

**NLBA's
Constitution
And
Policy Manual**

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The Newfoundland and Labrador Basketball Association

MISSION STATEMENT

"To provide vision, inspiration and support for all communities to create opportunities for participation and play. The NLBA's leadership will forge a cohesive, united organization dedicated to building the great game of basketball."

History

The Newfoundland and Labrador Basketball Association was created in 1964 to help develop the game of basketball within the province. We are now the leading resource for basketball in NL. A membership in the NLBA gives our members access to the latest information in newsletters such as *Key Points*, provides insurance coverage for teams and leagues, and creates developmental programs for the provinces athletes, coaches and youth.

Basketball has exploded in Canada with the arrival of the NBA and the NLBA has grown with it. We have expanded beyond the part time position of the 1980's to a full time executive director and additional office staff from time to time.

The NLBA **is about developing our youth!** Basketball is currently the number one sport in terms of interest for elementary-aged children. Our goal is to help communities develop leagues where children can develop their fundamental skills and learn to appreciate basketball in a fun, non-threatening environment. We are achieving this goal through coaching clinics and by supplying resources to the various leagues around the Island.

ARTICLES OF INCORPORATION

Newfoundland and Labrador

Basketball Association

Updated: June 21st, 2014

Articles of Incorporation

Newfoundland and Labrador Basketball Association

ARTICLE 1 GENERAL

- 1.1. Purpose -- This Article relates to the general conduct of the affairs of the Newfoundland and Labrador Basketball Association, hereafter referred to as the corporation or NLBA, a corporation incorporated under the *Corporations Act* and assigned the number 11129 for future reference.
- 1.2. Provincial Office: -- The Provincial Office of the Corporation shall be located in the city of St. John's under the auspices of Sport Newfoundland and Labrador or at such place as the Board may determine.
- 1.3. Fiscal Year -- Unless otherwise determined by the Board, the fiscal year-end of the Corporation shall be March 31.

ARTICLE 2 MEMBERSHIP

Categories of Membership

- 2.1 Categories -- The Corporation will have three categories of membership:
 - (a) Active membership
 - (b) Associate membership
 - (c) Individual membership

Qualifications for Membership

- 2.2 Active Members:

NABO plus any area association or community leagues whose players, coaches and officials are members of the Newfoundland and Labrador Basketball Association.

An association accepted for membership shall hereinafter be called an "active member association".

Each member of the NLBA Executive shall become an active member upon taking office and shall cease to be an active member upon ceasing to be a member of the Executive.

Each active member shall be entitled to one vote at the Annual General Meeting of the corporation.

2.3 Associate Member:

Associate membership shall be open to any advisory, consultative or educational organization concerned and involved with basketball in Newfoundland, except government agencies and organizations whose main objective is commercial gain.

Associate members shall be entitled to attend the Annual General Meeting as observers only.

2.4 Individual Member:

(a) Any player, coach or official who is a member of an **active member association** MUST be an individual member.

(b) Any person who is interested in taking part in Newfoundland and Labrador Basketball Association Provincial Tournament play MUST be an individual member.

(c) Individual members shall be entitled to attend Annual General Meetings of the Corporation as observers only. Individuals with issues for the corporation must voice their concerns through their Active Members Associations.

Admission of Members

2.5 No organization, corporation or league shall be admitted as a Member unless:

- a) It has made written application in the form prescribed by the Board;
- b) It has been approved as a Member by the Board; and
- c) It has paid membership dues as determined by the Board.

Voting Rights of Members

2.6 Members shall have the following voting rights at all Meetings of Members:

- a) Executive Committee Members will have one vote;
- b) Executive Board members will have one vote;
- c) Regional Directors will carry one vote. Regional directors who carry additional Active Member voting privileges will only be permitted one vote. These individuals must have an additional Active Member present to vote.
- d) Active Member Association will carry one vote.
- e) Associate Members may attend but do not receive a vote;
- f) Individual Members may attend but do not receive a vote;
- g) In the event of a tie the President has the option to cast 2 ballots;

Membership Dues

2.7 Year – Unless otherwise determined by the Board, the membership year of the Corporation shall be November 1 to October 31.

2.8 Dues -- Membership dues for each category of membership shall be paid by November 1st of the said year.

Withdrawal and Termination of Membership

2.9 Resignation -- Except as provided for in Article 2.13, a Member may resign from the Corporation by giving written notice to the Board.

2.10 May Not Resign --A Member who is subject to a disciplinary action of the Corporation shall remain a Member for this purpose until such time as the disciplinary action has concluded.

2.11 Arrears -- A Member may be suspended from the Corporation for failing to pay membership dues by the deadline date prescribed by the Board. Should membership dues remain unpaid for an additional 30 days, the Member may be expelled from the Corporation.

2.12 Discipline -- In addition to suspension or expulsion for failure to pay membership dues, a Member may be suspended or expelled from the Corporation in accordance with the Corporation's policies and procedures relating to discipline of Members.

2.13 Cease to Be a Member -- Any Member who is not an individual shall cease to be a Member upon its dissolution or winding up of affairs. Any member who is an individual shall cease to be a Member when their successor is elected in accordance with this article.

ARTICLE 3 GOVERNANCE

Composition of the Board

- 3.1 Directors -- The Board shall consist of Ten Directors, comprised of:
- a) Executive Committee;
 1. President
 2. Vice- President
 3. Past President
 4. Secretary/Treasurer
 5. Policy Director
 - b) Executive Board (Includes Executive Committee)
 6. Senior Development Director
 7. Youth Development Director
 8. Coaching Development Director
 9. Athlete Representative Director
 - c) Regional Directors will be elected to the board under the regions outlined in the Government's Newfoundland and Labrador Games Handbook. There will be one director for each region.
 - d) The Executive Director, who shall be a non-voting member of the Board.

Powers of the Board

3.2 Powers of the Corporation -- Except as otherwise provided in this article, the Board has the powers of the Corporation and may delegate any of its powers, duties and functions.

3.3 Managing the Affairs of the Corporation -- The Board may make policies and procedures for managing the affairs of the Corporation in accordance with this article.

3.4 Discipline -- The Board may make policies and procedures relating to discipline of Members, and shall have the authority to discipline Members in accordance with such policies and procedures.

3.5 Dispute Resolution -- The Board may make policies and procedures relating to management of disputes within the Corporation and all disputes shall be dealt with in accordance with such policies and procedures.

3.6 Employment of Persons -- The Board may employ such persons, as it deems necessary to carry out the work of the Corporation.

3.7 Interpretation of Article -- The Board shall have the authority to interpret any provision of this article, which is ambiguous or unclear.

Election and Appointment of Directors

3.8 Eligibility -- Any individual who is 18 years of age or older and who has the power under law to contract may be nominated for election as a Director.

3.9 Nomination -- Any nomination of an individual for election as a Director shall:

- a) be signed by an Active Member or any two Directors other than the Executive Director;
- b) include the written consent of the nominee;
- c) Be submitted to the Corporation at least 30 days prior to the Annual Meeting.
- d) Notwithstanding, Article 3.9 c), nominations may be accepted from the floor at the Annual Meeting prior to elections, taking place.

3.10 Circulation of Nominations -- Valid nominations shall be circulated to Members at least 21 days prior to the Annual Meeting.

3.11 Election -- The election of Directors shall take place at the Annual Meeting by those Members present and eligible to vote.

3.12 Elected Directors Terms -- Elected Directors shall serve a one or two year term and shall hold office until their successors have been duly elected in accordance with this article, unless they resign, are removed from or vacate their office. The terms of elected directors shall be staggered by electing 4 positions during even years (President; Secretary/Treasurer; Minor Director and Athlete

Representative) and 4 positions during odd years (Vice-President; Policy Director, Coaching Director and Senior Director).

- 3.13 **Election Procedures** -- Elections shall be conducted by ballot. The nominees for each position receiving the greatest number of votes shall be elected. In the event of a tie between two or more nominees, subsequent ballots shall be conducted until such time as the tie is broken.
- I. Voting privileges -- Voting privileges at all Meetings of Members shall be as set out in Article 2.6
 - II. Scrutineers -- At the beginning of each Meeting, the Board may appoint one or more scrutineers who shall be responsible for ensuring that votes are properly cast and counted.
 - III. Delegates – Each board and regional director will receive one vote. Each Active Member will receive one vote and shall advise the Corporation in writing of its delegate 10 days prior to any Meeting.
 - IV. Voting -- Votes shall be cast by delegates only and such voting rights may be transferred among delegates representing the same Member. Votes may not be cast by proxy.
 - V. Majority of Votes -- unless the issue needs to be decided by a special resolution, the majority of the votes of Members present who vote shall decide each issue.
- 3.14 Appointed Directors – Appointed Directors shall be confirmed at each Annual Meeting and shall hold office until their successors have been duly appointed in accordance with this article, unless they resign, are removed from or vacate their office.

Resignation and Removal of Directors

- 3.15 Resignation -- A Director may resign from the Board at any time by presenting his or her notice of resignation to the Board. This resignation shall become effective the date on which the request is approved by the Board.
- 3.16 Vacate Office -- The office of any Director shall be vacated automatically:
- a) If the Director is found by a court to be of unsound mind;
 - b) If the Director becomes bankrupt;
 - c) If the Director, without reasonable excuse, fails to attend three consecutive meetings of the Board; or
 - d) Upon the Director's death.
- 3.17 Removal -- Directors may be removed as follows:
- a) An elected Director may be removed by Special Resolution of the Members present at a General Meeting, provided the Director has been given notice of and the opportunity to be present at such a meeting.
 - b) An appointed Director may be removed at any time by the body, which appointed them.

