



# CONSTITUTION

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## Table of Contents

Article 1:	NAME .....	3
Article 2:	OBJECTS .....	3
Article 3:	AFFILIATIONS .....	3
Article 4:	MEMBERSHIP .....	3
Article 5:	MANAGEMENT STRUCTURE .....	5
Article 6:	MEETINGS.....	8
Article 7:	COMMITTEES.....	10
Article 8:	PROCEDURES GOVERNING MEETINGS .....	10
Article 9:	BY-LAWS AND AMENDMENTS .....	10
Article 10:	RULES AND REGULATIONS .....	10
Article 11:	INDEMNITY .....	11
Article 12:	FINANCE.....	11
Article 13:	DISPUTE RESOLUTION .....	11
Article 14:	HARASSMENT.....	11
Article 15:	DISCIPLINE POLICY .....	12
Article 16:	ZERO TOLERANCE POLICY .....	12
Article 17:	APPEALS .....	13
Article 18:	TOURNAMENT NAME.....	14
Article 19:	DISSOLUTION .....	14
Article 20:	DEFINITIONS/TERMINOLOGY .....	14

# **Constitution**

## **Lake Simcoe Soccer Club**

### **Article 1: NAME**

- A. Name:  
The name of this Club shall be the Lake Simcoe Soccer Club, hereinafter referred to as the "Club" or "LSSC". The headquarters of the Club shall be located within the District Boundaries of the York Region Soccer Association, hereinafter referred to as the District Association.
- B. Head Office:  
Lake Simcoe Soccer Club Inc.  
482 The Queensway South, Suite 2  
Keswick, Ontario L4P 3E2
- C. Club Colours:  
The official colours of the Club shall be predominately red, white and black.

### **Article 2: OBJECTS**

The Club shall have the following objects:

- A. To promote and develop the game of soccer within its boundaries.
- B. To help individuals to develop their character as resourceful and responsible Members of their community by providing opportunities, through the game of soccer, for their mental, physical, social and leadership development.

### **Article 3: AFFILIATIONS**

The Club shall be a Member of the York Region Soccer Association and shall follow the published rules of the District Association and The Ontario Soccer Association, hereinafter referred to as The OSA. The Club is subject to the published rules in declining order of authority of the following governing organizations to which it is affiliated:

1. The Club
2. The York Region Soccer Association
3. The OSA
4. The Canadian Soccer Association

### **Article 4: MEMBERSHIP**

There are three classes of Member, namely, regular Member, Honorary Member and Life Member. Regular members must have attained the age of 18. In the event the member has not attained the age of 18, the Parent/Guardian shall hold membership on their behalf.

#### **Regular Member**

A regular Member is either:

- a registered player
- a registered Club team official
- a registered Club game official
- parents or guardians of registered players;
- a registered Club director
- a registered Club administrator

Although an individual may qualify for, and be registered under, more than one of the above categories, each individual holds only one Membership in the Club, and is entitled to one vote at Members' meetings. Membership shall be for the current calendar year.

*Player*

A player shall become a regular Member when approved by the Club's Registrar.

*Team Official*

Upon application, a coach shall become a regular Member upon acceptance by the directors of the Club. A team official is an individual who is registered with The OSA to teach, instruct, train, guide and manage players to play the game of soccer. For purposes of this definition, a team official shall be classified as a coach, assistant coach, trainer and/or manager.

*Game Official*

Upon application, a game official shall become a regular Member upon acceptance by the directors of the Club. A game official is an individual who is registered with The OSA to officiate soccer games.

*Director*

A director shall become a regular Member upon election or appointment by the directors of the Club. A director is an individual who is registered with The OSA to be responsible for one or more of the functions required to operate a Club.

*Administrator*

An administrator shall become a regular Member upon appointment by the directors of the Club. An administrator is an individual who is registered with The OSA to be responsible for one or more of the functions required to operate a Club. For purposes of this definition, an operating committee person shall be classified as an administrator.

**Honorary Member**

The Board of Directors may designate an individual as a honorary Member. An honorary Member is afforded all rights of Membership, including the right to attend and speak at Members' meetings, but is not entitled to vote unless they are a current member.

