basis)**

- Oversee the organization and operation of the program.
- Shall provide notices of scheduling and other pertinent information about the program to all those registered or their guardians.
- Perform any other duties deemed necessary by the Board.

**6.6** The Board will appoint members to represent the Club at the Avalon Region Board and the Mount Pearl Sports Alliance Board. The Board, if it so chooses, may appoint delegates and/or observers to attend the annual meetings of Skate Newfoundland and Labrador and Skate Canada.

## **6.7** Committees

The President and/or the Board of Directors (by majority vote) shall appoint all committees deemed necessary to carry out the business of the Club. When a committee is struck it will be stated by the President the make-up of the committee, the goal of the committee and the term of the committee. Board members may be requested to Chair and/or serve on committees. The President will be an ex officio member of all committees.

**6.8** No two (2) elected positions of the core executive of the Board (President, Vice-President, Secretary and Treasurer) with signing authority of the Mount Pearl-Paradise Skating Club shall be held by immediate family members, by relation or marriage (common-law relationships included). Where family members are defined as relationships parent, child, sibling, grandparent, spouse and in-law.

## ARTICLE 7 - MEETINGS

### **7.1** Annual General Meeting

**7.1.1** Schedule - The Board of Directors shall give public notice two (2) weeks in advance of an Annual General Meeting once each calendar year. The meeting should be held, if possible, within the first 2 weeks of May to fall just after the winter schedule is complete.

**7.1.2** Agenda - The meeting shall cover the following areas:

- Call to Order
- Reading and approval of agenda
- Reading and approval of previous meeting minutes
- Errors and omissions from previous meeting minutes
- Annual Executive Reports:
  - President's Report
  - Vice President's Report

- Treasurer's Report
- Secretary's Report
- Directors reports:
  - Director of Registration Report
  - Director of Canskate Report
  - Director of Coaches Report
  - Director of Tests Report
  - Director of Competitions Report
  - Director of Fundraising & Awards Report
  - Director of Communications & Skater Development Report
  - Director of Synchro Report
  - Director of Ice Show Report
  - Director of IntroStar Report
  - Sports Alliance Representative Report
- Constitutional amendments
- Election of new Executive
- New business (if required)
- Q&A
- Date of next Executive Meeting
- Closing Remarks & Adjournment

**7.1.3** Proceedings - A11 proceedings at the Annual General Meeting shall be conducted as per Robert's Rules of Order.

## **7.2 Special Membership Meetings**

**7.2.1** A Special Meeting may be called by the Board of Directors by giving seven (7) days public notice.

**7.2.2** A Special Meeting will also be called by the Board of Directors upon request by any twelve (12) members in good standing if an issue has arisen that the Board, after written notice by the members, has failed to resolve to the satisfaction of their aggrieved members. This Special Meeting will be held providing the members notify the Board of Directors in writing fourteen (14) days prior to the meeting and specify the reason for the meeting. This Special Meeting will be called to deal only with the issue specified in the written notice and the Meeting will be called no later than twenty-one (21) days of the written notice has been received by the Board.

**7.3** Board of Directors Meetings - The Board of Directors shall meet as determined necessary by a majority vote of the Board, but no less than one (1) time per month during the Club's skating season.

**7.4** Quorum - A quorum for an Annual General Meeting and any Special Membership Meeting shall be met by attendance of at least nine (9) voting members in good standing including fifty percent (50%) of the current Board of Directors. A quorum for a Board of Directors meeting shall be met when fifty percent (50%) of the Board is in attendance.

**7.5** Motions - A simple majority of fifty percent plus one (50% + 1) shall carry a motion at any meeting except for amendments to the Constitution.

**7.6** Any member may request the opportunity to make representation to the Board of Directors at any Executive Meeting. Such a request will be granted by a majority vote of fifty-percent plus one (50% + 1) of the Board.

## ARTICLE 8 - ELECTIONS

**8.1** Schedule - The election of the Board of Directors shall take place at the Annual General Meeting.

**8.2** Election Committee - A committee will be struck at the meeting from those present to conduct the elections. If one of the committee members is nominated and accepts the nomination for a position, they will step aside from the committee until that position has been filled.

**8.3** Nominations - A person not able to attend the General Membership Meeting where elections are being held can give a written notice of acceptance of nomination to the Board.

**8.4** All nominations for the new board of directors deemed necessary for the management of the "Club" shall be in writing and bearing the signature of acceptance by the nominee. Nominations may be made by any member of the "Club" and shall be sent to the President and Treasurer in years ending in an even number and to the Vice-President in years ending in an odd number at least 14 days prior to the date of the Annual General Meeting of the "Club". The election of the above positions shall be

voted on at the Annual General Meeting. Nominations will not be accepted from the floor.

The procedure from Article 7.3 will pertain to the Elections for all Board members. If a position is not filled 14 days before the Annual General Meeting, the newly elected executive can appoint someone for the vacant position.

The position of Director of Coaching shall be voted on Bi-annually by the club coaches and that name will then be put forward as the Director of Coaching.

**8.5** Nominations - Nominations have to be sent to the club two weeks prior to the AGM. No nominations will be accepted from the floor at the AGM.

**8.6** Assuming Control - A joint meeting of the previous and new Boards shall be held within one month to officially transfer all pertinent documents and information.

## ARTICLE 9 - AMENDMENTS

Proposed amendments to the Constitution of the Mount Pearl-Paradise Skating Club may be voted upon at any Annual or Special Membership Meeting provided written notice has been given to the Board of Directors at least fourteen (14) days in advance of the meeting. The written notice shall consist of the proposed amendment and the portion of the Constitution that is to be amended. A two-thirds (2/3) majority by way of secret ballot, is required at a duly called membership meeting for any proposed amendment to succeed.

ARTICLE 10 - WINDING UP

The Club's affairs will be wound up voluntarily whenever an extraordinary motion is passed by a two thirds (2/3) majority of the membership at a Special or General Membership Meeting requiring the Club to be wound up voluntarily. The vote will be conducted by secret ballot. After all the bills of the Club are paid, any monies and other assets held by the Club shall be turned over to the Recreation Department of the City of Mount Pearl.

Adopted by the Mount Pearl-Paradise Skating Club June 6, 2022

Signed by: Tracy Hawkes President

Date: July 24/22

Signed by: VRJ Vice-President

Date: Jul 24/22