Filling a Vacancy on the Board

3.18 Vacancy -- Where the position of an elected Director becomes vacant for whatever reason, the Board may appoint a qualified individual to fill the vacancy for the remainder of the vacant position's term of office. Where the position of an appointed Director becomes vacant for whatever reason, the appointing body shall name a replacement appointee within a reasonable time period, who is acceptable to the Board.

Meetings of the Board

3.19 Number of Meetings -- The Board shall hold an Annual General Meeting during June and a Semi Annual Meeting during November on an annual basis.

3.20 Call of Meeting -- The meetings of the Board shall be at the call of the President or at the call of the Executive Director if four members of the Board make a written request for such a meeting.

3.21 Notice -- A reasonable period of time before each meeting of the Board, the Executive Director shall send to each Director a notice of the meeting together with the agenda of the business to be transacted at the meeting.

3.22 Quorum -- A quorum shall be five Directors other than the Executive Director.

3.23 Chair -- If the President is absent from the meeting, the Vice-President shall preside over the meeting. If both the President and the Vice-President are absent from the meeting, the Board shall appoint from among its members a Director to preside over the meeting.

3.24 Voting -- Voting at Board meetings shall be as follows:

- a) Questions shall be decided by majority vote;
- b) A tie vote fails;
- c) Voting shall be by show of hands unless a majority of the Directors approve a secret ballot; and
- d) Except where there exists a conflict of interest no Director shall abstain from voting.

3.25 Closed Meetings -- Meetings of the Board shall be closed to Members and the public except by invitation of the Board. Any Director may request that the Executive Director be excused from any portion of any meeting.

3.26 Telephone Meetings -- Where a majority of the Directors agree, a meeting of the Board may be held by telephone conference call. Where any Director is unable to attend a meeting, reasonable effort shall be made to include the Director in the meeting by means of telephone. Directors who participate in a meeting by conference call or telephone are considered to have attended the meeting.

Officers

3.27 Officers -- The Officers of the Corporation are the President, Vice-President, Past President, Secretary/Treasurer, Policy Director and Executive Director.

3.28 Elections of Officers -- With the exception of the Executive Director, and past president officers are elected annually by the membership during the Annual General Meeting according to guidelines outlined in Article 3.12.

3.29 Duties -- The duties of Officers are as follows:

- a) The President shall be responsible for the general supervision of the affairs and operations of the Corporation, shall preside at the Annual and General Meetings of the Corporation and at meetings of the Board and the Executive Committee and shall perform such other duties as may from time to time be established by the Board;
- b) The Vice-President shall perform the duties and exercise the powers of the President in the absence or disability of the President, and shall perform such other duties as may from time to time be established by the Board;
- c) The Past-President shall advise on all issues of the boards meetings and shall chair the meetings in the absence of the president and vice president. They shall also perform such other duties as may from time to time be established by the Board;
- d) The Secretary/Treasurer shall be responsible for maintaining all minutes and records of meetings within the corporation and shall perform such other duties as may from time to time be established by the Board; shall direct the financial status of the association on a regular basis.
- e) The Policy Director shall develop policies in all areas of the association's activities/programs annually.
- f) The Executive Director shall be responsible for liaison between the Board and staff, shall support the Board in carrying out its duties and shall have overall management responsibility for all programs and activities of the Corporation.

3.30 Removal -- An officer may be removed by resolution of the Board at a meeting of the Board, provided the officer, has been given notice of and the opportunity to be present at such a meeting.

Executive Committee

3.31 Composition -- The Executive Committee will be comprised of the President, Vice-President, Past President, Secretary/Treasurer and Policy Director.

3.32 Executive Director -- The Executive Director shall be an *ex-officio* (non-voting) member of the Executive Committee.

3.33 Authority -- The Executive Committee shall have the authority to oversee the implementation of policies during intervals between meetings of the Executive Committee and the membership.

3.34 Meetings -- Meetings of the Executive Committee shall be held at such time and place as determined by the members of the committee, provided that reasonable notice of the meeting shall be given to each member of the committee.

3.35 Quorum -- Three voting members shall be quorum at a meeting of the Executive Committee.

Other Committees

3.36 Appoint Other Committees -- The Executive Committee may appoint annually such other Committees as it deems necessary for managing the affairs of the Corporation.

3.37 Terms of Reference -- The Executive Committee shall establish the terms of reference and operating procedures for all Committees, and may delegate any of its powers, duties or functions to any Committee.

3.38 Vacancy -- When a vacancy occurs on any Committee, upon a recommendation of the Committee Chairperson the Board may appoint a qualified individual to fill the vacancy for the remainder of the Committee's term.

3.39 Ex-officio Members -- The President and Executive Director shall be *ex-officio* (non-voting) members of all Committees of the Corporation.

3.40 Removal -- The Executive Committee may remove any member of any Committee.

3.41 Standing Committees—

- | | |
|------------------------|------------------------------------|
| (a) Minor Committee | (Chaired by Youth Director) |
| (b) Coaching Committee | (Chaired by Coaching Director) |
| (c) Awards Committee | (Chaired by Vice President) |
| (d) Hall of Fame | (Appointed by Executive Committee) |
| (e) Policy Committee | (Chaired by Policy Director) |
| (f) Hall of Fame Cup | (Appointed by Executive Committee) |

Remuneration

3.42 No Remuneration -- All Directors, Officers and members of Committees shall serve their term of office without remuneration except for reimbursement of expenses in accordance with policies approved by the Board.

ARTICLE 4 MEETINGS OF MEMBERS

Annual/Semi Annual Meetings

4.1 Location and Date -- The Corporation shall hold an Annual General Meeting the 4th weekend of June at such time and place as determined by the Board.

4.2 Agenda -- The agenda for the Annual Meeting shall include:

- Presentation of Delegates' Credentials
- Roll Call
- Adoption of Agenda
- Appointment of Resolutions Officer
- Appointment of Scrutineers
- Reading of Minutes
- Business Arising out of Minutes
- Board and Staff Reports
- Other Reports
- Report of Auditors
- Correspondence
- Report of Nominating Committee
- Election of Officers
- Constitutional Amendments
- Resolutions
- New Business
- Next Annual General Meeting
- Installation of Officers
- Adjournment

4.3 Notice -- Written notice of the Annual Meeting, together with the Agenda, shall be given to all Members at least 21 days prior to the date of the meeting.

4.4 New Business -- Any Member who wishes to have new business placed on the Agenda shall give written notice to the Corporation at least 10 days prior to the meeting date.

4.5 Quorum -- Ten Active Members, with a minimum of 5 Directors, shall be quorum at an Annual Meeting.

4.6 Closed Meetings -- Annual Meetings shall be closed to the public except by invitation of the Board.

General Meetings

4.7 Call of Meeting -- A General Meeting of the Members may be called at any time at the discretion of the Board or upon the written request of Five Active Members who are not Directors.

4.8 Reason for Meeting -- If requested by Active Members, the request must state the reason for a General Meeting and the items intended to be determined at the General Meeting.

4.9 Quorum -- A minimum of 5 Directors shall be quorum at a General Meeting.

4.10 Closed Meetings -- General Meetings shall be closed to the public except by invitation of the Board.

Special Resolution

4.11 Matters required to be determined by a Special Resolution shall be passed by a majority of not less than three-quarters of votes at a General Meeting for which notice has been properly given.

ARTICLE 5 FINANCE AND MANAGEMENT

5.1 Bank -- The banking business of the Corporation shall be conducted at such financial institution as the Board may designate.

5.2 Auditors -- At each Annual Meeting the Members shall appoint an auditor to audit the books, accounts and records of the Corporation for report to the Members at the next Annual Meeting. The auditor shall hold office until the next Annual Meeting.

5.3 Signing Authority -- The Officers of the Corporation along with the Executive Director shall have signing authority for all financial transactions conducted in the name of the Corporation. All such transactions shall require two signatures.

5.4 Execution of Agreements -- All written agreements entered into in the name of the Corporation shall be signed by two Officers or other persons authorized to do so by the Board.

5.5 Property -- The Corporation may acquire, lease, sell or otherwise dispose of securities, lands, buildings or other property, or any right or interest therein, for such consideration and upon such terms and conditions as the Board may determine.

5.6 Borrowing -- The Corporation may borrow funds upon such terms and conditions as the Board may determine.

5.8 Books and Records -- The Board shall ensure that all books and records of the Corporation, required to be kept, are regular and properly kept.

ARTICLE 6 INDEMNIFICATION

6.1 Shall Indemnify -- The Corporation shall indemnify and hold harmless out of the funds of the Corporation each Director and Officer from and against any and all claims, demands, actions or costs which may arise or be incurred as a result of occupying the position or performing the duties of a Director or Officer.

6.2 Shall Not Indemnify -- The Corporation shall not indemnify a Director or Officer or any other person for acts of fraud, dishonesty, or bad faith.

6.3 Insurance -- The Corporation may purchase and maintain insurance for the benefit of its Directors and Officers, as the Board may determine.

ARTICLE 7 AMENDMENT OF ARTICLES

7.1 Special Resolution -- This article may only be amended, revised, repealed or added to by a Special Resolution of the Members.

7.2 Notice -- The 21 days written notice of the Annual General Meeting of the Corporation must include details of the proposed resolution to change the article.