**Life Member**

The Board of Directors may designate an individual as a life Member. A life Member is afforded all rights of Membership, including the right to attend and speak at Members' meetings, but is not entitled to vote unless they are a current member,

**Fees**

Membership fees for regular Members shall be set annually by the Board of Directors and ratified or amended by the Membership at a general meeting of the Club.

**Discipline of Member**

A Member may be fined, censured, suspended or expelled from Membership for cause and when charges have been laid in accordance with the published rules and a hearing held in accordance with the Club's and OSA's published rules. An individual whose Membership has been suspended loses all rights of Membership until the suspension has been terminated.

Player, team and team official discipline for game infractions is governed in accordance with the procedures published by The OSA. Any members, who infringes the Articles or rules of the Club or brings the Club into disrepute, may be reprimanded, suspended or expelled from the Club after a hearing by the Board of Directors of the Club at which hearing the Member is entitled to attend.

### **Termination of Membership**

Membership in the Club shall be deemed to have been terminated:

- if the Member submits a signed letter of resignation to the Club;
- if the Member is expelled by the Club's Board of Directors
- if the Member is no longer registered with the Club

## **Article 5: MANAGEMENT STRUCTURE**

The business of the Club shall be conducted by a Board of Directors, an Operating Committee and Volunteers.

### **1. Board of Directors**

The Club shall be governed by a Board of Directors which shall consist of at least 9 individuals, or such number not to be less than 9, as may be amended from time to time in accordance with the Club's By-Laws. The Board of Directors shall set policies and procedures, oversee implementation of said policies, approve all matters of finance, and shall appoint an Operating Committee to conduct the daily operations of the Club. The Board of Directors shall be comprised of the following positions:

President  
Vice- President  
Treasurer  
Secretary  
Director - Coaching  
Director - Representative Teams  
Director - House League  
Director - Operations  
Director - Soccer Development

In addition, the following members of the Board of Directors shall be non-voting positions:

Past President  
Chairperson Operating Committee

A Director can hold only one position on the Board of Directors. Members of the Board of Directors can be members of the Operating Committee.

A Director shall be 18 years of age or older, shall not be an undischarged bankrupt and shall be a Regular Member of the Club.

A Director shall serve for a term of two years or until his or her successor is elected or appointed.

After an initial Board of Directors has been appointed, the positions of President, Treasurer, Director - Coaching and Director - House League shall be elected in even numbered years, while the positions of Vice-President, Secretary, Director - Representative Teams, Director - Operations and Director of the Development of Soccer, shall be elected in odd numbered years.

The President appointed must have served as a director/executive for at least 1 year. If a director/executive is not available for this position, than a member of the current Operating Committee, can be elected for this position. If a member of the Operating Committee is not available for this position, than a current regular member, can be elected for this position.

The Vice President, Treasurer and Secretary appointed must have served as a director/executive and/or member of the Operating Committee for at least 1 year. If a

director/executive and/or member of the Operating Committee is not available for this position, than a current regular member, can be elected for this position.

All other directors appointed must be elected from the current membership.

### **Director Vacancy**

A Director has the right to resign her or his position by submitting a signed letter of resignation to the Club.

A vacancy on the Board of Directors, caused by death, or resignation which has been accepted by the Board of Directors, shall be filled by a majority vote of the Board of Directors. The successor Director shall hold his or her incumbent's position for the remainder of the term being filled.

### **Removal of Director**

No Member of the Board of Directors shall be removed for arbitrary reasons but may be removed if:

- A. The Director is unable to perform the duties expected of the position due to, but not limited to, any of the following reasons:
  - if she/he becomes incapable of performing the business of the Club
  - if she/he is absent from two or more meetings of the Board without satisfactory reason
  - if she/he no longer resides in reasonable proximity to the Club
  - if she/he becomes, or is discovered to be, an undischarged bankrupt; or
- B. The Director has compromised the integrity of the Club due to, but not limited to, any of the following reasons:
  - if she/he has been found guilty of an offence under the Harassment Policy of The OSA
  - if she/he has been found guilty of an offence involving violence under the Discipline Policy of The OSA
  - if she/he has failed to properly account for monies or other property belonging to the Club
  - if she/he has been found guilty of a criminal offence regardless of whether or not the offence directly affected the Club.