7.3 A copy of each proposed change or alteration made strictly in compliance with the Article shall be forwarded by the Secretary of the Corporation to each active member within 15 days after receipt of same.

7.4 Notice of any change, amendment, or alteration adopted by the Corporation shall be sent to the Registrar of Companies and to all active members immediately upon receipt of such approval.

7.5 No such change, amendment, or alteration adopted by the Corporation shall become operative or be acted upon, until the same has been approved in accordance with the Companies Act.

ARTICLE 8 DISSOLUTION

8.1 Upon the dissolution of the Corporation, any funds or assets remaining after paying all debts shall be distributed to an incorporated, non-profit Newfoundland organization as determined by the Board.

ARTICLE 9 NOTICE

9.1 Written Notice -- In this article, written notice shall mean notice that is hand-delivered or provided by mail or courier to the address of record of the Corporation, Director or Member, as the case may be.

9.2 Days -- In this article, the number of days specified for giving notice shall mean total days, irrespective of weekends or holidays.

9.3 Error in Notice -- The accidental omission to give notice of a Meeting of the Directors or the Members, the failure of any Director or Member to receive notice, or an error in any notice which does not affect its substance shall not invalidate any action taken at the Meeting.

ARTICLE 10 ADOPTION OF THE ARTICLES

10.1 Adoption by Board -- These Articles were adopted as the "Articles of the Corporation" by the Board of the Corporation at a meeting of the Board duly called and held on June 22nd . 2001

10.2 Ratification -- These Articles were ratified by a Special Resolution of the Members of the Corporation entitled to vote at a General Meeting duly called and held on June 21st, 2014.

10.3 Repeal of Prior Articles -- In ratifying these articles the Members of the Corporation repeal all prior Articles of the Corporation provided that such repeal does not impair the validity of any action done pursuant to the repealed articles.

10.4 Enactment -- These "Articles of the Corporation" are hereby enacted and shall come into force upon its acceptance by the Registrar of Companies or a successor or replacement agency.

President

Executive Director

THE HALL OF FAME CONSTITUTION
NEWFOUNDLAND AND LABRADOR BASKETBALL

ARTICLE (1) NAME:

Newfoundland and Labrador Basketball Hall of Fame

ARTICLE (2) LOCATION:

St. John's, Capital City of the Province of Newfoundland

ARTICLE (3) OBJECTIVES:

- (1) to recognize, honor and pay tribute to all individuals, groups, associations, families or teams on the basis of playing ability, sportsmanship and character and who have achieved extra-ordinary distinction in basketball, whether that distinction be achieved in amateur and/or professional athletics;
- (2) to recognize, honor and pay tribute to those individuals, groups, associations or families who have given distinguished services and who have a major contribution to the development and advancement of basketball in Newfoundland;
- (3) to encourage the development of all aspects of basketball by permanently recording the achievements and history of such individuals, groups, associations, families or teams;
- (4) to encourage the development of all aspects of basketball by permanently recording achievements and history of the various sports;
- (5) to carry out these objectives by establishing and maintaining a repository or center for the official archives of basketball in Newfoundland and Labrador and thereby to give public prominence to the achievements of such individuals, groups, associations, families, and teams involved with basketball.

ARTICLE (4) ADMINISTRATION:

The affairs of the Newfoundland and Labrador Basketball Hall of Fame shall be administered by the Executive Director and the Chairperson of the Hall of Fame. The Chairperson will be selected by the NLBA executive and will be responsible for appointing a Selection Committee. This committee must be approved by the NLBA executive. The Hall of Fame will take place every second year.

ARTICLE (5) FINANCES:

The cost of establishing and maintaining the Newfoundland and Labrador Basketball Hall of Fame shall be the responsibility of the Newfoundland and Labrador Basketball

Association. The Annual General Meeting will be held every second year and the funds saved will be used to offset costs associated with the Hall of Fame. The Hall of Fame celebration will be held every second year.

ARTICLE (6) CLASSIFICATION OF MEMBERS:

There shall be three (4) categories of membership and enrollment in the Newfoundland and Labrador Basketball Hall of Fame, namely:-

1. Athletes
2. Builder
3. Officials
4. Athlete Builder

Athlete is defined as a competitor or participant in Basketball recognized by the Newfoundland and Labrador Basketball Association whether amateur or professional and may include groups, associations, families or teams.

Builder is defined as any individual, group, association or family which has made a major contribution toward the promotion, development and advancement of basketball in Newfoundland and Labrador. Without restriction the generality of the foregoing, may include officials, managers, trainers, coaches, physical fitness instructors, administrators, and executive of athletic clubs, groups and associations etc.

Official - is defined as any individual, group, family, association who has combined dedication and participation in amateur or professional sport with continued interest and contribution toward the promotion, development and advancement of basketball officiating in Newfoundland and Labrador. These will be nominated by the Newfoundland Association of Basketball Officials (NABO).

Athlete / Builder: is defined as any individual, group, family, association or team who has combined competition and participation in amateur or professional sport with continued interest and contribution toward the promotion, development and advancement of basketball in Newfoundland and Labrador.

ARTICLE (7) SELECTION COMMITTEE:

- (1) The Selection Committee shall consist of three (3) members who are knowledgeable in the history, traditions, accomplishments, ability, skill, achievements, and contribution of Athletes, Builders, Officials, and Athlete/Builder in Newfoundland and Labrador and whose prestige, judgment and integrity are most likely to ensure the fair and impartial assessment of the qualities of the candidates submitted for their consideration and to ensure the maintenance of a very high standard of excellence in the selections made by them.

- (2) The NLBA will appoint a chairperson at each Annual General Meeting of the NLBA. This individual may hold office for three (3) successive 2 year terms.
- (3) Each member of the Selection Committee shall be appointed for a term of two (2) years and shall hold office until their successor is appointed.
- (4) No individual of the selection Committee shall be appointed for more than two (2) successive two year terms.
- (5) The quorum for any meeting of the Selection Committee shall be two (2)
- (6) There shall be no proxy.
- (7) The Chairman shall preside at all meetings of the Selection Committee but in the absence of the Chairman, a Chairman shall be elected for the purpose of that meeting.
- (8) Each meeting shall determine its own procedure, however, wherever possible proper parliamentary procedure shall be followed.
- (9) In the event of the death or resignation of a member of the Selection Committee, the President of the Newfoundland and Labrador Basketball Association shall, forthwith, fill the vacancy and the individual so appointed shall complete the term of his predecessor.

ARTICLE (8) ELIGIBILITY FOR ELECTION:

- (1) Player Candidates shall be chosen on the basis of their playing ability, sportsmanship, character, and who have achieve extra-ordinary distinction in an amateur or professional basketball.
- (2) Builder Candidates shall be chosen on the basis of having made a major contribution to the development and advancement of basketball in Newfoundland and Labrador,
- (3) Official Candidates shall be chosen on the basis of their contribution to development and advancement of basketball officiating in Newfoundland and Labrador.
- (4) Athlete / Builder Candidates shall be chosen on the basis of their combined competition and participation in amateur or professional sport with continued interest and contribution toward the promotion, development and advancement of basketball in Newfoundland and Labrador.
- (5) No individual, group, association, family or term, shall be eligible for election to the Newfoundland Basketball Hall of Fame until a period of three (3) years has elapsed from the date of this or their retirement from active competition.
- (6) Builder Candidates may be either active or inactive in Basketball.
- (7) Members of the Selection Committee shall not be eligible for election to the Newfoundland and Labrador Basketball Hall of Fame while serving in office.
- (8) Any Newfoundlander now or in the future enrolled in either Canada Basketball Hall of Fame or Sport Newfoundland and Labrador's Hall of Fame shall be deemed a member of the Newfoundland and Labrador Basketball Hall of Fame and shall be so enrolled.

ARTICLE (9) ELECTION POSTHUMOUS:

- (1) Any person who shall die between the date of his election to the Newfoundland and Labrador Basketball Hall of Fame and the date of the enrollment ceremony shall be duly enrolled posthumously.
- (2) A deceased person may be a candidate for election to the Hall of Fame; and if so elected shall be enrolled posthumously.
- (3) At any induction ceremony held for the purpose of enrollment into the Newfoundland and Labrador Basketball Hall of Fame, a deceased person, so elected, shall be represented by an individual selected by the family in conjunction with the Selection Committee.

ARTICLE (10) PROCEDURE FOR NOMINATION AND ELECTION:

- (1) Members of the Selection Committee may each nominate any number of players, builders and officials to a maximum of three (3).
- (2) Any member of the NLBA may complete and submit nomination forms.
- (3) All nominations shall be in the hands of the Executive Director on or before the 31st day of March the year of the induction. Nomination forms not in the hands of the Executive Director by the 31st day of March, the year of the induction shall be deemed to be null and void and shall not be considered by the Selection committee unless again submitted in accordance with these rules the following term.
- (4) The Executive Director will immediately forward all Nomination Forms and supporting materials to the Chairperson immediately following the March 31st closing deadline.
- (5) That if a member of the Selection Committee is not satisfied with the information contained in the nomination form and with the supporting material he shall request the nominator to supply such additional information and facts as he/she deems necessary.
- (6) The quota of candidates to be elected in each year shall be as follows, that is to say, not more than three (3) Players, or three (3) Builders or three (3) officials or any combination equivalent to the number three (3).
- (7) Balloting
 - (a) Secret Ballot or voice vote be used and each member shall be entitled to vote for the number of candidates established by the quota, aforesaid, being the number three (3).
 - (b) Any candidate receiving unanimous approval of all present voting shall be declared elected.
 - (c) If all of the quotes are not elected, then a series of run-off ballots shall be conducted with each member present entitled to vote for the number of candidates remaining to be elected under the quota aforesaid, and each unanimous choice of those present shall be elected in order to fill the complement permitted herein before defined.
 - (d) If on any ballot there is a candidate(s) gaining unanimous approval, then the next ballot immediately following that ballot, will include the names of

- all remaining candidates, including the candidate with the lowest number of votes on the ballot containing the candidate with unanimous approval.
- (e) If on any successive ballot there is no unanimous selection then the candidate receiving the highest number of votes (provided that it is not less than seventy-five percent (75%) of the total membership of the joint meeting present and voting) shall be declared elected.
 - (f) The chairperson shall then make a declaration of the ballot results and the election of the candidates to the Executive Director of the Newfoundland and Basketball Association.

ARTICLE (11) PUBLICATION OF ELECTION:

- (1) It shall be a condition precedent for official enrollment that each newly elected member of the Newfoundland and Labrador Basketball Hall of Fame (or proxy if said member is unavoidably absent) shall be formally inducted into membership into the Newfoundland and Labrador Basketball Hall of Fame at an official induction ceremony.
- (2) The time and place of such a ceremony shall take place at the discretion of the Chair and the Selection Committee upon approval of the NLBA executive.
- (3) At the time of induction, the new member shall receive an appropriate form of recognition as the Newfoundland and Labrador Basketball Association, Provincial Executive Committee deems appropriate.
- (4) The Newfoundland and Labrador Basketball Association shall be responsible for establishing and maintaining a permanent roll of members elected to the Newfoundland and Labrador Basketball Hall of Fame said roll to contain such information and be in such form as designated by its Provincial Executive Committee.

ARTICLE (12) PROCEEDINGS CONFIDENTIAL:

No member of the Selection Committee shall at any time divulge or disclose the results or other particulars of the balloting (otherwise than herein before expressly provided) nor shall he disclose the vote of any member at any time.

ARTICLE (13) AMENDMENTS:

- (1) No repeal or amendment of this Constitution shall be made except at the annual meeting or the semi-annual meeting of the Newfoundland and Labrador Basketball Association and unless notice of such proposed repeal or amendment has been fully given to the Executive Director of the Newfoundland and Labrador Basketball Association 30 days before the date fixed for the annual meeting or the semi-annual meeting, the only duly qualified registered voters of the Association may propose any such repeal or amendment.
- (2) A copy of every proposed repeal or amendment shall be forwarded by the Executive Director of the Newfoundland and Labrador Basketball Association

to all voting delegates of the Newfoundland and Labrador Basketball Association annual or semi-annual meeting at the time of giving notice of such annual meeting or semi-annual meeting,

- (3) A repeal or amendment referred to in Subsections one (1) and two (2) shall only be effected by a majority of those duly qualified voters who are present and vote at such annual meeting or semi-annual meeting.

Updated November, 2011

DISCIPLINE POLICY

NOTE:

“Member” refers to all categories of members of the Newfoundland and Labrador Basketball Association, as well as to all individuals engaged in activities with or employed by The Newfoundland and Labrador Basketball Association, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees (including contract personnel).

PREAMBLE

1. The Newfoundland and Labrador Basketball Association is committed to providing a sport environment which is athlete-centered, and which is characterized by the values of fairness, integrity, open communication, and mutual respect.
2. Membership in the Newfoundland and Labrador Basketball Association, as well as participation in the activities of the association, brings with it many benefits and privileges. At the same time members are expected to fulfill certain responsibilities and obligations, including but not limited to complying with the Code of Conduct, policies, rules and regulations of the Newfoundland and Labrador Basketball Association.
3. The Code of Conduct (attached as Appendix A) identifies the standard of behavior which is expected of members of the Newfoundland and Labrador Basketball Association. Members who fail to meet this standard will be subject to the disciplinary sanctions identified within this policy.

APPLICATION

4. This policy applies to all members of the Newfoundland and Labrador Basketball Association, as well as to all individuals engaged in activities with, or employed by, the Newfoundland and Labrador Basketball Association including, but not limited to athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees.
5. This policy applies to discipline matters which may arise during the course of all the associations business, activities and events, including but not limited to basketball competitions (including exhibition games), basketball practices, training camps, meetings and travel associated with these activities.
6. Discipline matters arising within the business, activities or events of local/regional/provincial/territorial or national Basketball associations, or other member organizations of the Newfoundland and Labrador Basketball Association shall be dealt with using the discipline policies and mechanisms of such organizations.

DISCIPLINARY PROCEDURES

Minor Infractions:

7. Minor infractions are single incidents of misconduct which violate the *Guidelines for Behaviour* but which generally do not result in harm to others, examples of which are shown in Appendix B. All disciplinary situations involving minor infractions occurring within the jurisdiction of the Newfoundland and Labrador Basketball Association will be dealt with by the appropriate person having authority over the situation and the individual involved (this person may include, but is not restricted to, a board member, committee member, basketball tournament chairperson, official, coach, team manager, team captain or head of delegation).

8. Procedures for dealing with minor infractions shall be informal and shall be determined at the discretion of the appropriate person having authority over the situation and the individual involved, provided the individual being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident.

9. The following disciplinary sanctions may be applied, singly or in combination, for minor infractions:

- a) verbal reprimand,
- b) written reprimand to be placed in individual's file,
- c) verbal apology,
- d) hand-delivered written apology,
- e) team service or other voluntary contribution to the Newfoundland and Labrador Basketball Association,
- f) suspension from the current competition,
- g) other sanctions as may be considered appropriate for the offense.

10. Minor infractions which result in discipline shall be recorded using the *Incident Report Form* in Appendix C. Repeat minor offenses which are documented in Incident Reports may result in subsequent incidences, which would normally be considered as a minor infraction, being considered as a major infraction.

Major Infractions:

11. Major infractions are single or repeated incidents of misconduct which violate the *Guidelines for Behavior* and which result, or have the potential to result, in harm to other persons or to the Newfoundland and Labrador Basketball Association. Examples of major infractions are shown in Appendix B. Any member, or representative, of the Newfoundland and Labrador Basketball Association shall report to the Executive Director a major infraction using the Incident Report form in Appendix C. The Executive Director will forward the report to the Executive Board for review.

12. If the incident is a major infraction the Executive Board "may decide" that a hearing is required. If a hearing is required the alleged offender shall be notified as

quickly as possible as and in any event no later than 5 days from date of receipt of the Incident Report, and shall be provided with a copy of this policy concurrently with being notified of the infraction.

13. Major infractions occurring within competition may be dealt with immediately, if necessary, by the Newfoundland and Labrador Basketball Association representative (or tournament host) in a position of authority, The individual being disciplined shall be told the nature of the infraction and shall have the opportunity to provide information concerning the incident. In such situations, disciplinary sanctions shall be for the duration of the competition only. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this policy for major infractions. This review does not replace the appeal provisions of this policy. Hosts can refer to the Discipline Policy outlined in the Minor Rules Booklet for direction during Minor School/Club Championships.

Hearing:

14. Within 7 days of receiving the Incident Report, the Executive Director shall forward the Report to the Executive Board who will determine if a hearing is required. The Executive Board shall appoint three individuals to serve as a Discipline Panel. The 3 individuals could all be members of the executive board, if they so choose.

15. The Discipline Panel shall hold the hearing as soon as possible, but not more than 21 days after the Incident Report is first received by the Executive Board.

16. Having reviewed the nature of the discipline matter and the potential consequences of any resulting sanctions, the Panel may decide to conduct the hearing by way of review of documentary evidence or by way of oral hearing. If the Panel decides to conduct an oral hearing, it may decide to do so in-person or by means of telephone conference.

17. The Panel may determine that the circumstances of the dispute warrant a preliminary conference:

- a) the matters which may be considered at preliminary conference include date and location of a hearing, timelines for exchange of documents,. format for the hearing, clarification of issues in dispute, any procedural matter, order and procedure of hearing, remedies being sought, identification of witnesses, and any other matter which any assist in expediting the discipline proceedings.
- b) the panel may delegate to one of its members the authority to deal with these preliminary matters.

18. The Discipline Panel shall govern the hearing as it sees fit, having regard to the financial resources and needs of the Newfoundland and Labrador Basketball Association, provided that:

- a) the individual being disciplined shall be given 10 days written notice (by courier or fax) of the day, time and place of the hearing;
- b) the individual being disciplined shall receive a copy of the incident report;
- c) members of the Panel shall select from among themselves a Chairperson;
- d) a quorum shall be all 3 Panel members;
- e) decisions shall be by majority vote where the Chair carries a vote;
- f) in the case of an oral hearing, the individual being disciplined may be accompanied by a representative;
- g) in the case of an oral hearing, the individual being disciplined shall have the right to present evidence and argument;
- h) the hearing shall be held in private;
- i) the Panel may request that witnesses to the incident be present in the case of an oral hearing or submit written evidence;
- j) once appointed, the Panel shall have the authority to abridge or extend timelines associated with all aspects of the Hearing.

19. The Discipline Panel shall render its decision, with written reasons within 10 days of the Hearing. A copy of this decision shall be provided to all of the parties to the hearing by the President and the Executive Director. An extension may be granted on the consent of all parties to the hearing.