A Member of the Board of Directors may be removed from office by the Board of Directors for good and sufficient cause by a 2/3's vote of the Board of Directors present, provided notice to remove the Director has been given to all Directors of the Club. If a Director is removed by the Board of Directors, the Board of Directors may appoint a successor to the position for the remainder of the term being filled.

A Member of the Board of Directors may also be removed from office for good and sufficient cause at a meeting of the Members of the Club provided notice to remove the Director has been given to persons entitled to attend the Members' meeting. If a Director is removed at a Members' meeting, the Members entitled to vote may elect a successor to fill the position held by the removed Director for the remainder of the term being filled.

### **Conflict of Interest and Standards of Conduct**

The Directors shall be subject to the *Conflict of Interest Policy* in the OSA's published rules.

### **Duties of Board of Directors**

The Board of Directors shall conduct the business of the Club during the periods between

general meetings of the Club and in accordance with the authority granted to it in the published rules of the Club.

The Board of Directors shall be responsible for the appointment and renewal of appointments of all positions within the Club except for those positions elected by the Membership of the Club. This shall include the appointment of Operating Committee members, volunteers and paid positions for administrator positions within the Club's operations. The selection process and the appointments shall be based on procedures outlined in the Club's published rules.

The Board of Directors may also revoke, for cause, any appointment providing that it has followed the procedures for the revoking an appointment as outlined in the Club's published rules.

#### **Duties of Directors**

The duties of the Directors are described in the Lake Simcoe Soccer Club Rules and Regulations document.

The choice of allowing the *Past President* to be part of the Board of Directors, as a non-voting member, is appointed by the majority of the Board of Directors.

#### **Nominations and Elections**

Nominations for positions on the Board of Directors may be made by any Member at the annual general meeting or at a Special General Meeting called for that purpose.

Nominations and elections for positions open shall be held in the order of the positions listed in the Constitution.

Election shall be by secret ballot, but in the event only one candidate is nominated, no vote is required and the nominated candidate shall be declared elected by acclamation.

A majority of the votes cast shall be required to elect Directors. In the event no candidate receives a majority, the candidate with the least votes shall be dropped from the ballot and another vote shall be held.

## **2. Operating Committee**

The Operating Committee shall conduct the daily operations of the Club. The Operating Committee shall be comprised of the following positions:

- House League - Tyke and Micro Coordinator
- House League - Mini Coordinator
- House League - Youth Coordinator
- House League - Senior Coordinator
- Competitive Coordinator
- Equipment Coordinator
- Tournament Coordinator
- Communications Coordinator
- Sponsorship Coordinator
- Uniforms, Trophies & Awards Coordinator
- Fundraising Coordinator
- Player Development Coordinator
- Webmaster
- Chief Referee
- Assistant Chief Referee

The Operating Committee members shall appoint a Chairperson from time to time, to represent them on the Board of Directors. The Board of Directors may, at their discretion, add or remove people to this committee.

The Operating Committee shall be appointed by the Board of Directors.

Members wishing to be a member of the Operating Committee shall submit an application for a position. All positions will be for a term of **2 years and shall end in the opposite year from the director that they report to.**

**Positions to be filled in even years:**

Competitive Coordinator  
Fundraising Coordinator  
Equipment Coordinator  
Sponsorship Coordinator  
Uniforms, Trophies & Awards Coordinator  
Tournament Coordinator  
Player Development Coordinator

**Positions to be filled in odd years:**

House-League – Tyke/Micro Coordinator  
House-League – Mini Coordinator  
House-League – Youth Coordinator  
House-League – Senior Coordinator  
Head Referee  
Assistant Head Referee  
Volunteer Coordinator

The position on the Operating Committee shall be vacated:

Upon resignation in writing; if he/she becomes of unsound mind or otherwise incapable of performing the business of the Club; if he/she absents himself/herself from two (2) meetings without satisfactory notice or reason.

Should a vacancy occur on the Operating Committee by death, resignation, removal or otherwise, before the end of the term, the Board of Directors may appoint a person to fill the vacancy until the next Annual General Meeting.