20. The preceding provisions may be modified, or added to, as required by the provisions of any other pertinent Newfoundland and Labrador Basketball Association policy, such as those dealing with harassment, doping, personnel or event-specific matters.

21. Where the individual acknowledges the facts of the incident, he or she may waive the hearing, in which case the Panel shall determine the appropriate disciplinary sanction. The Panel may hold a hearing for the purpose of determining an appropriate sanction.

22. If the individual being disciplined chooses not to participate in the hearing, the hearing shall nonetheless proceed.

Sanctions

23. The Discipline Panel may apply the following disciplinary sanctions singly or in combination, for major infractions:

- a) written reprimand to be placed in individual's file;
- b) hand-delivered written apology;
- c) suspension from certain Newfoundland and Labrador Basketball Association events which may include suspension from the current competition or from future teams or competitions;
- d) being sent home following suspension from the current competition;
- e) payment of a financial fine in an amount to be determined by the Discipline Panel;

- f) suspension from certain Newfoundland and Labrador Basketball Association activities (i.e. competing, coaching or officiating) for a designated period of time;
 - g) suspension from all Newfoundland and Labrador Basketball Association activities for a designated period of time;
 - h) expulsion from Newfoundland and Labrador Basketball Association;
 - i) publication of the decision
 - j) other sanctions as may be considered appropriate for the offense.
24. The preceding sanctions may be modified, or added to, as required by the provisions of any other pertinent Newfoundland and Labrador Basketball Association policy, such as those dealing with harassment, doping, personnel or event-specific matters.
25. Unless the Discipline Panel decides otherwise, any disciplinary sanctions shall commence immediately.
26. In applying sanctions, the Disciplinary Panel may have regard to the following aggravating or mitigating circumstances:
- a) the nature and severity of the offense,
 - b) whether the incident is a first offense or has occurred repeatedly,
 - c) the individual's acknowledgment of responsibility,
 - d) the individual's extent of remorse,
 - e) the age, maturity or experience of the individual, and
 - f) the individual's prospects for rehabilitation.
27. Notwithstanding the procedures set out in this policy, any member of the Newfoundland and Labrador Basketball Association who is convicted of a criminal offense involving any sexually related conduct and/or any act of violence towards a youth, shall face automatic suspension from participating in any activities of the Newfoundland and Labrador Basketball Association for a period of time corresponding to the length of the criminal sentence imposed by the Court, and may face further disciplinary action by the Newfoundland and Labrador Basketball Association in accordance with this policy.

APPENDIX A

GUIDELINES FOR BEHAVIOUR

The Newfoundland and Labrador Basketball Association is committed to providing an environment in which all individuals are treated with respect. Further, the Newfoundland and Labrador Basketball Association supports equal opportunity and prohibits discriminatory practices. Members are expected to conduct themselves at all times in a manner consistent with the values of the Newfoundland and Labrador Basketball Association which include: fairness, integrity, open communication and mutual respect. Conduct which violates these values may be subject to sanctions pursuant to the Newfoundland and Labrador Basketball Association's Discipline Policy.

In addition to the above, the following specific behaviors will be subject to sanction pursuant to the Newfoundland and Labrador Basketball Association's Discipline Policy.

1. not complying with the by-laws, rules, regulations or policies of the Newfoundland and Labrador Basketball Association, as adopted and amended from time to time;
2. verbally or physically abusing opponents, officials, spectators or sponsors; Newfoundland and Labrador Basketball Association personnel, team-mates, coaching staff, support staff, peers or volunteers;
3. showing disrespect to officials, including the use of foul language and obscene or offensive gestures;
4. abusing basketball facilities or equipment;
5. failing to comply with the conditions of entry in a Newfoundland and Labrador Basketball Association event including any rules with regard to clothing or advertising;
6. failing to be available to meet reasonable requests for interviews by the media;
7. any other unreasonable conduct which brings the Newfoundland and Labrador Basketball Association, its sponsors and /or the sport of basketball into disrepute, including but not limited to, abusive use of alcohol, non-medical use of drugs, use of alcohol by minors.

For the purposes of a discipline matter which is being dealt with under this policy, if there is any discrepancy between this Code of Conduct and the applicable Code of Conduct of any local/regional/provincial/territorial basketball association, this Code of Conduct and policy shall take precedence.

APPENDIX B

EXAMPLES OF MINOR INFRACTIONS:

1. a single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors;
2. conduct contrary to the ideals of fair play such as angry outbursts or arguing;
3. a single incident of being late for or absent from a Newfoundland and Labrador Basketball Association events and activities at which attendance is expected or required;
4. non-compliance with the rules and regulations under which the Newfoundland and Labrador Basketball Association events are conducted, whether at the local, provincial, national or international level.

EXAMPLES OF MAJOR INFRACTIONS:

1. repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviour directed towards others, including but not limited to peers, opponents, athletes, coaches, officials, administrators, spectators and sponsors;
2. repeated conduct contrary to the ideals of fair play such as angry outbursts or arguing;
3. repeated incidents of being late for or absent from Newfoundland and Labrador Basketball Association events and activities at which attendance is expected or required;
4. activities or behavior which interfere with the organization of a competition or with any athlete's preparation for a competition;
5. pranks, jokes or other activities which endanger the safety of others;
6. deliberate disregard for the rules and regulations under which Newfoundland and Labrador Basketball Association events are conducted, whether at the local, provincial, national or international level;
7. any conduct which results in harm to the image, credibility or reputation of the Newfoundland and Labrador Basketball Association and / or its sponsors
8. abusive use of alcohol or any other illicit substance where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely;
9. abuse of basketball facilities or equipment
10. any use of alcohol or any other illicit substance by minors;
11. use of illicit drugs and narcotics;
12. use of banned performance enhancing drugs or methods

APPENDIX C

NLBA's -- INCIDENT REPORT

Date and time of incident: _____

Name of writer: _____ Position: _____

Location of incident: _____

This incident is a: _____ minor infraction _____ major infraction

Individual(s) involved in the incident:

Objective description of the incident (please be concise, accurate and non-judgmental):

Contact information of individuals who observed the incident:

Disciplinary action which was taken (if applicable): _____

Signature of writer: _____

Date: _____

APPEALS POLICY

NOTE:

"Members" refers to all categories of members in the Newfoundland and Labrador Basketball Association, as well as to all individuals engaged in activities with or employed by the Newfoundland and Labrador Basketball Association, including, but not limited to, athletes, coaches, officials, volunteers, directors, officers, team managers, team captains, medical and paramedical personnel, administrators and employees (including contract personnel).

"Appellant" refers to the member appealing a decision; and "respondent" refers to the body whose decision is being appealed.

SCOPE OF APPEAL

1. Any member of the Newfoundland and Labrador Basketball Association who is affected by a decision of the Board of Directors, of any Committee of the Board of Directors, or of anybody or individual who has been delegated authority to make decisions on behalf of the Board of Directors, shall have the right to appeal that decision, provided there are sufficient grounds for the appeal as set out in Section 5 of this policy. Such decisions may include, but are not limited to, carding, employment, contract matters, harassment, selection and discipline.
2. This policy shall not apply to matters relating to the rules of the basketball, which may not be appealed.

TIMING OF APPEAL

3. Members who wish to appeal a decision shall have 21 days from the date on which they received notice of the decision, to submit written notice of their intention to appeal, along with detailed reasons for the appeal, to the President of the Newfoundland and Labrador Basketball Association. The notice of appeal shall be accompanied by payment of \$200, which shall be non-refundable.

Any party wishing to initiate an appeal beyond the 21 day period must provide a written request stating reasons for an exemption to the requirement of Section 3. The decision to allow, or not allow an appeal outside the 21 day period shall be at the sole discretion of the President.

GROUNDINGS FOR APPEAL

5. A decision cannot be appealed on its merits alone. An appeal may be heard only if there are sufficient grounds for the appeal. Sufficient grounds include the respondent:
 - a. making a decision for which it did not have authority or jurisdiction as set out in the Newfoundland and Labrador Basketball Association's governing documents;

- b. failing to follow procedures as laid out in the bylaws or approved policies of the Newfoundland and Labrador Basketball Association;
- c. making a decision which was influenced by bias, where bias is defined as a lack of neutrality to such an extent that the decision-maker is unable to consider other views;
- d. exercising its discretion for an improper purpose;
- e. making a decision which was grossly unreasonable.

SCREENING OF APPEAL

6. Within 3 days of receiving the notice of appeal, the President shall decide whether or not the appeal is based on one or more of the categories of possible errors by the respondent as set out in Section 5. The President shall not determine if the error has been made, only if the appeal is based on such an allegation of error by the respondent. In the absence of the President, the Vice-President shall perform this function and in the absence of the Vice-President, the Executive Board will appoint an individual to perform this function.

7. If the appeal is denied on the basis of insufficient grounds, the Appellant shall be notified of this decision in writing, giving reasons. This decision is at the sole discretion of the President, or designate, and may not be appealed.

APPEALS PANEL

8. If the President, or designate is satisfied that there are sufficient grounds for an appeal, within 10 days of having received the original notice of appeal the President shall establish an Appeals Panel (the "Panel") as follows:

- a. The Panel shall be comprised of three individuals who shall have no significant relationship with the affected parties, shall have had no involvement with the decision being appealed, and shall be free from any other actual or perceived bias or conflict.
- b. At least one of the Panel's members shall be from among the Appellant's peers.
- c. The Panel's members shall select from themselves a Chairperson.

PRELIMINARY CONFERENCE

9. The Panel may determine that the circumstances of the dispute warrant a preliminary conference:

- a. The matters which may be considered at a preliminary conference include date and location of hearing, timelines for exchange of documents, format for the appeal, clarification of issues in dispute, any procedural matter, order and procedure of hearing, remedies being sought, identification of witnesses, and any other matter which may assist in expediting the appeal proceedings.
- b. The Panel may delegate to its Chairperson the authority to deal with these preliminary matters.

PROCEDURE FOR THE APPEAL

10. The Panel shall govern the appeal by such procedures as it deems appropriate, having regard to the financial needs and resources of the Newfoundland and Labrador Basketball Association, provided that:
- a. The appeal hearing shall be held within 21 days of the Panel's appointment.
 - b. The Appellant, respondent and affected parties shall be given 14 days written notice of the date, time and place of the appeal hearing.
 - c. A quorum shall be all three Panel's members.
 - d. Decisions shall be by majority vote, where the Chairperson carries a vote.
 - e. Copies of any written documents which any of the parties would like the Panel to consider shall be provided to each member of the Panel, and to all other parties, at least 5 days in advance of the hearing.
 - f. If the matter under appeal relates to team selection, any person potentially affected by the decision of the Panel shall become a party to the appeal.
 - g. Any of the parties may be accompanied by a representative or advisor, including legal counsel.
 - h. The Panel may direct that any other individual participate in the appeal.
 - i. In the event that one of the Panel's members is unable or unwilling to continue with the appeal, the matter will be concluded by the remaining two Panel members.
 - j. Unless otherwise agreed by the parties, there shall be no communication between Panel members and the parties except in the presence of, or by copy to, the other parties.
11. In order to keep costs to a reasonable level the Panel may conduct the appeal by means of a telephone or video conference.

APPEAL DECISION

12. Within 14 days of concluding the appeal, the Panel shall issue its written decision, with reasons. In making its decision, the Panel shall have no greater authority than that of the original decision-maker. The Panel may decide:
- a. To void or confirm the decision being appealed;
 - b. To vary the decision where it is found that an error occurred and such an error cannot be corrected by the original decision-maker for reasons which include, but are not limited to, lack of clear procedure, lack of time, or lack of neutrality;
 - c. To refer the matter back to the initial decision-maker for a new decision;
 - d. To refund the appeal fee of \$ 200 to the Appellant, and
 - e. To determine how costs of the appeal shall be allocated, if at all.
13. A copy of this decision shall be provided to each of the parties and to the President and Executive Director of the association.

TIMELINES

14. If the circumstances of the dispute are such that this policy will not allow a timely appeal or if the circumstances of the disputes are such that the appeal cannot be concluded within the timelines dictated in this policy, the Panel may direct that these timelines be abridged or extended as they deem necessary.

DOCUMENTARY APPEAL

15. Any party to the appeal may request that the Panel conduct the appeal by way of documentary evidence. The Panel may seek agreement from the other parties to proceed in this fashion. If agreement is not forthcoming, the Panel shall decide whether the appeal shall proceed by way of documentary evidence or in-person hearing.

ARBITRATION

16. The decision of the Panel shall be final and binding upon the parties.

LOCATION AND JURISDICTION

17 Any appeal shall take place in the municipality where the Provincial Office of the Newfoundland and Labrador Basketball Association is located, unless held by way of telephone conference call or held elsewhere as may be decided by the Panel as a preliminary matter.

ALTERNATIVE DISPUTE RESOLUTION POLICY

The Newfoundland and Labrador Basketball Association supports the principles of Alternative Dispute Resolution (ADR) and is committed to the techniques of mediation and arbitration as effective ways to resolve disputes with its members, and avoid the harm of litigation.

Accordingly, opportunities for mediation may be pursued at any point in a dispute where it is appropriate and where the disputing parties agree that such a course of action would be mutually beneficial.

In the event that a dispute persists after internal avenues of decision-making and appeals have been exhausted, opportunities for arbitration may be pursued. Where the continuing dispute relates to the appeal panel having made a decision which was outside its jurisdiction, having failed to follow proper procedures, or having made a decision which was influenced by bias, such a dispute may be dealt with through binding arbitration before an independent arbitrator who is acceptable to the parties in the dispute.

No action or other legal proceeding shall be commenced against the Newfoundland and Labrador Basketball Association in respect of a dispute, unless the Newfoundland and Labrador Basketball Association has failed to participate in arbitration in accordance with this policy.

CONFIDENTIALITY POLICY

Preamble

Persons involved in leadership positions with the Newfoundland and Labrador Basketball Association, whether paid or volunteer and including athletes, have access to confidential information about the Newfoundland and Labrador Basketball Association. Similarly, the Newfoundland and Labrador Basketball Association has access to confidential information about individuals. All persons involved with the Newfoundland and Labrador Basketball Association will respect the confidentiality of such information by adhering to this policy.

Responsibilities of Individuals

- Employees and contractors shall not, either during the term of their employment or contract with the Newfoundland and Labrador Basketball Association or any time thereafter, disclose to any person or organization any confidential information concerning the business, affairs or personnel of the Newfoundland and Labrador Basketball Association which he or she may have acquired in the course of their employment or contract.
- Individuals involved with the Newfoundland and Labrador Basketball Association, whether as a volunteer, committee member, athlete, contractor or director, shall not, either during the period of their involvement or any time thereafter, disclose to any person or organization any confidential information about the business, affairs or personnel of the Newfoundland and Labrador Basketball Association, unless expressly authorized to do so.

Responsibilities of the Newfoundland and Labrador Basketball Association

- The Newfoundland and Labrador Basketball Association shall not divulge to outside parties any personal information about an employee or contractor, including but not limited to place of residence, home phone number, date of hire, or earnings, without the employee or contractor's permission, unless required to do so by law.
- Likewise, the Newfoundland and Labrador Basketball Association shall not divulge to outside parties any personal information about an athlete, member, volunteer, committee member or director, unless expressly authorized to do so, permitted to do so in accordance with approved policies of the Newfoundland and Labrador Basketball Association, or required to do so by law.
- The Newfoundland and Labrador Basketball Association shall respect the confidentiality of medical information supplied by any athlete to the Newfoundland and Labrador Basketball Association by not supplying this information to outside parties without the express consent of the athlete, unless required to do so by law.

Enforcement

A breach of any provision in this policy may give rise to discipline in accordance with the Newfoundland and Labrador Basketball Association's Code of Conduct and Discipline policy.

CONFLICT OF INTEREST POLICY

Conflicts involving directors and other decision-makers

The Newfoundland and Labrador Basketball Association is incorporated under the Canada Corporations Act and is governed by the Act in matters involving a real or perceived conflict between the personal interests of a director (or other individual involved in decision-making or decision-influencing roles) and the broader interests of the corporation. The term Director refers to persons with voting privileges.

A **conflict of interest** is a situation in which a Director is involved in multiple interests, (financial, emotional, or otherwise), one of which could possibly corrupt the motivation of the Director or NLBA through a competing professional or personal interest. A conflict of interest could impair the Director's ability to perform his or her duties and responsibilities objectively.

A conflict of interest exists even if no unethical or improper act results. A conflict of interest can create an appearance of impropriety that can undermine confidence in the person, the activity, and the NLBA.

Definitions of Conflict of Interest:

- 1) When the private interests of a Director influences or may be seen to influence his or her decision-making on NLBA matters.
- 2) When a Director is in a position to benefit through a decision to be made and continues to participate in the discussion.
- 3) When there is a conflict between a Director's personal interest and his or her responsibility as a Director, whether direct or indirect, real or potential, apparent or not.
- 4) When whether or not there is monetary advantage to a Director.
- 5) When a Director has a close relationship with a person dealing with NLBA so that the true independence of that Director may be challenged.
- 6) When a Director is directly involved in both sides of a transaction.
- 7) A Director may have a conflict directly through his or her individual employment, through an interest in a corporation or other legal entity, or through voluntary participation in an agency, association, or charitable institution.
- 8) Influencing the purchase of equipment, materials or services for the NLBA from a company or firm in which the Director or related persons, have a financial interest.
- 9) Promoting reading material or other teaching material which results in financial gain for the Director involved.
- 10) Directing employees of the NLBA to carry out work for a company or firm in which the employee or member, or related persons, have a financial interest.
- 11) Use of NLBA property, resources or facilities for the Director's personal benefit or the benefit of related persons, without approval of the Board.
- 12) Participating in or influencing the appointment, hiring, promotion or evaluation of a related person.
- 13) Supervising or evaluating a person who is related, excluding NCCP, without approval of the Board.
- 14) When there is a public perception that the Board, a Director or staff is in either a real or potential conflict situation.

Disclosure of Conflict of Interest

- 1) Directors, who find themselves in a conflict of interest situation at the Board or Committee level must, at the meeting where the conflict of interest arises, declare orally or in writing, their conflict of interest and the general nature thereof prior to any discussion of the matter specific to the conflict of interest situation at the meeting.
- 2) If an outside agency is aware of a potential conflict of interest they should notify the President.
- 3) When the President declares a conflict, the Vice-President shall chair the portion of the meeting with respect to the conflict issue. Should the Vice-President not be able to assume the chair, the Directors present shall delegate another Executive member or the past President to chair.
- 4) In a doubtful situation, a Director shall have a discussion with the chair of the meeting, or with the group.
- 5) If a potential conflict of interest occurs, the board member must first disclose this conflict and second, abstain from voting or decision-making on the issue.
- 6) If the conflict of interest arises frequently, or if the Director cannot be separated from parts of the activity, the matter maybe reviewed for a re-evaluation of the Director's position.