**Duties of the Operating Committee**

The duties of the Operating Committee members are described in the Lake Simcoe Soccer Club Rules and Regulations document.

**3. Volunteers**

Any individual may volunteer to assist in the operations of the Club.

A list of registered volunteers shall be maintained by the Board of Directors. The Board of Directors shall promote the involvement of volunteers to their fullest in the activities of the Club.

**Article 6: MEETINGS**

**General Meetings:**

An official notice of each meeting shall be given to all Members at least 14 days before the meeting is to be held, at such place, and at such date as the Board of Directors may determine.

Such notification shall be by the following:

- website notice
- newspaper announcement / news letter
- posting at Club office

Twenty five voting Members or 25% of the voting Membership, whichever is less, shall form a quorum, at all general meetings of the Club. Any question shall be decided by a majority of the votes unless otherwise required by this By-Law or other law.

**Annual General Meeting:**

The Club shall hold its Annual General Meeting not later than October 31 of the following year.

The agenda of the Annual General meeting shall include:

- Roll Call
- Credentials Report
- Minutes of Previous Annual General Meeting
- President's Address
- Officers' Reports
- Treasurer's Report
- Auditor's Report
- Appointment of Auditors
- Other Reports
- Unfinished Business
- Amendments to the By-Laws
- Roll Call
- Election of Officers and Directors
- Any Other Business
- Adjournment

**Special General Meeting**

A special General Meeting of the Club:

- a. may be called by the Board of Directors, or
- b. shall be called by the Board of Directors upon receipt of a written request submitted to the Club by registered mail, certified mail, trace mail, courier service, hand delivery, fax or e-mail, signed by not less than 25 Members or 25% of the voting Membership, whichever is less, setting out the items of business to be conducted at the Special General Meeting. The Special General Meeting shall be held within 30 days of receipt of the written request from the Members.

Only the business set out in the notice of the Special General Meeting shall be considered.

**Voting at General Meeting**

Every regular Member aged 18 and over shall have the right to attend, speak and cast one vote at Members' meeting of the Club.

Every regular Member under the age of 18 shall have the right to attend and speak at Members' meetings, but any vote must be cast by a parent or guardian who shall also have the right to attend and speak on behalf of that Member at Members' meetings.

**Proxy Voting at General Meeting**

The format for the proxy, and the issue, or issues, for which the proxy may be cast are as defined in the Rules and Regulations.

### **Board of Directors Meeting**

Board of Directors shall meet at least 4 times per year, upon 14 days notice given by the President and Secretary, at such place and time as the Board of Directors may determine.

A majority of the Members of the Board of Directors shall form a quorum at all meetings of the Board. Questions arising at any meeting shall be decided by a majority of votes where each director is entitled to cast one vote.

### **Management Meetings**

The Operating Committee and/or the Board of Directors shall meet at least 4 times per year, upon 14 days notice given by the President and Secretary, at such place and time as the Board of Directors may determine.

Questions arising at any meeting shall be decided by a majority vote from the Board of Directors at a Board of Directors Meeting.

## **Article 7: COMMITTEES**

The Membership at any general meeting, or the Board of Directors at any meeting of the Board, may establish a standing committee or special committee to carry out specific business or programs of the Club.

## **Article 8: PROCEDURES GOVERNING MEETINGS**

All meetings of the Club shall be conducted in accordance with the most recently published Robert's Rules of Order Newly Revised except as may be otherwise stipulated in this By-Law or other Rules and Regulations of the Club.

## **Article 9: BY-LAWS AND AMENDMENTS**

By-Law amendments may be proposed by the Board of Directors, or submitted by a Member to the Club in writing at least 21 days prior to a general meeting of the Club; and must be approved by a majority vote of the Board of Directors, and by a 2/3's vote of the Membership voting in person or by proxy at a meeting of the Club duly called for that purpose.

All Members entitled to vote shall be notified with the Club's notice of the said Members' meeting about By-Law amendments.

Such notification shall be posted on the Club website.