To determine potential conflicts:

Have Directors answer all of the following questions:

- a. Do you have any association connected to (topic): Yes (explain) No
- b. Do you have any relatives associated with (topic): Yes (explain) No
- c. Do you have any business interest with (topic): Yes (explain) No
- d. Do you have anyone associated with (topic): Yes (explain) No
- e. Do you have any personal interests with (topic): Yes (explain) No
- f. Have you had any current or past relationship, affiliation or association with (topic): Yes (explain association) No
- g. Is there a coach, team, parent, club who may perceive you have an association with (topic): Yes (explain) No
- h. Do you know of any reason you should not participate in discussing (topic): Yes (explain) No

If the answer to any of the above questions is “Yes” the individual is in a conflict of interest.

Conflicts involving employees (including coaching staff and team managers)

The Newfoundland and Labrador Basketball Association shall not restrict employees from accepting other employment, contracts or volunteer appointments during the term of their employment, provided that:

- The employment, contract or volunteer appointment will not diminish the employee's ability to perform the work contemplated in their employment agreement with the Newfoundland and Labrador Basketball Association,
- The Newfoundland and Labrador Basketball Association is notified in writing of the employee accepting other employment, contract or volunteer appointment, and gives written approval, and
- In the Newfoundland and Labrador Basketball Association sole discretion, the employment, contract or volunteer appointment does not represent a conflict with the employee's role, responsibilities and duties with the Newfoundland and Labrador Basketball Association.

Enforcement

A breach of any provision in this policy may give rise to discipline in accordance with the Newfoundland and Labrador Basketball Association's Code of Conduct and Discipline policy.

GENDER EQUITY POLICY

The Newfoundland and Labrador Basketball Association defines gender equity as the principle and practice of fair and equitable allocation of resources and opportunities to both females and males. More specifically, gender equity means creating equitable opportunities for both genders in athletic participation, leadership, coaching, officiating and employment with the Newfoundland and Labrador Basketball Association.

The Newfoundland and Labrador Basketball Association will seek to incorporate the principle of gender equity into all planning, budgeting, programming, communication and marketing activities, at all levels of basketball in Newfoundland and Labrador.

The Newfoundland and Labrador Basketball Association will also engage in these practices:

- the Newfoundland and Labrador Basketball Association will consider the principle of gender equity in all program areas with the objective of ensuring that programs for females receive an equitable allocation of resources and personnel as programs for males.
- the Newfoundland and Labrador Basketball Association will achieve gender balance in the appointment of all committees, task forces and other decision-making or decision-influencing bodies, and in seeking nominations for and appointments to the Board, where gender balance means that at least 40 percent of the positions are one gender.
- the Newfoundland and Labrador Basketball Association will increase the profile of women's and girls' programs, by ensuring that financial and other resources are available for this purpose.
- the Newfoundland and Labrador Basketball Association will ensure that both genders are portrayed in an equitable way in all promotional and marketing materials and communications activities.
- the Newfoundland and Labrador Basketball Association will have regard to the principle of gender equity when developing or negotiating any partnership or corporate sponsorship agreement, including joint ventures with provincial/territorial basketball associations.

Where females are underrepresented or where opportunities for females are restricted, the Newfoundland and Labrador Basketball Association will establish annual goals and targets to achieve gender equity in these areas, and will implement a system to measure progress towards these goals.



Newfoundland and Labrador Basketball Association
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www.nlba.nf.ca



NLBA STRATEGIC PLAN 2013 - 2016

MISSION STATEMENT:

The NLBA is committed to providing leadership and to develop and grow the sport of basketball domestically and nationally.

VISION:

To successfully promote and develop the sport of basketball in accordance with the LTAD at both the recreational and competitive levels and to maintain our position as one of the leading provincial sport organizations in NL.

CORE VALUES AND PRINCIPLES:

Committed to the development of basketball according to the principals of LTAD
Committed to the development of basketball at all levels
Committed to an environment of ethical conduct and fair play
Committed to collaborative and open relationships with NLBA members, volunteers, staff and partners

GOALS:

Continued promotion of the SNYBL programming at the K-grade 4 levels
Promotion of coaching education for all clubs and school programs
Promotion of the LTAD for all NLBA programming
Maintaining and growing the game in rural areas of the province
Maintaining an active, committed and experienced Board of Directors
Work collaboratively with NABO to recruit and retain officials.

Organizational Strengths:

Strong leadership and commitment at the board and staff level.
Continued growth of staff and resources to offer all NLBA programs.
Communication with members on all programming via web, email, Facebook, and Twitter.
Web page update with online registration.
Healthy relationship with all partners including provincial government, NSO, officials, schools and club members.
Ability and experience to host national level tournaments.

Organizational Weakness:

Recruitment and retention of new male and female coaches for provincial programs.
Lack of Facilities in regions of the province inhibiting growth.
Providing equal opportunities for all regions of the province (geographical challenges) to access provincial programs.
Reducing costs for elite athletes involved with provincial team programs.
Implementing coaching programs directly into the school and club programs.

Organizational Opportunities:

Develop a base of members through the SNYBL in the school or club system.
Increase certification of coaches through the Technical Directors position.
Development of new officials under Retention and Recruitment Program.
Secure corporate sponsorship for all programming.
Implementation of LTAD philosophy in club systems.
Experienced volunteer base to assist in hosting for future national events.

Organizational Threats:

Schools not incorporating NCCP mandate into programming.
Do not have control over key portions of the sport (school based sport).
Potential loss of strong leadership at the current board level.
Increasing facility costs.
Decreasing number of athletes vying for positions at Juvenile age groups along with high costs to compete for province.
Maintaining consistent provincial team coaches.
Maintaining and increasing the number of officials' province wide.

Goals and Strategies:

Anyone travelling to Eastern Canadians to have a minimum Learn to Train certification (a minimum of 1 certified coach per team but encourage all coaches to be certified).

One of our goals:

For 2015 for all head coaches attending provincials to have a minimum of Learn to Train.

Action: Communicate the expectation to the club presidents via AGM, website, email. Set up date, schedule and delivery of courses based on needs.

"Learn to Train" certification of all head coaches for club teams entering provincial by 2016.

Action Steps: To communicate expectation to club presidents by email. To schedule and deliver courses based on need.

Contact Person: Judy Byrne, Laura Chatman

Date: June 2016

Promotion of coaching education for all clubs and school programs

Action Steps: To communicate availability of resources and coaching certification session to all school coaches.

Contact Person: Judy Byrne, Coaching Director

Date: June 2016

Promotion of the LTAD for all NLBA programming.

Action Steps: As Canada Basketball continues to upgrade its NCCP program the NLBA will ensure all coaches are aware of the principals and philosophies of this document

To ensure current clubs are up to date with the information and direction taken under the LTAD and CS4L programs

Contact Person: NLBA Office Staff

Date: June 2016

Maintaining and growing the game in all regions of the province.

Action Steps: To communicate and promote availability of coaching certification opportunities in all regions of the province.

Contact Person: Judy Byrne, Coaching Director

Date: June 2016

Recruit retain and certify new male and female coaches.

Action Steps: Develop a database of new and young coaches at all house league levels and in the school system.

To communicate with club presidents the importance of head and coaches recruiting and mentoring new coaches into the program.

Contact Person: Laura Chatman

Date: June 2016

Strategic Plan for Period

June 2013 to June 2016

Updated September 25, 2013



**Newfoundland and Labrador Basketball Association
1296A Kenmount Road, Paradise, NL A1L 1N3**

LEAVE POLICY
Effective Date: April 14, 2013

PROBATION PERIOD

All employees are required to have a police record check completed within 30 days of commencement date.

The first six months of employment are considered a probation period for all employees. Each month during the probation period the supervisor will review and record the employee's job performance with the employee. A formal evaluation and review will be conducted by the Executive Director or Board of Directors at the end of the six month period.

PAID HOLIDAYS

Certain days are recognized during the year as paid holidays for employees. An employee on a full-time basis is eligible for the following paid holidays:

New Year's Day	Christmas Day
Good Friday	Boxing Day
Labour Day	Discovery Day
Thanksgiving Day	Remembrance Day
Victoria Day	Memorial/Canada Day
St. Patrick's Day	St. George's Day
Orangeman's day	Regatta Day

Plus any civic holidays at the discretion of the Executive Director/Board of Directors.

When any of the above holidays falls on an employee's scheduled day off, the employee shall receive another day off at a time mutually agreed upon between the employee and the Employer.

Accumulation of paid holidays will not be permitted.

VACATION WEEKS

Each employee shall receive an annual vacation with pay in accordance with his/her years of service as follows:

<u>YEARS OF SERVICE</u>	<u>VACATION ENTITLEMENT</u>
1 – 5 years	10 working days
6 – 8 years	15 working days
9 – 13 years	20 working days
14 – 20 years	25 working days
21 Plus years	30 working days

The calendar year shall be from January 1st to December 31st.

An employee who terminates employment before the end of the calendar year shall have the applicable proportion of the vacation period pro-rated.

There shall be no carry-over of vacation days, except in extenuating/emergency circumstances whereby ten unused vacation days can be carried over by mutual agreement between management and the employee. Any carry over must be used in the following year.