## **Article 10: RULES AND REGULATIONS**

The Club shall have Rules and Regulations which shall include, but is not limited to, the following:

- a) discipline of a Member: summary of charges regarding misconduct
- b) discipline of a Member: procedures for discipline hearing
- c) duties of Board of Directors: authority granted to Board regarding the business being conducted
- d) duties of Board of Directors: selection process and appointment process for the appointment and renewal of appointments to the League's paid and volunteer positions
- e) duties of Board of Directors: process for revoking appointments
- f) voting at General Meeting: format for the proxy, and the issue, or issues, for which the proxy may be cast

The Board of Directors may approve and publish Rules and Regulations which are not inconsistent with this By-Law and are not inconsistent with the Rules and Regulations of a higher level governing organization.

Amendments to the Rules and Regulations may be made by a majority vote of the Board of Directors or the Members at a General Meeting.

## **Article 11: INDEMNITY**

Members of the Board of Directors or other servants to the Club, their heirs, executors, administrators and estate and effects respectively shall be indemnified and saved harmless at all times by the Club against all costs, losses and expenses incurred by them respectively in or about the discharge of their respective duties, except such as happens from their own respective willful neglect or default.

## **Article 12: FINANCE**

The accounts of the Club shall:

- a) be audited annually by a Chartered Accountant if the annual Gross Revenue is greater than \$30,000\*; or
- b) be reviewed annually through a Financial Review Engagement completed by a Certified General Accountant, Certified Management Accountant or Certified Accountant, if the Annual Gross Revenue is \$30,000 or less; or
- c) with the consent of all its Members, be exempt from any audit or Financial Review Engagement if the Annual Gross Revenue is less than \$10,000

The audit or the Financial Review Engagement statement shall be presented to the Annual General Meeting for adoption.

At the Annual General Meeting of the Club, a chartered accountant firm shall be appointed to perform the audit or the Financial Review Engagement or the Membership may vote in the majority to allow the Board to appoint the Auditor as they deem fit.

The fiscal year of the Club shall end on September 30<sup>th</sup> of each year, unless otherwise ordered by the Board of Directors.

## **Article 13: DISPUTE RESOLUTION**

The Club shall adhere to the Dispute Resolution process as published and approved by The OSA from time to time.

Any Member of the Club may initiate the Dispute Resolution process by communicating in writing to The OSA, with a copy to the Club and District Association, the nature and facts of the dispute. The OSA, at its discretion, may proceed with the Dispute Resolution process by assigning one or more neutral persons to the dispute.

The Dispute Resolution process shall not to be used for game discipline which follows the normal discipline and appeals process.

The Club shall make available to any Member the Dispute Resolution process when requested.

## **Article 14: HARASSMENT**

The Club shall adhere to the Harassment Policy as published and approved by The OSA from time to time.

The Harassment Policy shall apply to all employees, directors, officers, volunteers, coaches, game officials, administrators, players, Members and registrants of the Club.

Harassment is defined as any comment, conduct, or gesture directed toward an individual or group of individuals which is insulting, intimidating, humiliating, malicious, degrading or offensive. It includes, but is not limited to, sexual harassment. Harassment complaints will be handled on a case by case basis using the victim's interpretation of the above definition.

The Club shall make available to any Member the Harassment Policy when requested.

## **Article 15: DISCIPLINE POLICY**

### **Playing/Coaching While Under Suspension**

Any player who participates in any games or practices involving the Soccer Club teams while under suspension will be subject to further discipline.

A team will forfeit any points accumulated during games in which a suspended player participated in any fashion

A coach who allows a suspended player to participate in any games or practices while under suspension will be subject to further discipline.

### **Coach's Responsibilities**

The Coach or Team official in charge at the game in which an ejection occurs must notify the League Convenor or Discipline Chairman or designate within 24 hours.

### **League Convenor's Responsibilities**

Upon being notified of an ejection, the League Convenor will notify the Discipline Chairman and League Coaches of the player or coach who is subject to an automatic suspension

Notification to the Coaches need not be given until the night before the next regularly scheduled game.

### **Discipline Board – Chairman**

The Club shall appoint a Discipline Chairman who shall preside over discipline matters referred to him by the Club. The Discipline Chairman shall appoint two other persons to assist with discipline matters.

Volunteers not adhering to the Terms of Reference set out for their position shall be referred to the Discipline Board.

All discipline matters shall be handled in writing.

## **Article 16: ZERO TOLERANCE POLICY**

The Soccer Club is a strong supporter of making sport safe for our youth. Over the last couple of years, verbal abuse directed toward referees has been a particular problem. Accordingly, the Soccer Club has set up the following program to help ensure the safety and enjoyment of all.

### **Policy**

Any coach, parent, grandparent or guardian judged by the Discipline Board to be guilty of abusive conduct toward a game official during a Club's House League game will be reprimanded in writing. A second conviction, during the same season will result in the member being restricted from all services rendered by the Club including attendance at all soccer activities within the Club.

In extreme cases, as determined by the Discipline Board, a member may be reinstated subject to a review hearing.

### **Policy Procedures**

When a game official feels that they are being abused, as per the scope of this policy, by either a coach or fan, the official will be allowed to suspend the playing of the game. If the abuse is physical, the game official is advised to inform the coaches that the game has been abandoned and then proceed with Step 1.

The official will then verbally advise both coaches that the game has been stopped due to the abuse and inform both coaches as to the source of the abuse. If the source is one of the coaches, the official will advise the coach that the next occurrence of a similar nature will result in an abandonment of the game and that a report to the Club's Discipline Board will be sent in for review. If the source is a fan, the appropriate coach will provide the official with the name of the fan and the coach must advise the fan that the next occurrence of a similar nature will result in an abandonment of the game. Further, a report to the Club's Discipline Board will be sent in for review. If the fan is not associated with either team, both coaches are asked to speak to the fan and as the individual to leave.

Once the prescribed action in step two has been completed, the game will restart with a dropped ball between the two teams at the location where the play was stopped.

If the abuse continues, the official will be allowed to stop any further playing of the game and advise the coaches that the game has been abandoned and that a special incidence report will be forwarded to the Club's Discipline Board. The official must clearly indicate on the game sheet that the game was abandoned due to abuse.

- Step 1. The game official must contact either their Referee Coordinator or a member of the Executive to verbally report the incident within 24 hours.
- Step 2. A Special Incident Report, with the assistance of the Referee Coordinator or a member of the Executive, if required, must then be forwarded to the Club within 72 hours.
- Step 3. The Club's Discipline Board will then review and deal with the report as per their guidelines.
- Step 4. If the game was abandoned due to the conduct of a fan not associated with either team, the Executive will determine the status of the game.

If the game continues without any further incident, the game official is advised to inform their Referee Coordinator that the game was temporarily suspended due to abuse toward a game official.

Further, a note should be made on the game sheet.

## **Article 17: APPEALS**

Any Member or registrant of the Club directly affected by a decision of the Club may appeal such decision in accordance with the Published Rules of the Club or the Ontario Soccer Association. The denial or termination of Membership in the Club may be appealed by a non-Member.

A decision of the Club may be appealed to the District Association with which the Club is affiliated. The appeal shall be conducted in accordance with The OSA's and District Association's published rules.

An individual shall not appeal a decision made by the Board of Directors regarding the appointment, non-appointment, re-appointment or revocation of an appointment of an individual to any coach or administrator position within the Club's operations, except where the selection, appointment and recocation process outlined in the Club's published rules has not been followed.

An individual shall not appeal a decision made by the Club regarding a player's team assignment.

### **Article 18: TOURNAMENT NAME**

Every end of season Tournament shall be named the "**Laird Memorial Cup**" in memory of our founder William (Bill) Laird.

The Tournament name shall appear on all trophies in the following manner:

**"Laird Memorial Cup Sponsored By [name of sponsor]"**

### **Article 19: DISSOLUTION**

In the event of dissolution of the Club, and after payment of all debts and liabilities, its remaining property shall be distributed or disposed of by the Board of Directors to one or more not-for-profit soccer related organizations, or any not-for-profit athletic community organizations, which operate solely in Ontario.

### **Article 20: DEFINITIONS/TERMINOLOGY**

Terminology used in this By-Law shall have the same meaning as used by The OSA in its letters patent, By-Laws and published rules.