PURPOSE:

All permanent full-time employees are entitled to vacation benefits as previously outlined.

POLICY:

All vacation leave must be scheduled and taken in consultation with Executive Director. Banking of holidays is not permitted under normal circumstances. Should an employee wish to take such leave other than in the period required, exception for good reason will be considered under specific conditions.

SICK LEAVE

SICK LEAVE:

Paid sick leave benefits are provided to protect an employee from loss of pay in the event of an illness/injury which prohibits his/her attendance at work.

Sick leave will accumulate at the rate of one (1) day for each completed month of service, commencing from the date of employment.

Sick leave may be accumulated to a maximum of fifteen (15) days.

Sick leave with pay in excess of three (3) consecutive working days at any one time shall not be awarded to an employee unless he/she has submitted a medical certificate to the supervisor. In cases of an established pattern of sickness, the NLBA reserves the right to request a medical certificate for any period of sickness.

Employee Reporting Requirements: If an employee is unable to work due to illness, the employee must notify their immediate Executive Director/Board of Directors as soon as possible after the onset of the illness, and certainly by the time the employee was to report to work. Any employee that is out on sick leave longer than three or more consecutive days, a physician's statement will be required. Time lost due to illness must be reported and recorded as such.

SICK LEAVE CONTROL POLICY:

It is necessary for employees to be in good health and attend work regularly. However, it is accepted that virtually every employee will be absent from work occasionally due to legitimate sickness. An employee's income is fully protected in the event of illness which prohibits him/her from working, based on his/her accumulated sick leave credits. The Executive Director/Board of Directors are committed to informing employees about the intent and proper use of sick leave, to assuming that employees maintain their work commitments, and to promoting a healthful work place that is not jeopardized by frequent or unnecessary absenteeism. Consequently, the Executive Director/Board of Directors may initiate appropriate measures to control unnecessary absenteeism. It is not permissible to be gainfully employed elsewhere while out on sick leave.

ACCUMULATION OF SICK LEAVE:

An employee on special leave without pay in excess of twenty (20) days in total in any calendar year shall not accumulate sick leave benefits during the period of special leave unpaid. However, when an employee is given leave of absence without pay for any reason, or is laid off on account of lack of work, and he/she returns to work within a period of two years, he/she shall retain his/her accumulated sick leave credit, if any, which existed at the commencement of unpaid leave of absence or layoff.

SICK LEAVE WITHOUT PAY:

When an employee has used the maximum amount of sick leave which may be awarded to him/her and he/she is still unable to return to work, he/she may proceed on annual leave or use his/her discretionary leave (leave built up for working outside of regular working hours) if he/she is eligible to receive such leave; if not, he/she may be granted special leave without pay. A medical certificate shall be submitted as required.

FAMILY/HOME RESPONSIBILITY LEAVE

For the purpose of providing the employees of NLBA with the option of taking a paid leave in order to:

- a. attend to the temporary care of a sick family member living in the same house;
- b. attend to the temporary care of employee's sick mother, father or dependent child⁹Not necessarily living in the same household;
- c. attend to the needs relating to the birth of an employee's child;
- d. accompany a dependent family member living in the same household to a dental or medical appointment;
- e. attend school meetings;
- f. attend to needs relating to the adoption of a child;
- g. attend to needs related to home or family emergency.

These employees shall be awarded up to twenty-one (21) hours' paid family leave in any fiscal year.

QUALIFYING REQUIREMENTS:

In order to qualify for family leave, the employee must:

- a. provide as much time as reasonably possible;
- b. provide valid reasons why such leave is required; and
- c. where appropriate, have attempted to schedule such events during off duty hours.
- d. Must have completed the Probation Period before eligible for Family Leave

MATERNITY:

- a. An employee who has completed a probationary period shall be eligible for maternity leave without pay at the beginning of her sixth month of pregnancy. The maximum amount of maternity leave that shall be awarded is fifty-two (52) weeks.
- b. The employee shall resume her former position and salary upon return from maternity leave, with no loss of accrued benefits.
- c. The employer retains the right to require an employee to commence maternity leave if the state of her health, in the opinion of her physician, becomes incompatible with the requirement of the job. For an employee who chooses to work beyond the sixth month of pregnancy, a medical certificate must be presented to her supervisor every two weeks thereafter while she continues to work.
- d. An employee on maternity leave may return to duty after two weeks notice of her intention to do so, on presentation of a certificate of fitness from her physician.

- e. The employee may elect to take annual leave as part of her maternity leave, but is not required to do so.

BEREAVEMENT LEAVE

Employees are entitled to receive three (3) consecutive days bereavement leave in the event of the death of the employee's parent, brother, sister, child, spouse, or grandchild.

Employees are entitled to receive two (2) consecutive days bereavement leave in the event of the death of the employee's mother-in-law, father-in-law, daughter-in-law, brother-in-law, or sister-in-law, grandmother or grandfather.

Employees are entitled to receive one (1) day bereavement leave in the event of the death of an aunt, uncle, niece or nephew.

Where the funeral occurs outside the Province, such leave shall include reasonable traveling time, not to exceed seven (7) days without pay.

Employees on annual leave at the time of bereavement will be granted bereavement leave and their annual leave will be adjusted accordingly.

PROFESSIONAL DEVELOPMENT LEAVE

Professional development leave provides the opportunity for employees to keep up-to-date with current information and techniques in their field and to fulfill their continuing education requirements.

The Executive Director/Employees are entitled to hold membership in one professional association related to their work for which the employer will pay the annual membership fees.

Membership fees will be renewed annually and requests for conventions/seminar attendance by employees will be made directly to and approved by management/ board of directors.

Reimbursable expenses will be as follows:

- a. Registration
- b. Course materials
- c. Travel costs where necessary including meals as per approved per diem schedule.
- d. Use of private car will be paid for at the approved rate when company vehicle is not available.

June 5th, 2013...last updated

Newfoundland and Labrador Basketball Association

SPECTATOR POLICY GUIDELINES

Attendance to this event entitles you to enjoy an exhibition of skills developed by student athletes in an educational setting. Please be respectful and encouraging in your approach to all athletes, officials, coaches and fellow spectators.

Be a Responsible Fan!

- ❖ Demonstrate a **SUPPORTIVE ATTITUDE** towards all participants including; opposing players, officials, coaches, parents and other spectators!
- ❖ The athletes are playing basketball for their enjoyment and for that of the game, **NOT** for the spectator! **APPLAUD POSITIVELY** for good performance and skillful plays displayed by all participants.
- ❖ **RESPECT** the officials' decisions, the athletes' performances, the volunteer coaches' time and opponents' skills and efforts. Without any of these people there would be no game!
- ❖ **FOUL** language and any derogatory comments towards coaches, officials, athletes and fellow spectators are not permitted! The NLBA and NABO have a **NO TOLERANCE** policy.
- ❖ Any communication with a coach or official is to be courteous and respectful. During or immediately following a game **IS NOT THE RIGHT TIME**.

The NLBA and NABO would like to thank all spectators for respecting the above guidelines.

ENJOY THE GAME!!!!

REGIONAL DIRECTOR ROLES

The Regional Director shall serve as a resource for operations within each region and will liaise with the Board and the various program directors regarding all basketball activities in their region. The following are expected duties of the regional director positions.

- Provide an annual written report at for the AGM regarding the basketball activities for that year
- Promote the SNYBL to schools and Recreation departments with the assistance of the Technical Director
- Nominate at least one individuals/team for an award during the Annual Awards banquet
- Nominate worthy individuals to the Hall of Fame Committee for consideration for induction
- Bid to host at least one Senior Championship every second/third year
- Bid to host at least one Minor Championship every two years
- Communicate and promote NLBA membership to all clubs at both the senior and minor levels
- Hold at least one NCCP coaching clinic every two years
- Identify key personnel in the region to assist with the promotion of the sport in your region
- Promote the recruitment and retention and development of officials in your region
- Sit on one committee per year (policy, minor basketball, fundraising, coaching development, hall of fame, etc)

Cyber Bullying

Cyber bullying is defined as an aggressive, harmful, intentional act carried out by a group or individual via electronic media and are intended to embarrass, harm, or slander another individual. Cyber bystander behavior includes behaviors such as passively watching someone being cyber bullied or assisting the person cyber bullying (e.g. adding more mean comments to a mean post). Neither will be tolerated by the NLBA.

Any athlete, who is a member of a team or program that represents the NLBA (Provincial Teams, High Performance Programs, Club, Being Our Best, Developmental Programs), who engages in or witnesses incidents of

- Bullying by texts or messages or calls on mobile phones
- The use of mobile phone cameras to cause distress, fear or humiliation
- Posting threatening, abusive, defamatory or humiliating material on websites, to include blogs, personal websites, social networking sites
- Using e-mail to message others
- Hijacking/cloning e-mail accounts
- Making threatening, abusive, and defamatory or humiliating remarks in chat rooms, to include Facebook, YouTube, Snapchat, etc.

Will be subject to disciplinary actions which may include:

- The removal of the athlete from team or program
- Refusal of selection for placement on future teams

GUIDANCE FOR STAFF

If you suspect or are told about a cyber-bullying incident, follow the protocol outlined below:

- Ask the athlete to save, send, show and/or print the material in question
- Note clearly everything on the screen relating to an inappropriate text message or image, to include the date, time and names
- Make a transcript of a spoken message, again record date, times and names
- Report the incident to Board